



Schools Assistance Amendment Regulation 2012 (No. 1)¹

Select Legislative Instrument 2012 No. 223

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Schools Assistance Act 2008*.

Dated 13 September 2012

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

PETER ROBERT GARRETT
Minister for School Education, Early Childhood and Youth

1 Name of regulation

This regulation is the *Schools Assistance Amendment Regulation 2012 (No. 1)*.

2 Commencement

This regulation commences on the day after it is registered.

3 Amendment of *Schools Assistance Regulations 2009*

Schedule 1 amends the *Schools Assistance Regulations 2009*.

Schedule 1 Amendments

(section 3)

[1] Subregulation 1.3 (2), note

substitute

Note These Regulations give effect to data collection and reporting requirements in the National Education Agreement. The *ACARA Measurement Framework for Schooling in Australia*, as amended from time to time, sets out the key performance measures and the agreed assessment and data collection cycle that apply equally to government and non-government schools.

[2] Regulation 1.4

insert

ACARA means the Australian Curriculum, Assessment and Reporting Authority established by section 5 of the *Australian Curriculum, Assessment and Reporting Authority Act 2008*.

[3] Regulation 1.4

insert

ICILS means the International Computer and Information Literacy study, which is an international assessment of students in year 8 in computer and information literacy conducted by the International Association for the Evaluation of Educational Achievement.

[4] Regulation 1.4, definition of *MCEECDYA*, including the note

omit

[5] Regulation 1.4, definition of *MCEETYA*

omit

[6] Regulation 1.4

insert

Ministerial Council means the Council of Commonwealth, State and Territory Ministers, as it exists from time to time, with responsibility for school education.

Note The current Ministerial Council is the Standing Council on School Education and Early Childhood, which was established on 18 January 2012, and took over the schools education functions of the former Ministerial Council for Education, Early Childhood Development and Youth Affairs (**MCEECDYA**). MCEECDYA was established on 1 July 2009 and took over the schools education functions of the former Ministerial Council on Education, Employment, Training and Youth Affairs.

[7] Regulation 1.4, definition of *NAP*, note

substitute

Note The NAP comprises the agreed assessments identified on the NAP web page and in the document titled *Measurement Framework for Schooling in Australia*, both of which are available on the Internet at <http://www.acara.edu.au>.

[8] Regulation 2.1*substitute***2.1 National student assessments**

(1) For section 17 of the Act, the following national student assessments (as developed by ACARA and mentioned in the *Measurement Framework for Schooling in Australia*, published by ACARA) are prescribed:

- (a) for all students in years 3, 5, 7 and 9 in all schools—the assessments for the student's year mentioned in table 1; and
- (b) for students selected in a sample, in a school selected in the sample—the assessments mentioned in table 2.

Note The *Measurement Framework for Schooling in Australia* defines the national key performance measures, specifies the data sources for these measures and outlines the reporting cycle for 2010 to 2015, and is available on the Internet at <http://www.acara.edu.au>.

(2) Each assessment is prescribed for the years specified in the table for that assessment.

Table 1

Item	Assessment	Years
1	NAPLAN assessment in reading, writing and language conventions	2009, 2010, 2011, 2012, 2013
2	NAPLAN assessment in numeracy	2009, 2010, 2011, 2012, 2013

Table 2

Item	Assessment	Year(s)
1	PISA reading literacy assessment	2009, 2012
2	PISA mathematical literacy assessment	2009, 2012
3	TIMSS mathematics assessment, year 4	2010
4	TIMSS mathematics assessment, year 8	2010
5	NAP science literacy assessment, year 6	2009, 2012
6	PISA scientific literacy assessment	2009, 2012

Item	Assessment	Year(s)
7	TIMSS science assessment, year 4	2010
8	TIMSS science assessment, year 8	2010
9	NAP civics and citizenship assessment, year 6	2010, 2013
10	NAP civics and citizenship assessment, year 10	2010, 2013
11	NAP ICT literacy assessment, year 6	2011
12	NAP ICT literacy assessment, year 10	2011
13	PIRLS assessment	2010
14	ICILS assessment, year 8	2013

[9] Paragraph 3.2 (2) (a)

omit

2009 Data Standards Manual — Student Background Characteristics, published by MCEETYA, as in force when these Regulations commence

insert

revised 2010 Data Standards Manual—Student Background Characteristics, published by the Ministerial Council, as in force in December 2010

[10] Subregulation 3.3 (4)

omit

2009 Data Standards Manual — Student Background Characteristics, published by MCEETYA, as in force when these Regulations commence

insert

revised 2010 Data Standards Manual—Student Background Characteristics, published by the Ministerial Council, as in force in December 2010

