



# State special school enrolment (additional requirements) procedure

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## Audience

All Department of Education (department) staff involved in supporting parents when considering and making an application for student enrolment in a state special school, and processing or making decisions regarding enrolment in a state special school.

## Purpose

This procedure sets out the additional responsibilities and processes relating to enrolling students in state special schools, including Independent Public Schools (IPS), in accordance with the [Education \(General Provisions\) Act 2006 \(Qld\)](#) (the Act).

It should be read in conjunction with the responsibilities and processes set out in the [Enrolment in state primary, secondary and special schools procedure](#).

## Overview

The [Inclusive education policy](#) commits the department to continuing its journey towards a more inclusive education system, and acknowledges the right of children and young people of all abilities to attend their local state primary or secondary school.

Parent/s may choose to apply to enrol their child in a state special school. Enrolment in all state schools including state special schools must meet certain requirements as outlined in the Act and the [Enrolment in state primary, secondary and special schools procedure](#). Additional requirements for enrolment in a state special school are set in the Act.

Unless otherwise stated, a reference to state special school in this procedure includes a state special school operating as an IPS and a non-IPS state special school.

Before a prospective student can be enrolled in a state special school, section 166(1) of the Act prescribes that the following two requirements must be met:

- the prospective student is a 'person with a disability' with all four criteria set out in the [Special School Eligibility \('person with a disability' criteria\) policy](#) (the policy) being met; and

- the state special school is able to cater for the educational needs of the prospective student.

The policy also sets three principles to guide state special school enrolment decision-making to ensure that decisions are evidence-based, transparent and timely. The [Decision-making guidelines – Special school enrolment](#) provides information to assist decision-makers by outlining the type of evidence or information that may indicate whether the requirements, including the policy's four criteria, have been met.

The department enables children and young people to register at and attend state special schools through temporary attendance (for up to 10 months) pending a final decision regarding enrolment being made if:

- all requirements set out in the Act and criteria set out in the policy are met except that the prospective student has not been verified through the Education Adjustment Program (EAP) in the category of intellectual disability; and
- the prospective student is likely to be verified through the EAP in the category of intellectual disability within 10 months.

If the decision-maker refuses an enrolment application, applicant/s may seek an internal review of the decision by submitting an [Application for internal review of special school enrolment ineligibility](#).

If unsatisfied with the outcome of the internal review, the applicant/s may, under section 394 of the Act, apply under the [Queensland Civil and Administrative Tribunal Act 2009 \(Qld\)](#), for a review of the internal review decision.

## Responsibilities

### State primary and secondary principals

- Where a parent/s of a student enrolled in their school is considering or chooses to apply for enrolment in a state special school, seek advice from the regional office if required, and advise the parent/s on all enrolment options.
- Support parents to complete the necessary forms and gather information.
- Ensure all documentation is appropriately stored on the student's file and in OneSchool.

### Early Childhood Development Program (ECDP) staff

- Where a parent/s of a child registered at an ECDP is considering or chooses to apply for enrolment in a state special school, discuss all enrolment options with the parent/s and refer them to the regional office if needed.
- Support parents to complete the necessary forms and gather information.
- Ensure all documentation is appropriately stored on the student's file and in OneSchool.

### Regional Directors

- Nominate an officer/s to liaise with parent/s considering or making an application for enrolment to a state special school.
- Nominate officers, not involved in the original decision, to gather information in relation to internal reviews for state special school enrolments.

- Within 40 school days of receiving an [Application for internal review of special school enrolment ineligibility](#), review the original decision to refuse state special school enrolment, if not involved in the original decision to refuse the state special school enrolment.
- If appropriate, consider and offer temporary attendance when undertaking internal reviews of state special schools.
- Record and progress application for student enrolment through OneSchool.
- Ensure all documentation is appropriately stored on the student's file and in OneSchool.

### Senior Guidance Officers

- Consider applications for enrolment in state special schools and advise the applicant/s and proposed state special school principal of their decision as outlined in this procedure.
- If appropriate, consider and offer temporary attendance when considering applications for enrolment in a state special school.
- Make recommendations regarding internal reviews of decisions to refuse enrolment to state special schools, if not involved in the original decision to refuse enrolment.
- Record and progress application for student enrolment through OneSchool.
- Ensure all documentation is appropriately stored on the student's file and in OneSchool.

