

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

**Submission No:** 192  
**Submitted by:** Jennifer Foo  
**Publication:** Making the submission and your name public  
**Attachments:** See attachment  
**Submitter Comments:**

## **Re: Inquiry into Education (General Provisions) and Other Legislation Amendment Bill 2024**

I kindly thank the committee for their consideration of my submission.

I am writing to oppose the proposed changes in the Education (General Provisions) and Other Legislation Amendment Bill 2024, in particular the intention to:

- *require a child's educational program for home education to be consistent with an approved curriculum;*
- *strengthen parent reporting requirements.*

### **Personal Background**

To give some personal background. I qualified as a Speech Pathologist from the University of Queensland, and spent time working for Education Queensland servicing students with speech and language needs. My husband is currently a full-time Senior Mathematics teacher working for Education Queensland.

### **Satisfaction with Existing Legislation**

For the last seven years we have been thankful for the existing legislation that allows us the freedom to choose the curriculum that best suits the unique needs of our family, without the burden of having to map our choices according to an approved state curriculum. We, like most home educators, are extremely busy and we are very grateful for the minimal reporting demands placed upon us.

The current legislation simply requires parents to show, through an annual report, that they are providing their child with a high-quality education.

This is based on two correct beliefs:

1. Parents are capable of discerning, and providing their child with, a high-quality education.
2. The home environment allows for a sensitivity and flexibility of approach that is not possible when delivering education at scale; therefore it is unwise to force parents to follow a rigid curriculum.

### **The Existing Legislation Benefits Children**

In regards to flexibility of approach. Our eldest son is driven by a desire to solve problems. So for year seven he is now using a mathematics curriculum called 'The Art of Problem Solving'. It is stimulating and challenging him in ways that more typical approaches would not. Another example of tailored flexibility is helping our younger son with his struggle with hand-writing. Rather than fall back upon allowing him to type, we conducted our own research (which confirmed the importance of hand-writing), and found an alternative curriculum (based on flowing movements) which he enjoyed success in. Because of his struggle with writing, we also shifted our focus from written to verbal communication for a time (a strength of his, as he loves performance). He memorised and delivered a historical speech, and also planned and performed a forty-minute magic show for family and friends. This removed stress, and boosted his confidence and mental well-being. Having freedom from the constraints of needing to follow a one-size-fits-all curriculum has been of great benefit to our children.

## **The Proposed Legislation Changes Are Based Upon Faulty Assumptions**

The proposed changes, however, make assumptions that do not seem to take evidence into account. The changes seem to assume that official educators will be more effective than parents in discerning the best way of delivering education to their own children. The changes also appear to assume that approved curriculums, such as ACARA, will automatically deliver superior educational outcomes for all children.

### ***“Parents are not capable of discerning the best curriculum for their children”***

To give an example from our family in regards to choice of curriculum. When we decided to homeschool, we researched mathematics programs and decided to adopt Singapore Maths, which we have followed for a number of years. My husband is confronted every day with the declining numeracy standards of students educated under ACARA, and he is confident that our choice has provided our children with a high-quality mathematics education.

### ***“Approved (that is, ‘trending’) curriculums will guarantee the best educational outcomes”***

In the primary school years we have chosen a content-driven, classical approach which emphasises explicit instruction. There is mounting evidence that this approach is superior to the modern trend of inquiry-based child-led learning in the classroom. Although inquiry-based learning is ideologically attractive, the data shows it is not in the best interests of our children. As parents we cherish the freedom to follow what actually works, rather than being forced to follow educational fashions. Please see the below excerpt from the article I have attached:

*Jenny Donovan, director of the Australian Education Research Organisation – the body created by state and federal ministers to spearhead research – told Inquirer the evidence was convincing.*

*“We need to focus on practices that deliver the most effective learning outcomes,” Donovan said. “We know what those practices are. The evidence is extremely robust, up there with the most evidence-based stuff there is. We know what works. We are talking here about explicit instruction, the teacher being responsible for the learning of students; teachers revisiting the content to ensure it is learnt and maintained. This approach is supported by cognitive science and our understanding of how the brain learns.”*

*Yet this is not the approach followed in most Australian classrooms. “The problem is these practices are not necessarily well understood by teachers,” Donovan said. “There are concerns teachers will be accused of lacking creativity in their approach. I believe these fears are misguided. We need to look into why teachers aren’t picking up on the most effective practices.”*

**The Bottom Line**

The existing legislation allows for parents to tailor education to the individual needs of each child, and it respects the experience and wisdom of parents.

