

AUSTRALIAN COUNCIL OF JEWISH SCHOOLS

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11 November 2008

Mr John Carter
Committee Secretary
Senate Education, Employment and
Workplace Relations Committee
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Mr Carter,

The Australian Council of Jewish Schools welcomes the promulgation of the Schools Assistance Bill as it implements the Government's commitment to maintain the SES funding arrangements, inclusive of supplementation for the next 4 years. This provides us with funding certainty and should be passed as soon as possible.

There are some aspects of the Bill about which we would seek further consultation. We understand that the Government is committed to further consultation on these matters. They are what may possibly flow from the requirement to teach a national curriculum, the requirement to report on all funding sources, and a relevantly unfettered empowering of the Minister to deny a school funding, if it were to receive a qualified audit.

Jewish schools support national curriculum standards as allowing the implementation of positive reform in education. However, the compulsory implementation of a national curriculum, if it were not to provide for sufficient flexibility, may limit choice, diversity and flexibility and impact on our schools' ability to offer curricula that meet the needs of our school community. At present there is little detail about how a national curriculum would cater for this flexibility.

Further, independent schools are already subject to high levels of accountability and transparency. Under the new Bill, schools may be required to report on all funding sources, such as scholarship funds, bequests and profit-making activities which may then be published. The preferential basis for funding of schools should be parent and student needs.

Thirdly, the Bill adds "a qualified audit" as grounds upon which the Minister may elect to refuse or delay payments to schools. We consider this, alone, to be too broad a basis for questioning a school's financial viability. Whilst we support the Government giving

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consideration to a school's financial viability, a qualified audit is not necessarily related to the ongoing financial viability of a school and, without more, should not be sufficient grounds for withholding or delaying government funding.

We understand that the details we are seeking about these matters will be contained in the Regulations and there will be opportunities for consultation and negotiation on these. We are confident, given our relationship with the Federal Government and their commitment to a rational approach to school funding, that these matters will be ironed out over the ensuing few months and the general principles embodied in the Bill, which we support, will be given unqualified support from all non-government schools.

We support passage of the Schools Assistance Bill 2008, without delay, to ensure that capital funding of our schools is provided in a timely manner.

We are continuing to work with the Association of Independent Schools of NSW on these issues and are confident that this will lead to the negotiation of acceptable Regulations for independent schools.

Yours faithfully,

A handwritten signature in blue ink, appearing to read "Stephen Rothman", written in a cursive style.

Justice Stephen Rothman AM
Co-Chairman