



**Australian Education Bill 2012**

**Submission by  
The Australian Association of Christian Schools Limited.**

**Senate Education, Employment and Workplace Relations Committee**

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## INTRODUCTION

The Australian Association of Christian Schools represents more than 120 schools and more than 50,000 students across Australia. Our schools are located in every state and territory and range from very small to very large; from urban to regional, rural and remote. They include several indigenous schools in remote Australia. Our schools are almost all low-fee or no-fee (indigenous) schools with our highest fee schools (very few) only in the mid range of independent non-government schools.

Thank you for the opportunity to make this submission.

The Prime Minister's motivation and aspirations for this package of reforms, at one level, are laudable. There is certainly abundant evidence that not all is well in Australian school education. There is also substantial evidence pertaining to some of the contributing factors re this summative view of Australian schooling. Perhaps the most challenging issue is: where to start?

The Prime Minister has chosen to start with:

- Australia's economic competitiveness in the Asian region
- Selective data, notably
  - OECD comparisons,
  - Australia's performance in 'recognised international testing',
  - NAPLAN results for school basics (Reading, Language Conventions, Numeracy).

While these data are, on the surface, quite confronting and certainly useful, they carry the same limitations of all data: without the detailed stories that accompany them, they are not necessarily indicative of anything other than the processes used to compile them. They are certainly not reliable diagnostically nor compelling in terms of best-practice policy solutions.

Take, for example, the comparison of results from *international* testing (notably TIMMS and PISA). The Australian Education Bill 2012 is predicated on an aspiration of reaching top 5 status in TIMMS and PISA by 2025. Our main competition includes Shanghai, Hong Kong China, South Korea, Singapore, Finland and Canada. With the possible exception of Canada and, in some areas, Finland and Singapore, the detailed stories accompanying the data are compelling.

- School pedagogies in Asian schools are vastly different and much narrower than in Australia
- Competition for survival or economic success is a much higher personal priority in these settings
- There is a notable absence of welfare options in some of these settings
- Families traditionally value education and teachers far more highly than in Australia
- They are demographically much more mono-cultural which impacts enormously on curriculum assumptions
- They have much higher percentage urban concentrations that produce much more efficient education administrations

- They have significantly narrower curriculum offerings
- There is a lower value placed on innovation in some of these places
- Value systems are very different
- Cultural norms and expectations are vastly different
- Significant refugee intakes are much smaller or non-existent in some of these cases (notably Finland , Korea, Hong Kong China, Singapore)

The bottom line is this: If top 5 in PISA and TIMSS is going to be the measure of Australia's readiness for economic competitiveness, we will never get there against such a list of variable influences.

Of course, that doesn't mean that education should not be a key emphasis in tackling the Prime Minister's aspirations nor does it mean that we should not be giving it our very best. Nevertheless, as an aspiration, it is simply too shallow and lacking in terms of a coherent, thoroughly researched rationale. Policy rooted in such narrow measures is destined to have as many negative and destructive impacts as positive gains. There is far more to being competitive economically than favourable data sets in narrow testing regimes.

Australian school education does have competitive potential that has been severely under-rated in the discussions leading to this point in the conversations around reform. Australia's curriculums, taken in the whole, provide significantly for critical thinking, creative education, problem solving, thinking skills, original research, philosophy, values and beliefs in ways that other national curricula simply do not consider. Turning this potential into economic advantage is a huge challenge, but it should certainly not be ignored or eroded.

AACS warmly welcomes the acuity of the Gonski report in response to the many submissions that they received and the research projects they commissioned. The reviewers have clearly identified most of Australia's most pressing obstacles to the development of a more robust, equitable and high outcomes school education framework. AACS welcomes the emphasis in the report on the needs of the most disadvantaged populations of our society. We welcome the strong emphasis on quality teaching and the strengthening of the profession in terms of intake standards, training standards, performance standards and leadership standards. It was encouraging to see a healthy critique of some of the structural liabilities with which Australian authorities and peak bodies have struggled for decades. It was also appropriate that the report seriously addressed the challenges associated with our vastness as a nation.

