



ACT
Government

School Boards Handbook

**Selection and
Appointment
of Members**



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PART 1 - INTRODUCTION

1. Introduction

School-based management and decision making is a longstanding and well-embedded philosophy in the ACT public education system, having been an underpinning principle of school management since 1976.

School boards work in partnership with the Principal and school community. They have specific responsibility for endorsing and overseeing the strategic direction and priorities of the school; monitoring and reviewing school performance; developing, maintaining and reviewing curriculum; and approving budgets and policies for the effective use of school resources; and management of financial risk.

School boards provide robust forward-thinking governance at the local level to ensure that schools meet the present and future needs of their school community. School boards are supported by the Education Directorate (the Directorate) to ensure that their responsibilities are fulfilled effectively.

The [Education Act 2004](#) (the Act) provides the framework for school board operations and the appointment of board members. Supporting processes must meet government and community expectations. These processes contribute to board effectiveness by being transparent and consistently applied.

1.1 Description of this handbook

This handbook details the requirements for the selection and appointment of persons to school board positions. These requirements must be adhered to in order to meet legislated obligations contained in the Act and to enable the Directorate's Returning Officer to be satisfied that proper processes have been applied when making decisions about board appointments.

The information contained in this handbook relates to general school boards. Schools in special circumstances and school-related institutions, should check the [Disallowable Instrument](#) for any particular requirements including the composition of their board. You can find the Disallowable Instruments on the '[Education Act 2004](#)' page on the ACT legislation register under 'Regulations and Instruments' tab.

PART 2 - FUNDAMENTALS

2. Introduction

This section provides information about the legislated requirements and roles and responsibilities for the selection and appointment of board members.

2.1 Legislation

The composition of school boards, eligibility of persons to become board members and appointment requirements are specified in the Act. The processes for selection and appointment of board members are also impacted by other legislation, such as privacy. In addition, government and community expectations must be satisfied in the processes applied, including the need for efficient administration, transparency, and accountability.

2.2 Roles and Responsibilities

The selection and appointment of members of the school board requires numerous roles and responsibilities to be performed.

Role	Responsibility
Board members <i>Work with other members to ensure the school functions in the best interests of the school and its students, and to make the board effective</i>	<p>Board role</p> <p><u>Membership</u></p> <ul style="list-style-type: none"> • Sign and abide by the Code of Conduct • Elect a chairperson and deputy chairperson (cannot be the Principal, a staff member or a Board Appointed Member) • Decide if board appointments should be staggered • Appoint up to two Board Appointed Members • Appoint an acting member to fill a vacant role
Chairperson <i>Leads the school board, works with the Principal, and ensures the board meets its obligations and functions effectively</i>	<p>Board role</p> <p><u>Membership</u></p> <ul style="list-style-type: none"> • Support the induction of new board members • Ensure members understand their roles and responsibilities and sign the Code of Conduct
Principal <i>Manages the school day to day and reports to the school board on school operations, finance, compliance and risk</i>	<p>Board role</p> <p><u>Compliance and administration</u></p> <ul style="list-style-type: none"> • Inform school community about appointments to board positions (within seven days of being notified) <p><u>Assistant Returning Officer (ARO) selection</u></p> <ul style="list-style-type: none"> • Ensure an ARO is identified to coordinate board selection processes (more than one ARO may be needed) • Supply the ARO contact details to the Directorate including name, email and phone number.

	<ul style="list-style-type: none"> • Raise any issues around board member appointments with the Returning Officer (Executive Branch Manager, Governance and Community Liaison)
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Representative members <i>Chosen from a key stakeholder group (staff, students of high schools and colleges, and parents and citizens) to ensure a balanced and effective board</i>	Board role
	<u>Membership</u> <ul style="list-style-type: none"> • Meet board eligibility requirements that: <ul style="list-style-type: none"> ○ a school staff member who currently works at the school, including casual staff ○ a school student who currently attends the school or is doing a school education program at least 12 hours a week (high school and colleges, or equivalent, only) ○ a parent member who is a parent, guardian or carer of a student at the school. ○ a local community member who lives nearby or is otherwise connected to the school, but who is not a parent, guardian or carer for a student at the school. They do not have to (but can) live in the priority enrolment area. ○ A P&C Association member needs to be a ‘member’ of the P&C Association of the school as defined in the P&C’s constitution for the school. <ul style="list-style-type: none"> ▪ P&C Membership under each P&C constitution is usually automatic for parents and carers of students at the school (including any who teach there) and ▪ An adult who is not a student’s parent, guardian or carer must first become a P&C member through a process referred to in the constitution.
Director-General <i>Responsible to the Minister for Education and Youth Affairs for the delivery of ACT public education</i>	System role
	<u>Compliance and administration</u> <ul style="list-style-type: none"> • Be the Returning Officer for school board appointments (<i>Note: this power is delegated to the Executive Branch Manager, Governance and Community Liaison</i>). • Determines the composition of school boards for schools in special circumstances and school-related institutions, following approval from the Minister.
Directorate	System role
	<u>Compliance and administration</u>

