

Submission Number: 04
Date Received: 12/6/2013



Catholic Education
Diocese of Parramatta

Australian Education Bill 2012

A Submission to the
House Standing Committee on Education and Employment

Catholic Education Diocese of Parramatta
New South Wales Australia

12 June 2013

Executive Summary

Catholic Education Diocese of Parramatta (CEDP) welcomes the opportunity to contribute to the Australian Education Bill and provide a Catholic school system perspective from Western Sydney – one of the fastest growing areas of school education in Australia. As a system of 78 schools, we cater for the diversity of learning need through a relentless focus on building the capacity of teachers and school leadership.

Some key points to note about the Bill:

- The competitive business nature of the language used in the Bill is fundamentally at odds with the stated goals
- The diverse nature of schools requires a funding model that provides certainty to schools and systems over the longer term (10 years minimum)
- A broader, more holistic evidence base is required to ensure that policy development and implementation reflects actual student and teacher needs
- The administrative burden of the National Education Reform Agreement (NERA) should be appropriate and costed to include direct support
- The capacity of a family to contribute to school education should not be taken for granted or used as the basis for funding non-government schools
- The ability to cater for the needs of students and teachers is strengthened by partnership in an enterprise system of schools and central office.

To be reflective of the research evidence, the Australian Education Bill must include drivers for the transformation of schooling that are not ideologically market-driven nor driven by the false belief that increased funding alone will lead to improvement in educational outcomes. The authentic release responsibility for local decision making will include drivers that include a:

- deeper understanding of the diverse nature of people and how they learn over time;
- global view that informs learning and teaching in the local context;
- strong foundation of theory and evidence;
- relentless focus on the needs and capabilities of every student through good teaching and building teacher capacity.

Introduction

The Australian Education Bill 2012 will frame the delivery of school education into the foreseeable future. Catholic Education Diocese of Parramatta (CEDP) welcomes the opportunity to contribute to the Bill and provide a Catholic school system perspective from Western Sydney – one of the fastest growing areas of school education in Australia. Bishop Anthony Fisher OP is the leader of the diocese and guides CEDP in the education and formation of students. The Bishop also chairs the NSW Catholic Education Commission.

The Catholic system of schools in Parramatta diocese comprises 22 secondary and 56 primary schools with over 43,000 students and 4,500 teachers. The cultural diversity of our schools in Western Sydney is unmatched by any school system in the country. As a system of schools, we cater for the diversity of learning need through a relentless focus on building the capacity of teachers and school leadership. It is in the areas of diversity and capacity building that this submission is focused.

This document is based on a February 2013 submission to the House of Representatives Standing Committee which detailed a number of issues not yet addressed in the amended

legislation now before the Senate. The key point is that the Bill is based on a market philosophy that has been repeatedly shown to be fundamentally flawed when applied to education (Ozga, 2000, p. 25).

Assumptions

The first assumption is that the use of business competitive practices and language to describe a human relationship practice such as education will create the right culture and narrative from which to improve student learning. The language of the Bill is steeped in the rhetoric of corporate managerialism and business competitiveness that was part of the unhelpful rhetoric of the 'school improvement' agenda of the Blair (UK) and Bush (US) governments of the 1990s and 2000s.

The language and intent of the Bill:

- takes a narrow focus on high-stakes test scores to measure 'school performance' and to determine ongoing funding based only on NAPLAN scores (Gonski et al, p. 157)
- attempts to drive 'achievement' through competition
- liberally uses business capital terms such as 'workforce', 'economy', 'productivity', 'performance', 'school improvement', 'reform', and 'deliver teaching'
- has a 2025 focus on a competitive global ranking of schools – this is shown as first in a list of 'Objects of the Act' (Division 1, 3.1.a.i) as if this is the rationale for the Bill.

This rhetoric confuses the Bill's otherwise laudable emphasis on schooling practices that do make significant difference to student learning such as catering for diverse needs and building the capacity of teachers and school leadership. The language assumes that schools need to be 'reformed' and 'improved' rather than *transformed* (which changes both form and substance) and builds capacity.

Hargreaves (2012), a highly regarded educational expert in educational leadership and effective schools through extensive research on teachers and education systems around the world, warns against the increasing prevalence of a 'business capital' approach to education:

'...when we begin to move the whole profession of education to serve the short-term interests of business capital, it comes at an immense price and carries dangerous assumptions about the nature of the teacher...'