AACS is therefore supportive *in-principle* of the Government's desire in this reform package to link **a** proposed funding model with **a** proposed National School Improvement Plan (NSIP). However, that said, there is precious little detail at this stage on which we can commit any further. As there is almost no data available for our schools to test the specific impact of any proposals re a new funding model, AACS schools could not commit to any new Funding Agreement until that situation was remedied. **We must have hard data now in order to commit to new Funding Agreements by the end of 2014.** Anything less would be an unreasonable expectation and a breach of normal standards for developing contractual agreements.

In respect of the NSIP, there must also be very specific detail available well in advance of the posting of Funding Agreements re the conditions that will attach to the receipt of federal government funding. AACS believes that this must also be the subject of wide, inclusive consultations involving

**all peak bodies in the non-government sector.** AACS schools would not support a list of funding conditions/ requirements that created an uncertain or unknown future, narrowed prescriptive curricula, narrowed prescriptive pedagogies, compromised freedoms of religion and belief, or politically-motivated restrictions. Of enormous importance to our schools is the freedom we currently enjoy under the spirit and detail of Australia’s formal commitment to the terms of the International Covenant on Civil and Political Rights and other Covenants impacting school education. **Choice in schooling** must not be compromised by stealth nor should the right of schools to craft distinctive approaches to schooling that give Australian parents *legitimate choice* be undermined.

### **THE ACT – OBJECTS (Section 3)**

#### **1. An excellent education**

No one, we hope, would contest the desire for, indeed commitment of Australian governments and educators to an excellent education. That is a given. What is certainly not a given is a uniform community agreement on the substance and required scope of an ‘excellent education’. As this issue has been substantially addressed in our **Introduction** we will not add further to those comments at this stage.

However, if given the opportunity, we would certainly like to speak further to this issue at the Hearings phase of the Committee’s deliberations.

#### **2. Equitable education**

Equity must be a very high value in the design of public policy pertaining to school education. To the extent that this Bill addresses the substance of an equitable education, AACS would want to express in-principle support. However, as detail is very limited on this issue, AACS would also be very cautious in terms of commitment until further detail is in the public space. At this stage, the object of ‘equitable education’ is merely aspirational.

AACS regards equity as an end-point – an outcome that is observed as a consequence of some action/policy/process. While there might be tangible/measurable evidences of that end-point, equity is almost inevitably a relative phenomenon, that is, relative to the limited parameters against which it is measured/assessed. Equity is not an outcome that can be enforced on a population. It is an aspirational outcome and can only be achieved relative to the commitments and resources of the providers and the willingness and engagement of participants (families and students).

The degree to which public policy and resource allocation should be ramped up to guarantee certain measures of equity (eg NAPLAN or TIMMS/PISA results) is a vexed and complex issue to address. AACS believes that the pathways to relatively equitable outcomes are many and may not all be in the purview of the current government’s planned policy settings.

#### **Example: Traumatized Refugees**

*The plight of many traumatised new arrivals needs little explanation. They arrive in Australia with little or no English. Many have survived years of dogged struggles in camps where the norms have been utterly pragmatic – trust no one, lie when you*

*must, steal when you need to, jump the queue by fair means or foul, exert force/violence when needed.*

*They arrive in a country with none of the scaffolding that is taken for granted in Australian society. Though there is a level of welfare support available, theirs is still an existence of struggling to survive. Language and the instinct to survive throws them together in a dynamic that tends to produce a 'ghetto culture' where desperation to survive comes ahead of determination to integrate and assimilate. It's the stuff of a disaster or crisis waiting to happen.*

*These people become part of the demographic that we now call 'Australian', a demographic that is the target subject matter of the Gonski reforms and the 'equity aspirations' of the present Bill. Of course we want equitable treatment for these new Australians. Of course we want them to experience equitable outcomes. But how will we bring this about? There are myriad policy responses that could be considered and myriad ways of assessing the efficacy of those policy initiatives. Not all of these will be measurable and certainly not all will be assessable via the ACARA website!*

*We could continue to invest in introductory English classes, reading recovery support, literacy and numeracy NPs, low SES NPs and measure success in terms of NAPLAN trends. But, who knows if these measures are seriously addressing the underlying needs of these traumatised new arrivals? Who knows whether this is just a band-aid policy response that makes NAPLAN look good but does little in terms of education for integration? Who knows if this will enable them to escape the 'ghetto culture' that may be a much greater threat to their future success and happiness than marginally depressed NAPLAN averages?*

