



Education and Training

Manual for Registration of Home Education in the ACT

ACT Department of Education and Training

2008

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ISBN 0 642 60358 8

ABN: 71 506 957 312

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The Non-government Education section of the ACT Department of Education and Training produced this document for the information of parents seeking to register their child for home education under the *Education Act 2004*.

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Introduction

Home education is a legally recognised form of providing for the educational needs of children in the Australian Capital Territory.

In the ACT, the responsibility for registration of children for home education lies with the Non-government Education section (NGES) of the ACT Department of Education.

NGES does not supply curriculum, but endeavours to work with home educators in ensuring a high quality education for each child.

This manual has been developed by NGES in consultation with local home educators. It serves to answer common questions, provide information about the processes of registration including legal requirements, and contact details for support services and local home education networks.

The decision to home educate is usually made after much consideration and evaluation of alternatives. Parents who choose to educate their children at home do so for a variety of reasons, and develop appropriate methods, which are suitable for the needs of their children.

Successful home educators are engaged with their children's educational processes and aware of their development, struggles and successes. They aim to develop the whole individual using a broad range of practices and experiences, and this can be eminently satisfying.

This manual is quite large, but it is not intended to be daunting. Rather, it is intended to provide prospective and continuing home educators with information so that it can be used as a future resource. Use the contents page and section divisions to guide you, or follow the references throughout.

Acknowledgements

The Non-government Education section wishes to acknowledge the contribution of home educators and departmental staff to the redevelopment of this manual.

Special thanks are extended to Anna Guy for her work in seeking feedback from home educators as well as her contribution to the lay-out of the manual. Contributing members of Home Education Network Canberra and Southern Tablelands, Christian Home Education in Canberra and independent home educators are acknowledged for their feedback and participation in stakeholder meetings.

Thanks are also extended to Jenny Van Vucht for her work on the original manual and Michelle Earnshaw, Jane Cuzner and Maureen Bartle for their input during the consultation period.

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Part 1 – Frequently Asked Questions

This manual provides parents and carers with parental responsibility with the information required to fulfil their responsibilities for the registration of their child for home education.

Throughout this manual, underlined terms in italics are explained in the *Glossary of Terms* in Part 4.

What is home education?

Home education is a choice recognised in the Education Act 2004. Relevant sections have been duplicated in Appendix 6.

One or both of the child's parents provide a high quality education from their home base through a range of educational experiences.

Registration for home education is in two parts beginning with provisional registration for up to six months followed by registration for up to two years.

Home education is to be actively and regularly provided on a full or part time basis. Some parts may be planned and taught by tutors, community based programs or activities at a location other than the home base. All components of the home education program are to be under the guidance of the main educator.

Home education is committed to (*section 128(d) of the Act*):

- offering a broad range of opportunities that foster in each child the development of the child's unique spiritual, emotional, physical, social and intellectual being
- valuing the individual needs, interests and aptitudes of each child
- preparing each child to become an independent and effective local and global citizen.

Who can be home educated?

All children of school age who are Australian citizens, permanent residents or temporary residents with eligible visas may be registered for home education.

Home education is optional for children younger than six years and older than 15 years and up to 18 years of age but children of compulsory school age between six and 15 years must receive an education through the choice of home education or school enrolment unless exempted through application.

Do I have to register each child?

Yes. Each child in the family will need to be registered individually and each application for registration form (*Form 1*, See Appendix 1) allows for two children of one family to be registered. Additional forms should be used for families with three or more children.

Guidelines for provisional registration can be found in Part 2, and Guidelines for registration and renewal of registration are located in Appendix 1.

Who can apply for home education?

An application for registration will only be accepted if they are completed by the parents or carer of the child. To establish that the applicant is a parent of the child, it is proposed that a certified true copy of the birth certificate be included with the application. If a birth certificate is not available another document that establishes that the applicant is the parent of the child may be provided.

A current court order may change a person's parental responsibility. If a court order exists for one or more of the children in the application the parent is to provide a certified true copy of the court order.

Can my child combine part-time home education with part-time attendance at school?

Yes, it is possible to combine part time home education with part time attendance at a school. The decision to apply for home education on a part time basis must be made in consultation with the principal of the school at which the child will be enrolled on a part time basis.

The application for registration must provide an overview of the needs of the child and show how the combination of home and school education will provide a *high quality education* for the child. Information should include roles, responsibilities and accountability issues of the parent and the school. A template to guide the discussions between the home educator and the school is located in [Appendix 1](#). The agreement should be completed at the beginning of each school year. Copies of the agreement should be held by the part time school, the home educator and NGES.

Possible reasons for part time home education may include:

- transition from home education to full school attendance
- transition from school attendance to home education
- transition back to school from illness, injury or extended absence, or
- substantiated medical requirements.

Parents choosing to home educate a child with special needs may find that part time enrolment at a public school enables the child to access suitable special needs support services. Refer to separate question: *Are there any support services available to children with special needs?* below and [Part 4 – Glossary, Specialist Educator](#).

Are there any support services available to children with special needs?

Special needs services are provided by the ACT Government to children with an identified level of need who are enrolled at a public school. These services are not available to children who are home educated on a full time basis, but may be available to students in part time home education. The Student Centred Assessment of Need (SCAN) process is used to identify the needs of each child and the level of support available. See section *Can my child combine part-time home education with part-time attendance at school?* above.

Are there any fees or charges for home education?

No. Fees are not charged for registration for home education in the ACT.

Is there any funding available to home educators?

There is no general funding available to parents who are home educators, however some parents or children may be eligible for funding for education through bursaries or scholarships under section 150 of the [Education Act 2004](#).

Low income parents of children in years 7-10 may be eligible for the ACT Junior Secondary Bursary Scheme administered by the Department. Enquiries should be directed to the Student Support Section on (02) 6205 9300.

Registered students over the age of 16 may be eligible for Youth Allowance, administered by Centrelink. Information is available on 136150 or at <http://www.centrelink.gov.au>.

Do I have to follow a particular curriculum?

No. Curriculum choice is a matter for parents to decide, in accordance with their chosen *approach to home education* and the *educational needs* of each child registered for home education. The Non-government Education section does not supply or recommend any curriculum.

Can we use distance education?

Government provided distance education is usually reserved for children who are not able to attend school due to distance or health constraints. Families who wish to travel

while home educating may be eligible for distance education (refer to separate question: '[Can we home educate while we travel?](#)') below. For further information see http://www.det.act.gov.au/school_education/alternative_education/distance_education. Some private organisations are accredited distance education providers.

Can we home educate while we travel?

Parents should notify the Manager, Non-government Education section in writing of any long term travel plans so that education options may be discussed.

Where a family intends to travel, either interstate or internationally, for a period of more than six months, the parents may be eligible to apply for distance education provided by the NSW Department of Education. Information is available from the Manager, Non-government Education section.

Home educators may continue to utilise their own curriculum choices while they travel.

Does my child have to remain registered for home education after turning 15?

Continued registration beyond the age of fifteen is not mandatory, however there are some potential benefits:

- access to some Centrelink payments for some families
- access to the Department's insurance for work experience
- access to some Centrelink Youth Allowance payments for some families
- access to resources from the CTL Library
- some parents value the continued official record of education.

How will my privacy be respected?

All home education records of the Department of Education and Training are kept in a student record folder by the Non-government Education section. Records are accessed by section staff and departmental executive in order to effectively manage home education. These records contain personal information and are managed according to the requirements of the Privacy Act 1988.

Parents, and older children may request to view the contents of their own student record folder by contacting the Manager, Non-government Education section in writing.

How do I cancel home education?

Parents who no longer wish to educate their child at home, are to inform the Manager, Non-government Education section in writing.

If the child is between six and 15 years, the parent must enrol the child in a school within 14 school term days. Locations of schools can be viewed at <http://www.det.act.gov.au/schools/schools.htm>

Can I appeal a decision about home education?

Yes. Reviewable decisions made by the *Chief Executive* or the *delegate* in connection with home education are as follows:

- refusing to register a child for home education on application
- registering a child for home education for a shorter period than the period applied for
- cancelling registration of a child for home education
- refusing to renew registration of a child for home education
- renewing registration of a child for home education for a shorter period than the period applied for.

These decisions may be appealed in accordance with the procedures set out in the Department's 'Procedures and Guidelines: Reviewable Decisions' document contained in [Appendix 7 – Review of Decisions – Policy Document](#)

Part 2 – Provisional Registration

Introduction

One or both of the child's parents are to take responsibility for conducting a high quality education based on the Principles of the Education Act 2004 from their home base.

Applying for provisional registration

The completed application from Form 1 – Appendix 1 for registration and accompanying paperwork must be received by the Manager, Non-government Education section, within 14 school term days of removing the child from school. Refer to Appendix 6 – Education Act 2004, Chapter 2, Section 10.

Initial period

An initial period of six months provisional registration is provided in the ACT. This is automatically granted, providing all requisite paperwork is in order. This is to allow families to adjust to home education, develop their own approach to home education, and determine habits of recording educational progress.

What next?

The procedure for moving towards either full registration or a possible return to school will commence halfway through the provisional phase. This is to allow the process to be completed by the conclusion of the provisional phase and provide seamless registration for the student. The Non-government Education section will forward a letter to the parent, three months before the expiry of provisional registration to facilitate this timing.

Application

A copy of Form 1 has been provided in Appendix 1. Additional copies of the application form are available from the Manager, Non-government Education section by phone on 6205 9301. See section Who can apply for home education in Part 1 – Frequently Asked Questions.

The application form is to be returned to the Manager, Non-government Education section with certified true copies of:

- the birth certificate of each child
- relevant temporary visas (if applicable)
- any court orders for the child/ren (if applicable)
- evidence of use of preferred names (if applicable).

Certificate of home education – provisional registration

When the application is processed, the main educator will be sent a certificate of home education for provisional registration and the name and details of each child will be recorded in the Register of home education.

Changes to contact details or address

It is important that any changes to a parent's contact details or the address of the home base are notified in writing to the Manager, Non-government Education section within one month. It is necessary to provide a new certificate of home education on any occasion that the address of the home base changes.

Part 3 – Registration

Who can apply for registration?

Parents of children who;

- have completed three months of provisional registration,
- are *renewing registration* (notification in writing is due at least three months before the expiry of the current registration) or
- have current registration for home education in other states and have *transferred to the ACT* (within 14 school term days of arriving in the ACT).

Period of registration

The first period of registration will be for a period of up to two years. That is, for the balance of the first year and until 31 December of the second year unless a shorter period is requested or the child turns 18 years old within the period.

Renewed registrations will be for up to two years unless the parent requests a shorter time or the child turns 18 years. If the child turns 18 years the registration will end on the child's 18th birthday.

Registration process

The purpose of registration is to enable the Department to ensure that every home educating child receives a *high quality education*. Registration is based on the *conditions of registration* and the *principles of the Education Act 2004*. Parents are to summarise how they will meet these conditions for the period of registration through the

- notification process and
- registration visits.

A summary of the registration process is contained in [Appendix 1, Overview of Registration Process](#).

Notification

Additional information about notification of registration has been provided in [Appendix 1, Overview of Registration Process](#). Additional information is available from: the Manager, Non-government Education section by phone on 6205 9301.