CEDP does not support the use of business language in the Australian Education Bill as it is not supported by sound contemporary educational theory and research.

The second assumption underlying the Bill is that competition can buy and produce equity. By linking funding only to *outputs* (measured only by NAPLAN results, Gonski et al, p. 156) and neglecting to fund inputs (building the capacity of teachers and school leadership), there is the potential to encourage a results-only focused school sector that neglects the importance of human growth and happiness (wellbeing). These are consistently identified by successful school systems (e.g. Finland) as significant factors in student learning success.

The nature of a competitive approach to education (Prime Minister Julia Gillard described education as a 'race' in the Second Reading of the Bill to Parliament) ensures that some students (or schools, systems or states) will be 'winners' and some will be 'losers' and thereby entrenching disadvantage and inequity in the fabric of the Bill. This is fundamentally at odds with a Bill preamble that states...

"All students in all schools are entitled to an excellent education, allowing each student to reach his or her full potential so that he or she can succeed and contribute fully..." (Preamble).

Being ranked in the top five countries in the world by 2025 should not be the 'Object of the Australian Education Bill' as it encourages competitive educational practices that do not develop the whole person.

Competition does not drive equity in education – building each teacher's and child's capacity to learn does.

The third assumption is that inputs into human practices will equal outputs i.e. for a certain level of Schooling Resource Standard (SRS) funding (Gonski et al, p. 157), 'school and student performance' will reach 'benchmarks'. The *Pareto Principle*, as an observation of human activity, shows that this is clearly not the case.

Humans are diverse by nature and the principle observes that most things in life (input, effort, reward, results, output) are not distributed evenly – some will contribute more than others. The principle is generally quoted as an 80-20 breakdown e.g.:

- 20% of a population will hold 80% of the wealth
- 20% of a population will commit 80% of the crime
- 20% of factors influencing student life success come from school while 80% are social and personal and outside the school's control
- 20% of schools (actually 16%) meet the 80% Gonski et al benchmark for a 'Reference School' (p. 158).

The work of Gonski et al (p. 157) fits the general observation – schools with 20% of students in the lowest two Bands of NAPLAN (reading, numeracy) over three years represent 80% (actually 84%) of all schools. The assumption made by Gonski et al is that the provision of a standard input amount of funding per student will enable a benchmarked standard of outcomes (outputs) for **all** students. However the loading amounts based on

- disability
- indigeneity
- low SES
- NESB
- school size and location

will not necessarily change the output and Gonski et al recognise this when they say '...there are students who do not meet benchmarks, nor are they included in any of the loading categories' (p. 168) i.e. currently the loading categories do not apply to a non-indigenous, English-speaking student from a high SES area who needs extra support in literacy and numeracy.

There is no evidence provided that this funding model is substantially fairer (see the section on School Funding for more details on 'Capacity to Contribute') or more likely to achieve improved student outcomes than the existing model.

The diversity of student populations is complex and highly trained quality teachers and school leadership are best placed to determine learning need. Even though the NERA lists these as 'reform directions', it does not develop them in a way that enhances the teaching profession. Rather, it prescribes mandatory behaviours for teachers and principals leading to a 'de-professionalisation' of the profession.

Principles

CEDP supports the development of effective policy to implement the Bill however it must be recognised that education policy effects take time due to the humanness of the policy field:

'Policies...are useful, but blunt instruments. Under the best of circumstances, they can influence the allocation of resources, the structure of schooling, and the content of practice; but those changes take time and often have unexpected effects.' (Elmore & McLaughlin, 1988)

The Bill and the NERA include prescriptions to 'allocate resources' (SRS), 'structure schooling' and define the 'content of practice' (Standards for Teachers and Standard for Principals). Annual public reporting of these through the School Improvement Plan allows only a very short timeframe for improvement.

