

## Education (General Provisions) and Other Legislation Amendment Bill 2024

**Submission No:** 135  
**Submitted by:** Kylie Miller  
**Publication:** Making the submission and your name public  
**Attachments:** No attachment

### Submitter Comments:

I am writing to express my deep concern and opposition to some of the proposed changes to the education legislation in our state. I have been a homeschooling parent for over 7 years now. My husband and I are both PhD-qualified scientists and have a strong belief in the right for a high-quality education for all children. I am sure that you will agree that education should be inclusive of all students, and therefore it is incredibly important that the reasonings and experiences of those that do not fit into the mainstream system are listened to and understood. Specifically, I am deeply concerned the proposed changes will hinder the ability of parents to provide a high-quality education for home-educated children, nor are they in the best interests of home-educated children:

1. The flexibility of home education is its strength. As such, I have serious concerns with the changes to section 217, in particular with requiring parents to teach to the Australian Curriculum. Enforcing a standard curriculum on all in an attempt to simplify a definition of a high-quality education is short sighted and demonstrates a fundamental lack of understanding of the home education community and the students that benefit from it. It is also a decision that lacks an evidence base and demonstrates a lack of consultation with the homeschool community and lack of understanding of why such large numbers of students, parents and teachers are leaving the conventional schooling system. It appears to be more of an attempt to distract from the real issue of why the school system is not working for so many.
2. Additionally, the Australian curriculum was not written for the home environment or to be implemented by parents. In fact, many schools employ curriculum specialists to assist in interpretation and implementation of this document. This is clearly not suitable to the home education environment. As home educators we regularly engage in multi-age learning with others in the home-schooling community. We use parents, community members and experts in their field to provide lessons and instruction. This often sparks interests and passions in our children and home education gives us the freedom to fully explore these areas. Enforcing a set curriculum would severely limit this learning.
3. The proposal to require reporting on all subject areas is a very time consuming task for both parents and the staff reviewing reports at the HEU, while adding no benefit to the education of the child. For the parents this is valuable time taken that could otherwise be spent on the education of our children. In a one-on-one environment we are already very aware of stage our children are up to and the progress they are making. It also raises big concerns about the ability of the home education unit to be able to process this additional paperwork in a timely manner, especially with the large increase in numbers of homeschooling families. In the past I have waited up to 3 months to receive confirmation of my reporting. This is quite an unacceptable timeframe, especially if issues are ever to be raised.
4. Another important point to consider is that a very large number of home-educated children are neurodivergent and do not learn in a traditional way. Many of these children have already tried the school system and the Australian curriculum and have been let down by the system and have found that it does not work for the way their child's brain works. This is certainly true for our family. A big strength of neurodivergence is the ability to deep dive into topics of interests. Allowing for the freedom to develop an individualised curriculum in home education allows for families to follow and develop the strengths of their child by implementing an interest-based or project-based learning approach.

One example of us not following the Australian curriculum was deliberately choosing to give our son the time to develop while focusing on his interests and not commencing any reading instruction until closer to 7 (which is the norm in many other high-quality curriculums) when we could see he was ready. The result of this is that at 11, he is now a very strong reader and we struggle to get him to put his books down to go to sleep at night. As he was not forced to learn these

skills before he was ready, he never once felt like he was behind or that he lacked in ability compared to his peers that were ready for reading at an earlier age. This is just one example of how going against the Australian Curriculum has been in the best interest of our son and has provided him with the high quality education that he deserves. I have no hesitation to say that if we were forced to follow the curriculum that it would lower the standard of education we are currently able to provide. Thank you for taking the time to read my submission and I look forward to your response to my request below and further dialogue on this very important issue. I hope that you will be willing to work together with the home educating community towards a more inclusive and responsive educational system for all families. Request for response: I would like to be informed what research and studies have been conducted to determine a) that the proposed changes to the legislation are in the best interests of the homeschooling community, b) what evidence there is that the current model of registration, reporting and legislation is inadequate, and c) what consultation has been made with the homeschooling community to understand their needs and what is in their best interests.

Dear Committee Members,

Following the recent EETS public briefing to the committee, we would like to add some further points to our submission.