In order to assess whether a *high quality education* is being provided to each child, the notification is to be accompanied by information that outlines;

1. the child's interests, abilities and *educational needs*
2. the *approach* to providing a high quality education for your child
3. the *strategies used to encourage learning*
4. the broad range of *educational opportunities* you provide to meet your child's educational needs including;
 - i. a list of key materials and *resources* used
 - ii. an outline of a typical week's activity
5. how *assessment* is made of the child's educational progress and summarises the types of *records* kept

and if applicable;

6. (for part-time school attendance only) the roles and responsibilities undertaken by parents and school respectively
7. name change of child or parents that has occurred since provisional registration
8. any changes to residency status or renewal of temporary visas
9. any changes to court orders.

The supporting documentation should be forwarded to the Manager, Non-government Education section prior to the registration visit.

Registration visit

The registration visit provides confirmation that the parents are providing a high quality education.

The parents and registered children meet with an authorised person to discuss how home education is meeting the educational needs of each child. The registration visit should take place at the home base, as this enables the authorised person to assess the conformity between documentation provided and actuality.

The discussion may include:

- how the parent identifies the needs of each child
- how the educational opportunities are chosen
- further information about the documentation provided with the application
- materials and resources
- strategies that promote enthusiasm for lifelong learning
- how parents keep records and use them in planning or to evaluate the progress of each child.

The home educated children are to be present at the registration visit and are welcome to contribute to the discussion or provide information from their perspective as a learner.

Part of the meeting may be arranged for a discussion that does not include the children.

In cases where the home educator or the authorised person has some concerns about an aspect of the home education, registration may be approved for the registration period but extra visits may be required (as a condition of registration) during the registration period.

More information about the registration visit and extra visits is contained in Appendix 2.

Parent feedback

Following the registration visit, parents may wish to provide feedback regarding the authorised person, an aspect of the registration visit or the documentation of the visit. All feedback should be forwarded to the Manager, Non-government Education section in writing.

A parent feedback form is contained in Appendix 2.

Approval of registration

Following the registration visit, the authorised person develops a report for each child based on the information provided in the supporting documentation and information gathered at the registration visit. A copy of the report is provided to the parent for verification of factual information. Guidelines for the verification of the registration visit report are contained in Appendix 2, Form 2 – Checklist for Registration.

Following the parent verification, the registration report is forwarded to the Director of Curriculum Support and Professional Learning. This step is designed to provide input from another educator.

The report and supporting documentation are then forwarded to the appropriate delegate for their decision regarding the granting of registration based on the evidence provided.

Certificate of home education – registration

When the delegate has approved the registration, the main educator will be sent a copy of the 'Checklist for Registration' (see Appendix 2 – Form 2) and the certificate of home education – registration. The name and details of each child will be recorded in the Register of home education.

Renewal of registration

Home educators seeking renewal of registration are required to notify the Manager, Non-government Education section in writing at least three months before the expiry of the current registration. Supporting documentation must be provided prior to the registration visit.

More information about renewal of registration is contained in [Appendix 1](#).

Alignment of registration periods

Home educators with more than one child registered for home education with different registration expiry dates have an opportunity to align the registration periods. This is designed to minimise the workload and inconvenience for home educators. By notifying their intent to continue home education for all children at one time, home educators can supply supporting documentation for processing of *renewal of registration* and the registration visit can be conducted for all children at one time.

Changes to contact details or address

It is important that any changes to a parent's contact details or the address of the *home base* are notified to the Manager, Non-government Education section in writing within one month. It is necessary to provide a new certificate on any occasion that the address of the home base changes.

Annual report to the Chief Executive

Parents must provide the *Chief Executive* with an *annual report* about the educational progress of each child who is registered for home education. The annual report is a legislative requirement for all students with current registration for home education and is due by 31 December of each year. The annual report is designed to provide information about the educational progress of each child once every year.

The format of the annual report is flexible and home educators may use the optional report templates, a written summary, table or folio. Home educators will be provided with a reminder letter and optional templates by 31 October of each year.

Optional annual report formats are available in [Appendix 5 – Optional Report Formats](#).

Annual reports should be forwarded to the Manager, Non-government Education section. Home educators who do not complete an annual report may be required to demonstrate the educational progress of each child through additional documentation or registration visits.

Compliance with legislation

If parents have not been able to show that they meet, or continue to meet, the requirements for home education, their home registration will not be automatically cancelled.

They will receive a letter from the *Chief Executive* or *delegate* stating the grounds on which the Department believes that the parents have not complied with the legislation for home education. The parents have a period of 30 days to respond to the letter about the matters in the notice.

If parents have demonstrated that they have made the required changes to their home education practices to meet the requirements of registration, the registration will not be cancelled.

The parents will be given the opportunity to show that they meet the principles of the Act and the *conditions of registration* through written *records* and a registration visit.

Following the registration visit, the Chief Executive will write to the parents with the decision. If the registration is cancelled, the letter will include the date of cancellation.

Part 4 – Glossary of Terms

This glossary provides meanings for terms used throughout the manual, parts and appendices.

Annual report

Every year parents must give to the *Chief Executive* a report about the educational progress of each child who is home educated. This report is to be forwarded during the final quarter of the year, not later than 31 December each year.

The report is to summarise the learning that has occurred across the breadth of areas covered by the home education. The information about what each child knows, understands, values and can do may be collected through a variety of methods, both informal and formal, and constitutes the *assessment* process.

The Department has developed a selection of templates that may be used or modified to suit the needs of the child or the preferences of the parents. These are included in *Appendix 5 – Optional Report Formats*.

Should the template not meet the requirements of the home educator, the report may be presented in an alternative format.

Approach to home education

Home educators develop (and constantly adapt) an educational approach that suits the needs of their children and generally reflects their own religious, personal or educational philosophy. All approaches, whether pre-defined or personally developed, are acceptable if the *educational needs* of the child are met.

Each family's approach will be specific to them, but some identified approaches include: a traditional approach, commercial curriculum, classical approach, principle-based approach, living books, unit studies, natural learning or a mixture of styles.

Resources to support a variety of approaches are available, if required, from various suppliers and online sites. More information is available from the home education *stakeholder organisations*.

Assessment

Evidence of learning is present when the child can apply a specified skill, knowledge or value in a range of contexts. Assessment of learning can take place in any home education activity and environment.

Strategies for assessment may include observation, comparison and discussion, or more formal testing. Tests are not a requirement for home education although some parents may wish to use them in some circumstances (see Records listing in this Glossary).

The *main educator* should be able to explain how they know that learning has occurred, and how their observations of progress feed into any forward *planning* that they do.

Authorised person

An authorised person (government) is a person appointed by the *Chief Executive* to perform a range of duties in accordance with the *Education Act 2004* including the registration of home education.

There are conditions on the selection and training of authorised persons, which are found in the *Education Act 2004, Part 3.6* (not included in *Appendix 6*, but can be viewed at www.legislation.act.gov.au/a/2004-17/default.asp).

Each authorised person will carry a photo identity card that will be shown on request.

Certificate of home education

The certificate of home education will be produced for the provisional registration period and the registration period. The information to be stated on the certificate includes the:

- name of the child registered for home education (full birth certificate name unless *preferred names* are confirmed)
- names of the child's parents
- address of the *home base* from which the home education will be conducted
- period of registration (dates)
- *conditions of registration*.

Certified true copy

A certified true copy is a photocopy of an original document that has been verified by comparison with the original and marked in pen with the words “I certify that this is a true copy of the original” or similar, the name of the person, their signature, profession/ employer and the date (across the face of the photocopy). People able to certify documents include a wide range of professional occupations including staff in locations where photocopiers are situated such as post offices, chemists and libraries but should not be family members. A detailed list has been included on the reverse of application and notification forms in [Appendix 1, Form 1](#), and [Appendix 2, Form 2](#).

Chief Executive

The Chief Executive refers to the Chief Executive of the Department of Education and Training.

Conditions of registration

These can be viewed in context in [Appendix 6, Education Act 2004](#), Chapter 5, sections 132 and 138.

The registration of a child for home education is subject to the following conditions from section 132 of the [Education Act 2004](#):

- a. the parents of the child are to provide [high-quality education](#) for the child
- b. the parents of the child must document the [educational opportunities](#) offered by the parents to their child and the [strategies](#) they use to encourage their child to learn
- c. the parents of the child must make available for inspection on request by the [chief executive](#) any education programs, materials or other [records](#) used for the home education.

In addition, parents must supply an [annual report](#) on the educational progress of the child.

Delegate

The responsibility for approval of provisional registration, registration and renewal of registration has been delegated by the [Chief Executive](#).

The approval of provisional registration and renewal of registration is delegated to the Director Governance, Regulation and Risk.

The approval of registration (as a progression from provisional registration, or from someone moving to ACT from interstate) is delegated to the Deputy [Chief Executive](#).

Education Act 2004

The [Education Act 2004](#) (the Act) is a legislative guide to school or home education of children in the ACT. See [Appendix 6](#).

Educational needs

Educational needs arise from the child’s interests, aptitudes, existing skill set and any goals the parents and child may have. Educational needs may be influenced by a child’s preferred learning style or by specific learning requirements related to advanced or delayed learning, or to learning difficulties.

Educational opportunities

Any activities, planned or incidental, that contribute to the overall development of the child may be considered. These activities may occur during core learning time or after hours and weekends. Examples of activities include academic endeavour, free play, visits to places of interest, community and cultural events, performances, sporting, academic or interest clubs, classes or workshops designed to develop particular skills, camps or personal development activities.

Evaluation

Refer to *Assessment* above in the Glossary.

High quality education

The high quality education provided by the parents must be a broad education that incorporates the *Principles of the Education Act 2004* and meets the overall *educational needs* of the child. It should aim to fully develop the talents and capacities of children so they can be active and involved citizens within the Australian society. In particular, the children should have the capacity for, and skills in, analysis and problem solving and the ability to communicate ideas and information, to plan and organise activities and to collaborate with others, as appropriate to their age and individual capabilities.

Details of the *educational opportunities* are a matter of parental choice and there is no set curriculum for home education in the ACT. Frequently, the child will be an active participant at various stages in their own learning. Consideration should be given to how parents will *evaluate* the learning process and measure improvements.

When parents define elements of the home education that they consider to be 'essential', they may wish to incorporate the wider context of education within the ACT and Australian society.

Essential knowledge, skills and values for all ACT students from preschool to year 10 have been incorporated into the new curriculum framework, *Every chance to learn Curriculum framework for ACT schools Preschool to year 10*. Copies of this resource are available from the Curriculum Support Unit P-12 on 62059350 or from the Department's website at <http://www.det.act.gov.au>.

Home base

The home base is the regular residential address of the main educating parent and child and is the location where home education is conducted. Some parts of the home education may be planned and taught by tutors, community based programs or activities at a location other than the home base.

Parents should notify the Manager, Non-government Education section in writing of any long term travel plans so education options may be discussed. Refer to *Can we home educate while we travel?* in Part 1.

Home education / learning environment

The terms 'home education environment' and 'learning environment' never refer to an appraisal of the appearance of the home itself. They broadly address how home education is supported through the home educator's *approach*, choice of *educational opportunities*, *strategies to encourage learning*, and use of *resources*.