<p>Supports school board operations</p>	<ul style="list-style-type: none"> • Supports the Director-General • Supports AROs and school boards to meet their obligations • Advises stakeholders about school governance and board operations • Manages Appointed Member appointments • Informs principals of board appointments following approval by the Returning Officer
<p>Returning Officer</p> <p><i>The Returning Officer is the Executive Branch Manager, Governance and Community Liaison Branch</i></p>	<p>System role</p> <p><u>Compliance and administration</u></p> <ul style="list-style-type: none"> • Appoints members to school boards • Makes decisions in relation to school board matters

<p>Assistant Returning Officer (ARO)</p> <p><i>Supports the school board by coordinating member selections.</i></p> <p><i>Must not be a board member or someone seeking a board position, but may belong to the school's community or staff.</i></p>	<p>System role</p> <p><u>Compliance and administration</u></p> <ul style="list-style-type: none"> • Coordinate school board selection processes: <ul style="list-style-type: none"> ○ in line with this handbook ○ in a fair way and following proper processes ○ in line with confidentiality and privacy principles and requirements <p><u>Liaison</u></p> <ul style="list-style-type: none"> • Advise the Principal of multiple membership vacancies in the same category so the board can consider staggering appointments • Invite eligible school community candidates to nominate for vacant positions and vote in elections • Advise candidates with invalid or incorrect nominations to resubmit a valid nomination • Keep candidates updated about the selection and appointment processes • Advise newly appointed members about the term of their appointment after the Returning Officer (the Executive Branch Manager, Governance and Community Liaison) has made the appointment <p>Board reporting</p> <p><u>General documents</u></p> <ul style="list-style-type: none"> • Prepare all board selection documents, including: <ul style="list-style-type: none"> ○ nomination forms ○ ballot papers ○ return forms
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	<ul style="list-style-type: none"> • Advise the Returning Officer within five days of a member resigning
Scrutineer	System role
<i>If appointed by an election candidate</i>	<u>Compliance and administration</u> <ul style="list-style-type: none"> • Oversee the drawing of nominee positions on the ballot paper and/or the counting of ballot papers

PART 3 – OBLIGATIONS

3. Introduction

The selection and appointment of school board members is subject to legislative and best practice requirements, detailed in the Act and this handbook. Appointments to the school board are made by the Directorate's Returning Officer. In most circumstances, before appointments can occur, an election may be required. Eligibility criteria for nominations and voting exist to ensure that the school board represents all sectors of the school and broader community.

The Directorate provides support for board member selection and appointment processes. As the Act requires school board appointments to commence on 1 April, common dates for nominations, voting and appointment of school board members are set by the Directorate at the end of the year prior (for example the 2022 calendar was set at the end of 2021).

The processes and requirements set out in this handbook must be followed to comply with the legislated obligations and for the Returning Officer to make decisions about appointments to school boards.

The information contained in this handbook relates to general school boards.

Schools in special circumstances and school-related institutions, as defined in the Act, have different requirements in relation to eligibility for school board positions as specified in the [Disallowable Instruments](#) for those schools. If you are requiring information about selection and appointment of board members for these schools then please contact the Directorate via EDUSchoolBoards@act.gov.au.

These schools are:

- [Birrigai Outdoor School](#)
- [Black Mountain School](#)
- [Telopea Park School](#)
- [University of Canberra High School Kaleen](#)
- [University of Canberra Senior Secondary College, Lake Ginninderra](#)
- [Woden School](#)
- [Early Childhood Schools](#) (This includes: Isabella Plains Early Childhood School, Lyons Early Childhood School, Narrabundah Early Childhood School, O'Connor Cooperative School and Southern Cross Early Childhood School) and
- [Murrumbidgee Education and Training Centre](#).

3.1 Essentials

3.1.1 Eligibility for school board positions

School boards comprise representatives from all key stakeholder groups to ensure that their perspectives are considered in decisions made by the board. Eligibility criteria apply to representative member positions.