*AACS is firmly of the view that there must be a much broader strategy in dealing with the specific needs of traumatised new arrivals. It must involve a longer, sustained and targeted ESL program than the current 6-12 month 'introductory offer'. It needs to include 'cultural orientation' that might prepare them to engage more effectively in the Australian social-ethical-moral-legal framework. (As imperfect as that framework may be, it is still the basis under which Australian law is framed and implemented.) It needs to address the psychological trauma that they may have experienced and which continues to haunt their memories. It needs to prepare them for expectations of tolerant behaviour, civil and political rights, respect for rule of law and the value of work.*

*We can't have it both ways. We either embrace a deep response to their needs (with its substantial costs) or we pay for it in subsequent welfare, policing, incarceration, security and healthcare budget commitments.*

And this is just one example. A similar case can be made for the education of indigenous Australians, especially in remote parts of the country; for students with disabilities; for students with long-term mental health struggles; for students from families struggling with substance-abuse, criminal histories, acrimonious or violent family breakdowns, etc.

An increasing number of students who fall between the cracks in NAPLAN-like assessments of the efficacy of education are drawn from these categories. It is not as if they welcome their circumstances. It is not as if there is a conscious choice to be at the low end of the NAPLAN performance scales. It is not as if they desire to be the source of government 'equity concerns'. The issue is that they are all too often powerless to change their circumstances; powerless to correct their lack of motivation and engagement; powerless to change flawed government policy. They require first of all a social policy response; a healthcare response; an indigenous policy response; an immigration policy response. Equity aspirations will not, of their own, change the circumstances that such children face, irrespective of what school they attend. Equity aspirations will not drag the profoundly damaged and unmotivated students to engage in something that does not address their basic personal survival needs.

AACS believes that the Government has a long way to go in terms of policy inputs that will seriously reduce the inequities that are observed in educational outcomes. We are also deeply concerned that the proposed funding responses of the Government (as yet totally lacking in detail) may produce a very different equity problem – an inequitable distribution of new funds to address the concerns identified above in all Australian schools.

### **3. A top 5 ranking**

As we have addressed our concerns re this issue in some detail in our **Introduction**, we will not comment further here.

## **THE ACT – IMPROVING THE PERFORMANCE OF SCHOOLS AND SCHOOL STUDENTS (Section 5)**

While acknowledging that this Bill is only 'the foundation for a legislative framework' the total absence of detail to which a response could be addressed is, at this very late stage, alarming. For this section, we can only rely on our comments re Section 3 above.

## **THE ACT – DEVELOPING A NATIONAL PLAN (Section 6)**

As already indicated above, AACS is, **in-principle**, not opposed to a link between the receipt of government funding and a sensible set of conditions and expectations associated with improving educational outcomes.

The Senate should be aware, however, that, to this late stage, the work with 'non-government education authorities' (referred to in this part of the Bill) to develop and implement a national plan for school improvement has been restricted to the National Catholic Education Commission and the Independent Schools Council of Australia. They have been required to enter 'confidentiality agreements' that means that the rest of us who are closest to the real action in schools have been in the dark. We simply do not know what the Government is considering by way of detail. We simply don't know whether the arrangements will be fair and equitable. We simply don't know what conditions may be attached to Funding Agreements. **And it seems we may not know until after COAG has met in mid-April.**

This is a ludicrous situation for our schools to be in given that the present funding agreements expire at the end of 2013 and new funding agreements will have to be signed by late this year in order for funds to continue to flow to schools in 2014.

How can school boards and executives responsibly plan for the future and commit to new agreements without due diligence? No contractor would be expected to operate under such duress and neither should schools and their supporting peak bodies.

## **THE ACT – REFORM DIRECTIONS FOR THE NATIONAL PLAN (Section 7)**

### **Quality Teaching (Part 1)**

AACS is supportive of the Government’s aspirations to see the quality of teaching in Australian schools benchmarked against agreed standards to produce greater consistency across the nation in the professional skills of teachers.

