

# GUIDELINES

## ALLOCATION OF GOVERNMENT SCHOOL EDUCATION (26 SEMESTERS)

Responsibility of:	School Support Services	FILE2016/81
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Target Audience:	Principals and school staff, parents, students and community	

These guidelines should be read in conjunction with the [Enrolment policy and its associated guidelines and procedures](#).

### 1. INTRODUCTION

Section 82 of the Northern Territory [Education Act](#) (the Act) makes provision for every student enrolled in a Northern Territory government school to receive an allocation of 26 semesters of government school education. This allocation covers education from Transition to Year 12 and is referred to as a *standard allocation*.

Students enrolling in a year other than Transition will receive an allocation of semesters based on the year level they are enrolled in. This is referred to as a remaining allocation.

A student may receive an allocation of additional semesters where there is an identified educational benefit and approval is granted by the delegated authority.

These provisions are in force as of 1 January 2016. From this date all students enrolled in a Northern Territory government school are deemed to have an allocation of government school education. Students enrolling in Transition will receive the *standard allocation* of 26 semesters while all currently enrolled students will receive a remaining allocation of semesters that enables them to finish Year 12 based on the current year level that they are enrolled in. For example: A student enrolled in Year 5 at the commencement of Semester 1, 2016 will have a remaining allocation of 16 semesters.

The purpose of these guidelines is to outline the processes and parameters for all schools and staff to apply when allocating semesters of government school education, including assessing applications for additional semesters.

### 2. DEFINITIONS

**Additional semesters** are extra semesters of government education that may be granted to a student who has exhausted their allocation of 26 semesters of government school education.

**Delegated authority** for the purpose of these guidelines is the departmental employee that has been delegated the decision making responsibilities for issues related to the allocation of additional semesters.

**Flexible education arrangement** is an arrangement that allows a student's educational program to be flexibly delivered through the school and/or alternative approved providers.

**Flexible education plan** is a document detailing flexible education arrangements developed for a student to help them remain engaged in education and/or schooling.

**Parent** signifies a child's father, mother or any other person who has parental responsibility for the child, including a person who is regarded as a parent of the child under Aboriginal customary law or Aboriginal tradition.

**Parental responsibility** refers to a person who has:

- a) daily care and control of the child, or
  - b) is entitled to exercise all the powers and rights, and has all the responsibilities, in relation to the long-term care and development of the child, or
  - c) has daily care and control of the child and the entitlement and responsibilities at (b)
- and includes a person who has been given the above responsibilities under another state or territory law.

**Northern Territory Civil and Administrative Tribunal (NTCAT)** is the peak Northern Territory body responsible for reviewing a range of administrative decisions and resolving certain civil disputes.

**Student living independently** is a child who is of or above the age of 14 years and not living with a parent. A child is also considered independent, although living with the parent, if the parent is **unable to control** the child's behaviour in relation to enrolment, attendance and participation.

### **3. ROLES AND RESPONSIBILITIES**

**Chief Executive** will:

- if the Chief Executive deems it appropriate to do so, cancel the enrolment of a student who has breached any special conditions placed upon the additional semester enrolment
- review and make determinations on complaints in relation to decisions made by principals on applications for additional semesters or cancellation of additional semesters in line with the department's [Complaints Management policy and guidelines](#).

**Executive Directors School Education** will:

- assess and make determinations in relation to applications for additional semesters that are beyond the student's first and second additional semesters
- review and make determinations on complaints in relation to decisions made by principals on applications for additional semesters in line with the department's [Complaints Management policy and guidelines](#).

**Regional Directors will:**

- make recommendations in relation to applications for additional semesters that are beyond the student's first and second additional semesters
- review and make determinations on complaints in relation to decisions made by principals on applications for additional semesters in line with the department's [Complaints Management policy and guidelines](#).

**Principals will:**

- place students in the appropriate year level upon enrolment and make determinations regarding their remaining allocation in line with these guidelines
- provide advice to students, and/or their parents, on educational pathways, post school options and applications for additional semesters as appropriate
- ensure the school functions as the main point of contact and assistance for students wishing to apply for additional semesters
- establish school based processes to ensure that where there is an identified educational benefit that requires a student to access additional semesters, the student, and/or their parent, is assisted with completing and submitting the application for additional semesters
- assess and make determinations in relation to applications for additional semesters that are the students first and second additional semesters
- make recommendations in relation to applications for additional semesters that are beyond the student's first and second additional semesters and progress through the Regional Director to the relevant delegate (i.e. Executive Director / Chief Executive) for determination
- ensure that parents and students understand the potential implications of repeating a year level may have on future standard or remaining semester allocations
- ensure that where a student is repeating a year level that this is recorded in the students Personal Tab in SAMS.