Position	Eligibility
Staff members	<p>Must be currently employed as a member of staff of the school.</p> <p><i>Applies to all staff, including casual employees.</i></p>
Student members	<p>Must be a current student at the school who attends classes or participates in an education program conducted by the school for at least 12 hours per week.</p> <p><i>Applies to high school and colleges only. A list is provided at Appendix 2.</i></p>
Parents and citizens members	<p>There are three sub-categories of parents and citizens members. Note this is a change that started in 2021.</p> <p>For schools with a parents and citizens association there is:</p> <ol style="list-style-type: none"> 1. One member from the P&C Association of the school; and 2. Two members from the parents, guardians and carers of students at the school; and if insufficient parents nominate to fill any parent vacancies then the parent positions can be filled by a member from the local community of the school. <p>The P&C Association member on the board must be a member of the P&C Association of the school as defined in each Association's own constitution. Membership is usually automatic for parents and carers of students at the school (including any who teach there). An adult who is not a student's parent, guardian or carer must first become a school P&C member.¹ Someone nominating to be a P&C Association member on the board must also declare on their nomination form that they intend to be actively involved in the P&C Association of the school during the term of office on the board. The nominee does <u>not</u> have to be (but can be) an office bearer of the P&C (president, secretary, treasurer etc) or on the committee of the P&C.</p> <p>For schools without a parents and citizens association there is:</p> <ol style="list-style-type: none"> 1. Two members from the parents, guardians and carers of students at the school; and 2. One member from the local community of the school. <p>The <i>local community</i> position is to be filled by someone who lives in the local area or otherwise connected to the school, but who is not a parent, guardian or carer for a student at the school. This is for schools with and schools without a P&C Association.</p> <p>For schools without a P&C, if no local community member can be selected (for example no nominations are received), then up to three parents will be selected.</p>

3.1.2 Returning Officer

¹ Each parents and citizens association has its own constitution. A copy of the current constitution can be obtained from Access Canberra by filling in the Association search request form on their web page: https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1504#!tabs-5.

The Director-General is the Returning Officer for all school board selection processes. The Director-General has delegated this power to the Executive Branch Manager, Governance and Community Liaison.

The role of Returning Officer is to appoint persons and end appointments to school boards in accordance with the Act, and to resolve disputes arising from selection processes and school board operations. Any issues in relation to school board selection processes must be provided in writing to the Returning Officer within 14 days of the conclusion of the selection process.

With the exception of Board Appointed Members, the Returning Officer has the exclusive authority to appoint a person to a school board. In all cases the term of the member's appointment does not commence until the appointment has been formally made by the Returning Officer. The results of a selection process must not be made public until after an appointment has been made by the Returning Officer and the result has been provided to the Principal by the Directorate.

3.1.3 Assistant Returning Officer (ARO)

Each school must have at least one ARO who is responsible for coordinating board selection processes. The principal ensures that an ARO is identified to coordinate board selections and supplies the ARO's contact details to the Directorate before the end of each school year. This enables the Directorate to assist schools to prepare for school board selections by providing information about processes, including key dates, and training activities.

The ARO must not be a board member or someone seeking a board position, but may belong to the school's community or staff. The ARO role is often fulfilled by the Business Manager of the school or other front office staff member who can assist with election processes during school hours.

3.1.4 Term of appointment

The term of appointment for a board member, other than the Principal and Board Appointed Members, **begins** on the date of effect of the appointment, as determined by the Returning Officer. This will be the latter of:

- 1 April in the year of the member's appointment; or
- the date of the member's appointment.

The **term ends** on 31 March, not more than 24 months after the beginning of the term.

The principal is a member of the board by virtue of holding the position of principal (ex-officio member) and therefore the term of appointment is for the duration of their appointment as principal.

The term of appointment for a Board Appointed Member is not more than 12 months from the date of appointment by resolution of the board.

3.2 Process for selection of board members

The selection of school board members must be undertaken in accordance with the procedures outlined in this section to ensure that boards have enough members to enable them to function. Templates have been created for each stage of the process and a process map is available on the [School Boards](#) web page.

3.2.1 Key dates

The Directorate publishes an annual calendar of key dates for each stage of the selection process on the [School Boards](#) web page. This is published at the end of the year ready for the following year. It should be used in conjunction with this handbook.

3.2.2 Identifying positions that will become vacant

Before the end of the school year the ARO must identify the school board appointments that are due to expire on 31 March of the following year. The ARO may need to liaise with the Directorate to check the terms of appointment for their school board members. This can be done by emailing EDUSchoolBoards@act.gov.au.

If vacancies on the school board are due to arise, then the Assistant Returning Officer **must** prepare the school community for a selection process. If there is more than one position in the same membership category that will become vacant, the ARO should inform the Principal so that the board can consider staggering appointments.

