

Education (General Provisions) and Other Legislation Amendment Bill 2024

Submission No: 1069
Submitted by: [REDACTED]
Publication: Making the submission public but withholding your name
Attachments: No attachment
Submitter Comments:

From: [REDACTED]
To: [Education, Employment, Training and Skills Committee](#)
Subject: Objections to the Education (General Provision) and Other Legislation Amendment Bill 2024
Date: Saturday, 23 March 2024 5:08:21 PM
Attachments: [Education Bill Committee.pdf](#)

To whom it may concern

I would like to express my objections to the amendments proposed in the Education (General Provision) and Other Legislation Amendment Bill 2024. In essence, I believe that the proposed amendments:

- demonstrate a lack of understanding as to how families educate their children at home;
- would significantly reduce the ability of home educators to tailor the education of their children to their specific needs and talents;
- are not articulated in a specific or detailed enough manner as to make it practicable for home educators to satisfy the proposed amendments in a clear and demonstrable way;
- may well result in an educational plan that is not relevant to the age, ability, potential and development of home educated children;
- lack consideration for the additional administrative burden they will place upon home educators and the Home Education Unit alike;
- may, in their practical implementation, have the effect of resulting in a lower quality education provided by home educators for their children;
- give little consideration to families who are embarking upon home education due to family or school-related difficulties.

I have attached a letter outlining the reasons for these objections in greater detail.

Kind regards

[REDACTED]

[REDACTED]

March 23, 2024

Education, Employment, Training and Skills Committee
Parliament House
George Street
Brisbane QLD 4000

Attn: Committee Secretariat

Dear Sir/Madam,

Introduction

I would like to take this opportunity to address the amendments proposed in the Education (General Provisions) and Other Legislation Amendment Bill 2024. I object to a number of these amendments. I will address each of my specific objections, and the reasons for these objections, to the amendments proposed in turn.

Part 4, Division 2, Amendment of s7, Clause 18 Section 7(a)

In s7, the bill proposes a change in wording in Clause 18 Section 7(a). This change will make parents (including home educators) accountable for the choice of a 'suitable' educational environment. The two problems with this change are first, it is unclear how the term 'suitable' will be defined and interpreted. Without a clear definition and interpretation of the word 'suitable', it is impossible for parents (in this case, home educators) to satisfy this condition with an educational plan. Second, the change in wording places the onus on home educating parents to prove 'suitability' of an education environment. As such an onus is not placed on parents who choose to send their children to school, this represents an accountability for home educating parents which other parents are not subject to. I would therefore request that this proposal be removed from the bill.

Part 4, Division 2, Amendment of s7, Clause 18 Section 7(b)

In s7, the bill proposes a change in wording in Clause 18 Section 7(b), which includes recognising 'wellbeing' as a foundation of educational engagement and outcomes for children. While this is more inclusive of the whole child, it also suggests a requirement for home educating parents to report upon and potentially 'prove' the wellbeing of our children. Similar to the term 'suitable' in the previous paragraph, the legislative change does not specify a clear definition or interpretation of the word 'wellbeing'. As a result, it is unclear how this legislative change would be practically implemented, and what requirements would 'prove' child wellbeing. While I acknowledge that every home educating parent is concerned about the wellbeing of their children, this legislative change puts an unclear onus on these parents to prove this in an unspecified way and as such, should not be implemented.

Part 4, Division 2, Amendment of s7, Clause 18 Section 7(d)

In s7, the bill proposes an additional wording in Clause 18 Section 7(d). This includes a mention of the child's safety, wellbeing, and the ensuring of a 'high-quality education'. Again, similar to the first point above, this places an additional onus on home educating parents to 'prove' the provision of safety, wellbeing, and a 'high-quality education'. This onus is not placed on parents who send their children to school. In addition, the bill does

not comprehensively define or interpret the term 'high-quality education'. Without a clear definition and practical interpretation, it is impossible to prove the provision of a 'high-quality education'. As such, I request that this additional wording not be included in the bill.

Part 4, Division 3, Amendment of s206, Clause 60, ch 9, pt 5, div 2

In s206 Clause 60, ch 9, pt 5, div 2 of the bill, it is proposed to remove provisional registration for home educators. I object to this removal. Provisional registration gives families experiencing trauma or difficulties (such as related to the removal of children from a school environment) time to prepare an appropriate educational programme for their children. It also gives families newly embarking upon home education the time to do sufficient research, to consult with other families, and to find suitable educational resources, in order to articulate an appropriate educational plan for their children. The removal of provisional registration would add a significant and unnecessary burden to home educating families. In fact, it may even result in a lower standard of educational plan being developed and implemented, due to the shorter timeframe given to home educating parents to articulate such a plan.