Learning environment

Refer to *Home education / learning environment* above in the Glossary.

Learning strategies

Refer to *Strategies used to encourage learning* below in the Glossary.

Main educator

The parent who has the day-to-day responsibility for managing the education of the children is considered the main educator and will be the first point of contact for the Non-government Education section.

Parent or carer

A parent is the person having parental responsibility for the child under the *Children and Young People Act 1999* and includes a carer who provides regular and substantial care for the child. In some circumstances, a current court order may grant or remove a person's parental responsibility.

Preferred names

Some children or parents are known by a name other than the name recorded on the child's birth certificate. In such circumstances the parents are to provide sufficient evidence to confirm the status of the preferred name. The preferred name will be used on the certificate of provisional registration or registration for home education.

Evidence to support the status of preferred names will vary depending on the circumstances and whether it is the child's or parents' names that need verification but may include:

- proof of a formal change of name
- passport, marriage certificate, medicare card, driver's licence
- identification card from a university, school or workplace
- employment record
- bank accounts
- other evidence as applicable.

Principles of the Education Act 2004

The following principles guide the processes for the registration of home education in the ACT as detailed in this Manual.

The principles of the *Education Act 2004* prescribe that every ACT child has the right to receive a *high quality education* based on the following principles detailed in *section 7* of the *Education Act*. (See *Appendix 6, Part 1.2, Section 7*)

- (a) school education and home education provide a foundation for a democratic society
- (b) school education and home education should—
 - (i) aim to develop every child's potential and maximise educational achievements
 - (ii) promote children's enthusiasm for lifelong learning and optimism for the future
 - (iii) encourage parents to take part in the education of their children, and recognise their right to choose a suitable educational environment
 - (iv) promote respect for and tolerance of others
 - (v) recognise the social, religious, physical, intellectual and emotional needs of all students
 - (vi) aim over time to improve the learning outcomes of students so that the outcomes are free from disadvantage because of economic, social, cultural or other causes
 - (vii) encourage all children to complete their senior secondary education
 - (viii) provide access to a broad education and recognise the needs of Indigenous students.

The principles for home education are outlined in section 128.

- (a) parents have the right to choose a suitable educational environment for their children
- (b) there is a diversity of religious and educational philosophies held by parents providing home education for their children
- (c) the diversity of educational philosophies reflects the diversity of preferences of parents for particular forms of education for their children

- (d) home education is committed to—
- (i) offering a broad range of opportunities that foster in each child the development of the child's unique spiritual, emotional, physical, social and intellectual being
 - (ii) valuing the individual needs, interests and aptitudes of each child and
 - (iii) preparing each child to become an independent and effective local and global citizen.

Planning

This term should be viewed in the context of the approach to home education adopted by individual families.

Many parents consider in advance how they will address the various educational needs of each child. An outline of this process can be helpful to show to the authorised person.

Records

To record that learning has occurred, the parent can collect a range of materials for the assessment or evaluative process. These should be dated to show progress but may be either informal or specially designed. Examples include:

- a diary or learning journal of the student or parent that records observations or milestones achieved
- a series of work books across a range of subject or learning areas
- work samples with notes to record the background to the work and the learning that has occurred
- a sequence of documents/work samples that show the stages of review from draft to final product
- a list of goals or outcomes with notes about how and when they were achieved
- a portfolio of work samples, photographs or files
- creative works which may be displayed, performed or recorded.

Register of home education

When a child is approved for home education, the child is to be recorded in the register of home education maintained by the Non-government Education section. The details include those on the certificate as well as the names of the child and parents, postal address if different from the home base, the gender of the child and a unique identifying number.

Every child who is enrolled in a school or is registered for home education is given a unique student number. Children who have been previously enrolled in a public school have already been allocated a unique number. This number will be used during the period of home education. This enables a child to be tracked through the education system, for identification during the marking of the National Assessment Program Literacy and Numeracy (NAPLAN) and for identification on ACT years 10 and 12 certificates.

Children who attend school on a part time basis will use the same number for both school and home education.

The number is not used for general administrative purposes nor is it shown on the certificate of home education. Parents are able to request a copy of this number in writing from the Manager, Non-government Education section.

Renewal of registration

Parents are eligible to renew the registration for home education at least three months before the expiry of the current registration. Renewals are for a full two year period commencing on 1 January and concluding on 31 December unless the parent requests a shorter time or the child turns 18 years. If the child turns 18 years the registration will end on the child's 18th birthday.

Children do not have to be registered beyond their 15th birthday, however this may be advantageous for some families. See Part 1, Does my child have to remain registered for home education after turning 15?

Resources

Resources are the tools used to facilitate education. They may include specific curriculum resources such as reference, text or work books, manipulatives, puzzles and games, art and craft materials; external tools such as frequently used websites or software, season passes to a museum, theatre, etc; the services of tutors or facilities such as libraries and galleries. The usual facilities of the home, e.g. kitchen, workshop space, garden, wet area and the interactions of extended family, friends and associates may also be considered as resources.

Specialist educator

In some circumstances, the *authorised person* may choose to bring an educator with experience in special needs education with them to the registration visit. This may occur if the child has particular learning considerations, and is to provide the authorised person with additional insight into the *educational needs* of the student. Parents should always be consulted prior to such an arrangement.

Parents may also arrange for a specialist educator who is already involved with the child to attend the registration visit. Whether existing involvement is in a private or school capacity, this is often the most effective form of involvement for a specialist educator.

For home educated students with part-time enrolment at a school, the presence of the principal or relevant teacher at the registration may be beneficial in supporting the child and the home educator.

Stakeholder organisations

Organisations which comprise home educating families and community members with experience or an understanding of home education. They exist to support and encourage home educators and are considered to have a vested interest in home education. They are thus known to the Department as stakeholder organisations. Those known to the Department are listed in [Appendix 3](#).

Strategies used to encourage learning

A home educator's *approach* to learning generally incorporates a number of methods to facilitate and consolidate learning. The strategies used by individual families will often vary depending on the age and needs of the individual child. Some curriculum materials will incorporate educational strategies to introduce new concepts, develop understanding and test knowledge or application.

Examples of strategies to encourage learning may include specific strategies such as discussion, workbooks, computer programs, research, literacy based activities, media, games, experiments or excursions. It may also include strategies to develop more overarching skills such as time management, decision making and goal setting.

Transfer to the ACT

Parents who have current registration for home education in another state or territory must apply for ACT registration within 14 school term days of transferring to the ACT.

Parents who were not registered for home education in another state or territory have 14 school term days to apply for provisional registration of home education or enrol in a school.

Part 5 – Appendices

The following appendices contain documents which provide additional information about home education. They include overviews, outlines, guidelines, forms and sections of official documentation.

Appendix 1 – Registration Information

Appendix 2 – Registration Visits

Appendix 3 – Support

Appendix 4 – Services

Appendix 5 – Optional Report Formats

Appendix 6 – Education Act 2004 – Sections Relevant to Home Education

Appendix 7 – Review of Decisions – Policy Document

Appendix 1

Registration Information

This section provides the following documents to aid understanding of the registration process:

- overview of registration process
- guidelines for registration and renewal of registration of home education
- *Form 1 – Application for registration.*
(*This form is to be completed by the parents in order to commence home education*)
- part time home education agreement.



OVERVIEW OF REGISTRATION PROCESS

- PROVISIONAL REGISTRATION FOR HOME EDUCATION
- REGISTRATION FOR HOME EDUCATION
- RENEWAL OF REGISTRATION FOR HOME EDUCATION
- ANNUAL REPORT

Applicants should read the Education Act 2004 and the Manual for Registration of Home Education in the ACT

Request for information:

Initial inquiry regarding home education received by Non-government Education section (NGES). NGES forwards the applicant a letter, brochures, contact details for stakeholder organisations and application for registration (*Application For Registration Home Education – Form 1, included in Appendix 1*).

Application for provisional registration:

A completed Form 1 and a certified true copy of each child's birth certificate and temporary visa or court orders (if applicable) is forwarded to NGES.

Approval of provisional registration:

An application for registration is received and processed by NGES. Information is forwarded to the delegate for approval. Approval will be granted for a six month period. A certificate, letter, manual and information regarding the Centre for Teaching and Learning Library (CTL) and ACTION bus concessions is forwarded to the applicant.

Information is entered in the Register of home education.

Notification of registration:

After three months of provisional registration a letter is forwarded to the parent outlining the process for seeking registration.

Parents who wish to seek registration are required to notify NGES in writing (email is acceptable).

NGES makes phone contact with the parent to arrange a suitable time and location for a registration visit.

Parents are required to forward supporting documentation (detailed in Appendix 1 of the manual) to NGES before the registration visit.

Parents who do not wish to seek registration are required to enrol the child in a school of their choice within 14 school term days of the expiration of provisional registration.

Parents are asked to notify NGES in writing (email is acceptable).

Registration visit:

An authorised person (government) conducts an evaluation of the provision of a high quality education for each child. An overview of the content and focus of the registration visit are detailed in Appendix 2 of the manual.

Approval of registration:

Based on information gathered at the registration visit and supporting documentation, the authorised person completes the report 'Checklist for Registration' – Form 2.

Form 2 is forwarded to the parent to check for any errors of fact (refer to Appendix 2, back of *Checklist for Registration*).

Form 2, supporting documentation and parent check is forwarded to the Director Curriculum Support and Professional Learning, the Director Governance, Regulation and Risk and the delegate for consideration. Details are available in Part 3, Approval of registration.

The delegate will:

- a. approve the registration
- b. not approve the registration or
- c. approve the registration with conditions.

If registration is approved, a certificate of registration (for up to two years) will be forwarded to the parent.

Renewal of registration:

Parents of children registered for home education are required to notify NGES of their intention to continue home education at least three months before the expiry of their current registration. A reminder letter will be sent by NGES at this time.

Parents are required to forward supporting documentation to NGES. Details are available in Appendix 2, Checklist for Registration, of the manual.

A registration visit is required to process renewal of registration. See Appendix 2, Registration Visit Overview.

Information is forwarded to the delegate for consideration.

The delegate will:

- a. approve the registration
- b. not approve the registration or
- c. approve the registration with conditions.

If renewal of registration is approved, a certificate of registration (for up to two years) will be forwarded to the parent.

Annual report:

An annual report for each child with current registration for home education is to be forwarded to NGES by 31 December of each year.

Failure to submit an annual report may result in a request from NGES for information to confirm the continued delivery of a high quality education or an additional registration visit. Details are available in Part 3.

For further information contact:

Manager,
Non-government Education
Department of Education and Training
GPO Box 158
CANBERRA ACT 2601

For more information: Phone: 02 6205 9301

Fax: 02 6205 9453

Email: det.ngso@act.gov.au



Education and Training

GUIDELINES FOR REGISTRATION AND RENEWAL OF REGISTRATION: HOME EDUCATION

Applicants should read the Education Act 2004 and the Manual for Registration of Home Education in the ACT.

- **Provisional Registration** – see [Part 2](#) for details
- **Registration*** – either as a continuation from initial provisional registration or a renewal of existing full registration, follows the procedure outlined below
- **Registration from Interstate*** – advise the Non-government Education section (NGES) within 14 school term days of taking up ACT residence, then follow the procedure outlined below.