Staggered appointments

To ensure that there is continuity of knowledge on school boards, it is recommended that appointments to the school board be staggered. School board positions can be identified as one or two year appointments so that a large number of school board appointments do not end at the same time. For example, if two staff member positions on the school board will become vacant; a decision may be made to fill one position for 12 months and the other for the full term of appointment (up to 24 months). This also avoids the requirement for selection processes for all positions to be conducted at one time.

The decision to stagger school board appointments is made by the board.

3.2.3 Notice of selection process

The ARO must ensure that the notice of selection process is clearly communicated to the school community in advance of the nomination period. This should include displaying information on school notice boards, in school newsletters, on the school's website, and through other means as appropriate, such as email to all relevant members of the school community, social media pages for the school and local community publications (if required).

The notice should provide information about the roles and responsibilities of school board members, the term of appointment (one or two year) and the contact details for the ARO for further enquiries.

3.2.4 Call for nominations

The ARO must call for nominations from each relevant sector of the school community that has a board vacancy to be filled. The ARO must ensure that the call for nominations is clearly communicated to the school community. This should include displaying information on school notice boards, in school newsletters, on the school's website, and through other means as appropriate, such as email to all relevant members of the school community, posts on social media pages for the school and local community publications (if required).

The template *Nomination Form* located on the [School Board Elections](#) web page must be completed by the ARO and made available to the school community on the school's website and at the school's front office. A separate nomination form is to be created for each type of vacancy for that year (staff, students, parents etc).

The *Nomination Form* contains guidance for the ARO in calling for nominations and informs the school community of the dates, times and location for the lodgement of nominations. The nomination period must be open for 14 days. Nominations must not be accepted after the advertised closing date and time for nominations.

The *Nomination Form* includes a statement to confirm that the nominee agrees to the nomination and appointment to the position on the school board and will abide by the Code of Conduct. The form also includes a statement for schools with a P&C Association member vacancy, that the candidate intends to be actively involved in the P&C Association of the school during the term of office on the board. The nominee does not have to be (but can be) an office bearer of the P&C (president, secretary, treasurer etc) or on the committee of the P&C.

3.2.5 Validity of nominations

Throughout the nomination period the ARO should review submitted nominations to ensure they are valid. To be valid, a nomination must be:

- received by the ARO within the nomination period;
- signed by the nominee;
- submitted to the Assistant Returning Officer using the prepared *Nomination Form*;
- legible;
- completed by a nominee;
- and the nominee must fulfil the eligibility requirements (see 3.1.1 above on page 12).

For valid nominations the ARO should acknowledge receipt of nomination to each nominee. Care should be taken to ensure that nominee information (name, email address) is not disclosed to other nominees. The acknowledgement should include information about the date and time that the nomination period closes, next steps and withdrawal of nomination (refer to section 3.2.6).

If a nomination is not valid then the ARO must attempt to contact the nominee as soon as practicable to inform them and give them the opportunity to resubmit their nomination prior to the closure of the nomination period.

All nominations, whether valid or invalid, must be kept by the ARO in a secure location until the end of the dispute period (which is 14 days after the appointments have been made by the Returning Officer) or resolution of any dispute, whichever is the latter.

Invalid nominations or issues arising during the nomination period must be recorded on the *Election Return Form* located on the [School Board Elections](#) web page and submitted to the Returning Officer within five days of the conclusion of the selection process.

3.2.6 Withdrawal of nomination

Nominations may be withdrawn at any time prior to appointment by the Returning Officer. In the event of the withdrawal of a single nominee for a position on the school board, a call for nominations must be conducted again.

3.2.7 Determining if an election is needed or further call for nominations

If the number of nominees validly nominated is less than or equal to the number of positions required to be filled, the names of all nominees are to be submitted to the Returning Officer for appointment.

If the number of nominees validly nominated is greater than the number of positions required to be filled, then an election must be conducted, commencing one week after the closure of nominations.

If the number of nominees validly nominated is insufficient to fill the number of positions required to be filled, the Assistant Returning Officer must proceed to have their appointments approved by the Returning Officer and undertake a further call for nominations for the remaining vacancies (refer to section 3.2.4).

The Assistant Returning Officer should inform nominees of the number of nominations received and the next steps to be undertaken. Care should be taken to ensure that nominee information (name, email address) is not disclosed to other nominees.

3.2.8 Preparation for election

The ARO will notify the school community that an election is required and the names of the nominees by informing the school community via school notice boards, school newsletters, the school's website, and through other means as appropriate, such as email to all relevant stakeholders. The notification should include a brief statement from each candidate outlining why they are seeking appointment to the board. The notification should occur as soon as possible after the need for an election is determined, as the voting period must commence one week after nominations close. It must include relevant dates and information about the lodgement of votes.

