



Submission to the

**Senate Education and Employment Legislation
Committee inquiry into the Australian Education
Legislation Amendment (Prohibiting the
Indoctrination of Children) Bill 2020**

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Introduction

The Australian Education Union (AEU) represents over 194,000 educator members employed in the public primary, secondary, special, early childhood and TAFE sectors throughout Australia.

This submission to the Senate Education and Employment Legislation Committee is made on behalf of AEU members. The submission addresses matters related to *The Australian Education Legislation Amendment Bill 2020* (The Bill), namely proposed amendments to the *Australian Curriculum, Assessment and Reporting Authority Act 2008* and *Australian Education Act 2013*.

This Bill, if passed, would have direct and profound impacts on AEU members in public schools, TAFEs, and preschools, on the curriculum that they teach and on the welfare of teachers and students around Australia.

Critical thinking and diversity

The AEU believes there is a need for a regular national debate which identifies the essential socio-cultural knowledge, understandings, skills, values, and attitudes that schooling should develop in all students¹ Further, the AEU believes the content and scope of the Australian Curriculum must be based on an agreed set of goals and outcomes for students, and the Union endorses the goals for young Australians contained in the *Alice Springs (Mparntwe) Education Declaration*².

¹ Gerver, R. (2019). *Education: A manifesto for change*. London, England: Bloomsbury.

March, C.J. (2009). *Key Concepts for Understanding Curriculum*, 4th ed. Abingdon, England: Routledge.

² Education Council. (2019). *Alice Springs (Mparntwe) Education Declaration*. Retrieved from www.educationcouncil.edu.au

Every day, teachers, heads of programs and school leaders are dedicated to realising the goals of the *Alice Springs (Mparntwe) Education Declaration*, namely an Australian education system that promotes equity and excellence, and to activate hopeful futures in our local communities, our state, our country, and our world in which all young Australians become successful learners, confident and creative individuals, and active and informed citizens.³

The AEU believes that diversity should be celebrated. The teaching profession undertakes tasks in diverse sectors (public, independent, Catholic), diverse settings (primary, secondary, special schools, TAFE colleges, and other discrete education facilities), diverse geographic locations (six states and two territories) and delivers diverse programs to diverse students.⁴ As such, solutions to challenges faced by the teaching profession are unlikely to be addressed by education policies that reduce the complex act of teaching and learning to an illusion of universality.⁵ Such approaches reify hegemony and dominance, silence diversity, and further entrench social inequity.⁶

Developing and implementing the Australian Curriculum

Curriculum is the totality of students' experiences within schooling.⁷ It describes the practices and operating ideas, both implicit and explicit, in the school, and encompasses the content, processes and assessment of the formal program of studies, and the administrative procedures, personal relationships and teaching styles of the school.⁸ At the time the National Curriculum Board, now ACARA, began its consultation on drafting an Australian Curriculum, Kerry Kennedy observed,

*It is one thing to produce a national curriculum – a technical task. It is quite another to capture a nation's soul by articulating valued knowledge, skills and beliefs that will benefit young people in the future.*⁹

³ Education Council. (2019). *Alice Springs (Mparntwe) Education Declaration*. Retrieved from www.educationcouncil.edu.au

⁴ Productivity Commission. (2020) *Report on Government Services – Ch4 School education*. Retrieved from www.pc.gov.au/research/ongoing/report-on-government-services/2020/child-care-education-and-training/school-education

⁵ Biesta, G.J.J. (2016). *The Beautiful Risk of Education*. Abingdon, England: Routledge.

Wood, C. (2018). The last days of education: An attempt to reclaim teaching through Socratic dialogue. In S Holman Jones & M. Pruy (eds). *Creative Selves / Creative Cultures: Critical autoethnography, performance and pedagogy*. Cham, Switzerland: Palgrave MacMillan.

⁶ Connell, R. (2020). *Teachers' Worth: Teachers' cultural position*. Submission to Valuing the Teaching Profession Inquiry, retrieved from www.raewynconnell.net

Hogarth, M. (2019). "In 2017 we seek to be heard": De-tangling the contradictory discourses that silence Indigenous voices in education. In D.M. Netolicky, J. Andrews & C. Paterson (eds). *Flip the System Australia: What matters in education* (pp. 107-115). London, England: Routledge.