CEDP believes that the principles in the preamble to underpin policy development should recognise:

- That every child has the capacity to learn
- The right of every child to an opportunity to learn
- The right of every child to have a good teacher to help them learn
- That children have a diversity of learning needs
- The right of every parent to choose the type of education they desire for their child e.g. religious, secular, other. Any new funding model must enable students from a range of backgrounds to access our schools.
- That teachers must be valued as professionals to make good pedagogical decisions
- That schools are best placed to flexibly respond to local learning needs
- That 'approved authorities' have funding certainty over the longer term
- That broad-based quality evidence must be used to inform, transform and form policy development and implementation
- That policy success should not only be measured by things that are easy to measure – activity data collected should be broad-based and longitudinal.

If the NERA had been developed using these principles, CEDP believes that the positivist nature of the policy intent and the tick-a-box manner of the easily-measured actions could have been avoided. The five reform directions of the NERA are soundly based on evidence (though none is provided) however the mapping into actions and performance indicators (NERA Clauses 26-28) is simplistic seeking to use indicators that are easily measured rather than seeking actions based on evidence showing likelihood of success.

CEDP recognises that government education policy exists both as a reflection of ideology and as a political response to manufactured public concern about school improvement. In practice, this creates an ideological irony (Mackay, 1999, p. 259) where a policy can state that the responsibility for decision-making will be devolved locally to schools while simultaneously setting strict performance accountabilities and 'reward' payments¹ and building a burgeoning public service department to enforce them. The history of such education policy in the UK shows that it does not improve school performance nor does it value teachers as professionals (Ozga, 2000, p. 25). High performing education systems (eg. Finland) have no federal education department and authentically allow decision-making to be made locally to meet student need.

Significant work will be undertaken in reform 5 (Transparency and Accountability) to collect Australian data (especially in relation to 'disadvantage') to support better policy development and implementation. This should include:

- Evidence **for** practice (informational) – research evidence based on more than just consultancy (e.g. Grattan Institute) or OECD reports. Evidence needs to include academic research related to policy trajectory analysis

¹ National Partnerships funding 2009-11 in Literacy/Numeracy and Teacher Quality contained millions of dollars in reward funding for systems which met 'targets'.

- Evidence **in** practice (transformational) – experience of practice integrated with research
- Evidence **of** practice (formational) – user-reported evidence of the changes resulting from inputs (adapted from Todd, 2008).

CEDP strives to achieve alignment and coherence between the work of schools and the diocesan office (collectively the ‘system’). The Bill refers to ‘individual school entitlement’ which has the potential to limit the role of the diocesan office (or ‘approved authority’) to that of administrative support and funding conduit. CEDP, as an enterprise system is only able to achieve a relentless focus on what works well in schools in relation to student learning through interdependence achieved through mutual support. This involves a strong role for the diocesan office in building the capacity of school leadership and teachers.

Data

Gonski et al (2011) decries and outlines the lack of available data on which to base the *Funding for Schooling* report –

‘...in practice...data are either currently not available at all or not available on a nationally consistent basis...and reliable performance measures would need to be developed...’ (p. 157)

CEDP believes that evidence-based decision-making is fundamental to providing good policy development and so support every effort being made in the Bill and through the Transparency and Accountability reform to develop nationally agreed standards for:

- identifying ‘disability’ (Gonski et al, p. 167)
- determining the effect on learning of Low SES, NESB and Indigeneity (Gonski et al, p. 167)
- measuring attendance, retention and completion, and post-school destinations (Gonski et al, p. 157)
- collecting higher *quality* data.

The timely availability and quality (validity and reliability) of data is important to consider when developing, gathering and reporting data sets – both for system planning and pedagogic purposes. Past government project data collection (e.g. National Partnerships in Teacher Quality, Low SES and Literacy/Numeracy) has not been easy to respond to, nor very helpful to the sector, due to:

- *ad hoc* and cumbersome data collection techniques – asking complex questions at short notice
- unreasonable timelines to gather local data – this is also reflected in the short timeline available to prepare this submission
- constantly and late-changing reporting templates
- simplistic data collection methods e.g. numbers of participants, anecdotal opinion
- NAPLAN data not being available immediately to support teaching and learning decisions – it is a diagnostic test but results are not available until six months after testing.

CEDP welcomes and supports the development of broader-based tools capable of providing holistic evidence about school success and not just reporting the ‘easily-measured.’

