

Queensland Non-State Schools Accreditation Framework Review

Submission to Independent Reviewer

22 May 2023

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# Summary

1. Thank you for the opportunity to make submissions on this review of Queensland Non-State Schools Accreditation Framework.
2. Schools play a significant role in supporting the development and wellbeing of children. Schools that are unable to meet a child’s needs can have negative social and economic consequences for the child and their families, and in the longer term, for community and society. Non-State schools, which provide education services to one-third of Queensland’s children[[1]](#footnote-2), must therefore be required to meet the same standards expected of State schools.
3. The Queensland Human Rights Commission (Commission) acknowledges that non-State schools are not public entities bound by obligations under the *Human Rights Act 2019* (Qld). However, human rights principles can provide a valuable framework to assess whether the fundamental needs of children are being met. All children have human rights, whether or not they attend a State school or a non-State school.
4. In this submission, the Commission has answered select questions put forward in the submission guide to this review.[[2]](#footnote-3) In summary, the Commission’s views are:
   1. Schools play a vital role in child development beyond literacy and numeracy.
   2. There is a community expectation that non-State schools be subject to the same human rights standards as State schools.
   3. Current human rights discussion in Australia is supportive of an express ‘participation duty’ that would require children and families are given the opportunity to meaningfully participate in major decisions that affect their lives.
   4. Protecting student safety, health and wellbeing must ensure there are sufficient protections against discrimination. The Independent Reviewer should be aware of a number of reforms to Queensland anti-discrimination laws were recommended in the Commission’s 2022 review of the *Anti-Discrimination Act 1991* (Qld)[[3]](#footnote-4), which have been accepted in principle by Government, including additional protected attributes, changes to religious exception provisions, a new positive duty to make reasonable adjustment for people with disability, and a broader positive duty to take reasonable and proportionate measures to eliminate discrimination.
   5. There is greater scope within the accreditation criteria to confirm a school’s role in fostering student health and wellbeing, in line with community expectations.
   6. While many non-State schools likely already apply human rights principles, existing legal frameworks do not provide coverage of all rights protected under the *Human Rights Act 2019* (Qld). The review is an opportunity to embed respect and protection of human rights into the policy and culture of non-State schools. The submission outlines some examples of how this could be achieved.
   7. Any changes to the accreditation framework need to be accompanied by sufficient education and guidance on the changes for schools, staff, students, and families to support compliance.
   8. Schools should be required to inform staff, students, parents and guardians about any rights to make complaints to external bodies, including the Accreditation Board.
   9. There should be increased accountability and transparency of the regulatory activities of the Accreditation Board, and additional annual reporting requirements on non-State schools to assist with monitoring and analysis of key issues that affect all schools, such as rates of school disciplinary absences.

# Introduction

1. The Queensland Human Rights Commission (QHRC) is a statutory body established under the Queensland *Anti-Discrimination Act 1991* (AD Act).
2. The QHRC deals with complaints of discrimination, sexual harassment, vilification, and other objectionable conduct under the AD Act, and with human rights complaints under the *Human Rights Act 2019* (HR Act).
3. The QHRC also has functions under the AD Act and the HR Act to promote an understanding and public discussion of human rights in Queensland, and to provide information and education about human rights.

# Community expectations of schools

## The changing role of schools

1. There has been growing recognition, heightened by the experience of the COVID-19 pandemic, of the important role schools play beyond literacy and numeracy skills, and academic development.
2. The preamble to the Alice Springs (Mparntwe) Education Declaration (Mparntwe Declaration) provides:

However, our education system must do more than this – it must also prepare young people to thrive in a time of rapid social and technological change, and complex environmental, social and economic challenges. Education plays a vital role in promoting the intellectual, physical, social, emotional, moral, spiritual and aesthetic development and wellbeing of young Australians, and in ensuring the nation’s ongoing economic prosperity and social cohesion. They need to deal with information abundance, and navigate questions of trust and authenticity. They need flexibility, resilience, creativity, and the ability and drive to keep on learning throughout their lives.