* *NGES must receive notification **in writing** of the intent to seek registration or renewal of registration for home education. This can be by letter or email. On receipt of notification, NGES will contact parents to arrange a registration visit.*

Supporting documentation

Supporting documentation must be received by NGES prior to the registration visit. This documentation is to support the requirements made of parents who home educate their children, as laid out in the *Education Act 2004* ([Appendix 6](#)). It is intended to demonstrate that parents can identify their child's educational needs and provide suitable educational opportunities to address these needs.

Please provide information showing:

- an outline of the child's interests, abilities, and educational needs
- an outline of the approach to providing a high quality education for the child
- an outline of the strategies used to encourage learning
- an outline of the broad range of educational opportunities provided to meet the child's educational needs
- a list of key materials and resources used
- an outline of a typical week's activity
- an outline of how assessment is made of the child's educational progress and a summary of the types of records kept.

if applicable

- (for part-time school attendance only)* a copy of the written summary of roles and responsibilities
- documented changes to names of parents or child, residency visa or court orders since provisional registration.

* A certified true copy of relevant documentation is to be provided eg. any court order or current visa in passport (see over)

** Use of birth or preferred names (see over)

Privacy Statement

This information is collected as a lawful administrative function of the Department and is required in order to effectively manage home education. This information may be given (on request) to other government agencies authorised by law to receive it, eg. courts of Law and law enforcement agencies and to benefit payment agencies such as Centrelink and the Department of Disability, Housing and Community Services.

For further information contact:
Manager,
Non-government Education
Department of Education and Training
GPO Box 158
CANBERRA ACT 2601

For more information: Phone: 02 6205 9301
Fax: 02 6205 9453
Email: det.ngso@act.gov.au

Directions to applicant

Under the Education Act 2004, the eligibility to apply for home education is limited to the parent of the child to be registered for home education.

A parent is the person having parental responsibility for the child under the *Children and Young People Act 1999* and includes a carer who provides regular and substantial care for the child. In some circumstances, a current court order may grant or remove a person's parental responsibility.

The department will need to confirm the eligibility of each applicant. This information is generally contained on the certified true copy of the birth certificate provided with the application. Applicants are requested to disclose whether a court order exists in relation to one or more of the children covered by the application and to provide a certified true copy.

**Use of birth name and preferred names

By legislation, the register of home education must show the birth name of the child however, some children or parents are known by a name other than the birth name as shown on the birth certificate of the child. In such circumstances the parents are to provide sufficient evidence to confirm the status of the preferred name. If the status of the preferred name is confirmed, the register will also include the details of the preferred name and the preferred name will be used on the certificates produced as evidence of registration for home education.

Evidence to support the status of preferred names will vary depending on the circumstances and whether it is the child's or parents' names that need verification. Evidence may include:

- proof of a formal change of name
- passport, marriage certificate, medicare card, driver's licence
- identification card from a university, school or workplace
- employment record
- bank accounts
- other evidence as applicable.

*Directions for a certified true copy

A certified true copy is a photocopy of an original document that has been verified by comparison with the original and marked in pen with the words "I certify that this is a true copy of the original" or similar, the name of the person, their signature, profession/employer and the date across the face of the photocopy. People able to certify documents include a wide range of professional people and public servants including staff in locations where photocopiers are located such as post offices, chemists and libraries *but should not be family members*.

Part 1 Members of these professions

chiropractor
dentist
legal practitioner
medical practitioner
nurse
patent attorney
pharmacist
physiotherapist
psychologist
veterinary surgeon


Part 2 – Other persons

***with more than 5 years of continuous service

Australia Post employee ***
Diplomatic officer
Bailliff
Bank officer ***
Building society officer ***
Chief executive officer of a Commonwealth court
Civil marriage celebrant
Clerk of a court
Commissioner for affidavits
Commissioner for declarations
Credit union officer ***
Employee of the Australian Trade Commission:
a) in a country or place outside Australia and
b) authorised under para 3(d) of the Consular Fees Act 1955 and
c) exercising his or her function in that place
Employee of the Commonwealth:
a) in a country or place outside Australia and
b) authorised under para 3(c) of the Consular Fees Act 1955 and
c) exercising his or her function in that place
Fellow of the National Tax Accountants
Finance company officer ***

Part 2 – Other persons (cont'd)

Holder of a statutory office
Judge of a court
Justice of the peace
Magistrate
Master of a court
Member of the Association of Taxation and Management Accountants
Member of the Australian Defence Force:
a) an officer
b) a non commissioned officer ***
c) a warrant officer
Member of Institute of Chartered Accountants
Member of the Australian Society of Certified Practising Accountants
Member of the national Institute of Accountants
Member of the Institute of Corporate Managers, Secretaries and Administrators
Member of Institution of Engineers, Australia
Member of the parliament or legislature of:
a) the Parliament of the Commonwealth
b) the Parliament of a State
c) a Territory Legislature
d) a local government authority of a State or Territory
Minister of religion (registered)
Notary public
Permanent employee *** of:
a) the Commonwealth
b) a commonwealth authority
c) a State or Territory
d) a State or Territory authority
e) a local government authority
Police officer
Registrar or Deputy Registrar of a court
Sheriff
Sheriff's officer
Teacher employed on a full time basis at a school or tertiary education institution

 Education and Training	<h2 style="margin: 0;">APPLICATION FOR REGISTRATION OF HOME EDUCATION</h2> <p style="margin: 0;">(Used to obtain Provisional Registration)</p> <p style="margin: 0;"><i>Applicants should read the Education Act 2004 and the Manual for Registration of Home Education in the ACT</i></p> <p style="margin: 0;">Applicants must complete all sections of this form.</p>
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Please use extra forms for 3 or more children

Applicant/s details (see over)

Full name**: Parent/carer 1 (main educator) Mrs/Ms/Miss/Mr/Dr
Full name**: Parent/carer 2 Mrs/Ms/Miss/Mr/Dr
Does a current court order exist in relation to one or more of the children in this application*? Yes/No

Address of home base for education

No and street:	
Suburb:	State / Postcode

Contact details:

Phone no (daytime)	Mobile
Silent number? Yes / No	
Email:	
Postal address: (if different from above)	
Suburb	State / postcode

Signature 1:
Date:
Signature 2:
Date:

Privacy Statement

This information is collected as a lawful administrative function of the Department and is required in order to effectively manage home education. This information may be given (on request) to other government agencies authorised by law to receive it, eg. courts of Law and law enforcement agencies and to benefit payment agencies such as Centrelink and the Department of Disability, Housing and Community Services.

* A certified true copy of the birth certificate and any temporary visa or court order are to be provided for each child (see over)

** Use of birth or preferred names (see over)

Children's details

Child 1- Full name on birth certificate*:
Preferred name **:
Date of Birth:
Gender (circle): male / female
Is the child on a temporary visa*? Yes/No
Is the child attending school on a part time basis? Yes/No
Name school if part time attendance
Previous school/s: (if any)
Special needs: (for more information see page 4 of the manual)

Child 2- Full name on birth certificate*:
Preferred name **:
Date of Birth:
Gender (circle): male / female
Is the child on a temporary visa*? Yes/No
Is the child attending school on a part time basis? Yes/No
Name school if part time attendance
Previous school/s: (if any)
Special needs: (for more information see page 4 of the manual)

Return application to: Manager, Non-government Education Department of Education and Training GPO Box 158 CANBERRA ACT 2601	For more information: Phone: 02 6205 9301 Fax: 02 6205 9453 Email: det.ngso@act.gov.au
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Directions to applicant

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The department will need to confirm the eligibility of each applicant. This information is generally contained on the certified true copy of the birth certificate provided with the application. Applicants are requested to disclose whether a court order exists in relation to one or more of the children covered by the application and to provide a certified true copy.

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Evidence to support the status of preferred names will vary depending on the circumstances and whether it is the child's or parents' names that need verification. Evidence may include:

- proof of a formal change of name
- passport, marriage certificate, medicare card, driver's licence
- identification card from a university, school or workplace
- employment record
- bank accounts
- other evidence as applicable.

*Directions for a certified true copy

A certified true copy is a photocopy of an original document that has been verified by comparison with the original and marked in pen with the words "I certify that this is a true copy of the original" or similar, the name of the person, their signature, profession/employer and the date across the face of the photocopy. People able to certify documents include a wide range of professional people and public servants including staff in locations where photocopiers are located such as post offices, chemists and libraries *but should not be family members*.

Part 1 Members of these professions

chiropractor
dentist
legal practitioner
medical practitioner
nurse
patent attorney
pharmacist
physiotherapist
psychologist
veterinary surgeon

Part 2 – Other persons

***with more than 5 years of continuous service

Australia Post employee ***
Diplomatic officer
Bailiff
Bank officer ***
Building society officer ***
Chief executive officer of a Commonwealth court
Civil marriage celebrant
Clerk of a court
Commissioner for affidavits
Commissioner for declarations
Credit union officer ***
Employee of the Australian Trade Commission:
a) in a country or place outside Australia and
b) authorised under para 3(d) of the Consular Fees Act 1955 and
c) exercising his or her function in that place
Employee of the Commonwealth:
a) in a country or place outside Australia and
b) authorised under para 3(c) of the Consular Fees Act 1955 and
c) exercising his or her function in that place
Fellow of the National Tax Accountants
Finance company officer ***

Part 2 – Other persons (cont'd)

Holder of a statutory office
Judge of a court
Justice of the peace
Magistrate
Master of a court
Member of the Association of Taxation and Management Accountants
Member of the Australian Defence Force:
a) an officer
b) a non commissioned officer ***
c) a warrant officer
Member of Institute of Chartered Accountants
Member of the Australian Society of Certified Practising Accountants
Member of the national Institute of Accountants
Member of the Institute of Corporate Managers, Secretaries and Administrators
Member of Institution of Engineers, Australia
Member of the parliament or legislature of:
a) the Parliament of the Commonwealth
b) the Parliament of a State
c) a Territory Legislature
d) a local government authority of a State or Territory
Minister of religion (registered)
Notary public
Permanent employee *** of:
a) the Commonwealth
b) a commonwealth authority
c) a State or Territory
d) a State or Territory authority
e) a local government authority
Police officer
Registrar or Deputy Registrar of a court
Sheriff
Sheriff's officer
Teacher employed on a full time basis at a school or tertiary education institution



Education and Training

Part-time Home Education / School Attendance Arrangements

Please note: The original copy of this document should remain on the student file at the school. A copy should be provided to the main educator and a copy should be forwarded to the Manager, Non-government Education section GPO Box 158 Canberra ACT 2601.

1. Student's name.....
2. Date of birth.....
3. School year level.....
4. Parent's name (main educator).....
5. Parent's daytime contact phone number.....
6. School.....
7. School contact.....
8. School contact phone number.....
9. Reason for part-time home education.....
.....
.....
.....

10. School attendance details

Monday	Tuesday	Wednesday	Thursday	Friday

If the student is attending a school with a different organisational structure (such as a high school with a cyclic timetable), please detail

.....
.....
.....

11. Details of student travel between school and home during school hours (parents should make appropriate arrangements concerning their child's travel at the conclusion of formal attendance at school).....

.....
.....
.....

