

Education (General Provisions) and Other Legislation Amendment Bill 2024

Submission No: 1377
Submitted by: Belinda Gor
Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

Cover letter for my submission

You may wonder at the vehemence with which we home educators have responded to the proposed changes to the education bill currently suggested. The changes go straight to the heart of why we home educate and the way we do it. We choose to home educate in order to give our children the best education we can. We forego income, time with our peers, following our own interests all to give our children a safe and full, high quality education. This is not done lightly or with little thought.

Most of us home educate to have the freedom to teach our children the way they learn best, to have the freedom to follow their interests and strengths and to help them grow into responsible fully functioning adults in our society.

Changing the act to force us to conform to one set curriculum is against all that home education is. Home education is not school at home, it is a different lifestyle and philosophy. It is whole of life education and learning in real life.

There are so many success stories in home educating and my children are a part of those success stories. Being limited in our options of what and how we teach and needing to fulfil external benchmarks fills me with dread that their now happy fulfilled hearts and good mental health will be threatened and perhaps taken away from them. This will not add to their wellbeing and will not enhance their education.

Ideally we could work with the Dept of Education to come up with mutually happy alternatives to the bill they have proposed.

In that light, I have put together the following submission for your review. In it you will find...

- **Part one** – overview of our family and why we choose to home educate

- Following that, section by section questions/comments and requests on various parts of the bill (quoted in the text for your reference.)

Key areas of concern:

- Who defines the wellbeing of our children?

- The removal of provisional registration

- Needing to provide a report on educational progress on previous enrolments within the previous 12 months. If they have not followed a program for some of the 12 months, how can they provide the required reports? Also if previously enrolled outside of Qld how can they provide what Qld requires. Outside of their jurisdiction.

- Shortened time to decide on application for registration could disadvantage the applicant simply because the department does not have time to review it in the shortened time frame. Consider rolling over application (like the NDIS does) or leaving it at 90 days.

- Requiring all home educated students to follow ACARA to the exclusion of any other learning plan. We already provide a high quality educational plan each year in our reports. This system is not broken. As we have heard, 80% of currently enrolled home educating families don't use ACARA. This is the majority!

Problems will arise such as what if our student has already completed the required ACARA topics/learning areas for their given age group? What if our student simply cannot keep up with the workload as they have learning difficulties? Simplifying ACARA to make an ICP is one way but still not as individual as a learning plan made just for them without external expectations/

requirements that the child cannot meet and only causes real anxiety and distress (reasons many have left the school environment in the first place).

- Requiring senior students to follow the QCAA syllabus is very restricting. By that age, children generally have found the areas that interest them and need to be free to pursue those. There are many viable and already proven alternative pathways for these students to access university and other tertiary education providers. They don't need a QCE or an ATAR and shouldn't be made to do extra subjects that are designed to lead to a QCE or an ATAR when there are other alternatives. Alternative study options such as university subjects need to be allowed as a part of the study plan, as VET courses will be, not on top of the QCAA syllabus subjects. Implementing the QCAA syllabuses would be a logistical nightmare to try to superimpose onto home education in the senior years.

- The consultation process for this bill was faulty and I was not represented. I did not get an email from the HEU telling me about the bill and the opportunity for submissions until I emailed them and requested it. This is not fair and not what a democracy is about.

To the committee,

I am a home educating parent to 3 boys, one of whom has just graduated from grade 12. I do not agree with the proposed changes to Home education in the Education (General Provisions) and Other Legislation Amendment Bill 2024 bill and am writing to voice my concerns with it.

We chose to home educate our children after watching some families we knew who put their children into the state school system but soon found them to be struggling, both with not being able to keep up with the requirements due to learning difficulties or being ahead of their class and not having enough to do to keep their learning going at their pace. We watched as the parents took their children home and taught them in the way each could learn best. The children (4 of them) each started to flourish and gained in self confidence and academic ability. 2 of the 4 have now attained degrees in their chosen fields (one of these has severe dyslexia but having been taught by her mother with a specialist focused program has been able to gain her degree) and two are running their own business. We also noticed how these children growing up were able to interact with a variety of ages as well as their peers. They had a broad knowledge of the wider world and could converse well.

Therefore, when our own children came to school age, it was an easy decision for us to choose to home educate them.