It should not be underestimated how big a challenge this may be and how significant a cost may attach to such an aspiration. With so many voices claiming a seat at the table to address the definition and benchmarking of ‘quality teaching’, there is still much work to be done before clarity and agreement is reached. Academics who are engaged in teacher training believe that they know what is required for quality teaching. However, some of them have also been at the forefront of introducing or supporting some of the most contentious failures of the recent past in terms of quality learning outcomes. Unions representing the working conditions of teachers believe that they know what is best for teachers – including what is required for quality teaching. However, the history of union intrusion into educational theory, practice, policy and administration over the past 35 years has scarcely covered their collective reputation with glory.

AACS believes that deep consultation must come before further developments in reaching a definitive public policy position on this issue. To our mind, this does not exist at the moment, yet the Government would propose to write this into Funding Agreements. This would be a deep concern to us should it happen without an opportunity to engage in deep consultation.

For AACS, we are encouraged by the developments with AITSL’s work but believe that the timetable for implementing their work on teaching and leadership standards is far too long. One again, it is the absence of uniformity at State government level that hinders progress. It is also a lack of willingness on the part of State governments to share power with a national authority like AITSL. Not all States even have a ‘teacher registration authority’ through which to administer and oversee the implementation of national standards for quality teaching and school leadership.

### **Quality Learning (Part 2)**

The aspiration of ‘all school students reaching their full potential’ has been a throw-away line in education policy, school prospectuses, public rhetoric and promotional brochures for many years. Yet it still seems that no one has been able to identify a sensible measure of, or set of indicators for, what a ‘full potential’ might look like. Like the oxygen we breathe, we

know it is there; we know what it does; we know how beneficial it can be; yet it is very difficult to catch it and demonstrate these assertions in situ.

AACS believes that this aspect of the Bill is almost impossible to capture or to prove. For those involved in educational visioning and planning, we certainly know most if not all the variables that would be in play. However, we also know the substantial diversity of views that exists in pinning down 'a high quality educational experience with an environment and curriculum that supports .....'. This throw-away line strikes at the heart of what makes schools different and, if the Government proposes to legislate to contain or limit the rights of schools to determine the character of the experiences that they believe will contribute to a robust and beneficial education, there will be very significant resistance. The Government must not prescribe in this area as it lies at the very heart of what makes schools unique and provides parents with choice.

The Australian Curriculum is already ample evidence of some of our concerns in this area. Notwithstanding extensive consultation and opportunities for schools and individual educators to make submissions, the writers have crafted curricula that, in some cases, have been roundly criticised for narrowness, trendiness, political correctness, unrepresentative coverage, revisionism, etc.

AACS is deeply concerned that the Government may be contemplating much more intrusion into prescribed school curriculum content that squeezes out time for local content and school-based philosophical and pedagogical perspectives. If this became a condition in Funding Agreements, AACS would have major objections.

### **Empowering School Leadership (Part 3)**

There are good grounds to be optimistic that this initiative of Government will produce some positive gains in school outcomes. However, this is not a foregone conclusion and will not be accomplished without considerable investment by governments and individual schools and systems in leadership training and, in the case of government schools, a meaningful transition from a 'head office' culture to a 'leadership accountability culture'.

Of course, most independent non-government schools have largely operated in this type of environment since their foundation. But, even so, there are challenges that face non-government schools in terms of quality leadership. Here, it is not an issue of principals needing to be empowered as much as it is an issue of principals needing further training and support in the increasingly complex environments of resource allocation, educational planning, strategic priorities, a culture of continuous appraisal, etc. These are not exact sciences and they are likely to vary in substance from school to school.

Empowered School Leadership is not a panacea. However, while AACS believes this to be a reasonable initiative, it will take a significant time and ongoing investment from Governments and school boards to produce the intended consequences of the initiative.



## Transparency and Accountability (Parts 4 and 5)

Further to the comments in the Introduction above re our reservations concerning the appropriate reach of data, AACS is cautious about the current wording of Part (4)(a) of the Bill.

The issue of **collecting data** is not of specific concern in most areas in which the Government has expressed interest or concern. A Government that provides generous tax-payer sponsored funding to schools should be entitled to gather data from which it may assess the efficacy of its spending.