1. The two goals of the Declaration are that the Australian education system promotes excellence and equity, and that all young Australians become confident and creative individuals, successful lifelong learners, and active and informed members of the community.
2. Internationally, the United Nations Committee on Economic, Social and Cultural Rights has identified the following benefits of education:

Education is both a human right in itself and an indispensable means of realizing other human rights. As an empowerment right, education is the primary vehicle by which economically and socially marginalized adults and children can lift themselves out of poverty and obtain the means to participate fully in their communities. Education has a vital role in empowering women, safeguarding children from exploitative and hazardous labour and sexual exploitation, promoting human rights and democracy, protecting the environment, and controlling population growth. Increasingly, education is recognized as one of the best financial investments States can make. But the importance of education is not just practical: a well-educated, enlightened and active mind, able to wander freely and widely, is one of the joys and rewards of human existence.[[4]](#footnote-5)

1. In Queensland, education has found to be key in preventing and addressing youth offending. Schools also provide the ideal environment to identify those who are at risk of anti-social or offending behaviour, and opportunities to intervene early.[[5]](#footnote-6)
2. In order for these benefits to children, their families and society to be realised, there must be a focus on keeping all children enrolled and engaged in school. A recent discussion paper into reinventing Australian schools proposes a greater focus on the health and wellbeing of students in order to achieve this:

COVID-19 highlighted the established links between health, wellbeing and learning, and the existing associated inequities. Research indicates a common-sense wisdom – children who are healthier are better learners. And in turn, better learners are often healthier, with greater overall wellbeing into their adult years. Yet, in most schools and in many families, intellectual or academic achievement is often valued and rewarded before anything else; this fuels an artificial disconnect between health, wellbeing and learning. … We suggest shifting the core purpose of school from primarily focusing on academic intelligence to equally focusing on learning, wellbeing, and health for optimised whole child development. This change would enable schools to be multi-opportunity communities designed to build a healthy foundation for lifelong success.

## Human rights and schools

1. The *Human Rights Act 2019*, which commenced substantive operation on 1 January 2020, imposes obligations on public entities to properly consider and act compatibly with specified rights. These include:
   1. Recognition and equality before the law, which protects against discrimination and prompts positive action to make reasonable adjustments to achieve substantive equality;[[6]](#footnote-7)
   2. Rights to life, protection from torture and cruel, inhuman or degrading treatment, and liberty and security,[[7]](#footnote-8) which all go towards ensuring a safe school environment;
   3. Freedom of expression[[8]](#footnote-9), which includes rights to seek and receive information;
   4. Protection from unlawful or arbitrary interference with a person’s privacy, family, and home, including informational privacy and the right to individual identity and personal development; [[9]](#footnote-10)
   5. Cultural rights of Aboriginal peoples and Torres Strait Islander peoples[[10]](#footnote-11) which requires schools to be culturally safe for Aboriginal and Torres Strait Islander children and their families, and supports a curriculum that teaches and celebrates First Nations history and culture;
   6. The right of a child, without discrimination, to the protection that is needed by the child, and is in the child’s best interests, because of being a child[[11]](#footnote-12); and
   7. The right to education, which states that every child has the right to have access to primary and secondary education appropriate to the child’s needs,[[12]](#footnote-13) and is especially relevant to decisions regarding enrolment, cancellation, suspension and exclusion.
2. Public entities have obligations under the HR Actto act and make decisions compatibly with human rights. The definition of public entity includes ‘an entity whose functions are, or include, functions of a public nature when it is performing the functions for the State or a public entity.[[13]](#footnote-14) The HR Act provides the example of a non-State school as a body which will not be a public entity merely because it performs functions of a public nature in educating students, because it is not doing so for the State.
3. Human rights are nonetheless relevant to the work of private entities including non-state schools.[[14]](#footnote-15)
4. A child has human rights whether or not they attend a State or non-State school. The importance of school in a child’s life, and the broader social benefit that school provides, applies to all schools. In the Commission’s view, there is already a community expectation that the same human rights obligations and standards apply to both State and non-State schools, which can only be strengthened by a growing understanding of human rights in Queensland and the introduction of human rights legislation at a federal level.

