

Education (General Provisions) and Other Legislation Amendment Bill 2024

Submission No: 609
Submitted by: Teachers Professional Association of Queensland
Publication:
Attachments: No attachment
Submitter Comments:



**Submission to the
Education, Employment, Training and Skills Committee**

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Other Legislation Amendment Bill 2024**

25 March 2024

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Introduction

The Teachers' Professional Association of Queensland (TPAQ) is a professional association that represents thousands of teachers across the state. In conjunction with the Red Union Support Hub, the TPAQ provides its members with industrial support, funds litigation, assists members with enterprise agreements and a range of other services.

Founded in 2019, the TPAQ was set up by a group of teachers that were fed up with the political campaigning, lack of support, and high membership fees of their union. Despite numerous and ongoing nefarious attacks by the Queensland Labor Party and various unions, the TPAQ continues to grow in membership and notoriety; especially as ALP supporting unions continue to pursue fringe social and political issues with their members' money.

The TPAQ is constitutionally apolitical, meaning that no financial or in-kind support can be provided to any political party. This allows the TPAQ to focus solely on things that matter to its members. Due to this structure, significant savings in fees are passed directly onto TPAQ members – saving teachers hundreds of dollars every year.

The TPAQ is united by the purpose of advocating for teachers across Queensland, delivering successful outcomes for its members, and fixing the dysfunctional education system.

Background on Queensland Education System

The Queensland Education System, much like rest of the country, is in crisis. Teachers are fatigued and leaving the profession due to workload burnout, growing student disciplinary issues, and an increasingly complex curriculum. Though many of the problems that plague the education system are present due to broader societal issues, the common theme in the decline over the past few decades is clear - centralisation.

Whether it's decisions on student discipline or the teaching of the curriculum, local schooling communities have been routinely shut out in favour of a more centralised and bureaucratic system, whereby the Department of Education (DoE) executives have ultimate say.

At present there is no effective way for parents to influence what their children learn and the conditions under which they are to be taught. Very few parents would agree with these proposed changes, and for them there is no real mechanism for them to object other than for home schooling - even that is now being threatened.

Despite being anointed with this misplaced responsibility, there is a complete lack of accountability within education in Queensland. Governments of all stripes, including this Queensland Government but also previous federal and state governments, have made habit of spruiking 'record funding' by throwing endless streams of taxpayer dollars at the education system. Whilst that makes for a good soundbite in parliament and on social media, it isn't making a difference on the ground in schools.

Giving more power to high-paid bureaucrats won't help a single student, parent or teacher. Instead, it takes away the agency of the parents to properly influence their children's education.

There's common agreement that there is a teacher shortage crisis, and that student behaviour is threatening classroom productivity and safety, yet no one is willing to call out the reason why these issues are unable to be addressed. The TPAQ is steadfast that these issues are symptomatic of the increasingly centralised bureaucracy.

Centralisation of the Education System

Make no mistake, the purpose of this Bill is to further centralise the education system and the way decisions within it are made.

The bottom line is that government is typically very poor at actually running things. Failed KPIs (if they're even set) and constant budget blowouts are hallmarks of government program management, but they rarely face any repercussions or accountability. Perhaps they'll get voted out when the failures continue to mount but it's the public, and specifically younger generations, that ultimately pay the price.

The solution is to return control back to local schooling communities, in the hands of people who actually know how to run a school best. Government ought to be an enabler, not a roadblock. In that vein, cutting the waste from within the Department of Education and returning control to local schools will enable teachers to be paid more and for systems to be run far more efficiently.

However, the amendments in this Bill pertaining to the School Disciplinary Absences (SDAs) and Student Support Plans (SSPs) only serve to undermine the existing role of the principal, and cast aspersions over their ability to form balanced judgements that support the learning of all students.

It is grossly inappropriate to take decisions regarding SDAs away from local schooling communities and into the hands of bureaucrats that are detached from the school. Beyond a basic question of functionality, the attempt to introduce a DoE managed appeals process is a slap in the face to principals and their schooling communities, and serves to worsen the issue of student discipline.

This Bill is the government's way of stopping trained and trusted professionals from educating, and instead affording the power of decision-making to those who haven't taught a day in their life.

Below is a summation of the amendments pertaining to the SDAs by one TPAQ member:

Providing an appeal right for short-term suspensions (1 to 10 days) if a student will be suspended through cumulative short-term suspensions for 11 or more school days in a calendar year sends the message that the government:

- *Has no confidence in the professionalism of Principals.*
- *Does not understand community expectations that Principals will ensure the good order and discipline of their school.*
- *Is not aware of the frustration of the community when their local school does not provide safe, disciplined classrooms for learning.*
- *Prioritises the “rights” of those misbehaving over those who are trying to learn in our schools.*
- *Prioritises the “rights” of those misbehaving over teachers who are responsible for good management and order of their classrooms.*
- *Prioritises the “rights” of those misbehaving over staff who should have a safe workplace.*
- *Does not understand the role of discipline in health, safety and wellbeing of school communities. This is of grave concern for frontline staff.*
- *Does not understand the link between fewer young people choosing teaching as a vocation and students experiencing and watching teachers deal with disruption and distractions through poor behaviour.*
- *Does not understand the impacts school safety and classroom discipline has on attracting and retaining teachers.*

Increasing Workload Burden on Teachers

There are many amendments in this Bill that will further bog down the system and make effective administration of schools virtually impossible. These changes seek to diminish the agency of local schools to run themselves regarding basic disciplinary matters. Given this is one of the largest issues that teachers face, decisions regarding student behaviour should be in the hands of local schools that know themselves best. It should not be a decision for faceless bureaucrats to make at an arm’s length under the proviso of poor legislation such as this Bill, and the atrocious policies that it promotes.