Of course, establishing consistent definitions for certain data is enormously challenging (witness the difficulties ACARA has had over financial data). AACS continues to be quite concerned about the genuine comparability of financial data that ACARA has loaded on to the MySchool website. It is simply misleading in some cases.

AACS would also be very concerned about the proposal to collect data on behaviour and well-being. Not only will this be a nightmare administratively, these data will also be highly sensitive in public relations terms and there will be a great temptation to understate the realities. In addition, schools have very different thresholds for what constitutes a disciplinary concern. Some schools will allow for self-expression to a very high tolerance level and others will set very high levels of conformity with low tolerance levels for actions outside their declared boundaries. These are almost always associated with their philosophies of education and their protocols for staff-student relationships. Too much intrusion by government into these areas will certainly be met with some resistance.

**Analysis of data** becomes more contentious as the world of statistics can and does create its only story lines from data treatments. For example, there are high levels of discontent surrounding ACARA's ICSEA analysis. AACS shares those concerns and would seriously question any policy built around ACARA's analysis of this data. It is why we opposed the use of this data for the proposed indexation arrangements for the new funding model.

**Application of data** is even more contentious again and has been the source of some of the most acrimonious arguments concerning government funding for non-government schools for many years. The **selection** of the data to be applied is a subjective process that seriously compromises the assumed objectivity of data. When misapplied, it can and does create scandalous untruths (witness the caricature that, on the basis of federal government funding of non-government schools, all non-government schools are ripping money out of government schools).

AACS is not at all convinced that ACARA is sufficiently accountable for its analysis and application of data and would be very concerned if the Government were to extend the data collection in the areas proposed in Part (4)(a).

The question of greater accountability to the community 'in relation to their performance and the performance of their school students' (Part (4)(b)) may seem, on the surface, to be a responsible and reasonable goal. And it is. However, behind this set of words lies the

intention of the Government to extend the publication of data that will, in effect, amount to the naming and shaming of under-performing schools.

We don't have to go back very far to witness the impact of this exposure in the public space of data applying to the HSC results for Mount Druitt High School in Sydney. We still see the practice of 'league tables' in one form or another being derived from the MySchool website by newspaper journalists despite assurances by the President of ACARA that ACARA would go after newspapers that misused the data in this way. The reality is that ACARA is powerless to stop such practices and an extension of the data (eg behaviour and well-being) would simply widen the opportunities for naming and shaming some of the most vulnerable schools in Australia.

AACS does not object to the Government collecting *appropriate* data for the purposes of targeting funding according to need. If a school shows up as under-performing against reasonable targets for improvement, there are much better mechanisms for investigating and calling to account the leadership of the school than doing it in the public space.

It must be remembered that one of the most potent instruments of accountability facing school leaders is the decision of parents to vote with their feet in removing their child from the school and transferring them to another. With so much resource-allocation hanging off enrolment figures, school leaders are highly tuned to any losses in enrolment. In the case of AACS member schools, the loss of one student equates to a loss of over \$10,000 (average per year) in income. With most of our schools unable to operate at anything more than minimal surpluses, accountability is palpable every day of the year.

**The 'data collected on schools and school students'** does need to be of the highest quality possible and AACS does not oppose the general goals identified in Parts (5)(a), (b) and (c). However, we have deep concerns re Part (5)(d) as expressed above.

#### **Meeting Student Needs (Part 6)**

AACS applauds the assertion in Part (6)(a) that priority will be placed on identifying and addressing barriers to learning and wellbeing. (See our comments on Objects (Section 3) above. Page 3)

It must be remembered that the great majority of schools have some students who encounter 'barriers to learning and wellbeing' and need support in resourcing strategies to address their needs. AACS is therefore concerned in relation to Part (6)(b) that when it comes to the allocation of resources, that it be done on a per-student basis not on the basis of the ranking of schools or the allocation of funds to schools based on percentages of certain needs as was originally proposed for schools with indigenous student populations.

