

Property Responsibilities in a State Integrated School

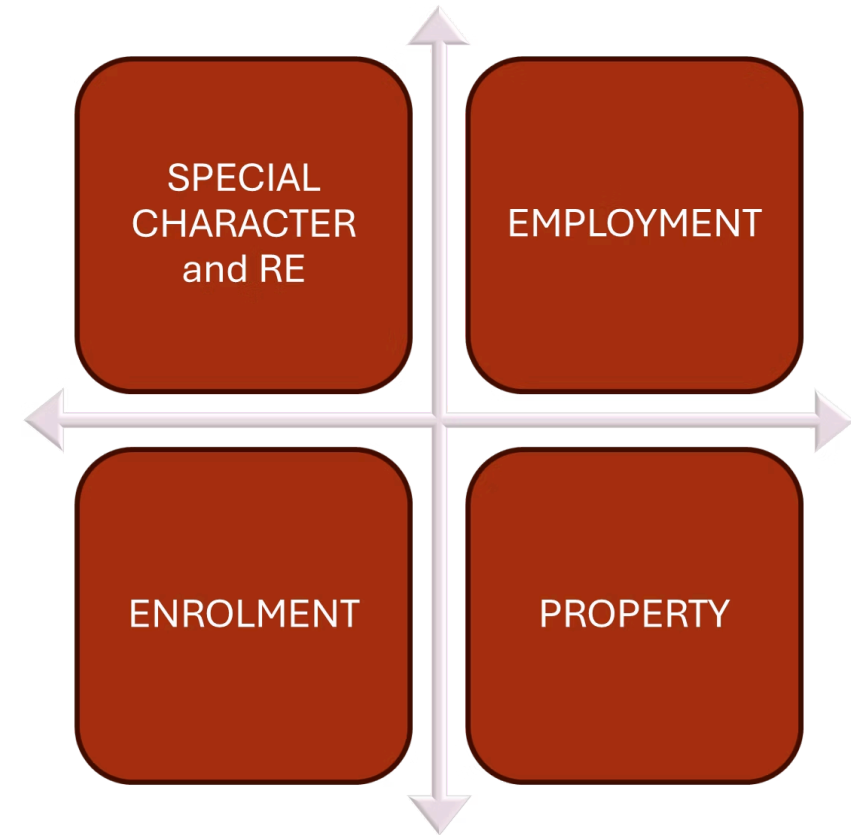
State integrated schools balance unique character with educational achievement. Schedule 6 of the Education and Training Act outlines crucial shared responsibilities, encompassing Employment, Enrolment, Special Character & RE Teaching, and critical property duties.

This resource summarizes key points on property responsibilities, essential for effective governance and maintaining the school's distinct character. Further information is available from the MOE website [here](#).

SOURCE: SCHEDULE 6 · ETA 2020

STATE INTEGRATED SCHOOL BOARD PROFESSIONAL DEVELOPMENT AND LEARNING SERIES

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WHO OWNS THE SCHOOL PROPERTY?

- The proprietor owns the school property.

This is either the Bishop or the legal entity who owns the property such as the Trust Board or entity who founded the school.

While the Proprietor gives the Board exclusive use of the integrated premises, the relationship is similar to that of landlord and tenant.

It is important to note that the Integration Agreement gives the Proprietor or the Proprietor's agents access to the school at any reasonable time to ensure that the special character is being maintained or that the property is being looked after. Normally the Proprietor's agents would first contact the principal to make sure that by exercising this right they do not disrupt the school. The relationship between agents of the Board and agents of the Proprietor should one of cooperation and good faith.

The use of any non-integrated buildings on the site and shared areas such as parking need to be negotiated between the Board and the proprietor.

Good practice would be for the board and proprietor to have an MoU or written agreement about the proprietor accessing and using the buildings. Do you have an MoU in place? Have you read it?