The proposed changes would unnecessarily burden and restrict parents, to the detriment of their children's education and mental well-being.

Let us continue to embrace the freedom and flexibility that homeschooling affords, ensuring that every child has the opportunity to receive a high-quality education that meets their unique needs.

Thank you for your attention to my concerns.

Sincerely,

Jennifer Foo

# Lessons in failure on education need to be learnt

PAUL KELLY



---

By **PAUL KELLY**, EDITOR-AT-LARGE

12:00AM JULY 24, 2021 •  411 COMMENTS

In the list of policy failures over the past 20 years, the fall in school education performance must rank at or near the top – yet the response has brought contradictory voices and a denial of political responsibility to confront this disservice to young Australians and our economic future.

The inadequate level of school performance and Australia’s steady decline both in absolute and relative terms has never hit the national political radar. It has never been presented as a national crisis. It is widely debated at state level – where responsibility lies for schools – yet there is no agreed, credible policy response being implemented as each state goes its own way with negligible results.

The issue is elemental. Schoolchildren have not been properly instructed in reading, maths, science and the humanities. This should be seen for the institutional failure that it represents. Yet this failure has only begun to enter the mainstream media debate.

Interviewed by Inquirer, I asked new federal Education Minister Alan Tudge whether he felt the Australian public was even aware of the extent of the crisis.

“Probably not – and when I point it out to people they are typically shocked, as they should be,” Tudge said. “When I point this out in my speeches people are shocked to find we have declined in our school standards even against ourselves by about a year’s worth of learning over two decades. That is, an average 15-year-old today is a year behind in their learning compared with an average 15-year-old in the year 2000.”

The public interest of students, parents, business and community is being sacrificed. Witness Australia’s 20-year battle over how to teach primary school students to read. Reading is the

foundation of education. Without reading, a child cannot succeed in secondary school or in the workplace.

The struggle over reading is the ultimate example of subjects being taught with little or no basis in the science of learning. Tudge makes the alarming point: “I don’t think there is a consensus as to the source of this problem among educational theorists.” The result is division about school curriculum, flawed teacher training at universities, irresolution from state education ministers and, because of the federation, a national government with limited impact on classroom practice.

Central to Australia’s problem is the misuse of a great idea – that the “knowledge capital” of countries determines their success. As a nation we loved this idea for a generation. Many economists and politicians fooled themselves into thinking Australia was actually implementing it. But they made a colossal blunder – they failed to follow the data. They had contempt for the science of learning.

Jenny Donovan, director of the Australian Education Research Organisation – the body created by state and federal ministers to spearhead research – told Inquirer the evidence was convincing.

“We need to focus on practices that deliver the most effective learning outcomes,” Donovan said. “We know what those practices are. The evidence is extremely robust, up there with the most evidence-based stuff there is. We know what works. We are talking here about explicit instruction, the teacher being responsible for the learning of students; teachers revisiting the content to ensure it is learnt and maintained. This approach is supported by cognitive science and our understanding of how the brain learns.”

Yet this is not the approach followed in most Australian classrooms. “The problem is these practices are not necessarily well understood by teachers,” Donovan said. “There are concerns teachers will be accused of lacking creativity in their approach. I believe these fears are misguided. We need to look into why teachers aren’t picking up on the most effective practices.

“Indications from the assessments suggest that learning is not going well. We know from surveys of teachers where they are fairly frank that they don’t know how to teach reading or writing.”

Tudge is unusual – a federal minister deeply versed in education before he entered politics. His mission is to return Australia by 2030 into the top group of education nations. He brands as “shameful” the story of the past 20 years. But he has no hope unless the states share this as a genuine commitment.

Tudge said: “Our standards have fallen significantly over the past 20 years despite the massive increase in school funding. A kid today has 60 per cent more resources allocated to them than they did 20 years ago. Funding for schools has increased by 38 per cent in real per capita terms over the past decade.”

Incredibly, our performance has gone backwards. Politicians who talk passionately about equity have presided over classroom methods that have done more to damage disadvantaged students and handicap them for a lifetime than virtually any other public policy in this country. Yet there is no accountability.