Listed below are some of the concerns raised by TPAQ members – teachers who are facing the reality of teaching in Queensland every single day:

- Clauses 77, 78, 84 and 85 propose to implement prescribed grounds and notification timelines which do not reflect the dynamic nature and fluidity of student behaviour.
 - Adding a prescribed checklist increases the workload of and undermines the capacity of local school administrators to make independent and reasonable decisions based on maximising the learning of all students, not just those being suspended.
 - Prescribing, in legislation, the contact timelines will increase workload demands on school administrators
- Clauses 79 and 86 stipulates the length of the appeal process for accumulated short suspensions. The total length of the time to lodge an appeal and then consideration by the chief executive could be up to 60 days.

- For suspensions of up to 10 days, the appeal timeline of 60 days is excessive and will contribute to workload of school administrators in responding to numerous appeals for possibly relatively minor incidents. There is no provision in the amendment for resourcing to support the additional workload implications.
- The process does not assist in “Maximising Learning Days” as the suspension will be served prior to the appeal process being completed.
- Clauses 91, 92 and 93 disregard the work undertaken by school staff towards engaging students in education prior to arriving at a cancellation decision, including the use of Discipline Improvement Plans and accessing departmental support staff. By making the warning process compulsory, with a 30-day minimum, may result in students being disengaged from school for longer and delay the process of engaging them in an alternative pathway for success. This will add workload to school staff and administrators who are managing the behaviour of these students and the disruption they cause to the learning environment.
- Clause 94 pertains to the provision of Student Support Plans.
 - Many students who are recorded for multiple short suspensions already have one or more support plans in place to support their learning. Mandating additional, narrow focussed plans, that target specific behaviours are limited in their scope of supporting the whole child whilst creating duplicity and additional work for school staff.
 - Support Plans require regular monitoring and adjustment based on the needs of the child. There is no indication of where the additional resourcing will come from to manage this workload increase.
- Clause 96, by including the changes to cumulative short suspensions, will increase workload for school staff in the response and management of appeal information without any additional resourcing being provided to schools to support the process.

As put by one TPAQ member: “The impact of these changes could result in resources that are used to support students and learning being forced into administrative and bureaucratic processes to respond to timelines that are not appropriate, plans that are not required and appeals that are complaints or ‘pleas’ for more adjustments and no consequences for inappropriate behaviour.”

Racial Discrimination

This Bill seeks to further reiterate a level of discrimination within the schooling system, promoting different approaches to SSPs on the basis of race. Although this Bill's explanatory notes state that under the *Anti-Discrimination Act 1991*, the refusal of a SSP to someone who is not Aboriginal or Torres Strait Islander is not 'unlawful discrimination,' it is clearly discrimination, nonetheless.

This is yet another reason the schooling system must be decentralised, as the government's own tick box initiatives are now actively forcing schools to discriminate their treatment of students based solely on their race.

This is a far cry from one of the supposed objectives of this Bill: to "protect students." Although this level of blatant discrimination is present in legislation in various states across Australia, injustice in another's policy is not justification for injustice in your own. The fact is that if this Bill passes as is, children of a non-Indigenous background that desperately need SSPs to be effective students could miss out in favour of an Indigenous person that does not actually need one - purely on the basis of yet another blanket 'one size fits all' DoE policy.

It is insulting to Aboriginal and Torres Strait Islander people and strikes at the core problem which is centralised decision-making within our education system.

Local school staff and principals are best placed to make these decisions as they understand the intricacies of the day-to-day operations of their school. They know staffing arrangements, how best to engage with the student's family to support them, and resourcing capabilities - which will not be explicitly increased by the Government despite the additional workload that would be generated should this Bill pass.

One of this Bill's other objectives is to acknowledge "wellbeing, inclusion and diversity." Seemingly, the government's way of achieving this is to 'acknowledge' differences in racial background and then actively discriminate on that basis. Each student has different circumstances, so to group one race of people together and enforce a specific policy for them is counterproductive and completely abhorrent. This amendment is in stark opposition to the Bill's objectives.

Removal of Gendered Language

The State Government's obsession with gender ideology also features as part of this Bill, as it seeks the removal of language such as "he, she, his, him or her." Our education system is in crisis and the Government is focused on pursuing fringe social issues.

This sinister transition to denying basic reality within our schooling system is dangerous for students and teachers alike. Already there is an extremely heavy burden on teachers having to deal with students who have gender dysphoria, and the reinforcement of this ideology, though subtle, clearly shows where the government's head is at.

Teachers are now expected to deal with psychological issues that they are not equipped to manage, which contributes to the workforce shortage. The State Government embracing this ideology does not increase student wellbeing, but only serves to worsen the ability of schools to handle it.

Teachers cannot be expected, as part of their employment, to embrace this radical gender ideology that is tearing at the fabric of society. Teachers need to be supported by the DoE, not used by this Government as political pawns.

Our education system must be unashamedly steeped in reality. This is only achievable once the control of schooling is returned back to local parents, teachers and principals.

Like much of contents of this Bill, the proposed amendments actively contradict its policy objectives. If this passes, it will further cripple the state of education in Queensland whereby teachers, principals, parents and students are beholden to centralised, inefficient, and unaccountable bureaucracy.