

INFORMATION NOTICE FOR ENROLMENT IN A STATE SPECIAL SCHOOL

In accordance with Sections 166 and 167 of the Education (General Provisions) Act 2006 (EGPA), the Chief Executive of the Department of Education, Training and Employment is responsible for determining whether a prospective student does or does not satisfy the requirements for referral for enrolment in a special school. The information collected from applicants on this form is for that purpose.

Your personal information may also be used for unrelated purposes or be disclosed to third parties by DETE where authorised or required by law. Your information will be stored securely. If you wish to access or correct any of the personal information on this form or discuss how it has been dealt with, please contact the relevant Regional Office in the first instance. If you have a concern or complaint about the way your personal information has been collected, used, stored or disclosed, please also contact the relevant Regional Office in the first instance.

Pursuant to s.165(2) EGPA the criteria for enrolment in a special school are outlined in the Minister's Policy: Criteria to Decide a Person is a "Person with a Disability" for the Purpose of Enrolment in State Special Schools.

This notice is the record of the decision made by the decision maker (Chief Executive or delegate) in respect of your application for referral for enrolment in a State special school.

This notice sets out the decision maker's decision, the material considered by the decision maker, the decision maker's findings of fact and the reasons for the decision.

Note: Original form is to be stored in the student file, copy stored on TRIM and all signatories and parent/carer to be provided with a copy.

Part A – Student details					
Student details					
Surname:		Given names:			
Gender:		Date of Birth:		Current year level:	
Home Address:					
EQ ID Number:		AIMS ID:		Current school (if applicable):	
EAP Profile completed:	<input type="checkbox"/> Yes <input type="checkbox"/> No			Date:	
Disability Information					
Detail the student's educational and other support needs					
Attachments:					
The following list of attachments must be included with the application:					
<input type="checkbox"/> Application for referral to special school for enrolment dated					
<input type="checkbox"/> Applicant's AIMS verification record as at #					
List of other relevant attachments to support this application:					
<ul style="list-style-type: none"> • • 					

If verification not successful, please include information from Departmental Verifier – Intellectual Disability indicating that student does not meet criteria for Intellectual Disability. This will usually be correspondence to school principal explaining why the student does not meet the criteria in addition to the AIMS record.

Part B – Enrolment Application Checklist

This section can be completed by the Principal Education Officer, Student Services (PEO, SS) and/or Senior Guidance Officer as relevant to regional context and delegation.

PEO, SS	SGO	For the purposes of the <i>Minister's Policy: Criteria to Decide a Person is a "Person with a disability" for the Purpose of Enrolment in State Special Schools</i> : I recommend that the application be referred to the _____ special school for enrolment in accordance with s.156 EGPA because:
<input type="checkbox"/>	<input type="checkbox"/>	I am satisfied that the person has a disability as defined in the Disability Discrimination Act 1992; and
<input type="checkbox"/>	<input type="checkbox"/>	I am satisfied that the disability is a severe disability; and
<input type="checkbox"/>	<input type="checkbox"/>	I am satisfied that the disability has been verified* through Education Adjustment Program (EAP) in the category of Intellectual Disability; and
<input type="checkbox"/>	<input type="checkbox"/>	I am satisfied that the person is unlikely to attain the levels of development of which the person is capable unless the person receives special education; and
<input type="checkbox"/>	<input type="checkbox"/>	I am satisfied that the persons educational program is best delivered in a special school taking into account the appropriateness of this placement for the individual concerned; and
<input type="checkbox"/>	<input type="checkbox"/>	I am satisfied that the special school preferred in the application is able to cater for the educational needs of the person and has the most appropriate specialisation areas to deliver the individual educational program for the prospective student.
PEO, SS	SGO	OR I do not recommend that the application be referred to the _____ special school for processing in accordance with s.156 EGPA because (Attach written statement explaining this recommendation with reference to relevant evidence):
<input type="checkbox"/>	<input type="checkbox"/>	I am not satisfied that the person has a disability as defined in the Disability Discrimination Act 1992; and/or
<input type="checkbox"/>	<input type="checkbox"/>	I am not satisfied that the disability is a severe disability; and/or
<input type="checkbox"/>	<input type="checkbox"/>	I am not satisfied that the disability: has been verified* through Education Adjustment Program (EAP) in the category of Intellectual Disability; but I am satisfied that the disability:
<input type="checkbox"/>	<input type="checkbox"/>	is likely to be verified* through the Education Adjustment Program (EAP) in the category of Intellectual Disability within 6 months**; and/or
<input type="checkbox"/>	<input type="checkbox"/>	I am not satisfied that the person is unlikely to attain the levels of development of which the person is capable unless the person receives special education; and/or
<input type="checkbox"/>	<input type="checkbox"/>	I am not satisfied that the persons educational program is best delivered in a special school taking into account the appropriateness of this placement for the individual concerned; and/or
<input type="checkbox"/>	<input type="checkbox"/>	I am not satisfied that the special school preferred in the application is most appropriate to cater for the educational needs of the person and propose that _____ Special School has the most appropriate specialisation areas to deliver the individual educational program for the prospective student.

Principal Education Officer, Student Services:

Name:

Signature:

Date:

Senior Guidance Officer:

Name:

Signature:

Date:

**Intellectual disability is verified in accordance with the EAP Handbook by a departmental Verifier – Intellectual Disability to ensure it meets the criteria outlined in the Minister's policy. ** If student has not been verified but is likely to be verified through the EAP in the category of Intellectual Disability within 6 months and all other criteria is satisfied, temporary attendance may be sought.*

"Uncontrolled copy. Refer to the Department of Education, Training and Employment Policy and Procedure Register at <http://ppr.det.qld.gov.au> to ensure you have the most current version of this document."