⁷ Kelly, A.V. (2009). *The Curriculum: Theory and practice*, 6th ed. Los Angeles, USA: Sage. (p. 13).

⁸ Pinar, W.F. (2012). *What is Curriculum Theory*, 2nd ed. New York: USA, Routledge.

⁹ Kennedy, K. (2009). The idea of a national curriculum in Australia: What do Susan Ryan, John Dawkins and Julia Gillard have in common? *Curriculum Perspectives*, 29 (1), pp. 1-9.

The AEU believes that curriculum should not be fixed, and that developing and implementing curriculum should be a dynamic process. Notably, education remains the constitutional responsibility of the states.¹⁰ The Education Ministers Meeting (formally Education Council) is comprised of representatives of the states and territories and federal government, and the Education Ministers Meeting is the forum through which strategic policy on curriculum can be nationally coordinated.¹¹ This forum is empowered by section 7 of the *Australian Curriculum Assessment Reporting Authority Act 2008* to direct the work of ACARA.¹²

The AEU supports school-based democratic control of curriculum, within the framework of system-wide guidelines and principles established by the former Educational Council and ACARA, and when such guidelines and principles are the subject of consultation with the teaching profession, are fully resourced, and result in no adverse impact on teacher workload. The development of curriculum guidelines in a democratic public education system requires properly representative structures that are inclusive of the AEU and its state and territory branches and associated bodies and that enable participation at the local school and community level.

School education must prepare students for their role as active and engaged citizens in local and global communities, in relationships with others, and in future work. The OECD identifies three challenges for our rapidly changing world and the work of schools that are:

- environmental, including climate change and the depletion of natural resources,
- economic, including scientific knowledge that is creating new opportunities while at the same time fuelling disruptive waves of change in every sector, and
- financial interdependence at local, national, and regional levels that has created global value chains and a shared economy, but also pervasive uncertainty and exposure to economic risk and crises.¹³

Students must be afforded the opportunity to engage social issues and experiences in critical reflection, social negotiation, and the organisation of action.¹⁴ Specifically, the school curriculum in both content and process should develop democratic values, cooperative decision making, critical awareness, and abilities to relate theory to practice and problem-solving ability.¹⁵

To support the implementation of the Australian Curriculum in schools, suites of non-mandated curriculum resources should be made available for schools to select and adapt to meet the diverse learning needs of students. Such resources should be developed by teachers,

¹⁰ *Commonwealth of Australia Constitution Act*. Retrieved from www.aph.gov.au/about_parliament/senate/powers_practice_n_procedures/constitution

¹¹ Education Council. (2014). Retrieved from www.educationcouncil.edu.au/Council.aspx

¹² *Australian Curriculum Assessment Reporting Authority Act 2008*. Retrieved from www.legislation.gov.au/Details/C2008A00136

¹³ OECD. (2018). *The Future of Education and Skills: Education 2030*. Retrieved from [www.oecd.org/education/2030/E2030%20Position%20Paper%20\(05.04.2018\).pdf](http://www.oecd.org/education/2030/E2030%20Position%20Paper%20(05.04.2018).pdf)

¹⁴ Freire, P. (1998). *Pedagogy of Freedom: Ethics, democracy and civic courage*. Oxford, England: Rowman and Littlefield Publishers.

¹⁵ Dewey, J. (1916). *Democracy and Education*. Boulder, USA: Project Gutenberg.

Wrigley, T. (2006). *Another School is Possible*. London, England: Bloomsbury.

shared through collegial networks, and respect the intellectual property and professional labour of the developer.

Meeting complex national challenges through the Australian Curriculum

our education system ... must also prepare young people to thrive in a time of rapid social and technological change, and complex environmental, social and economic challenges.

(Alice Springs (Mparntwe) Education Declaration, 2019, p. 2)¹⁶

Gender diversity

The Bill as introduced into the Senate on 10 February 2020 seeks to insert new subsections 7(6) and (7) to require the Australian Curriculum, Assessment and Reporting Authority (ACARA) “to promote a balanced presentation of opposing views where they exist.”¹⁷ However, the mover’s second reading speech is misinformed and contains numerous errors.

