



# Procedure

## Allocation of state education procedure

**Version:** 5.0 | **Version effective:** 28/01/2025

### Audience

All state schools

### Purpose

This procedure outlines the responsibilities and processes for the allocation of state education to all students, including additional semesters beyond the basic semester allocation.

### Overview

The [Education \(General Provisions\) Act 2006 \(Qld\)](#) ("the EGPA") provides that all students enrolled in Queensland state schools are entitled to an [allocation of state education](#). The *basic allocation* and *remaining allocation* encompass *compulsory schooling* and the *compulsory participation* phase.

All students who begin schooling in the Preparatory (Prep) Year before they turn six years and six months receive the basic allocation of 26 semesters of state education.

Students can request, and may be granted, additional semesters of state education at the discretion of the school principal or Regional Director (or other delegates of the Director-General). There may be implications on remaining allocation if a student repeats a year of education.

### Responsibilities

#### Principals

- Ensure information about allocation of state education and [repeating a year of education](#) is accessible to all students and parents
- Inform parents and students of processes for allocation of state education referring to [Information for students/parents – allocation of state education](#)
- Provide assistance to students and parents to complete written applications when appropriate
- Consider human rights when determining remaining allocation of state education and whether a student should repeat a year level, and make decisions about granting an additional one or two semesters of state education that are compatible with the [Human Rights Act 2019 \(Qld\)](#)
- If satisfied with an application, grant an additional one or two semesters.

- Make decisions on whether a student repeats a year level.

### Regional directors

- Consider human rights when deciding on applications for additional 3rd, 4th, 5th or 6th semesters of state education and reviewing principal's decision on remaining allocation of state education and additional one or two semesters, and make decisions about these that are compatible with the [Human Rights Act 2019 \(Qld\)](#)
- If satisfied with an application, grant 3rd or 4th additional semesters (**note:** 3rd and 4th additional semesters can also be granted by other delegates of the Director-General)
- If satisfied with an application, grant 5th or 6th additional semesters
- Review principal's decision regarding student's remaining allocation of state education if a submission has been made against a principal's decision
- Review principal's decision on additional one or two semesters if a submission has been made against a principal's decision.

### Assistant Director-General, Disability, Inclusion and Student Services

- Review decisions by the regional director, or other delegate of the Director-General, regarding 3rd or 4th additional semesters, if a submission has been made
- Consider human rights when reviewing decisions by the regional director, or other delegate of the Director-General regarding 3rd or 4th additional semesters if a submission has been made, and make decisions about these that are compatible with the [Human Rights Act 2019 \(Qld\)](#).

### Process



*Applying for additional semesters of state education process*

### Remaining allocation of semesters of state education upon enrolment

- Principals calculate the remaining allocation of semesters for students where the basic allocation does not apply e.g. for students who:
  - received schooling at a non-state school
  - received home education under Chapter 9, Part 5 of the EGPA
  - received schooling outside Queensland
  - have had their enrolment stopped in a state school at the request of the student's parent (if student is a child), or at the request of the student (if student is an adult)
  - are granted an exemption from compulsory schooling under Chapter 9, Part 3 of the EGPA
  - are beginning schooling in Year 1 or later.

- Principals gather supporting information about the student's previous education and consider all relevant matters, including:
  - the age, ability, aptitude and development of the student
  - the need to take account and promote continuity of the student's learning experiences
  - whether the enrolment is for compulsory schooling or compulsory participation
  - if enrolment is in the compulsory participation phase, the student's commitment to complete a course of study as outlined in their Senior Education and Training Plan
  - whether a state school principal has already made a remaining allocation decision prior to this application for enrolment.
- Principals must consider human rights and document their assessment of whether calculating the remaining allocation of semesters engages or limits any human rights by examining the following questions:
  - Are any human rights engaged or impacted by the calculation of remaining allocation of semesters?
  - If so, will the calculation of remaining allocation of semesters limit those human rights?
  - If so, is the limitation lawful, justified and reasonable in the circumstances?
- This [assessment of human rights considerations](#) (DoE employees only) can be saved as a record of contact in the student's OneSchool record. Refer to the [guide to considering human rights when making decisions about allocation of semesters of state education](#) (DoE employees only) for more information.
- Principals consult the [Guidelines for allocation of state education](#) to make a preliminary calculation of the student's remaining allocation of semesters of state education within a reasonable time after receiving the application for enrolment.
- Principals advise the student of the preliminary view of the calculation using [Template letter: Notice to student on enrolment - preliminary view on initial remaining semester allocation](#) and as soon as practicable send a copy of this notice to the parent (unless it is inappropriate to do so, for example, the student is independent).
- Students or parents (applicants) have 10 school days to either submit further information or request the principal reconsiders the preliminary view.
- Principals consider any submission(s) received in response to the preliminary view notice, and reconsider human rights (as outlined above) if amending the preliminary view.
- Principals make a decision about the student's remaining allocation of semesters of state education.
- Principals immediately advise the student of the decision and, within seven days after advising the student of the decision:
  - give the student a written information notice about the decision using [Template letter: Notice to student on enrolment – decision on remaining semester allocation](#), and
  - enclose [Information for students/parents – reviews against decisions on allocation of semesters of state education](#), and
  - as soon as practicable send a copy of the notice and information sheet to the parent (unless it is inappropriate to do so, for example, the student is independent).
- If the student is not satisfied with the decision, they can request that the [decision be reviewed](#).