Principal, State Special School

I support the prospective enrolment at the preferred special school.

I support the prospective enrolment in a special school but propose that _____ Special School does not have the most appropriate specialisation areas to deliver the individual educational program for the prospective student.

I propose that _____ Special School has the most appropriate specialisation areas to deliver the individual educational program for the prospective student:

Reason/s:

I do not accept that the prospective student meets eligibility criteria for enrolment at a special school

Reason/s:

Principal signature

Date:

Parent/carer of prospective student

I wish to withdraw the application for enrolment for my child at _____ special school.

Name:

Signature:

Date:

Part C – Decision Making**CEO Delegated Officer (Principal Advisor, Education Services OR Principal Advisor Regional Services OR Director Regional Services)**

I am the Chief Executive's delegate for the purposes of ss.166 and 167 EGPA.

In accordance with s.166 EGPA I have decided to refer this application to _____ Special School to be dealt with in accordance with s.156 EGPA (enrolment process).

In accordance with s.167 EGPA I have decided to refuse enrolment at _____ Special School (please see Part D below to outline details of your decision making process)

Delegate

Position:

Name:

Signature:

Date:

Regional Director (Temporary Attendance Only)

I endorse offering temporary attendance at _____ Special School based on the evidence provided that the prospective student is likely to be verified within a 6 month period from the starting date.

Name:

Signature:

Date:

Part D – Unsuccessful application

In the event of the enrolment application being unsuccessful, decision maker must provide the following details in relation to the decision:

In arriving at this decision, the following material was considered:

- Minister’s Policy: *Criteria to Decide a Person is a “Person with a disability” for the purpose of Enrolment in State Special Schools Parent application*
- Application for referral to special school for enrolment dated (copy attached)
- Applicant’s AIMS verification record as at # (copy attached)
- Information submitted for this application (copy attached)
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If verification not successful, please include information from Departmental Verifier – Intellectual Disability indicating that student does not meet criteria for Intellectual Disability. This will usually be correspondence to school principal explaining why the student does not meet the criteria in addition to the AIMS record.

In consideration of the material I made the following findings of fact:

The application dated sought enrolment for at Special School;

In order to be eligible for enrolment in a State special school the applicant student must meet all criteria (1- 4) outlined in the *Minister’s Policy: Criteria to Decide a Person is a “Person with a disability” for the purpose of Enrolment in State Special Schools* (Minister’s policy) and the decision maker must also be satisfied, in accordance with s.166(1)(b) of the *Education (General Provisions) Act 2006* that the relevant special school is able to cater for the educational needs of the prospective student. My findings in respect of these matters are:

Minister’s policy criteria:

1. *The person has a disability as defined by the Disability Discrimination Act 1992 (DDA);*

I am not satisfied that the applicant student has a disability that falls within the definition of the term as it is defined in the Disability Discrimination Act 1992 (Cth) because

AND

Given my finding above, it is not necessary for me to consider Criteria 2 – 4 below or s.166(1)(b) of the Act.

2. *The person has a severe disability which includes an intellectual disability*

2 (a) – Severe Disability

I am not satisfied that the applicant student has a severe disability because

AND

Given my finding above, it is not necessary for me to consider Criteria 2 (b) (Intellectual disability) – 4 below or s.166(1)(b) of the Act.

2(b) - Intellectual Disability

I am not satisfied that the applicant student is “a person with a disability” for the purposes of the Minister’s policy because:

The Departmental verifier-intellectual disability has determined that the applicant student does not have an intellectual disability for the purposes of the Minister’s policy; and /or

The Departmental verifier-intellectual disability has determined that the applicant student does not require significant education adjustments for the purposes of the Minister’s policy;

AND

Given my finding/s in respect of Criteria 2(b), it is not necessary for me to consider Criteria 3 and 4 below or s.166(1)(b) of the Act.

3. *The person is unlikely to attain the levels of development of which the person is capable unless the person receives special education*

I am not satisfied that the applicant student is unlikely to attain the levels of development of which they are capable

unless they receive special education, because

AND

Given my finding in respect of Criteria 3, it is not necessary for me to consider Criteria 4 below or s.166(1)(b) of the Act.

4. *The person's educational program is best delivered in a special school taking into account the appropriateness of this placement for the individual concerned.*

I am not satisfied that the applicant student's educational program is best delivered in a special school (taking into account the appropriateness of this placement for the individual concerned), because

AND

Given my finding/s in respect of Criteria 4, it is not necessary for me to consider s.166(1)(b) of the Act.

Section 166(1)(b) of the Act:

I am not satisfied that the relevant special school is able to cater for the educational needs of the prospective student, because

Reasons for my decision

The decision was made for the following reasons:

- Given the material considered and my findings of fact I am not satisfied that the prospective student is a person with a disability for the purposes of s.166(1)(a) EGPA; and / or
- Given the material considered and my findings of fact I am not satisfied that for the purposes of s.166(1)(b) of the Act that the special school preferred in the application is able to cater for the educational needs of the prospective student.
- Given my findings in respect of _____, I am obliged by s.167(2) of the Act to decide to refuse the application for enrolment of the applicant student at _____ State special school.

Appeal Rights

If you are not satisfied with my decision you may make application for a review of this decision to the Chief Executive (or delegate) within 30 school days after you are given this notice.

Your application must be in the approved form and must contain enough information to enable the Chief Executive (or delegate) to decide the application. A copy of *Request for Review of Special School Enrolment Ineligibility* has been attached.

Your application should be made to:

(Insert address details of review delegate)