The AEU expresses grave concerns for the Australian Curriculum and wider Australian education policy if the proposed amendments are adopted on the basis of these incorrect assertions.

The Western Australian Commissioner for Children and Young People is unequivocal about the absolute importance of supporting LGBTQI+ students in all educational settings, particularly in schools and quotes the United Nations in asserting the necessity of supportive and inclusive schools environments and practices:

The school environment can be particularly challenging for LGBTI children and young people, with high levels of bullying, violence and discrimination occurring within school and education settings. Young people in the Commissioner’s Advisory Committees reported feeling that there is a lack of understanding, awareness and consideration of the needs and experiences of LGBTI students at schools, and inconsistency across schools in regards to the policies and processes that they have in place to support inclusion. This includes challenges in having a student’s gender identity recognised and affirmed at the school (e.g. reflecting their names and pronouns on school documentation processes and used by other teachers and students), strict uniform requirements, and lack of visibility of LGBTI people in the school community and curriculum.

Without a proactive approach to supporting LGBTI children and young people, or addressing bullying and discrimination at school, LGBTI students can be left feeling unsafe and uncomfortable about their identity, which can have a significant impact on

¹⁶ Education Council. (2019). Alice Springs (Mparntwe) Education Declaration. Retrieved from www.educationcouncil.edu.au

¹⁷ https://www.aph.gov.au/Parliamentary_Business/Bills_LEGislation/Bills_Search_Results/Result?bld=s1254

*the education, employment outcomes, and general health and wellbeing of LGBTI children and young people.*¹⁸

Furthermore, research shows that trans young people are at very high risk for poor mental health, self-harming and suicide attempts. Around 3 in every 4 trans young people have experienced anxiety or depression. Four out of 5 trans young people have engaged in self-harm, and almost 1 in 2 Trans young people have attempted suicide (48%).¹⁹

It appears that this Bill has been drafted without concern for LGBTQI+ students or the impact that the sentiments expressed in the second reading speech can have on them.

Such language has resulted in many trans young people experiencing negative situations that affect their mental health such as peer rejection, bullying, issues with school, university or TAFE, and a lack of family support. The speech contains repeated references to gender fluidity and makes the incorrect assertion that “some teachers and schools in Australia are attempting to encourage gender confusion among children.”²⁰ Additionally, such language undermines the definition and purpose of the Sex Discrimination Act 1984 which indicated that a person’s designated gender can be different to the biological sex designated to them at birth.

This conflict alone would prevent Legal Studies teachers from teaching students about the Sex Discrimination Act 1984 and would severely impact on the rights of students, teachers, and the community to be free from sex discrimination.

The mover’s second reading speech dismisses gender diversity as “confusion” and makes the damaging claim that respectful discussion of gender diversity is somehow part of a “left leaning elite” plan to “undermine democracy, which is precisely what socialists and progressives want because it undermines our democracy”²¹ Assertions like this clearly demonstrate the paranoia and fear that informs the intent of the Bill.

The Bill also seeks to diminish the importance of Respectful Relationships Education in schools, particularly in naming the Safe Schools program. Respectful Relationships Education in Schools is a primary prevention method which uses the education system as a catalyst for generational and cultural change to address gender inequality.

¹⁸ United Nations 2016, Living Free & Equal: What States are doing to tackle violence and discrimination against lesbian, gay, bisexual, transgender and intersex people, United Nations. Retrieved from <http://www.ohchr.org/Documents/Publications/LivingFreeAndEqual.pdf> in <https://www.cyp.wa.gov.au/media/3670/issues-paper-lgbti-children-and-young-people-march-2019.pdf>

¹⁹ <https://www.telethonkids.org.au/projects/trans-pathways/>

²⁰ https://parlinfo.aph.gov.au/parlInfo/download/chamber/hansards/9d240fa9-ef9a-4ac9-ae29-3090a8cdcd5e/toc_pdf/Senate_2020_02_10_7488_Official.pdf;fileType=application%2Fpdf#search=%22chamber/hansards/9d240fa9-ef9a-4ac9-ae29-3090a8cdcd5e/0132%22 p125