### Assistant Director-General State Schools

- Within 40 school days of receiving an [Application for internal review of special school enrolment ineligibility](#), review the original decision to refuse state special school enrolment, if not involved in the original decision to refuse state special school enrolment.

### State special school principal

- Refer the parent/s to regional office if they contact the school to enrol their child in their school, if appropriate.
- Support the parent/s to complete the necessary forms and gather information, and request support from regional office, if necessary.
- Make recommendations regarding [Application for student enrolment](#) to state special schools to the delegated decision-maker through OneSchool.
- Refer [Application for student enrolment](#) and associated forms (as appropriate) together with all materials and information provided by the parent/s and gathered by the department to the delegated decision-maker through OneSchool.
- Process [Application for student enrolment](#) if the delegated decision-maker decides that all enrolment requirements have been met.
- Complete a [Temporary attendance in a state special school – Registration and agreement](#) if the decision-maker decides to offer temporary attendance and the parent/s accepts the offer within 10 school days.
- Request EAP verification in the category of intellectual disability where the student is registered with the school on temporary attendance.

- Advise the delegated decision-maker of the outcome of EAP verification and whether all enrolment requirements continue to be met by completing the [Education Adjustment Program \(EAP\) outcome \(temporary attendance finalisation\)](#) (EAP outcome).

### Regional officer (officer nominated by the Regional Director)

- Provide advice to parent/s about enrolment options and supports that may be available at their local primary or secondary state school.
- Support parent/s to complete necessary forms and gather information.
- Collect other information needed to consider the enrolment application.
- Ensure all documentation is securely stored on the student's file and in OneSchool.

### Deputy Director-General State Schools

- Within 40 school days of receiving an [Application for internal review of special school enrolment ineligibility](#) review the original decision to refuse state special school enrolment, if not involved in the original decision to refuse state special school enrolment.

### Director-General

- Within 40 school days of receiving an [Application for internal review of special school enrolment ineligibility](#), review the original decision to refuse state special school enrolment.

### Parents/Applicants

- Seek advice regarding enrolment options from the ECDP their child is attending, their local state school or regional office.
- Consent to EAP verification if necessary.
- Complete the [Application for student enrolment](#) and the [State special school enrolment parent consent and information](#) and provide information or reports they have, which may inform decision-making when making an application for student enrolment.
- Provide additional information or reports in response to the delegated [Decision-maker's preliminary view to refuse enrolment in a state special school](#).
- If accepting an offer of temporary attendance, complete a [Temporary attendance in a state special school – Registration and agreement](#) within 10 school days of receiving notification.
- If seeking an internal review of a decision to refuse enrolment, provide an [Application for internal review of special school enrolment ineligibility](#) to the department within 30 school days.
- If unsatisfied with the internal review decision, apply to the Queensland Civil and Administrative Tribunal (QCAT) for a review within 28 days of being notified of the internal review outcome.

## Process

### Advising parent/s regarding enrolment options

1. Departmental officers provide advice about enrolment options to parent/s who are considering, or have chosen to make, an application to enrol their child in a state special school. This may include officers from the:

- ECDP where the child is currently registered;
- state primary or secondary school where the student is currently enrolled, after the school seeks advice from the regional office regarding options and supports for the student;
- state special school where the student is currently enrolled;
- department's regional office; or
- parent/s' preferred future special school (noting that state special schools may refer parents to the regional office if they form the view that the prospective student will not meet all of the criteria set out in the policy).