Property key points:

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- The Proprietor owns all land, buildings, and other improvements described in the school's Integration Agreement.
- Schedule 6, clause 39 of the Education and Training Act 2020 sets out the property obligations of the Proprietor.
- Property covered by the Integration Agreement must meet minimum standards so it is safe, well maintained, and compliant with statutory, regulatory, and Ministry of Education design requirements.
- The Board must prepare and provide an annual cyclical maintenance plan to assure the Proprietor that it is meeting its maintenance obligations.
- The government funds ongoing maintenance of the school's integrated area, as set out in the Integration Agreement.
- The Board must alert the Proprietor to any major maintenance items and coordinate cyclical maintenance planning so both funding streams are used effectively.
- The Board and Proprietor should work closely together to ensure clear communication and shared understanding of property responsibilities.
- It is important to understand the distinction between capital works carried out by the Proprietor and cyclical maintenance carried out by the Board.

Maintenance

Maintenance refers to the regular, ongoing work needed to keep the school buildings and facilities in good repair so they remain safe, functional, and compliant.

Capital Works

Capital works are **property improvements or major building projects** carried out by the Proprietor. These works typically change or add to the school's physical assets.



Simple Distinction

Capital works = building or significantly improving assets (led and funded by the Proprietor through attendance dues).

Maintenance = preserving and repairing existing assets

- Minor - led by the Board as part of its upkeep responsibilities
- Major - led and funded by the proprietor

This distinction ensures clarity about who funds what, and it supports proper stewardship of integrated school property.

Who Funds What?

One of the areas that most often needs clarification is where property maintenance funding comes from and how it can be applied. There are two key funding streams for integrated school property.

Board: Property Maintenance Grant

The Board receives funding from the Government/Ministry of Education through the **Operations Grant** in the form of a Property Maintenance Grant. The amount is based on the amount of integrated property, up to the maximum gross square meters entitlement as calculated by the School Property Guide (SPG). Details are available on the Property Portal.

The Board should work with the Proprietor when preparing the **10-year property plan**. Any work costing less than \$5,000 is treated as an operating expense and should be paid using board maintenance funding.

Proprietor: Policy One Funding

The Ministry provides proprietors with **Policy One funding** to modernise and upgrade integrated school property, fulfilling a similar purpose to the 5 Year Agreement (5YA) funding for state schools. This funding is paid directly to the Proprietor for **capital maintenance over \$5,000** that improves or replaces an existing asset.

Policy One funding is calculated on a **per-student rate**, based on the July school roll and paid quarterly. Where a proprietor owns more than one school, funding may be pooled.

Who Funds What? Attendance Dues

In addition to government funding streams, parents and caregivers play an important role in supporting the financial sustainability of state integrated school property and special character activities.

Attendance Dues are a mandatory component of state integrated school funding, collected by the Proprietor to support property costs. Understanding the rules governing their use and limits is essential for both boards and proprietors.

Key Rules Governing Attendance Dues

- Parents/caregivers are **required by law** to pay Attendance Dues.
- Annual dues are **capped at a maximum level** set by the Crown. This cap does not expire and does not require regular updating.
- Dues should only be used for **new footprint** — not for renewal or replacement of existing footprint.
- Attendance Dues **cannot be used** for staffing, building beyond the allowed space, or overseas professional development.
- If the Proprietor wishes to **increase Attendance Dues**, they must apply to the Ministry of Education; if approved, the increase must be re-gazetted.

See more information [here](#)

Permitted Uses of Attendance Dues

Build

Attendance Dues and voluntary donations contribute to new building footprint and property development costs for the Proprietor.

Other uses:

The Ministry's Attendance Dues Guidance clarifies lawful uses such as:

