

**From:** [Blake, Alice](#)  
**To:** [Legislation](#)  
**Subject:** FW: Re Public submission in relation to Proposed Changes to Education Act  
**Date:** Wednesday, 11 August 2021 7:47:29 AM  
**Attachments:** [image002.png](#)

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For recording and response.

Alice Blake

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Strategy and Performance - Email Signature



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**From:** Fiona Lohrbaecher [REDACTED]  
**Sent:** Tuesday, 10 August 2021 7:31 PM  
**To:** Blake, Alice <[alice.blake@education.tas.gov.au](mailto:alice.blake@education.tas.gov.au)>  
**Subject:** Re Public submission in relation to Proposed Changes to Education Act

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Dear Ms Blake,

Currently anyone wishing to home educate has to gain provisional approval from the Office of the Education Registrar before they can remove their child from school. This is extremely problematic, not to say traumatic, when the child is suffering abuse at school. Currently the only legal option is for parents to get a medical certificate from a doctor, exempting them from school attendance.

The proposed changes to the Education Act create a new Director of Education who will hold, and delegate, the powers of the Education Registrar. Is there room to make provision in the Act for parents to remove their child from school as soon as they have notified the OER of their intention to home educate, with a 2 week window to submit their application? This would relieve the stress on these families and enable them to legally remove their child from a dangerous and traumatic environment. Other states have similar legislation, namely, Queensland, West Australia and the ACT. I have included excerpts from their legislation below.

Many thanks,

Fiona Lohrbaecher, home educator

## Regulations regarding removing a child from school prior to home educating

### Queensland

“Your child should remain at school until your application for registration has been submitted to the Home Education Unit (HEU).”

<https://education.qld.gov.au/schools-educators/other-education/home-education/registration>

### West Australia

“Parents must inform the education office within 14 days of removing their children from school (or 14 days after the child would have commenced school in this State). The parents are then issued with a certificate of registration as the child's home educators. The *School Education Act 1999*, provides further detail of the legal provisions.”

<http://det.wa.edu.au/homeeducation/detcms/navigation/registration/>

### The ACT

“For parents who wish to move their child from school education to home education, it is recommended, but not compulsory that an application for provisional home education registration is made prior to withdrawing their child from school.” *Registration of Home Education in the ACT, section 3. Provisional*

*Registration.* [https://www.education.act.gov.au/\\_\\_data/assets/pdf\\_file/0018/810135/Registration-of-Home-Education-in-the-ACT-Manual.pdf](https://www.education.act.gov.au/__data/assets/pdf_file/0018/810135/Registration-of-Home-Education-in-the-ACT-Manual.pdf)

The following amendments were part of amendments made to the Education Act 2004 in November 2019.

### Home Education Amendments November 2019

The government debated and passed amendments to home education in the November 2019 sittings.

The changes passed in the Legislative Assembly to home education are:

- Removal of provisional registration
- Creating a three-month grace period for an education plan to be produced by new home educators
- An explicit statement that applying for home education is a reasonable excuse from compulsory school attendance

<https://www.education.act.gov.au/schooling/home-education>