



New South Wales

Education Reform Regulation 1996

under the

Education Reform Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Education Reform Act 1990*.

JOHN AQUILINA M.P.

Minister for Education and Training

Explanatory note

The object of this Regulation is to repeal and remake the *Education Reform Regulation 1990*. The new Regulation deals with the following matters:

- (a) the publication of the results of basic skills testing,
- (b) the particular kinds of children in respect of whom certain non-government schools may be registered,
- (c) the constitution of parents and citizens associations and kindred associations,
- (d) the publication of the rules of the Board of Studies,
- (e) the saving of certain existing syllabuses,
- (f) the saving of certain existing district council areas,
- (g) miscellaneous formal and technical matters.

This Regulation comprises or relates to matters of a machinery nature and matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

This Regulation is made under the *Education Reform Act 1990*, including section 130 (the general regulation making power), sections 18, 53, 64, 65, 115 and 131 and clause 2 of Schedule 3.

This Regulation is made in connection with the staged repeal of subordinate legislation under the *Subordinate Legislation Act 1989*.

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Education Reform Regulation 1996

1 Name of Regulation

This Regulation is the *Education Reform Regulation 1996*.

2 Commencement

This Regulation commences on 1 September 1996.

3 Definitions

In this Regulation:

the Act or *the new Act* means the *Education Reform Act 1990*.

the former Act means the *Education and Public Instruction Act 1987*.

4 Notes

The explanatory note and table of contents do not form part of this Regulation.

5 Results of basic skills testing: section 18

- (1) The results of basic skills testing must not be publicly revealed if the results relating to particular children are revealed.
- (2) However, the results relating to a particular child may be revealed:
 - (a) to the child, and
 - (b) to the child's parents, and
 - (c) to the principal of the school in which the child is enrolled and, if the child was enrolled at some other school at the time the tests were conducted, to the principal of that other school.
- (3) The results of basic skills testing must not be publicly revealed in a way that ranks or otherwise compares the results of particular schools.

6 Registration of non-government schools as efficient for education of children of particular kind: sections 53, 64, 65

Children of the following kinds are prescribed for the purposes of section 53 (1) (c), 64 (2) (b) and 65 (2) (c) of the Act:

- (a) children who need special instruction because of sensory, physical, intellectual or emotional disabilities,
- (b) children who are, or who are the children of, foreign nationals.

7 Constitution of parents and citizens associations and kindred associations for government schools: section 115

- (1) The Minister may constitute a parents and citizens association or kindred association for a government school on receiving minutes of a meeting at which 7 or more persons (each being parents of children attending the school or residents of the district served by the school):
 - (a) have resolved that such an association be formed, and
 - (b) have appointed the following officers from among themselves, namely, a president, at least 2 vice-presidents, a treasurer and a secretary.
- (2) The officers of such an association hold office until their successors are appointed in accordance with such rules as are made or adopted by the association for the conduct of the association's affairs.

8 Publication of rules of Board of Studies: section 131

- (1) A rule made by the Board of Studies under section 131 of the Act is to be published by means of a notice displayed to the public at the Board's office.
- (2) A copy of each such rule:
 - (a) must be included in the relevant bulletins and manuals issued by the Board to government schools and non-government schools, and
 - (b) must be available for public inspection at the Board's offices during business hours.

9 Saving of certain syllabuses

- (1) A syllabus for a course of study:
 - (a) that was, immediately before the commencement of the new Act, approved or adopted by the Board of Secondary Education under the former Act, and
 - (b) that has not, since that date, been duly replaced under the new Act,is taken to be a syllabus approved by the Minister under the new Act.
- (2) Subclause (1) ceases to apply to a syllabus that is replaced by a new syllabus.

10 Saving of certain district council areas

- (1) The area for which a district council was established under the former Act, as existing immediately before the commencement of the new Act, is taken to be an area prescribed for the purposes of section 115 (2) of the new Act.
- (2) Land within an area referred to in subclause (1) ceases to be part of that area if the land is subsequently included in an area prescribed in respect of a district council established under the new Act.

11 Repeal

- (1) The *Education Reform Regulation 1990* is repealed.
- (2) Any act, matter or thing that, immediately before the repeal of the *Education Reform Regulation 1990*, had effect under that Regulation continues to have effect under this Regulation.