Prior to the commencement of the voting period, the Assistant Returning Officer prepares the ballot paper and associated paperwork for each member category requiring an election. A template Ballot Paper is available on the [School Board Elections](#) web page. A separate ballot paper is required for each member category except for parents and citizens members (P&C Association, parent and/or local community). Parents and citizens vacancies at a school can all be put on the one ballot paper as the parents, carers and guardians are the people eligible to vote.

The ballot paper **must** contain the following:

- the name of the school;
- member category (parents and citizens, staff or students);
- voting instructions;
- number of positions to be elected;
- term of appointment;
- names of nominees; and
- space for the voter to record the preferred candidate's name (*Note: Check boxes are not used on the ballot paper because voters vote for one person only in each category, regardless of the number of vacant positions in that category. The use of check boxes is more prone to error and therefore votes being invalid*).

The ARO is responsible for drawing the names of nominees for positions on the ballot paper. The ARO decides on the date, time and location (preferably within business hours) to draw the names of nominees. Whilst the nominees are precluded from attending the drawing of ballot paper positions, the ARO must inform them when and where it will take place and provide them with information about appointing a scrutineer.

If a scrutineer is appointed to observe the drawing of ballot paper positions, they must be available at the time determined by the ARO.

Nomination forms for scrutineers must be received by the ARO prior to the drawing of ballot positions and submitted using the *Scrutineer Appointment Form* located on the [School Board Elections](#) web page. At the conclusion of the election the Scrutineer Appointment Form must be forwarded to the Returning Officer with the *Election Return Form* located on the [School Board Elections](#) web page.

The drawing of ballot paper positions is to be conducted by 'lot e.g. drawing the names out of a 'hat', or a similar process, with the results recorded by the ARO.

The ARO must prepare envelopes for the submission of votes. A template is available on the [School Board Elections](#) web page

3.2.9 Voting period

Voting must commence one week after nominations close and must be completed one week following the opening of voting. Votes must not be accepted before voting opens or after the close of voting.

3.2.10 Eligibility to vote

Members of the school community are eligible to vote in elections for their category of membership, with the exception of local community members who are not eligible to vote for any positions. In addition, parents, carers and guardians are eligible to vote for the local community candidate that they believe would best meet the needs of their school board. Students are not eligible to vote for the local community member.

Each eligible person may vote in each ballot to which they are entitled to vote. So if someone is a staff member and a parent they can vote in the staff member ballot, the parents, carers and guardians ballot and the P&C Association ballot (if the school has a P&C).

Category	Eligibility to vote
Staff member	<p>Must be currently employed as a member of staff of the school.</p> <p><i>Applies to all staff, including casual employees.</i></p>
Student member	<p>Must be a current student at the school who attends classes or participates in an education program conducted by the school for at least 12 hours per week.</p> <p><i>Applies to high school and colleges only. A list is provided at Appendix 2</i></p>
Parents and citizens member	<p>There are three sub-categories of parents and citizens members:</p> <ol style="list-style-type: none"> 1. parents and citizens association member; 2. parents, guardians and carers member; and 3. local community member. <p>Must be a parent, guardian or carer of a student at the school to vote on any of the three parents and citizens sub-categories.</p> <p>Each eligible person is eligible to vote in all of the sub-categories they are eligible to vote for. So someone who is staff member at the school and a parent, guardian or carer of a student at the school can vote for a parent member position (if vacant), a P&C Association member (if vacant), a local community member (if vacant) and a staff member (if vacant). They get one vote for each vacancy type.</p> <p>Where more than one member of the same family is a parent, carer or guardian then each person is eligible to vote.</p>

3.2.11 Submission of votes

A completed ballot paper must be placed individually in the envelope provided, sealed and the declaration signed. The envelope must then be returned to the ARO in the method stated on the ballot paper and within the stipulated time frame. Schools must provide a secure ballot box in the front office for the submission of votes.

Proxy voting is not permitted.

Submission of votes via email, fax or use of online survey tools is not permitted to ensure the integrity of the ballot including ensuring that each voter only votes once in the election and to enable a scrutineer (if appointed by a candidate) to observe that all votes are removed from the ballot box prior to counting and observe the counting process.

3.2.12 Voting requirements in election with multiple nominees to one position

If there is only one position to be filled, voters must indicate the one person that they select on the ballot paper by putting a tick or a number 1 beside their name or otherwise indicating

the candidate that they prefer (for example writing the candidate's name somewhere on the ballot, and no other names).

3.2.13 Validity of votes

The ARO is required to decide whether a vote is valid or invalid.

