**{Note: The contents of this letter are specified in s.249 of the *Education (General Provisions) Act 2006* (Qld) and should not be changed - DELETE THIS NOTE BEFORE PRINTING.}**

**INFORMATION NOTICE**

**s.250 and s.251, *Education (General Provisions) Act 2006* (Qld)**

{Insert applicant’s name}

{Insert address}

Dear {insert applicant’s name}

**Re: Application for exemption from the compulsory participation phase for {Insert young person’s name}**

I refer to your application for exemption from the compulsory participation phase {where applicant is the parent/carer, insert “on behalf of (name of young person)”}.

For the purposes of deciding your application, I am the Chief Executive’s delegate.

**My decision**

I have considered your application and decided that it meets the criteria for exemption as outlined in (choose one, delete the other) s.244 OR 244A of the *Education (General Provisions) Act 2006* (the Act). I have therefore decided to grant {you/insert young person’s name} an exemption from the compulsory participation phase:

(Please tick whichever is applicable)

* in part (in accordance with (choose one, delete the other) s.244(2) OR s.244A(2) of the Act)

The exemption is granted to allow {you/insert young person’s name} to participate in an eligible option at a part-time level of {insert part-time arrangement e.g. 3 days per week}.

* with conditions (in accordance with s.250 of the Act)

The exemption is granted on the condition/s that {you/insert young person’s name}:

{Insert condition/s - See examples below}.

* Parent notifies the school/region where child is receiving medium to long-term medical treatment which renders the child incapable of engaging in education if the child no longer requires the treatment.
* Parent notifies the school/region in {insert timeframe} that the family intends to remain interstate or overseas and provide an expected date for return to Queensland.
* School/region must be notified if {insert student’s name} no longer has carer responsibilities for {insert family member that student is the carer for}.
* in accordance with s. 251 of the Act, for a period less than sought by you, namely from {insert requested exemption start date} to {insert requested exemption end date}.

Accordingly, the exemption {where applicant is the parent/carer, insert “for (young person’s name)”} applies from {insert date notice is signed} and will finish {insert date on which exemption is to expire} OR (choose one, delete the other) when {your/young person name’s} compulsory participation phase ends (where granting an exemption for an indefinite period).

A copy of the relevant sections of the Act are enclosed for your reference.

The date of this decision is the date of this letter.

**Material considered**

In considering your application, I considered the following material:

{Insert details of all relevant information taken into account – see examples below. Please note – the EGPA, procedure and application should always be part of the consideration}

* Chapter 10, Part 5, Section 244, 244A, 250 or 251 of the Act.
* Departmental procedure *Exemptions from compulsory schooling and compulsory participation*.
* [*Human Rights Act 2019* (Qld)](https://www.legislation.qld.gov.au/view/html/inforce/current/act-2019-005)
* *Application for exemption for a child or young person enrolled in a Queensland state school* OR *Application for exemption for a child or young person NOT enrolled in any Queensland school, or who are provisionally registered or registered for home education* dated {insert date} submitted (choose one, delete the other) by you OR on your behalf by your parents.
* Report from {insert young person’s name}’s doctor/specialist dated {insert date} confirming that he/she has a medical condition {specify condition if known}.
* Letter from {insert young person’s name}’s employer, dated {insert date}, confirming his/her employment for {insert number} hours per week. (Note: if 25 hrs or more per week, exemption is not required as this would be considered as full-time employment, which is an acceptable alternative to eligible options)
* Letter/documentation from {insert name of course provider} dated {insert date} confirming that the course {insert young person’s name} is enrolled in is offered part-time only.

I have attached a copy of the material for your consideration.

**Findings of fact**

On the basis of this material, I made the following findings of fact:

{Set out all relevant findings of fact that demonstrate that the student cannot participate in any eligible option or that it would be unreasonable in all the circumstances to require the young person to participate in any eligible option. This can also include any support offered by the school/region - see examples below}.

Examples for granting exemption **in part** (not an exhaustive list):

* {Insert young person’s name} is currently enrolled in {insert school name} and in Year {insert year level}.
* {Insert young person’s name} has a medical condition {specify condition if known} which his/her doctor/specialist advises will affect {insert young person’s name}’s ability to attend and participate fully in an eligible option.
* {Insert young person’s name} is currently employed on a part-time basis (less than 25 hrs per week) with {insert name of employer} for {insert number} hours per week.
* {Insert young person’s name} is a part-time carer for {insert person’s name or relationship} on {insert days of week etc.}.
* {Insert school name/eligible option provider/region if applicable} has provided the following supports/adjustments to {insert young person’s name}: XXX, XXX, XXX etc.
* The course or program that {insert young person’s name} is enrolled in is offered part-time only.

Examples for granting exemption **with conditions** (not an exhaustive list):

* {Insert young person’s name} has a medical condition {specify condition if known} which his/her doctor/specialist advises will affect {insert young person’s name}’s ability to attend and participate in any eligible option or unreasonable in all the circumstances to require {insert young person’s name} to participate in any eligible option.
* {Insert young person’s name} would like to attend a short course/program on {insert subject or nature of short course/program}, which is not considered to be an eligible option under the Act but may assist him/her with {e.g. self-esteem and anxiety issues}.

Examples for granting exemption for a **lesser period** (not an exhaustive list):

* {Insert young person’s name} has a medical condition {specify condition if known} which requires treatment but his/her doctor’s/specialist’s report indicates that treatment should be completed by {insert date} and {insert young person’s name} should be fully recovered by {insert date if known}.
* {Insert school name/region if applicable} has provided the following supports/adjustments for {insert young person’s name}: XXX, XXX, XXX etc.