12. Details of responsibility for learning, assessment and reporting
(please attach another sheet if required)

KLA	Learning	Assessment	Reporting
English/Literacy			
Maths/Numeracy			
Science			
Social Sciences			
Health & PE			
Technology			
The Arts			
Languages			
Other			

13. Details of student participation in other school activities (including those conducted outside school hours).....
.....
.....

14. Details of how the student’s learning needs will be catered for.....
.....
.....

15. If the student is to participate in benchmark testing (NAPLAN) detail responsibility for the administration of the tests.....
.....
.....

16. Any other relevant information.....
.....
.....

Signatures

Main educator.....

Date.....

School contact.....

Date.....

Student (optional).....

Date.....

The ACT Department of Education and Training is collecting the information on this form to manage registration for home education. This is authorised by the *Education Act 2004* (ACT). Information on this form is personal information and will be stored, used and disclosed in accordance with the requirements of the *Privacy Act 1988* (Cth) and the *Freedom of Information Act 1989* (ACT).

Appendix 2 **Registration Visits**

This section provides the following documents to aid understanding of the registration visits:

- Background information for registration visits
- Overview of registration visits
- Guidelines for extra registration visits
- Registration visits: authorised person feedback and form for providing feedback
- *Form 2 – Checklist for registration.*

(This is a departmental record, completed by departmental staff in summarising the information used in the assessment of the registration documentation supplied by parent and outcome of visit).

The completed form is forwarded to the parent for verification, then to the Director of Curriculum Support and Professional Learning and the Director of Governance, Regulation and Risk. The form is then sent to the appropriate delegate for approval of registration.

The form is filed on the student record folder and forwarded in its final form to the parent with the cover letter and certificate of registration.



Education and Training

BACKGROUND INFORMATION REGISTRATION VISITS

Applicants should read the *Education Act 2004* and the *Manual for Registration of Home Education in the ACT*

BACKGROUND:

Registration visits are required for all home educators who are:

- a. progressing from provisional registration to registration
- b. continuing home education from previous registration
- c. registered home educators from other states who wish to seek registration in the ACT.

PURPOSE:

The registration visit is necessary to verify the provision of a high quality education for each child receiving home education. The registration visit is not designed to be an inspection or intended to be a stressful experience for home educators or children. The registration visit provides an opportunity to seek more information about the home education environment and to ensure that there is consistency between supporting documentation (provided by the parent) and what is actually occurring in the home education environment.

AUTHORISED PERSON:

The person conducting the registration visit has received training as an authorised person (government), to ensure that they understand relevant legislation and procedures. The person is usually a qualified teacher with significant experience. It is also essential that the person conducting the registration visit has a broad understanding of home education, including the various philosophies, approaches, benefits, limitations and resources.

RECOMMENDATION:

The authorised person is required to complete a report (*Form 4*) and make a recommendation regarding the application for registration. The report and supporting documentation are checked by the Director Curriculum Support and Professional Learning and the Director Governance, Regulation and Risk, before a decision is made by the delegate. The decision may be to:

- a. approve the registration
- b. not approve the registration or
- c. approve the registration with conditions.



Education and Training

REGISTRATION VISITS: OVERVIEW

Applicants should read the *Education Act 2004* and the *Manual for Registration of Home Education in the ACT*

PROCESS:

Part 3 – Registration will provide greater detail on many of these points

1. After receiving notification from a home educator seeking registration, the authorised person makes contact with the home educator by phone.
2. The authorised person and home educator make a suitable time for the registration visit. The registration visit for one child usually takes at least one hour. There must be sufficient time for the registration visit, completion of report and processing the approval before the expiry of provisional registration.
3. Supporting documentation should be provided prior to the Department prior to the registration visit (more information about supporting documentation is available in Appendix 1, *Guidelines for Registration and Renewal of Registration*, and Appendix 2, *Checklist for Registration*).
4. The registration visit is to take place at the home base and the child being registered is to be present.
5. The authorised person may request that a specialist educator attend the registration visit if they consider that this is required to verify a particular aspect of the child's education (the parent will be informed of this action). Parents can also request the attendance of a specialist educator when arranging the registration visit.
6. The authorised person understands that they are a visitor in the home. Their approach should be friendly but professional at all times. Whilst it is important to evaluate the home base as a learning environment, they are not required to inspect or judge the home. If there are concerns regarding the conduct of the authorised person, it is important that the home educator provides feedback to the Manager, Non-government Education section, using the form *Registration Visit: Authorised Person Feedback* provided in Appendix 2.
7. The role of the authorised person is to seek information to be able to evaluate the provision of a high quality education. They will achieve this by listening and asking clarifying questions. Unless the home educator specifically requests advice regarding the educational program, the authorised person will not make suggestions or criticise the program.
8. In order to understand the background and philosophy of the home educator, it is appropriate for the authorised person to ask for information regarding the child's educational history including the reasons for home education.

9. As a representative of the Department, the authorised person has particular understandings in regard to education and understands that home educators are able to facilitate learning through the use of a wide range of approaches and materials. The authorised person is required to evaluate the provision of a high quality education in the context of the individual approach of the home educator.
10. The authorised person will be seeking information about the approach to home education and viewing records, using Form 2 as a guide to the discussion. They will usually be taking notes during the visit that will be used to develop the report. They will explain the procedure for approval of registration and provide an approximate time frame.
11. Whilst input from the child is desirable, the gathering of information regarding the background, child's educational needs, learning environment, approach to providing a high quality education, learning strategies, resources, assessment and planning are specifically related to the home educator. The authorised person may invite the child to share some recent examples of work completed and engage with the child in regard to their learning.
12. The home educator and child will have an opportunity to expand on information in the supporting documentation or share other information with the authorised person.
13. If the registration visit is required for more than one child, the authorised person will gain all generic information relevant to the home education environment before focusing on specific details relating to each child.
14. Before concluding the registration visit, the home educator is able to ask for information or advice from the authorised person. It should be noted that although the authorised person will be knowledgeable about many areas of education, NGES is not a resource or support centre.
15. The authorised person will summarise the next steps with the home educator (including the process for the parent check of Form 2) before departing.

For further information contact:
Manager,
Non-government Education
Department of Education and Training
GPO Box 158
CANBERRA ACT 2601

For more information: Phone: 02 6205 9301
Fax: 02 6205 9453
Email: det.ngso@act.gov.au



Education and Training

GUIDELINES FOR EXTRA REGISTRATION VISITS

Applicants should read the Education Act 2004 and the Manual for Registration of Home Education in the ACT

EXTRA REGISTRATION VISITS:

Following the registration visit, if the *delegate* decides to approve registration of a child for home education *with conditions*, there may be a requirement for an *authorised person* to conduct extra registration visits.

This decision may be made if the delegate considers that the parent has not satisfactorily demonstrated one of the following *conditions of registration*:

- a. the parents of the child are to provide *high-quality education* for the child
- b. the parents of the child must document the *educational opportunities* offered by the parents to their child and the *strategies* they use to encourage their child to learn
- c. the parents of the child must make available for inspection on request by the *Chief Executive* any education programs, materials or other *records* used for home education.

The delegate may also decide to register the child for a shorter period than the period applied for. The decision to register a child for a shorter period than the period applied for is a reviewable decision (See *Appendix 7*).

The parent will be provided with information about the area of concern and the timeframe for extra visits. The issue and possible solutions can be discussed with the authorised person. The purpose of the extra visits is to ensure that the identified issue is addressed and that the child is receiving a *high quality education*.

Extra registration visits are conducted at a time agreed upon by the authorised person and the parent (but must be within the timeframe identified by the delegate).

The extra registration visit is usually shorter than a registration visit, as the authorised person primarily focuses on the issue of concern as identified by the delegate. The authorised person is required to complete a report (*Form 2*) after each registration visit to ensure that conditions of registration are being met. A copy of the report is forwarded to the parent.

If the authorised person believes that the issue of concern *has been addressed* by the parent, they may recommend that:

- registration can continue without further visits, or
- extra visits should continue for the specified period in order to monitor the provision of a high quality education.

This decision is made by the delegate.

If the issue of concern has not been addressed, the authorised person may recommend that the registration be cancelled. For more information about cancellation of registration, see *Part 3, Compliance with Registration*.

This decision is made by the delegate.

For further information contact:
Manager,
Non-government Education
Department of Education and Training
GPO Box 158
CANBERRA ACT 2601

For more information: Phone: 02 6205 9301
Fax: 02 6205 9453
Email: det.ngso@act.gov.au



Education and Training

REGISTRATION VISITS: AUTHORISED PERSON FEEDBACK

Applicants should read Education Act 2004 and the Manual for Registration of Home Education in the ACT

Authorised Person Feedback

The authorised person understands that they are a visitor in your home. Their approach should be friendly but professional at all times. Whilst it is important to evaluate the home base as a learning environment, they are not required to inspect or judge the home.

If there are any concerns regarding the conduct of the authorised person or if a home educator wishes to provide feedback regarding the registration visit, you are able to phone, email or write to the Manager, Non-government Education.

A form is provided on the reverse of this page, should you wish to use it.

You are invited to complete the attached form and forward it to:

Manager,
Non-government Education
Department of Education and Training
GPO Box 158
CANBERRA ACT 2601



Education and Training

REGISTRATION VISITS: AUTHORISED PERSON FEEDBACK FORM

Applicants should read Education Act 2004 and the Manual Registration of Home Education in the ACT

Home Educator Name:

Authorised Person Name:

Date of Registration Visit:

Feedback:


Signed:

Date:

Please forward this form to:

Manager,
Non-government Education
Department of Education and Training
GPO Box 158
CANBERRA ACT 2601

Date received: / /	Received by:
Action:	

 Education and Training	<h2>CHECKLIST FOR REGISTRATION</h2> <p>This is a summary of the information used in the assessment of the registration and is signed by the delegate. To be filed on the student record folder and a copy is to be forwarded to the parent with the certificate.</p> <p><i>Applicants should the read Education Act 2004 and the Manual for Registration of Home Education in the ACT</i></p>
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Child (birth certificate name)		
Child (preferred name)		
Address of home base		
Date of birth	/ /	Temporary resident? Y / N
Parent (main educator):	<input type="checkbox"/> Uses names on child's birth certificate <input type="checkbox"/> Relevant court order (copy provided) <input type="checkbox"/> Contact details provided	Comments
Registration visit:	Location	Date / /
The home educator provides information about: <input type="checkbox"/> the child's interests, abilities and educational needs <input type="checkbox"/> the approach to providing a high quality education <input type="checkbox"/> learning strategies that are implemented and effective <input type="checkbox"/> educational opportunities to meet the social, spiritual, physical, intellectual and emotional needs of the child <input type="checkbox"/> analysis, problem solving, communication, planning and collaboration <input type="checkbox"/> a wide range of relevant resources <input type="checkbox"/> a typical week's activity that is appropriate <input type="checkbox"/> clear strategies for assessing educational progress <input type="checkbox"/> assessment strategies that are used in forward planning.		
Additional Support	<input type="checkbox"/> Regular course attendance (give detail) <input type="checkbox"/> Private tutor (give detail) <input type="checkbox"/> Consultant <input type="checkbox"/> Other	
Other information:		

Recommendation: Registration approved for the period / / to / /

Registration not approved

Recommending Officer:		
Non-government Education section	Curriculum Support and Professional Learning	Governance, Regulation and Risk
Name of Authorised Person:	Name of Director:	Name of Director:
Signature:	Signature:	Signature:
Date: / /	Date: / /	Date: / /

This form is completed by the authorised person, verified by the main educator, and approved by the delegate

CHECKLIST FOR REGISTRATION – Form 2: Parent Verification

Parents are invited to verify the attached Checklist for Registration – Form 2, to ensure that it is an accurate representation of the registration visit and information provided by the parent in the supporting documentation. The parent verification will be forwarded with Form 2 and supporting documentation to the Director Curriculum Support Professional Learning, the Director Governance, Regulation and Risk and the Delegate for their consideration.