Our eldest son (who has just completed grade 12), started out with great enthusiasm. He jumped up to the table to learn his first lessons in reading. Not many months into teaching him to read it soon became apparent that he was struggling to learn his alphabet. He was getting distressed with lessons and was starting to withdraw and suffer from anxiety. (Later we found he has a learning difficulty in processing speed but we didn't know this at the time). Having flexibility to slow down and take time pressure off him, we soon changed our tack to travelling at his pace and it took 2 years for him to learn his alphabet and by being able to travel at his pace, the stress was gone and he got his joy of learning back so that we could successfully teach him all other subjects. He learned to read at aged 9 and has never looked back. If he had been at school or needing to follow an outside educational program that forced him to move faster than he could or made him do more study than he had capacity for, I believe he would have struggled greatly and the anxiety it would have created would have hindered him in his learning. Now he has proven to be an enthusiastic learner who is self motivated, he accessed TAFE and Headstart Uni subjects for his grade 11 and 12 and received one distinction and 3 high distinctions in these uni subjects. He won the gold medal for the Tafe competition he entered as part of his cert2 in grade 11 and also successfully completed his cert3 in grade 12. Based on these academic achievements, he has been granted an academic merit scholarship from Tafe to complete the diploma in the same field of his cert 3.

I absolutely believe, this would never have happened had we not had the flexibility to educate our son according to his interests and style of learning.

Flexibility was the key to allowing him to pursue his interests with us stretching him appropriately, while removing all pressure to perform within a given time frame. When he reached the upper grades, he was able to move into dealing with the rigours of outside timetables and assessments required by the TAFE and university subjects he completed, as he had had the opportunity to develop skills and confidence throughout the early years of his education. Not having to work towards final exams or having unnecessary subjects to work through "in case" he failed one but still needed to get his ATAR contributed to his academic success in grades 11 and 12.

Not only has my son had success academically, he is participating in community activities being a youth group leader, volunteering his time to do audio visual work at our local church and he took it upon himself recently to shovel off our local footpaths after they were built up with sand runoff after recent heavy rains, in order to make the footpaths clear for others to use. He reads in depth history books for leisure and has a good understanding of world and current events and is often

complimented on his ability to converse with older adults as well as peers and those younger than himself. He strongly believes that if not for the chance to home educate the way we have, he would be a lost soul and would have always thought he wasn't good enough as he struggled so much in the early years to read.

I have two other sons who also have their own stories of needing flexibility in their learning. One son is advanced for his age and is grade 11 enjoying the chance to complete a Tafe certificate and is looking forward to doing 4 Headstart university subjects over the balance of his grade 11 and 12 years. These subjects will feed into his planned future degree of speech therapy. This son is also volunteering to teach a primary aged Sunday school class as well as also helping with the audio visual requirements weekly at our local church. He has volunteered his time to be a junior leader on two week long holiday camps which take place in his own holiday time.

We have never followed a formal curriculum but I have endeavoured to always make their studies involve local and world current issues, we made use of appropriate text and work books for some study areas and we have focused on the love of learning and the ability to learn as well as critical thinking skills.

These boys are well rounded, fully functioning members of our community and have never had any formal curriculum used in their education.

My third son has a chromosomal disorder that causes significant learning difficulties. He has needed intensive intervention in all learning areas and by not having to follow an imposed curriculum, we are able to focus on his learning needs directly and intensively. It has been recommended by various professionals that rather than trying to teach him all the usual subject areas, we focus on his functional learning across all areas. The goal is that, as an adult, he will be as able as possible to function as an active member of his community and to be independent. Uselessly trying to teach him facts from a broad spectrum of subject areas would remove the opportunity we have to focus his learning on the areas that he so desperately needs. Our son's condition also causes him to have high levels of anxiety and currently we manage that on a daily basis but none of it is about whether he is "smart enough" or able to do "a normal level of schoolwork." If he was to be expected to have to achieve certain learning outcomes in set time, he would be quick enough to pick up that he suddenly wasn't "good enough," adding to his anxiety as well as diminishing his self esteem and in turn his ability to relate well to others and it would prevent him learning as no one can learn when they are anxious or think they cannot do something. As it is currently, he is a happy content boy who enjoys learning. We use a lot of his interest areas to enhance his learning and we make learning fun as it has always been our goal to teach our children to love learning. In this way we set them up for a full education and a desire to know more about the world in which they live.

