

**Written Advice – Department of Education**  
**Education, Arts and Communities Committee**  
***Education (General Provisions) Amendment Bill 2025***

**Background**

The Education (General Provisions) Amendment Bill 2025 (the Bill) was introduced to the Queensland Parliament on 14 March 2025 by the Minister for Education and the Arts.

The Bill primarily amends the *Education (General Provisions) Act 2006* (EGPA) to provide for red tape reduction for schools, teachers, and parents and to support student and school community safety.

The EGPA underpins the education system in Queensland, providing a legislative framework for the administration of state education, while also providing for other regulatory matters relating to both state and non-state schooling sectors and home education.

The reforms set out in the Bill provide opportunities to deliver initiatives that will reduce the regulatory burden on schools, parents and students, and support student and school community safety and were generally supported by the majority of education stakeholders during consultation throughout 2023 and 2024.

**Key Issues**

The purpose of the Bill is to reduce red tape by:

- streamlining student access to approved online services for digital learning and student administration in Queensland state schools;
- extending age eligibility for home education registration to 18 years of age as at 31 December;
- enabling state school principals to delegate the telling of suspension decisions to another senior member of school staff, such as a Deputy Principal, Head of School or Head of Campus;
- streamlining enrolment transfer processes for students already enrolled at a Queensland special school;
- supporting the operations of Parents and Citizens' Associations (P&C) in multi-campus schools;
- enabling donations between P&Cs in the event of a natural disaster;
- supporting the operation of P&C executive membership by preventing persons convicted of an indictable offence from holding an executive committee role;
- clarifying the provision of information by principals or governing bodies of non-state schools to the chief executive of the Department of Education; and
- improving access to eKindy by clarifying distance and medical eligibility criteria.

The Bill also protects students and school communities by providing for the mandatory use of transfer notes to support the timely sharing of student information when students transfer between Queensland schools.

Finally, the Bill makes a number of minor and technical amendments to support the currency of Queensland statutes by updating legislative cross references.

A summary of the amendments in the Bill, including the rationale for each amendment, the benefit of each amendment and their impacts, is provided below.

A comparison of the current legislative environment to the proposed future legislative environment is set out in **Attachment 1**.

### Approved online services

The Bill reduces the administrative burden on state schools, parents and students by streamlining student access to approved online services for digital learning and student administration in state schools.

State schools are supported by a variety of third-party (non-departmental) technology solutions. Teachers may be using online services with students to support curriculum delivery, complete learning activities and assessment, facilitate class collaboration and create and publish class work. At any one time, individual state schools may be using hundreds of online services.

To support student access to some online services, certain information may be required to be provided, such as student name, date of birth, achievement data, email address and school data. This enables account registration and access to the service for a student.

Currently parents or students are required to provide consent where personal information is recorded, used, stored or disclosed for each individual service they access or where this is required in a service's terms and conditions. With the growing use of online services to support teaching, learning and school administration, the existing consent management process has become burdensome for schools, teachers and parents.

The Bill amends the EGPA to set out that personal information about a student relevant to the set-up and use of an online service can be recorded and disclosed by an appropriately qualified public sector employee of DoE to a third-party online service. This will only apply to an online service approved by the chief executive.

A service can only be approved if its purpose is for the educational support of state school students or the effective administration of state schools and has met strict criteria specified in the Bill.

A robust framework will underpin the assessment of online services. The framework supporting this is the Safer Technologies 4 Schools, a nationally endorsed and used approach to evaluating digital products and services in schools across Australia and New Zealand, against a nationally consistent security and privacy control framework.

Contracts applying to the online service will be in accordance with information privacy requirements; and the online service must be assessed as being suitable to protect the privacy and security of information about the student.

To ensure transparency to parents and students, the Bill also requires the chief executive to ensure a list of all approved online services is made available for public inspection.

Responsibilities and processes to obtain and manage student and individual consent for the use of online services are set out under the Department of Education's *Obtaining and managing student and individual consent* procedure.

Students and parents will retain the right to opt out of using online services. Or they can limit consent by saying they do not consent to certain online services. Parents will also be able to revoke consent where it had otherwise been given. Online services that require sensitive information, such as health information and racial or ethnic origin or religious beliefs, will still require individual consent to be given.

The amendments reduce the administrative burden on state schools, parents and students, while balancing the importance of protecting student information.

The amendments commence by Proclamation to provide for appropriate guidance and communication to schools, parents and students, subject to passage of the Bill.

### Home education age eligibility

The Bill extends the current age eligibility for home education registration by one year, to 31 December in the year the student turns 18.

Currently, under the EGPA, students can only be registered for home education until the end of the year in which they turn 17 years of age. This has presented concerns for some students and parents who wish to continue registration for home education until the student is older.