### **Lack of Representative Consultation:**

It is clear that there has been a lack of representative consultation in the production of the components of the Bill relating to Home Education. As you would be aware, Queensland has NO official state homeschooling association. They are, however, well-coordinated online communities to which a call could have been put out for representation. Two people who are widely known within Queensland Home Education as being good representatives for our diverse community and that were available to represent the home education community directly, Amanda Bartle and Patricia Fitzgerald, were actively excluded throughout the consultation process, despite being well known to the EGPA review team and directors. As a result, as a family that has been homeschooling our two children for over 7 years, we feel that we were NOT represented in the second round of consultation. At no stage were we consulted about who we would like to represent us in light of there being NO official association. In addition, including businesses in the consultation process that stand to profit from mandated compliance with the Australian Curriculum does not count as representative consultation. This appears to be totally inappropriate, and biased consultation at best.

Moving forward, it is crucial to involve homeschooling representatives in discussions about education regulations. A collaborative approach would ensure well-informed decisions regarding amendments that are effective and practical. This has currently not been achieved. A collaborative approach would also help to build trust and open communication and a productive working relationship between the government and the ever-growing home educating community.

### **Misleading and incorrect information presented in Briefing to Committee:**

We would also like to draw your attention to two statements that were made by Kathleen Forrester during the briefing to the committee that were incorrect and a number that were misleading:

- 1) Kathleen Forrester stated that the Steiner and Montessori curriculum were considered approved educational programs, however s217 of the proposed legislation names the following as the ONLY approved options:
  - The National Australian Curriculum
  - A senior subject syllabus (developed by the QCAA)
  - A Vocational and Education Training (VET) course
  - Or a combination thereof

Note: ACARA does contain a [Recognition Register](#), however the latest version (9.0) does not include recognition of the Montessori curriculum.

- 2) Kathleen Forrester also stated that this proposed legislation was designed to bring Qld into alignment with other states' regulations, however there was no justification or evidence base given to why this alignment was going to improve outcomes for home educated children or what the basis was to believe that other states had better requirements than what is already in place in Qld. Does Qld aspire to just follow what other states do without any evidence base? But regardless of this, her statement was just not true. The changes outlined in the bill does not bring Qld into alignment with

other states. She stated that in both Victoria and NSW that home educators are required to follow the Australian Curriculum, however this is not true. In Victoria, as per the VRQA's home schooling policy, "The VRQA will ensure that the regulation of home schooling respects parents' right to home school and to design an educational program that meets their child's needs." (see [VRQA Home Schooling Policy](#)). There is no legislative requirement to follow the Australian Curriculum in Victoria. This is also the case for NSW. There is a very big difference between being asked to refer to a curriculum as part of creating a plan and a legislated requirement to follow the Australian Curriculum, as is currently being proposed in Qld. Qld also has a much more onerous and time consuming written reporting process than any other state, with no support from HEU.

### **Australian Curriculum and Senior Syllabus is developed for a school setting, not Home Educators:**

In addition to these two points, Kathleen Forrester stated that only 20% of home educating families in Qld are currently using the Australian Curriculum. It was shocking and absurd to then hear her state that this demonstrated that it is a "strong" and "confident" choice for ALL home educating families. Our family is one of the **80%** who actively choose to *not* use the Australian Curriculum in providing a well-rounded and high quality education for our children. We have provided detailed, individualised yearly plans and reports to the HEU for both our children and these have all been approved as a high quality education, all while not following the Australian Curriculum. While we are very familiar with the Australian Curriculum and will refer to it from time to time, we do not find it a supportive curriculum or in the best interest of my children's education and it was in no way developed with any consideration for the home learning environment. In addition to this, the senior subject syllabus is an even more specialised curriculum *developed for the classroom setting*, designed to prepare students for internal and external assessments that are not available to home educated students.

### **Oversight in not including University Courses as an approved Educational Program for Senior Years:**

Another serious oversight in this Bill is that University Courses are not listed as an approved educational program. This appears to be a serious oversight on behalf of the Department in understanding home educated children, as many will access University studies as part of their senior years study. For this age group, to ensure engagement, choice is particularly important, not restrictions. This oversight will provide limitations to the education that can be received in the senior years. It also raises serious questions of understanding of the university admissions process outside of QTAC by the Department of Education. Home educated children will often use University Courses as a pathway to entry to a degree. Limiting this option is limiting our children's pathways to University.