Part 4, Division 3, Amendment of Clause 61, s208(2)

In Clause 61 of s208(2), the bill proposes that home educating families will now be required to demonstrate educational progress in the twelve months prior to the registration of a child. It is unclear from the wording of this proposal who this applies to. Perhaps it applies to families who have been home educating outside the jurisdiction of the Home Education Unit (HEU) - for instance, families who have been living in other Australian states or territories, or outside Australia. If this is the case, then this represents a requirement which families who choose to send their children to school are not subject to. Further, if families are based in other jurisdictions, surely the HEU has neither reason to question the educational requirements of other jurisdictions, nor to assess those.

On the other hand, it may apply to families who have removed their children from the school system but have not yet applied for home education. However, this would represent a breach of the requirement for children to either be enrolled in a school in Queensland or for home education in Queensland, and as such, is unlikely to apply to many, if any, families.

Without a clear wording in this proposed amendment, it is difficult to understand why such a change is being made and to whom it applies. As such, I request that this proposed requirement, in its current form, be removed from the bill.

Part 4, Division 3, Amendment of Clause 63, s211(1)

In Clause 63 of s211(1), the bill proposes a reduction in response time for the provision of additional documentation from 28 days to 14 days. Often, families required to show cause are new to home education or are unfamiliar with the reporting and educational planning requirements, or they are experiencing difficulties or trauma in family life. The 28 days gives them sufficient time to seek help to improve their educational plans. A reduction to 14 days would add an additional time pressure to such parents. Ultimately, if the goal is to provide a sound education, surely the provision of an additional 14 days is a short period of additional grace, especially given the duration (eleven to thirteen years) that a child is educated in Queensland.

Part 4, Division 3, Amendment of Clause 68, s217(1)(b)

In Clause 68 s217(1)(b), the bill proposes significant changes to the educational plan that is submitted and reported upon by home educating parents. In particular, the plan is now required to be 'relevant to age, ability, potential and development'; it is also required to be

'consistent with the Australian national curriculum (ANC)' (including mathematics and English). Further, reports will be required to be on all areas of learning that are articulated in the educational plan. I object to each of these proposed changes, for a number of reasons.

First, many home educating parents (including myself) create educational plans that are relevant to the ability, potential and development of their children. However, these plans can often be inconsistent with the ANC in a number of ways. For example, we may have children who are particularly gifted in certain subject areas, and adherence to the ANC would prevent these children from excelling and advancing to their potential in these subject areas. Further, some children may excel from an early age in subject areas, such as languages other than English (LOTE), or home economics, which are only begun in the ANC at later ages. As home educators, we are well placed to develop the particular academic gifts of our children. Requiring strict adherence to pre-determined topics set out in the ANC would limit this ability, which, in my opinion, offers the best outcome for a high quality learning experience for our children.

At the other end of the scale, some home educated children struggle to reach the requirements of the ANC in certain subject areas. Requiring home educators to reach these standards then becomes quite burdensome and can result in burnout for the child and the parent, resulting in a disappointing and sub-standard learning experience. In addition, this requirement is not placed upon teachers in the school system, where children are permitted to progress through their schooling years despite not reaching the predetermined level of achievement required for particular subjects in year levels. Allowing children to work on areas of difficulty at their own pace while at the same time devoting time to areas in which they excel offers home educators the balanced ability to provide a positive educational experience in their homes. It also offers children the best opportunity to achieve levels of subject mastery at their own pace, without the pressure of being required to perform to standards which they may well not reach, even if they were within the school system, within the timeframe specified by the ANC.

Second, the proposed change in the bill does not articulate clearly enough the standard that is required to achieve 'consistency with' the ANC. In practice, this means that home educators cannot be certain that their choice of curriculum, resources and materials will satisfy what is required under the bill as being 'consistent with' the ANC. For instance, a non-Australian mathematics curriculum may not cover Australian currency, which is a requirement of the ANC for years 1-2. Would this preclude home educators from using such a curriculum, or would it be permissible, provided that other opportunities, such as shopping experiences using Australian money, are given to the child? This ambiguity raises the burden for both home educators to demonstrate, as well as for the Home Education Unit (HEU) to be satisfied, that 'consistency' with the ANC is achieved in the curriculum choices made by home educators.

