

SCHOOLS, ENROLMENT DEPOSIT

**776. Hon DERRICK TOMLINSON to the parliamentary secretary representing the Minister for Education:**

Once again, I thank the parliamentary secretary for his answer to my question of 8 November 2001, and once again I thank him for drawing my attention to section 100 of the School Education Act 1999.

- (1) Will the minister confirm that section 100(7) authorises -
  - (i) the Director General of Education to allow schools to seek a confirmation charge, or enrolment deposit, of up to 50 per cent of the total cost of extra-cost optional components; and
  - (ii) schools to exclude students who do not, or cannot, pay the enrolment deposit from nominating an extra-cost optional component as their preferred option for the following year?
- (2) If the answer is yes, will the minister explain how section 100(7) authorises those things?

**Hon G.T. GIFFARD replied:**

I thank the member for some notice of this question.

- (1) (i) Section 100(7) of the School Education Act states that “the participation of a student in an extra cost optional component is conditional on payment of the costs of that component”. I will soon be able to recite that off by heart. The discretion to seek a confirmation payment of up to 50 per cent of the cost of an extra-cost optional component is a departmental policy setting established in 1998 to take effect from the 1999 school year.

Hon Derrick Tomlinson: So it is not lawful? It is not authorised by law?

Hon Ken Travers: If you know the answer, don’t bother asking the question!

The PRESIDENT: Order, members! This is not a debate.

Hon G.T. GIFFARD: I did not know that departmental policy settings were unlawful, but never mind.

Hon Derrick Tomlinson: It has no statutory backing?

The PRESIDENT: Order! The parliamentary secretary will proceed with the answer.

Hon G.T. GIFFARD: It was introduced at the request of principals to enable them to determine in advance the viability of providing options that incur a high cost for the school to provide.

Hon Derrick Tomlinson: But with what legal authorisation?

The PRESIDENT: The parliamentary secretary will answer the first question, not any supplementary questions that come his way.

Hon G.T. GIFFARD: It is not directly authorised by the Act, nor is it in contravention of the Act.

- (ii) As section 100(7) of the Act provides that participation in an extra-cost optional component is conditional on payment, if no confirmation payment is received from a parent then the student can be excluded from that component. However, in these circumstances, the department’s policy allows principals the discretion either to provide students with an alternative course of study or activity that will allow them to achieve a similar educational outcome, or to participate without payment.
- (2) Not applicable.