**Notice to parent/student – flexible arrangement with an alternative education provider approved**

**\*\*This notice is to be provided to parent/student when the authorised entity makes a decision to approve a flexible arrangement where there is no preliminary view to not grant the proposed flexible arrangement. It should be printed on school letterhead. DELETE THIS NOTE BEFORE PRINTING\*\***

{Insert date of notice}

{Insert name of parent/student if independent or in the compulsory participation phase}

{Insert address}

{Insert suburb} QLD {Insert postcode}

Dear {insert name of parent/student}

**Re: Decision on proposed flexible arrangement with an alternative education provider**

I refer to the proposed flexible arrangement dated {insert date} for {insert student’s name}/you at {insert school name}.

For the purposes of s.182 and s.183 of the *Education (General Provisions) Act 2006* (the Act), the reference in s.182 to the authorised entity is to be read as a reference to the chief executive of the Department of Education. I am the chief executive’s delegate.

I am writing to inform you of my decision.

In accordance with s.182 and s.183 of the Act (copy enclosed), I have decided to approve the proposed flexible arrangement.

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.

Should you have any questions regarding the flexible arrangement, please contact {insert name of appropriate school staff member and phone number/email address}.

Yours sincerely

**{INSERT NAME}**

{Insert name of authorised entity}

{Insert position title of authorised entity}

**{insert name of school if applicable}**

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

Ref:

Enc:

COPY: Parent (if appropriate)

Principal/s (if applicable)

**Extracts from the *Education (General Provisions) Act 2006***

**182 Flexible arrangements—non-State school**

(1) The authorised entity for a non-State school may approve arrangements for a student enrolled at the school that are to apply to the student instead of participation in the school’s educational programs in the usual way.

(2) The authorised entity may approve the arrangements only if—

(a) a teacher has prepared written assessments of—

(i) the student’s educational and other needs; and

(ii) the learning outcomes that the arrangements are intended to achieve; and

(iii) the suitability of each provider for the arrangements; and

(b) the authorised entity has considered—

(i) the written assessments prepared under paragraph (a); and

(ii) how, and by whom, the student’s participation in the arrangements is to be monitored; and

(iii) how, and by whom, each provider’s involvement in the arrangements is to be monitored and its effectiveness evaluated; and

(c) the authorised entity is satisfied the arrangements are appropriate, having regard to—

(i) the student’s individual needs and circumstances; and

(ii) what the authorised entity considers is most likely to achieve the best learning outcomes for the student; and

(iii) the desirability, unless it would be inappropriate in all the circumstances, of the arrangements requiring the student’s participation at a level that is equivalent to full-time participation in the school’s educational programs in the usual way; and

(iv) any other matter prescribed under a regulation.

(3) However, the authorised entity must not approve the arrangements unless—

(a) if the student is of compulsory school age—

(i) a parent of the student has given written agreement to the arrangements; and

(ii) the authorised entity has discussed the arrangements with the student to the extent the authorised entity considers appropriate, having regard to the student’s age and other relevant circumstances; or

(b) if the student is in the compulsory participation phase—

(i) the student gives written agreement to the arrangements; and

(ii) the authorised entity has discussed the arrangements with the student’s parents to the extent the authorised entity considers is practicable and appropriate in the circumstances.

(4) The non-State school’s governing body must keep, for at least 5 years after the arrangements stop applying to the student—

(a) the written assessments prepared under subsection (2)(a); and

(b) a record of the authorised entity’s consideration of the matters stated in subsection (2)(b); and

(c) the written agreement obtained under subsection (3).

(5) Subsection (3)(a)(i) does not apply if the authorised entity is satisfied it would be inappropriate in the circumstances to require the written agreement of a parent.

*Example—*

It may be inappropriate to require a parent’s written agreement if the student is living independently of his or her parents.

(6) In this section—

***authorised entity***, for a non-State school, means—

(a) the school’s governing body; or

(b) a staff member of the school given written authorisation by the governing body for this section.

***provider***, in relation to arrangements for a student, means an entity directly involved in providing a program to the student under the arrangements.

***student*** means a student who is of compulsory school age or in the compulsory participation phase

**183 Flexible arrangements—State school**

(1) The chief executive may approve arrangements for a student enrolled at a State school that are to apply to the student instead of participation in the school’s educational programs in the usual way.

(2) Section 182(2), (3), (5) and (6), except the definition *authorised entity*, apply to the chief executive and the student as if—

(a) a reference to the authorised entity were a reference to the chief executive; and

(b) a reference to the non-State school were a reference to the State school.