The reform brings greater alignment of age eligibility for home education registration with students attending a state or non-state school. This amendment will support parents and students by maintaining eligibility for student-related financial supports and educational resources. This is significant for all home educated young people and their families; and particularly for those with complex learning needs.

These amendments will commence on assent, subject to passage of the Bill.

#### Enabling state school principals to delegate the notification of suspension decisions

The Bill reduces the regulatory burden on state school principals by allowing a principal to delegate the telling of a suspension decision, to another senior member of school staff.

Principals have significant demands on their time and currently the EGPA does not allow a state school principal to delegate the telling of a suspension decision.

Principals will still be the decision-maker. This power remains with principals to ensure that decision making for such important matters is at a high level.

Positions that may be suitable for delegated authority for this purpose would include Head of School, Deputy Principal or Head of Campus.

The amendment supports the administrative responsibilities of principals, and the provision of timely advice to students and parent about suspension decisions.

The amendment commences on assent, to support state school principals, subject to passage of the Bill.

#### Special school enrolment

The Bill reduces the regulatory burden on principals of state special schools, and reduces potential uncertainty for parents and students by streamlining requirements associated with enrolment transfers between special schools.

Applications for enrolment at a special school are assessed against criteria in the *Special school eligibility ('person with a disability' criteria) policy* (Eligibility Policy), approved by the Minister for Education as required by section 165(2) of the EGPA, to decide whether a child or young person is a "person with a disability" for the purpose of enrolment.

The Bill removes an existing requirement for students who have already been assessed and enrolled at a special school from having to undertake further assessment against the criteria in the Eligibility Policy, if they are transferring to another special school. Requiring students to undertake assessments again when they have already been assessed is a regulatory burden that can create uncertainty for students and parents while an enrolment decision is pending.

Instead, principals in the school they are being transferred to, will have the power to assess the application and enrol the student if satisfied the student is a person with disability and that the special school can meet the student's educational needs.

This will only apply to students already assessed and enrolled at a Queensland state special school. New applications for enrolment, or students transferring from an interstate special school will still require referral to the chief executive for assessment against the Eligibility Policy for enrolment at special schools to ensure that students are accessing educational supports appropriately.

The amendment commences by Proclamation, subject to passage of the Bill, to allow for guidance material to be developed for principals, parents and students.

## Parents and Citizens' Associations

The Bill sets out three amendments to support the operations of P&Cs.

### *Multiple campuses*

The Bill enables schools with geographically dispersed campuses to have a P&C for each campus, if they are prescribed as a regional school in the *Education (General Provisions) Regulation 2017* (the Regulation).

Some Queensland schools have multiple campuses that are geographically dispersed. For example, Tagai State College has 17 campuses located throughout the Torres Strait with unique local needs and interests.

The current framework for the establishment of a P&C that is set out in the Regulation will apply for this approach. Decisions about multiple P&Cs for a relevant school will be made by the principal in consultation with eligible persons.

The change will benefit regional schools where campuses may be separated by long distances. It will provide for unique local representation and support greater engagement by parents, carers or community, knowing their involvement directly supports their child's campus and community.

The amendment commences by Proclamation to allow for necessary amendments to be made to the Regulation, subject to passage of the Bill.

### *Enabling donations between P&Cs*

The Bill enables a P&C to donate funds or goods to another school or P&C that may be affected by an adverse event (for example, natural disaster).

Currently, a P&C is only able to use funds raised for their own school, and they are not able to donate funds to another P&C or school for charitable reasons.

The amendment will allow P&Cs, should they wish, to actively support one another following natural disasters or other adverse events to help fellow school communities, and support students. Decisions to donate funds will be made by the P&C, not the executive, as this will enable the P&C to reflect the wishes of the community as required.

This amendment commences on assent, subject to passage of the Bill.

### *Indictable offences and membership of P&C Executive Committees*

The Bill sets out that a person convicted of an indictable offence, unless it is a spent conviction, cannot be a P&C Executive Committee or subcommittee member.

The amendment reflects the additional responsibilities of persons appointed to these roles beyond expectations of an ordinary member, and the potential for those members to become involved in the financial operations of the association. Indictable offences include serious fraud offences, theft or robbery.

This approach is consistent with the current legislative approach to the membership of school councils.

The Bill does not legislatively require P&Cs to confirm a person's criminal history. Requiring this legislatively was considered to impose a regulatory burden and financial impost on P&Cs and individuals wishing to apply for executive committee membership.

Instead, the application of this provision will defer to local management by P&Cs as best suits their individual circumstances, and to individuals abiding by requirements. On balance, this was considered to give the best outcome to improving integrity, while limiting impacts on P&Cs and members.

This amendment does not preclude a person convicted of an indictable offence from being an ordinary member of a P&C.

