

# Education (Queensland Curriculum and Assessment Authority) Amendment Regulation 2019

Explanatory notes for SL 2019 No. 149

made under the  
*Education (Queensland Curriculum and Assessment Authority) Act 2014*

## General Outline

### Short title

*Education (Queensland Curriculum and Assessment Authority) Amendment Regulation 2019*

### Authorising law

Sections 13A, 14 and 92 of the *Education (Queensland Curriculum and Assessment Authority) Act 2014*

### Policy objectives and the reasons for them

The policy objectives of the *Education (Queensland Curriculum and Assessment Authority) Amendment Regulation 2019* (Amendment Regulation) are to:

- prescribe the Queensland Curriculum and Assessment Authority (QCAA) the powers to administer the new senior assessment and tertiary entrance system (new SATE system), starting with students entering Year 11 in 2019;
- remove redundant provisions and fees that are no longer required following the introduction of the new SATE system;
- prescribe new and revised fees to support the new SATE system; and
- index fees in accordance with Queensland Government policy.

The QCAA is a statutory authority established under the *Education (Queensland Curriculum and Assessment Authority) Act 2014* (QCAA Act) and performs an important role in ensuring consistent and quality education in Queensland schools. The QCAA's functions are set out under Part 2 of the QCAA Act and include developing and revising syllabuses and guidelines for Queensland schools, testing and assessing senior students, keeping of student accounts, reporting, tertiary entrance services and issuing certificates of achievement to senior students.

The *Education (Queensland Curriculum and Assessment Authority) Regulation 2014* (QCAA Regulation) currently prescribes a range of operational matters to support the QCAA in the performance of its functions including matters relating to kindergarten guidelines, senior

examinations, the Queensland Core Skills test (QCS Test), tertiary entrance, making guidelines and fees.

### **New SATE system and removing redundant provisions**

On 1 July 2018, the QCAA Act was amended by the *Education (Overseas Students) Act 2018* to provide the QCAA with functions and powers to support the introduction of the new SATE system, which will commence for the 2019 Year 11 cohort of students. In particular, new section 13A provides for the QCAA functions for the assessment of students for senior subjects and section 14 provides for the QCAA's functions for moderation of school-based senior assessment.

The new SATE system includes:

- a new senior assessment approach combining school-based assessment, developed and marked by classroom teachers, with external senior assessment (ESA) set and marked by the QCAA;
- new processes to strengthen quality and comparability of school-based assessment; including endorsement of school-based assessments by the QCAA prior to their use, and moderation of results of school-based assessment by the QCAA; and
- moving from the current Overall Position (OP) tertiary entrance rank to an Australian Tertiary Admission Rank (ATAR).

The use of the OP tertiary entrance rank will be replaced with an ATAR, in line with other states and territories. The responsibility for generating the ATAR (that is, the tertiary ranking) will be transferred from the QCAA to the Queensland Tertiary Admission Centre (QTAC) who will administer this process on behalf of tertiary institutions.

Section 92 of the QCAA Act provides the Governor in Council may make regulations about a range of matters relating to the QCAA's functions including: testing and assessment of students for senior subjects; moderation of school-based assessment; managing student accounts for a person; tertiary entrance ranking and issuing of fees.

The QCAA Regulation must be amended to support the QCAA's role to implement the new SATE system and remove redundant provisions that are no longer required following the introduction of the new SATE system (such as provisions relating to tertiary ranking and the QCS Test that is administered by the QCAA to determine a student's tertiary ranking).

The QCAA Regulation provides a person for whom a student account is open may apply to the QCAA for recognition of a workplace, community or self-directed learning project (WCS) for which there is no provider as contributing studies towards the student's Queensland Certificate of Education (QCE). Due to changes in the senior curriculum, WCS will no longer be available as contributing studies towards a student's QCE.

### **New and Revised Fees**

The QCAA conducted a comprehensive review of the schedule of fees in the QCAA Regulation taking into consideration current senior school system and projected additional requirements for the new SATE system.

The introduction of the new SATE system will require new fees for additional services provided by the QCAA, increases in certain existing fees to represent full cost recovery, and removal of fees for discontinued services, which were approved as part of the Queensland Government 2019-20 Budget process.