Teacher Quality and Standards

The terms ‘quality’, ‘excellent education’, ‘benchmarks’ and ‘standards’ are used throughout the Bill without being defined. Even the SRS is not in the Clause 6 Definitions List and one has to

go to the fifth paragraph of the Guide to the Act for a definition. Assumed understandings of the meaning of these terms will lead to confusion in relation to building the capacity of teachers and school leadership for the improvement of student learning.

Richard Elmore (2008), a long-term education researcher into effectively promoting student learning on a large scale, talks about the 'instructional core' of teaching and that...

'...there are only three ways to improve student learning at scale:

- 1) *Raise the level of content that students are taught*
- 2) *Increase the teachers' skill and knowledge that they bring to teaching of that content*
- 3) *Increase the level of students' active learning (engagement) of the content...'*

When we talk about *quality* teachers providing *excellent education* we often focus on the characteristics (*professional standards*) of the teachers themselves. While these are important, the focus must be on the active process of teaching – what happens in the instructional core and how it can be improved. Elmore (2008) has shown that focusing only on standards (*Australian Professional Standards for Teachers (NSW)*, the *Australian Performance and Development Framework for Teachers* and *The Australian Professional Standard for Principals*) is not enough to 'improve student learning **at scale**'.

Using a standards-only approach to teacher quality introduces a QA (Quality Assurance) standard to the profession in the same way that a QA standard exists for project management, car making or ball-bearings. This Bill is about human endeavor and building human capacity through learning – it should be advocating for 'creativity', 'imagination' and 'innovation' as well as 'performance', 'benchmarks' and 'standards'. The Bill seems to focus only on student remediation and ignores student extension – it could achieve both with better ideological underpinnings.

CEDP welcomes the use of Professional Standards as **one** part of assuring teacher quality but recognises that, on their own, standards will not necessarily guarantee teacher quality nor improve student learning. Building teacher and school leadership capacity in the distinctly human practice of education through engagement with the instructional core will be most effective.

The Bill should support the standards but go further to support all aspects of Elmore's model shown.

School Funding

CEDP understands that the *Review of Funding for Schooling – Final Report* (Gonski et al, 2011) was used as the basis for the SRS with subsequent loadings based on need and/or disadvantage. The final report also identifies that the loadings are...

'...not a guarantee that such schools will achieve those (educational) outcomes as this depends also on the effectiveness with which those resources are deployed...' (p. 166)

Money is not the only determinant of educational success even though the Bill describes itself in the Guide to the Act as an Act to '...provide financial assistance for schools...'. Education in the United States has experienced a 270% increase in expenditure in real terms over the past 12 years with negative performance occurring on all indicators (Whitby, 2012). Prasser (2013) points out that, to be most effective, the funding must be targeted toward meeting need and based on sound evidence (p. 26) and Gonski et al identifies that systems are best placed to work with schools to achieve this (p. 161, 164).

The Bill identifies:

- A preset needs-based funding formula which must be used to distribute funding – from Federal to State governments, from the State to the Non-Government Sector (CECNSW), from CECNSW to each Diocese, from each Diocese to each school. There is little room for the ‘...welcome ...involvement of schools and approved authorities in discussion and examination of how best to implement new needs-based funding arrangements...’ (Garrett, 2013) when these presets are in place.
- A suite of formulae to determine recurrent and capital funding (Parts 3-5, Clauses 31-70) – by locating these in the Bill, they will require specific legislative change should any of them turn out to be ineffective. Locating the formulae in the Regulations to the Bill would expedite a change process if required.
- All schools in the non-government school sector as ‘participating schools’ regardless of whether the State signs the NERA. This has the potential for disparity of funding treatment between sectors if any State or Territory does not sign up to the agreement. It is recognised that NSW has currently signed up to the NERA and the current position of the alternate government come 14 September would not honour this arrangement unless all states and territories agree.

The funding position of Catholic education remains constant. CEDP supports additional government funding for Catholic schools in order to close the 10% (MySchool 2011 data) funding gap between Catholic schools and government schools. This includes clarity around capital funding for meeting the growing educational needs of Western Sydney in terms of new school development and the maintenance of existing buildings.

CEDP still requires clarity around the following:

Length of funding cycle

- Funding certainty for systems and schools is required over longer periods. Short-term business or electoral cycles prohibit longer term planning especially with the demographic shifts in fast-growing areas like Western Sydney.
- The Bill identifies a transition to full funding over a six year period with two review cycles. This does not provide the long-term funding certainty required.