This amendment commences by Proclamation, subject to passage of the Bill, to allow guidance to be developed and provided to support P&Cs.

### Collection of information from non-state schools

The Bill reduces the regulatory burden on the principals and governing bodies of non-state schools by clarifying the provision of information requested by the chief executive of the Department of Education.

The EGPA provides for the chief executive of the Department of Education to seek particular information from non-state school principals.

This information relates to attendance and enrolment of students of compulsory school age, or about decisions for exemptions from participation in eligible education or training options for students who are in the compulsory participation phase of their education.

Non-state school sector stakeholders identified that clarity about the authority for a non-state school principal to provide such information would assist their operations and give confidence to non-state school principals in the management of information.

To support the operational circumstance where such information may be in the legal possession of a non-state school governing body, the amendment provides clarity that the same authority applies.

These amendments provide the non-state sector with certainty in their legal responsibilities for this matter, and reduce the regulatory burden associated with administrative processes.

This amendment commences on assent, subject to passage of the Bill.

### eKindy

The Bill clarifies the application of distance and medical eligibility criteria for eKindy, improving accessibility to eKindy by:

- amending the current distance criterion of 16km from the nearest centre-based service ‘catering to kindergarten age children’ to instead be 16km from a centre-based service ‘delivering an approved kindergarten program’, or a prescribed state school that provides a state school kindergarten program; and
- amending the medical eligibility criterion to enable children who are likely to be absent from a kindergarten for at least 10 cumulative weeks (not consecutive), to have access to eKindy.

These changes promote greater access for children to quality kindergarten programs delivered by early childhood teachers to best prepare them for school, regardless of where they live or their circumstances.

These amendments commence by Proclamation, subject to passage of the Bill, to enable guidance material to be developed and provided.

### Transfer notes

The Bill provides for the more timely and effective sharing of relevant student information between schools. These amendments respond to a recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission). The Royal Commission considered that proportionate and proactive information sharing when students transfer between schools could support student and staff safety and wellbeing at the new school.

The EGPA currently enables the sharing of relevant information about students using a transfer note on an optional basis when a student moves between Queensland state or non-state schools.

A transfer note includes student identifying information, educational information such as level of schooling and educational performance, requirements for educational support or behavioural issues, and school attendance as prescribed under the Regulation.

Transfer notes will be mandatory, reflecting an increased focus on the safety and wellbeing of students and school communities, and support continuity of a student’s education.

A principal will be required to seek a transfer note within 90 days of a student commencing at a school. The requirement for a transfer note to be requested after enrolment at a new school mitigates any risk that a transfer note could be used for enrolment screening.

90 days is approximately a term of school, and will provide time for the principal to welcome and settle the student into the new school, and make their own assessment of the student. It also enables the most up to date information about the student to be provided to the new school to best support continuity of education and the safety and wellbeing of the student or school community.

Principals may, within this same 90-day period, also request transfer notes from any other state or non-state school that the student was enrolled at within the previous 12 months immediately before the day the student enrolled and commenced at the new school.

The Bill also provides that where a transfer note is requested by a principal of a student's new school, the principal of the previous or former school must also include information in the transfer note that they reasonably believe is necessary to protect the safety and wellbeing of the student or members of the school community. When a transfer note is requested, the principal of the student's previous school must provide the transfer note within 10 school days.

To balance administrative requirements, principals will not have to obtain a transfer note where they may already have access to the relevant information – for example, if they have already been given a transfer note by a parent or student, or have access to information through a shared system such as OneSchool, which is an online system used in Queensland state schools.

These amendments commence by Proclamation, subject to passage of the Bill, to enable the development of guidance for schools, parents and students.

#### Technical amendments

The Bill includes a number of technical amendments to support the operation of Queensland statutes by updating legislative cross references in the *Child Protection Act 1999* and the EGPA.

These amendments ensure currency of Queensland legislation. Subject to passage of the Bill these amendments commence on assent.

### **Fundamental Legislative Principles**

The amendments in the Bill are generally consistent with Fundamental Legislative Principles (FLP) under section 4 of the *Legislative Standards Act 1992* (LSA) apart from those for approved online services, P&C membership and transfer notes.

While these amendments are considered to potentially have inconsistencies with FLPs, they are considered to be justifiable. Full examination of potential inconsistencies with FLPs is set out in pages 10–13 of the Explanatory Notes accompanying the Bill; a summary is provided below:

#### Approved online services

Under section 4(2) of the LSA, legislation must have sufficient regard to the rights and liberties of individuals. The right to privacy, the disclosure of private or confidential information, and privacy and confidentiality issues have generally been identified by the Scrutiny Committee as relevant to consideration of whether legislation has sufficient regard to the rights and liberties of individuals.