This is just a snap shot of our family life and the difference it has made to our family to be able to home educate without undue outside restrictions on what and when we learn. We set out originally trying to teach like school at home but soon found that this didn't work in the way that we thought it would. Home education is not school at home. It is a lifestyle of learning. In our experience, trying to replicate school at home added unneeded stress and anxiety lessening learning opportunities.

Being able to tailor our educational programs to each child's interests and needs has given our children tremendous success in their education and in the rest of their life too.

I will now go through the areas in the bill that I have concerns with and I respectfully and earnestly request you to consider my concerns, questions and recommendations about the bill as it stands currently...

Child's Wellbeing, Safety and Best Interests Section

7b

(iv) recognises wellbeing as a foundation of educational engagement and outcomes for children and young people;

I laud the inclusion of this clause as I agree that the child's wellbeing must be considered but I am concerned that there is not enough definition around this clause, as it stands, to say who decides on the wellbeing of the child? Also how this will be decided.

Surely as parents we are best suited to know the needs of our children. I would welcome any amendments that would clarify this in favour of the parents having the primary say in what constitutes the wellbeing of our children. We do not give up our time and income lightly, in order to home educate our children. We do it because we believe it is in their best interests and for their ultimate wellbeing.

Likewise for this section...

Section 7—

insert—

(da) for chapter 9, part 5, home education of a child or young person should be provided in a way that—

(i) is in the best interests of the child or young person taking into account their safety and wellbeing;

I have grave concerns that the way the current proposed changes to the bill are worded, leaves much grey area around who makes these decisions and how they will play out in our freedom to choose to home educate.

-How will these conditions be regulated?

-Who will have the ultimate say?

-Will we need to supply proof of our children's well being and safety?

I would welcome anyone who wanted to, to enter our home to see the joy we all have in learning and being in each others presence and learning together but to have someone else decide if teaching our children at home was in our children's best interests is crossing a line that is unacceptable.

Removing the 60 Day Provisional Registration Option

I also have concerns about the 60 days provisional registration being removed as an option of registration. This is currently a very helpful option for people who may unexpectedly need to take their children out of the school environment due to danger or severe issues for them. In that situation, often it is a sudden decision based on necessity and being able to register without an

attached plan means they have their children at home safely, whilst considering their options. These people may go on to home educate in which case they will come up with a plan but they also may just choose to move their children to another school in which case coming up with a year long plan for their education would be a waste of time. It has been argued (in the public briefing on March 18th, 2024) that the child needs to be continually learning but my question is what person, let alone a child, will learn successfully when dealing with trauma and anxiety? 60 days is not a long time to give the family and the child a chance to work out what they are doing and to deal with the problem they have been facing. Most people do not just take their child out of school, interrupting their own professional life just to be an excuse to not teach them anything for 60 days. Parents in this situation need time to think and plan what is best for their child.

I strongly urge you to keep the 60 day provisional registration option in our laws. It is a compassionate and good law in Qld currently.

Requirement to Report on previous Home Education within the preceding 12 months

Clause 61

Section 208(2)—

omit, insert—

(2) Also, if the child was registered for home education at any time within the 12 months before the application is made, the application must be accompanied by a report—

(a) in the approved form; and

(b) that includes evidence satisfactory to the chief executive that demonstrates the educational progress of the child during the period of the child's registration.

I have concerns about the addition of this clause.

If families were registered with the HEU for a period during the previous 12 months and then they ceased enrollment for whatever reason, they wouldn't have been doing the requirements that the Qld Dept of Ed required whilst unenrolled, so how could they produce the reports as suggested here?

If the concern is over a few people potentially deliberately doing this to avoid reporting, surely there would be flags raised during the re-enrollment stage and they could be monitored in that way, with checks as to the reasonableness of the enrolling and unenrolling repeatedly for those specific families? Of course, some may have very good reasons for enrolling and un-enrolling and then enrolling again, and each family's needs should be considered individually.

If families were home educating in a different state or country, how can the Qld dept of Ed require reports and evidence of educational progress based on their own requirements when the child was registered elsewhere with different requirements? This is an unreasonable expectation.

