

## EDUCATION: TASMANIA'S FUTURE



# EDUCATION ACT 2016

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# Education Act Implementation

## 1. How do I know what the Education Act changes are?

Some of the Department's policies and processes will change as a result of the new Act. Information about the changes is available on the Department's website at [Education Act Implementation](#), including new FAQs for parents released each month answering questions about key areas of change. There will also be articles in school newsletters and posts on the Department's [Facebook page](#) throughout 2017.

## 2. What about the proposed voluntary earlier school starting age?

Lowering the voluntary school starting age is yet to be approved by both Houses of Parliament. If changes are approved they will commence in 2020 for kindergarten and 2021 for Prep.

# Absences

## 3. What are the changes that might affect me if my child doesn't attend school?

Attending school every day has a big impact on how well your child goes at school. Because of this, the new Education Act limits the reasons for a child to be authorised not to attend school.

Previously, a child could be authorised to be absent from school for any reasonable cause approved by the Principal.

## 4. When can my child be authorised not to attend school?

Reasons your child can be approved to be absent from school include:

- sickness/incapacity
- medical, legal or related appointments
- natural disaster or extreme weather preventing your child from safely attending their enrolled school
- terminal illness of an immediate family member
- bereavement of a person that your child had a close, significant or family relationship with
- having witnessed or been subjected to family violence
- being a participant or official at a recognised National or International sporting, academic or cultural event
- an application for home education being received by the Education Registrar and provisional registration being granted.

## 5. What will happen if the reason I provide for my child's absence is not approved?

If your child is absent from school for a reason that isn't in the above list, their absence will be recorded as an unauthorised absence. The number of unauthorised absences a child has is monitored and Principals receive notifications advising them of the number of unauthorised absences a child has. Your child's school may contact you to let you know the number of absences your child has. The school may request a discussion about the unauthorised absences and to work with you to ensure that your child attends school.

## **6. Can I take my child out of school for a family holiday or birthday?**

Schools cannot excuse a child from attendance at school for family holidays, birthdays or other similar reasons. Parents and guardians are encouraged to plan family holidays and birthday celebrations outside of school hours to ensure their child makes steady progress with their learning throughout the school year.

## **7. Does the school Principal have any say in approving reasons for a child's absence?**

No. The school and school Principal can only authorise an absence from school when that absence is due to one of the reasons listed. To allow a transition time for school communities to become familiar with the changes, Principals may use discretion in applying the change until the end of 2017.

## **8. How do I know how many times my child has been absent from school?**

Your child's school can let you know how many absences your child has.

## **9. What will happen if my child has extended absences?**

The Principal may ask for evidence to explain an extended absence or illness. They will also want to work with you to support your child's attendance at school to maximise their learning. Schools will continue to follow up on non-attendance.

## **10. Can I be fined / prosecuted if my child doesn't attend school?**

Instead of going directly to fines and prosecution, there is a new compulsory conciliation conference process to help resolve issues that are causing a child to not attend school. The conciliation conference is facilitated by an independent conciliator and is compulsory. The child's parents or guardian, Principal, teacher, school social worker and the child (if age appropriate) may be required to attend.

If the compulsory conciliation conference cannot resolve the issues, a Compulsory Schooling Order could be made if the child is not attending school. An Order will require the child's parents or guardian to ensure the child attends school. Not complying with an Order may result in a fine or prosecution.

## **11. Does the Department of Education run the compulsory conciliation conference process?**

No. The compulsory conciliation process is run by the independent Education Registrar. The Education Registrar is a new statutory officer established under the Act. The Education Registrar will determine if the matter is suitable for compulsory conciliation and appoint an independent conciliator. More information is available on the Education Registrar's website at [www.oer.tas.gov.au](http://www.oer.tas.gov.au).

## **12. What do I need to do differently when my child will be absent?**

You don't need to do anything differently. If your child has to be away from school, continue to tell the school and provide the reason for your child's absence. You can do this by sending a note or email to the school, telephoning the school office or visiting the school.

# Part-time Attendance

## **13. What are the changes to part-time attendance at school?**

If you want your child to attend school part-time, you need to complete the updated application form for part-time attendance available on the DoE website shortly. This needs to be signed by the school Principal and emailed to the Department of Education Secretary to make a determination as to whether part-time attendance is in your child's best interests.

## **14. What are the reasons for a child to be able to attend school part-time?**

The reasons why it is in the best interests of a child to attend school on a part-time basis may include:

- The child is in their first year of compulsory education (Prep) and is not developmentally ready to attend school on a full-time basis
- The child has an ongoing particular medical, degenerative or similar condition or is affected by medical treatment which means they are unable to attend school on a full-time basis
- The child is at least 17 years old and plans to undertake part-time study and employment.
- Other exceptional circumstances where the child would benefit from part-time attendance.

## **15. What happens to current part-time attendance certificates?**

If your child has an existing certificate of part-time attendance you should have received a letter from the school Principal at the end of Term 2. The letter advised that the existing part-time attendance certificates remain valid for 2017. If you haven't received a letter and your child currently attends school part-time, please speak with the school Principal.

# More Questions

## **16. I have more questions, where do I go?**

Questions about the changes should initially be referred to Principals and School staff. Any other questions can be referred to the Education Act Implementation Project Team at [edact@education.tas.gov.au](mailto:edact@education.tas.gov.au).