



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

Submission by

Australian Association of Christian Schools (AACCS)

Adventist Schools Australia (ASA)

Christian Schools Australia (CSA)

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Introduction

Australian Association of Christian Schools (AACS), Adventist Schools Australia (ASA) and Christian Schools Australia (CSA) are national bodies representing schools, or (in the case of ASA) school systems. Together these schools are educating in excess of 145,000 students across more than 320 locations nationally. Our organisations provide leadership in policy, services and resources for members, and generally work to advance the cause of Christian schooling.

Our schools are geographically, culturally and educationally diverse, serving predominantly middle to lower socio-economic communities. Schools range in size from around 50 students to multi-campus schools of more than 2,000 students. While situated mainly in the metropolitan or outer suburban fringe suburbs of major capital cities a number are located across both regional and remote Australia including some solely indigenous schools.

ASA schools operate on a systemic basis as part of the wider Adventist Church, which educates more than 1.6 million students globally. Member schools of AACS and CSA operate as locally governed, community-based, not for profit religious organisations. Some member schools are closely aligned with one or more Christian churches in their communities, others have their heritage in a group of parents coming together to start a school.

Christian schools represented by our organisations have attracted very strong community support as evidenced by their significant enrolment growth. In addition to serving Christian families, most schools also attract significant enrolments from families who, while not currently attending a Christian church, nonetheless deliberately choose the school because they desire for their children an education that is based upon Christian beliefs and values.

Parents as the Primary Educators

It is universally accepted that parents are the primary educators of their children. The Department of Education, Skills and Employment indicating that “[p]arents, families, and carers are a child's first and most important teachers”.¹ As the Australian Research Alliance for Children and Youth notes:²

“A large body of research supports the value of parent engagement from birth and throughout the school years. Parent engagement affects what children achieve, how they experience school, and assists in the transition to school and into post-secondary education.

Parent engagement has also been shown to reduce the impact of socio-economic disadvantage on educational outcomes. This means that families have an important role to play in helping their children to become confident and motivated learners, regardless of their occupation, education, or income.”

¹ <https://www.education.gov.au/parent-engagement-children-s-learning>

² <https://www.aracy.org.au/the-nest-in-action/parent-engagement>

This research is recognised by Education Ministers across Australia in the Alice Springs (Mparntwe) Education Declaration signed in 2019 which recognises both the critical role of parents and the broad range of areas in which that role is played.³

“Parents, carers and families are the first and most important educational influence in a child’s life. They have a critical role in early development, including social, emotional, intellectual, spiritual and physical wellbeing. They instil attitudes and values that support young people to access and participate in education and training, and contribute to local and global communities. It is critical for the education community to work in partnership with parents, carers and families to support a child’s progress through early learning and school.

Of particular note is the acknowledgement that parents “instil attitudes and values” and the schools reflected in this submission are conscious that their role is secondary and supportive of the formation of those attitudes and values.

The Importance of Parental Choice

Independent Schools Australia succinctly summarise the established Australian ‘compact’ on school choice, and its underpinnings:⁴

“Since the 1970s Australian governments have supported choice in schooling, providing public funding to non-government schools as a way of ensuring that all schools have at least a minimum level of facilities and resources for all students.

School choice policies underpin pluralism in society. They allow families with different ethnic, religious and cultural identities to choose a school to best meet the needs of their child and their own values, within a frame of common social values.

Parents’ right to choose the kind of education to be given to their children is included in the Universal Declaration of Human Rights as well as the International Covenant on Economic, Social and Cultural Rights which commits its signatories “to have respect for the liberty of parents . . . to choose for their children schools, other than those established by public authorities . . . to ensure the religious and moral education of their children in conformity with their own convictions,” with the proviso that that education must conform to minimum standards laid down by the state.

In the research literature, choice is associated with stronger incentives to performance, creativity, innovation, diversity, efficiencies and higher student achievement. These benefits of choice are stronger when combined with school autonomy and accountability, both to the parent body and the wider public.

The freedom of students and their families to exercise choice in schooling is one of the most demanding forms of accountability for Independent schools. Schools need to remain

³ Council of Australian Governments Education Council (2019) *Alice Springs (Mparntwe) Education Declaration*. South Carlton: Education Council Secretariat. Available at: <https://docs.education.gov.au/documents/alice-springs-mparntwe-education-declaration> (accessed 2 February 2021)

⁴ Independent Schools Australia, *Parents and School Choice* <<https://isa.edu.au/about-independent-schools/about-independent-schools/parents-and-school-choice/>>.

competitive to survive and consistently meet high parental expectations for the development of students. By providing government funding to support choice, governments then have policy levers available to pursue the public interest in quality schooling by imposing accountability requirements on staffing and teaching programs.