In addition, home educators often embrace family learning, covering topics such as history, geography, science, language or even mathematics as a family. This type of learning allows home educating parents the flexibility to tailor their subject areas to the current interests of their children or current affairs in the world around them, rather than adhering to pre-determined topics within these subject areas. It also enables them to set learning tasks according to the abilities and ages of their individual children within that subject area or topic. For instance, a number of years ago, when NASA conducted a mission to explore and photograph Pluto, our family embraced the learning associated with that mission. I was able to tailor the reading, educational resources, discussions and learning assignments within that topic according to the ability, potential and development of each of my children. Under strict adherence to the ANC, that ability would be taken away. This, in

my opinion, would be to the detriment of my children's education. Instead, I would be required to cover specific topics within the subject of science according to each child's year level.

Further, in families with a wide spread of ages, family learning of subject areas is the most effective way to cover essential content in a way that ensures each child learns according to their ability, with expectations around any concrete writing or other learning tasks given according to potential and development. Removing this flexibility and requiring home educating parents to cover specific topics in subject areas according to each child's year level, as prescribed by the ANC, would result in fewer hours devoted to each topic, a lesser depth of study, and no clear benefit to the learning experienced by the children. In fact, it is more likely that family learning promotes a greater depth of educational experience, as more hours can be devoted to the one topic, rather than the parent being spread across numerous topics for the various year levels each of their children are technically engaged in. Indeed, taken as a whole, family learning spread over the course of the children's eleven to thirteen years of education allows home educators to ensure all topics of importance and relevance are covered during the course of the many years we are educating our children at home. Again, the ambiguity of the term 'consistent with the ANC' makes it impossible to know whether this approach would be permitted under the proposed changes or not.

Moreover, many home educating families choose to source curriculum materials and topics from outside Australian sources, usually because such resources are more comprehensive than their Australian equivalents. This is often done because the parent is seeking a high quality educational experience for their children. For instance, I use an American spelling programme for my children, with adjustments made by myself for differences in spelling. This is because the programme suits the learning style of my children and I was unable to find an equivalent programme within Australia. I also use German, Spanish and French based curricula to teach LOTE, as they are substantially more comprehensive and suited to my children than equivalent Australian materials. It is not clear whether adherence to the ANC would undermine my ability to source and choose curricula that suit my children and are appropriate to their ability, potential and development.

The topic of mathematics is a relevant one given recent changes in New South Wales, where students in the school system are now no longer required to undertake studies in mathematics in years 11 and 12. Mathematics teachers have lauded this change, recognising that some students simply are not well placed to undertake such studies, and may well find such studies unnecessary for the educational path they choose following their school education. As home educators, spending so much time with our children, we are best placed to understand the educational needs of our children. Forcing home educators to adhere to the ANC removes our ability to tailor our children's education to their particular talents, needs, and development potential. Furthermore, some gifted children may surpass the levels of achievement required by the ANC at a young age. Rather than strictly requiring them to continue studies on topics which they have completed, according to the ANC, we home educators should continue to be permitted to determine the educational plan of our children according to their abilities, potential and development.

In effect, the requirement to create an educational plan that is relevant to 'age, ability, potential and development' for our children may well be **inconsistent** with the ANC. This change, therefore, should not be pursued and I object to this amendment in the bill.

Part 4, Division 3, Amendment of Clause 68, s217(1)(ba)(ii) and s217(2)(c)

In Clause 68 of s217(1)(ba)(ii), the bill proposes that home educators report upon each subject or learning area that is part of the educational program used for the child's home education. This change is also expanded upon in the proposed change to s217(2)(c), which states that the report mentioned in subsection (1)(b) must include satisfactory evidence of demonstrative educational progress in all subjects in the educational plan. I object to both these changes. Given they both relate to the reporting required of home educators, I will address my objections to these changes together.

In the first instance, these changes represent a very much increased burden upon parents. In effect, the amendments will require parents to report on eight (or more) subject areas for each child at the conclusion of each school year. Currently, we are required to report upon three subject areas per child. As such, this represents an increase in reporting requirements of over 250%. This increased reporting will also increase the administrative burden and costs of the HEU by a similar margin, as the HEU must review such reports.

A second issue arises with learning that occurs outside of the written (proposed) educational plan. As home educators, we often find our educational plans must be expanded upon as the year progresses, as children develop additional interests, or as current affairs pique our interest. Moreover, we may find that certain topics hold little interest for our children, and we replace or expand upon them with alternatives. These changes in the bill would discourage home educators from pursuing additional (spontaneous) subject areas over the course of the year.