²¹ https://parlinfo.aph.gov.au/parlInfo/download/chamber/hansards/9d240fa9-ef9a-4ac9-ae29-3090a8cdcd5e/toc_pdf/Senate_2020_02_10_7488_Official.pdf;fileType=application%2Fpdf#search=%22chamber/hansards/9d240fa9-ef9a-4ac9-ae29-3090a8cdcd5e/0132%22 p127

The approach engages schools, as both education institutions and workplaces, to address the key drivers of gender based violence, gender inequality, rigid adherence to gender stereotypes and violence supportive attitudes. Respectful Relationships Education in Schools is included in the curriculum of public schools in Victoria, Queensland, Australian Capital Territory and Tasmania and includes:

- teaching students the skills to build respectful relationships, as well as recognising and challenging gender-stereotyping and violence-supportive attitudes
- creating a safe, equal and inclusive school culture for staff and students
- demonstrating appropriate and respectful behaviour

Respectful Relationships Education is a whole school approach which not only provides in-class education, but addresses the school culture, policies and procedures, and promotes gender equity within the staffing body. Organisations and programs that develop this curricula such as Safe Schools, SHINE SA and Respectful Relationships Education do this “to empower young people to make informed, safe, responsible, and healthy decisions through the acquisition of knowledge, the development of lifelong skills, and the exploration of values.”²²

Rather than attacking respectful relationships programs in what can only be viewed as an attempt to reignite the culture war over gender, attention should be paid to the multitude of recent disclosures of sexual abuse and harassment suffered by school students across Australia, and to consider whether well-funded and supported respectful relationships education could reduce the terrible frequency of such offences.

The AEU draws the attention of the Committee to the positive impact of these programs on student and adult behaviour, and of the severely negative impact that the Bill would have in their ability to continue.

Climate change

The mover’s second reading speech attempts to discredit the subject Climate. The AEU draws to the attention of the Committee that there is no subject with the name Climate. Moreover there is no cross curriculum priority with that name, nor a general capability with that name. However, Hansard records the Senator’s contribution, “The current *climate curriculum* (italics for emphasis) states as fact that near-surface temperatures are increasing, sea levels are rising, and mountain glaciers are melting.”²³ The AEU suggests that there may be confusion with Sustainability which is a cross curriculum priority and includes curriculum elements that reference climate.²⁴

²² [SHINE-SA-Best-Practice-Principles-Final.pdf](#)

²³ Australian Senate, Parliamentary Debates, 31 August 2020, (Sen. Pauline Hanson) Retrieved from <https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22chamber%2Fhansards%2Fe5e48d52-64ea-4082-a0e8-632c745a49c0%2F0009%22>

²⁴ Australian Curriculum. (2021). *Sustainability*. www.australiancurriculum.edu.au/f-10-curriculum/cross-curriculum-priorities/sustainability/

The AEU recognises the place of *Sustainability* in the Australian Curriculum. The Alice Springs (Mparntwe) Education Declaration recognises this as a time of complex environmental, social, and economic challenges. The AEU also recognises the global responsibility of curriculum and schooling in moving towards the United Nations' 17 *Sustainable Development Goals*,²⁵ specifically:

- Goal 7: Affordable and clean energy,
- Goal 11: Sustainable cities and communities,
- Goal 12: Responsible production and consumption, and
- Goal 13: Climate action.

Furthermore, the AEU also recognises the contribution of *The OECD Education 2030*, to the U.N.'s 17 *Sustainable Development Goals*, and its aims to ensure the sustainability of people, profit, planet and peace, through partnership.

