



Schools Assistance Regulations 2009

Select Legislative Instrument 2009 No. 132 as amended

made under the

Schools Assistance Act 2008

This compilation was prepared on 10 September 2009
taking into account amendments up to SLI 2009 No. 223

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Regulation 1.1

Part 1 Preliminary**1.1 Name of Regulations** [see Note 1]

These Regulations are the *Schools Assistance Regulations 2009*.

1.2 Commencement

These Regulations are taken to have commenced on 1 January 2009.

1.3 Application

- (1) Parts 1 and 7 of these Regulations are taken to have applied on and after 1 January 2009.
- (2) The remainder of these Regulations apply on and after the day after these Regulations are registered.

Note These Regulations give effect to data collection and reporting requirements in the National Education Agreement. The MCEETYA *Measurement Framework for National Key Performance Measures*, as amended from time to time, sets out the key performance measures and the agreed assessment and data collection cycle that apply equally to government and non-government schools.

Data for some of the performance indicators contained in the National Education Agreement and the Framework may be derived from sources other than schools, such as survey collections.

1.4 Definitions

In these Regulations:

Act means the *Schools Assistance Act 2008*.

Catholic schools means Catholic systemic schools and Catholic non-systemic schools.

COAG means the Council of Australian Governments.

ICT means Information and Communications Technology.

language conventions means spelling, grammar and punctuation.

Regulation 1.4

MCEETYA means the Ministerial Council on Education, Employment, Training and Youth Affairs.

NAP means the National Assessment Program.

Note The NAP comprises the agreed assessments identified on the NAP web page and in the document titled *Measurement Framework for National Key Performance Measures*, both of which are available on the Internet at <http://www.mceetya.edu.au>.

NAPLAN means the National Assessment Program — Literacy and Numeracy.

PISA means the Programme for International Student Assessment.

Note PISA is an international assessment of 15 year old students in reading literacy, mathematical literacy and scientific literacy. It is conducted every 3 years by the Organisation for Economic Co-operation and Development.

TIMSS means the Trends in International Mathematics and Science Study.

Note TIMSS is an international assessment of students in Years 4 and 8 in mathematics and science. It is conducted every 4 years by the International Association for the Evaluation of Educational Achievement.

Regulation 2.1

Item	Assessment	Year(s)
7	TIMSS science assessment, year 4	2010
8	TIMSS science assessment, year 8	2010
9	NAP civics and citizenship assessment, year 6	2010
10	NAP civics and citizenship assessment, year 10	2010
11	NAP ICT literacy assessment, year 6	2011
12	NAP ICT literacy assessment, year 10	2011

Regulation 3.4

3.3 Performance information — measures for student attendance

- (1) For paragraph 18 (1) (c) of the Act, performance information for the performance measure mentioned in Division 1 of Part 7 of Schedule 1 must be in a form that enables the publication of the information for the relevant program year disaggregated by the following characteristics of students:
 - (a) school sector;
 - (b) school grade;
 - (c) sex;
 - (d) Indigenous status.
- (2) For subregulation (1), each of the following is a *school sector*:
 - (a) Catholic schools;
 - (b) other non-government schools.
- (3) For subregulation (1), each of the following is a *school grade*:
 - (a) all ungraded primary school students;
 - (b) all ungraded secondary school students;
 - (c) each of years 1 to 10.
- (4) For subregulation (1), the characteristics of sex and Indigenous status are as described in the *2009 Data Standards Manual — Student Background Characteristics*, published by MCEETYA, as in force when these Regulations commence.

Note The *2009 Data Standards Manual — Student Background Characteristics* is available on the Internet at <http://www.mceetya.edu.au>.

3.4 Reporting periods

The Minister may, in writing, determine a period to which a report that includes performance information mentioned in Schedule 1 must relate.

Regulation 5.1

Part 5 Funding agreements — reporting to parents etc.

5.1 Student reports

- (1) For paragraphs 20 (3) (d) and (e) of the Act, and subject to subregulation (2), a report of a student's achievement must include, for subjects studied, an assessment against achievement levels defined by the education authority or school, being levels:
 - (a) labelled as A, B, C, D or E (or on an equivalent 5 point scale); and
 - (b) clearly defined against specific learning standards.
- (2) The Minister may approve a different form of student report for this regulation.
- (3) The report must be provided at least twice in a program year.

Note The *Privacy Act 1988* and the related Information Privacy Principles should be consulted to ensure that the information reported does not interfere with an individual's privacy.

