



New South Wales

# Education Amendment (Record of School Achievement) Bill 2012

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Education Act 1990* to replace the School Certificate with a Record of School Achievement.

The examinations or other assessments for the new credential will be conducted on a school-basis, but will be moderated on a State-wide basis.

The Bill will also provide for a more extensive record of student results and other activities during Years 10, 11 and 12.

## Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## Schedule 1 Amendment of Education Act 1990 No 8

**Schedule 1 [14]** substitutes section 94 of the Act to make provision for the grant of a Record of School Achievement instead of the School Certificate. The substituted

section continues the requirements that the student has completed Year 10 and has, to the satisfaction of the Board of Studies:

- (a) participated in the requisite courses of study, and
- (b) undertaken the requisite examinations and other assessments.

However, examinations and other assessments in relation to the grant of the Record of School Achievement will not be conducted on a State-wide basis but will be school-based and moderated on a State-wide basis.

**Schedule 1 [18]** substitutes section 98 of the Act, which currently makes provision for the issue of a record of achievement to students in Years 10, 11 and 12. The substituted section will require a more extensive record of student results and other student activities while at school to be kept and provided by the Board of Studies. Students who complete Year 10 or undertake courses in Year 11 or Year 12 will be entitled to be provided with the relevant transcript of study, whether or not they are granted a Record of School Achievement or a Higher School Certificate.

**Schedule 1 [1]–[9], [11]–[13] and [15]–[17]** replace references to the School Certificate with references to the proposed Record of School Achievement. The amendments:

- (a) retain the requirement for a designated curriculum for students who are candidates for the Record of School Achievement, and
- (b) retain the requirement that non-government schools with students who are candidates for the Record of School Achievement must be specially accredited for that purpose.

**Schedule 1 [10]** removes a transitional provision that is spent.

**Schedule 1 [19] and [20]** make, and authorise the making of, provisions of a savings or transitional nature consequent on the enactment of the proposed Act.

## **Schedule 2      Amendment of Education Regulation 2007**

**Schedule 2** makes consequential amendments to the regulation under the Act.

First print



New South Wales

# Education Amendment (Record of School Achievement) Bill 2012

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New South Wales

# Education Amendment (Record of School Achievement) Bill 2012

No. , 2012

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## A Bill for

An Act to amend the *Education Act 1990* to replace the School Certificate with the Record of School Achievement; and for related purposes.

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<b>The Legislature of New South Wales enacts:</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Education Amendment (Record of School Achievement) Act 2012</i> .	3 4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6

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<b>Schedule 1</b>	<b>Amendment of Education Act 1990 No 8</b>	1
<b>[1]</b>	<b>Section 3 Definitions</b>	2
	Omit “a School Certificate” from the definition of <i>recognised certificate</i> in section 3 (1).	3 4
	Insert instead “a Record of School Achievement”.	5
<b>[2]</b>	<b>Section 5 Principal objects of this Act</b>	6
	Omit “the curriculum for School Certificate and Higher School Certificate candidates” from section 5 (a).	7 8
	Insert instead “the curriculum for candidates for the Record of School Achievement and the Higher School Certificate”.	9 10
<b>[3]</b>	<b>Section 5 (e)</b>	11
	Omit the paragraph. Insert instead:	12
	(e) to provide for the grant of Records of School Achievement and Higher School Certificates and for the accreditation of non-government schools that are competent to present candidates for them.	13 14 15 16
<b>[4]</b>	<b>Section 10 Minimum curriculum for secondary education (Years 7 to 10)</b>	17
	Omit “School Certificate” from section 10 (1) and (2) wherever occurring.	18
	Insert instead “Record of School Achievement”.	19
<b>[5]</b>	<b>Section 11 Curriculum for Record of School Achievement candidates</b>	20
	Omit “School Certificate” wherever occurring.	21
	Insert instead “Record of School Achievement”.	22
<b>[6]</b>	<b>Section 17 Additional curriculum requirements for government schools</b>	23
	Omit “the School Certificate” from section 17 (2).	24
	Insert instead “the Record of School Achievement”.	25
<b>[7]</b>	<b>Section 18A Publication of school results</b>	26
	Omit paragraph (b) of the definition of <i>school results</i> in section 18A (1).	27
	Insert instead:	28
	(b) results of recognised certificate examinations and related assessments,	29 30