## Student and school community participation in an accreditation framework

1. The Australian Human Rights Commission (AHRC) notes that the best interests principle for children applies to actions concerning individual children, groups of children, and children as a class, with State parties called upon to apply the principle ‘in all legislative, administrative and judicial proceedings as well as policies, programmes and projects relevant to and with an impact on children’[[15]](#footnote-16) The AHRC suggests that these obligations under the Convention on the Rights of the Child (CRC) mean that any decision making process assessing a child’s best interests must involve consideration of:
   1. the views of a child, subject to their evolving capacity;
   2. the relevance of any other rights under the Convention or other international treaties;
   3. the views of parents or other persons involved in the child’s care;
   4. the individual circumstances of the child, including their developmental needs and any relevant social, religious or cultural practices;
   5. any available empirical evidence of relevance.[[16]](#footnote-17)
2. Further, the AHRC suggests:

The right to be heard is a necessary complement to the best interests principle…The right to be heard ensures that decisions made affecting children, including those designed to protect them from harm, are not merely based on adult assumptions about what is in the interests of children, and instead genuinely take into account children’s views about decisions that affect their lives.[[17]](#footnote-18)

1. In applying these obligations and others under international law to its proposed national Human Rights Act, the AHRC suggests that an obligation should be placed on Commonwealth public entities to ensure the participation of First Nations peoples, children and persons with disability in relation to decisions that directly or indirectly affect their rights. This would form part of the positive duty on public authorities to properly consider human rights in decision-making, already part of the obligations placed on Queensland public entities under the HR Act.
2. The participation duty would arise when decisions are being made that directly concern these groups or where the decision is likely to have a disproportionate impact on the group in question.[[18]](#footnote-19) The AHRC has provided indicative guidance on when and how the obligation would apply.[[19]](#footnote-20)
3. For children this would mean:

The implementation of this principle will require the embedding of policies and practices across the public service… It could also take the form of guidance and codes for officials engaging directly with children and their families, about the steps that need to be undertaken to ensure that the duty is fulfilled.

For some public authorities that deal directly with children and children’s rights, the requirement to fulfil the duty may be more onerous and comprehensive, applicable to virtually all decisions made in that space – for example, education...[[20]](#footnote-21)

1. In the long term, the Commission suggests there is merit in considering formally adopting the participation duty into the Queensland HR Act, which is shortly to be reviewed. In the short term, arguably the obligations encompassed within the rights in the HR Act, when interpreted consistently with the CRC, mean children and parents should already be given the opportunity to participate in decisions that affect them.
2. While these obligations are placed directly on public entities, through the state’s regulation of education standards, they are also relevant non-State schools. The intention of the relevant international standards for children is that the State must ensure that all children, and their families, are given the opportunity to meaningfully participate in major decisions that affect their lives. Arguably this includes ensuring that children in the non-State education system are given the same participation opportunities.
3. An example of this obligation in practice may be seen in the ACT registration standards. Consultation with students, parents and staff about the operation of the school, its education programs, and various policies are a requirement of the Registration Standards set out in Schedule 2 of the *Education Regulation 2005* (ACT).