This section of the bill just needs to be taken out of the bill altogether.

Failure to Decide and Application clause

<p>s215 (1) & (3)</p> <p>Failure to decide application</p> <p>(1) Subject to subsection (3), if the chief executive fails to decide</p> <p>an application for the registration of a child for home education within 90 days after its receipt, the failure is taken to be a decision by the chief executive to refuse to grant the application</p> <p>(3) The chief executive is taken to have decided to refuse to grant</p> <p>the application if the chief executive fails to decide the</p> <p>application within 90 days after the chief executive receives</p> <p>the further information or document.</p>	<p>Clause 66</p> <p>Section 215(1) and (3), '90 days'—</p> <p>omit, insert—</p> <p>45 days</p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------

This section has me greatly concerned as if the chief executive fails to assess the application for home registration within 45 days, it is a guaranteed “NO” to the registration. How is this fair or reasonable? Please consider amendments to this clause, at the very least leaving it at 90 days. Within the NDIS, they also have given time frames to approve applications and if not done in the given time frame are considered a “no.” HOWEVER the big difference is that the application just rolls over in to a further given number of days so that the onus stays with the approving body to reasonably consider the application in a fair way.

For example, when someone’s application is not reviewed in the specified time frame, the NDIS sends out a notice to say that the application has not been reviewed in time therefore it is considered to be assessed as “no,” but then the notice goes on to say that therefore the review time period will start again, thus giving the time needed to reasonably assess the application. There is no chance of a refusal of the application just because the department ran out of time to assess it.

I would strongly recommend that this way of dealing with the time allowed for applications to be assessed be considered also in the assessing of applications for home education. As it stands, this clause is grossly unfair and unreasonable as it reduces the accountability of the chief executive. In the current bill, there is no actual requirement on education authorities to meet any deadlines or standards. All the burden is placed on applying families. What chance would potential home

educating parents have to even enrol if the registration is automatically rejected just because the chief executive fails to assess it in due time and now this bill proposes that half the time that was given previously is all that is needed.

While we would welcome a quicker turn around to approval of registration, this section needs work to make it fair.

Senior Subjects to include Maths and English

Clause 68

iv) include subjects or learning areas that are the study of English and mathematics;

I have milder objections to the following clause but I still have concerns with it as regards particularly grade 11 and 12. If a child has completed grade 10 maths (whether through home education or at a state school) and has clear interests in other areas for instance the arts, making them do two more years of maths is unreasonable and unnecessary. It takes time away from their study of their interest area and as far as I understand it, is not a requirement in state schools. The Uni degree my middle son is looking at has no requirement for a maths prerequisite and so two years of unnecessary maths is ridiculous to impose. Please consider amendments that will allow for freedom of choice of all subjects in grades 11 and 12.

For your further information, my son is studying senior chemistry through an external curriculum course, and his grade 10 maths has prepared him adequately for this study.

Written Report in Each Subject or Learning Area

Clause 68

Section 217(cont.)

(ba) a parent of the child must give the chief executive a written report—

(i) for the period the child is registered for home education; and

(ii) in relation to each subject or learning area that is part of the educational program used for the child's home education;

I have no problem providing a written report. We already do that every year. However, it does take the HEU team a considerable time to get through these reports as they stand. Needing to report on all subjects every year would require more work on the parents part as well as the HEU team. We have the work samples available to report with, as our children do fantastic work throughout the entire year in a broad range of subjects. However, needing to do more reporting will take unreasonable extra time for me, reducing time available for further learning opportunities. It is particularly unreasonable, if as has been suggested (in the consultation paper distributed to HEU families in 2022), only a sample of the reports from all home educators would actually be read.

My understanding is that in Victoria, 10% of those registered for home education are selected each year, told they will need to report and then are given guidelines on what is required. My suggestion is that something along those lines is put into this legislation. It would be far more reasonable and a better use of both parents and departments resources and time.

Approved Education and Training Program can only be ACARA

Section 217—

insert—

(3) In this section—

approved education and training program

means—

(a) *the national school curriculum (known as the Australian Curriculum)—*

(i) *developed and administered by the Australian Curriculum, Assessment and Reporting Authority established under the Australian Curriculum, Assessment and Reporting Authority Act 2008 (Cwlth), section 5; and*

(ii) *published on the authority's website; or*

I have a few comments and concerns in this section...