The mover's second reading speech referenced at length a decision handed down by Mr Justice Burton in the England and Wales High Court (Administrative Court), pertaining to the use of the Al Gore film *An Inconvenient Truth* as a teaching resource. The decision is outside of the jurisdiction of Australia and is a decision from 2007, ergo predates the development and implementation of the Australian Curriculum. Relevantly, Mr Justice Burton recognised *An Inconvenient Truth*, "is substantially founded upon scientific research and fact," then adds his own critical recognition that the film is presented by a politician making a political statement.²⁶

The AEU observes that since Mr Justice Burton handed down his decision, there is an additional fourteen years of scientific evidence and global agreement on the realities of climate change caused by human activity. This evidence is settled by the consensus of 98% of the world's published climate scientists and clearly listed by a multiple venerable Australian and international public scientific research organisations. The United Nation's Intergovernmental Panel on Climate Change (IPCC) Fifth Assessment Report (AR5) from 2014, makes the following conclusions:

- Warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia.
- Atmospheric concentrations of carbon dioxide, methane, and nitrous oxide have increased to levels unprecedented in at least the last 800,000 years.
- Human influence on the climate system is clear. It is extremely likely (95–100% probability) that human influence was the dominant cause of global warming between 1951 and 2010.
- Increasing magnitudes of [global] warming increase the likelihood of severe, pervasive, and irreversible impacts.
- A first step towards adaptation to future climate change is reducing vulnerability and exposure to present climate variability.

²⁵ United Nations. (2021). *Sustainable Development Goals*. Retrieved from www.un.org/sustainabledevelopment/sustainable-development-goals/

²⁶ Dimmock v Secretary of State for Education & Skills [2007] EWHC 2288 (Admin). (10 October 2007).

- The overall risks of climate change impacts can be reduced by limiting the rate and magnitude of climate change
- Without new policies to mitigate climate change, projections suggest an increase in global mean temperature in 2100 of 3.7 to 4.8 °C, relative to pre-industrial levels (median values; the range is 2.5 to 7.8 °C including climate uncertainty).
- The current trajectory of global greenhouse gas emissions is not consistent with limiting global warming to below 1.5 or 2 °C, relative to pre-industrial levels.²⁷

We draw the Committee’s attention to a local example of the robust evidence on climate change, provided by the CSIRO, whose website contains a long list of “robust findings in climate change science”.

In climate change science, the CSIRO’s robust findings include:

- clear evidence for global warming and sea level rise over the past century
- changes observed in many physical and biological systems are consistent with warming
- due to the uptake of anthropogenic CO₂ since 1750, ocean acidity has increased
- most of the global average warming over the past 50 years is extremely likely due to anthropogenic greenhouse gas increases
- continued global greenhouse gas emissions will lead to further climate change
- due to the time scales associated with climate processes and feedbacks, anthropogenic warming and sea level rise would continue for centuries even if greenhouse gas emissions were to be reduced sufficiently for atmospheric concentrations to stabilise
- increased frequencies and intensities of some extreme weather events are very likely
- systems and sectors at greatest risk are ecosystems, low-lying coasts, water resources in some regions, tropical agriculture, and health in areas with low adaptive capacity
- the regions at greatest risk are the Arctic, Africa, small islands and Asian and African mega-deltas. Within other regions (even regions with high incomes) some people, areas and activities can be particularly at risk
- some adaptation is underway, but more extensive adaptation is required to reduce vulnerability to climate change
- unmitigated climate change would, in the long term, be likely to exceed the capacity of natural, managed and human systems to adapt
many impacts can be reduced, delayed or avoided by mitigation (net emission reductions). Mitigation efforts and investments over the next two to three decades will have a large impact on opportunities to achieve lower greenhouse gas stabilisation levels.²⁸

²⁷ IPCC (11 November 2013): B. Observed Changes in the Climate System, in: Summary for Policymakers (finalized version)

²⁸ Retrieved from <https://www.csiro.au/en/research/environmental-impacts/climate-change/Climate-change-QA/Science>

Truth in the Australian Curriculum

The Australian Curriculum emphasises “processes of inquiring into ethical issues include giving reasons, being consistent, finding meanings and causes, and providing proof and evidence. Interrogating such concepts through authentic cases such as global warming, sustainable living and socioeconomic disparity can involve group and independent inquiry, critical and creative thinking, and cooperative teamwork, and can contribute to personal and social learning.”²⁹

Aside from demonstrating the importance of critical and creating thinking as a general capability, the AEU asserts the discussion pertaining to *An Inconvenient Truth* has no relevance to debates about Australian Curriculum. It is not a film that has been distributed to schools by ACARA or state and territory curriculum authorities, and it is not listed as a teaching resource on the Australian Curriculum website.