# Protecting students, promoting wellbeing

## Equity and inclusion

1. Protection of students’ safety, health and wellbeing must also incorporate mechanisms to ensure an environment that is free from discrimination.
2. The current accreditation framework requires an educational program that is consistent with the Mparntwe Declaration, which includes principles of equity, and specifically requires schools to have written processes about identifying people with disability and devising an educational program that is specific to the needs of people with disability that complies the AD Actand the Disability Standards of the *Disability Discrimination Act 1992* (Cth)*.[[21]](#footnote-22)*
3. This focus on disability discrimination might be unintentionally limiting, when discrimination can occur in schools on many different protected grounds. For example, in *Taniela v Australian Christian College Moreton Ltd[[22]](#footnote-23)*, QCAT upheld a complaint of unlawful discrimination on the basis of race against a school who required a male student to cut his hair, inconsistent with Cook Island custom.[[23]](#footnote-24)
4. As yet unpublished research into Queensland State schools shows that children most at risk of school disciplinary absences are children with disability, Aboriginal and/or Torres Strait Islander children and children in out of home care, or a combination of these attributes[[24]](#footnote-25). While children in out of home care are not a protected attribute under the AD Act, in its *Building Belonging* *Report – Review of Queensland’s Anti-Discrimination Act 1991* (*Building Belonging)*, the Commission recommended inclusion of the following new attributes: subjection to domestic or family violence, homelessness, and irrelevant criminal record. [[25]](#footnote-26)
5. The Independent Reviewer should be aware that the Commission also recommended:
   1. the addition of sex characteristics and physical features as protected attributes,[[26]](#footnote-27)
   2. a revised exception that allows discrimination on the ground of religious belief or religious activity in relation to work for an organisation or related entity established for religious purposes if reasonable and proportionate in the circumstances and the participation of the person in the teaching, observance or practice of a particular religion is a genuine occupational requirement;[[27]](#footnote-28)
   3. A new positive duty to make reasonable accommodations for people with disability in all areas covered by the AD Act, including education;[[28]](#footnote-29)
   4. A new positive duty to take reasonable and proportionate measures to eliminate discrimination and other prohibited conduct as far as possible which applies to anyone who has a legal obligation under the Act, and for all attributes and areas covered by the Act.[[29]](#footnote-30)
6. These recommendations have been accepted in-principle for implementation by Government.[[30]](#footnote-31)

## Health and wellbeing

1. As already indicated above, health and wellbeing and its connection to learning and school engagement is gaining prominence.[[31]](#footnote-32) In addition, schools are a significant protective factor for vulnerable children and are well placed to provide early intervention supports.
2. Regulation 9 of the *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) requires schools have a written education program that:

* provides a breadth, depth and balance of learning appropriate to students’ phases of development and across an appropriate range of learning areas; and
* is responsive to the needs of the school’s students; and
* is consistent with the Mparntwe Declaration.

1. The Mparntwe Declaration, while setting out worthwhile goals and focus areas for action, without further guidance, might be difficult for schools to implement and embed in their policies and practice.
2. The accreditation criteria for ‘the school’s student welfare processes’ only require compliance with workplace health and safety laws, Blue Card requirements, and processes to respond to allegations of harm.[[32]](#footnote-33)
3. There is greater scope within the accreditation criteria to promote student health and wellbeing. For example, this could include school strategies that prioritise student health and wellbeing, health and wellbeing skills as part of the curriculum, and demonstrated collaboration between services, families and schools.[[33]](#footnote-34) The ACT registration standards require schools to have procedures in place to encourage student attendance, and written behaviour management policies and procedures that deal with school disciplinary absences that have regard to the best interests of the individual student, other students, and staff of the school.[[34]](#footnote-35)

# Setting the standards of education – Expectations of schools

1. For reasons already set out above, the Commission envisages an increasing community expectation that non-State schools abide by human rights principles. Many of the rights protected by the HR Actare already covered by other legal frameworks, such as Federal and state anti-discrimination laws and current accreditation criteria, for example, the requirement for a school’s educational programs to be consistent with the Mparntwe Declaration.[[35]](#footnote-36) However, existing frameworks do not provide coverage of all rights protected by the HR Act.
2. Regardless of legal requirements, human rights considerations lead to better policy and more inclusive practices. Many non-State schools now likely already adopt many of these principles. Ensuring all non-State schools consider human rights would lead to more structured and consistent decision making, better outcomes for individuals, fewer complaints and decreased risk. This review provides an opportunity to build on the existing human rights culture within non-State schools, to scaffold a greater focus on the whole child to align with changing community expectations of schools and will assist in maintaining public confidence in the operation of non-State schools.[[36]](#footnote-37) It is also consistent with the Accreditation Board’s obligations as a public entity in regulating non-public entities whose functions, nevertheless, can have a significant impact on individual human rights.
3. The following are examples of how this can be achieved.

