

Education (General Provisions) and Other Legislation Amendment Bill 2024

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Submission to the Education, Employment, Training and Skills Committee

Re: Education (General Provisions) and Other Legislation Amendment Bill 2024 into the Queensland Parliament

Thank you for the opportunity to submit feedback on the proposed amendments. As a Registered Nurse and home educator I have several concerns. I respectfully ask the esteemed committee members to perform due diligence on the matters raised below.

Who am I?

I am a Registered Nurse and mother of three (ages 25, 20, and 14). I have chosen to home educate my youngest child for the past year. This decision was not based on my own experiences of schooling, or any aversion to public or group education. It was based on a 20-year history of putting my children through public schools and fighting repeated barriers to accessibility and inclusion for my neurodiverse children. Prolonged exposure to systemic problems, despite my skilled and tenacious advocacy, produced outcomes of school-related trauma, impaired mental health, and learning deficits; an unfortunate yet common catalyst for many decisions to home educate.

I resolutely advocate for retention of flexible and individualised learning opportunities for Australian children. This is essential and should be non-negotiable, particularly for children living with social and physical disability, mental health, or chronic disease diagnoses. **Inclusion and equity cannot be attained through standardisation of opportunity.** Rather, it is attained through affirmative measures that counter lack of privilege; for example, through additional and targeted supports to accommodate individual learning needs. **This is essential for equity of outcomes.** Although public schools attest to offering additional supports, the reality is they are often absent, inconsistent, and insufficient for meaningful and sustained equity of outcomes.

Why have I chosen Home Education?

Our family's decision to home educate was due to:

- Physical disability (chronic illness)
- Mental health (anxiety)
- Prolonged school-related trauma
- Repeated exclusion from classroom activities (my child was often sent to student services to write reports on unacceptable behaviour and prevented from re-joining the class to allow teachers and other students "a break" from my child)
- Unfair school suspensions and use of inflammatory and discriminatory language to justify suspension that exacerbated trauma and anxiety
- Lack of individualised learning to accommodate disabilities (only loose and non-evidence-based behaviour plans were provided)
- Intolerance, insufficient time/concern/resources to accommodate neurodiverse learning and social needs (ADHD)
- Absence of evidence that my child was progressing or producing any work in classes.

We are not affiliated with a cult (an inflammatory suggestion by the Courier Mail) nor influenced by a social media trend as suggested by Kathleen Forrester at the March 18 public briefing. These suggestions are offensive and demonstrate ignorance on homeschooling decisions. Uncontrolled classrooms, violence, lack of student engagement and support for teachers are

pungent complaints of many leaving the profession and many students leaving the classroom. Yet, this was not acknowledged by Ms Forrester in her response to your questions. These problems are accelerating, not abating.

The exponential rise in home education by 195% appears to cause concern for the Queensland government. Is the intent behind this legislation to deter Queensland families from choosing home education at all? On what basis is concern founded? Ms Forrester reported the amendments are proposed in response to the death of a single child who was home educated. This was as a failure of the Queensland child protective services to provide timely intervention, despite the child being referred by healthcare services. I do not believe this poor child's situation was caused by curriculum choice. Moreover, how does the data compare on youth suicide and ideation in children attending public school? Is oversight by schools evidenced to prevent youth suicide and ideation? Interestingly, the rate of youth suicide has decreased in the period in which home education has rapidly increased, suggesting home education is a protective factor.

According to the Australian Government, risk factors for youth suicide are multi-faceted.¹ There is no explicit mention of home schooling or lack of government oversight into education planning being a known risk factor. Known risk factors include:

- Having a mental health condition
- Having a physical illness
- Using substances such as drugs or alcohol
- Previous suicide attempts
- Relationship problems
- Legal problems
- Death of a family members
- Bullying
- Being LGBTQI
- Being Aboriginal and/or Torres Strait Islander.

My Child's Complex Needs

My 14-year-old reported he did not learn anything at school, was repeatedly treated unfairly by teachers and progressively felt "dumb" which was terrifying. I witnessed his unequitable treatment too many times and despite my best efforts, I could not fix systemic problems. With my child's best interests at heart, I was left no alternate option. The proposed amendments in part re-instate the things we were protected from by the flexibility of home education. The imposition of a rigid education framework that has failed my child is not in his best interests.

