



Cancellation of enrolment procedure

Version: 1.1 | Version effective: 08/11/2021

Audience

All state schools

Purpose

This procedure sets out the responsibilities and processes for cancellation of enrolment of students who are older than compulsory school age.

Overview

This procedure includes guidance on the application, where required, of cancellation of enrolment for students who are older than compulsory school age. It is based on the legislative framework outlined in Chapter 12, Division 8 of the [Education \(General Provisions\) Act 2006 \(Qld\)](#).

Responsibilities

Principals

- ensure compliance with this procedure as determined by the Director-General
- make and authorise cancellation of enrolment decisions
- understand that decisions about cancellation of enrolment **cannot** be delegated to other staff
- assess risks regarding cancellation consequences
- take into account a student's individual circumstances, such as the student's behaviour history, disability, mental health and wellbeing, religious and cultural considerations, home environment and care arrangements
- ensure cancellation of enrolment decisions are compatible with the [Human Rights Act 2019 \(Qld\)](#)
- are mindful of their obligations under the [Disability Standards for Education 2005 \(Cwth\)](#)
- ensure cancellation of enrolment decisions are documented in OneSchool, including outcomes of regional appeal processes
- ensure signed copies of letters (approved forms) and attachments relating to these decisions are uploaded in OneSchool.

Regional Case Managers

- act as a point of contact for the student and their family when a student's enrolment is cancelled
- facilitate access to information about other educational options or alternatives available in the local area
- record contact with student and family in OneSchool, including copies of correspondence
- provide assistance with understanding cancellation of enrolment consequences and the appeal processes, including making arrangements to support submission of oral appeals
- take into account a student's individual circumstances, such as the student's behaviour history, disability, mental health and wellbeing, religious and cultural considerations, home environment and care arrangements.

Process

Principals

- are the only persons authorised under the [Education \(General Provisions\) Act 2006 \(Qld\)](#) to cancel the enrolment of a student who is older than compulsory school age, and must be the officer who, in writing, communicates their decision to the student and their parent.
- in contemplating cancellation of enrolment, consider whether the behaviour of a student who is older than compulsory school age constitutes the ground for cancellation under section 317 of the [Education \(General Provisions\) Act 2006 \(Qld\)](#)
 - the student's behaviour amounts to a refusal to participate in the educational program provided at the school.
- in making the decision to cancel a student's enrolment under section 316 of the [Education \(General Provisions\) Act 2006 \(Qld\)](#), undertake an assessment of the human rights that may be impacted by the decision and consider whether the limit placed on those human rights is reasonable and justified. The assessment must be documented appropriately.