**Performance and Date Management will:**

- develop and provide reports on students repeating a year level as required.

**Students and/or parents will:**

- follow the process for applying for additional semesters
- comply with any special conditions imposed on the students enrolment where additional semesters are granted.

## **4. ALLOCATION OF GOVERNMENT SCHOOL EDUCATION**

### **4.1 Standard allocation**

The standard allocation of government school education is 26 semesters for all students who begin their schooling in Transition at a Northern Territory government school. This allocation is irrespective of the student's prior enrolment in an early childhood program such as Families as First Teachers or preschool.

If a student has had approved absence of eight weeks or more in a semester, this semester does not count towards the student's standard allocation. It should be noted that for absences of

eight weeks or more with in a semester to be approved, there must be extenuating circumstances, such as illness, or an exemption from attendance provided by the Chief Executive. For further information refer to the [Attendance – exemptions from attendance and participation guidelines](#).

## 4.2 Remaining allocation

A student's remaining allocation is determined by the year level in which the student is enrolled as outlined in Appendix A – Guide to calculating remaining allocation.

Where a student applies for enrolment in a government school for a year other than Transition, (e.g. a student has moved from interstate or was previously enrolled in a non-government school) the principal uses their discretion to determine the year level in which the student is to be enrolled, and in doing so determines the student's remaining allocation.

Principals will however need to consider a range of factors before making a decision about a student's year level placement and remaining allocation including:

- age, ability, aptitude and development of the student
- supporting material e.g. most recent report card/s regarding previous years of education
- previous enrolment in a Northern Territory government or non-government school or with a school of distance education
- prior education interstate, overseas or through home education
- the time of the year/semester at which the student's placement is being made
- consideration of individual learning needs and provisions
- promoting continuity of the student's learning experiences.

The principal must record their decision and their reasoning by placing a note on the student record folder. This will ensure that this information is available to future principals in the event that the student transfers to another school.

Additionally, if requested by the parent, the principal will provide the parent with written notice of the student's year level placement and remaining allocation including the reasons for the principal's decision. The parent may also seek a review of the decision in line with section 4.6 of these guidelines.

For further information regarding enrolment and student transfers refer to the [Enrolment Policy and its associated guidelines and procedures](#).

## 5. REPEATING A YEAR LEVEL

A provision exists to allow any student to repeat one year of government school education without this affecting their standard allocation. Additional repeated year levels however will count as part of the student's standard allocation.

It is important to note that this provision applies only during the *standard allocation* period i.e. a student cannot repeat Year 12 without applying for additional semesters if they have already exhausted their 26 semester allocation.

The principal must clearly explain to the student's parents and, where appropriate the student, the potential implications of a decision to repeat a year level and any effect it may have on the student's standard or remaining allocation.

### **5.1 Considerations and process for repeating a year level**

The decision for a student to repeat a year is made at the school level and should be negotiated and agreed upon by the principal, parents and where appropriate the student. The decision must be based on the student's individual circumstances and consider factors such as age, academic achievement and aptitude, development, maturity and socio-emotional wellbeing to explore the best educational options for the student.

The principal may seek advice from any person involved in the education of the student to assist them in their determination. This may also include having the student's hearing and vision checked or seeking advice from a special education teacher.

Even in circumstances where a student is found to have special learning needs, the best option may not be to repeat but to promote continuity of the student's learning experiences by implementing alternative learning and engagement strategies and/or provide additional support to meet their individual needs.

Where it is decided that the best option for the student is to repeat a year level, a Student Support Plan (SSP) must be developed to outline the strategies that will be put in place by the school and the parents to ensure the student is adequately supported through the repeated year and into the future. The SSP will need to be reviewed and adjustments made as required.

### **5.2 Recording students repeating a year level**

The principal must ensure that where a student is repeating a year level that this is recorded in their Personal Tab in SAMS. This will facilitate the collation and analysis of data on repeating students in Northern Territory government schools if and when required.

## **6. ADDITIONAL SEMESTERS**

An allocation of additional semesters of government school education may be granted to a student where there is an identified educational benefit. Prior to completing an application the student, and/or their parents, should discuss the intention to apply for additional semesters with the principal. The principal is best placed to assess the student's individual circumstances and provide advice on:

- completing an application for additional semesters and the process of approval
- special conditions that may be placed on the student's enrolment if the application was to be approved
- alternative pathways that may be more suitable for the student to achieve their desired educational outcome.