A vote is considered invalid if any of the following issues occur:

- the ballot paper is not in the voting envelope;
- the declaration on the envelope is not signed by the voter;
- the ballot paper identifies the voter;
- there is no mark on the ballot paper; or
- the voting envelope is received outside the voting period.

If numbers after '1' are included, then the ballot is taken to be a vote for the candidate with the number '1' next to their name.

Information about invalid votes must be included on the relevant *Elections Return Form* located on the [School Board Elections](#) web page.

3.2.14 Counting votes

The following steps should be adhered to by the ARO when counting votes:

1. Decide the date, time and location, preferably in business hours, to count the votes. This should be as soon as possible after the voting period closes.
2. Inform the nominees of when and where the vote counting will be undertaken, that they are precluded from attending the count and the process for appointing a scrutineer (if they choose to do so).

The Scrutineer Appointment Form located on the [School Board Elections](#) web page must be used by the candidate/s to appoint a scrutineer. Nomination forms for scrutineers must be received by the ARO prior to the votes being counted. The ARO must forward this form to the Returning Officer with the relevant Return Form located on the [School Board Elections](#) web page at the conclusion of the election.

If a scrutineer is appointed, they must:

- *be available at the time nominated by the ARO,*
- *observe only,*
- *not participate in the counting of votes by the ARO, and*
- *not participate in the ARO's determination of validity of votes.*

3. Using a large table, the name of each candidate is placed on a separate piece of paper. A separate sheet is prepared for 'invalid' votes.
4. Each ballot paper is removed from its envelope, checked for validity (see section 3.2.14), and valid votes placed face up next to the preferred candidate's name.

5. Once all ballot papers are removed from their envelopes and placed next to a candidate's name, they are to be checked to ensure that they've been correctly allocated to the candidates and turned over.
6. The votes for each nominee are to be counted and a post-it note with the count placed on top. Under no circumstances may a ballot paper be marked by the ARO.
7. The votes and counting are to be rechecked by the ARO and the post-it-note ticked to indicate that this has been completed. The nominee receiving the highest number of votes is the successful candidate, known as 'first past the post' or simple majority voting. *(Note: information about the election outcome must be treated as confidential. It must **not** be made public until the appointment is made by the Returning Officer and the Principal and ARO have been notified of the result by the Directorate). This includes the scrutineers. This is because the legal appointment is only valid when a decision is made by the Returning Officer based on the results of the ballot.*
8. In the event of equal votes the ARO must determine the outcome by 'lot'. The ARO must use an accepted technique such as 'drawing a name out of a hat', 'drawing straws' or a 'coin toss'. The ARO decides on the method to be used.
9. If the same person receives the most votes in the P&C Association member category and the parents, guardians and carers member category (because they have nominated in both), then they should be selected as the P&C Association member. The person with the next highest number of votes should be selected for the parent member category.
10. Results are to be recorded on the *Election Return Form* located on the [School Board Elections](#) web page. The completed form is to be forwarded to the Directorate for collation and submission to the Returning Officer. The Election Return form must be submitted within five days of the votes being counted.

3.2.15 Unfilled positions

If following a selection process a position remains unfilled, the school community should be informed of the vacancy and a new selection process conducted. If it is a local community position that is unfilled, then a nomination and ballot should be done for a parents, guardians and carers member position. If this means that there are two parents positions vacant during the same election period, and more than one nomination received then the nominee with the next most votes should be selected from the original parent ballot.

The Directorate must be informed of the unfilled position and the anticipated timeframe for the new call for nominations on the Election Return Form available on the [School Board Elections](#) web page.

3.2.16 Record keeping

All ballot papers for each position are to be placed into an envelope and sealed, with a separate envelope used for each category of position. The position title and election dates are to be detailed on the front of the envelope and stored in a secure location at the school.

Ballot papers are to be disposed of six months after the completion of the term of office of the board member elected in the ballot.

3.3 Approval of appointments by the Returning Officer

The Returning Officer will consider the proposed appointments and notification will be provided to the Principal and ARO when the appointments have been approved. The Directorate aims to complete this within 14 days of receiving the completed *Election Return Form*.

The principal must inform the school community of the appointment of school board members as soon as possible and within seven days of being notified.

3.4 Disputed selection outcomes

In the event of a dispute about a selection outcome, the ARO must detail the issue on the relevant *Election Return Form* located on the [School Board Elections](#) web page and the form provided to the Returning Officer within 14 days of the matter being disputed. The issue will be considered by the Returning Officer who will determine one of the following:

- the selection is void and a new selection process must be undertaken;
- the selection outcome was incorrect, and a different candidate is to be appointed; or
- the selection outcome is correct.

The decision by the Returning Officer will be provided to the Principal within 14 days of being notified of the dispute. If a new selection process must be held, it should be conducted as soon as possible.