## Underlying principles

1. ACT legislation sets out principles underpinning the regulation of non-Government schools. These are:

(a) the non‑government school sector consists of schools from a range of different educational and religious philosophies;

(b) the variety of schools in the sector reflects the diversity of the community in the ACT and the preferences of parents for a particular style of education for their children;

(c) the non‑government schools sector is committed to—

(i) developing the spiritual, physical, emotional and intellectual welfare of its students; and

(ii) innovation, diversity and choice; and

(iii) maximising student outcomes; and

(iv) teacher, parent and student participation in school education; and

(v) promoting the partnership between home and school; and

(vi) preparing students for their full participation in all aspects of a democratic society.[[37]](#footnote-38)

1. Victoria’s legislation has a set of principles that apply to all providers of education and training. These refer to a commitment to a number of freedoms such as equality, religion, speech and association, the values of openness and tolerance, the right of all Victorians to access high quality education, a system which allows parents to take an active part in their child’s learning, and the right of students and parents to information about a student, and the rights of the community to information about its school.[[38]](#footnote-39) Many of these principles are then given form in the minimum standards for the registration of schools.[[39]](#footnote-40) In addition to general powers to investigate issues regarding compliance[[40]](#footnote-41), the Victorian Registration and Qualifications Authority must investigate complaints which allege breach of certain principles.[[41]](#footnote-42)
2. Setting out a purpose and principles for non-State schools would help schools to develop human rights centred practice and procedures.

## Human Rights Act compliance as a requirement of registration

1. In the ACT, a non-Government school must comply with registration standards, which are set out in Schedule 2 of the *Education Regulation 2005* (ACT). The standards require schools to comply with all applicable territory and Commonwealth laws, including the *Human Rights Act 2004* (ACT).[[42]](#footnote-43) Notably, the ACT Human Rights Act does not use non-State schools as an example of a non-public entity, unlike the Queensland HR Act and the Victorian Charter.[[43]](#footnote-44) The provisions defining public entities in the ACT Human Rights Actare nonetheless very similar to the relevant provisions of the Queensland HR Act.
2. In Victoria, both Government and non-Government schools are subject to the same minimum standards for registration set out in regulation and guidelines.[[44]](#footnote-45) The minimum standards require that a school’s programs and teachings must be consistent with the principles of Australian democracy, and evidence of a statement affirming that the school adheres to those principles. This includes a commitment to equal rights for all before the law, freedom of religion, freedom of speech and association; and the values of openness and tolerance.[[45]](#footnote-46)
3. In Queensland, non-public entities may ask the Minister to declare that an entity is subject to the obligations of a public entity under the HR Act.[[46]](#footnote-47)
4. Requiring HR Act compliance as a requirement of registration would not necessarily be the same as a school opting in under the HR Act. For example, if a school was only required to demonstrate compatibility with protected human rights as a requirement of registration, then schools would only be held accountable for that obligation through the accreditation process, and possibly under any ongoing compliance mechanisms. However, unlike a core, functional or opted-in public entity, a non-State school would not be liable to respond to a complaint made to the Commission under the HR Act, or be subject to ‘piggy-back’ human rights actions through the courts.

## Specific Charter of Rights

1. An alternative to requiring HR Act compliance as part of the registration system would be the development of a specific charter of rights for schools, which are able to articulate protected human rights in the education context. Such a charter should be developed in consultation with students, families and schools and may be easier for schools to understand and embed within their own processes.

# Maintaining standards through monitoring and compliance

## Information and education

1. Schools need education and guidance to comply with existing legislative frameworks and any new accreditation standards. This education should also extend to students and families so that they are aware of their rights. Support for achieving compliance should be prioritised over fixing problems after the harm to individuals has already occurred.

## Complaints processes

1. Under current accreditation criteria, a school must have a complaints procedure and staff, students, parents and guardians are made aware of that process.[[47]](#footnote-48) Schools should also be required to inform staff, students, parents and guardians about any rights to make complaints to external bodies, including the Accreditation Board.