The proposed amendment potentially interferes with a person's privacy and therefore is potentially inconsistent with the FLP that legislation must have sufficient regard to the rights and liberties of individuals.

The purpose of the amendments is to reduce administrative burden for parents, students and schools to better facilitate students accessing approved online services for digital learning and the support, administration and management of schools, while ensuring appropriate safeguards.

It is important to understand that parents and students will still have the ability to opt out of using an approved online service and the responsibilities and processes for obtaining and managing consent are outlined in the Department of Education's *Obtaining and managing student and individual consent* procedure, and are administratively managed by schools.

The Bill sets out a clear framework for safeguards to protect the privacy and online security of student personal information, operating alongside the Department of Education's established procedure.

It is considered that the potential inconsistency with the FLPs is reasonable and justified.

#### P&C Executive Committee membership

This proposed amendment is a necessary imposition of suitability and eligibility for appointment of persons to these roles in recognition of the additional responsibilities and expectations required, beyond that of an ordinary member (for example, potential for members of P&C Executive Committee and subcommittee to be involved in the financial operations of the associations).

It provides consistency with similar responsibilities and roles for school councils. The integrity of a P&C Executive Committee is essential to their operations.

A conviction for an indictable offence will continue not to prohibit general membership of a P&C, all parents and carers will have opportunities to participate in the school community.

It is considered that any potential inconsistency with the FLPs is reasonable and justified.

#### Transfer notes

Under section 4(2) of the LSA, legislation must have sufficient regard to the rights and liberties of individuals. The right to privacy, the disclosure of private or confidential information, and privacy and confidentiality issues have generally been identified by the former Scrutiny of Legislation Committee as relevant to consideration of whether legislation has sufficient regard to the rights and liberties of individuals.

The EGPA provides for the optional use of transfer notes; however, the Bill proposes that transfer notes will be mandatory. The proposed obligation for principals to proactively share information (including personal information and information reasonably believed to be necessary to protect the safety and wellbeing of the student or other people at the new school) about a student transferring from one school to another via a transfer note potentially interferes with a student's privacy. Therefore, the amendments are potentially inconsistent with the FLP that legislation must have sufficient regard to the rights and liberties of individuals (section 4(2) of the LSA).

Persons who obtain personal information through a transfer note are subject to the general confidentiality restrictions outlined in section 426 of the EGPA. This includes (but is not limited to) the chief executive or a public service employee in the department, and an employee of a Queensland state school or relevant non-state school (sections 426(1)(a) and 426(2)(a) of the EGPA). The purpose of the information sharing via the transfer note is to ensure continuity of the student's educational program and meet the principal's duty of care obligations in relation to the student and the school community (including protecting the safety and wellbeing of the student and school community).

The Royal Commission emphasised the importance of ensuring schools are able to address the educational and support needs of students who have been victims of sexual abuse, noting associated negative effects on academic achievement, learning ability, cognitive function, concentration, educational engagement and school completion rates.

The Royal Commission made a number of recommendations which called for states and territories to provide for student information to be exchanged between schools in a manner that is proportionate, proactive and cross-sectoral to ensure continuity of the student's educational program when a student transfers schools and to provide appropriate protections to both the student transferring and to the other students and staff at the new school.

Given the underlying policy intent of the transfer note, the Royal Commission findings and recommendations, and the confidentiality safeguards within the EGPA, it is considered that the potential inconsistency with FLPs is reasonable and justified.

### **Human Rights Act 2019**

The Bill is considered compatible with human rights under the *Human Rights Act 2019* (HR Act) because it limits a human right only to the extent that is reasonable and demonstrably justifiable in a free and democratic society based on human dignity, equality and freedom.

Further details in relation to human rights engaged and potentially limited by the Bill are set out in detail in the Statement of Compatibility accompanying the Bill. A summary of human rights relevant to the Bill (Part 2, Division 2 and 3 HR Act) is provided below:

- Right to recognition and equality before the law (section 15, HR Act);
- Right to take part in public life (section 23, HR Act);
- Right to privacy and reputation (section 25, HR Act);
- Right to protection of families and children (section 26, HR Act);
- Right to cultural rights – Aboriginal peoples and Torres Strait Islander peoples (section 28, HR Act); and
- Right to education (section 36(1), HR Act).

Amendments in the Bill that engage these human rights are those for approved online services, home education registration age eligibility, a principal's power to delegate the telling of suspension decisions, special school enrolment transfers, P&Cs, eKindy and transfer notes.

The amendments for home education registration age eligibility, a principal's power to delegate the telling of suspension decisions and for special school enrolment transfers positively engage the right to education.

The benefits for the amendments for approved online services, P&Cs and transfer notes outweigh any potential limitations on human rights.

