

YOUNG PERSON'S GUIDE TO THE EDUCATION LAWS FOR THE FUTURE CONSULTATION PAPER

ABOUT THIS GUIDE

This guide helps you work through the *Education Laws for the Future* consultation paper, which outlines the Government's review of education laws.

The guide is to inform young people of the aims of the review, the proposals for change and to get young people's feedback on the proposals.

This guide provides a summary of the proposals for new laws, outlined in the *Education Laws for the Future* consultation paper, and details how young people can find out more about areas they are interested in.

What these proposals could mean for young people

It is the Government's goal that all young people will get an education that allows them to reach their full potential. The new laws will support this goal.

This guide is set out in two parts that mirror the consultation paper:

- Part A – outlines the proposals for all young people and all schools, whether they are state schools or non-state schools
- Part B – outlines the proposals that are specific to state schools only.

The Government is seeking your views on all of these proposals, which are outlined in detail in the *Education Laws for the Future* consultation paper.

If accepted the proposals will affect young people as follows:

PART A – ALL SCHOOLS

Objects and guiding principles (pages 5 and 6, questions 1 and 2 of the consultation paper)

The guiding principles will establish that it is the right of every child and young person to receive a high quality education so that young people can go on to further education, training and employment.

Attending school (pages 6 to 8, questions 3 and 4 of the consultation paper)

From 2006, young people between the ages of 6 and 16 will still be required to enrol at school and to attend every day their education program requires them to attend. This is called the compulsory school age and it will mean that it is compulsory for young people to remain at school until they finish Year 10 or turn 16, whichever comes first. After they have turned 16 or completed year 10, students will have to participate in education, training or work for a further two years, or until they gain a Senior Certificate or Certificate III vocational qualification, or turn 17.

The new laws will provide students with a greater range of options to make it more rewarding and enjoyable for them. These other options may include undertaking studies at a range of schools, TAFE, university and even employment.

Employment during school hours (page 7, question 5 of the consultation paper)

The education laws currently prohibit young people under 15 years of age from being employed between the hours of 8am and 4pm on a school day, unless their parent obtains an exemption for them.

This strict timeframe of 8am to 4pm no longer reflects the way education is delivered or the reality of young people's lives. Experiences gained from employment can provide students with valuable skills, and many schools have implemented flexible timetables to enable students to undertake work placements and industry experiences. This will be recognised in the new Act, which will give students the flexibility to undertake a range of learning and other training or work options as part of their education.

Student records – rights and responsibilities (pages 9 to 11, questions 9 to 15 of the consultation paper)

The privacy of school student information will continue to be protected under the new laws.

It is proposed that the new laws will provide further clarity about what student information must be collected, when this information can be provided to different people, and when a young person's permission must be obtained for that to occur.

There will be a range of information that must be given to other people, including school records, when a student transfers, and suspicions of harm or abuse committed against the student. The laws will specifically allow this information to be passed to the appropriate people. It will respect students' rights and ensure that students who are old enough can consent to information being given to other people.

Payments and allowances (pages 11 and 12, questions 16 to 19 of the consultation paper)

The department makes payments to schools, students or their parents. This includes textbook and resource allowances, and travel allowances for students in remote areas. At the moment, textbook and resource allowances are not paid to part-time students or to students who are being schooled at home.

It is proposed to extend the textbook and resource allowance on a pro-rata basis to part-time students and home schooling students. Also, recognition will be given to the different circumstances young people find themselves in to enable payments to be made to students who live independently from their parents or other people who are not the students' parents, such as carers. There is no intention to reduce the amount of any payments currently made.

PART B – STATE SCHOOLS ONLY

Clearer enrolment procedures (pages 13 to 15, questions 20 to 23 of the consultation paper)

It is proposed that the new laws will set out a formal enrolment process for students attending state schools. This new enrolment process will take the form of a partnership agreement that will set out the rights and responsibilities of parents, students and schools. This agreement will include:

- the school's values, educational philosophy, behaviour management and dress code policies
- information on the school's record-keeping practices, including information on transferring a student's 'official record' between schools
- complaints and appeals processes
- information for parents or students of what records will be kept and how they will be able to access them.

Both parents and students will be asked to comply with the standards set out in the partnership agreement. An example of what a partnership agreement might look like is on page 15 of the *Education Laws for the Future* consultation paper.

