

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

**Submission No:** 1295  
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**Submitter Comments:**

Dear Committee members,

I am writing to you today in regards to the **Education (General Provisions) and Other Legislation Amendment Bill 2024**.

On 7th March 2024 I received an email from the Home Education Unit explaining that the *Education (General Provisions) Act (2006)* is currently undergoing review. As a home educating parent, I have some concerns about the amendments you are recommending the government adopt. These include that home education be in the best interest of the child; equating high-quality education with the national school curriculum; and the scrapping of provisional registration. To put my concerns in context, I will relate how we came to the decision to start home educating our children.

I am a former classroom teacher, with a Bachelors Degree in Secondary Education, majoring in English and Music. I worked across a range of year levels from P-12, subject areas and school sizes, exclusively in state schools. After several years of teaching, I experienced burnout, due to increasingly complex behavioural cases of students and parents; extensive and increasing documentation requirements with insufficient training or time allocated to adequately complete these requirements; frequently working outside of my subject area with no additional training given to support me to teach in these areas; and working to a curriculum that was often of little interest or relevance to students. I decided to stop working in the classroom when I started having children. We moved to a larger town to look for a better selection of education options for our children. I had worked at all the schools, primary and high, in our rural community, and didn't think they would provide a good learning environment or opportunities for my children. We enquired at seven education facilities when my eldest was kindy-age, and enrolled her in a Kindy attached to a small private school. The Kindy program was excellent. However, once my child began Prep at the school, for a variety of reasons we found it was not a good fit for our family. As we had contacts in the home education community where we lived, we decided to start home educating our eldest child. I had training and experience in education; I did not want to enrol our child in the state school of our lower socio-economic catchment; and we did not have the finances to enrol her into a different private school. We were pleasantly surprised to discover that the home educating community in our town is extensive, and included a variety of belief systems and approaches to education. We did not come to the decision to home educate our child and subsequent children lightly, nor was it initially our intention to home educate them. We came to it, after exploring other options, and at great personal sacrifice of my time, effort and potential income. This is why I take issue with some of the wording and implied beliefs being suggested for inclusion in the *Education (General Provisions) Act (2006)*.

Whilst the language used in Clause 18, Section 7(i) "*in the best interest of the child*" is a very appealing aspiration — indeed, what parent would not want this for their child? — my issue with its inclusion into the Education Act is two-fold. 1) How is it equitable for one group (home educating parents - HE parents) to demonstrate home education is in the best interest of their child, when the same requirement is not placed upon parents who choose classroom education for their children? 2) How is this requirement demonstrable? Firstly, if it is the government's intention to place this requirement on only HE parents, there is an implicit belief and bias being written into law that classroom education is the optimal form of education, and home education is inferior. It also places HE parents under suspicion of their

intentions towards their child's wellbeing. Is this the government's belief, that home education is inferior to classroom education? And that parents who choose to home educate are inherently suspicious and need to prove otherwise before being granted registration? If so, why? Who would have better concern and care for their own children than their own parents? Secondly, how are HE parents to prove that home education is "*in the best interest of their child*"? In our specific case, we have no supporting documentation to explain our reason to home educate our child. I'm here thinking of doctor's certificates and similar. Would this then disqualify our choice to educate our child? What about for families who have had no prior involvement in school education, no medical reason why they could not attend a classroom setting — is their choice to home educate invalid as well? If so, why? Why can't parents choose how and where their children learn? Even if this is not the current government's intention — ie) to require parents to provide documentation proving home education is in the best interest of their child — the fact that the *Education (General Provisions) Act (2006)* is being modified in these terms, gives the potential for successive governments to interpret it in this way.