The Senate Employment, Workplace Relations and Education References Committee undertook an extensive inquiry into school funding, reporting in 2004 and made it very clear that there “has never been any doubt about the right of parents to choose the education of their children.”⁵ This has been for decades a foundation of school funding and education policy, and provides a very practical support for the role of parents the primary educators.

Obligations under international law

The International Covenant on Civil and Political Rights (ICCPR) was signed by Australia in 1972 and ratifying in 1980. In doing so Australia has committed to the rights and freedom outlined there, including that in Article 18.4:

The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

This right is addressed more expansively in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (the Religion Declaration) which provides in Article 5.2 that:

Every child shall enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or, as the case may be, legal guardians, and shall not be compelled to receive teaching on religion or belief against the wishes of his parents or legal guardians, the best interests of the child being the guiding principle.

It is important to note that the freedoms in the ICCPR extend to the “religious and moral education” of your people, closely aligned to the instilling of attitudes and values incorporated within the Mparntwe Declaration.

Instilling attitudes and values

When parents make a deliberate choice, and financial commitment, to send their child to an independent school it can be assumed there is a close alignment of values between the school and the parents. In choosing overtly and distinctly Christian schools, such as those represented in this submission, there can be no doubt in the minds of parents that they are making a distinct choice regarding the attitudes and values being instilled in their children.

We have strong anecdotal evidence from our member schools that many parents who would otherwise send their children to a Government school have moved their children to a Christian school because they are concerned about some of the beliefs and values that are being taught in the Government school system. To many every-day families in suburban Australia the politicisation of the

⁵Senate Employment, Workplace Relations and Education References Committee, Parliament of Australia, *Commonwealth funding for schools* (2004) [99.18].

curriculum with a strong focus on identity politics and teaching gender fluidity is of increasing concern. There are many 'non-religious' families who choose our schools because they place a high value on the influence of the Judeo-Christian beliefs in the formation of our nation and want those values taught to their children.

The important role of parents as primary educators with the right to shape the attitudes and values being taught to their children must be reflected through all sectors of the education system. Politicians and policymakers must acknowledge and accept that there are matters of morality, faith and ethics which are the province of the family and which educators should not seek to interfere with.

Not all parents have the opportunity to send their child to a Christian or other independent school due to geographic or financial constraints. It is important that these parents are not sidelined or left without any effective choice in the values being taught to their children in the Government school sector. It is therefore vital that Government schools actively encourage greater partnership with parents and respect their role as primary educators.

Schools must ensure there is transparency about the beliefs and values that are being taught in all areas of the curriculum throughout the school year. The identification of potentially sensitive materials, including issues that may be controversial or the subject of polarised political view, must be made by the school in time to allow for parental feedback. Parents must also be provided the opportunity to withdraw their children from classes being taught on topics which are in direct conflict with their own personal values and beliefs.

Observations on the Bill

We are strongly committed to a legislative framework that would support those principles outlined above and are grateful for the opportunity afforded by the Bill to raise them. The Bill proposes to amend the *Australian Education Act 2013* (Cth) by inserting an additional funding requirement that seeks to ensure:

- that [politically] partisan views or activities are not promoted to students,
- a balanced presentation of opposing views on political, historical and scientific issues,
- parents have the opportunity for input into the teaching undertaken at the school, and
- the school considers any feedback from parents.

We would respectfully suggest to the Committee that these practices are widely evidenced through Christian schools. The introduction of a funding requirement along these lines would merely serve to add a further layer of 'red-tape' and create administrative burdens upon our schools. We also believe the proposed amendments to the Act would be impractical to implement at a school level and it is not the place of courts to enforce a certain teaching program in schools.

We contend that our highly qualified school leaders and teachers, working in collaboration with the school community, are best placed to be making informed, professional judgements about how content is taught in their classes. In the Australian Curriculum, general capabilities are identified and addressed across the learning areas and include 'Critical and Creative Thinking' and 'Ethical

Understanding' where students learn how to identify and evaluate contentious issues using critical thinking skills and evidence-based arguments.⁶

To teach the general capabilities requires a highly skilled teaching profession who are well equipped to teach these higher order thinking skills. Teachers are kept accountable by their school leadership and parent community to ensure they are not indoctrinating students with their own personal views or bias on political, historical and scientific issues. We believe it is over-reach for Government to be legislating in this space.

Recommendations

Rather than pass a law which will impose another layer of red tape upon school Principals and increase the paperwork of teachers we recommend the Government consider a further inquiry to examine:

- current teacher practice and identified bias in teaching political, historical and scientific issues,
- opportunities to further promote further professional development of teachers in implementing the general capabilities across all learning areas,
- whether our treaty obligations are being met across all education sectors, and
- the role of parents in education is appropriately recognised and respected, given Australia's obligations under international law.

⁶ <https://www.australiancurriculum.edu.au/f-10-curriculum/general-capabilities/>