

~~acceptable speed. That evidence states that less than five per cent support speed limits above 110 kilometres and over 50 per cent want the maximum speed limit reduced to below 110 kilometres. This is important. I recommend to all honourable members that they encourage their constituents to support speed limits staying below 110 kilometres.~~

~~Tabled paper: Extract from RACQ document, titled 'Opinions of best speed limit on rural highways'.~~

~~(Time expired)~~

## EDUCATION LEGISLATION AMENDMENT BILL

### Introduction



**Hon. JH LANGBROEK** (Surfers Paradise—LNP) (Minister for Education, Training and Employment) (12.41 pm): I present a bill for an act to amend the Education and Training Legislation Amendment Act 2011, the Education (General Provisions) Act 2006 and the Education (Queensland College of Teachers) Act 2005 for particular purposes. I table the bill and explanatory notes. I nominate the Education and Innovation Committee to consider the bill.

*Tabled paper:* Education Legislation Amendment Bill 2012.

*Tabled paper:* Education Legislation Amendment Bill 2012, explanatory notes.

The Government is committed to giving Queensland students brighter futures and this bill assists in delivering on this commitment by progressing a number of amendments for the Education portfolio. For kindergarten programs to be made available to as many Queensland children as possible, the bill will enable the state schools of distance education to deliver kindergarten programs to those families who, due to distance or itinerant lifestyle, are unable to access a kindergarten program from a centre based service. It aims to ensure that students permanently excluded from state schools are advised of their right to periodically seek a revocation of decision in the most effective way possible. The bill will ensure Queensland teachers are subject to the same professional standards applied to teachers across the country. Finally, the bill aims to facilitate appropriate levels of reporting of concerns of likely future sexual abuse of Queensland students. This is achieved by avoiding the application of section 204 of the Criminal Code.

The Queensland government is committed to providing universal access to quality early childhood education by ensuring all Queensland children can access a kindergarten program regardless of their individual circumstances or where they live. This commitment forms part of the National Partnership Agreement on Early Childhood Education endorsed in 2008 by all jurisdictions, including Queensland. Under the national partnership agreement, Queensland is to achieve 95 per cent participation in kindergarten programs by mid-2013. This target requires specific strategies to support access and participation of children from rural and remote communities and those with other diverse needs. The ambitious participation target for 2012 is 86 per cent. Participation was at 68 per cent or about 41,500 children in 2011, up from 29 per cent or approximately 16,000 children in 2008.

This growth is being achieved by funding the delivery of kindergarten programs in long day care services and establishing extra kindergarten services in areas where supply of places is insufficient. For the vast majority of Queensland families, children are able to access a kindergarten program at these centre based services. However, in a geographically dispersed state like Queensland, centre based services are not readily accessible to all children and alternative delivery modes are needed.

That is why this government supports the development of e-kindy, a distance education kindergarten program that can be delivered by teachers via the internet. E-kindy builds on the government's current efforts by supporting access to and participation in kindergarten for children unable to access a centre based service because of their remote location, medical issues or an itinerant lifestyle. E-kindy is being developed by the Brisbane School of Distance Education and is currently being piloted to finalise materials for use from next year. I am advised by the Isolated Children's Parents' Association that the pilot is being very well received. The educational program includes: a package of physical resources for parents, teacher assistance provided through three 20-minute web conferencing sessions per week, teacher resources, teacher-led lessons, online support to parents and cluster groups where children will meet with the teacher and other children at least once a term. This is a best-practice early education program.

This bill will enable state schools of distance education to deliver distance education preparatory learning programs. If passed, state schools of distance education will commence state-wide delivery from January 2013 and contribute to meeting the government's obligations under the national partnership agreement. Amendments to the Education (General Provisions) Act 2006 enabling state schools of distance education to deliver e-kindy are necessary because currently under the act state schools are only able to provide primary, secondary or special school education. They cannot deliver education programs to children younger than school age.

The bill prescribes the eligibility criteria for participation in e-kindy and process for seeking registration in the program. The criteria capture children in the kindy aged cohort who are unable to

regularly access a centre based service because of their isolation, medical condition or itinerant lifestyle. The program is to be provided free of charge to eligible families. The pilot program, which has been running since July with more than 100 families, is receiving positive feedback from families and teachers and is assisting the Brisbane School of Distance Education to refine the program. The program is helping prepare participating children for Prep, their first year of school.

State schools of distance education are best placed to deliver the program from both a value-for-money and capacity standpoint. They have well developed expertise in delivering distance education programs tailored to meet the needs of all children. This includes children with disabilities and those from culturally and linguistically diverse backgrounds. Delivery by state schools of distance education is cost effective, as the government is able to leverage existing infrastructure and administrative processes.

These amendments will not prevent non-government providers from also entering the market to deliver an online kindergarten program. In fact, a small number of independent schools already provide distance education programs for school aged children in their schooling communities and may look to offer kindergarten in the future.

The bill also amends the Education (General Provisions) Act 2006, the EGPA, to remove the requirement for 'anniversary letters' to be sent annually to students who have been permanently excluded from state schools. Currently under the EGPA, after each anniversary of a student's permanent exclusion from a state school, a letter must be sent to the student's last known address until the student is 17, advising them they may make a submission to have the exclusion revoked. The effectiveness of the letters in raising awareness of rights is questionable. For example, many letters may not reach intended recipients as the department is not always advised when a student moves address.

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It has been decided that the better way to inform students about their right to seek a revocation is to advise them at the time the exclusion decision is made. The bill therefore replaces the existing requirement with a requirement to send a one-off notification to permanently excluded students advising of their right to periodically seek a revocation of the exclusion decision.

