

School Board Legal Framework



**Wellard
Village**

PRIMARY SCHOOL

Wellard Village Primary School Board Legal Framework

Legal framework of school boards

All public-school boards in Western Australia are regulated by the School Education Act 1999, School Education Regulations 2000 and the individual board's terms of reference.

The Act provides for membership:

- mandated parent representation.
- staff representation (the principal is automatically included).
- general community representation.
- optional co-opted community and industry representation.
- where the school has a Parents and Citizens' Association (P&C), the association may nominate a representative to be considered for the parent or general community category of membership.
- allocation of a member of another association in relation to the school or group of schools to which the school belongs.

The Act provides the means by which a board is established and operates, including how members are elected or appointed and outlines the structure of a board.

NOTE:

- Parents and members of the community must make up the majority of a board's membership in schools where the majority of students at the school are under the age of 18.
- A person who is a staff member of the school, and a parent or community member, may only be a member of the board in his or her capacity as a staff member.

Legal liability

Section 137 of the School Education Act 1999 provides protection against liability for members of unincorporated boards where they have acted in good faith.

Unincorporated councils/boards:

- are covered for personal liability while performing functions of the board under the Department of Education's General Liability and Professional Liability insurance coverage with RiskCover, the Department's "insurer".
- may be provided with legal advice by the Department of Education or the State Solicitor's Office.