Instructions for parents:

- Changes can be made on Form 2 or as an attachment to the form
- Changes can be made to Form 2 in relation to statements of fact (eg name, address, date of birth, resources, activities, record keeping etc)
- Changes can not be made to any statement relating to the authorised person’s evaluation of the education of the child.
- The parent verification should be signed and returned to:
- The Manager, Non-government Education section (NGES)
- GPO Box 158 Canberra ACT 2601 within 14 days of receipt of Form 2 (failure to return the form within 14 days will be viewed as acceptance of the report by the parent).

CHECKLIST FOR REGISTRATION – Form 2: Parent verification	
Name of Registered Child:	
Parent (main educator):	
Registration visit location:	
Registration visit date:	
Registration visit time:	
Authorised person:	
Provisional registration expiry date:	
Form 2 dispatched by NGES: / /	
Form 2 received by parent: / /	
Form 2 dispatched by parent: / /	
Form 2 received by NGES: / /	

Parent verification: Please select and sign <u>only one</u> of the following options	
OPTION 1	The attached CHECKLIST FOR REGISTRATION – Form 2 contains no factual errors. Parent signature _____
OPTION 2	The attached CHECKLIST FOR REGISTRATION – Form 2 contains factual errors. Changes have been made to Form 2 or are detailed in an attachment Parent signature _____

Appendix 3 Support

Home education in the ACT is administered by the ACT Department of Education and Training, and supported through a number of community groups.

Relevant details are included here.

Government Resources

ACT Department of Education and Training

Address: 220 Northbourne Avenue
Braddon ACT 2612

Or GPO Box 158
Canberra ACT 2601

Website: www.det.act.gov.au

Non-government Education section

Responsible for the administration of provisional registration and registration of children for home education.

Phone: 6205 9301 or 6205 9299

Fax: 6205 9453

Email: det.ngso@act.gov.au

Website: http://www.det.act.gov.au/school_education/non-government_education

Educational Performance section

Responsible for the administration of a range of assessment and reporting programs including the National Assessment Program- Literacy and Numeracy (NAPLAN).

Phone: 6205 7374

Fax: 6205 8353

Email: assessment.reporting@act.gov.au

Website: http://www.det.act.gov.au/teaching_and_learning/assessment_and_reporting/national_assessment_program_nap

Every chance to learn

This document was developed for ACT schools, and details what is considered to be essential for all ACT school students, preschool to year 10, to know, understand, value and be able to do. Copies of this *optional* resource are available to home educators, and may be requested from the Curriculum Support Unit P-12 on 6205 9350, or from http://www.det.act.gov.au/publications_and_policies/publications_a-z.

Departmental library

The library is both the departmental library and a teaching resource centre. Home educators are eligible for membership with lending rights on presentation of their current home education certificate. A flyer is forwarded to all home educators with their provisional registration certificate.

Phone: 6205 8228

Location: Fremantle Drive STIRLING ACT 2611

Catalogue: <http://activated.act.edu.au/webOPAC/default.aspx?tabid=36&mode=keywordSearch.ASPX>

or at www.det.act.gov.au/teaching_and_learning/curriculum_programs/library

Student Services section

Responsible for the administration of the ACT Junior Secondary Bursary Scheme.

Phone: 6205 8228

Curriculum documentation

The curriculum documentation for schools is available for use or as a resource from <http://activated.act.edu.au/ectl/index.htm>

Phone: 6205 9350

Home educator's workshop

Presented by experienced home educators and the Non-government Education section. Designed to provide information for new home educators.

Community Groups and Support

LOCAL STAKEHOLDER ORGANISATIONS

Christian Home Education in Canberra (CHEC)

An ecumenical Christian support network for home educators in Canberra and surrounding areas. CHEC provides opportunities to meet informally for social outings, as well as to organise learning opportunities through excursions etc. A quarterly newsletter is published for members.

Website: www.chec.insitec.com.au

Email: CHEC-Info@yahoogleroups.com.au

Home Education Network Canberra and Southern Tablelands Inc. (HENCAST)

An informal network providing mutual support and opportunities for home educating families from the ACT and surrounding region. Group members often arrange social events and educational activities such as tours to places of interest. Events are publicised in the bi-monthly newsletter.

Website: www.hencast.org.au

Email: HENCAST-Info@yahoogleroups.com

Phone: 6282 3237

NATIONAL ASSOCIATIONS

The Home Education Association Inc. Australia (HEA)

Formed to support, promote and encourage the practice of home education in Australia. The Association can be contacted at:

Address: The Secretary
Home Education Association Inc.
4 Bruce Street
Stanmore NSW 2048

Phone: 1300 729 991

Email: secretary@hea.asn.au

Website: www.hea.asn.au

Appendix 4 Services

This section contains details of a number of services which are available to home educators.

These include transport concessions and access to government assessment and sporting programs.

ACTION buses

ACTION provides concession bus travel for home educated students who are registered with the Department of Education and Training. The certificate of provisional registration and registration are viewed as evidence of registration for home education. ACTION student application forms are forwarded to all home educators with their provisional registration certificate.

National Assessment Program Literacy and Numeracy

The National Assessment Program Literacy and Numeracy (NAPLAN) is used in ACT public and non-government schools to assess children in years 3, 5, 7 and 9 against nationally recognised benchmarks.

Home educators are eligible to nominate their child in years 3, 5, 7 and 9.

As a guide:

- the year 3 test would be suitable for a child turning eight by 1 July in that year
- the year 5 test would be suitable for a child turning 10 by 1 July in that year
- the year 7 test would be suitable for a child turning 12 by 1 July in that year
- the year 9 test would be suitable for a child turning 14 by 1 July in that year.

It is recognised that there are children younger and older than their age cohort in each educational level.

Due to the confidentiality of test materials, NAPLAN is administered in a central location, on a specified day by a departmental officer. Further information on NAPLAN and practice items are included in the Department's information on Year K-10 Assessment and Reporting that is available online at

www.det.act.gov.au/teaching_and_learning/assessment_and_reporting/national_assessment_program_nap or by contacting the Manager, Educational Performance on 6205 0970.

School Sport ACT

The ACT Schools Sports Council is chartered by ACT education providers to organise school sport. ACT schools are divided into four zones in the secondary sector and seven in the primary sector, catering for 60 000 students across the ACT.

On presentation of the current home education certificate, home educated children are able to obtain affiliation with the ACT Primary Schools Sports Association or the ACT Secondary Schools Sports Association for a nominal annual fee. This entitles children to participate in a range of sporting events planned for ACT school children at the zone, region and ACT representative level.

Parents should contact the Executive Officer of the ACT Schools Sports Council for more details or general information. The current sporting event calendar is available online at www.schoolsportact.asn.au

Address: Executive Officer
ACT Schools Sports Council
School Sport Centre
Higgins Primary School
Fullagar Crescent
Higgins ACT 2614

Phone: 6205 9174

Fax: 6205 7799

Email: ssact@bigpond.com

Schools and Community Centre, University of Canberra

The Schools and Community Centre is a joint project of the University of Canberra and the Department.

Parents as Tutors is an intensive program for parents and their children who are having difficulties with literacy learning. Access to the program is limited and generally arranged by referral from a school or through counsellor services. Fees apply to cover the contribution towards materials.

Home educators should contact the university on 6201 2453.

Country areas program website

<http://www.cap.nsw.edu.au>

The objective of the NSW Department of Education country areas program is to contribute to the enhancement of the learning outcomes for students in geographically isolated areas so that their learning outcomes match those of other students.

This website contains links to resources including units of work on a range of topics and information on models of learning.

School dental and medical services

The dental health program is available to all ACT residents by contacting ACT Health.

Belconnen Health Centre-6205 1541

Civic Health Building-6205 0977

Phillip Health Centre-6205 1463

Tuggeranong Health Centre-6205 2768

Immunisation programs are accessed through Maternal and Child Health on 6207 9977 or the Immunisation Inquiry Line 6205 2155.

Screening and developmental checks are accessed through Maternal and Child Health on 6207 9977.

After school care programs

The services are generally located in hired facilities co-located in a school environment. This service would require negotiation with individual local operators on a fee for service basis.

School based activities

Music ensembles, swim programs, school concerts, student performances or visiting performers are school based activities planned and operated by individual schools. Involvement in any particular activity would require negotiation with the principal at each school on a case by case basis.

Appendix 5 Optional Report Formats

This section contains samples of two different report forms.

The Department does not favour any particular recording or reporting format however the content should clearly describe the attainment or progress made by the child during a broad range of learning activities or subject areas.

The documents provided in this section are samples only and their use is optional. It is envisaged that the home educator will modify the samples to more closely represent the structure of the learning strategies used and the educational opportunities implemented.

OPTIONAL HOME EDUCATION REPORT FORMAT – 1

Child's name	Age
Report period	Report date
English/Literacy - (Reading, writing, speaking, may be addressed separately)	
Mathematics/Numeracy - (may be addressed separately)	
Science (summarise areas of focus during the period)	
Social Sciences (summarise areas of focus during the period)	
Health and Physical Education	
Technology (summarise areas of focus during the period)	
The Arts (summarise areas of focus during the period)	
Languages	
Other:	

Name (main educator):	
Signature:	Date: / /

Appendix 6
Education Act 2004
Sections Applicable to Home Education

The sections of the Act relevant to home education have been reproduced here to support parents seeking relevant information on home education in the ACT.

Commencement date of the Act was 1 January 2005.

A full copy of the Act is available at www.legislation.act.gov.au

Education Act 2004

Chapter 1 General

Part 1.1 Preliminary

1 Name of Act

This Act is the *Education Act 2004*.

6 Meaning of *parent* and *carer*

- (1) In this Act, a *parent* includes a carer.
- (2) In this Act, a *parent* is a person having parental responsibility for the child under the *Children and Young People Act 1999*.
- (3) In this Act, a *carer* is a person who is a carer under the *Children and Young People Act 1999*, section 5.

Part 1.2 General principles and objects

7 General principles of Act

- (1) Everyone involved in the administration of this Act, or in the education of children of school age in the ACT, is to apply the principle that every child has a right to receive a high-quality education.
- (2) Without limiting subsection (1), a high-quality education is based on the following principles:
 - (a) school education and home education provide a foundation for a democratic society;
 - (b) school education and home education should—
 - (i) aim to develop every child’s potential and maximise educational achievements; and
 - (ii) promote children’s enthusiasm for lifelong learning and optimism for the future; and
 - (iii) encourage parents to take part in the education of their children, and recognise their right to choose a suitable educational environment; and
 - (iv) promote respect for and tolerance of others; and
 - (v) recognise the social, religious, physical, intellectual and emotional needs of all students; and
 - (vi) aim over time to improve the learning outcomes of students so that the outcomes are free from disadvantage because of economic, social, cultural or other causes; and
 - (vii) encourage all children to complete their senior secondary education; and
 - (viii) provide access to a broad education; and
 - (ix) recognise the needs of Indigenous students;
 - (c) innovation, diversity and opportunity within and among schools should be encouraged;
 - (d) effective quality assurance mechanisms should be applied to school education;
 - (e) government funding should be directed to children through their schools or school system;
 - (f) the partnership between the home, community and educational providers should be recognised;
 - (g) school communities should be given information about the operation of their schools.

