

**If the disallowance motion is passed - this is what Part 6 of the
Education and Training Reform Regulations 2017
will look like**

Part 6—Home schooling

Division 1—Application for registration for home schooling

72 Application for registration

- (1) A parent of a student may apply to the Authority to register the student for home schooling.
- (5) An application to register a student for home schooling must—
 - (a) be in the form approved by the Authority; and
 - (b) be signed by the parent who will be responsible for the home schooling of the student; and
 - (c) include or be accompanied by—
 - (i) evidence of the student's full name and date of birth; and

74 Notice of decision regarding registration for home schooling

- (1) The Authority must notify an applicant for registration of a student for home schooling of the Authority's decision in relation to the application.
- (2) The notice must—
 - (a) be in writing; and
 - (b) if applicable, set out—
 - (i) the date of registration of the student for home schooling; and
 - (ii) the terms and conditions of any exemption granted by the Authority under regulation 76(3); and
 - (c) be given within 28 days after the Authority receives an application in accordance with regulation 72.

Note

No fee is payable for the registration of a student for home schooling.

75 State Register

The Authority must ensure that the following details regarding a student registered for home schooling are contained in the State Register—

- (a) the full name, address and date of birth of the student; and
- (b) the name and address of the parent responsible for the home schooling of the student; and
- (c) the date of registration of the student for home schooling.

Note

Section 4.9.1(2) of the Act prohibits the details of students registered for home schooling from being made available to the public or published on the Authority's website.

Division 2—Requirements of registration for home schooling

76 Requirements of instruction in home schooling

- (1) It is a requirement of registration of a student for home schooling that the student must receive regular and efficient instruction that—
 - (a) taken as a whole, substantially addresses the learning areas set out in Schedule 1 to the Act, unless the Authority grants an exemption under subregulation (3); and
 - (b) is consistent with the principles underlying the Act, being the principles and practice of Australian democracy, including the principles under section 1.2.1(a) of the Act.
- (2) The parent responsible for the home schooling of a student may make an application to the Authority for an exemption under subregulation (3).
- (3) After receiving an application for exemption under subregulation (2), the Authority may, subject to subregulation (4), exempt a student from receiving instruction in one or more of the learning areas set out in Schedule 1 to the Act.
- (4) The Authority must not grant an exemption under subregulation (3) unless the Authority is satisfied that it would be unreasonable to require the student to receive instruction in a learning area or areas set out in Schedule 1 to the Act.

77 Requirement to notify Authority of changes to circumstances

It is a requirement of registration of a student for home schooling that the parent responsible for the home schooling of the student must notify the Authority in writing as soon as practicable of any changes to—

- (a) the full name of the student; or
- (b) the parent responsible for home schooling of the student; or
- (c) the full name and contact details of the parent responsible for home schooling of the student; or
- (d) the address at which the home schooling of the student is being provided.

78 Requirement to notify Authority annually of continuation of home schooling

It is a requirement of registration of a student for home schooling that the parent responsible for the home schooling of the student must notify the Authority in writing before 30 November each year in relation to whether the student will be home schooled in the following year.

80 Requirement to notify Authority if student ceases to be home schooled

- (1) It is a requirement of registration of a student for home schooling that the parent responsible for the home schooling of the student must notify the Authority in writing of the cessation of home schooling in accordance with this regulation.
- (2) A notice under subregulation (1) must—
 - (a) specify the date on which the home schooling of the student ceased; and
 - (b) be given to the Authority within 14 days after the student ceases to be home schooled.
- (3) Despite subregulation (2)(b), a parent may notify the Authority in writing at any time before the student ceases to be home schooled to specify the date on which the home schooling of the student will cease.

Division 3—Review of registration for home schooling

81 Authority may review registration for home schooling

The Authority may review the registration of a student for home schooling in accordance with this Division.

82 Requirement to give notice to responsible parent and specify information to be provided

- (1) If the Authority decides to review the registration of a student for home schooling the Authority must give notice of the review to the parent responsible for the home schooling of the student.

- (2) The notice must—
 - (a) be in writing; and
 - (b) outline the scope of the review, the timelines for the review and the process the Authority will use to conduct the review.

83 Notice of outcome of review of registration for home schooling

- (1) As soon as practicable after the completion of a review, the Authority must notify the parent responsible for the home schooling of the student of the outcome of the review.
- (2) The notice must—
 - (a) be in writing; and
 - (b) state whether the Authority is satisfied that the requirements of registration for home schooling have been met; and
 - (c) state what action (if any) the Authority proposes to take as an outcome of the review.

Note

The Authority may cancel a registration for home schooling under section 4.3.9(1)(b)(ii) of the Act if a parent fails to comply with a requirement of these Regulations relating to home schooling.

Division 4—Cancellation of registration for home schooling

84 Cancellation of registration initiated by the parent

If the parent responsible for the home schooling of a student notifies the Authority under regulation 80, the Authority must cancel the registration of the student for home schooling—

- (a) if the home schooling of the student has ceased, on the date the Authority receives the notice; or
- (b) in any other case, on the date specified in the notice given in accordance with regulation 80(3).

85 Notification of cancellation of registration by the Authority

The Authority must notify the parent responsible for the home schooling of a student in writing that the registration of the student for home schooling has been cancelled.