3.5 Board member resignation

The process to be followed in the event of resignation of a board member is outlined in the process map available on the [School Boards](#) webpage.

When a board member resigns, the ARO must inform the Returning Officer in writing within five days of the member's resignation, including the reason for resignation and providing a copy of the resignation letter. The Returning Officer will confirm the ending of the appointment in writing to the Principal and the school board member within 14 days of being informed of the member's resignation by the ARO.

3.6 Board member termination of appointment

A board member's appointment will automatically terminate if the member ceases to be eligible to be appointed to the position i.e.

- for staff members, the person is no longer a member of staff;
- for student members, the person is no longer a student at the school; and
- for parents and citizens members, the person is no longer
 - a member of the school's Parents and Citizens Association (P&C Association member),
 - a parent, carer or guardian of a student (parent member),

- living nearby or otherwise connected to the school (local community member).

A board member's appointment will be terminated by the Returning Officer if:

- the member (other than the Principal) is absent from three consecutive meetings of the school board without reasonable excuse or leave given by the school board; or
- the member fails to disclose a material conflict of interest without reasonable excuse.

A board member's appointment may also be terminated by the Returning Officer due to the member's misbehaviour or physical or mental incapacity.

The principal must provide information about the issue that may lead to the termination of the appointment of a school board member to the Directorate as soon as possible. The Returning Officer will respond in writing to the Principal and the school board member within 14 days of receiving information about the issue.

The termination of an appointment of a school board member creates a vacancy for the remainder of the term of appointment which, depending on the length of the remaining term, may be filled as a casual vacancy or an acting appointment. The procedures for filling a casual vacancy (refer to section 3.7) or an acting appointment (refer to section 3.8) detailed in this handbook must be followed.

3.7 Casual vacancies

A casual vacancy is for the remainder of the original term of appointment that has been vacated.

If a casual vacancy arises the ARO should identify if the position was most recently filled by an election and determine if there is an unsuccessful candidate from that election that would be eligible to fill the position. The ARO must contact the unsuccessful candidate to confirm interest in filling the casual vacancy before submitting the proposed appointment to the Returning Officer for decision. If there is more than one unsuccessful candidate, then the person who received the highest number of votes should be the preferred candidate. If there were two or more unsuccessful nominees tied with the highest number of votes, the ARO must decide the winning candidate by lot.

If the position was previously filled by an unopposed nomination, or there are no unsuccessful candidates from the previous election who are eligible or available to fill the vacancy, the position is to be filled by a new selection process. The ARO is required to conduct the selection process to fill the casual vacancy in accordance with the procedures contained in this handbook.

The filling of a casual vacancy is to be recorded on the *Election Return Form* located on the [School Board Elections](#) web page. The completed form is to be forwarded to the Directorate for collation and submission to the Returning Officer. The Election Return form must be submitted within five days of the successful candidate being decided.

Where a casual vacancy occurs less than three months prior to the end of the term of office (including the Christmas holiday period), the position may remain vacant at the discretion of

the school board, providing that the board can meet its quorum requirements. Should the board wish to fill a position of less than three months duration, the board may appoint a person to that position for the balance of the term of office. This appointment is known as an 'acting appointment' (refer to section 3.8).

3.8 Board establishment for a new school

The principal should aim to establish the board to commence from 1 April in the year that the school opens, with staggered appointments to staff, student (if applicable) and parents and citizens member positions so that all positions do not become vacant at the same time.

Where there is no Parents & Citizens Association formed, parents and citizens members should be elected from the entire parent/carer community of the school and from the local community. If no local community member can be selected (for example no nominations are received), then up to three parents will be selected.

If a Parents and Citizens Association has been formed, one member should be elected from the parents and citizens association, and two should be elected from the parents, carers and guardians of students at the school. Where a parent member is unavailable to be selected, then advertise for a local community member².

The Returning Officer will consider appointing a person for the position of Appointed Member that provides a supplementary skillset to other positions on the board. Possible skill sets could include someone from a migrant resources centre if there is high cultural diversity in the community, or a community engagement specialist.

² The local community member is to be filled (where possible) by someone who nearby or is otherwise connected to the school, but who is not a parent, guardian or carer for a student at the school.

PART 4 - FREQUENTLY ASKED QUESTIONS

4. Frequently Asked Questions

Q How long is a term of appointment to the school board?

A Members are selected from the date of their appointment for a period of 12 months or 24 months to 31 March. The general practice is to elect people for a period of 24 months, with half the board elected each year. This provides continuity of knowledge and skills on boards.

Board Appointed Members are appointed for a period of not more than 12 months from the day that the board votes for them to become part of the board.