- (3) Everyone involved in the administration of this Act, or in the education of children of school age in the ACT, is to apply the principle that school education—
 - (a) recognises the individual needs of children with disabilities; and
 - (b) should make appropriate provision for those needs, unless it would impose unjustifiable hardship on the provider of the school education.
- (4) Corporal punishment is not allowed in ACT schools.

8 Main objects of Act

The main objects of this Act are—

- (a) to state the responsibilities of parents and the government in relation to school education and the principles and values on which government and non-government school education and home education are based; and
- (b) to promote compulsory school education and state the circumstances in which school attendance is not required, including providing for suspension and exclusion from school; and
- (c) to provide for the operation and governance of government schools; and
- (d) to provide for the registration of non-government schools and home education.

Chapter 2 School enrolment and attendance

9 Meaning of *compulsory school age*

For this Act, a child is of *compulsory school age* if the child is at least 6 years old and under 15 years old.

10 Compulsory enrolment

- (1) This section applies to the parents of a child if the child is of compulsory school age and lives in the ACT.
- (2) Not later than 14 school term days after the day the child turns 6 years old, or begins to live in the ACT, the parents must enrol the child at a school or apply to register the child for home education. Maximum penalty: 5 penalty units.
- (3) Subsection (2) does not apply if—
 - (a) the child lives in the ACT but is enrolled in a school under State law; or
 - (b) an exemption certificate is in force for the child; or
 - (c) the parents have a reasonable excuse for not complying with the subsection.
- (4) An offence against this section is a strict liability offence.

11 Compulsory attendance

- (1) This section applies to the parents of a child if the child lives in the ACT, is of compulsory school age and is enrolled at a school.
- (2) The parents must ensure that the child attends—
 - (a) the school on every day, and during the times on every day, when the school is open for attendance; and
 - (b) every activity of the school (including attendances at an approved educational course) that the school requires the child to attend.
- (3) The parents must not contravene subsection (2).
Maximum penalty: 5 penalty units.
- (4) Subsection (3) does not apply if the parents have a reasonable excuse for the contravention.
- (5) An offence against this section is a strict liability offence.

12 Information about school-age children

- (1) This section applies if the chief executive believes on reasonable grounds that—
 - (a) a child of compulsory school age lives in the ACT; and
 - (b) the child is not enrolled at a school or registered for home education.
- (2) The chief executive may give written notice to a parent of the child requiring the parent to give the chief executive the details about the child stated in the notice within 7 days after the day the parent receives the notice.
- (3) If the chief executive gives a notice under this section to the parent, the parent must comply with the notice.

Maximum penalty: 50 penalty units.

- (4) An offence against this section is a strict liability offence.

13 Employment of children under school-leaving age

- (1) A person must not employ a child under school-leaving age, on a day and at a time, when the child—
 - (a) is required under this Act to attend a school, school activity or approved educational course; or
 - (b) if the child does not live in the ACT or is enrolled at a school under State law— would be required under this Act to attend a school, school activity or approved educational course if the child were living in the ACT or were not enrolled at a school under State law.

Maximum penalty: 50 penalty units.

- (2) An offence against this section is a strict liability offence.

14 Exemption certificates

The chief executive may, on application by the parents of a child, issue a certificate exempting the child from school, if satisfied that—

- (a) it is necessary or desirable, having regard to any educational, vocational training or employment opportunity offered to the child before the child is of school-leaving age, to exempt the child from school; or
- (b) it is otherwise in the child’s best interests, having regard to the care, health, development or education of the child, to exempt the child from school.

15 Duration of exemption certificates

An exemption certificate may be issued for a child until—

- (a) the child reaches school-leaving age; or
- (b) the ground on which the certificate was issued ceases to apply.

16 Revocation of exemption certificates

The chief executive may revoke an exemption certificate issued for a child if—

- (a) the certificate was issued in error; or
- (b) the ground on which the certificate was issued ceases to apply.

17 Student transfer register

The chief executive must establish procedures for recording the transfer of students between schools in the ACT.

Chapter 5 Home education

Part 5.1 General

128 Principles on which ch 5 based

The following are the principles on which this chapter is based:

- (a) parents have the right to choose a suitable educational environment for their children;
- (b) there is a diversity of religious and educational philosophies held by parents providing home education for their children;
- (c) the diversity of educational philosophies reflects the diversity of preferences of parents for particular forms of education for their children;
- (d) home education is committed to—
 - (i) offering a broad range of opportunities that foster in each child the development of the child's unique spiritual, emotional, physical, social and intellectual being; and
 - (ii) valuing the individual needs, interests and aptitudes of each child; and
 - (iii) preparing each child to become an independent and effective local and global citizen.

Part 5.2 Registration—home education

129 Meaning of home education

In this Act:

home education, in relation to a child, means education conducted by 1 or both of the child's parents from a home base.

130 Provisional registration for home education

- (1) If the parents of a child apply in writing to the chief executive for provisional registration of the child for home education, the chief executive must provisionally register the child for home education.
- (2) Provisional registration for home education ends 6 months after the day the provisional registration begins.

131 Registration for home education

- (1) This section applies if—
 - (a) a child is provisionally registered for home education under section 130; and
 - (b) the parents of the child apply in writing to the chief executive for registration for home education; and
 - (c) the application is made not earlier than 3 months after the day the child was provisionally registered for home education.
- (2) Also, this section applies if—
 - (a) the parents of a child apply in writing to the chief executive for registration for home education; and
 - (b) immediately before the application, the child was registered or approved (however described) under the law of a State or another Territory for home education.
- (3) The chief executive may register the child for home education for a period of not longer than 2 years if satisfied that the conditions for registration will be complied with.
- (4) To decide whether the conditions for registration will be complied with, an authorised person (government) may inspect any education programs, materials or other records proposed to be used for the home education.

132 Conditions of registration for home education

The registration of a child for home education is subject to the following conditions:

- (a) the parents of the child are to provide high-quality education for the child;
- (b) the parents of the child must document the educational opportunities offered by the parents to their child and the strategies they use to encourage their child to learn;
- (c) the parents of the child must make available for inspection on request by the chief executive any education programs, materials or other records used for the home education.

133 Registration of child

- (1) If the chief executive approves the registration of a child for home education, the chief executive must—
 - (a) enter the particulars prescribed under the regulations in the home education register kept under section 139 (Home education register); and
 - (b) give the parents of the child a certificate of registration for the child.
- (2) The certificate of registration must state the period for which the child is registered for home education.

134 Period of registration

Registration of a child for home education is for the period (not longer than 2 years) stated in the certificate of registration.

135 Cancellation of registration for home education

- (1) The chief executive may cancel the registration of a child for home education if the chief executive is satisfied on reasonable grounds that a parent has contravened a condition of the registration.
- (2) Before cancelling registration, the chief executive must give the parents a written notice—
 - (a) stating the grounds on which the chief executive proposes to cancel the registration; and
 - (b) stating the facts that, in the chief executive’s opinion, establish the grounds; and
 - (c) telling the parents that they may, within 30 days beginning the day after the day they receive the notice, give a written response to the chief executive about the matters in the notice.
- (3) In deciding whether to cancel registration, the chief executive must consider any response given to the chief executive in accordance with subsection (2) (c).
- (4) However, the chief executive must not cancel the registration if satisfied that—
 - (a) the parents have demonstrated that the contravention has been rectified and that they will comply with the conditions of the registration; and
 - (b) it is not otherwise in the public interest that the registration be cancelled.
- (5) The chief executive must give the parents written notice of the decision.
- (6) Cancellation of registration takes effect on the day when notice of the cancellation is given to the parents or, if the notice states a later date of effect, that date.

136 Certificate of registration for home education

A certificate of registration for home education must state—

- (a) the name of the child registered for home education; and
- (b) the names of the child’s parents; and
- (c) the address of the home base from which the home education will be carried out; and
- (d) the period of registration; and
- (e) the conditions of registration; and
- (f) any other particulars prescribed under the regulations.

137 Renewal of registration for home education

- (1) The parents of a child who is registered for home education under this part may apply in writing to the chief executive for renewal of the registration.
- (2) The application must be made at least the prescribed period before the registration ends.
- (3) The chief executive may renew the registration of the child for home education for a period of not longer than 2 years if satisfied that the conditions for registration will be complied with.
- (4) In this section:
prescribed period means—
 - (a) 3 months; or
 - (b) if the chief executive approves a shorter period—that period.

138 Home education reports

The parents of a child registered for home education must give the chief executive a report about the educational progress of the child once every year.

139 Home education register

The chief executive must keep a register of children registered for home education.

Chapter 6 Miscellaneous

Part 6.1 Review of decisions

140 Meaning of reviewable decisions for pt 6.1

In this part:

reviewable decision means —

- (a) a decision of the Minister mentioned in schedule 1, part 1.1, column 3 under a provision of this Act mentioned in schedule 1, part 1.1, column 2; or
- (b) a decision of the chief executive mentioned in schedule 1, part 1.2, column 3 under a provision of this Act mentioned in schedule 1, part 1.2, column 2.

141 Notice of decisions to be given to affected people

- (1) If the Minister makes a reviewable decision, the Minister must give written notice of the decision to each person mentioned in schedule 1, part 1.1, column 4 in relation to the decision.
- (2) If the chief executive makes a reviewable decision, the chief executive must give written notice of the decision to each person mentioned in schedule 1, part 1.2, column 4 in relation to the decision.
- (3) A notice must be in accordance with the requirements of the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).

142 Who may apply for internal review of decisions

- (1) A person whose interests are affected by a reviewable decision may apply in writing to the decision-maker for internal review of the decision.
- (2) The decision-maker must arrange for someone else (the *internal reviewer*) to review the decision.
- (3) However, this section does not apply to a reviewable decision made personally by the Minister or chief executive.

143 Applications for internal review

- (1) An application for internal review of a reviewable decision must be made within—
 - (a) 28 days after the day the applicant is told about the decision by the decision-maker; or
 - (b) any longer period allowed by the internal reviewer, either before or after the end of the 28 days.
- (2) The application must set out the grounds on which internal review of the decision is sought.
- (3) The making of the application for internal review of the decision does not affect the operation of the decision.

144 Internal review

- (1) The internal reviewer must review the reviewable decision, and confirm, vary or revoke the decision, within 28 days after the decision-maker receives the application for internal review of the decision.
- (2) If the decision is not varied or revoked within the 28 days, the decision is taken to have been confirmed by the internal reviewer.
- (3) As soon as practicable after reviewing the decision, the internal reviewer must give written notice of the decision on the internal review to the applicant.
- (4) The notice must be in accordance with the requirements of the code of practice in force under the *Administrative Appeals Tribunal Act 1989*, section 25B (1).