**Reasons for my decision**

I made my decision for the following reasons:

{List reasons why your findings of fact mean that the criteria have been met, but that the exemption is partial, or conditions should be imposed, or exemption granted is for a lesser period. See examples below.}

Examples for **in part** (not an exhaustive list):

* From the information contained in the doctor’s/specialist’s report, I am satisfied that {insert young person’s name} is unable to participate in any eligible option at a full-time level.
* Based on confirmation from {insert name of course provider} that {insert young person’s name} is not enrolled full-time in {insert course name} because this course is only offered part-time, and that due to {insert reasons e.g. being part-time carer for family member}, I am satisfied {insert young person’s name} is unable to participate in eligible options at a full-time level.
* Given that {insert young person’s name} financially supports his/her family through their part-time job, I am satisfied that {insert young person’s name} is unable to participate in eligible options at a full-time level.

Examples for **with conditions** (not an exhaustive list):

* While I am satisfied that {insert young person’s name} cannot/is unable to participate in any eligible option for the approved period, I have imposed a condition/s because of {insert young person’s name} doctor’s report/attendance history/risk of disengagement etc.

Examples for a **lesser period** (not an exhaustive list):

* While I am satisfied that {insert name of young person} cannot/is unable to participate in any eligible option, I do not believe that the length of the exemption applied for is necessary given {insert reason e.g. the level of support/adjustment provided by the school/region}. I therefore approve the exemption but for a lesser period from {insert start date} to {insert new end date}.

I have considered the human rights engaged in connection with my decision in accordance with the *Human Rights Act (2019)*. I consider my decision to be compatible with human rights. While some rights may be limited, I believe they are limited in a way that is reasonable and justifiable.

**Consequences of contravention of conditions**

Please note that contravention of the condition/s attached to the exemption may lead to cancellation of this exemption and {you/your child} would then be required to attend school.

**Right of internal review**

Pursuant to s.392 of the Act, you may make a submission for internal review of this decision to the {insert position of officer delegated responsibility for reviewing the decision}. Your submission should be sent to:

{Insert name, position and mailing address of officer delegated responsibility for reviewing decision}

Your submission for internal review must be made within 30 school days of being given this information notice or of otherwise becoming aware of this decision. The submission must state the reasons for the review and provide supporting facts. An information sheet for making a submission is enclosed.

Please contact {insert name and phone number of contact officer} should you wish to discuss this matter further.

Yours sincerely

{INSERT FULL NAME}

{Insert designation of officer delegated authority to grant exemption}

{Insert school or region name}

DATE: \_\_\_/\_\_\_/\_\_\_

# Enc: *Information sheet: Internal reviews against decisions regarding exemption from compulsory schooling or compulsory participation*

**SECTION** {choose one, delete the other} **244** OR **244A of the**

***EDUCATION (GENERAL PROVISIONS) ACT 2006***

**244 Chief executive may grant exemption**

(1) The chief executive may grant an exemption fully excusing a young person from participation if the chief executive is reasonably satisfied—

(a) the young person cannot participate in any eligible option; or

(b) it would be unreasonable in all the circumstances to require the young person to participate in any eligible option.

(2) The chief executive may grant an exemption partially excusing a young person from participation if the chief executive is satisfied—

(a) the young person cannot participate in any eligible option at a full-time level; or

(b) it would be unreasonable in all the circumstances to require the young person to participate in any eligible option at a full-time level.

(3) Despite subsection (1) or (2), the chief executive may not grant an exemption for a young person under this section if— (a) the young person is participating in an eligible option for which a non-State school is the provider; and

(b) the period of the exemption would not, if it were granted, cause the total of the periods of exemptions granted under this section or section 244A for the young person to be more than 110 school days in a year.

OR

**244A Non-State school’s principal may grant exemption**

(1) A non-State school’s principal may grant an exemption fully excusing a young person from the requirement that the young person participate in an eligible option if—

1. the non-State school is the provider for the eligible option; and

(b) the principal is reasonably satisfied—

(i) the young person can not participate in the eligible option; or

(ii) it would be unreasonable in all the circumstances to require the young person to participate in the eligible option; and

(c) the period of the exemption would not, if it were granted, cause the total of the periods of exemptions granted under section 244 or this section for the young person to be more than 110 school days in a year.

(2) A non-State school’s principal may grant an exemption partially excusing a young person from the requirement that the young person participate in an eligible option if—

(a) the non-State school is the provider for the eligible option; and

(b) the principal is reasonably satisfied—

(i) the young person can not participate in the eligible option at a full-time level; or

(ii) it would be unreasonable in all the circumstances to require the young person to participate in the eligible option at a full-time level; and

(c) the period of the exemption would not, if it were granted, cause the total of the periods of exemptions granted under section 244 or this section for the young person to be more than 110 school days in a year.

**SECTIONS 250 and 251 of the**

***EDUCATION (GENERAL PROVISIONS) ACT 2006***

**250 Imposition of conditions**

(1) The relevant decision-maker may, in granting the exemption, decide to impose conditions on the exemption that are relevant and reasonable.

(2) If the relevant decision-maker decides to grant an exemption on conditions, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.

**251 Lesser period of exemption than that applied for**

(1) The relevant decision-maker may, in granting the application, decide to grant the exemption for a lesser period than that applied for by the applicant for the exemption.

(2) If the relevant decision-maker decides to grant an exemption for a lesser period than that applied for by the applicant for the exemption, the relevant decision-maker must as soon as practicable give the applicant an information notice about the decision.