

Education and Children's Services Regulations information sheet

Principals of government schools

The *Education and Children's Services Act 2019* (the Act) passed Parliament in August of last year. To support the implementation of the Act draft regulations have been developed and released for public consultation.

Regulations support the implementation of the Act by providing guidance on how certain parts are interpreted and will establish further requirements, functions, and powers related to the Act.

This information sheet highlights the areas, and corresponding regulation, that will likely be of interest to you.

This is not an exhaustive list and should be used as a guide only. There may be other areas that are of particular importance to you and we recommend reviewing the draft regulations in full prior to providing any feedback.

Most of the regulations can be understood on their own, but where it is necessary to understand the regulation, we have included relevant information from the Act.

WHAT THE ACT SAYS	PROPOSED REGULATIONS
Enrolment and attendance	
	<p>Regulation 13</p> <p>Says adults re-enrolling within 6 months of last being a student at a school do not require a working with children check.</p> <p>Allows the Chief Executive to direct an adult student in government schooling to be enrolled in a specific school or class of schools.</p> <p>Allows the Chief Executive to cancel the enrolment of an adult student.</p>
Student behaviour and consequences for misbehaviour	
<p>A principal may suspend, exclude or expel a student from a government school.</p> <p>The Chief Executive may expel a student of 16 years of age or above from all government schools.</p>	<p>Regulation 23</p> <p>Sets out what the school principal or the Chief Executive must consider in determining whether to suspend, exclude or expel a student, including:</p> <ul style="list-style-type: none">- the severity and frequency of the misbehaviour of the student- the student's prior record of behaviour and response to previous sanctions (if any)- the extent to which adjustments have been made at the school to support the participation of that student, or students with a disability generally- any other relevant matter.
<p>The regulations may outline the forms of discipline to be observed in government schools, preschools or children's services centres.</p>	<p>Regulation 25</p> <p>Allows school principals to impose moderate and reasonable rules for student behaviour, and consequences for breaking school rules.</p> <p>Says that consequences can include detaining a student during the lunch break or after school hours.</p> <p>Allows principals to delegate disciplinary authority to other staff.</p>

Exemptions from religious or cultural activities, and sex education

A principal may set aside time for non-curricular religious and cultural activities conducted by a prescribed person.

Regulation 28

Says persons prescribed to conduct religious activities must be recognised (whether by formal ordination, commissioning, endorsement or otherwise) by a generally recognised or accepted religious organisation.

Says a person prescribed to conduct cultural activities represents and is acting with the approval of a generally recognised or accepted cultural organisation

Regulation 29

Says that if a parent or caregiver gives written notice to the school principal that their child be exempt from a specified religious or cultural activity, or from all such activities, the student is considered exempt.

The Chief Executive will determine the curriculum for government schools, and that the regulations may provide for the exemption of students.

Regulation 30

Says parents and caregivers can request that their child be exempt from sex education. However, that exemption does not apply to the *Keeping Safe: Child Protection Curriculum*.

Responsibilities

Regulation 68

Sets out in detail the responsibilities of principals and officers of the teaching service.