## Remaining allocation – less than four semesters remaining in Semester 2

- Principals advise a student who is enrolled in Semester 2 and who has a remaining allocation that will not be more than four semesters after the end of Semester 2 of that year, of their remaining allocation. The notice may be given using [Template letter: Notice to student - remaining semester allocation](#) or included with or on another report or document given to the student or parent (e.g. remaining number of semesters displayed on student report card).

## Repeating a year of state education

- Principals should refer to the [Guidelines for repeating a year level](#) when deciding if it is appropriate for a student to repeat a year level.
- Principals must consider human rights and document their assessment of whether their decision engages or limits any human rights by examining the following questions:
  - Are any human rights engaged or impacted by the decision to repeat a year level?
  - If so, will the decision limit those human rights?
  - If so, is the limitation lawful, justified and reasonable in the circumstances?
- This [assessment of human rights considerations](#) (DoE employees only) can be saved as a record of contact in the student's OneSchool record. Refer to the [guide to considering human rights when making decisions about students repeating a year level](#) (DoE employees only) for more information.
- If the principal decides that the student is to [repeat a year of education](#), they then determine the student's remaining allocation and, as soon as practicable, advise the student of their remaining allocation. The notice may be given using [Template letter: Notice to student - remaining semester allocation](#) or be included with or on another report or document given to the student or parent.
- If parents or students are not satisfied with the decision that has been made by the principal, they can raise their concerns using the [Customer complaints management](#) process.

## Applying for additional semesters of state education

*Note: Further semesters (e.g. 3rd or 4th) cannot be applied for unless previous additional semesters (e.g. 1st and 2nd) have been granted.*

- Students who have been enrolled for their basic allocation of semesters and want to receive additional semesters of state education can apply (or parents can apply on their behalf, if appropriate), up to two semesters at a time, to the:
  - principal for one or two additional semesters by completing form [ASE-1: Application for additional one or two semesters of state education](#)
  - regional director (or other delegate of the Director-General) by completing form [ASE-2: Application for additional semesters of state education](#) (beyond two semesters) for either:
    - 3rd or 4th additional semesters; or
    - 5th or 6th additional semesters.

- Students must apply more than 12 weeks before the start of the semester, or the first of the semesters, to which the application relates. The decision-maker may allow the due date for applications to be extended.

### **Assessing an application and making a decision on additional one or two semesters**

- Principals receive an [ASE-1: Application for additional one or two semesters of state education](#), and:
  - consider the application within a reasonable time, allowing for the need to collect and analyse results of any relevant student assessment
  - consider the supporting material gathered about the student's previous education
  - consider all relevant matters, including:
    - whether the student is of compulsory school age
    - the likely educational outcome of the student attending the school for the additional semester/s
    - the likely impact on school resources of the student attending for the additional semester/s
  - make a preliminary assessment of the student's application.
- Principals must consider human rights and document their assessment of whether granting additional one or two semesters engages or limits any human rights by examining the following questions:
  - Are any human rights engaged or impacted by granting an additional one or two semesters?
  - If so, will granting an additional one or two semesters limit those human rights?
  - If so, is the limitation lawful, justified and reasonable in the circumstances?
- This [assessment of human rights considerations](#) (DoE employees only) can be saved as a record of contact in the student's OneSchool record. Refer to the [guide to considering human rights when making decisions about allocation of semesters of state education](#) (DoE employees only) for more information.
- If the decision is to grant the number of semesters applied for, principals:
  - immediately advise the student of the decision and, within seven days after advising the student of the decision, give the student a written information notice about the decision using [Template letter: Notice to student – decision on additional one or two semesters](#)
  - as soon as practicable send a copy of the notice to the parent (unless it is inappropriate to do so, for example, the student is independent).
- If the preliminary view is that the student should not be granted the number of semesters applied for, principals:
  - advise the student of the preliminary view of the decision using [Template letter: Notice to student – preliminary view on additional one or two semesters](#)
  - as soon as practicable send a copy of the notice to the parent (unless it is inappropriate to do so, for example, the student is independent).
- Applicants have 10 school days to either submit further information or request the principal reconsiders the preliminary view.
- Principals consider any submission(s) received in response to the preliminary view notice, and reconsider human rights (as outlined above) if amending the preliminary view.
- Principals make a decision about granting the additional one or two semesters.



