

[Act 1999 No 75]



New South Wales

Education Amendment (Special Courses of Study) Bill 1999

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 enable the granting of School Certificates and Higher School Certificates to candidates with special educational needs who have undertaken approved courses of study without the need for those candidates to sit for required tests or examinations in those courses of study.

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 a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Education Act 1990* set out in Schedule 1.

Schedule 1 Amendments

Schedule 1 [1] inserts proposed section 95A into the *Education Act 1990*. Proposed section 95A (1) enables the Board of Studies to dispense with the requirement for a candidate for the School Certificate to sit for a test conducted on a State-wide basis in the area of English-literacy, Mathematics, Science or Australian History, Australian Geography and Civics and Citizenship. The requirement may be dispensed with only if the candidate has special educational needs (for example, because of an intellectual disability), has undergone a course of study developed by the Board of Studies, and approved by the Minister, for candidates with special educational needs and adapted by the school that the candidate attends and the principal of the school has submitted a written report to the Board that the candidate has achieved the required outcomes for the course.

Proposed section 95A (2) enables the Board of Studies to dispense with the requirement for a candidate for the Higher School Certificate to sit for a public examination. The requirement may be dispensed with only if the candidate has special educational needs as referred to above, has undergone a course of study developed by the Board of Studies, and approved by the Minister, for candidates with special educational needs and adapted by the school that the candidate attends and the principal of the school has submitted a written report to the Board that the candidate has achieved the required outcomes for the course.

Schedule 1 [2] contains a consequential amendment.

Schedule 1 [3] enables regulations of a savings and transitional nature to be made consequent on the enactment of the proposed Act.

Schedule 1 [4] validates School Certificates previously issued to candidates with special educational needs who undertook courses of study in the circumstances referred to above.