Continuation of the existing ‘system block funding’

- CEDP operates as a system of Catholic schools and continuation of block funding is critical to respond flexibly to local need. Funding the system as an enterprise allows support for school communities who may not otherwise be able to meet the needs of all learners, not just those considered ‘disadvantaged’. This builds a contemporary organisation working interdependently to promote student learning, cater for diversity and build capacity. It allows certainty for schools to minister to local need while the central office removes the administrative burden from schools.
- The Bill does not detail how a needs-based funding formula would apply to system block funding and how the transparency of decision-making by the approved authority would need to be reported.

A family’s capacity to contribute

- A family’s capacity to contribute should not be taken for granted. We do not support Recommendation 17 of Gonski et al, p. 175 advocating a discount of the SRS to non-government schools of 10%.
- The Bill not only enshrines this 10% discount of non-government school funding, but establishes it as a *minimum* discount according to the SES score of the school’s

location as defined in the table in Clause 54. The funding discount is made differential between primary and secondary schools and the discount can range up to 80%. CEDP is concerned that:

1. Even a 10% discount of funding is realistically a 10% loss as parents with children at schools in SES areas of 93 or less, are often not able to contribute anything – this represents a loss of funding to CEDP of \$927 per primary student and \$1219 per secondary student (i.e. 10% of the SRS) in our most vulnerable schools.
2. There is a differential of funding discount between primary and secondary schools in SES areas of 94 or higher e.g. a parent with a child at a primary and a secondary school in an SES area of 100, will be expected to contribute 12% of the child's SRS in the primary school but 25.31% in the secondary school. Based on calculations as detailed in Section 54 of the Australian Education Act, CEDP would experience a funding shortfall of about \$23m in 2014. One option to respond to this situation would require family contributions to rise by 25%.
3. Though there is a Student Weighted Average (SWA) SES agreement for NSW Catholic systemic schools which would reduce the shortfall to about \$2m, the SWA agreement is not covered by the Bill and therefore can be subject to future ministerial policy change.
4. There remains little clarity around the provisions of the SWA agreement e.g. the definition of capacity to contribute, what fees, charges and levies are included or excluded. It is not known, for example if this includes investment revenue from funds held for employee entitlements. The challenge may well be an increasing differential in fees from lower SES to higher SES which may see reduced enrolments in higher SES schools due to increased financial pressures on families, particularly with multiple children.
5. The reporting burden is significantly increased given the new requirement for the publication of the system funding model and system calculated entitlements for a system and every school disaggregated by base and loading entitlements and Commonwealth, State and private income for each school. This competitive type of reporting fails to recognise that CEDP, as an enterprise system, is only able to achieve a relentless focus on what works well in schools in relation to student learning through interdependence achieved through mutual support (page 6). On a preliminary analysis, CEDP considers that administrative and financial reporting requirements will at least double from the existing level.

Funding indexation (supplementation)

- The funding model must reflect economic reality and needs to break the direct link between the indexation of federal funding to increases in state education expenditure.

Administrative burden

- The NERA should not have onerous terms and conditions attached which will significantly increase the administrative burden on teachers and system staff. For example, the current administrative demands of National Partnerships and AITSL projects are numerous and onerous on system administration staff and have not been adequately funded.

Socio-economic status (SES) 2011 ratings

- The new model of SES ratings is detailed but not modeled to identify the impacts on funding and equity considerations.

If government funding to Catholic schools fails to keep pace with funding to government schools, Catholic schools will be forced to increase parent contributions. Any fee increase will put pressure on many Catholic families, who may consider moving their children to government schools. Not only does this put greater pressure on government resources but it also costs taxpayers more in the full funding of those students.

Recommendations

To be reflective of the research evidence, the Australian Education Bill must include drivers for the transformation of schooling that are not ideologically market-driven nor driven by the false belief that increased funding will cause educational outcome improvement. Authentic release of responsibility for local decision making will include drivers that include a:

- deeper understanding of the diverse nature of people and how they learn over time;
- global view that informs local teaching and learning;
- strong foundation of theory and evidence;
- relentless focus on the needs and capabilities of every student through good teaching and teacher capacity building.

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