

Miles Greenwark

Via email: foi+request-7707-c2277a11@righttoknow.org.au

Dear Mr Greenwark

FREEDOM OF INFORMATION (FOI) REQUEST

I refer to your application under the *Freedom of Information Act 2016* (the FOI Act) received by the Education Directorate (the Directorate) on 20 August 2021, in which you sought access to:

'Documents regarding the decision making process and final decisions regarding student assessment during the remote learning period of 2021 (which started specifically on the 20th of August, 2021). Specifically, documents containing decisions regarding whether students will be assessed similarly to the remote learning period in 2020, where they received an "S" grade for that school semester.'

The *ACT Board of Senior Secondary Studies* (BSSS) is the agency responsible for the information requested. As previously advised, a principal function of the BSSS is to provide information on the performance of students and former students and to establish the principles and procedures for the assessment of attainments of students and the moderation of these assessments.

I am an Information Officer appointed by the Director-General of the ACT Education Directorate (the Directorate) under section 18 of the FOI Act to deal with access applications made under Part 5 of the FOI Act. In accordance with section 21 of the FOI Act, the principal officer of the BSSS, has requested that I deal with your access application.

The decision on your access application was due to be provided by 17 September 2021.

Decision on access

Searches were completed for relevant records and one record was identified that falls within the scope of your request. This record is a Frequently Asked Questions (FAQs) document that was developed by BSSS to provide guidance to schools about assessment for the remote learning period implemented in Term 2 of 2020. The content remains valid and the document has been used again in 2021.

I have decided to grant access to a copy of the record with information deleted that is outside the scope of your request.

The record released to you is provided as Attachment A to this letter.

Additional information

Your consideration of the record provided may be assisted by the following additional information and publicly available sources:

- The awarding of a Status grade for an individual student, supported by evidence, is the result of the decision making processes of the school based on the Policies and Procedures Manual (PPM) of the ACT BSSS available at https://www.bsss.act.edu.au/information_for_teachers/policy_and_procedures
- The Policies and Procedures surrounding the award of Status were changed for 2021.
- The 2020 PPM was used by schools in that year, including during the lockdown period.
- The 2021 PPM has been used by schools this year, including during the lockdown period.
- The relevant sections in the PPM 2020 and PPM 2021 for the award of Status are PPM 2020 – 4.3.6.5 and 4.3.13, and PPM 2021 – 4.3.6.5 and 4.4. Copies are provided at Attachment B for your convenience.
- The BSSS website provides information for students and parents/carers about assessment during remote learning. The documents of relevance are:
 - FAQs for Students, Parents and Carers
[https://www.bsss.act.edu.au/_data/assets/pdf_file/0017/511136/BSSS Frequently Asked Questions - Students, Parents and Carers - 08.09.2021.pdf](https://www.bsss.act.edu.au/_data/assets/pdf_file/0017/511136/BSSS_Frequently_Asked_Questions_-_Students,_Parents_and_Carers_-_08.09.2021.pdf)
 - Assessment During COVID-19 and Lockdown
[https://www.bsss.act.edu.au/_data/assets/pdf_file/0014/524021/BSSS Assessment During COVID-19 and Lockdown - 08.09.2021.pdf](https://www.bsss.act.edu.au/_data/assets/pdf_file/0014/524021/BSSS_Assessment_During_COVID-19_and_Lockdown_-_08.09.2021.pdf)

Online publishing – disclosure log

Under section 28 of the Act, the Directorate maintains an online record of access applications called a disclosure log. Information about your request and my decision in response to your access application will be published in the Directorate's disclosure log between three and 10 working days after a decision on access has been provided to you. Your personal information will not be published.

You may view the Directorate's disclosure log at https://www.education.act.gov.au/about_us/freedom_of_information/disclosure-log.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in the Directorate's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601

Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

If you have any queries concerning the Directorate's processing of your request, or would like further information, please contact the Directorate's FOI team on 02 6205 0720 or email EducationFOI@act.gov.au.

Yours sincerely



Paula Murray
Information Officer

17 September 2021