

# School Governance

## Information for Parish Councils

School Transition Agreement  
(STA) & Right to Use Land and  
Buildings Agreement (RULBA)



## Transition agreements and the Parish Council Finance Committee

- Consulting the Parish Council Finance Committee is important for such a matter relating to the assets of the parish
- The Finance Committee is encouraged to consider the agreements and raise any matters of concern to assist and support the parish priest in his decision making
- It is not a requirement that the Finance Committee approve the signing of the agreements by the parish priest

## Why the governance change?

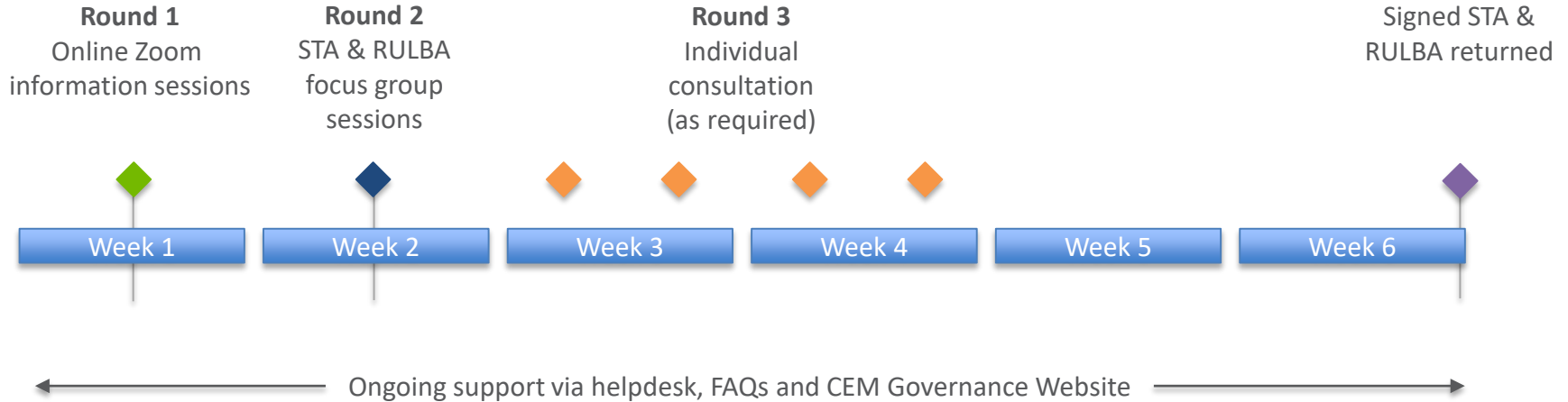
- To fulfil the Australian Catholic Bishops Conference (ACBC) acceptance of Recommendation 16.6 from the Royal Commission, for parish priests not to be the employer for principals and teachers in Catholic schools
- To meet the recently introduced Victorian Government requirements for funding - these include a requirement for organisations providing services to children to be appropriately insured and incorporated
- The “sole proprietor” governance model has become increasingly onerous for any individual, particularly given the administration and regulatory compliance surrounding schools
- Relieving parish priests of administration and compliance will free up time for parish priests for pastoral and faith leadership in the school and the broader parish community - critical to ensure the school is faithful to its Catholic life and identity
- Other dioceses have already put this model in place (WA, Sydney, Sale) or are well progressed with a similar governance change process (Ballarat, Sandhurst)

## Transition Documents

- School Transition Agreement (STA)
- Right to Use Land and Buildings Agreement (RULBA)
- Effective date: 1 January 2021
- Agreements have been prepared having regard to Church Law, school regulations and government funding requirements

## STA & RULBA Support and Signing Schedule

- Each group will have a 6 week period of consultation to support the signing of the agreements



## School Transition Agreement

- This agreement transfers all of the school's assets and liabilities to MACS, except for land and buildings
- Parish assets and liabilities do not transfer and there is a correcting provision if anything is transferred by mistake
- Land and buildings (except portable buildings) stay with the parish – the parish priest remains beneficial owner of the land and buildings
- All school employees will be transitioned to MACS
- School students' enrolment will be unaffected by transition
- Historic abuse claims – status quo remains; MACS provides indemnity for anything school related