145 Review by administrative appeals tribunal of certain decisions

A person may apply in writing to the administrative appeals tribunal for review of—

- (a) a decision made by an internal reviewer; or
- (b) a reviewable decision made personally by the Minister or the chief executive.

Schedule 1 Reviewable decisions (see s 140)

Part 1.2 Chief executive’s decisions

column 1 item	column 2 Act provision	column 3 reviewable decision	column 4 person to be notified
1	14	refusing to issue exemption certificate on application	parents of the child
2	16	revoking an exemption certificate	parents of the child
3	36	suspending, excluding or transferring a child	parents of the child
4	131 (3)	refusing to register a child for home education on application	parents of the child
5	131 (3)	registering a child for home education for a shorter period than the period applied for	parents of the child
6	135 (1)	cancelling registration of a child for home education	parents of the child
7	137 (3)	refusing to renew registration of a child for home education	parents of the child
8	137 (3)	renewing registration of a child for home education for a shorter period than the period applied for	parents of the child

150 Minister may grant scholarships etc

- (1) The Minister may give bursaries, exhibitions, free places, prizes, scholarships or other forms of assistance or reward to be used for—
- (a) the benefit of a student at a government school, or at a college or university in the ACT; or
 - (b) the benefit of a government school, or a college or university in the ACT; or
 - (c) a child registered for home education in the ACT.

Example for par (b)

a fund to provide for a teacher with particular skills to teach at a particular government school

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s126 and s132).

- (2) To remove any doubt, this section does not appropriate public money.

The content of this appendix is taken directly from the website listed below and sections relevant to home education have been reproduced here, wording unchanged. www.legislation.act.gov.au/a/2004-17/default.asp

Appendix 7 Review of Decisions – Policy Document

The following policy document has a legislative base in the Education Act 2004. It includes procedures and guidelines for the Review of Decisions. This information is provided for home educators in the event that decisions are made which they consider should be reviewed.



Education and Training

POLICY TITLE: REVIEW OF DECISIONS**YEAR OF PUBLICATION:** 2006**IDENTIFIER:** ROD200604**LEGISLATION** *Education Act 2004**Administrative Appeals Tribunal Act 1989***1. Policy Statement**

- 1.1 The *Education Act 2004* (the Act) provides for a number of reviewable decisions.
- 1.2 Reviewable decisions are specific decisions of the Minister or the Chief Executive made under the relevant provisions of any piece of legislation.
- 1.3 The persons identified in the Act who are to be notified of the decision have the right to seek a review of the decision.

2. Rationale

- 2.1 These procedures and guidelines aim to:
 - clarify the decisions made by either the Minister or the Chief Executive which are reviewable
 - outline the processes for internal and external review.
- 2.2 The processes for both internal and external review should be clearly outlined to the applicant.

3. Definitions:**Applicant:**

The person whose interests are affected by any reviewable decision listed in schedule 1 of the Education Act 2004

Chief executive:

The person engaged under division 3.4 of the Public Sector Management Act 1994 as the chief executive of the Department of Education and Training.

Child:

A person who is under the age of 18.

Department:

The Department of Education and Training.

Internal reviewer:

A person other than the original decision maker who is empowered to review the original decision.

Parent:

A person having parental responsibility for a child under the *Children and Young Persons Act 1999*, including a carer appointed under that Act.

Registrar:

The Registrar of Non-government Schools appointed under section 77 of the *Education Act 2004*.

Reviewable decision:

A decision of either the Minister or the chief executive made under the relevant provisions of the *Education Act 2004*.

Student:

A person who is enrolled as a student in a school in accordance with either section 33 or section 100 of the *Education Act 2004*.

Proprietor of a school:

Person or legal entity which controls the legal interest in the Non - government school.

4. Procedures

4.1 Reviewable Decisions

4.1.1 **Schedule 1 of the Act** lists the following decisions made by the Minister as reviewable:

Reviewable Decision	Person To Be Notified
Minister refuses to give in-principle approval for the proposed registration on a non-government school	applicant seeking in-principle approval
Minister directs the registrar to refuse to provisionally register a non-government school	applicant seeking provisional registration of the school
Minister directs the registrar to register a non-government school for a shorter period than the period applied for	proprietor of the school
Minister directs the registrar to refuse to register a non-government school	
Minister directs the registrar to refuse to register a non-government school at an additional educational level	
Minister directs the registrar to cancel provisional registration or registration of a non-government school	
Minister directs the registrar to renew registration of a non-government school for a shorter period than the period applied for	
Minister directs the registrar to refuse to renew registration of a non-government school	

4.1.2 The Minister may delegate responsibility for some or all reviewable decisions made under the relevant provisions of the Act.

4.1.3 **Schedule 1 of the Act** lists the following decisions made by the chief executive as reviewable:

Reviewable Decision	Person To Be Notified
Chief Executive refuses to issue exemption certificate on application	parents of the child
Chief Executive revokes an exemption certificate	
Chief Executive suspends, excludes or transfers a child	
Chief Executive refuses to register a child for home education on application	
Chief Executive registers a child for home education for a shorter period than the period applied for	
Chief Executive cancels registration of a child for home education	
Chief Executive refuses to renew registration of a child for home education	
Chief Executive renews registration of a child for home education for a shorter period than the period applied for	

4.1.4 The chief executive may delegate responsibility for some or all reviewable decisions made under the relevant provisions of the Act.

4.1.5 A reviewable decision made personally by the Minister or Chief Executive is not subject to internal review (refer to section 142 of the Act)

4.2 Notice of Decisions to be given to Affected People

4.2.1 The person to be notified under the relevant provisions of the Act must be notified in writing if (refer to Section 142 of the Act):

- • the Minister makes a reviewable decision
- • the chief executive makes a reviewable decision

4.2.2 The notice must be in accordance with the requirements of the code of practice in force under the Administrative Appeals Tribunal Act. This code of practice is available from:

ACT Administrative Appeals Tribunal
 GPO Box 371
 Canberra ACT 2601
 (Phone: 6217 4261)

4.2.3 It is also available on the Legislation Register on the web at:
<http://www.legislation.act.gov.au/di/1994-148/current/pdf/1994-148.pdf>

4.3 Informal Resolution

4.3.1 Managers and staff are encouraged in the first instance, to seek informal resolution of concerns which are raised.

4.3.2 An applicant may bring a support person when discussing their application seeking a review of the decision. The role of a support person needs to be clarified by both parties.

4.3.3 If an issue cannot be resolved informally, it should be dealt with on a formal level as an internal review of the decision made.

4.4 Internal Review of Decisions (refer to Sections 142 through 144 of the Act)

- 4.4.1 Applications for an internal review of a decision may be made on-line by filling out the *Internal Review Lodgement Form* (copy at appendix 1).
- 4.4.2 The internal reviewer should document the details of the issue on the Internal Review Record Form (copy at appendix 2).
- 4.4.3 Applications for review should be assessed in a non-judgemental and courteous manner. Applicants should be reassured that the lodgement of a request for review of a decision will not lead to discrimination, or harassment of a child at school.
- 4.4.4 As per Section 144(1) of the Act, the internal reviewer must review the reviewable decision, and confirm, vary or revoke the decision, within 28 days after the decision-maker receives the application for internal review of the decision.
- 4.4.5 After reviewing the processes and determining if the review is to be dismissed or upheld, the internal reviewer may recommend:
- • upholding the original decision; or
 - • reversing the original decision; or
 - • making a different decision.
- 4.4.6 As per Section 144(2) of the Act, if the decision is not varied or revoked within the 28 days, the decision is taken to have been confirmed by the internal reviewer.
- 4.4.7 Written notice of the internal reviewer's decision, as required by Section 144(3) of the Act, must be given to the applicant as soon as practicable after reviewing the decision.

4.5 Rights of External Appeal – Review by the Administrative Appeals Tribunal of Certain Decisions

- 4.5.1 If the applicant feels that the issue has not been resolved satisfactorily, then an appeal can be lodged with the Administrative Appeals Tribunal (AAT) (refer to Section 145 of the Act).
- 4.5.2 The AAT is a statutory tribunal that conducts external reviews of administrative decisions made on behalf of government departments and agencies.

Information about the process for application and the application forms are available on the AAT website at:

<http://www.courts.act.gov.au/magistrates/index.html>

Alternative contact details are:

Ph: (02) 6217 4261 or (02) 6217 4279

Fax: (02) 6217 4505

Email: magistrates.court@act.gov.au

Address: 4 Knowles Place, Canberra ACT 2601.

By Post: GPO Box 370, Canberra City ACT 2601

Contact: School Policy and Partnerships
Phone: 6205 8212

Related Policies Enrolment and Attendance: Government Schools
Enrolment and Attendance: Non-government Schools
Home Education
Suspension, Exclusion or Transfer: Government schools
Non-government School Registration Procedures



Confidential

*Internal Review
Lodgement Form*

**Appendix One
to Policy Document:
Review of Decisions**

Should you wish to have a decision reviewed, you are encouraged to contact the department to discuss your concerns. If you wish to submit your concerns in writing, you may use this form to formally lodge your request for an internal review of the decision.

Name:

Address:

.....**Post Code:**

Contact Phone Number/s:

Email address:

Details of the decision:.....

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On what grounds are you seeking the internal review?.....

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What outcomes do you seek? (please tick appropriate box)

Decision to be revoked

Decision to be varied (please specify)

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.....

Signature:Date:

The Department is collecting this information to assist us in handling your review. We will keep your personal information confidential as far as is possible. However there may be some circumstances when your personal information will need to be provided to others as part of the process of investigating your matter. Personal information may also be released under the provisions of the *Privacy Act 1988* and may be subject to release under the *Freedom of Information Act 1989*. We will keep this form as part of our departmental records. We will keep information about your review, but not about you, on a database for statistical purposes. The department collects, manages, uses and discloses personal information under the requirements of the *Privacy Act 1988*.

Please forward completed form to:

Director, Governance, Regulation and Risk
ACT Department of Education and Training
GPO Box 158
Canberra ACT 2601



Confidential

*Review of Decisions
Internal Review Form*

**Appendix Two
to Policy Document:
Review of Decisions**

Date application received by original decision maker:

Applicant's Name:

Applicant's Address:

.....Post Code:

Applicant's Contact Phone Number/s:

Applicant's Email address:

Internal Reviewer: Phone:

Details of request for review of decision:

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Recommendation

- original decision upheld
- original decision revoked
- variation of decision:

Reasons for recommendation:

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Internal Reviewer’s signature: **Date:**

Written notice of this decision sent to applicant **Date:**
(IN ACCORDANCE WITH S144 (3) OF THE *EDUCATION ACT 2004*)

The Department is collecting this information to assist us in handling your review. We will keep your personal information confidential as far as is possible. However there may be some circumstances when your personal information will need to be provided to others as part of the process of investigating your matter. Personal information may also be released under the provisions of the *Privacy Act 1988* and may be subject to release under the *Freedom of Information Act 1989*. We will keep this form as part of our departmental records. We will keep information about your review, but not about you, on a database for statistical purposes. The department collects, manages, uses and discloses personal information under the requirements of the *Privacy Act 1988*.