APPLICATIONS FOR SPECIAL CIRCUMSTANCES Subsection 10(2)

Purpose

The calculation of the 2015 recurrent funding entitlement for non-government schools under the Australian Education Act 2013 (the Act), requires the number and FTE of students receiving primary or secondary education at the school during the Reference Period (see definition p.10) including the Census Day for the 2015 programme year. Most of the students in the calculation will be reported through the school’s census submission.

As advised elsewhere in these Guidelines, any student who has not attended during the reference period cannot be reported in the school’s census submission. The Act provides that an approved person may request consideration of an individual student for inclusion in the census (and therefore in the funding calculation) because of the special circumstances which apply to that student.

The request must be submitted through the Special Circumstances Application (SCA) and be in the form, manner and way specified below. Applications for special circumstances consideration must be made within 14 days of the school’s census day and are due no later than 21 August 2015. Late applications will not be considered.

Important

An application for Special Circumstances consideration can only be made in respect of a student who, except for the fact that they were not attending during the reference period, are otherwise eligible to be reported in the Census (see eligible students p.10).

All students in the application for Special Circumstances must be excluded from the school’s Census count. The SCA must be done in conjunction with the Census and students can only be reported once.

An application in respect of a student who has been absent from school for 100 days or more is unlikely to be approved.

Process

You must submit an application in respect of each student so that the delegate can consider whether special circumstances apply to that student. The Excel spreadsheet allows you to apply for one or more students. Only submit one Excel spreadsheet per school.

You must confirm on the Excel spreadsheet that the Privacy information has been provided to the parent/guardian of every student identified in the application. Sample privacy information is available at http://docs.education.gov.au/system/files/doc/other/sample_letter_to_parents.pdf

You must use the current SCA EXCEL spreadsheet which must be submitted as an EXCEL document. Each column must be completed for every student. Applications received in the incorrect format will not be accepted.
Appropriate contemporary evidence for the student’s absence during the Census reference period, typically from the parent/guardian, must be submitted with the application, paying particular attention to verifying:

- The reason for the absence; and
- The date on which the student last attended the school prior to their absence (Column 2); and
- The date on which the student is expected to return to the school following their absence (Column 3).

In order for the department to properly assess each application you are strongly encouraged to provide all relevant information with your application. Insufficient evidence that special circumstances exist in relation to an application may adversely impact the final assessment. Supplementary information provided after the due date may not be considered.

For any application where you have entered Yes in Column 7 (the student expected to attend another school - “away school”- during their absence), you must provide a statement from the “away school” confirming that the student has not been reported in that school’s census submission as part of your application. This applies whether the “away school” is government or non-government. Where a student is known to have been enrolled at another school during the census period, the department will be unable to consider that special circumstances apply without evidence confirming the student was not included in the other school’s census count.

In the following jurisdictions, there are procedures for exemptions from compulsory schooling. We will accept this state documentation as follows:

<table>
<thead>
<tr>
<th>State</th>
<th>Documentation</th>
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<tbody>
<tr>
<td>NSW</td>
<td>NSW Department of Education and Communities ’Exemption from School – Procedures’. All documentation of the NSW process including the Certificate of Exemption must be provided with the application for each student.</td>
</tr>
<tr>
<td>Queensland</td>
<td>The Department of Education, Training and Employment - Exemptions from Compulsory Schooling and Compulsory Participation. All sections of an approved application must be provided.</td>
</tr>
<tr>
<td>South Australia</td>
<td>The SA Department for Education and Child Development - Application for Exemption from school enrolment/attendance. The approved application complete with supporting evidence must be provided.</td>
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</table>

Applications must be emailed to grantsanddata.help@education.gov.au and received by the department no later than 23:59 on 21 August 2015. Applications received after this deadline will not be considered.

The department will acknowledge receipt of the application to the sender by email. You will be advised of any errors or omissions if there is time within the submission deadline.
Check List

1. Have you provided the privacy information to the parent/guardian of every student included in the SCA?

2. Have students included in the SCA been excluded from the census?

3. Have you submitted the SCA by the deadline **23:59 on 21 August 2015**?
   Late applications will not be accepted.

4. Have you provided the application in the form, manner and way stipulated by the Department?

5. Have you provided?
   - Contemporary evidence from the parent/guardian; and
   - All supporting documentation relevant to the application at the same time you submitted the application.
   Information provided after the legislated deadline will not be accepted.

6. Have you included in the SCA Excel spreadsheet the following information?
   - the date the student first attended school in 2015; and
   - the date the student last attended school in 2015; and
   - the number of school days the student was absent prior to their last attended date.

Review of decisions

Under Section 118 of the *Australian Education Act 2013* a decision made to refuse to determine that special circumstances apply for a student, can be reviewed at the request of the approved authority. Further information is available at http://aeaguide.education.gov.au/content/e2-review-decisions.

A review is not available where a decision to determine where special circumstances apply has not been made because the application was received after the deadline.