3a) having the Australian Curriculum as the only approved education and training program is severely limiting to our children's education. Whilst it is an option, as has been pointed out in the public briefing on Monday the 18th March 2024, only 20% of the currently enrolled home educating families follow it in some form. It is worth noting that the template that is given to us by the HEU for planning purposes says as its heading...

“Set 3 - Summary of the educational program (template and example)

Home education program for (insert child's name) – Australian Curriculum (ACARA)”

It has further references to ACARA throughout the document. Use the following link for further information.

<https://education.qld.gov.au/schools-and-educators/other-education/Documents/educational-program-template-and-examples-set3.docx>

Therefore, anyone who hands that in could be recorded as using ACARA when actually they just used the given form. I am not sure how they measured the 20% figure but this could be the case. Therefore I question that even 20% of current enrolled home ed parents use the full curriculum.

I have used sections of ACARA in our home education program at times, and in the early years used it to guide some of my teaching, however that is a very different thing to having to follow every aspect of it. **My concerns are that in limiting ourselves to expected topics in certain years and certain benchmarks of achievements in certain years is restricting and could be harmful to our children's wellbeing thus negating clause 7b earlier in the bill.**

Our style of home educating relies a lot on following the interests of each of our children and then using them to achieve other learning areas. Therefore, to restrict us to only learning about certain topic at certain ages is directly opposed to our already proven successful style of home education. It also raised the question for those of us whose children have already completed the topics or learning level set out for that grade in Acara, what are they to do? Do the topic again? Ridiculous!

Further to this, ACARA does not match up with our homeschooling philosophy of family, faith, community and nature so why should we be compelled to use it?

My strong suggestion is that there needs to be allowance for families to provide an outline of their educational plan as we have always done. It could have reference to ACARA but not be bound by ACARA. This is the case in other states.

For example ideas of this, see information about Tas and ACT home education law in this link: <https://drive.google.com/file/d/1cw5UInmbBsAMBO04VIRITy8vXRrugrSu/view?usp=sharing>

We have been approved for home education by the HEU without reservation every year for 13 years. I have done something like 31 plans and 31 reports in total on my children's learning. All approved with no reservation. Our teaching style has been proven to be effective and comprehensive, not just on paper but in my children's lives. **If we must end up using ACARA please consider amendments to enable individual learning/curriculum plans for all children, not just those with special needs. Allow us who know our children and their interests and abilities the best, to have a say in what they can learn.** ACARA is one among many ways of learning.

Regarding Senior Subjects

(Continued from above)
Section 217—

insert—

(b) a senior subject syllabus for a senior subject; or

(c) a vocational education and training course at level 1 or above under the AQF; or

(d) a combination of the curriculum, a syllabus or a course mentioned in paragraph (a), (b) or (c).

senior subject see the E(QCAA) Act, schedule 1.

senior subject syllabus, for a senior subject, means the syllabus for the subject developed by the QCAA and published on its website.

syllabus see the E(QCAA) Act, schedule 1.

In regards to the senior subjects I have some important questions...

quote from part “(c) a vocational education and training course at **level 1 or above** under the AQF;”

When I look up AQF, their levels go right up to a doctorate degree. In this proposed bill, it is not clear as to whether university subjects will be allowed as senior subjects as in this section it refers to “a vocational education and training course at level 1 or above.”

Could you please clarify whether university subjects will be allowed as a senior subject for grades 11 and 12. This is a VERY important point as it is a very common pathway for home educated students to make their way to uni and to get a rank which is equivalent to an ATAR. Many even study uni subjects in grade 9-10 as well as the senior years adding points to their rank and enabling them to learn in focused study areas of interest.

Trying to fit the QCAA syllabus onto home educating in senior years does not make sense and would not be easy for home educators or the QCAA themselves. My understanding is that QCAA syllabuses are designed for schools by the Queensland Education (Queensland Curriculum and Assessment Authority).

From my understanding, these syllabuses are designed to lead through 4 semesters of subject study, include certain specific types of assessments and culminate in final exams at the end of grade 12 to give a QCE and also an ATAR in order for the student to get into University. Please see quotes from the web sites following...