On balance, it is considered that overall potential limitations to human rights are reasonable and justifiable and compatible with the HR Act.

### **Consultation**

The Department of Education undertook a focused review of the EGPA between 2022 and 2023. This review was to ensure that the EGPA remained contemporary, reflected strategic directions for education and continued to provide a supportive and responsive legislative framework for education in Queensland.

Consultation on proposed reforms in this submission occurred when policy positions were presented to stakeholders in 2024, with stakeholders generally supporting the proposed reforms that are in the Bill.

The Home Education sector strongly supported the proposed amendment for extending age eligibility for home education registration.

Two proposed reforms received particular stakeholder feedback.

The proposed reforms for approved online services support efficient administration of consent management for the use of third-party online services in state schools. The amendments in the Bill reduce the regulatory burden on state schools, parents and students by providing a robust legislative framework to enable the approved use of student information for particular online services used for educational or administration purposes, while balancing the importance of information security.

Some stakeholders considered that existing administrative consent processes for student information for online services should be retained, including an opt out process for students and / or parents.

The proposed reforms will still allow for parents to opt out of using an online service if they choose to do so. In cases where an online service will not be considered an 'approved online service', consent will continue to be required from a student and/or parent before information can be provided by the state school.

The reforms set out in the Bill to provide for the timely and effective sharing of relevant student information between schools strengthens protections for students and school communities by setting out timeframes for the request and supply of transfer notes. It is critical to protect students and school communities and to ensure that schools provide appropriate support for students. The use of transfer notes (information shared between principals about students when students move between schools) and proportionate information sharing will provide principals and schools with information to support and protect students in a timely way.

Youth advocacy and parent association stakeholders' feedback on the proposed mandatory use of transfer notes included a student's right to a 'fresh start'. Unions, principal associations and the non-state school peaks raised concerns about an increase in administration for schools.

Information included in transfer notes will need to be managed in accordance with the existing requirements of Queensland and Commonwealth privacy legislation, as it is now.

The proposed reforms for transfer notes set out that a principal of a new school must request a transfer note from the student's previous school within 90 days of the student being enrolled. This period was determined to ensure that a student can commence at a new school with information to support them being provided in a reasonable period. Requesting the transfer note after enrolment was proposed to eliminate the potential of information being used to discourage a student from enrolling at a particular school.

State schools already share student information via the OneSchool system. This provides transfer notes within the system for students moving between state schools and provides information that can be provided when a student moves from a state school to a non-state school.

Independent Schools Queensland also raised concern that there is currently no system for secure data sharing between schooling sectors and the anticipated increased transfer of data may also increase the risk of a data breach of sensitive information relating to students and parents. It is acknowledged that independent schools in the non-state school sector are less likely to have systems in place for the purpose of transfer notes.

There are recognised impacts of moving to a proactive information sharing framework via transfer notes. This is balanced by the critical outcome of strengthening protections for students and school communities, consistent with recommendations from the Royal Commission, and supporting continuity of education.

The transfer notes reforms will not commence for up to 12 months after passage of the Bill to enable the Department of Education and the non-state sector to work collaboratively on implementation.

