



## State Education Fees

### Version Number

4.4

### Implementation Date

4/11/2016

### Scope

Department-wide

### Purpose

This procedure is published to provide guidance to Principals and officers in charge of state schools and delegated officers of Department of Education and Training International (DETi) when establishing *fees* on which fees are able to be charged, how to determine the level of the fee and who may be charged a fee.

### Overview

The cost of providing instruction, administration and facilities for the education of a *student* at a state school is met by the State.

The 'education of a student' may be provided wherever instruction arranged by the school is given to the student, and is not limited to being provided within the grounds of the school or on school premises.

### Responsibilities

#### Principals:

The following responsibilities relate to a student enrolled at a state school who is an Australian citizen or *permanent resident*, or a child of an Australian citizen or permanent resident.

- In consultation with the Parents and Citizens Association (P&C):
  - determine whether activities, goods and/or services are for the instruction, administration or facilities for the school education of the student, and whether or not a [fee](#) will be charged
  - prior to the establishment of a fee for a school year, undertake an annual review of fees having regard to the cost of supplying the goods or services, to ensure the efficient and effective use of resources and the avoidance of under or over charging and cross-subsidisation of goods or services supplied
  - determine an appropriate costing methodology based on the cost structure of the activity, good or service
  - for activities, goods or services which attract a fee, determine:
    - the fee to be charged for:
      - the student resource scheme
      - an education program for a student already enrolled in a non-state school who also enrolls in a state school

- an educational program at the school for a person not enrolled at the school
- for the provision of education, including distance education, by a state school to a person enrolled at a non-state school
- a good or service purchased from a *provider* other than a state school
- enrolment processing fee.
- determine the decision-making parameters for waiving in part or full, or reducing or refunding in a fee in cases of financial hardship and inform the school community of such parameters
- clearly detail to the school community on an annual basis the activities, goods or services for which fees are to apply, and include details in enrolment packages
- as delegate of the Director-General, exercise the power under s. 51(6) of the [Education \(General Provisions\) Act 2006 \(Qld\)](#) to grant an exemption, waiver or refund of a fee, apart from a fee for [distance education enrolments](#) or a fee for a course for a person enrolled via DETi who is not an Australian citizen or permanent resident or not the child of an Australian citizen or permanent resident
- as delegate of the Director-General, exercise the power under s.55(4) of the *Education (General Provisions) Act 2006 (Qld)* to waive a fee for a *specialised educational program*
- determine the procedure applied for non-payment of fees and communicate the procedure to the school community through the P&C
- ensure that debt recovery processes are in accordance with [Financial Practices in Schools and Other Education Centres](#), the [School Accounting Manual](#) (DET employees only) and [Debt Management](#)
- report annually to the school community through the reporting framework on the school's use of fees, **except for** a fee for:
  - [distance education enrolment](#), or
  - specialised educational program, or
  - a course for a person enrolled via DETi who is not an Australian citizen or permanent resident or not the child of an Australian citizen or permanent resident, and continue to provide instruction, administration and facilities for the education of a student at the school even if the parent does not pay a fee
- where a *parent* decides not to pay a fee, principals should use their discretion to ensure that the student does not suffer educational disadvantage
- develop, where required, a specialised educational program to operate at the school, in conjunction with the principal's supervisor, the regional finance manager and the regional director
- liaise with DETi to determine if a fee is to be charged in relation to a student who is not an Australian citizen or permanent resident or a child of an Australian citizen or permanent resident
- ensure that imposing a fee does not directly or indirectly unlawfully discriminate against a person.

#### **Parents and Citizens' Associations/School Councils:**

The following P&C/School Council responsibilities relate to a student who is an Australian citizen or permanent resident, or a child of an Australian citizen or permanent resident:

- in consultation with the principal of the school conducting any activity or providing any good or service which attracts a fee to determine:
  - the fees for:
    - student resource schemes
    - an education program for a student already enrolled in a non-state school who also enrolls in a state school
    - an education program at the school for a person not enrolled at the school
    - the provision of education, including distance education, by a state school to a person enrolled at a non-state school
    - a service purchased from a provider other than a state school

- enrolment processing fee.
- determine the decision-making parameters for waiving in part or full, or reducing or refunding a fee in cases of financial hardship and inform the school community of such parameters.

