

Schedule 6 (Education and Training Act 2020) – Summary



Source: Schedule 6, Education and Training Act 2020 (version as at 1 September 2022).

Summary: Schedule 6 of the Education and Training Act 2020

This document provides a high level summary of Schedule 6, Education and Training Act 2020, focusing on the implications and required actions for boards of state integrated schools. APIS recommends Boards review the comprehensive clause by clause guideline for more detailed information and to seek your own legal advice.

01

Clause 1: Preservation of Special Character

This foundational clause addresses the paramount importance of maintaining the unique special character of state integrated schools, outlining the board's responsibilities in upholding its religious or philosophical distinctiveness. Find [here](#).

03

Clauses 8-14: Administrative Framework

These clauses cover critical operational aspects, including the effective date of agreements, notification procedures, information requirements, mechanism for integration reviews, supplementary agreements, financial management protocols, and conditions for the cancellation of an agreement. Find [here](#)

05

Clauses 30-38: Financial Contributions and Funding

Key clauses concerning the financial structure of integrated schools, addressing attendance dues, other financial contributions, and guidelines for fundraising activities, defining what schools can charge and how funds are managed. Find [here](#).

02

Clause 5: Integration Agreements

Focusing on the formal agreements that govern integrated schools, this section details the nature, scope, and implications of integration agreements between proprietors and the Crown, including review and amendment processes. Find [here](#).

04

Clauses 18-23: Asset Management and Repayment

This segment elaborates on the proper disposal of assets should an integration agreement be cancelled, outlining repayment obligations to the Crown and any compensation due to proprietors, ensuring financial accountability. Find [here](#).

06

Clauses 39-58: Roles and Responsibilities

This comprehensive section outlines the specific powers and responsibilities vested in both proprietors and the boards of state integrated schools, clarifying their distinct yet complementary roles in school governance and management. Find [here](#).

Proprietor Rights Under the Education & Training Act Summary

The Education and Training Act 2020, particularly through **Schedule 6**, establishes a unique partnership between proprietors, the Crown, and school boards. This framework preserves the special character of integrated schools while ensuring they meet national education standards and provide access to quality education. Schedule 6 specifically defines these relationships, outlining the implications for all parties.

Integration Agreement The foundational document, strengthened by Schedule 6, that defines your school's special character and establishes the terms of partnership with the Crown	Statutory Rights Legal protections for employment, property, enrolment preferences, and special character preservation, as detailed in Schedule 6	Governance Partnership Clear delineation of responsibilities between proprietors and school boards, as outlined within Schedule 6
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Key Provisions from Schedule 6

Schedule 6 of the Education and Training Act 2020 details critical provisions that guide the operation of integrated schools:

 Clause 1: Preservation of Special Character Ensures the religious or philosophical beliefs on which the school was established are maintained and protected, underpinning its unique identity.	 Clause 26: Preference of Enrolment Grants integrated schools the ability to give preference in enrolment to students who identify with the school's special character, within set limits.
 Clause 39: Powers and Responsibilities of Proprietors Defines the specific rights and duties of proprietors, including managing property, appointing staff for special character roles, and ensuring the special character is upheld.	 Clause 47: Religious Instruction Appointments Empowers proprietors to approve staff members who will provide religious instruction or uphold the school's special character, ensuring alignment with foundational beliefs.

 **Important Note:** While the school board is the governing body of the school (E&TA Schedule 6, section 24), proprietors retain specific rights and responsibilities that cannot be delegated. Understanding these boundaries is critical for effective governance.

Proprietor Rights - Examples

The Education and Training Act provides state integrated schools with specific legal rights that protect their special character and ensure proprietors maintain appropriate oversight of key school functions.

Tagged Position Consultation

The proprietor must be appropriately consulted by the school board on the establishment of, and appointments to, tagged positions requiring staff who are "willing and able" to provide religious instruction or uphold special character.

Legal Reference: E&TA Schedule 6, Clauses 46 & 52

Enrolment Preference Criteria

Proprietors determine the criteria for preference of enrolment, which must be reflected in the school's enrolment procedures. This ensures families aligned with the special character receive priority access.

Legal Reference: E&TA Schedule 6, Clauses 26 & 27

Attendance Dues Authority

With ministerial approval, proprietors may require attendance dues, the payment of which can be a condition of enrolment.

Legal Reference: E&TA Schedule 6, Clauses 30(1)

All boards must operate within the framework of [Schedule 6, Section 5 \(Statement of National Education and Learning Priorities\)](#), [Section 127 \(Paramount Objective of Boards in Governing Schools\)](#), and [Section 130 \(Principal as Chief Executive of Board\)](#).