That said, teachers do have an important obligation to teach the truth to their students and the Australian Curriculum requires students to demonstrate how they have arrived at a truth. Assertions such as “advocates for the Safe Schools program say this program and others like it promote equality of opportunity and combat bullying at school. In practice nothing could be further from the truth” are not based any evidence.³⁰ There might be value in the Committee familiarising themselves with samples of the Australian Curriculum and the teaching and learning on truth that does occur in Australian schools in 2021. There are 12 references for the word truth in the Australian Curriculum, the following are some examples.

Year 10 English

In the Australian Curriculum, there are three strands in the study of English which are: literacy, language, and literature. At year 10 level, there are many different ways that a student can demonstrate appreciation for literature, that range from personal preferences for literature to the way in which texts reflect the context of culture and situation in which they are created. “The appreciation of literature in one or more of these ways provides students with access to mediated experiences and truths that support and challenge the development of individual identity. Through engagement with literature, students learn about themselves, each other and the world.”³¹

²⁹ - <https://www.australiancurriculum.edu.au/f-10-curriculum/general-capabilities/ethical-understanding/>

³⁰

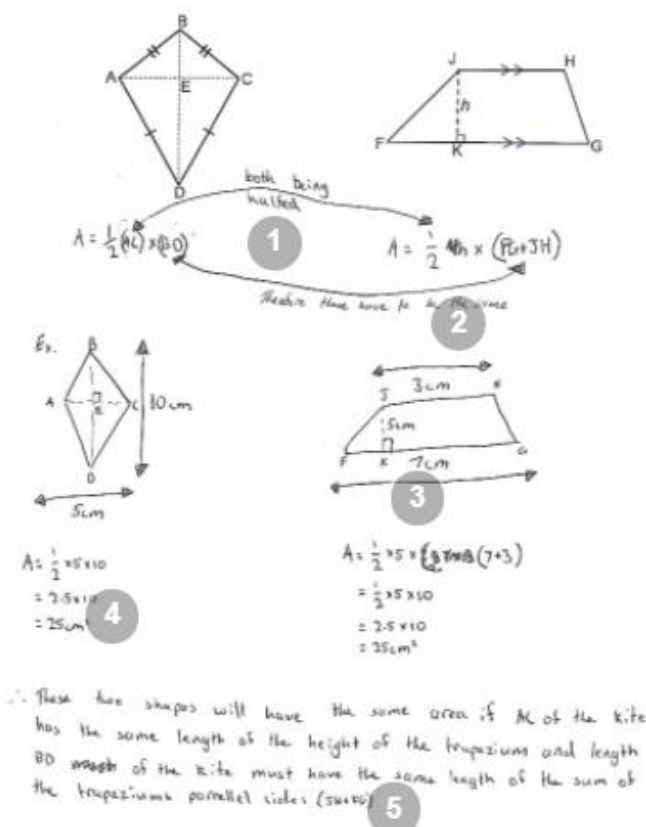
<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;db=CHAMBER;id=chamber%2Fhansards%2F9d240fa9-ef9a-4ac9-ae29-3090a8cdcd5e%2F0134;query=id%3A%22chamber%2Fhansards%2F9d240fa9-ef9a-4ac9-ae29-3090a8cdcd5e%2F0132%22>

³¹ Australian Curriculum. (2021). *English*. Retrieved from www.australiancurriculum.edu.au/f-10-curriculum/english/key-ideas/

Year 8 Mathematics

In the Australian Curriculum, the study of Mathematics at year 8 level will include measurement and geometry. A sample student task involves students justifying the conditions for when a kite and a trapezium would have the same area. Students should demonstrate fluency, reasoning, problem solving, and understanding.

The work sample below is a screenshot of students' work that is published on the Australian Curriculum website.³²



At point 4, the student demonstrates the truth of the conclusion that they have reached.