## Right to Use Land and Buildings Agreement

- This agreement is designed to provide each school with long term usage rights (school regulation) of land and buildings required for the purpose of Catholic education
- Term of 50 years, with 20 year further term – extension as may be required for capital works
- MACS may only use the land and buildings for provision of Catholic education
- Nominal usage fee initially but the agreement anticipates development of usage fee formula within the first 3 years
- MACS to become responsible for all liabilities and obligations in respect of the school related land and buildings, including maintaining insurance
- Meet with your principal to document shared facilities/common areas in Schedule 2 and Schedule 3. Examples are provided for guidance
- Capital grant obligations and building related loans on school closure stay with MACS

## Next Steps

1. Read through  
the Tailored  
RULBA and STA

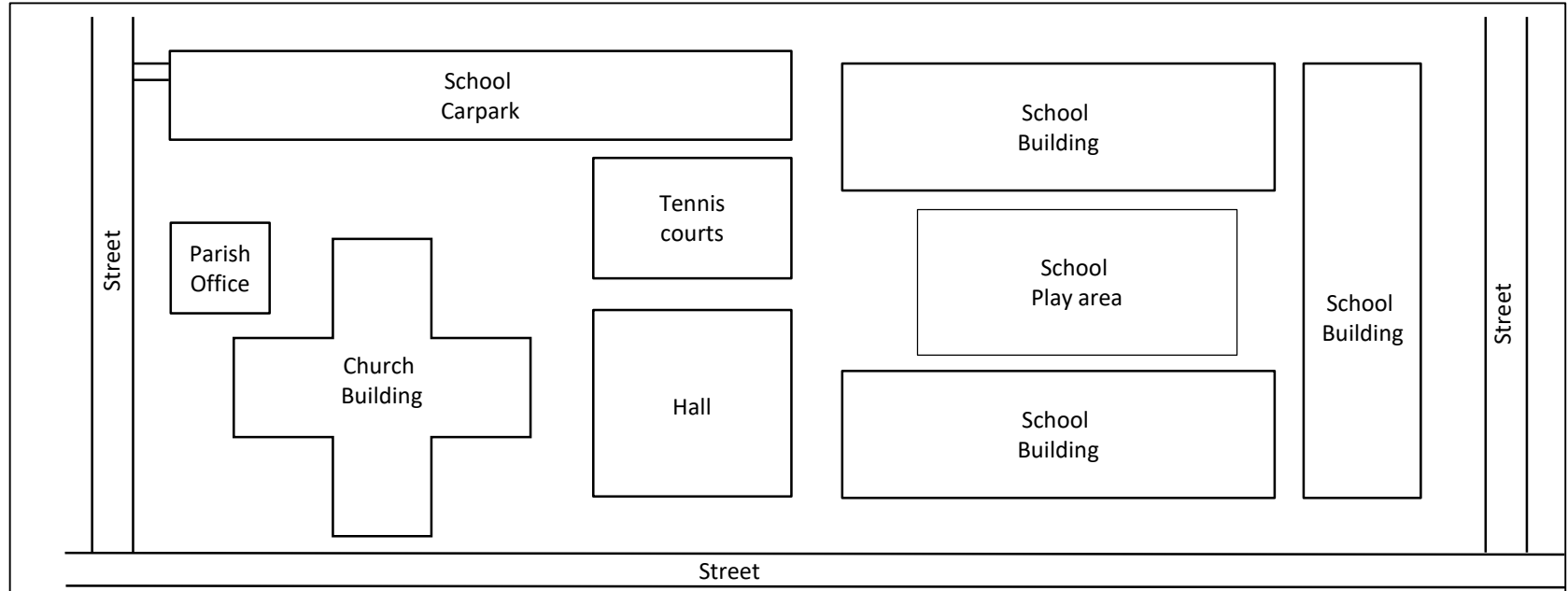
2. Meet with  
Principal to discuss  
Common Spaces  
and complete  
Schedule 3 of  
RULBA