#### **THE ACT – DEVELOPING BENCHMARKS AND SUPPORTING IMPROVEMENT (Section 8)**

Consultations in relation to the details contained in Section 8 of the Bill need to be much broader than the current consultations with the non-government sector which have been restricted to the NCEC and ISCA. It is simply not acceptable to exclude the representatives from smaller peak bodies who are in a much stronger position to assist the Government in

sharpening their plans in these areas. While we are appreciative of the work being done by ISCA on our behalf, there are existing forums through DEEWR that would facilitate a much-needed, fine-grained expansion of the consultations required to reach the final positions covered in Section 8.

## THE ACT – SCHOOL FUNDING (Section 9)

AACS reiterates that the ‘non-government education authority’ referred to in the opening paragraph of Section 9 is not the same as the ‘non-government school authorities’ referred to in the opening paragraph of Section 6 that have been working with the Government under confidentiality agreements up to this point. We also reiterate that, without adequate notice, full disclosure, transparent data and detailed consultation at ‘peak-body level’, independent schools would not consider that they have adequate grounds for ‘reaching agreement with the Commonwealth’. It is imperative that this be rectified in the very near future.

The **principle** outlined in Section (9)(a) is not contentious, but it lacks clarity and agreement around what constitutes an ‘excellent education’. It is interesting to note that, in this principle, the key word is ‘opportunity’ which, in our mind, is somewhat different in tone to the more absolute notion of ‘equity’ regarding outcomes. The ‘opportunity’ to access an ‘excellent education’ does not, of itself, guarantee what some might regard as ‘equitable outcomes’.

The **principle** outlined in Section (9)(b) gives the first concrete evidence in legislative form of the *intended structure* of the proposed model for school funding. While it implies a base grant and clearly alludes to what has been called the NSRRS, it is still alarmingly short on detail. It refers to a ‘formula’ but gives no indication of the substance of that formula and gives us no confidence that the application of that formula will produce an equitable outcome for all schools in terms of a basic entitlement. It gives no clear commitment as to whether it will use the imminent revised SES calculations based on Statistical Areas rather than Census Districts. The Explanatory Memorandum gives no indication of new modelling having shown that this principle has been demonstrated to deliver equitable outcomes that tick the boxes on all other aspects of the Government’s September commitments.

In fact, we do not know if this will include a base entitlement (equivalent to the 13.5% figure under the existing SES model). We do not know how the sliding scale will look relative to the current SES curve. We do not know how schools that currently operate below standard cost of the NSRRS will be treated.

The **principle** outlined in Section (9)(c) is, on the surface, according to expectations. However, while it identifies the notable categories of disadvantage, it provides no detail in relation to the size and scaling of the loadings. It provides no clarity in relation to the future of National Partnerships or Targeted Programmes. It gives no indication of the mechanism through which the funds will be distributed (ie through State Education Departments, through AIS Agencies, through DEEWR direct to schools or through a new mechanism as yet undisclosed). These issues are material to our views on this principle.

## **GENERAL COMMENTS ARISING FROM THE EXPLANATORY MEMORANDUM AND THE PRIME MINISTER'S SECOND READING SPEECH**

### **1. 'Equitable Access'**

The Memorandum refers in the opening paragraph to the issue of 'equitable access' being ensured for all Australian students. This is laudable, but is very hard to believe given the situation that exists in Arnhem Land where AACS has three schools. The situation in a number of 'homelands' in Arnhem Land sees some primary-aged children receiving part-time schooling delivered by itinerant/visiting teachers who fly in from Nhulunbuy three days per week. They have precious little if any access to Literacy and Numeracy specialists and precious little access to diagnostic specialists for students with disabilities.

The situation is worse for secondary students where, according to estimates that I've received, up to 6,000 teenagers have had no access to secondary education, let alone 'equitable access'.

In their wisdom, the previous and current governments have invested heavily in the 'growth-town' solutions under the NT Intervention. Not only have these solutions been hopelessly administered, they are fundamentally flawed in terms of indigenous cultural structures and values. Indigenous law, land rights, kinship rules and authority structures are simply overridden in the cause of economically affordable solutions. The problem is that the 'growth towns' are highly dysfunctional aggregations of multiple kinship groups, many of whom are trespassing in terms of indigenous territorial protocols. In schools, children who should not relate to one another under kinship rules are forced to learn and interact in the same classes.