Q Can both parents of a child at the school nominate for the school board?

A Yes, providing they are both eligible.

Q Can both parents vote in a school election?

A Yes, providing they are both eligible.

PART 5 - SUPPORT

5. Support for school boards

Training

All appointed school board members are invited to attend training activities offered periodically by the Directorate.

Resources

Comprehensive information about school board functions and board member selection and appointment processes is available on the [School Boards pages](#) of the Directorate's website.

Contact us

For more information about school board matters, contact the school's principal in the first instance. If the Principal is unable to assist, contact the Governance and Community Liaison Branch: **phone:** 02 6207 6846 or **email:** EDUSchoolBoards@act.gov.au.

PART 6 - APPENDICES

Glossary of Terms

- **Acting appointment** is the appointment of a person to act as a member of the school board while the position remains vacant due to the inability of the elected member to attend meetings of the board due to illness or other reason for three months or more; or the person ceases to hold the position three months or less before the end of the term of office. Acting appointments do not require appointment by the Returning Officer.
- **Appointed Member** is a member of the board appointed by the Returning Officer to present an independent view to the school board. The appointed member is appointed without election. The selection of appointed members is undertaken by the Directorate.
- **Appointment of members** occurs when the Returning Officer formally appoints selected members. In certain circumstances the board can approve the appointment of a specific category of members i.e. acting members or Board Appointed Members.
- **Board Appointed Member** is a membership position appointed by the board to ensure that the unique features of the school are represented and to bring in expertise that the board needs but doesn't have. The number of Board Appointed Member positions on the board is up to two for general schools and is specified in the relevant Disallowable Instrument for schools in special circumstances or school-related institutions. They are non-voting member positions. The term for a Board Appointed Member is up to 12 months.
- **Casual vacancy** arises when a board appointment ends due to resignation, ineligibility or termination by the Returning Officer. The term of the casual vacancy is for the remainder of the term of the appointment.
- **Disputes** are issues that cannot be resolved by the board. All disputes in relation to school board selection processes should be referred to the Returning Officer.
- **[Education Act 2004 \(the Act\)](#)** details the requirements for education and training in the ACT.
- **Ex-officio member** is membership by virtue of one's position. The principal of a school is an ex-officio member of the school's board.
- **First-past-the-post** (also known as simple majority voting) is a method of determining the results of an election. It requires voters to indicate their preferred candidate. The winning candidate secures a higher total number of votes than any other candidate.

- **Local community** member is to be filled (where possible) by someone who lives nearby or is otherwise connected to the school, but who is not a parent, guardian or carer for a student at the school.
- **Lot** is a technique used by the ARO in the event of equal votes. Determining the successful nominee by 'lot' involves the ARO using an accepted technique to choose between candidates with equal chance such as 'drawing a name out of a hat', 'drawing straws', 'rolling a dice' or a 'coin toss' (for two candidates).
- **Parents and citizens members** are three members as defined in the Act, for schools with and without a parents and citizens association.
- **Parents and citizens association member** (sub-category) is a position on the school board that is held by a member of the school's Parents & Citizens Association. Eligibility for membership of the Parents and Citizens Association is defined in the Association's constitution and is usually open to all parents/carers of students at the school.
- **Parents, guardians and carers member** (sub-category) is a position on the school board that is held by someone who is a parent, guardian or carer of a student at the school.
- **School** means a public school as defined in the Act.
- **School board** means the board that is established under the [Education Act 2004](#) to work with the Principal to develop and maintain the strategic direction and priorities for the school and to perform the functions of the board specified in the Act.
- **Scrutiny** is the observation of part of an election process. A scrutineer may be appointed by nominees to observe the process of the ARO drawing the names of nominees for positioning on the ballot paper, or to observe the process of the ARO counting votes, or both.
- **Staff member** is a position on the school board that is filled by a current staff member of the school. All staff are eligible, including casual employees.
- **Student** means a person who participates in educational activities conducted by the school for a minimum of 12 hours per week.

Schools and colleges with student board members

Schools

Alfred Deakin High School
Amaroo School
Belconnen High School
Black Mountain School
Calwell High School
Campbell High School
Canberra High School
Caroline Chisholm School
Gold Creek School
Harrison School
Kingsford Smith School
Lanyon High School
Lyneham High School
Melba Copland Secondary School
Melrose High School
Namadgi School
Stromlo High School
Telopea Park School
The Woden School
University of Canberra High School Kaleen
Wanniassa School

Colleges

Canberra College
Dickson College
Erindale College
Gungahlin College
Hawker College
Lake Tuggeranong College
Narrabundah College
University of Canberra Secondary College Lake Ginninderra