## Accountability and transparency

1. Complaints regarding a school’s compliance can be made to the Accreditation Board. The annual report of the Accreditation Board provides statistics on numbers of compliance concerns received, and notices issued as a result but does not appear to detail the types of compliance issues raised or how they were resolved. Such information could be valuable for students, communities, and other schools to learn from. It may also provide opportunities to develop systemic responses to commonly arising non-compliance issues.
2. Under section 121 of the *Education (Accreditation of Non-State Schools) Act 2017* (Qld), the Minister may refer an accreditation matter to the Accreditation Board for examination and report. One such referral was made regarding ‘certain concerns relating to Citipointe Christian College’.[[48]](#footnote-49) Any explanation for the referral, the terms of reference, or the progress of the examination is not publicly available. There is no indication whether the final report will be published. Again, monitoring and compliance would be assisted by increased transparency and accountability of process and outcomes.
3. Required annual reporting on identified key issues for non-State schools would also assist monitoring and compliance, particularly where that reporting is already required or collected from State schools in order to draw comparisons and provide a complete picture of student education for the State. For example, rates of student disciplinary absences and demographics, and internal complaints and outcomes data.

# Conclusion

1. This review presents an opportunity to support non-State schools to achieve education best practice and the goals of the Mparntwe Declaration. Incorporating human rights principles meets the expectations of the community and creates consistency between the experience of State and non-State school students.