3. Meet with  
Parish Finance  
Committee

4. Sign the  
Agreements by  
due date



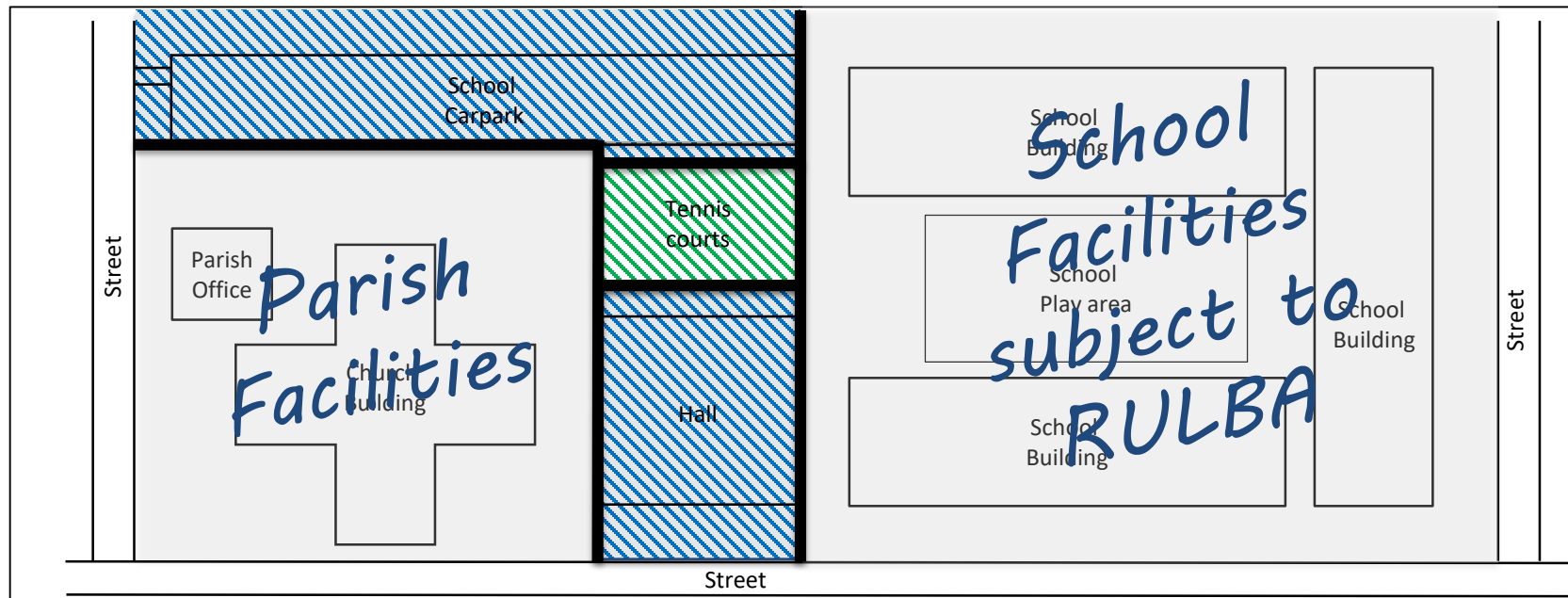
## RULBA Guidance – Schedule 3 – Example Site Map



## RULBA Guidance – Schedule 3 – Example aerial photo provided



# RULBA Guidance – Schedule 3 – Example Site Map



## RULBA Guidance – Schedule 2 – Example Common Area Table

<b>Item 1: School Facilities Common Areas</b>	School Hall School Car Park
<b>Item 2: Owner Facilities Common Areas</b>	Tennis Courts
<b>Item 3: MACS Access Times</b>	School Hall: all times except for Owner's Access Times School Car Park: all times Tennis Courts: 2.00pm – 5.30pm each Friday and 8.30am to 1.00pm each Saturday
<b>Item 4: Owner's Access Times</b>	School Hall: 2.00pm to 6.00pm each Sunday School Car Park: 8.00am to 6.30pm each Sunday Tennis Courts: all times except for MACS' Access Times
<b>Item 5: MACS' Expense Contribution</b>	School Hall: 95% School Car Park: 100% Tennis Courts: 10%
<b>Item 6: Owner's Expense Contribution</b>	School Hall: 5% School Car Park: Nil Tennis Courts: 90%
<b>Item 7: School Facilities Ad Hoc Usage Fees</b>	School Hall: \$50 p/h School Car Park: \$25 p/h
<b>Item 8: Owner Facilities Ad Hoc Usage Fees</b>	Tennis Courts: \$10 per court p/h
<b>Item 9: End Date</b>	School Hall: N/A School Car Park: N/A Tennis Courts: N/A

## Contacts for further enquires

- PFC FAQs and this slide pack are available here: <https://governance.melbourne/support-structures/>
- General FAQs: <https://governance.melbourne/faq/>
- Transition FAQs: <https://governance.melbourne/transition-process/>
- Website and Introductory Videos <https://governance.melbourne/>



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