Current vs Future legislative proposals

Nature of amendment	Future position	Current position and rationale for change
<p>Streamlining the use of approved online services in state schools</p>	<p>Personal information about a student, that is relevant to the use of an online service, will be able to be recorded, used and disclosed by an employee of the department to an approved online service. Importantly, this will only apply to an 'approved online service'. That is, where the chief executive has approved the use of the online service for students.</p> <p>The chief executive will only be able to approve an online service where the purpose of the online service is for the educational support of students or the effective administration of state schools and has met strict criteria specified in the Bill.</p> <p>A robust framework will underpin the assessment of online services. The framework supporting this is the Safer Technologies 4 Schools, a nationally endorsed and used approach to evaluating digital products and services in schools across Australia and New Zealand, against a nationally consistent security and privacy control framework.</p> <p>Contracts applying to the online service will be in accordance with information privacy requirements; and the online service must be assessed as being suitable to protect the privacy and security of information about the student.</p> <p>To ensure transparency to parents and students, the Bill also requires the chief executive to ensure a list of all approved online services is made available for public inspection.</p> <p>The responsibilities and processes to obtain and manage student and individual consent for the use of online services is outlined in the Department's <i>Obtaining and managing student and individual consent</i> procedure.</p> <p>Students and parents will retain the right to opt out of using online services. Or they can limit consent by saying they do not consent to certain online services. Parents can also revoke consent where it had otherwise been given.</p> <p>Parents and students can opt-out at any time by advising the school in writing, and the school must provide written receipt of the advice from parents and students. Schools must record opt-out advice and ensure this is applied for the student. Once opt-out advice is received by a school, a school cannot use the student's information for an online service.</p> <p>For online services that require sensitive information, individual consent will still be required. Sensitive information includes, for example, racial or ethnic origin and religious beliefs, and when changes to the definition of sensitive information under the <i>Information Privacy Act 2009</i> commence later this year, will also include other matters such as health information and biometric information.</p> <p>The changes will reduce the administrative burden on state schools, parents and students.</p>	<p>Queensland state schools are supported by a variety of third-party technology solutions.</p> <p>Teachers may use online services with students to support curriculum delivery, complete learning activities and assessment, facilitate class collaboration and create and publish class work. Online services are also used to manage school operations and communicate with parents. At any one time individual state schools are using hundreds of online services.</p> <p>To support student access to some online services, certain information may be required to be provided, such as the student's name, date of birth, achievement data, email addresses, and school data. This enables account registration and access to the service for a student.</p> <p>Currently parents or students are required to provide consent where personal information is recorded, used, stored or disclosed for each individual service they access, or the service requires this in their terms and conditions.</p> <p>With the growing use of online services to support teaching, learning and school administration, the existing consent management process has become overly burdensome for schools, teachers and parents.</p>
<p>Supporting children and young people registered for home education</p>	<p>The current age eligibility requirement for home education registration is extended from 17 years of age to 31 December in the year the student turns 18 years of age.</p> <p>This reform brings greater alignment of age eligibility for home education registration with students attending a state or non-state.</p> <p>This amendment supports parents and students by maintaining eligibility for student-related financial supports and educational resources. This is significant for all home educated young people and their families; and particularly for those with complex learning needs.</p>	<p>Access to educational choices for parents and students is a pillar of Queensland's education legislation.</p> <p>Students can access education through state schools, non-state schools, distance education and home education. Many students move between modes and sectors of education throughout their learning journey.</p> <p>A key issue identified for parents and students in the home education sector has been a legislated impediment associated with the current age eligibility for home education registration.</p> <p>Currently, under the <i>Education (General Provisions) Act 2006</i>, students can only be registered for home education until the end of the year in which they turn 17 years of age. This has presented concerns for some students and parents who wish to continue registration for home education until the student is older.</p>