#### **Parents:**

- make a decision on participation by the student in a school activity, good or service that attracts a [fee](#)
- where a decision is made to participate in an activity or to obtain a good or service that attracts a fee, pay the fee in accordance with the school's payment terms and conditions for the activity, good or service
- in circumstances of financial hardship, contact the principal or designated officer to discuss how the financial obligations can be met throughout the school year, or to negotiate alternative arrangements that may be available to accommodate individual circumstances, including waiving of the fee entirely or partly by the principal.

#### **Regional Finance Managers:**

- assist the principal and principal's supervisor to develop a fee structure for a specialised educational program
- advise schools and parents on policies, procedures and documentation in relation to school fees, taking into account the *User Charging Principles*.

#### **Principal's Supervisor:**

- liaise with a school intending to implement a specialised educational program to ensure educational validity, analyse regional impact and any other considerations.

#### **Regional Directors:**

- endorse an application to the Director-General to establish a specialised educational program
- as delegate of the Director-General, exercise the power under s.54 of the *Education (General Provisions) Act 2006 (Qld)* to waive, entirely or in part, a [distance education fee](#), having regard to the criteria listed in section 54 of the *Education (General Provisions) Act 2006 (Qld)*.

#### **Assistant Director-General, Finance and Chief Finance Officer:**

- review a fee structure for a proposed specialised educational program to ensure:
  - consistency in fees across regions
  - [fees](#) are on a cost recovery basis only.
- liaise with Ministerial and Executive Services Unit to gazette a specialised educational program and associated fee.

#### **Director-General:**

- approve a proposed specialised educational program for gazettal and associated fee.

## **Process**

### **Guidelines**

The cost of providing instruction, administration and facilities for the education of a student at a state school is met by the State.

In this regard, a 'student' is:

1. a person enrolled at a state school (but not a person who is also enrolled at a non-state school unless the person's enrolment at the state school preceded the person's enrolment at

the non-state school)

OR

2. a person who is a pre-preparatory age child registered in a pre-preparatory learning program **at a prescribed state school** and who is:
  3. an Australian citizen or permanent resident
- OR
4. the child of an Australian citizen or permanent resident.

The 'education of a student' may be provided wherever instruction arranged by the school is given to the student, and is not limited to being provided within the grounds of the school or on school premises.

A principal of a state school is able to [charge a fee](#) for:

- an education program for a student already enrolled in a non-state school who also enrolls in a state school
- an education program at the school for a person not enrolled at the school
- a component of a distance education program at the state school for a person who is not a **state school student and is not enrolled in the program at the school**
- goods or services not deemed to be instruction, administration and facilities for the education of the student at the school
- an educational service purchased by the school from a provider other than the school where the school has been charged by the provider for the provision of the educational service
- a specialised educational program prescribed under the [Education \(General Provisions\) Regulation 2006 \(Qld\)](#) where the fee is prescribed under a regulation a program of [distance education](#) for a student at a state school
- recouping costs of enrolment processing by a State school with an [approved enrolment management plan](#) of a prospective student who lives outside the school's catchment area, where:
  - the enrolment management plan permits the enrolment of a student living outside the catchment area based on cultural, sporting or academic merit, and
  - the significant number of prospective students living outside the catchment area and applying to enrol results in abnormal administrative costs to the school, for example, enrolment examination supervision and marking.

Delegated officers within DETi may charge a fee for the education of:

- an [overseas student](#) enrolled at the school
- a person enrolled at the school who is not an Australian citizen or permanent resident
- a person enrolled at the school who is not the child of an Australian citizen or permanent resident.

The [State Education Fee Matrix](#) reflects the goods and services commonly provided to students and is included in school fees. The list is intended to be informative, rather than definitive, and is provided as a guide only. The purpose of the matrix is to inform the legislative authority and **appropriate charging scheme for a fee for the provision of the good or service**. The matrix is not intended to encourage the introduction of a new fee in a school.

A state school may ask the parent of a student of the school to make a [voluntary financial contribution](#) to supplement government funding of instruction, administration and facilities for the education of the student at the school. A voluntary financial contribution is not a fee and cannot be presented as such to parents.

A fee must be applied to fund the purpose for which it is charged, and must not be applied to any other purpose, **except for** a fee associated with a commercial activity. **All school fees must** be set at a rate to recover no more than the full cost of providing the good or service for which

the fee is charged. Fees for commercial activities are determined on at least a full cost recovery basis.