Commentary in the press in recent months has drawn attention to the fact that homelands, on the whole are far more stable, harmonious and appropriate for children and teenagers to grow, learn and develop. The authority structures in play in these homelands mean that less children are likely to drift into school avoidance, substance abuse and delinquent behaviours. Access to illicit substances, alcohol, standard petrol and pornography is much reduced and more consistently policed.

If 'equitable access' is a serious commitment of the Government, this tragic situation that is a global disgrace for Australia must be seriously included in the funding and NSIP reform strategies.

### **2. 'Essential Knowledge'**

As implied elsewhere in this submission, 'essential knowledge' is a matter of choice and is closely aligned to differences in schools' philosophies of education. Already the National Curriculum has intruded into this space by prescribing non-representative curriculum content; over-crowding curricula with prescribed content and reducing the space for school-based local content. This has been an unwelcome intrusion and must not be further regimented through Government conditions in Funding Agreements.

### **3. 'Digital Education'**

It is very interesting to note that the Preamble to the Bill makes reference to the need for schools 'to adopt the opportunities offered by digital education and new evidence-based methods of teaching and learning.'

Current curricula across the nation are almost always predicated on the integration of IT knowledge and skills. The end of the DER program of the present Government raises a potential crisis for many schools. As these schools find their DER computers aging and becoming unusable, they will struggle to replace them, service them, train their staff, acquire new software, meet minimum reporting requirements of Government ... and that is just the start of the journey on which they will find themselves.

The Government's response to this dimension of the future of integrated IT knowledge and skills in the Gonski funding review has been non-existent to this point. Yet their expectations in the Memorandum are unchanged. There will be a crisis point on this issue sooner rather than later.

### **4. 'Human Rights Implications'**

AACS would draw the attention of the Committee to the fact that the ICCPR not only addresses human rights in the areas of social, civil, political, economic and cultural rights, but also religious rights. It is therefore somewhat alarming to AACS that these have not been named in this section of the Memorandum.

### **5. 'Fiddling the Books'**

It is very interesting to note the Prime Minister's assurance that 'agreements we strike will not allow fiddling the books'. While she seems to confine her comments to (recent) cutbacks by Liberal states (which are in our view reprehensible, pernicious and blatantly calculated to take savings now in anticipation of the extra costs to their states of the Gonski agreements), AACS observes that there have been decades of 'fiddling' by state governments of both political persuasions as they have sought to manipulate the AGSRC, blame shift, take excessive administration costs from NPs, etc.

The only way to deal with this 'fiddling' if the Government is genuine in this commitment is to ensure that the grants to States for the payments under the Gonski model are so scaffolded with conditions as to make it impossible for the States to exact an unreasonable margin.

## **OTHER GENERAL COMMENTS**

### **1. Indexation**

The issue of indexation is a huge factor in the whole funding model, but the Bill, the Memorandum and the Prime Minister's Second Reading Speech are all silent on the issue. No Funding Agreement can be signed without knowing the exact nature of the indexation arrangement (or arrangements) that will be built into the model both initially and over the medium to longer term.

**2. Portability of Funding for Students with Disabilities**

Schools must be given assurance in legislation of the Government's intentions concerning the nature, scope and portability of grants to SWDs.

**3. Capital Funding**

AACS is concerned that there is no reference in the Bill to Capital Funding. Will the current allocations to BGAs continue? Will it be replaced by something else? Schools must have answers to these questions in order to plan and exercise their due diligence as is demanded by DEEWR under current funding agreements.

**4. Transitional Arrangements**

In all changes from one funding model to the next, there will be schools that are somewhat benefited and others that are somewhat disadvantaged. These relativities require clear guidelines and figures in order for schools to exercise their due diligence in planning for the future under a new regime. The Bill is silent on this too. Schools must know this information immediately in order to be ready to sign funding agreements by the end of this year.

**5. And What if States Renege?**

As the implementation of the funding agreements will be predicated on the States joining with the Commonwealth, it is imperative to know what will transpire for those schools that are caught in the middle come the start of next year. Will SES continue and, if so, under what terms of reference? What will happen with State funding in this space? Schools must know the answers to these questions.

Thank you for the opportunity to make a submission to inform your deliberations.

We would be very willing to appear before the senate to answer further questions arising from our submission should there be time available.