- Principals immediately advise the student of the decision and, within seven days after advising the student of the decision:
  - give the student a written information notice about the decision using [Template letter: Notice to student – decision on additional one or two semesters](#), and
  - enclose [Information for students/parents – reviews against decisions on allocation of semesters of state education](#), and
  - as soon as practicable, principals send a copy of the notice and information sheet to the parent (unless it is inappropriate to do so, for example, the student is independent).
- If the applicant is not satisfied with the decision, they can request that the [decision be reviewed](#).

Note: If a student has been granted one or two additional semesters and then transfers to another state school prior to completing these semesters, the principal of the new school should not change the decision of the previous principal unless there is relevant, credible and significant new information. Changing an allocation decision should only occur in exceptional circumstances.

### **Assessing an application and making a decision on additional semesters (beyond two semesters)**

- Regional directors (or other delegates of the Director-General) receive an [ASE-2: Application for additional semesters of state education \(beyond two semesters\)](#) for requests of additional 3rd or 4th, or additional 5th or 6th semesters, and:
  - consider the application within a reasonable time, allowing for the need to collect and analyse results of any relevant student assessment
  - consider the supporting material gathered about the student's previous education
  - consider all relevant matters, including:
    - whether the student is of compulsory school age
    - the likely educational outcome of the student attending the school for the additional semester/s
    - the likely impact on school resources of the student attending for the additional semester/s
  - make a preliminary assessment of the student's application.
- Regional directors (or other delegates of the Director-General) must consider human rights and document their assessment of whether granting additional semesters engages or limits any human rights by examining the following questions:
  - Are any human rights engaged or impacted by granting additional semesters?
  - If so, will granting the additional semesters limit those human rights?
  - If so, is the limitation lawful, justified and reasonable in the circumstances?
- This [assessment of human rights considerations](#) (DoE employees only) must be saved in the department's records management system (e.g. Content Manager). Refer to the [guide to considering human rights when making decisions about allocation of semesters of state education](#) (DoE employees only) for more information.

- If the decision is to grant the number of semesters applied for, regional directors (or other delegates of the Director-General):
  - immediately advise the student of the decision and, within seven days after advising the student of the decision, give the student a written notice about the decision using either:
    - [Template letter: Notice to student – decision on additional 3rd or 4th semesters](#)
    - [Template letter: Notice to student – decision on additional 5th or 6th semesters](#) (regional directors only)
  - as soon as practicable send a copy of the notice to the parent (unless it is inappropriate to do so, for example, the student is independent).
- If the preliminary view is that the student should not be granted the number of semesters applied for, regional directors (or other delegates of the Director-General):
  - advise the student of the preliminary view using either:
    - [Template letter: Notice to student – preliminary view on additional 3rd or 4th semesters](#)
    - [Template letter: Notice to student – preliminary view on additional 5th or 6th semesters](#) (regional directors only)
  - soon as practicable send a copy of the notice to the parent (unless it is inappropriate to do so, for example, the student is independent).
- Applicants have 10 school days to either submit further information or request the regional director (or other delegate of the Director-General) reconsiders the preliminary view.
- Regional directors (or other delegates of the Director-General) consider any submission(s) received in response to the preliminary view notice, and reconsider human rights (as outlined above) if amending the preliminary view.
- Regional directors (or other delegates of the Director-General) make a decision about granting the requested additional semesters.
- Regional directors (or other delegates of the Director-General) immediately advise the student of the decision and, within seven days after advising the student of the decision:
  - give the student a written information notice about the decision using either:
    - [Template letter: Notice to student – decision on additional 3rd or 4th semesters](#)
    - [Template letter: Notice to student – decision on additional 5th or 6th semesters](#) (regional directors only)
  - enclose [Information for students/parents – reviews against decisions on allocation of semesters of state education](#), and
  - as soon as practicable, regional directors (or other delegates of the Director-General) send a copy of the notice and information sheet to the parent (unless it is inappropriate to do so, for example, the student is independent).
- Regional directors (or other delegates of the Director-General) provide written notice to the school in which the student is enrolled regarding the decision using [Template letter: Advice to principal re application for additional semesters](#), stating the:

- name of the student
- educational level of the student
- period of extension
- other information that is considered necessary in the circumstances.
- If the applicant is not satisfied with the decision:
  - for requests relating to an additional 3rd or 4th semester, they can request that the [decision be reviewed](#) internally
  - for requests relating to an additional 5th or 6th semester, they can request that the [decision be reviewed](#) externally by the Queensland Civil and Administrative Tribunal.

## Review of decisions

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### Review of principal's decision: Remaining allocation or additional one or two semesters

- Students (or their representative) may make a written submission to the regional director against the decision within 30 school days after the information notice of the principal's decision was given to the student (or later if permitted by the regional director).
- Regional directors review the principal's decision (using the material that led to the principal's decision and any other material considered relevant), including whether human rights were engaged by the principal's decision and if they were properly considered, within 40 school days of receiving the submission.
- Regional directors must also consider whether any human rights are engaged or limited by the review process itself, including if amending or substituting the original decision.
- This [assessment of human rights considerations](#) (DoE employees only) must be saved in the department's records management system (e.g. Content Manager). Refer to the [guide to considering human rights when making decisions about allocation of semesters of state education](#) (DoE employees only) for more information.
- Regional directors either:
  - confirm the principal's decision, or
  - amend the principal's decision, or
  - substitute another decision for the principal's decision.
- As soon as practicable after making the review decision, regional directors give the student written notice of the review decision using either [Template letter: Notice to student – application for review of principal's decision on remaining allocation](#) or [Template letter: Notice to student – application for review of principal's decision on additional semesters](#), and send a copy of the notice to the parent (unless it is inappropriate to do so, for example, as the student is independent) and to the principal.
- If the applicant is not satisfied with the internal review decision, they may appeal to the Queensland Civil and Administrative Tribunal against the decision.



### Review of Regional director's (or other delegates of the Director-General) decision: 3rd or 4th additional semesters

- Students (or their representative) may make a written submission to the Assistant Director-General, Disability, Inclusion and Student Services (ADG DI&SS), against the decision within 30 school days after the information notice about the decision was given to the student (or later if permitted by the ADG DI&SS).
- The ADG DI&SS reviews the decision (using the material that led to the decision and any other material considered relevant), including whether human rights were engaged by the regional director's (or other delegate's of the Director-General) decision and if they were properly considered, within 40 school days after receiving the submission.
- The ADG DI&SS must also consider whether human rights are engaged or limited by the review process itself, including if amending or substituting the original decision.
- This [assessment of human rights considerations](#) (DoE employees only) must be saved in the department's records management system (e.g. Content Manager). Refer to the [guide to considering human rights when making decisions about allocation of semesters of state education](#) (DoE employees only) for more information.
- The ADG DI&SS either:
  - confirms the decision, or
  - amends the original decision, or
  - substitutes another decision for the original decision.
- As soon as practicable after making the review decision, the ADG DI&SS gives the student written notice of the review decision using [Template letter: Notice to student – application for review of decision by regional director \(or other delegate of the director-general\) on additional 3rd or 4th semesters of state education](#).
- The ADG DI&SS advises the decision maker of the review decision and sends a copy of the notice to the decision maker and the school principal, and as soon as practicable sends a copy of the notice to the parent (unless it is inappropriate to do so, for example, the student is independent).
- If the applicant is not satisfied with the internal review decision, they may appeal to the Queensland Civil and Administrative Tribunal against the decision.

### Review of Regional director's decision: 5th or 6th additional semesters

- Students (or their representative) may appeal to the [Queensland Civil and Administrative Tribunal](#) against the decision, within 28 days of being notified of the decision, as there is no provision for an internal review.