Power to refuse enrolment (page 14, question 23 of the consultation paper)

The new laws will spell out the three circumstances when a student can be refused enrolment in a state school:

- when the school is at capacity and a student seeks to enrol in the school from outside the school's catchment area. Students from inside the catchment area must be accepted. The "at capacity" status must be approved by the Director-General and publicly notified
- where a student's enrolment posed a significant and unacceptable risk to a particular state school community. The Deputy Director-General makes this decision and the department would assist in finding a suitable alternative
- where a student's enrolment posed a significant and unacceptable risk to a number of or all state schools. The Director-General makes this decision and it would be periodically reviewed. This power would be used in very limited and exceptional circumstances.

Safe and supportive schools (pages 16 to 21, questions 24 to 30 of the consultation paper)

State schools will be required to ensure parents and students are aware of the behaviour management policy as part of the enrolment process. This policy will clearly outline the expectations, rules and disciplinary actions operating within that particular school and the state school system generally.

The new laws will help ensure that:

- a school's behaviour management plan is upfront, relevant and clear to everyone
- students are told the reasons for any disciplinary actions and provided with the opportunity to respond to those reasons before penalties are imposed
- students are supported while they are on suspension or exclusion, to help stop them from disengaging from school and to help continue their education.

Other key changes proposed include:

- increased requirements to attempt to meet with parents of students who are suspended or excluded
- the inclusion of an external appeal mechanism in the law for students who are excluded from all state schools
- additional processes before a principal is able to cancel a post compulsory school age student's enrolment.

Uniform and dress codes (page 18, question 31 of the consultation paper)

Schools have dress codes to improve student safety, by enabling staff to clearly identify who attends the school. Dress codes also create equality among students. The new law needs to balance allowing a school to set a dress code that includes actions for non-compliance and ensuring that a student's academic or external career prospects are not affected. For example, appropriate actions may include detention or not allowing the student to attend off-site events such as excursions.

It is proposed that principals and the school community will set a school dress code appropriate for that school. The code may include disciplinary actions for breaches. These disciplinary actions must not damage a student's academic or external career prospects, such as negative comments in references or school reports. Schools would inform students and parents about the dress code in the partnership agreement at the time of enrolment.

Homework (pages 21 to 23, questions 32 to 35 of the consultation paper)

Teachers currently set the homework required to be completed by students, with principals determining what is an acceptable amount. Failure to do homework may result in detention.

The amount of homework students are required to complete impacts not only on students themselves but their families, often adding unnecessary pressure to relationships.

Research supports a new approach to homework in state schools. It is proposed that the department will develop guidelines based on a partnership approach between schools, parents, teachers and students. The guidelines will set out the purpose of homework, a recommended time allocation and the responsibilities of each person in relation to completion of homework.

An example of what Victoria and the United Kingdom do about setting homework is on page 23 of the *Education Laws for the Future* consultation paper.

Being part of the school community (pages 27 and 28, questions 47 to 53 of the consultation paper)

Young people enrolled in state schools will be encouraged to take part in school decision-making through guaranteed membership on the subcommittee of a new representative school body (a Parents and Citizens Council).

Young people currently have the opportunity to participate in these decisions at some schools through their school councils. This is a valuable contribution by young people and the Government wants to expand this concept.

It is intended to change the law to allow every representative school body to set up a subcommittee dealing specifically with school strategic planning and decision-making, such as input into school dress codes, behaviour management plans and school annual reports. These subcommittees will be small groups where students will have guaranteed places and will play an important role.

FEEDBACK

When will you be able to have your say?

You can make a submission on the review before 31 March 2005.

Do you want to know more?

You can view and download the *Education Laws for the Future* consultation paper on the web at www.education.qld.gov.au/review/ or link to this site from www.GENERATE.qld.gov.au

You can be mailed a copy of the consultation paper or ask questions about the review and how the proposals may affect you by calling **(07) 323 71700** or emailing StrategicPolicy@qed.qld.gov.au

How do you provide feedback

The *Education Laws for the Future* consultation paper has a separate questionnaire attached to it. You may complete this questionnaire online at www.education.qld.gov.au/review/ or print out a hardcopy of the questionnaire and return it by facsimile or post to the address provided.