Nature of amendment	Future position	Current position and rationale for change
<p>Reducing the administrative burden on state school principals</p>	<p>Principals will be able to delegate the telling of a suspension decision to another senior member of the school staff.</p> <p>Principals will still be the decision-maker to ensure that decision making for such important matters is at a high level.</p> <p>Senior members may include the Head of School, a Deputy Principal, or Head of Campus.</p> <p>The amendment supports the administrative responsibilities of principals and the provision of timely advice to students and parents about suspension decisions.</p>	<p>Principals have significant demands on their time and currently the EGPA does not allow a state school principal to delegate the telling of a suspension decision. Only the principal can notify a student of a decision to suspend.</p>
<p>Streamlining special school enrolments</p>	<p>The Bill removes an existing requirement for students who have already been assessed and enrolled at a special school from having to undertake further assessment against the criteria in the <i>Special school eligibility ('person with a disability' criteria) policy</i> (Eligibility Policy), if they are transferring to another special school.</p> <p>Principals of subsequent special schools will not be required to refer such applications to the chief executive. Instead, they will have the power to assess the application and enrol the student if the student is a person with disability and the special school can meet the educational needs of the student.</p> <p>This will apply to students already assessed and enrolled at a Queensland state special school.</p> <p>New applications for enrolment, or students transferring from an interstate special school for instance, will still require referral to the chief executive for assessment against the eligibility policy for enrolment at special schools to ensure that students are accessing educational supports appropriately.</p> <p>The amendment will reduce the regulatory burden on principals and reduce potential uncertainty for parents and students.</p>	<p>Applications for enrolment at a special school are assessed against criteria in the Eligibility Policy, approved by the Minister for Education as required by section 165(2) of the EGPA, to decide whether a child or young person is a 'person with a disability' for the purpose of enrolment.</p> <p>Currently, the EGPA requires that special school principals must refer applications for enrolment to the chief executive for an assessment of eligibility, even when the student is transferring from one special school to another.</p> <p>Students already enrolled at a special school have already been assessed under the Eligibility Policy.</p> <p>Requiring students to undertake assessments again when they have already been assessed is a regulatory burden that can create uncertainty for students and parents while an enrolment decision is pending.</p> <p>Requiring a student to undertake the same assessment again simply to facilitate an enrolment transfer is a regulatory burden and creates uncertainty for the student and their parents while they wait for enrolment decisions.</p>
<p>Supporting P&amp;Cs to operate effectively – multiple campus schools</p>	<p>Prescribed schools with multiple geographically dispersed campuses will be able to establish a P&amp;C at each campus.</p> <p>This reform will not enable single campus schools to have more than one P&amp;C. The amendment is particularly aimed at regional schools, where campuses can be separated by long distances.</p> <p>The current framework for the establishment of a P&amp;C that is set out in the Education (General Provisions) Regulation 2017 will apply for this approach. Decisions about multiple P&amp;Cs for a relevant school will be made by the principal in consultation with eligible persons.</p> <p>To have multiple campus P&amp;Cs, a school must be prescribed in the Education (General Provisions) Regulation 2017.</p>	<p>Currently, the EGPA only provides for a single P&amp;C to be formed for each state educational institution.</p> <p>Some Queensland schools have multiple campuses that are geographically dispersed. For example, Tagai State College has 17 campuses located throughout the Torres Strait with unique local needs and interests.</p>
<p>Supporting P&amp;Cs to operate effectively – enable a P&amp;C to support another P&amp;C following adverse events such as a natural disaster.</p>	<p>The Bill enables a P&amp;C to donate funds or goods to another school or P&amp;C that may be affected by an adverse event (for example, natural disaster).</p> <p>Decisions to donate funds will be made by the P&amp;C, not the executive, as this will enable the P&amp;C to reflect the wishes of the community as required.</p>	<p>Currently, a P&amp;C is only able to use funds raised for their own school, and they are not able to donate funds to another P&amp;C or school for charitable reasons.</p> <p>Sections 120, 121(1)(e) and 132 of the EGPA preclude a P&amp;C from offering direct support, funding or resources to other associations or schools in need, despite the express wishes of a P&amp;C and its school community.</p> <p>Situations where a P&amp;C may wish to do this to support a school community would be following a natural disaster such as flooding or fire.</p>
<p>Supporting P&amp;Cs to operate effectively – membership of executive committees</p>	<p>Persons convicted of an indictable offence, unless it is a spent conviction, will be precluded from being a P&amp;C Executive Committee or subcommittee member, recognising the additional responsibilities of persons appointed to these roles beyond the expectation of an ordinary member, and the potential for those members to participate become involved in the financial operations of the P&amp;C. Indictable offences include serious fraud offences, theft or robbery.</p> <p>A conviction for an indictable offence will not prohibit general membership of a P&amp;C, as all parents and carers may have opportunities to in the school community.</p> <p>This approach is consistent with the current approach to membership of school councils.</p>	<p>There is no provision precluding a person who has been convicted of an indictable offence from becoming, or continuing to be, a member or executive officer of a P&amp;C. P&amp;C Executive Committee members have potential access to significant funds and also work closely with schools.</p> <p>It is appropriate to provide for safeguards to ensure the integrity of P&amp;Cs and the safety and wellbeing of members and school community.</p>