## Parent application

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1. The parent/s provides enrolment documents as outlined in the [State primary, secondary and special school enrolment procedure](#) including certified copies of birth certificates and family court orders, if any.
2. Parent/s are required to do one of the following:
  - For a child **currently enrolled** in a Queensland state special school, parent/s complete an [Application for student enrolment](#); or
  - For a child **not currently enrolled** in a Queensland state special school, parents complete an [Application for student enrolment](#), and a [State special school enrolment parent consent and information](#).
3. Parent/s may be supported to complete forms and gather relevant information by:
  - the ECDP where the child is currently registered;
  - the state special, primary or secondary school where the student is currently enrolled;
  - department's regional office; and
  - their preferred future special school (noting that state special schools may refer parents to the regional office if they form the view that the prospective student will not meet all of the criteria set out in the policy).
4. The applicant/s submit the necessary forms, together with any available reports or other documents, to:
  - the ECDP where the child is currently registered;
  - the state special, primary or secondary school where the student is currently enrolled;
  - department's regional office; and
  - their preferred future special school.
5. The department's regional office, ECDP or school that receives the [Application for student enrolment](#) and [State special school enrolment parent consent and information](#), gathers relevant information from organisations nominated by the applicant/s and from within the department, and provides it to the relevant state special school principal.

## Special school principal referral and recommendation

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1. The special school principal considers all of the evidence as follows:
  - For students **currently enrolled** in a state special school:
    - the **current** state special school principal will:

- consider the [Application for student enrolment](#) for the proposed new Queensland state special school and any materials provided by the applicant;
- provide evidence in OneSchool special school enrolment record to support whether the student continues to meet all four of the policy's criteria based on information held in OneSchool and in the student's special school enrolment record; and
- The **proposed** state special school principal will:
  - indicate within OneSchool whether the special school is able to cater for the student's educational needs and recommend or not recommend enrolment, based on evidence that all enrolment requirements and criteria set out in the policy are met;
  - provide the [Application for student enrolment](#), and supporting evidence to the delegated decision-maker; and
  - provide all other information gathered by the department.
- For prospective students **not currently enrolled** in a state special school:
  - The **proposed** state special school principal will:
    - consider the [Application for student enrolment](#);
    - consider the [State special school enrolment parent consent and information](#) and all information provided by the applicant/s and gathered by departmental staff; and
    - complete the [Enrolment application principal referral](#), review the evidence and indicate within OneSchool whether the student meets all enrolment requirements and the criteria set out in the policy, and recommend/advise that:
      - enrolment is approved, if all enrolment requirements, including the policy's criteria, are met; or
      - the decision process continues awaiting completion of EAP verification in the category of intellectual disability to be finalised; whether an offer of temporary attendance up to 10 months, is appropriate; or
      - enrolment is refused, if not all enrolment requirements, including the policy's criteria, are met.
  - The **proposed** state special school principal will provide the following information to the delegated decision-maker:
    - [Application for student enrolment](#);
    - [State special school enrolment parent consent and information](#) and all supporting information provided by the applicant/s;
    - [Enrolment application principal referral](#); and
    - information gathered by the department.

## Decision-making

1. The delegated decision-maker considers all materials and information provided by the state special school principal, including the:
  - [Application for student enrolment](#);

- [State special school enrolment parent consent and information](#) and all supporting information provided by the applicant/s;
  - [Enrolment application principal referral](#) including the state special school principal's recommendation / advice; and
  - all information gathered by the department.
2. The delegated decision-maker will do one of the following:
- refer the Application for student enrolment to the state special school for processing, if satisfied that all enrolment requirements, including the policy's criteria, are met;
  - where all the enrolment requirements are met, including all the criteria in the policy, except that the prospective student has not been verified in the EAP category of intellectual disability, continue the decision-making process about enrolment in the state special school, awaiting finalisation of the EAP verification of intellectual impairment and, if appropriate, offer temporary attendance for up to 10 months, and advise the:
    - state special school principal in writing about the continued decision-making process about enrolment in the state special school awaiting finalisation of the EAP verification of intellectual impairment and, if appropriate, the offer of temporary attendance for up to 10 months (if appropriate); and
    - applicant/s in writing about the continued decision-making process about enrolment in the state special school and, if appropriate, an offer of temporary attendance and that the applicant/s should contact the state special school principal within 10 school days to accept the offer of temporary attendance.
  - Where evidence gathering is finalised in respect of all criteria, form a preliminary view that enrolment should be refused if not satisfied that all enrolment requirements and/or policy's criteria are met and:
    - write to the applicant/s advising them of the preliminary view and providing them with an opportunity to respond and provide additional information prior to a final decision being made;
    - consider any additional information provided by the applicant/s and either:
      - approve enrolment if satisfied that all enrolment requirements including the policy's criteria are met;
      - delay making a decision about enrolment in the state special school and offer temporary attendance for up to 10 months (if appropriate), to enable the EAP verification process to be completed; or
      - refuse enrolment if not satisfied that all enrolment requirements or the policy's criteria have been met.
3. Where the decision-making process is continuing but is awaiting finalisation of the EAP verification of intellectual impairment and an offer of temporary attendance is made, the state special school principal will:
- where the applicant/s accept the offer of temporary attendance and contacts the state special school principal within 10 school days:
    - complete a [Temporary Attendance in a State special school – Registration and agreement](#) with the applicant/s; and
    - commence EAP verification process for intellectual disability, if not already commenced, when the prospective student starts attending the state special school.
  - advise the delegated decision-maker once EAP verification is finalised by completing an [Education Adjustment Program \(EAP\) outcome \(temporary attendance finalisation\)](#) (EAP outcome), including