The methodology for [calculating fees](#) must be open and transparent.

The principal is required to consult with the Parents and Citizens' Association (P&C) to decide on the:

- conducting of any activity which attracts a fee
- [fees](#)
- decision-making parameters for the waiving or reducing or refunding of a fee.

except in relation to:

- a [distance education enrolment fee](#)
- a tuition fee for a person enrolled via DETi who is not an Australian citizen or permanent resident or not the child of an Australian citizen or permanent resident, and
- a fee for a specialised educational program.

Any person or matter may be exempt from payment of a fee or have payment of the fee reduced or waived. A person may have a fee refunded.

**Principals have discretion over whether or not to refund an enrolment fee if a student fails to gain enrolment.**

A principal may waive or reduce or refund a fee, and may exempt a student from payment of fees, **except for**

- a distance education enrolment fee, or
- a tuition fee for a person enrolled via DETi who is not an Australian citizen or permanent resident or not the child of an Australian citizen or permanent resident.

In waiving a fee, entirely or in part, the principal should consider whether:

- a student at risk of disengaging from learning (for example, independent students) or a student of parents experiencing financial hardship would be disadvantaged through the charging of the school fee
- for a specialised educational program:
- payment of a fee would cause financial hardship to the person liable to pay the fee, and
- the person wishing to undertake the program would suffer a significant educational disadvantage if unable to undertake the program.

Parents experiencing financial hardship should be encouraged to contact the principal or designated officer to discuss payment or resourcing options that may be available to accommodate their circumstances, including the waiving of a fee, entirely or in part, by the principal. Onus of proof of being so affected is on the parent, and might include a current [Health Care Card](#) or other evidence to establish financial hardship.

In considering information from a parent to substantiate financial hardship, the school will comply with the [Information Privacy Act 2009 \(Old\)](#) and the Information Privacy Principles contained in Schedule 3 of that Act. The extent of information requested and the way it is sought should be fair and not unreasonably intrude into the personal affairs of the parent. The principal should document the reason for making a decision to waive a fee, entirely or in part, but is not required to retain copies of the information from a parent.

The charging of a fee should not restrict the educational services of a school or educationally disadvantage a student. For example, a student identification card should not be withheld because a fee has not been paid, as this may disadvantage a student by restricting access to

learning opportunities (for example subsidised transport and administration of the school resource centre depending on school administration practices).

Where a fee is for a good or service not deemed to be for the instruction, administration or facilities for the education of the student at the school, internal debt recovery and write-off processes are to be undertaken by the school for unpaid balances as provided by the [School Accounting Manual](#) (DET employees only).

Where warranted, debt recovery may be undertaken by an external collection agency in accordance with [debt management](#) policy.

Action to collect a school fee that is enforceable and has not been paid, or to restrict a student's involvement in school education for non-payment of an enforceable fee, should not be implemented by a school as a [behaviour management tool](#).

## Online Resources

### Supporting documents

- [State Education Fee Matrix](#)
- [General Principles](#)

## Review Date

1/07/2016



## Definitions

### Fee

A charge, other than a fine, levy or tax, for goods or services provided by the school.

### Financial hardship

As a general guide, circumstances by which payment of a fee would cause significant adverse financial effects on the student and/or family.

### Optional school activity

An activity that supplements delivery of curricular activities, such as an excursion, camp or performance.

### Overseas student

A person who holds a student visa issued under the [Migration Act 1958 \(Cwlth\)](#) and who has been accepted for enrolment at a school by the State of Queensland acting through Department of Education and Training International (DETi) of the Department of Education and Training (DET).

### Parent

In terms of the [Education \(General Provisions\) Act 2006 \(Old\)](#), the parent, parents, or a person who exercises parental responsibility for the student. However, a person standing in the place of a parent of a child on a temporary basis is not a parent of the child. A parent of an Aboriginal child includes a person who, under Aboriginal tradition, is regarded as a parent of the child. A parent of a Torres Strait Islander child includes a person who, under Island custom, is regarded as a parent of the child. A person granted guardianship of a child under the [Child Protection Act 1999 \(Old\)](#) or a person who exercises parental responsibility for a child under a decision or order of a federal court or a court of a State is regarded as a parent of a child. In terms of this policy, 'parent' also means carer, guardian and independent student.

### **Permanent resident**

A person who holds a current visa which allows them to live in Australia indefinitely.