Flowchart: Cancellation of enrolment

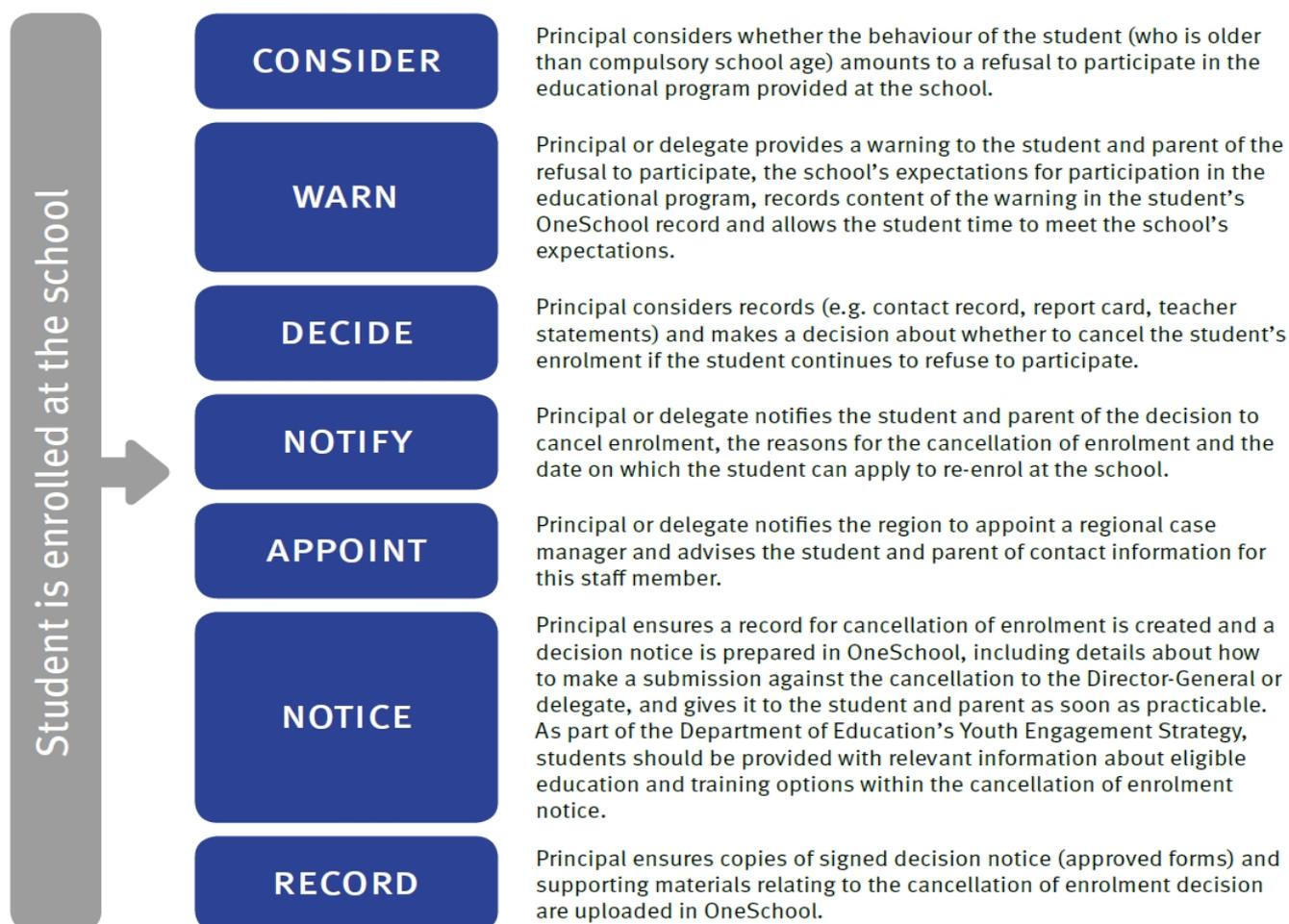


Image 1 Flowchart: Cancellation of enrolment

Submission against the Principal's decision to cancel enrolment

Parent or student

- prepare a written submission against the cancellation of enrolment within 30 school days of being notified in writing of the cancellation decision
- send submission to the Director-General or delegate

Principal

- respond to requests for information from the Director-General or delegate

Director-General (or delegate)

- gather any information required to address the points raised in the submission and provide de-identified copies of any relevant new materials that were considered to the student and/or parent to allow them to consider the new materials (e.g. a Principal's Report) and to provide a response as soon as practicable

- undertake an assessment of the human rights under the [Human Rights Act 2019 \(Qld\)](#) that may be impacted by the review decision and consider whether the limit placed on those human rights is reasonable and justified. The human rights assessment must be documented
- confirm, vary, or set aside the decision and substitute another decision to cancel the enrolment of the student following consideration of the submission and any relevant information provided by the student and/or parent and school
- verbally notify the student and/or parent, principal and regional case manager of the decision as soon as practicable
- create a written notice on the approved form of the decision and give to the student and/or parent as soon as practicable
- upload signed copies of the decision notice and supporting materials in the student's OneSchool record

Definitions

Term	Definition
Approved form	An approved form for cancellation of enrolment is the departmental proforma located in OneSchool.
Compulsory participation phase	<p>A young person's compulsory participation phase starts when the person stops being of compulsory school age; and ends when the person</p> <ul style="list-style-type: none"> • gains a certificate of achievement, senior statement, certificate III or certificate IV; or • has participated in eligible options for 2 years after the person stopped being of compulsory school age; or • turns 17 years.
Compulsory school age	A child is of compulsory school age if the child is at least six years and six months and less than 16 years of age. However, a child is no longer of compulsory school age if the child has completed Year 10.
Eligible education and training options (and providers)	<p>If the eligible option is:</p> <ul style="list-style-type: none"> • an educational program provided under the Education (General Provisions) Act 2006 (Qld), the provider is a State school. • an educational program provided under the Education (Accreditation of Non-State Schools) Act 2017 (Qld), the provider is a non-State school • a course of study under the Tertiary Education Quality and Standards Agency Act 2011 (Cwlth), the provider is a registered higher education provider • a VET course under the National Vocational Education and Training Regulator Act 2011 (Cwlth), the provider is a registered training organisation

Term	Definition
	<ul style="list-style-type: none"> • an apprenticeship or traineeship under the Further Education and Training Act 2014 (Qld), the provider is a registered training organisation • a departmental employment skills development program under the Further Education and Training Act 2014 (Qld), the provider is the chief executive administering the Further Education and Training Act 2014.
Parent	A child's mother, a child's father, a person who exercises parental responsibility and a person standing in the place of a parent of a child on a temporary basis. This may include the Office of the Public Guardian or a Child Safety Officer.
Procedural fairness	<p>Procedural fairness comprises two elements:</p> <ul style="list-style-type: none"> • the right to be told the allegations against you, a reasonable opportunity to see and consider the evidence relied upon by the decision maker, and a reasonable opportunity to present your case and be given a fair hearing before the decision is made. • the right to have a decision made by an unbiased decision maker.

Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#) Chapter 12, Chapter 8 Part 1, 2 and 4
- [Disability Discrimination Act 1992 \(Cwth\)](#) Part 2, Division 2, Section 22
- [Human Rights Act 2019 \(Qld\)](#)
- [Information Privacy Act 2009 \(Qld\)](#)
- [Working with Children \(Risk Management and Screening\) Act 2000 \(Qld\)](#)

Delegations/Authorisations

- [Director-General's delegations under the Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Director-General's authorisations under the Information Privacy Act 2009 \(Qld\)](#)

Policies and procedures in this group

- Nil

Supporting information for this procedure

- [Fact sheet - Cancellation of enrolment](#)

Other resources

- [School disciplinary absence decisions and human rights template](#) (DoE employees only)
- [Department of Education Human Rights Act 2019 \(Qld\) information](#) (DoE employees only)
- [Disability Standards for Education 2005 plus Guidance Notes](#)
- [Enrolment in state primary, secondary and special schools procedure](#)
- [School enrolment management plans \(School EMPs\) procedure](#)
- [Student protection procedure](#)
- [Principal guidelines – student discipline](#)
- [Good decision making – Queensland Ombudsman](#)

Contact

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

Review date

21/01/2023

Superseded versions

Previous seven years shown. Minor version updates not included.

6.0 Safe, supportive and disciplined school environment

7.0 Safe, Support and disciplined school environment

1.0 Cancellation of enrolment procedure

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