For our family, the choice to home educate our children came as a result of a huge amount of research and informed planning. The resources we use and the plan that we follow are a result of a deep understanding of our children, how they learn, their interests, and an underlying desire to provide them with a rich, diverse and high quality education that is tailored specifically to their needs and development. This allows us to engage our children in meaningful learning activities that they love. As the school holidays approach, many well-meaning adults have been asking our children if they are looking forward to the school holidays. This is a familiar question all children receive towards the end of each school term and most children quickly

respond with an enthusiastic 'YES'. Our children however are confused by this question. They love our home education program, are engaged with the learning that they undertake and the activities we participate in. It is not a burden or something they dread. For them, the idea that they would be counting down the days until they get a break from this is very strange to them. We do not think this could be said of most children attending traditional schools.

### **Misunderstanding of the Use of Social Media in Home Education:**

Another comment made by my Kathleen Forrester during the committee briefing was that social media has been a motivating force to home educate. This comment misrepresents how social media is used within the home education community in Queensland. Social media is used as a way to connect, share experience and resources. Families considering home education often also look to some social media groups to learn first-hand from experienced families. This is no different to families who choose to send their children to schools, for example, often asking in local Facebook groups for recommendations on various schools. However, the comment that was made during the committee briefing sounded like she was suggesting home education is some sort of trend that people are following. This comment may have been made in reference to [2022 Social Media Analysis Insight Report](#) produced by the Department of Education which aimed to "to identify the key themes and engagement topics posted" on social media in relation to homeschooling?. In looking at this document the report appears to be very much lacking in true insights, perhaps due to the limited key words that were chosen, for example 'homeschooling' was listed as a keyword but NOT 'home education', which would seem to be a big oversight that would greatly limit the "insights" to be gained.

### **Concern with potential Government Overreach in interpreting what is in the best interest for a Child:**

In addition, we would like to raise our concern that the proposed legislation states that home education must be "in the best interest of the child". While the best interest of a child is a very important consideration with any choice of education, we have very serious concerns about how this proposed legislation may be interpreted. Who determines what their best interests are and how will they determine this? Would this requirement to demonstrate the choice of education is in the best interest of the child extend to private schools? Or even state schools? Will all parents need to justify their choice of education for their child? If not, why implement this for parents choosing home education?

### **Objection to the removal of provisional registration:**

From the statements made at the briefing, the removal of provisional registration for home schooled children appears to have been made out of concerns that a 60 day provisional registration would result in the child not receiving an education in those 60 days. This is misinformed at best. This period is a crucial grace period for gaining an understanding of what level the child is at, the way they learn and their interests, allowing a parent time to develop and appropriate yearly plan. In addition, this provisional registration provides much needed protection for a child moving to home education under urgent circumstances with trauma and stress, e.g. bullying and mental health based reasons. For our family, we began home educating our first child at the age of 4.5 years, however registration is not legally required until the age of 6.5 years. We had two full years before full registration and a written plan was required. For this two year period my child *still received a high quality education*. When we were required to submit the registration to HEU, it was a very well planned, researched and appropriate plan for our child that required little alteration through the year. For children that find themselves in an unsafe situation at school or with mental health issues, the provisional registration is a lifeline, providing them with space to breathe as they find a way forward that

will work for their family. Increasing the barriers to registration will only result in more families choosing to 'fly under the radar' and not to register with HEU.

In closing, while the proposed changes were tabled to "support" home educators, improve well-being outcomes for home educated children, and acknowledge inclusion and diversity, we believe these changes will not achieve any of these goals for the reasons listed above. These changes are onerous on parents, taking our time away from educating our children at best, and disadvantageous and detrimental to the educational outcome of our children at worst.

Our recommendations for the committee are:

- to **recommend no changes to the home education registration process** until proper consultation has been conducted.
- that a proper evaluation of the **reasons children, in particular the large numbers of children with disabilities, are leaving mainstream education in Queensland for home education** is conducted.
- Access to flexible educational options is essential to ensure all students educational need can be met. **The legislation must ensure that flexible options remain an option for all students.**

Thank you for your time in reading our submission. These issues are of critical importance to our family and thousands more families across Queensland and we look forward to this being addressed with due consideration.

Sincerely,

Drs. Kylie and Chris Miller