### **Provider**

An entity other than the state school providing an educational service for the education of a student, where the school has been charged a fee by the provider for the educational service provided. An example of a provider could be a registered training organisation or university, a community or sporting organisation, an environmental/outdoor education centre, and a provider of a behaviour modification program.

### **Specialised educational program**

An educational program outside the standard curriculum and alternative programs provided in a school and not normally offered by a state school. All specialised educational programs must be approved by the Director-General of DET and are gazetted, and listed in Schedule 5, column 1 of the [Education \(General Provisions\) Regulation 2006 \(Qld\)](#). Adults undertaking a program must pay the prescribed fee, and if a child is undertaking a program, a parent of the child must pay the fee. The fee for a specialised educational program is prescribed in Schedule 5 column 2 of the Education (General Provisions) Regulation 2006 (Qld).

### **Student**

In terms of this policy:

1. a person enrolled at a state school but not a person who is also enrolled at a non-state school unless the person's enrolment at the state school preceded the person's enrolment at the non-state school  
OR
2. a person who is a pre-preparatory age child registered in a pre-preparatory learning program at a prescribed State school and who is:
3. an Australian citizen or permanent resident  
OR
4. the child of an Australian citizen or permanent resident.

### **User charge**

A situation in which there is a direct relationship between the charging of a fee and the provision of a defined good or service (see also Fee).

### **User Charging Principles**

The principles set out in section 18 of the [Financial and Performance Management Standard 2009 \(Qld\)](#), s. 18 which provides:

#### User charging

- Each accountable officer of a department and each statutory body, in identifying the goods or services provided by the department or statutory body for which users are to be charged, must consider whether:
  - the users have the capacity to pay for the goods or services
  - the users have a choice whether to accept the goods or service
  - the goods or services are available from a supplier other than a department or statutory body
  - supplying the goods or services is required or permitted by legislation
  - the goods or services are supplied for the benefit of the general public or for the benefit only of users who do not have the capacity to pay
  - the administrative costs of charging and collecting the charges are more than, or may be more than, the revenue collected
  - an agreement exists between the department or statutory body and users about

charging for the goods or services

- charging for the goods or services improves, or may improve, resource allocation through more economical use of the goods or services
- other factors exist that the accountable officer or statutory body considers relevant.
- In deciding charges for the goods or services, the accountable officer or statutory body must have regard to the full cost of providing the goods or services.
- However, the accountable officer or statutory body may decide a charge for a particular good or service that is less than the full cost of providing the good or service (the lower charge) if the officer or statutory body is satisfied the lower charge is appropriate.
- This section does not apply to the accountable officer of a department in relation to an operation of the department mentioned in section 56.
- In this section - **user**, in relation to goods or services, means a person who uses the goods or services.

## Authority

- [Education \(General Provisions\) Act 2006 \(Old\)](#) Chapter 3, sections 50-56

## Related Policy Instruments

- [Education \(General Provisions\) Regulation 2006 \(Old\)](#)  
Part 9, sections 63, 66, 69, 69A, 69B, 70, 89A, Schedule 5
- [Financial Accountability Act 2009 \(Old\)](#)
- [Financial and Performance Management Standard 2009 \(Old\)](#)  
Part 2, Division 4, section 18
- [Information Privacy Act 2009 \(Old\)](#)  
Schedule 3
- [Judicial Review Act 1991 \(Old\)](#)
- [Competition and Consumer Act 2010 \(Cwlth\)](#)
- [Migration Act 1958 \(Cwlth\)](#)
- [Principles for Fees and Charges](#)
- [State Procurement Policy](#)
- [Financial Management Practice Manual](#) (DET employees only)
- [Intellectual Property](#)
- [Advertising](#)
- [Sponsorship](#)
- [Distance Education Enrolment Fee](#)
- [Business and Industry Portal](#)
- [Decision-making and Responding to a Request for Reasons for a Decision](#)
- [Debt Management](#)
- [Financial Practices in Schools and Other Education Centres](#)
- [Purchasing Goods and Services](#)
- [Student Resource Scheme](#)
- [Voluntary Financial Contribution](#)
- [Enrolment Management Plans](#)

## Attachments



[State Education Fees Matrix](#)



[General Principles](#)

## Contact

For further information, please contact your [local regional office](#).



DET employees, please phone  
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