

Education (General Provisions) (Corymbia State School) Amendment Regulation 2024

Explanatory notes for SL 2024 No. 246

made under the *Education (General Provisions) Act 2006*

General Outline

Short title

Education (General Provisions) (Corymbia State School) Amendment Regulation 2024.

Authorising law

Sections 419A and 434 of the *Education (General Provisions) Act 2006*.

Policy objectives and the reasons for them

Under the Preschool Reform Funding Agreement, the Queensland Government is committed to ensuring all children have the opportunity to access kindergarten in the year before full time school. Since 1 January 2024, access to a free government-approved kindergarten program for eligible aged children has been provided to remove cost as a barrier to access for Queensland families.

In 2021, the Queensland Government approved expanded eligibility criteria for the implementation of State Delivered Kindergarten (SDK) in State schools by enabling flexibility in communities that are experiencing complex and unique challenges.

Under this decision, the Queensland Government committed to providing SDK programs in selected State schools by allowing the relevant Minister under the *Education (General Provisions) Act 2006* (the Minister) to apply discretion to approve the provision of an SDK program outside the 40 km eligibility criteria in certain circumstances where there are barriers to accessing kindergarten, or if the Minister considers the school community experiences complex and unique challenges in accessing an approved kindergarten program but does not meet the distance criteria.

In 2021, the Queensland Government announced a collaboration with The Bryan Foundation to deliver FamilyLinQ, an integrated school-based hubs initiative that offers soft-entry access and aims to connect government and non-government education, health and community services in the one location to improve life outcomes for children and their families.

On 9 December 2021, the then Minister for Education, approved the inclusion of an SDK at the new school under construction in Park Ridge (near Logan Reserve), now approved as Corymbia State School. The school, which is scheduled to open in Term 1, 2025, was identified as a FamilyLinQ site, with Ministerial approval to include facilities for the provision of SDK as a government service offered through the hub.

Barriers to kindergarten access considered by the Minister included cost and lack of culturally inclusive programs and low kindergarten participation compared to the Queensland average. In 2020, the kindergarten participation rate in Logan Reserve, a high population growth area

experiencing material demographic change, was reported to be 68%, well below the target of 95%. The significantly lower kindergarten participation rate evidenced an issue that the market was not sufficiently engaging families in kindergarten, suggesting a need for a bespoke, place-based response to lift kindergarten participation. In 2023, at 73.6%, the overall kindergarten participation rate for the Boronia Heights – Park Ridge and other neighbouring statistical areas remained lower than the Queensland average of 85% and target of 95%.

The FamilyLinQ integrated hub initiative integrates both government and community services to support children, students and families in a safe and welcoming space as they grow, learn and thrive.

FamilyLinQ will provide a soft-entry approach to an alternative free kindergarten option provided by the local school for families in the Corymbia State School catchment choosing not to access programs through existing kindergarten program providers, as is evidenced by low participation rates. Connecting families in the local catchment area to SDK will address barriers to kindergarten participation under a bespoke delivery model, support continuity of learning in the early years and provide enhanced educational outcomes for children in the community.

Consequently, Corymbia State School is eligible to deliver an SDK program under the community access criterion and as part of the FamilyLinQ initiative to lift kindergarten participation.

The prescription of State schools that provide SDK programs in a regulation is necessary because State schools are defined in Schedule 4 Dictionary of the *Education (General Provisions) Act 2006* (EGP Act) to mean an educational institution established under section 13 of the EGP Act. Section 13 of the EGP Act provides that the Minister may establish schools at which the State provides primary, secondary or special education, but makes no references to kindergarten programs.

To allow for SDK programs, section 419A of the EGP Act provides that the Minister may approve a program focused on literacy and numeracy for preparing a child for education in the preparatory year, to be a kindergarten learning program for a prescribed State school. A State school must be prescribed under the *Education (General Provisions) Regulation 2017* (EGP Regulation) for the school to commence delivery of a kindergarten learning program.

Section 74 of the EGP Regulation provides that the State schools mentioned in Schedule 4 of the EGP Regulation, are the State schools prescribed for section 419A(5) of the EGP Act. With the prescription of Corymbia State School there will be 110 prescribed State schools under Schedule 4 of the EGP Regulation.

The *Education (General Provisions) (Corymbia State School) Amendment Regulation 2024* (Amendment Regulation) will prescribe Corymbia State School to deliver a kindergarten program.

Achievement of policy objectives

The Amendment Regulation achieves the policy objectives by prescribing Corymbia State School as a State school that can deliver a kindergarten program.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the objectives of the EGP Act.

Inconsistency with policy objectives of other legislation

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

Benefits and costs of implementation

The prescription of Corymbia State School to provide a kindergarten program as part of a range of services available to the school community through an integrated hub will specifically benefit children and families residing in the Corymbia State School catchment. The delivery of kindergarten by Corymbia State School will contribute to the Queensland Government's broader commitment to ensure all kindergarten-age children in Queensland have access to a quality early childhood education program.

Establishment and ongoing costs arising from prescription of the school will be funded from the existing Department of Education budget.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles.

Consultation

The prescription of Corymbia State School is consistent with approved Government policy and provides a bespoke kindergarten model to strengthen kindergarten participation in a community with lower-than-average kindergarten participation rates.

The proposed inclusion of an SDK at the new Park Ridge school site was positively received and supported in 2021 by the FamilyLinQ Strategic Steering Committee with external representatives from The Bryan Foundation, Children's Health Queensland and Metropolitan South Health.

Consultation regarding the proposal for the school to provide kindergarten as part of a FamilyLinQ school based integrated hub model has been undertaken with a range of stakeholders including the local school community during an open community meeting, local early childhood providers, peak early childhood providers and representatives of the Queensland Association of State School Principals and the Queensland Teachers' Union.

Positive interest and nil issues or concerns were raised by stakeholders during the consultation activities regarding the proposal for Corymbia State School to deliver kindergarten.

The Office of Best Practice Regulation has been notified of the Amendment Regulation. In line with the Queensland Government Better Regulation Policy, a Summary Impact Analysis Statement (IAS) has been prepared for the Amendment Regulation as the Amendment Regulation is machinery in nature and is consistent with the Government endorsed policy for eligibility criteria to prescribe an SDK. The IAS will be published on the Department of Education website.