Requirements of NSW ‘Education Act 1990’ in relation to the RoSA

The following extracts are from the [Education Act 1990 No 8](http://educationstandards.nsw.edu.au/wps/portal/nesa/11-12/leaving-school/Literacy-and-numeracy-tests), accessed in October 2018. In the legislation, ‘the Authority’ refers to NESA. The numbers ‘11’, ‘94’ and ‘95A’ refer to the corresponding sections of the legislation.

11 Curriculum for Record of School Achievement candidates

1. The curriculum during Year 7 to Year 10 for students who are candidates for the Record of School Achievement must meet the following requirements:
   1. courses of study in each of the 8 key learning areas for secondary education are to be provided for each student,
   2. courses of study in the key learning areas of English, Mathematics, Science and Human Society and its Environment are to be provided during each Year, but the courses of study in the other key learning areas need not be provided during each Year,
   3. courses of study in a key learning area are to be taught in accordance with a syllabus developed or endorsed by the Authority and approved by the Minister.
2. (Repealed)
3. This section does not limit any requirement imposed under section 94 (Record of School Achievement).

94 Record of School Achievement

1. Records of School Achievement are to be granted by the Authority to students:
   1. who:
      1. have attended a government school, or
      2. have attended a registered non-government school to which a current certificate of accreditation for presentation of candidates for the Record of School Achievement applies, or
      3. have attended a school outside New South Wales recognised by the Authority, and
   2. who have participated, to the Authority’s satisfaction, in courses of study which have been determined under this Act as appropriate to be undertaken by candidates for the Record of School Achievement, and
   3. who have been accepted by the Authority as having satisfactorily completed those courses of study, and
   4. who have, to the Authority’s satisfaction, undertaken the requisite examinations or other forms of assessment, and
2. who have complied with any requirements prescribed by the regulations or any requirements imposed by the Minister or the Authority, and
3. who have completed Year 10.
4. The requisite examinations or other assessments may be conducted on a school-basis, but are to be moderated on a State-wide basis in the learning areas and in the manner determined by the Authority.
5. The Authority may refuse to grant a Record of School Achievement to a student whose attendance or application at school has been of such an unsatisfactory character that the granting of a Record of School Achievement would not, in the opinion of the Authority, be justified.
6. Records of School Achievement are to be granted in the manner determined by the Authority.

Section 95A Award of Record of School Achievement or Higher School Certificate to students following special course of study

1. The Authority may dispense with the requirement in section 94 that a candidate for the Record of School Achievement undertake an examination or other assessment referred to in section 94 if the Authority is satisfied that:
   1. the candidate has special educational needs, and
   2. the candidate has completed a course of study:
      1. developed by the Authority and approved by the Minister for candidates with special educational needs, and
      2. adapted by the school that the candidate attends to cater for the special educational needs of the candidate, and
   3. the principal of the school has submitted a written report to the Authority that the candidate has achieved the outcomes required by the Authority of candidates undertaking the course of study.
2. The Authority may dispense with the requirement in section 95 that a candidate for the Higher School Certificate undertake a public examination referred to in section 95 (2) if the Authority is satisfied that:
   1. the candidate has special educational needs, and
   2. the candidate has completed a course of study:
      1. developed by the Authority and approved by the Minister for candidates with special educational needs, and
      2. adapted by the school that the candidate attends to cater for the special educational needs of the candidate, and
   3. the principal of the school has submitted a written report to the Authority that the candidate has achieved the outcomes required by the Authority of candidates undertaking the course of study.