Part 6 Funding agreements — publication by schools of information relating to schools

6.1 Information relating to schools

- (1) For subsection 21 (1) of the Act, and subject to subregulation (2), the following information for a school is specified:
- (a) contextual information about the school, including the characteristics of the student body;
 - (b) teacher standards and qualifications (as mandated in the relevant jurisdiction);
 - (c) workforce composition, including Indigenous composition;
 - (d) student attendance at school, including:
 - (i) the rates of attendance for the whole school and for each year level; and
 - (ii) a description of how non-attendance is managed by the school;
 - (e) senior secondary outcomes, including the percentage of year 12 students:
 - (i) undertaking vocational training or training in a trade; and
 - (ii) attaining a year 12 certificate or equivalent vocational education and training qualification;
 - (f) student outcomes in standardised national literacy and numeracy testing;
 - (g) parent, student and teacher satisfaction with the school;
 - (h) post-school destinations;
 - (i) school income broken down by funding source.

Note 1 Under subsection 21 (1) of the Act, the information must relate to the school for a program year.

Regulation 6.1

Note 2 Subsection 24 (1A) of the Act provides that a funding agreement must not require a report to include any information that would identify a particular donor as a funding source of any non-government school or non-government body.

Note 3 It is expected that the definition of *school income broken down by funding source* for paragraph (i) will be prescribed at a later date.

- (2) The Minister may approve a different form of information for this regulation.
- (3) The information mentioned in subregulations (1) and (2) is the minimum information required, and this regulation does not prevent a school from making other information available.
- (4) For subsection 21 (2) of the Act, a school must:
 - (a) make the information publicly available on the Internet; and
 - (b) make arrangements to provide the information, on request, to a person who is responsible for a student and is unable to access the Internet.

Note The *Privacy Act 1988* and the related Information Privacy Principles should be consulted to ensure that the information reported does not interfere with an individual's privacy.

Part 7 **Grants for recurrent expenditure**

7.1 **Average Government School Recurrent Costs — meaning of AGSRC**

Primary education

- (1) For subparagraph 36 (1) (a) (ii) of the Act, the AGSRC for primary education for the 2009 program year is \$8 380.

Secondary education

- (2) For subparagraph 36 (1) (b) (ii) of the Act, the AGSRC for secondary education for the 2009 program year is \$10 646.

7.2 **Indigenous supplementary assistance — primary education funding amounts**

Non-remote school campuses

- (1) For paragraph 67 (1) (b) of the Act, the assistance amount for each student for the 2009 program year is \$1 668.

Remote and very remote school campuses

- (2) For paragraph 67 (2) (b) of the Act, the assistance amount for each student for the 2009 program year is \$4 012.

7.3 **Indigenous supplementary assistance — secondary education funding amounts**

Non-remote school campuses

- (1) For paragraph 69 (1) (b) of the Act, the assistance amount for each student for the 2009 program year is \$2 381.

Regulation 7.3

Remote and very remote school campuses

- (2) For paragraph 69 (2) (b) of the Act, the assistance amount for each student for the 2009 program year is \$4 656.

Part 8 Grants for capital expenditure

8.1 Capital expenditure supplementation number

- (1) For subsection 85 (2) of the Act, the capital expenditure supplementation number for the 2009 program year is 1.051.
- (2) For paragraph 85 (4) (a) of the Act, the index of building prices is the Non-residential Building Construction Index (4113) Australia; Original, produced and published by the Australian Bureau of Statistics in Tables 15 and 16 of the Time Series Spreadsheets within Catalogue No. *6427.0 Producer Price Indexes, Australia*, June 2009.
- (3) For paragraph 85 (4) (b) of the Act, the index of wage costs is the Total Hourly Rates of Pay Excluding Bonuses; Australia; Construction; Private and Public; All Occupations; Original, produced and published by the Australian Bureau of Statistics in Table 5b of the Time Series Spreadsheets within Catalogue No. *6345.0 Labour Price Index Australia*, June 2009.

Note The *6427.0 Producer Price Indexes, Australia* and the *6345.0 Labour Price Index, Australia* are available on the internet at <http://www.abs.gov.au>.

Regulation 9.1

Part 9 Grants for targeted expenditure**9.1 Literacy, numeracy and special learning needs — school grants amounts**

For subsection 98 (2) of the Act, the base assistance amount for the 2009 program year is \$146 258 955.

9.2 Literacy, numeracy and special learning needs — guarantee amounts

For paragraph 99 (b) of the Act, the guarantee amount for the 2009 program year is \$1 867 513.