## Definitions

Term	Definition
<b>Additional semesters</b>	Additional semesters are any semesters of state education, up to a limit of 6, granted to a student beyond their basic allocation of 26 semesters of state education.
<b>Basic allocation</b>	The basic allocation of state education is 26 semesters for all students who begin schooling in the Prep Year before they turn six years and six months. This

Term	Definition
	allocation is irrespective of the student's prior registration in a special education program, distance kindergarten (eKindy) or face to face kindergarten program at a prescribed school (State Delivered Kindergarten) prior to the Prep Year.
<b>Compulsory school age</b>	<p>A child is of compulsory school age if the child is at least six years and six months, and less than 16 years. However, a child is no longer of compulsory school age if they have completed Year 10.</p> <p>During this period, enrolment in a school is compulsory.</p>
<b>Compulsory participation phase</b>	<p>A young person's compulsory participation phase starts when the young person stops being of compulsory school age (i.e. turns 16 or completes Year 10 whichever comes first) and ends when the person:</p> <ul style="list-style-type: none"> <li>gains a Certificate of Achievement, Senior Statement, Certificate III or Certificate IV, or</li> <li>has participated in eligible options for two years after the person stopped being of compulsory school age, or</li> <li>turns 17.</li> </ul> <p>During this period, enrolment in a school is not compulsory because the young person may be meeting their requirement through another eligible option such as TAFE or an RTO.</p>
<b>Decision-maker</b>	A decision-maker, for the purpose of allocation of state education, is the relevant <a href="#">delegate of the Director-General</a> .
<b>Remaining allocation</b>	For a student who received a basic allocation, the remaining allocation is the basic allocation less the number of semesters of state education already provided to the student. This does not include semester/s of a state-delivered school kindergarten program.

## Legislation

- [Anti-Discrimination Act 1991 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#) Chapter 1 Part 5 s.11, Chapter 4 Parts 1 – 6, and s. 426
- [Disability Discrimination Act 1992 \(Cwlth\)](#)
- [Disability Standards for Education 2005 \(Cwlth\)](#)
- [Human Rights Act 2019 \(Qld\)](#)

## Delegations/Authorisations

- [Delegation of Director-General's Powers under Education \(General Provisions\) Act 2006 \(Qld\)](#) Chapter 4 Allocation of State education and Chapter 15 Internal and external reviews

## Policies and procedures in this group

- Nil

## Supporting information for this procedure

- [Advice to principal – application for additional semesters](#)
- [ASE-1: Application for additional one or two semesters of state education](#)
- [ASE-2: Application for additional semesters of state education \(beyond two semesters\)](#)
- [Guidelines for repeating a year level](#)
- [Guidelines for the allocation of state education](#)
- [Information for students/parents - allocation of state education](#)
- [Information for students/parents - reviews against decisions on allocation of semesters of state education](#)
- [Notice to student – application for an internal review of decision by Regional Director \(or other delegate of the Director-General\) on 3rd or 4th additional semesters of state education](#)
- [Notice to student - application for internal review of principal's decision on remaining allocation](#)
- [Notice to student - application for internal review of principals decision on additional semesters](#)
- [Notice to student – decision on additional 3rd or 4th semesters](#)
- [Notice to student – decision on additional 5th or 6th semesters](#)
- [Notice to student – decision on additional one or two semesters](#)
- [Notice to student – preliminary view on additional 3rd or 4th semesters](#)
- [Notice to student – preliminary view on additional 5th or 6th semesters](#)
- [Notice to student – preliminary view on additional one or two semesters](#)
- [Notice to student – remaining semester allocation \(4 or less semesters of state school remaining OR student who is repeating a year\)](#)
- [Notice to student on enrolment – decision on initial remaining semester allocation](#)
- [Notice to student on enrolment – preliminary view on initial remaining semester allocation](#)

## Other resources

- [Enrolment in state primary, secondary and special schools](#)
- [Exemptions from compulsory schooling and compulsory participation](#)
- [Guide to considering human rights when making decisions about allocation of semesters of state education](#) (DoE employees only)
- [Guide to considering human rights when making decisions about students repeating a year level](#) (DoE employees only)
- [Human Rights](#)

- [Mature age student applications](#)
- [Decision-making and responding to a request for reasons for a decision](#) (available to DoE employees only)

## Contact

For further information, please contact your [closest regional office](#).

Regional office staff can contact:

Disability, Inclusion and Student Services Branch

Email: [SchoolPolicyandProjects@qed.qld.gov.au](mailto:SchoolPolicyandProjects@qed.qld.gov.au)

## Review date

28/01/2028

## Superseded versions

*Previous seven years shown. Minor version updates not included.*

3.0 Allocation of state education

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