Another concern I have with the proposed amendments is the requirement that home education plans use the national school curriculum - Section 217(3)(a). I have experience using ACARA from my training and work as a classroom teacher in state schools. It is under constant review and criticism from various stakeholders. Given my background, I would be able to make the shift to use ACARA to educate my children — although this is not my preference and does not suit our education style — but what about others who do not have experience with education documents? And why is this change being forced upon me? I have chosen to educate my children at **home**, not at **school**. Why am I being forced to use the national **school** curriculum? Why can't I as a person, as a parent, as a former teacher, use my knowledge, experience, critical thinking and love for my children to develop and source resources and curriculum which I deem appropriate and relevant to them? They deserve to have an education which is tailored to them, not a standardised curriculum. It is already required — despite some irresponsible journalism suggesting otherwise — that HE parents submit a year's plan of "high quality education" and proof of learning in order to get registration with the Home Education Unit. If we do not show proof of high quality education we do not qualify for registration. Why is this not enough? Why is ACARA being made synonymous with a high-quality education to the exclusion of all other options? If we are already proving we are doing the right thing - providing our children with a good education, and that there is growth - apart from streamlining the application process for your staff, what is the benefit of using the national school curriculum? As I discovered when I began home educating, there are many ways of approaching education and learning. All of these are not incorporated by ACARA. Does that mean other forms of education are no longer accepted? What about the time, effort and expense HE parents have put into sourcing, creating and training themselves in other education styles and methods? Will they be compensated for these now defunct resources? Will HEU be providing training and support to HE parents to interpret ACARA and write new learning programs? Because besides a few templates, there is currently no support or training offered to HE parents by the government.

I am also concerned about the scrapping of provisional registration — Clause 60 Ch9 Pt5 Div2. Provisional registration is very valuable, especially to families that have a sudden change in circumstance. These sudden changes in circumstance can often be challenging and time consuming in and of themselves, eg) moving to a rural community, recovering from

school trauma, or managing serious medical issues. It is therefore unrealistic, inconsiderate and inappropriate of the government to remove provisional registration. This provisional registration gives families sixty days to create and submit a year's worth of education planning for one or more children, often whilst these families undergo significant life and family transitions. Making a yearly plan is an enormous undertaking, especially for parents who are creating one for the first time, especially for parents who never intended to home educate, especially for parents unfamiliar with curriculum documents and education jargon, especially for families undergoing major life transitions and trauma, especially for families who may or may not have access to technology and internet. The time buffer that the provisional registration provides is crucial to them being able to make a smooth transition into home education, find support within the home education community, create a year plan to submit to HEU, and time to provide additional care to their children who in these circumstances are often recovering or suffering from school-based trauma. If provisional registration is removed, as currently proposed, many families will either provide a substandard plan because they do not have the time, knowledge and resources to compile it adequately, or they will spend so much time creating this documentation that it would be challenging to provide adequate support to their children. Not to mention the enormous stress doing these things concurrently will inject into the situation. Given the choice between the two, I would choose to provide extra support to my vulnerable children, over completing documentation. This would put me in danger of not meeting standards to obtain full registration with the Home Education Unit, and could potentially be used as proof that home education is not "*in the child's best interest*" - Clause 18, Section 7(i). How would this be fair if, say, we were moving house and I did not have access to a computer or the internet to compile, create and lodge the necessary documentation? My children could still be learning, but because I did not have the time or resources to communicate a full plan, we would be denied registration, which could potentially be on my record somewhere and used as evidence against me.

The proposed changes to the *Education (General Provisions) Act (2006)* require HE parents do more to obtain and maintain registration with HEU without offering support to enable us to do so. There has also been a marked lack of consultation within the home education community to see if these changes are desired or appropriate. These amendments also codify biases that home education is inferior to classroom education regarding a child's wellbeing and other outcomes. Regarding this point, what research has been done to prove this belief? Are proportionally more home educated children involved in youth crime than their classroom-educated counterparts? Do they have poorer mental health? Have poorer further education and occupational involvement after their home education? Where is the data to suggest these changes to the *Education (General Provisions) Act (2006)* are necessary? Similarly, where is the data to suggest ACARA is better than other educational approaches?

As an eclectic home educator, I like the way we currently home educate. I am able to draw from a range of practices and resources because I recognise there is value in many ways of learning. I am able to collaborate within the home educating community because I am not locked into one way of doing things. I am able to be continually reflective of my teaching practice and responsive to the learning needs of my children, without the constraints of an outside framework. I do not need to be concerned about the artificially derived concept of 'year levels' because I can meet my children at their current capabilities and go as slow or as

fast or as deep as they need. We can pursue an interest in drumming without fear that they are 'falling behind' in history, or an interest in engineering without fear they are 'falling behind' in sport. Following the national school curriculum would deprive them of one of home education's greatest strengths, my ability to be responsive to their capabilities and interests.

I implore the Committee to consult the home educating community thoroughly before making changes that require significantly more from them, and remove language from the *Education (General Provisions) Act (2006)* that support unproven biases home education is inferior to classroom education.

Sincerely yours,