making a recommendation about whether enrolment in the state special school should be approved or refused.

- If the applicant/s does not accept the temporary attendance offer or does not contact the state special school principal within 10 school days, the state special school principal will advise the delegated decision-maker by providing a completed [EAP outcome](#).

## Notification and actioning the decision

1. Departmental officer notifies the applicant/s and other relevant staff regarding the decision-maker's decision as follows:

- if all enrolment requirements have been met:
  - the delegated decision-maker will refer the [Application for student enrolment](#) to the state special school principal for enrolment and refer to all information and materials considered (including [State special school enrolment parent consent and information](#) and [Enrolment application principal referral](#) to the state special school principal; and
  - The state school principal will:
    - advise the applicant/s in writing;
    - process the enrolment application in accordance with the [State primary, secondary and special school enrolment procedure](#) including signing an [Enrolment Agreement](#); and
    - securely store all enrolment application documentation on the student's file and in OneSchool.
- if enrolment is refused, the delegated decision-maker will:
  - prepare an [Information notice - Requirements for enrolment in state special school not satisfied](#);
  - advise the applicant/s in writing of the decision by posting the original [Information notice - Requirements for enrolment in state special school not satisfied](#) and including all documents considered, if not previously provided;
  - nominate an officer to assist the parent/s to enrol the student in a state primary or secondary school, if appropriate;
  - advise the state special school principal in writing and securely store all documents considered by the decision-maker, including additional information and materials provided by the applicant in response to a preliminary view letter if relevant for secure storage on the student's OneSchool special school enrolment record; and
  - advise the current school of the decision, if the student is already enrolled in a Queensland state school and, if needed, nominate an officer to work with the school to support the student's continued enrolment in the school.

## Internal review

1. Applicant/s submits a completed [Application for internal review of special school enrolment ineligibility](#) within 30 school days of being given the [Information notice – Requirements for enrolment in state special school not satisfied](#).
2. Within 40 school days of the department receiving the [Application for internal review of special school enrolment ineligibility](#):



- The internal review officer requests officers not involved in considering or gathering evidence and information relating to the original decision, to gather further information, if needed, which may include seeking a recommendation or further information from:
  - a Senior Guidance Officer not involved in the original decision; and
  - other relevant staff not involved in the original decision.
- The internal review officer considers all material and documents related to the original decision and any additional information.
  - The internal review officer will consider the [Application for internal review of special school enrolment ineligibility](#) and will either:
    - substitute the original decision and approve enrolment where all enrolment requirements for enrolment in the state special school, including the policy's criteria are met; or
    - form a preliminary view that the original decision that enrolment is refused should be confirmed, where they are not satisfied that all requirements for enrolment in the state special school, including the policy's criteria are met and:
      - write to the parent/s advising them of the preliminary view to confirm the original decision and provide them with an opportunity to provide additional information prior to a final decision being made; and
      - consider any additional information provided by the parent and either:
        - substitute the original decision and approve enrolment if all requirements for enrolment including all criteria set out in policy are met;
        - confirm the original decision and refuse enrolment, and offer temporary attendance, if appropriate; or
        - confirm the original decision and refuse enrolment.
- The internal review officer will:
  - advise the applicant/s in writing via post of the internal review decision providing all information and evidence considered when making the decision;
  - advise the state special school principal in writing of the internal review decision providing all information and evidence considered and if the original decision is substituted and a decision is made that all enrolment requirements have been met, refer the [Application for student enrolment](#) to the state special school principal for processing; and
  - advise the state primary or secondary school, if the student is currently enrolled in that school.