Moreover, some subject areas or topics within the home educating environment can often be based on reading, discussions, verbal exchanges, other media or experiences (such as travelling, museums etc.). These learning experiences are often not recorded in a written format. Requiring home educators to record such learning in a written format increases the burden and discourages parents from engaging in these often very educational enterprises with their children.

In addition, the bill proposes not only a reporting on each of the subject areas for each child, but also evidence of 'satisfactory educational progress' in each of these areas. In the first instance, the amendment to the bill neither clarifies the definition or interpretation of 'satisfactory' nor of 'educational progress'. Without such a definition, it cannot be reasonable to expect home educating parents to meet such a condition in their annual reports. The amendments provide no guidance as to the standard against which 'satisfactory educational progress' will be measured. If 'progress' is assessed by year level, some students will have very little to do each year, if they are gifted or particularly interested in that subject. For other students, they may never reach the progress that is required, if they have learning difficulties or other factors which impede their ability in a particular year to learn. Without a clear definition on what 'satisfactory educational progress' looks like, home educators and the HEU are both left without a clear remit as to how they should report and review.

Putting aside the issue of definition and interpretation, while some subject areas may lend themselves to a more straightforward provision evidence of 'satisfactory educational progress' such as English or mathematics, it can be problematic for many other subject areas, such as LOTE (particularly if the focus is on verbal progress, rather than written), the arts, humanities, health and physical education, or any other areas where learning is done through means or media other than in written form. One option for home educators would be to provide media files to evidence progress in some subject areas; this would, however, represent a much increased burden for the HEU to review such evidence. Another option would be for home educators to provide written reports detailing the

progress made. This would represent not only significant increase in reporting requirements for home educators, but also a significant increase in administrative reviewing for the HEU. In either case, the proposed change would result in a more than 250% increase (and perhaps even higher) of reporting requirements for home educators, and a similar increase in reviewing requirements for the HEU.

Ultimately, the increase in reporting requirements for home educators will take time away from the actual practice of parents to educate. Home educators will be required to spend much time and effort on proving that an educational plan has been followed, and providing evidence of progress for each child in each subject area. As such, I would suggest that these proposed changes in the bill would mar and diminish, rather than enhance and improve, the learning experience for our children.

Conclusions

In conclusion, these proposed amendments in the Education (General Provisions) and Other Legislation Amendment Bill 2024 are problematic in a number of ways. First, they demonstrate a lack of understanding as to how families educate their children at home, especially those with multiple children or specific challenges or learning requirements. Home education permits parents to tailor the education of their children around specific needs and talents. These changes proposed in the bill would significantly reduce this ability by requiring home educators to 'be consistent with' the ANC for each year level of their children (recognising, however, that the proposed amendments do not specify clearly enough what this 'consistency' looks like to be practicably usable by home educators or the HEU).

Second, these proposed amendments are not articulated in a specific or detailed enough manner as to make it practicable for home educators to satisfy these changes in a clear and demonstrable way. In particular, words such as 'wellbeing', 'satisfactory educational progress', 'high-quality education' and 'consistent with the ANC' are neither defined nor interpreted in a sufficiently concrete manner such that home educators and the HEU can be confident that the requirements the bill amendments propose are met by the educational plans and reports submitted by home educators. Moreover, these proposed changes may well result in an educational plan that is 'consistent' with the ANC, but is not relevant to the 'age, ability, potential and development' of our individual children, which, according to parts of this Education Bill, is ultimately the aim of education.

Third, they lack consideration for the additional administrative burden they will place upon home educators and the HEU alike. Further, this is a considerable increase in burden that is not placed upon parents who choose to have their children educated in a school environment.

Fourth, many of the proposed changes may, in their practical implementation, have the effect of resulting in a lower quality education provided by home educators for their children. Not only does the increased administrative burden take time away from the central task of education, but incentives to engage in non-written, spontaneous and additional learning activities are dulled by the proposed changes in the bill. In addition, the requirement to cover specific subject topics for specific year levels, rather than covering them over the course of the eleven to thirteen years of home education, is more likely to result in a lower depth of study undertaken by home educating families.

Fifth, the proposed changes give little consideration for families who are embarking upon home education due to family or school-related difficulties. In particular, the removal of provisional registration and the reduction in time given to articulate or amend educational plans appear ill placed, especially given the timeframe (of a year) that the plans and reports relate to.

On the basis of these issues, I request that the above-mentioned proposed amendments to the bill are removed.

Yours sincerely

A large black rectangular redaction box covering the signature area.A smaller black rectangular redaction box covering a line of text.