“The decline in school standards despite the real per capita funding increase is one of Australia’s great policy failures of the past two decades,” Tudge said. “The real problem in educational theory is that we’ve had an approach essentially based on child-centred inquiry and so-called child-skilling which has been hostile to a knowledge-rich, explicit instruction method. This has been the triumph of progressive ideology over evidence-based practices. The evidence is clear that explicit teaching is far more effective than purely child-centred learning.”

What does the science of learning tell us? One person deeply qualified to answer is Jennifer Buckingham, director of strategy at MultiLit, a literacy instruction provider. Buckingham has spent the past 12 years spearheading the battle to inject phonics back into schools as the evidence-based method to teach young people how to read.

She told Inquirer: “Education departments have tended to be uncritical, not look at the data and not to ask ‘Why aren’t a significant proportion of students able to read at the end of primary school?’

“How can that question have been ignored? And it has been ignored for far too long. We had about 50,000 students Australia wide in 2019 who started secondary school with bare-minimum reading skills if at all, and that’s being going on year after year.

“Seven years of full-time schooling should not result in a kid not being able to read. Reading underpins everything else. It is impossible to succeed in education if you struggle with reading. There is a responsibility here in terms of government departments and ministers around Australia who thought this was acceptable.”

Creeping failure has been tolerated by education ministers. And this struggle is not limited to reading. The conflict over how to teach pervades all subjects and is now erupting in maths. The

core problem seems almost unbelievable and will be denied – the politicians don't understand what has gone wrong, won't confront it, and won't even debate it.

Buckingham describes the philosophical conflict: “The reading debate is one part of the much larger debate about explicit teacher-directed instruction versus child-centred inquiry or discovery learning approaches.

“Explicit instruction implies you are teaching something concrete. You have defined what you want the child to know. Explicit instruction tends to go hand-in-hand with a content-driven curriculum. This is the link between pedagogy and curriculum.

“The other approach is a philosophy that we shouldn't be filling children up with facts, that they learn better discovering things for themselves and they will discover things more readily if they see them as relevant for their own lives. This is a romantic notion of education.”

Asked if the phonics battle was won, Buckingham said: “Not entirely, yet.” It depends on what state you live in. Incredibly, resistance remains strong in some states, with Catholic systems being the most backward. Buckingham said the alternative “whole language” movement “didn't make any sense” from the start.

Yet state education ministers are still not held to account. The stubbornness of the states in holding fast to their school education rights is legendary. So is their capacity to obscure the facts and, when pledged to reforms, lurch into timidity.

School education is a unique example of the public interest being sacrificed for the sectional interest. Is there any other area of economic or social policy where such decline would be tolerated? The normal Australian response to such underperformance is a major inquiry, media pressure, expert engagement and politicians driven to a new policy direction, sometimes bipartisan, sometimes contested.

But this hasn't happened with schools' decline. The normal democratic “fix-it” mechanism has broken down. No political leader has accepted responsibility or is held responsible.

Education analyst from the Centre for Independent Studies Glenn Fahey told Inquirer: “If we followed the science on education our student outcomes wouldn't be in free fall. The educational science is as settled as it can possibly be on this. The divide in the education community is - between those who follow the educational science and those who embrace sociology instead. Politicians are rarely ambitious and genuinely curious about education.”



The most recent 2018 Programme for International Student Assessment, done each three years, showed Australian decline in reading, maths and science compared with 15-year-old students around the globe. Australia performed significantly below 10 countries in reading, 23 in maths and 12 in science. Compared with the highest performer – a group of Chinese provinces – Australia was three and a half school years lower in maths, three years lower in science and one and a half years lower in reading.

Our own performance is regressing. The average Australian student is more than one full year behind 2003 levels in maths, one full year behind 2006 levels in science and a full year behind 2000 levels in reading. In reading, only 59 per cent of year 9 Australian students reached the “proficiency” standard. Australia’s decline is across all bands – poor, middle and top students.

Donovan is optimistic Australia can raise its standards. But she understands the pull in the opposite direction. She said: “Teachers are attracted to the idea that if we let students find their own way then that learning will stick. But the data shows this isn’t true. What is more likely to happen is that students will potentially have fun with terrific projects but it won’t necessarily be the learning that sticks, it will be the fun.

“We need to be much clearer with teachers about what works. They can still bring their personalities and creativity to the table. They will be on board.”

Chief executive of the NSW Education Standards Authority Paul Martin backed Tudge’s goal. “I think it’s feasible in a country that is as rich and ‘first world’ as Australia,” Martin said. “But we need to co-ordinate action nationally. It needs to be built from the bottom up over a long period of time. From the earlier years of kindergarten, year one and two, it must be heavily predicated on literacy and numeracy.”