My department will also include information about the process on its website. In addition, final notices will be sent to existing permanently excluded students explaining their rights and advising about the change in the requirements to provide yearly reminders. It will remove the requirement for more than an estimated 2,600 letters to be sent annually. The reduction in red tape will enhance support for front-line educational services.

I want to be clear, though, by advising members that the proposal does not remove review rights. Regional case managers will continue to be appointed to work with all excluded students to help them re-engage in education. Case managers follow up with students within one month of their enrolment in a new school or program and again within six months to ensure their continued engagement. These case managers will play a key role in ensuring students and parents understand their review rights.

The bill also amends the Education (Queensland College of Teachers) Act 2005 to enable the Queensland College of Teachers, or QCT, to adopt the National Professional Standards for Teachers, developed under the National Partnership Agreement on Improving Teacher Quality. The QCT is responsible for teacher registration in Queensland. It approves Queensland pre-service teacher education programs to ensure graduate teachers enter the profession with requisite skills and experience. The QCT has responsibility for developing and applying professional standards which detail the abilities, experience, knowledge and skills expected of Queensland teachers.

Professional standards provide benchmarks for QCT decisions about provisional and full registration of teachers and approval of pre-service teacher education programs. The national standards are to operate in place of the existing professional standards developed by the QCT. The bill enables the QCT to adopt the national standards or, with the approval of the minister, develop or adopt other professional standards. This is required in the event the national standards are not maintained in the future.

The national standards and the QCT's standards are broadly similar in the essential elements of teaching relating to professional practice, knowledge and engagement. It is not anticipated that there will be a significant impact on teachers as a result of the adoption of the national standards. The QCT supports their implementation.

The adoption of the national standards will reduce red tape by improving the mobility of teachers throughout Australia. Adoption across the nation will ensure the same high standards are applied in all states and territories for teacher registration and the accreditation of pre-service teacher education programs.

The Education and Training Legislation Amendment Act 2011, passed by the 53rd Parliament, amended the Education (General Provisions) Act 2006 to strengthen the requirements of reporting sexual abuse in all Queensland schools. The legislation had the support of the current government, then in opposition. The reporting requirements were expanded to require that school staff report to the police suspected sexual abuse perpetrated by any person, not just employees, as well as a likelihood of future

sexual abuse. No penalty was prescribed for failing to report a likelihood of future sexual abuse. This was intentional. A failure to comply with this specific obligation was to be dealt with by the education sectors through disciplinary action in appropriate instances. This aimed to mitigate concerns that the risk of criminal sanction would increase reporting of inappropriate low-level matters.

It has subsequently been identified that, despite the original intention, a person who fails to report the likelihood of future sexual abuse may be guilty of a misdemeanour under section 204 of the Criminal Code. This carries a maximum penalty of one-year imprisonment. Section 204 provides that a person who fails to comply with a statutory obligation is guilty of a misdemeanour unless a mode of proceeding against the person is expressly provided. As a result, this bill amends the Education and Training Legislation Amendment Act 2011 by inserting provisions providing that a person does not commit an offence under the Education (General Provisions) Act 2006 or any other act by failing to report a likelihood of future sexual abuse under sections 365A and 366A. The intention of the section is to ensure that a person cannot be prosecuted under section 204 for committing a misdemeanour under that section if the failure to report is not an offence under any act. The bill will clarify the Legislative Assembly's original intention that there is no criminal sanction for failing to report the likelihood of future sexual abuse. I commend the bill to the House.

### First Reading



**Hon. JH LANGBROEK** (Surfers Paradise—LNP) (Minister for Education, Training and Employment) (12.54 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### Referral to the Education and Innovation Committee

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! In accordance with standing order 131, the bill is now referred to the Education and Innovation Committee.

## ~~SPEAKER'S STATEMENT~~

### ~~School Group Tours~~

~~**Mr DEPUTY SPEAKER:** Before I call the Attorney General, I acknowledge in the gallery representatives from three schools from the Redlands—Calvary Christian College, Chisholm Catholic College and Faith Lutheran College.~~

## ~~HOLIDAYS AND OTHER LEGISLATION AMENDMENT BILL~~

### ~~Introduction~~



~~**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney General and Minister for Justice) (12.55 pm): I present a bill for an act to amend the Holidays Act 1983 for particular purposes and to make consequential amendments to the Industrial Relations Act 1999. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.~~

~~Tabled paper: Holidays and Other Legislation Amendment Bill 2012.~~

~~Tabled paper: Holidays and Other Legislation Amendment Bill 2012, explanatory notes.~~

~~The objective of the Holidays and Other Legislation Amendment Bill 2012 is to relocate the Labour Day public holiday from May to the first Monday in October (for 2012, this is the date of the Queen's Birthday public holiday) and to return the birthday of the Sovereign public holiday, commonly known as the Queen's Birthday, to its original date on the second Monday in June. These changes will take effect from 2013.~~

~~Public holidays in Queensland are regulated by the Holidays Act 1983. On public holidays, workers are entitled to a paid day off or, if they work, payment of the public holiday penalty rates prescribed by their relevant award or agreement. The Holidays Act 1983 determines which days are public holidays and so activates public holiday entitlements for Queensland employees. The Commonwealth Fair Work Act 2009 recognises as a public holiday any day or part day prescribed as a public holiday under a law of a state or territory. In Queensland, the majority of public holidays fall within the first half of the year, with a particular concentration in the April-May period, which includes Anzac Day, the three Easter public holidays and Labour Day.~~