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<b>[8] Section 18A (6) (c)</b>	1
Omit “in the case of results of School Certificate or Higher School Certificate examinations and related assessments”.	2
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Insert instead “in the case of results of recognised certificate examinations and related assessments”.	4
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<b>[9] Part 8, heading and Part 8, Division 2, heading</b>	6
Omit “ <b>Certificates</b> ” wherever occurring. Insert instead “ <b>Awards</b> ”.	7
<b>[10] Section 84 Accreditation of existing registered non-government schools</b>	8
Omit the section.	9
<b>[11] Section 85 Applications for accreditation of registered non-government schools</b>	10
	11
Omit “the School Certificate” from section 85 (1).	12
Insert instead “the Record of School Achievement”.	13
<b>[12] Section 93 Conducting school that is not accredited</b>	14
Omit “the School Certificate” from section 93 (1) and (2) wherever occurring.	15
Insert instead “the Record of School Achievement”.	16
<b>[13] Section 93 (1) and (2)</b>	17
Omit “that Certificate” wherever occurring. Insert instead “that award”.	18
<b>[14] Section 94</b>	19
Omit the section. Insert instead:	20
<b>94 Record of School Achievement</b>	21
(1) Records of School Achievement are to be granted by the Board to students:	22
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(a) who:	24
(i) have attended a government school, or	25
(ii) have attended a registered non-government school to which a current certificate of accreditation for presentation of candidates for the Record of School Achievement applies, or	26
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(iii) have attended a school outside New South Wales recognised by the Board, and	30
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(b)	who have participated, to the Board’s satisfaction, in courses of study which have been determined under this Act as appropriate to be undertaken by candidates for the Record of School Achievement, and	1 2 3 4
(c)	who have been accepted by the Board as having satisfactorily completed those courses of study, and	5 6
(d)	who have, to the Board’s satisfaction, undertaken the requisite examinations or other forms of assessment, and	7 8
(e)	who have complied with any requirements prescribed by the regulations or any requirements imposed by the Minister or the Board, and	9 10 11
(f)	who have completed Year 10.	12
(2)	The requisite examinations or other assessments may be conducted on a school-basis, but are to be moderated on a State-wide basis in the learning areas and in the manner determined by the Board.	13 14 15 16
(3)	The Board may refuse to grant a Record of School Achievement to a student whose attendance or application at school has been of such an unsatisfactory character that the granting of a Record of School Achievement would not, in the opinion of the Board, be justified.	17 18 19 20 21
(4)	Records of School Achievement are to be granted in the manner determined by the Board.	22 23
<b>[15]</b>	<b>Section 95 Higher School Certificate</b>	24
	Omit “School Certificate” from section 95 (1) (a).	25
	Insert instead “Record of School Achievement”.	26
<b>[16]</b>	<b>Section 95A Award of Record of School Achievement or Higher School Certificate to students following special course of study</b>	27 28
	Omit “the requirement in section 94 that a candidate for the School Certificate undertake a test referred to in section 94 (2)” from section 95A (1).	29 30
	Insert instead “the requirement in section 94 that a candidate for the Record of School Achievement undertake an examination or other assessment referred to in section 94”.	31 32 33
<b>[17]</b>	<b>Section 97 Reconsideration of decisions</b>	34
	Omit “a School Certificate” from section 97 (1).	35
	Insert instead “a Record of School Achievement”.	36

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<b>[18] Section 98</b>	1
Omit the section. Insert instead:	2
<b>98 Recording student results and activities and provision of transcript of study</b>	3 4
(1) The Board is to keep a record of a student's results in courses of study undertaken in Years 10, 11 and 12 for a recognised certificate at a government school or an accredited non-government school. The record may include any other information relating to the student's activities while at school as the Board thinks appropriate.	5 6 7 8 9 10
(2) The Board may provide a transcript of study that sets out a student's record:	11 12
(a) to the student, or	13
(b) to the school attended by the student, or	14
(c) to any other person or body authorised by the regulations.	15
(3) The Board is required to provide a transcript of study to any of the following students if requested by the student:	16 17
(a) a student who completes Year 10 (whether or not the student leaves school),	18 19
(b) a student who undertakes courses of study in Year 11 or 12 for the minimum period determined by the Board (but only when the student leaves school).	20 21 22
(4) Transcripts of study are to be provided in the manner determined by the Board.	23 24
(5) A record is to be kept and a transcript of study provided under this section whether or not the student is also granted a recognised certificate.	25 26 27
(6) The Board may provide special records of achievement to students with intellectual disabilities who undertake formal courses of study even though the courses are not undertaken for a recognised certificate.	28 29 30 31
<b>[19] Schedule 3 Savings, transitional and other provisions</b>	32
Insert at the end of clause 2 (1):	33
<i>Education Amendment (Record of School Achievement) Act 2012</i>	34

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<b>[20] Schedule 3</b>	1
Insert at the end of the Schedule with appropriate Part and clause numbers:	2
<b>Part Provisions consequent on enactment of Education Amendment (Record of School Achievement) Act 2012</b>	3
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<b>Application of amendments to students in Year 11 or Year 12</b>	6
The amendments made by the <i>Education Amendment (Record of School Achievement) Act 2012</i> do not apply in relation to Year 11 or Year 12 students in 2012 or Year 12 students in 2013.	7
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<b>Continuation of accreditation of non-government schools</b>	10
The amendments made to Division 1 of Part 8 of this Act by the <i>Education Amendment (Record of School Achievement) Act 2012</i> do not affect any accreditation in force immediately before the commencement of those amendments. Any such accreditation for the purposes of presenting candidates for the School Certificate is taken to be an accreditation for the purposes of presenting candidates for the Record of School Achievement.	11
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<b>Continuation of curriculum for School Certificate candidates</b>	18
The amendment made to section 11 of this Act by the <i>Education Amendment (Record of School Achievement) Act 2012</i> does not affect the curriculum during Year 7 to Year 10 for students who are candidates for the School Certificate that is in force immediately before the commencement of that amendment. Any such curriculum is (until duly changed) the curriculum during Year 7 to Year 10 for students who are candidates for the Record of School Achievement.	19
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<b>Schedule 2</b>	<b>Amendment of Education Regulation</b>	1
	<b>2007</b>	2
<b>[1]</b>	<b>Clause 4 Completion of Year 10</b>	3
	Omit “a School Certificate” from clause 4 (2) (a).	4
	Insert instead “a Record of School Achievement”.	5
<b>[2]</b>	<b>Clause 4 (2) (b)</b>	6
	Omit “record of achievement issued under section 98 of the Act”.	7
	Insert instead “transcript of study provided under section 98 of the Act on the completion of Year 10”.	8 9
<b>[3]</b>	<b>Clause 4 (3) (b) (ii) and (5) (definition of “non-accredited school”)</b>	10
	Omit “School Certificate” wherever occurring.	11
	Insert instead “Record of School Achievement”.	12