My child has a lifelong autoimmune disease and ADHD. He is heavily medicated with oral chemotherapy and needed to take stimulant medication at school to offset intolerance for his natural behaviours. Since homeschooling, he has been able to cease the ADHD medication. These conditions cause relentless fatigue, mental, physical, and social disabilities. Despite my best efforts to advocate and working with countless teachers to communicate his needs and document 'behaviour plans', ADHD medication did not provide the flexibility in learning that he desperately needed. Things were worse than ever, and he had given up on himself.

I admit I had unfounded prejudices about home education in the past. I was wrong and uninformed. I researched extensively and challenged my beliefs; learning that removing the pressures to fit into a standardised and overloaded curriculum framework without adequate

¹ HealthDirect. Youth Suicide. <https://www.healthdirect.gov.au/youth-suicide>

individual supports to do so was harming my child. My decision was also not influenced by Covid lockdowns. “School at home” was disastrous for my child as he was still expected to follow the Australian Curriculum without adequate support. That is not a model for successful home education, as many Australian families learned.

What are my main concerns?

I have four concerns with the proposed amendments:

Objection 1: Mandatory use of the Australian Curriculum (Prep -year 10) and Senior Syllabus (years 11-12)

1. The legislation already requires home educators to submit a plan of high-quality education and report progress annually. Restricting the definition of high-quality learning to only acknowledge/allow the Australian Curriculum and Senior Syllabus suggests lack of confidence of the Home Education Unit (HEU) to evaluate the quality and appropriateness of personalised, child-centred education plans. Is this a means to reduce the workload for HEU? If so, the requirement for increased reporting rapidly offsets this gain.
2. It will restrict the ability to implement individualised and flexible approaches needed to accommodate diverse learning needs, abilities, and interests. The legislation is not explicit on whether the Prep-Year 10 *scope and sequence* for each age level is mandatory (presumably so). If so, my child will suffer. Having done intensive work, my son is now working ahead of the year 9 scope and sequence for science and history, at level for maths, and remains significantly behind for English. This has been achieved explicitly through *non-adherence* to an age-based list of requirements across all 8 learning areas. We have dedicated more time to areas of limitation and prioritised his special interests where he can excel and enjoy success. Currently, I adopt a reflexive approach that supports him to learn at wherever his current level of ability resides and to prioritise time according to his personal goals. **This has made a tremendous impact on his confidence, mitigated school-based trauma and has restored his love of learning.**
3. The inclusion of **8 key learning areas results in an overcrowded curriculum** and unrelenting stress for teachers and students in classrooms fuelling increasing disengagement and despondency. There is no flexibility or room to accommodate additional needs. My child suffers fatigue and executive functioning deficits. Trying to keep pace with 8 learning areas is too burdensome for him.
4. These curricula are designed for delivery of group classes stratified by age. **They facilitate a streamlined approach to standardised testing in which home educated children cannot participate.**
5. The introduction of the Australian Curriculum was defended by Julia Gillard to help students transition across jurisdictional borders and allow transparency for parents to see what their children are learning in schools across year groups.² **This is not applicable to home education.**
6. On 18 March 2024, Kathleen Forrester argued that the amendments support students transitioning back into the school system. What data supports this justification? **Overwhelmingly, the data evidence an exodus in the opposite direction** – a 195% increase in home education rather than back into public schools. I refute this as a sound evidence-based justification unless further supporting data is provided.

² <https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id:%22library/partypol/KGOX6%22>