1. Department of Education (Qld), *Queensland Non-State Schools Accreditation Framework Review: Submission Guide* (2023) 1. [↑](#footnote-ref-2)
2. Ibid. [↑](#footnote-ref-3)
3. Queensland Human Rights Commission, *Building Belonging – Review of Queensland’s Anti-Discrimination Act 1991* (July 2022). [↑](#footnote-ref-4)
4. United Nations Office of the High Commissioner for Human Rights, *CESCR* *General Comment No. 13: The Right to Education (Art. 13)*, UN Doc E/C.12/1999/10 (8 December 1999) [1]. [↑](#footnote-ref-5)
5. Bob Atkinson, *Report on Youth Justice* (Report, version 2, 8 June 2018) 33-34. [↑](#footnote-ref-6)
6. *Human Rights Act 2019* (Qld) s 15. [↑](#footnote-ref-7)
7. *Human Rights Act 2019* (Qld) ss 16, 17, 29. [↑](#footnote-ref-8)
8. *Human Rights Act 2019* (Qld) s 21. [↑](#footnote-ref-9)
9. *Human Rights Act 2019* (Qld) s 25; see also *Kracke v Mental Health Review Board* [2009] VCAT 646; [2009] 29 VAR 1 [619]. [↑](#footnote-ref-10)
10. *Human Rights Act 2019* (Qld) s 28. [↑](#footnote-ref-11)
11. *Human Rights Act 2019* (Qld) s 26(2). [↑](#footnote-ref-12)
12. *Human Rights Act 2019* (Qld) s 36. [↑](#footnote-ref-13)
13. *Human Rights Act 2019* (Qld) s 9(1)(h). [↑](#footnote-ref-14)
14. See for example, Rolla Moumné and Charlotte Saudemont, *Overview of the Role of Private Providers in Education in Light of the Existing International Legal Framework. Investments in private education: undermining or contributing to the full development of the human right to education?* (UNESCO Working Papers on Education Policy No 1, 2015). [↑](#footnote-ref-15)
15. Australian Human Rights Commission, *Free and Equal: A Human Rights Act for Australia* (Position Paper, December 2022) 196, citing John Eekelaar and John Tobin, ‘Art 3 The Best Interests of the Child’ in John Tobin (ed) *The UN Convention on the Rights of the Child: A Commentary* (OUP, 2019) 78 and *Concluding Observations: Albania*, CRC/C/ALB/CO/2-4 (October 2012) [30(a)], and *Concluding Observations: Australia*, CRC/C/AUS/CO/4 (August 2012) [32]. [↑](#footnote-ref-16)
16. Australian Human Rights Commission, *Free and Equal: A Human Rights Act for Australia* (Position Paper, December 2022) 197. [↑](#footnote-ref-17)
17. Ibid 199. [↑](#footnote-ref-18)
18. Ibid 183. [↑](#footnote-ref-19)
19. Ibid 184-186. [↑](#footnote-ref-20)
20. Ibid 203. [↑](#footnote-ref-21)
21. *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) rr 9(1)(e), 11. [↑](#footnote-ref-22)
22. [2020] QCAT 249. [↑](#footnote-ref-23)
23. This decision has been appealed by the respondent, but a final determination has not yet been published. [↑](#footnote-ref-24)
24. Linda Graham, Callula Killingly and Sophie Wiggans, ‘Intersectionality and disproportionate risk’, *Use of Suspensions in QLD State Schools* (Web Page, 17 March 2023 ) < https://research.qut.edu.au/c4ie/events/overuse-of-suspensions-in-qld-state-schools-a-long-way-from-equity-and-excellence/>. [↑](#footnote-ref-25)
25. Queensland Human Rights Commission, *Building Belonging – Review of Queensland’s Anti-Discrimination Act 1991* (July 2022). Recommendations 29, 31, 32. [↑](#footnote-ref-26)
26. Ibid Recommendations 28, 30. [↑](#footnote-ref-27)
27. Ibid Recommendation 39.2. [↑](#footnote-ref-28)
28. Ibid Recommendation 5. [↑](#footnote-ref-29)
29. Ibid Recommendation 15. [↑](#footnote-ref-30)
30. Queensland Government, *Final Queensland Government Response to the Queensland Human Rights Commission’s Report, Building Belonging – Review of Queensland’s Anti-Discrimination Act 1991* (Final Response, 3 April 2023). [↑](#footnote-ref-31)
31. Pasi Sahlberg et al, ‘Reinventing Australian Schools for the Better Wellbeing, Health and Learning of Every Child’ (Discussion paper, Melbourne Graduate School of Education at University of Melbourne, Centre for Community Child Health at Murdoch Children’s Research Institute, and Faculty of Education at Southern Cross University, 2023). [↑](#footnote-ref-32)
32. *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) rr 15 and 16. [↑](#footnote-ref-33)
33. These examples are taken from Pasi Sahlberg et al, ‘Reinventing Australian Schools for the Better Wellbeing, Health and Learning of Every Child’ (Discussion paper, Melbourne Graduate School of Education at University of Melbourne, Centre for Community Child Health at Murdoch Children’s Research Institute, and Faculty of Education at Southern Cross University, 2023). [↑](#footnote-ref-34)
34. *Education Regulation 2005* (ACT) Sch 2, Pt 2.3. [↑](#footnote-ref-35)
35. *Education (Accreditation of Non-State Schools) Regulation 2017* r 9. [↑](#footnote-ref-36)
36. See Objects of Act, *Education (Accreditation of Non-State Schools) Act 2017* (Qld), s 3(1)(b). [↑](#footnote-ref-37)
37. *Education Act 2004 (*ACT) s 72. [↑](#footnote-ref-38)
38. *Education and Training Reform Act 2006* (Vic) s 1.2.1. [↑](#footnote-ref-39)
39. *Education and Training Reform Regulation 2017* (Vic) Sch 4; *Education and Training Reform Regulation 2017* (Vic) rr 97-99. [↑](#footnote-ref-40)
40. *Education and Training Reform Act 2006* (Vic) s 4.2.3. [↑](#footnote-ref-41)
41. *Education and Training Reform Regulation 2017* (Vic) rr 97-99. [↑](#footnote-ref-42)
42. *Human Rights Act 2004* (ACT) s 2.19. [↑](#footnote-ref-43)
43. See *Human Rights Act 2019* (Qld) s 9(1)(h); *Charter of Human Rights and Responsibilities Act 2006* (Vic). [↑](#footnote-ref-44)
44. *Education and Training Reform Act 2006* (Vic) 4.3.1. [↑](#footnote-ref-45)
45. *Education and Training Reform Regulation 2017* (Vic) Sch 4 Item 1; Victorian Registration & Qualifications Authority, *Guidelines to the Minimum Standards and Requirements for School Registration* (For new and existing schools from 1 July 2022) 9. [↑](#footnote-ref-46)
46. Human Rights Act, s 60. To date, two entities have opted in: Queensland Advocacy Incorporated and Caxton Legal Centre. [↑](#footnote-ref-47)
47. *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) r 7. [↑](#footnote-ref-48)
48. Non-State Schools Accreditation Board (Qld), *Media Statements* (Web Page, 4 February 2022) <https://nssab.qld.edu.au/Publications/media.php>. [↑](#footnote-ref-49)