### **6.1 Delegated authorities**

Applications can only be made for up to two additional semesters at a time and must be approved by the relevant delegated authority as outlined below.

Delegated authority	Additional semesters	Powers
Principal	1 <sup>st</sup> and 2 <sup>nd</sup>	<ul style="list-style-type: none"><li>• accept or decline a late application</li><li>• grant, partially grant, or refuse additional semesters</li><li>• determine the location and form of instruction</li><li>• impose any conditions considered appropriate</li></ul>
Executive Director (processed through the principal and Regional Director)	3 <sup>rd</sup> and 4 <sup>th</sup> 5 <sup>th</sup> and 6 <sup>th</sup> etc.	<ul style="list-style-type: none"><li>• accept or decline a late application</li><li>• grant, partially grant, or refuse additional semesters</li><li>• determine the location and form of instruction</li><li>• impose any conditions considered appropriate</li></ul>

The power to cancel the enrolment of a student may only be exercised by the Chief Executive. This should only occur where it is determined that the student is in breach of any of the special conditions imposed on their enrolment

## 6.2 Modified curriculum/flexible education arrangement

Where additional semesters are required for a student to undertake a modified curriculum or flexible education arrangement, approval must also be gained for the additional semesters. The principal must ensure that the student, and/or their parents, are advised of the need to gain approval for the additional semesters as part of the process of planning and approving the modified curriculum or flexible education arrangements. This may and should occur as early as Year 10 to ensure all arrangements are in place to meet the students individual learning needs. The student, and/or their parents are to be provided with any assistance required to complete the application.

The first and second additional semesters can be approved by the principal if they are satisfied that the appropriate plans and arrangements are in place. This should include that:

- a) Relevant plan/s and agreements are documented (e.g. Educational Adjustment Plan, Individual Transition Plan or Flexible Education Plan) and the additional time required to complete the modified curriculum/education or training program is specified and agreed upon.
- b) Provisions have been made for the delivery of the modified curriculum/program e.g. Northern Territory Certificate of Education (NTCET) or other approved education or training program.

For further information about modified curriculum, refer to the [Students with Disabilities policy and guidelines](#).

[Where further additional semesters are required \(e.g. third and fourth\), the application process should not commence until the student has sufficiently progressed through their program, i.e. in their final approved semester of study.](#)

### **6.3 Application for additional semesters process**

#### **Step 1 Discuss with principal**

The school is the first point of contact when considering making an application for additional semesters. Prior to completing an application, the student and/or their parents, should discuss the intention to apply for additional semesters with the principal.

If the applicant is of mature age (18 years or over), and has not been enrolled in a government school in the previous 12 months, the principal must advise them of the need to also comply with the [Criminal History checks for prospective mature age student guidelines](#). The cost of the criminal history check will be incurred by the applicant so it is advisable to apply for the additional semesters first to determine if the application for enrolment is acceptable in principle.

#### **Step 2 Complete application form**

The student, and/or their parents, makes an application by completing the relevant application form:

- [Application for Additional Semesters \(first and second\) - Attachment A refers.](#)
- [Application for Additional Semesters \(third or greater\) - Attachment B refers.](#)

Applications must be based on the educational benefit of the student attending school for the additional semester/s. Reasons for seeking additional semesters will need to be clearly outlined and additional information/documentation should be provided to support the application where applicable. The principal or senior teacher will be able to assist with making the application if required.

#### **Step 3 Submit application**

The completed form, with any attachments, should be submitted to the principal.

This is to be no more than 30 days before the beginning of the first additional semester being applied for. Late submissions may be accepted, at the discretion of the delegated authority, if a valid reason for the delayed application is provided. In the event of a late submission there is no guarantee that the application will be assessed prior to the commencement of the school year and may result in delayed enrolment if approved.

#### **Step 4 Assessment of application**

When considering an application for additional semesters the delegated authority must do so in a timely manner and give consideration to the following:

- the likely educational benefit of the student attending school for the additional semester/s
- the student's attendance, participation and education progress prior to the application
- the likely impact on the resources and operations of the school where the student will attend for the additional semester/s

- the suitability of other education, training or employment options
- the educational needs of the student
- the safety and welfare of staff and other students.