Year 6 General capabilities: Ethical understanding

Turning to the General Capabilities, specifically *Ethical understanding*, by the end of year 6 a student will be able to examine and explain ethical concepts such as truth and justice that contribute to a particular outcome.³³ For a student studying Health and Physical Education at year five or six level, concepts of truth and justice are demonstrated through ethical

³² Australian Curriculum. (2021). *Mathematics*. Retrieved from www.australiancurriculum.edu.au/resources/mathematics-proficiencies/samples/measurement-and-geometry-equal-areas-ws8/

³³ Australian Curriculum. (2021). *Health and Physical Education*. Retrieved from www.australiancurriculum.edu.au/f-10-curriculum/health-and-physical-education/

behaviour and fair play that aligns with rules when participating in a range of physical activities, and it can be shown by:

- Explaining why infringements result in consequences such as a penalty or free pass
- Proposing changes to the rules and/or conditions to create a more inclusive game or to allow for a fairer contest
- Currently interpreting and applying rules in physical activities.³⁴

Australian Curriculum Assessment and Reporting Authority Act 2008

The AEU holds to the view that national debates about curriculum are appropriate. A democratic model of curriculum development requires the participation of all groups affected by the curriculum in the decision-making process. Therefore, curriculum decision making forums must involve or reflect the decisions of teachers, students, parents, and appropriately qualified and credible experts in the field.

Teachers and school leaders, as qualified experts and deliverers of frontline education services, must be trusted to make the professional decisions that are in the best interests of their students and school communities.

The *Australian Curriculum Assessment and Reporting Authority Act 2008* recognises the role of Ministerial Council, previously known as Education Council and now the Education Ministers Meeting, to provide direction to the Australian Curriculum Assessment and Reporting Authority.

Recommendation

The Bill proposes to amend the *Australian Curriculum Assessment and Reporting Authority Act 2008* by adding a new section 7(6)-(7). The additional directions proposed by The Bill amounts to a Commonwealth takeover of a state matter, and the powers that are called for should rest with states and territories.

The AEU asserts that the Bill should not be supported.

³⁴ Ibid.

The proposed addition of section 22AA to the Australian Education Act 2013

The AEU has long campaigned for fair funding in schools. The AEU supported the recommendations of the Review of Funding for Schooling (*Gonski Review*) that called for additional allocations of Commonwealth funding to support schools to address factors of educational disadvantage. The *Gonski Review*³⁵ recognised the need to provide additional funding to address:

- Low socioeconomic status,
- Aboriginal and Torres Strait Islander status
- English language proficiency,
- Students with disability,
- Remoteness, and
- The compound effect of disadvantage.

The *Gonski Review* informed the *Australian Education Act 2013*, in which Part 3 includes the method for calculating loadings that address the factors of educational disadvantage.³⁶

The AEU draws the Committee's attention to amendments made by the Turnbull Government in 2017, which cap Commonwealth funding to public schools at 20% of what they need to reach the minimum schooling resource standard.³⁷

National School Reform Agreement

Funding arrangements and national education policy reforms for the period 2019 – 2023 are prescribed in the National School Reform Agreement which includes clause 10 that states:

*This agreement recognises the competing demands on teachers' and school leaders' time and provides support for them to focus on high quality teaching and leading, maximising student-learning growth. The reforms allow teachers to build on their professional judgement and implement high-impact teaching and learning practices that benefit all students. A high quality schooling system is also supported through partnerships with the broader community and employers, extra-curricular activities, volunteering and parent engagement.*³⁸

³⁵ Australian Government. (2011). *Review of Funding for Schooling - Final Report December 2011*. Retrieved from www.dese.gov.au/school-funding/resources/review-funding-schooling-final-report-december-2011

³⁶ *Australian Education Act 2013*. Retrieved from www.legislation.gov.au/Details/C2013A00067

³⁷ *Australian Education Amendment Act 2017*. Retrieved from www.legislation.gov.au/Details/C2017A00078

³⁸ Council of Australian Governments. (2018). *National School Reform Agreement*. www.educationcouncil.edu.au/National-School-Reform-Agreement.aspx

Recommendation

The Bill proposes to amend the *Australian Education Act 2013* by adding a new section 22AA. The proposal places additional limits on the implementation of the Australian Curriculum by states and territories and withholds payments made under the *Australian Education Act 2013*.

The proposed 22AA amounts to an additional claim to the National School Reform Agreement³⁹ and should be rejected by the Education Ministers Meeting (formally Education Council) and the states and territories.

The AEU asserts that the Bill should not be supported.

³⁹ Ibid.