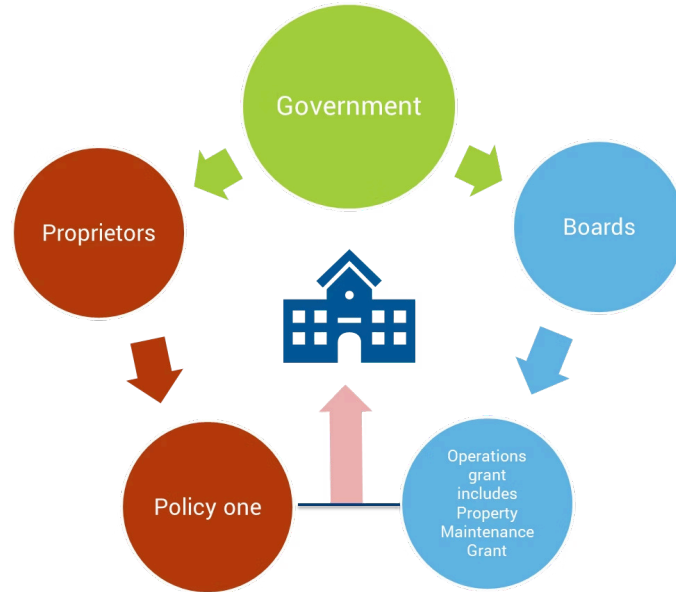
- administration and collection of attendance dues
- construction costs and project administration
- architectural or project management services
- building insurance
- building warrants of fitness
- lease or rental payments
- service or agency agreements related to property

Insure

The Proprietor, as legal owner of the property, is responsible for ensuring all integrated school buildings are appropriately insured.

Who Funds What?

Property Maintenance



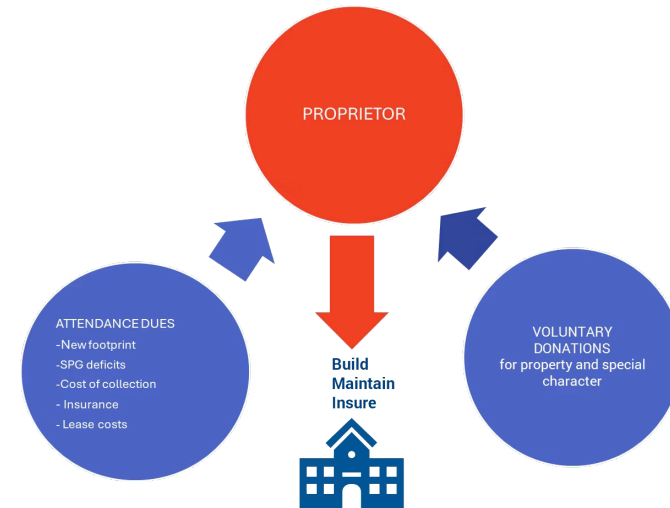
Property Maintenance

Proprietor uses available policy one funding to ensure ongoing upkeep and maintenance of the integrated school property portfolio.

Attendance Dues (Compulsory)

Parents and caregivers are **required by law** to pay Attendance Dues. These dues are collected by the Proprietor and contribute to property-related costs associated with integrated school buildings.

Parents to Proprietor



Voluntary Donations

Parents, caregivers, and the wider community can also make **voluntary donations** to the Proprietor to contribute to costs associated with special character activities and property that is not integrated.

Legislation - Parents to Proprietor

It is a legal requirement that payment of attendance dues are made by parents to the proprietor

Schedule 6, Cl 30

The proprietor of a State integrated school may, if the integration agreement for the school provides, enter into an agreement with the parents or other persons accepting responsibility for the education of a child that provides that the parents or other persons must pay attendance dues as a condition of the child's enrolment at the school.

(2) The dues must be established for the State integrated school or group of State integrated schools at the rates, and subject to any conditions, approved by the Minister by notice.

(3) Revenue received by the proprietor from attendance dues must be used solely for the following:

(a) paying, in respect of the school or group of schools in respect of which it is received, for improvements to the State integrated school or schools' buildings and associated facilities that are required by any integration agreement or integration agreements under [clause 39\(2\)\(c\)](#):

(b) any capital works that may be required by the Minister under [clause 39\(2\)\(d\)](#):

(c) meeting debts, mortgages, liens, or other charges associated with the land and the buildings that constitute the premises of the State integrated school or schools.

(4) No revenue received by the proprietor from attendance dues may be used to provide or improve the State integrated school buildings and associated facilities to a standard higher than that approved by the Secretary as appropriate for a comparable State school.

(5) A notice approved by the Minister under subclause (2) is secondary legislation (see [Part 3](#) of the Legislation Act 2019 for publication requirements), unless it applies only to 1 or more named State integrated schools.

(6) If a notice is not secondary legislation, the Minister must publish it in the *Gazette*.