A progress report comes from one system that has boldly embarked on this transition – the Catholic Archdiocese of Canberra/Goulburn with 22,000 students across 56 schools under director Ross Fox. “When you lift the reading and vocabulary expectations, you find that students respond,” Fox told Inquirer.

“What transforms the lives of students are teachers who deliver a knowledge-rich curriculum to all students in the class. I am of the strong belief that knowledge is the key to creativity. In recent times, I’ve had conversations with our principals who have shared their own journey, telling me that part of their professional identity had been child-based inquiry learning. They related to me their own transformation and how they had come to realise that explicit, knowledge-rich teaching was essential for the development of young people.”

Asked about the nationwide transition that Australia needed, Fox said: “It’s monumental. What we are asking from teachers is incredibly challenging. We are talking about hundreds of thousands of teachers Australia-wide, and you are asking them to change. That’s incredibly ambitious.”

He warns of the traps: “It is so easy to focus on other things in education – its purpose, notions of inquiry, privileging the students – and there is a great temptation in education to indulge the needs of students at the cost of their learning. I know that’s a provocative remark. The risk is putting notions of wellbeing ahead of student learning.”

The Australian economy is being slugged with poor productivity feeding into reduced living standards growth. Education decline is pivotal to this story, a fact economists have been slow to confront. Yet a path-breaking document came this year in the NSW Productivity Commission White Paper that concluded “improving the quality of school teaching could be one of the - biggest things NSW can do to improve its productivity.”

It is an almost revolutionary statement. The commission, under the leadership of Peter Achterstraat, said government policy must now focus on “embedding best-practice teaching in every classroom”.

Surely this means state treasurers asking education ministers to explain what will change in their classrooms.

Falling school standards must become a serious political issue. Educationalists, universities and state bureaucrats bear much of the blame. Yet this crisis suffers from the absence of a dramatic shock. Failure on border protection was apparent in boat arrivals; failure in energy policy was apparent in escalating prices; failure in aged care was obvious from appalling conditions in homes. But steady decline in schools has no such visibility.

Tudge holds universities accountable for much of the problem. “I believe that teacher educational faculties are largely responsible for the decline,’ he said “This goes back to the responsibility of universities in terms of the people they accept into teacher training courses but, more importantly, how they are trained. There is too much dogma at the expense of established - evidence-based practices.”

As federal minister, Tudge must work where he has leverage. His critical initiative has been to set up an inquiry into teacher education, a chronic problem for 20 years. The failure of the

universities to conduct evidence-based teacher education courses has been a material factor in the nation's school standards decline.

Three of the foundational sources on the superiority of teacher-based explicit instruction are US academic E.D. Hirsch Jr, author of *Why Knowledge Matters*, educational economist Professor Eric Hanushek from the Hoover Institution and co-author of *The Knowledge Capital of Nations*, and Professor John Sweller from the University of NSW, originator of cognitive load theory.

Interviewed by Inquirer, Sweller said there are two sorts of knowledge: young children “naturally” pick up their parents’ language but there is no “natural” process to learn how to read and write. “That is knowledge we have to teach explicitly,” Sweller said.

He said the key to thinking critically was to have “sufficient knowledge” in the first place. Teaching critical thinking strategies as opposed to core knowledge is “useless”.

“This is one of the main reasons for the catastrophic fall in our rankings on international tests,” Sweller said. “It has happened to every society that’s decided inquiry learning is a terrific way of learning. The fall in our rankings correlates almost precisely with the introduction of inquiry learning. We’ve done an enormous amount of damage.”

Sweller’s research, which is recognised worldwide, as he admits, “is not so well known in Australia”. Asked whether any education minister had ever spoken with him, Sweller said: “No.”

Australia’s generation-long furious debate about school funding consumed all the political energy. Nothing else was left.

“We now have one agreed universal funding system,” Tudge said. “That means the funding wars are over. We can focus on what really matters – what occurs in the classroom and lifting our school standards.”

This has been said before. Will this time be any different?

*Paul Kelly is a director of the Australian educational charity Primary Focus.*

**PAUL KELLY, EDITOR-AT-LARGE**

Paul Kelly is Editor-at-Large on *The Australian*. He was previously Editor-in-Chief of the paper and he writes on Australian politics, public policy and international affairs. Paul has covered Australian governm... [Read more](#)