Nature of amendment	Future position	Current position and rationale for change
	<p>The Bill does not legislatively require P&amp;Cs to confirm a person’s criminal history. Requiring this legislatively was considered to impose a regulatory burden and financial impost on P&amp;Cs and individuals wishing to apply for executive committee membership.</p> <p>Instead, the application of this provision will defer to local management by P&amp;Cs as best suits their individual circumstances, and to individuals abiding by requirements. On balance, this was considered to give the best outcome to improving integrity, while limiting impacts on P&amp;Cs and members.</p>	
<p>Clarifying information sharing obligations for non-state school principals and governing bodies</p>	<p>The amended provision will remove any possible doubt about a principal of a non-state school being able to share requested information by setting out that information requested by the chief executive about students of non-state schools can be provided, and that this process is compliant under privacy requirements.</p> <p>Further, to ensure the non-state school sector is supported in this space, the Bill also clarifies that information requested by the chief executive may be in the legal control of the non-state school’s governing body, and can be provided.</p> <p>The amendments provide certainty for the non-state sector in their legal responsibilities for the provision of information.</p>	<p>Section 180 of the EGPA sets out that the chief executive can ask a non-state school principal about:</p> <ul style="list-style-type: none"> <li>the enrolment or attendance at the non-state school of a child who is of compulsory school age; or</li> <li>decisions made under section 189 (i.e., a non-state school principal’s decision to grant exemption from the requirement to attend school), including information in the record kept by the school’s governing body under section 197A.</li> </ul> <p>Section 251AB sets out that the chief executive can ask a non-state school principal for information about decisions under section 248 – relating to applications to grant, or refuse to grant, exemption from the requirement to participate in an eligible option (section 232) during the compulsory participation phase (section 231).</p> <p>However, the EGPA contains no express authorisation for the principal to provide the requested information (although a principal is likely implicitly authorised). The Australian Privacy Principles (APP) 6.1 in schedule 1 of the <i>Privacy Act 1988</i> (Cth) prohibits an ‘APP entity’ from disclosing personal information about an individual collected for a particular purpose for another purpose, unless the individual has consented, or the disclosure is permitted under subclauses 6.2 or 6.3. Subclause 6.2(b) permits disclosure of the information if it is required or authorised by or under an Australian law (which includes an Act of a State).</p> <p>Stakeholders in the non-state school sector identified that more clarity in this provision would assist their operations and give confidence to principals in the management of information.</p>
<p>Reducing the regulatory burden and improving access to eKindy – distance and medical eligibility criteria</p>	<p>The Bill clarifies the application of distance and medical eligibility criteria for eKindy, improving accessibility to eKindy.</p> <p>The medical criterion will be adjusted so that the 10 weeks will be <u>cumulative</u> so a child undertaking intermittent medical treatment will also be eligible for eKindy.</p> <p>The distance criterion will be adjusted to set the 16-kilometre distance from the child’s home to a centre-based service delivering an <u>approved kindergarten program</u> or to a prescribed state school that offers a State Delivered Kindergarten program.</p>	<p>eKindy is a comprehensive ‘at-home’ distance education kindergarten program delivered to children in remote parts of the state who cannot access a centre-based program due to travel, itinerant lifestyles or work arrangements, or for medical reasons.</p> <p>Currently, a student’s eligibility for eKindy for <b>medical reasons</b> is based on a child having more than 10 consecutive weeks of absence from a centre-based service due to the child’s health.</p> <p>This limits access for children who may have medical absences that are cumulative rather than consecutive.</p> <p>A <b>distance criterion</b> can also apply for access to eKindy. In this case, the EGPA currently sets a 16-kilometre distance from the child’s home to the nearest centre-based service for kindergarten-aged children. Under this criterion, the centre-based service does not need to be an approved kindergarten provider and offer a child access to an early childhood teacher.</p> <p>Amending these criteria will promote access for children to quality kindergarten programs delivered by early childhood teachers to best prepare them for school.</p>
<p>Transfer notes</p>	<p>Transfer notes will move from being optional to becoming mandatory, reflecting an increased focus on the safety and wellbeing of students and school communities, and support continuity of a student’s education.</p> <p>The intent of the new framework will be for a student to have started at their new school, with a principal required to seek a transfer note within 90 days of commencement. The requirement for</p>	<p>The Royal Commission into Institutional Responses to Child Sexual Abuse recommended state and territory governments enable proportionate and proactive information sharing when a student transfers between schools, to ensure their safety and wellbeing and that of students, staff or others at their new school.</p>

Nature of amendment	Future position	Current position and rationale for change
	<p>a transfer note to be requested after enrolment at a new school mitigates any risk that a transfer note could be used for enrolment screening.</p> <p>90 days is approximately a term of school, and will provide time for the principal to welcome and settle the student into the new school, and make their own assessment of the student. It also enables the most up to date information about the student to be provided to the new school to best support continuity of education and the safety and wellbeing of the student or school community.</p> <p>Principals may, within this same 90-day period, also request transfer notes from any other state or non-state school that the student was enrolled at within the previous 12 months immediately before the day the student enrolled and commenced at the new school.</p> <p>Importantly, transfer notes apply for students transferring between any Queensland school – ensuring that student and school safety is supported across the state and non-state sectors.</p> <p>To balance administrative requirements, principals will <u>not</u> have to obtain a transfer note where they may already have access to the relevant information – for example, if they have already been given a transfer note by a parent or student, or have access to information through OneSchool, which is an online system used in Queensland state schools.</p>	<p>The EGPA currently enables the sharing of relevant information about students using a Transfer Note on an optional basis when a student moves between Queensland state or non-state schools.</p> <p>Relevant information is prescribed by Regulation and includes student identifying information, educational information such as level of schooling and educational performance, requirements for educational support or behavioural issues, and school attendance.</p> <p>There are recognised impacts of moving to a proactive information sharing framework via Transfer Notes. This is balanced by the critical outcome of strengthening protections for students and school communities, consistent with recommendations from the Royal Commission into Institutional Responses to Child Sexual Abuse, and supporting continuity of education.</p>
<p>Updating legislative references</p>	<p>Technical amendments to the EGPA replace two references in Schedule 4 (Dictionary) to the 'VETE Act' (<i>Vocational Education, Training and Employment Act 2000</i>) with the <i>Further Education and Training Act 2014</i>.</p> <p>The technical amendment to the <i>Child Protection Act 1999</i> is to section 159M(e) to replace a reference to the now repealed <i>Education (Accreditation of Non-State Schools) Act 2001</i> with the <i>Education (Accreditation of Non-State Schools) Act 2017</i>.</p>	<p>Currently, some cross references in the EGPA do not accurately reflect other statutes.</p>