[11] Paragraph 4.4 (3) (b)

substitute

- (b) the number of course enrolments and qualifications completed for students undertaking vocational education and training by qualification level and, if available, industry area;
- (ba) the number of students undertaking school-based apprenticeships and traineeships;

[12] Subregulation 6.1 (1), note 3

omit

[13] After Part 6

insert

Part 6A Funding agreements— national curriculum

6A.1 National curriculum

- (1) For subsection 22 (1) of the Act, the following are prescribed as the national curriculum:
 - (a) the Australian Curriculum authorised by the Ministerial Council from time to time;
 - (b) an alternative curriculum framework assessed by ACARA as allowing comparable outcomes to the Australian Curriculum included on ACARA's Recognition Register.
- (2) The national curriculum must be implemented by the later of:
 - (a) the date it is implemented in government schools in the same jurisdiction; or
 - (b) the date authorised by the Ministerial Council.

[14] Regulation 7.1, table, after item 3*insert*

4	2012	10 057	12 445
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[15] Regulation 7.2, table, after item 3*insert*

4	2012	2 002	4 816
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[16] Regulation 7.2A, table, after item 1*insert*

2	2012	2 814	2 814
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[17] Regulation 7.3, table, after item 3*insert*

4	2012	2 784	5 443
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[18] Regulation 7.3A, table, after item 1*insert*

2	2012	2 659	2 659
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[19] Subregulation 8.1 (1)*substitute*

- (1) For subsection 84 (3) of the Act, the table sets out the base assistance amount for program years.

Item	Program year	Assistance amount (\$)
1	2011	128 712 000
2	2012	131 814 000

[20] Subregulation 8.1 (2), table, after item 3*insert*

4 2012 1.01527

[21] Part 9, before regulation 9.1*insert***9.1A Education in country areas**

For subsection 88 (3) of the Act, the base assistance amount for the 2013 program year is \$6 479 000.

[22] Regulation 9.1*substitute***9.1 Literacy, numeracy and special learning needs—
school grants amounts**

For subsection 98 (2) of the Act, the table sets out the base assistance amounts for program years.

Item	Program year	Assistance amount (\$)
1	2009	146 258 955
2	2013	175 287 827

[23] Regulation 9.2, table, after item 3*insert*

4 2012 382 000

[24] Regulation 9.3, table, after item 3*insert*

4 2012 1.029

[25] Schedule 1, item 102*substitute*

- 101A The NAPLAN mean scale scores for reading and writing.
- 102 The percentage of students achieving at or above the proficient standard (Level 3) in the PISA reading literacy assessment for 2012.

[26] Schedule 1, item 202*substitute*

- 201A The NAPLAN mean scale scores for numeracy.
- 202 The percentage of students achieving at or above the proficient standard (Level 3) in the PISA mathematical literacy assessment for 2012.

[27] Schedule 1, items 301 and 302*substitute*

- 301 The percentage of students achieving at or above the proficient standard (Level 3.2) in the NAP science literacy assessment, year 6, for 2012.
- 302 The percentage of students achieving at or above the proficient standard (Level 3) in the PISA scientific literacy assessment for 2012.

[28] Schedule 1, Part 4*substitute***Part 4 Measures for Civics and Citizenship**

- 401 The percentage of students achieving at or above the proficient standard (Level 2) in civics and citizenship in the NAP civics and citizenship assessment, year 6, for 2013.

- 402 The percentage of students achieving at or above the proficient standard (Level 3) in civics and citizenship in the NAP civics and citizenship assessment, year 10, for 2013.

[29] Schedule 1, items 601 and 602

substitute

- 601 The proportion of the population aged 15 to 19 years who in the program year successfully completed at least one unit of competency as part of a vocational education and training qualification at Australian Qualification Framework Certificate II or above.

[30] Schedule 1, Part 7, heading

substitute

Part 7 Measures for student participation

[31] Schedule 1, item 701

substitute

- 701 The number of actual full-time equivalent student days attended by full-time students in years 1 to 10 as a percentage of the total number of possible student days attended over the period.
- 701A The proportion of children aged 6 to 15 years who are enrolled in school.
- 701B The apparent retention rates from year 7 or 8 to year 10 and year 12.
- 701C The proportion of students participating in NAPLAN for years 3, 5, 7 and 9 for reading, writing and numeracy.

[32] Further amendments

Provision	omit each mention of	insert
Paragraph 3.2 (2) (b)	MCEETYA	the Ministerial Council
Subregulation 3.2 (2), note	2009	revised 2010
Subregulation 3.3 (4), note	2009	revised 2010
Schedule 1		
Items 203 and 204	standard	proficient standard (Intermediate)
Items 303 and 304	standard	proficient standard (Intermediate)
Item 501	standard	proficient standard (Level 3)
Item 502	standard	proficient standard (Level 4)

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.