## Definitions

Term	Definitions
<b>Applicant/s</b>	<ul style="list-style-type: none"> <li>• A parent of a prospective student who is under 18 years of age.</li> <li>• A child, in their own right, where the school principal believes it is in the child's best interests to make the application.</li> </ul>

Term	Definitions
	<ul style="list-style-type: none"> <li>A legal guardian of a prospective student who is over 18 years of age.</li> </ul>
<b>Student currently enrolled in a Queensland state special school</b>	A student who is enrolled in a Queensland state special school at the time an Application for student enrolment is made. It does not include children or young people attending a Queensland state special through temporary attendance or who are enrolled in a special school operating in another state/territory or operated by another sector.
<b>Delegated decision-maker</b>	Departmental officers with delegation to make the decision about whether the prospective student meets the enrolment requirements set out in section 166(1) of the Act for enrolment in a state special school, including those operating as Independent Public Schools, as outlined in the <a href="#">Delegation of Director-General's Powers under the Education (General Provisions) Act 2006 (Qld)</a> .
<b>Early Childhood Development Program</b>	Programs hosted by state primary, secondary or special schools that provide intensive early intervention support before Prep for children with significant educational support needs arising from a diagnosed or suspected disability in the categories of: autism spectrum disorder; intellectual disability; hearing impairment; vision impairment; physical impairment; and/or speech language impairment.
<b>Education Adjustment Program (EAP)</b>	The EAP is a process for identifying and responding to the educational needs of students with disability who require significant education adjustments related to the specific impairment areas of: autism spectrum disorder; intellectual disability; hearing impairment; vision impairment; physical impairment; and/or speech language impairment.
<b>Enrolment agreement</b>	A document that states the respective rights and obligations, about the education of a person at a state school, with respect to the responsibilities of the: <ul style="list-style-type: none"> <li>student;</li> <li>parents of students; and</li> <li>staff of the school.</li> </ul>
<b>Enrolment requirements</b>	The requirements for enrolment are set out in <a href="#">section 166 of the Education (General Provisions) Act 2006 (Qld)</a> as follows: <ul style="list-style-type: none"> <li>the prospective student is a person with a disability; and</li> <li>the special school is able to cater for the educational needs of the prospective student.</li> </ul>
<b>Internal review officer</b>	Departmental officers, with a delegation to review and make a decision about whether a prospective student meets the enrolment requirements set out in section 166(1) for enrolment in a state special school. They have not been involved in making the original decision to refuse enrolment and are delegated to undertake internal reviews as outlined in the <a href="#">Delegation of Director-General's Powers under the</a>