## **Indexation of fees and charges**

The Queensland Government policy on the annual indexation of fees and charges, for the year 1 July 2019 to 30 June 2020, is that fees and charges should be increased by 2.25% (rounded to the nearest five cents), unless specific approval has been sought to vary the rate of indexation.

Schedule 1 of the QCAA Regulation prescribes fees for matters such as taking external examinations, reassessing and reviewing examination results, applications for decisions on equivalence of education and qualifications obtained interstate or overseas, and accreditation or renewal of accreditation of a kindergarten guideline. The annual indexation of fees for the QCAA Regulation usually takes effect from 1 January of each year.

## **Achievement of policy objectives**

### **New SATE system**

The *Education (Queensland Curriculum and Assessment Authority) Amendment Regulation 2019* achieves its policy objectives by amending the QCAA Regulation to:

- give the QCAA the following powers to support its role in the new SATE system to:
  - develop and revise, or purchase and revise ESA for senior subjects;
  - provide who is eligible to take an ESA;
  - decide the level of achievement of persons who have taken a ESA;
  - decide where an ESA may be taken; and how a person may apply to take an ESA at a place other than the place decided by the QCAA;
  - administer ESA for senior subjects;
  - endorse school-based assessments for senior subjects;
  - use and review samples of completed and marked school-based assessments in every subject and in every school, to ensure reliability of grades awarded by teachers on internal senior assessments, and where appropriate, adjust marks at the criterion level (moderation); and
  - analyse school-based senior assessment and ESA results to detect anomalies.
- allow the QCAA to make, approve or grant the use of special arrangements to assist students who have a disability, impairment and/or medical condition, or experience other circumstances that may be a barrier to their performance in an assessment;
- remove provisions relating to the QCS Test, and include a transitional provision that will allow the repealed QCS Test provisions to continue to apply for the 2019 Year 12 cohort of students;
- remove provisions relating to the QCAA's role to issue a tertiary entrance ranking, and include a transitional provision that will continue the application of the provisions for the 2019 Year 12 cohort of students;
- remove provisions relating to WCS, and include a transitional provision to allow a person, for whom a student account is open before 1 January 2019, to request the QCAA to recognise the WCS as contributing towards a QCE;
- include new fees in Schedule 1 for the reassessment of an ESA result, script inspection fee of an ESA and administration fee relating to an ESA;

- revise fees in Schedule 1 relating to external senior examinations (reassessment and late applications) and service fees for overseas students to reflect full cost recovery;
- remove fees in Schedule 1 relating to the QCS Test; and
- index all Schedule 1 fees at the rate of 2.25% in accordance with Queensland Government policy and which will commence from 1 January 2020.

## **Consistency with policy objectives of authorising law**

The Regulation is consistent with the objectives of the QCAA Act.

## **Inconsistency with policy objectives of other legislation**

The Regulation is not inconsistent with the policy objectives of other legislation.

## **Benefits and costs of implementation**

The Queensland Government is investing \$89.9 million over five years for the development and implementation of the new SATE system, including \$24.8 million in 2019-20.

In addition, ongoing funding of over \$55 million per annum to be provided from 2020-21 to support the new SATE system.

The new SATE system is not expected to impose any significant new regulatory burden on students and schools.

## **Consistency with fundamental legislative principles**

The Regulation is consistent with fundamental legislative principles (FLPs).

While there is no external review of a moderation decision by the QCAA, the moderation process is robust and involves a series of independent assessment and reviews of a student's statement of result undertaken by specialist confirmers. In addition, a student may seek either verification of the accuracy of the information in the statement, or review the fairness of a final subject result included in the statement by the QCAA.

The moderation process is justified and not considered a breach of FLPs on the basis the decisions involve technical issues and that specialist confirmers are best placed to make these assessments. External review of a moderation decision would therefore not be appropriate.

## **Consultation**

The QCAA, Independent Schools Queensland, and Queensland Catholic Education Commission were consulted and they all provided support for the Regulation.

The Queensland Productivity Commission (QPC) has been consulted in relation to the requirements under the Queensland Government Guide to Better Regulation. The QPC considers the amendments to schedule 1 fees do not appear likely to result in significant adverse impacts and no further regulatory impact analysis is required.