The delegated authority may seek advice from any person involved in the education of the student and must take into account any advice sought. This may include a disability support advisor or previous teacher. There is also provision for principals and Regional Directors to make recommendations to the Executive Director, as the delegated authority, on the [Application for Additional Semesters \(third or greater\) form](#).

### **Step 5 Determination**

The delegated authority must make a determination within 30 days of receiving the application. This may be one of three outcomes:

- approve the application in full
- partially approve the application (one semester only where application was made for two semesters)
- decline the application in full.

Where an application is approved in full or partially approved, special conditions may be imposed on the student's enrolment if considered appropriate. This may include ongoing monitoring and review of the student's educational progress and attendance to ensure they are meeting the educational outcomes stipulated in the application.

The delegated authority may also determine the location and form of the educational instruction to be provided having regard for the educational needs of the student and the safety and welfare of staff and other students.

### **Step 6 Written notice**

A written notice of the decision will be forwarded to the student, and/or their parents, within five working days of a decision being made. The written notice must include the decision and reasons for the decision. Additionally, where an application is approved or partially approved, the following information must also be specified.

- any special conditions on the student's enrolment
- a statement advising that the enrolment may be cancelled at any time if the student is believed to have breached any special condition imposed or where there is a breach school or department behaviour guidelines.

A copy of the application form with section 5 completed and signed by the principal may be used as the written notice for applications for the first and second additional semesters. Alternatively the principal may choose to provide a written notice as outlined above. Regardless of the method, copies of all records must be placed on the Student Record Folder.

## **6.4 Review of decision**

### **6.4.1 Internal review of decision**



Where a decision is made to either partially approve an application (i.e. one semester only) or to decline an application in full, the student and/or their parent, may request the department review the decision. Likewise where a student's enrolment in additional semesters is cancelled, the student and/or their parents may also seek an internal review.

Requests to review a decision should be made in writing to [schoolops.det@nt.gov.au](mailto:schoolops.det@nt.gov.au) and will be processed in accordance with the [Complaints management in schools guidelines](#).

#### 6.4.2 Review by Tribunal

Where a student, or their parent, is dissatisfied with the outcome of an internal review into a decision regarding an application for additional semesters or the cancellation of additional semesters, they may apply to the Northern Territory Civil and Administrative Tribunal (NTCAT) for a review of the decision.

For a matter to be referred to NTCAT, it must have first been through the department [complaint process](#) and referred to the Chief Executive for a final determination.

#### 6.5 Records management

All applications, supporting documents and written notifications are to be kept on the student record folder in accordance with school processes. The principal is responsible for managing such documentation and providing copies as required to the Regional Director for escalation to the Executive Director/Chief Executive for determination.

Where applications are forwarded to the Executive Director/Chief Executive for determination, the applications, supporting documents and written notifications must be recorded in TRIM.

### 7. RELATED POLICY, LEGISLATION AND DOCUMENTS

Department of Education	<ul style="list-style-type: none"><li>• <a href="#">Enrolment policy, guidelines and procedures</a></li><li>• <a href="#">Attendance - exemptions guidelines</a></li><li>• <a href="#">Students with Disabilities policy and guidelines</a></li><li>• <a href="#">Criminal History checks for prospective mature age student guidelines</a></li><li>• <a href="#">Complaints Management in Schools guidelines</a></li></ul>
Northern Territory	<ul style="list-style-type: none"><li>• <a href="#">Education Act</a></li><li>• <a href="#">Anti-Discrimination Act</a></li></ul>
National	<ul style="list-style-type: none"><li>• <a href="#">Disability Discrimination Act</a></li><li>• <a href="#">Disability Standards for Education</a></li></ul>

## Appendix A – Guide to calculating remaining allocation

The following table shows how semesters are usually allocated in line with the year level in which a student is enrolled. The third column provides an additional guide to the minimum age at which a student should attend a particular year level.

Year level	Remaining allocation (Semester 1   Semester 2)		Minimum age* (by 30 June of the year of enrolment)
Transition	26	25	5
Year 1	24	23	6
Year 2	22	21	7
Year 3	20	19	8
Year 4	18	17	9
Year 5	16	15	10
Year 6	14	13	11
Year 7	12	11	12
Year 8	10	9	13
Year 9	8	7	14
Year 10	6	5	15
Year 11	4	3	16
Year 12	2	1	17

\*The minimum ages outlined in the table are indicative only. Student age will vary slightly depending on individual student circumstances particularly if a student has repeated a year level, or in the case of gifted and talented students, advanced through a year level.