Senior syllabuses (from 2024)

In Queensland, a syllabus for a senior subject is an ‘official map’ of a senior school subject. A syllabus’s function is to support schools in delivering the Queensland Certificate of Education (QCE) system through high-quality and high-equity curriculum and assessment.

<https://www.qcaa.qld.edu.au/senior/subjects-from-2024/syllabuses>

All senior syllabuses in Queensland contain three elements:

- 1. a statement of content – what is required to be taught, expressed as knowledge, understanding and skill*
- 2. standards of achievement – fixed reference points that describe how well students have achieved and the expected qualities of student work*
- 3. assessment processes – the mandatory aspects of assessment appropriate to the subject.*

The form that each of these three elements take in a syllabus can change over time to reflect policy priorities, system structures and the division of governance in an educational setting at any given time.

<https://www.qcaa.qld.edu.au/senior/subjects-from-2024/syllabuses/senior-syllabus-overview>

These syllabuses cannot just be overlayed onto home education. Home education follows a different path.

Our home educated students do not need a QCE or an ATAR to get into Uni. Many of them have completed at least one university subject as well as Tafe certificates before they finish grade 12. Making them work through the QCAA syllabus would be pulling them back into meaningless mundane teaching and extra academic work for no apparent reason except to fulfil arbitrary external guidelines that serve no direct purpose in our student’s educational needs.

Specific assessments and exams are not possible in the context of home education in the same way that they are in schools so why try to make what is designed to be implemented in schools be used in the home education context? Our children learn and succeed without the exams and the number of assessments that are required in school. They are still accessing University on equal levels as their schooled peers, even accessing early offers.

Our children are thriving, excelling and enjoying learning in their areas of interest using the current methods and options of senior study available to them as home educated students. These are perfectly viable other senior study options that are recognised by Universities and Tafe’s and other tertiary education providers.

The proposed changes in this bill will severely limit our home educated children’s learning options in the senior years with potential consequences also beyond that.

For example: if they have to study under the QCAA syllabuses for content, but they cannot get actual grades as there is no formal assessment within the home education environment, where will this leave them?

Studying using the QCAA syllabus will prevent them from using their time to study alternative pathways and they will be forced to study further after finishing grade 12 in order to obtain the requirements for University access.

Anyone can see this is unnecessary extra work for our already hard working home educated students and unfairly hinders them in their academic careers.

We need to have the option to include University subjects into the proposed educational plan for our senior students, not to have it on top of the QCAA syllabuses but integrated into the study plan.

The bill in its current form does not allow for any other educational systems or curriculums. While those who may want to could use ideas from the QCAA, there needs to be access to other recognised alternatives for senior years education for home educated students.

My son has been told by educators on numerous occasions both at TAFE and Uni that home educated children are typically excellent achievers and do well in their studies with them. I strongly believe this is because they are generally taught to be independent workers, self motivated and they are interested in learning. They have had the chance to follow their interests and not been confined to rote learning or subjects that they will not use in their future.

Most universities in South East Qld have pathways for home schooled students to study whilst completing their senior studies. They welcome our home educated children.

The options are all there, we just need freedom for our children to utilise them. Please consider clear amendments to this section to allow for much greater freedom in studying in the senior years.

Finally, I just want to comment on the fact that we were not represented in the second round of consultation because Qld has no official state homeschooling association and the two people directly representing us and should have been consulted in lieu of the official state homeschooling association's non existence - Amanda Bartle and Patricia Fitzgerald - were actively excluded, as was mentioned in the public briefing on the 18th March 2024. Because of this I was not represented in the second round of consultation and was not asked who I wanted to represent me in the absence of any official association.

An official advisory board that was recommended in the last inquiry into homeschooling 20 years ago has never been set up. Thus limiting the opportunity to have our voices heard.

Further to this, I was not contacted directly by the HEU about the proposed bill and the call for submissions. I heard about it by chance from other home educators and I had to email the HEU myself and ask them to send me the information. This is not acceptable and not true consultation.

Please recommend that further complete, rigorous and fair consultation be done with all stake holders in Qld.

Thank you for the time you have taken to read and consider my submission. I urge you to please keep the freedoms we have to home educate in our legislation.