7. The Australian Curriculum and Senior Syllabus provide frameworks without implementation guidance. Implementation of the framework is complex and supported through university education and ongoing professional development offered to teachers. **Home educators are excluded from these professional development activities.**
8. The transition from Version 8 to Version 9 of the Australian Curriculum is acknowledged as complex and difficult to roll-out, requiring the government to publish an implementation roadmap to 2027 to allow schools sufficient time to understand the impacts of implementation requirements.³ **Home educators will not be part of this discourse.**
9. The Senior Syllabus for years 11-12 is an advanced-level syllabus interpreted by subject specialists in schools with oversight of the Principal, and 2-year (4 unit) course plans approved by the Queensland Curriculum and Assessment Authority (QCAA). Its intent is to combine school-based assessment with external assessments set and marked by the QCAA. The approach strengthens the '*quality and comparability of school-based assessment*' and transfers responsibility for tertiary entrance ranking to the Queensland Tertiary Admissions Centre (QTAC).⁴ Home educated children are **not eligible to participate in QCE nor obtain an ATAR and are not responsible to ensure comparability of internal and external assessment activities across Queensland schools.**
10. This requirement dismisses the availability of multiple high-quality and (arguably superior) alternate curricula, including those available globally. **On 18 March 2024, Kathleen Forrester provided misinformation stating that alternate curricula (Steiner and Montessori) would be permitted for home education use under this Bill.** This is not described in the amendment. Further, these curricula are also designed for group-based learning in accredited schools.
 - <https://montessori.org.au/montessori-national-curriculum>. "The Montessori National Curriculum document is not a parent document. It has been designed for a Montessori classroom environment, with a full complement of Montessori materials, multi-aged classroom of children, and trained Montessori educators".
 - <https://steinereducation.edu.au/curriculum/home-schooling/>. An annual subscription can be purchased each year, however the framework does not contain units of work, lesson plans, assessments, or implementation methods.

Objection 2: That parents must provide evidence that home education is in the child's best interest.

1. This requirement places undue and unsubstantiated burden on parents to provide evidence of a child's safety and wellbeing without due cause. **Home education is a legal right.**
2. A requirement to provide evidence of 'best interests' may be considered a **breach of privacy** without due cause.
3. Investigation and evaluating evidence of a child's wellbeing is a matter for child protective services, not the Queensland Department of Education. **Child protection is a complex and multi-faceted process; it cannot be managed through blanket restrictions on curriculum choice or checkboxes for best-interest criteria.**

³ Queensland Curriculum & Assessment Authority (July 2023). <https://www.qcaa.qld.edu.au/downloads/memos/23/043-23.pdf>

⁴ Queensland Curriculum & Assessment Authority (January 2024). <https://www.qcaa.qld.edu.au/senior/certificates-and-qualifications/qce-qcia-handbook/1-senior-schooling-qld/1.1-background>

4. The legislation **does not specify who is authorised** to make this determination, and by what criteria, including the level of evidence required.
5. The legislation **does not mention the right of appeal** to any determination that refuses home education on the grounds of best interests.
6. The United Nations *Convention of the Rights of the Child* (1989)⁵ states in:
 - a. Article 16 - “No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence... and the right to protection of the law against such interferences or attacks.”
 - b. Article 29 – “the education of the child shall be directed to...the development of the child’s personality, talents and mental and physical abilities to their fullest potential”.
7. Arguably, for many children school attendance is not in their best interests – physically or mentally. **There is no equivalent burden of proof required for public schools to demonstrate school attendance is in an individual child’s best interest.**

Objection 3: Increased reporting requirements

1. My annual progress report was 21 pages of detailed documentation. This single report provided significantly more documentation of my child’s educational progress than the collective reports of 7 years in school. Requiring all 8 key learning areas would blow out this report to over 50 pages and place additional burdens on busy home educators.
Homeschool reporting requirements are already greater than on schools.
2. The requirements for home education reporting **already far outweigh the requirements for public schools to demonstrate educational progress.** In my experience, there has been no requirement on schools to demonstrate my children’s individual progress, and no burden on them to demonstrate how they have addressed their identified learning deficits.
3. The HEU is not sufficiently resourced to properly evaluate this increase in reporting volume.

Objection 4: Removal of the provision registration period

1. The provisional registration period must be retained to **allow parents of children at risk of school-related harms to act quickly.**
2. There is a legal requirement for parents to ensure school attendance. Unless the processing speed of HEU approvals is substantially improved (within 1 week), then **this is problematic for students needing immediate exit from the school environment.**
3. A high-quality plan of education takes several weeks to formulate. Teachers frequently cite insufficient time for planning, despite their qualifications and experience. Allowing 4 weeks to submit a learning plan does not detrimentally impact long-term outcomes. On commencing home education, many children excel beyond speeds achieved in group settings, meaning any **temporary loss can be easily accommodated.**

Thank you for your attention. I sincerely thank members for their ongoing work and due diligence in this matter.

⁵ Conventions of the Rights of the Child. United Nations (1989). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>