9.3 Targeted expenditure supplementation number

For subsection 101 (2) of the Act, the targeted expenditure supplementation number for the 2009 program year is 1.047.

Schedule 1 Performance information

(regulation 3.1)

Part 1 Measures for English literacy

- 101 The percentage of students in each of years 3, 5, 7 and 9 at each level of proficiency in the NAPLAN assessment in each of reading, writing and language conventions, including specific reference to the national minimum standards.
- 102 The percentage of students achieving at or above the standard in the PISA reading literacy assessment for 2009 and 2012.

Part 2 Measures for numeracy and mathematics

- 201 The percentage of students in each of years 3, 5, 7 and 9 at each level of proficiency in the NAPLAN assessment in numeracy, including specific reference to the national minimum standards.
- 202 The percentage of students achieving at or above the standard in the PISA mathematical literacy assessment for 2009 and 2012.
- 203 The percentage of students achieving at or above the standard in the TIMSS mathematics assessment, year 4, for 2010.
- 204 The percentage of students achieving at or above the standard in the TIMSS mathematics assessment, year 8, for 2010.

Part 3 Measures for science

- 301 The percentage of students achieving at or above the standard in the NAP science literacy assessment, year 6, for 2009 and 2012.
- 302 The percentage of students achieving at or above the standard in the PISA scientific literacy assessment for 2009 and 2012.

303 The percentage of students achieving at or above the standard in the TIMSS science assessment, year 4, for 2010.

304 The percentage of students achieving at or above the standard in the TIMSS science assessment, year 8, for 2010.

Part 4 Measures for civics and citizenship

401 The percentage of students achieving at or above the standard in civic knowledge and understanding in the NAP civics and citizenship assessment, year 6, for 2010.

402 The percentage of students achieving at or above the standard in citizenship participation skills and civic values in the NAP civics and citizenship assessment, year 6, for 2010.

403 The percentage of students achieving at or above the standard in civic knowledge and understanding in the NAP civics and citizenship assessment, year 10, for 2010.

404 The percentage of students achieving at or above the standard in citizenship participation skills and civic values in the NAP civics and citizenship assessment, year 10, for 2010.

Part 5 Measures for ICT literacy

501 The percentage of students achieving at or above the standard in the NAP ICT literacy assessment, year 6, for 2011.

502 The percentage of students achieving at or above the standard in the NAP ICT literacy assessment, year 10, for 2011.

Part 6 Measures for vocational education and training in schools

601 School students undertaking vocational education and training (with new apprenticeships and traineeships disaggregated) as part of their senior secondary school certificate in a calendar year as a proportion of all school students undertaking a senior secondary school certificate in that year.

- 602 School students enrolled in a senior secondary school certificate in a calendar year who have completed at least 1 vocational education and training unit of competency/module, as a proportion of all school students undertaking a senior secondary school certificate in that year.

Part 7 Measures for student attendance

Division 1 Information

- 701 The number of actual student days during the period to which a report relates as a percentage of the number of possible student days during the period.

Division 2 Definitions

- 702 In item 701:
- actual student days* means the total number of school days attended by students.
- possible student days* means the total number of school days that could be attended by students.
- student* means a full-time student who:
- (a) is:
 - (i) an ungraded primary school student; or
 - (ii) an ungraded secondary school student; or
 - (iii) in any of years 1 to 10; and
 - (b) is enrolled for the entire duration of the period to which a report relates.

Note Under regulation 3.4, the Minister may determine the period to which the information must relate.

Table of Instruments

Notes to the *Schools Assistance Regulations 2009*

Note 1

The *Schools Assistance Regulations 2009* (in force under the *Schools Assistance Act 2008*) as shown in this compilation is amended as indicated in the Tables below.

Table of Instruments

Year and Number	Date of notification in Gazette or FRLI registration	Date of commencement	Application, saving or transitional provisions
2009 No. 132	26 June 2009 (see F2009L02456)	1 Jan 2009	
2009 No. 223	9 Sept 2009 (see F2009L03331)	10 Sept 2009	—

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Part 7	
Part 7	rs. 2009 No. 223
R. 7.1	rs. 2009 No. 223
R. 7.2	ad. 2009 No. 223
R. 7.3	ad. 2009 No. 223
Part 8	
Part 8	ad. 2009 No. 223
R. 8.1	ad. 2009 No. 223
Part 9	
Part 9	ad. 2009 No. 223
R. 9.1	ad. 2009 No. 223
R. 9.2	ad. 2009 No. 223
R. 9.3	ad. 2009 No. 223