Term	Definitions
	<a href="#">Education (General Provisions) Act 2006 (Qld)</a> .
<b>Materials and information</b>	Materials and information includes any document, including electronic documents, provided by applicants to support their Application for student enrolment or which has been gathered or accessed by departmental staff to consider the Application for student enrolment.
<b>Parent</b>	A parent is defined in section 10 of the <a href="#">Education (General Provisions) Act 2006 (Qld)</a> .
<b>Person with a disability</b>	<p>To be eligible for enrolment in a state special school, including an independent public special school, all four of the following policy criteria must be met:</p> <ul style="list-style-type: none"> <li>• the person has a disability as defined by the <a href="#">Disability Discrimination Act 1992 (Cwlth) (DDA)</a>;</li> <li>• the person has a severe disability which includes an intellectual disability;</li> <li>• the person is unlikely to attain the levels of development of which the person is capable unless the person receives special education; and</li> <li>• the person's educational program is best delivered in a special school taking into account the appropriateness of this placement for the individual concerned.</li> </ul>
<b>Prospective student</b>	A prospective student is a person for whom an Application for student enrolment in a state school has been made but has not yet been approved.
<b>Temporary attendance</b>	Temporary attendance is an administrative process enabling a prospective student to attend a state special school for up to 10 months, pending EAP verification in the category of intellectual disability. Temporary attendance is not enrolment.
<b>Special education</b>	<p>As defined in schedule 4 of the <a href="#">Education (General Provisions) Act 2006 (Qld)</a> special education means:</p> <p>The educational programs and services:</p> <ul style="list-style-type: none"> <li>• appropriate to the needs of the person with a disability; and</li> <li>• additional to, or otherwise different from, educational programs and services generally available to persons of the relevant age who are not persons with a disability.</li> </ul>
<b>State special school</b>	As defined in the <a href="#">Education (General Provisions) Act 2006 (Qld)</a> a special school is a state school that only provides special education.

## Legislation

- [Education \(General Provisions\) Act 2006 \(Qld\)](#)

- [Education \(General Provisions\) Regulation 2017 \(Qld\)](#)
- [Anti-Discrimination Act 1991 \(Qld\)](#)
- [Disability Discrimination Act 1992 \(Cwlth\)](#)
- [Disability Standards for Education 2005 \(Cwlth\)](#)
- [Australian Human Rights Commission Act 1986 \(Cwlth\)](#)
- [Human Rights Act 2019 \(Qld\)](#)

## Delegations/Authorisations

- [Delegation of Director-General's Powers under the Education \(General Provisions\) Act 2006 \(Qld\)](#)

## Policies and procedures in this group

- Nil

## Supporting information for this procedure

- [Parent/carer factsheet – Queensland state special schools](#)
- [Quick reference guide - Special school enrolment process and forms](#)
- [State special school enrolment decision-making guidelines](#)

## Enrolment application

- [State special school enrolment parent consent and information](#)

## Principal referral

- [Enrolment application principal referral](#)
- [Parent notification – Decision-maker's preliminary view to refuse enrolment in a state special school](#)
- [Principal notification - Continued decision-making process pending EAP verification \(temporary attendance offer\)](#)
- [Parent notification – Continued decision-making process pending EAP verification \(temporary attendance offer\)](#)
- [Temporary attendance in a state special school – Registration and agreement](#)
- [Education Adjustment Program \(EAP\) outcome \(temporary attendance finalisation\)](#)

## Notification

- [Principal notification – Requirements for enrolment satisfied](#)
- [Parent notification – Requirements for enrolment satisfied](#)
- [Parent notification – Requirements for enrolment satisfied \(temporary attendance finalisation\)](#)
- [Information notice – Requirements for enrolment in a state special school not satisfied](#)

- [Principal notification – Requirements for enrolment not satisfied](#)
- [Parent notification – Requirements for enrolment not satisfied](#)

### Internal review

- [Application for internal review of special school enrolment ineligibility](#)
- [Decision-maker's internal review preliminary view](#)
- [Outcome of internal review of state special school enrolment ineligibility](#)

### Other resources

- [Application for student enrolment](#)
- [Education Adjustment Program \(EAP\)](#)
- [Enrolment in state primary, secondary and special schools procedure](#)
- [Every student with disability succeeding plan](#)
- [Inclusive education](#)
- [Inclusive education policy](#)
- [Managing students' health support needs at school procedure](#)
- [P-12 curriculum, assessment and reporting framework](#)
- [Parent/carer factsheet – Queensland state special schools](#)
- [Retention and disposal schedules](#) (DoE employees only)
- [State special school eligibility \('person with a disability' criteria\) policy](#)
- [Equity and Excellence: realising the potential of every student](#)
- [Support at school for students with intellectual disability – Enrolment options](#)
- [Students with disability](#)

### Contact

For further information, please contact:

State Schools-Disability and Inclusion

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

### Review date

20/09/2022

### Superseded versions

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

1.0 State special school enrolment (additional requirements)

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