

Education (General Provisions) and Other Legislation Amendment Bill 2024

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Submission

EDUCATION (GENERAL PROVISIONS) AND OTHER LEGISLATION AMENDMENT BILL 2024

I am a registered homeschool educator of two children for the past 5 years, both in Queensland and NSW. My background includes studies in a Bachelor of Social Science, major in Government and Policy with a strong administrative background of 30 years.

Over the past five years, I have voluntarily facilitated and administered several medium to large homeschool social groups in NSW and Queensland, including large sporting carnivals and extra-curricular activities. I am also a parent of two children with diverse learning needs and diagnosed disabilities. This has allowed me to be in contact with various homeschooling community members in many different settings and hear alternate perspectives on how parents choose to home educate.

This unique insight forms the basis of my submission.

Submission Summary:

I am writing to express my serious concerns and objections at the proposed Amendments to the Education (General Provisions) Act 2024, for the following reasons:

- it will pose **significant administrative and bureaucratic burden** on homeschooling families and the Home Education Unit (HEU), due to the **loss of flexibility with a mandated curriculum** and **excessive reporting requirements**.
- **ambiguity regarding parental authority** on the amendment introducing ‘best interests of the child’ ie.it is unclear who determines ‘best interest’.
- The **potential of increasing financial and legal costs** to the government and taxpayers.
- dissatisfaction at **the lack of consultation with the homeschooling community** in Round 2 of the Consultation process.
- Kathleen Forrester’s incomplete responses to the Committee on the 18 March 2024.

CURRICULUM AND REPORTING

Proposed change to mandate the use of the Australian Curriculum:

1. While many other states recognise the national curriculum as a minimum standard through policy and guidelines, no other state mandate the Australian Curriculum in their Act.
2. Flexibility in how home education is delivered is one of the major reasons many parents choose to home educate, so that they can tailor the education to their child’s needs and strengths while recognising their unique learning style.

3. **Failing to provide curriculum support** to homeschooling families registering with the HEU.
While demanding high-standard, paper-based reporting, the amendments offer no resources to assist parents in meeting these requirements.

Proposed change to provide a written report on 8 key learning areas of the Australian Curriculum:

1. This shift from the current system focusing on three subjects creates an unnecessary and excessive administrative burden on families by drastically increasing workload for homeschooling families, who already dedicate significant time and effort to their children's education.
2. My recent experience was over a month spent on reports under the current system for two children with learning difficulties, exemplifies the potential time-consuming nature of this change. This diverts valuable time from actual teaching and personalised learning strategies.
3. **It will also further overwhelm the HEU with a surge in reporting, leading to further delays and inefficiencies in the registration process.** The proposed amendments significantly increase the workload for the HEU. Not only will they need to assess progress in five additional learning areas (to the current three), but they must also develop a more efficient system to efficiently manage this surge in online reports.
4. Several states have minimal or even no reporting requirements for homeschooling families (eg. Victoria and New South Wales), preferring a more streamlined approach to regulations through policy guidelines rather than mandates. This allows flexibility for families disregarding the need for a Bill to be proposed to amend Legislation in favour of amending policy and guidelines.
5. Written reports are not required by states where reporting on key learning areas is required.
6. No other states require all 8 learning areas to be reported.
7. This proposed change would create a situation where homeschooling regulations vary significantly across different states in Australia.
8. The proposed system creates an overly bureaucratic process that could discourage families from pursuing homeschooling as a legitimate educational option.
9. **The current system lacks a mechanism for providing additional support to homeschooling families facing challenges.** The amendments seem to rely solely on punitive measures like show cause notices or registration cancellation in cases where progress might not meet expectations.
10. **Parental expertise of their children's learning style is not recognised.** The proposed amendments require subject-by-subject progress reports from homeschooling parents, however, **lacks clarity on how progress in each subject will be measured.** Standardised testing is not suitable for all ages or learning styles, and portfolios require subjective interpretation.
11. Homeschooling parents are with their children throughout the learning process, constantly observing progress and adjusting their educational approach accordingly. This constant,

individualised attention allows for a deep understanding of a child's strengths and weaknesses and is a measure of progress that should be recognised.

12. **Failing to provide curriculum support** to homeschooling families registering with the HEU, while demanding high-standard, paper-based reporting, the amendments offer no resources to assist parents in meeting these requirements.
13. **Shifting the focus from child's best interests to bureaucratic processes.** The extensive reporting burdens and mandated curriculum seem to prioritise administrative tasks over fostering a learning environment that caters to individual needs.

The amendments could be revised to:

1. Allow parents to demonstrate their understanding of their child's strengths, weaknesses, and achievements in ways other than in a written form,
2. **Using the Australian Curriculum as a Guideline:** Like other states, Queensland could adopt the Australian Curriculum as a **voluntary** framework for homeschooling families. This allows them to adapt it to their children's needs while still adhering to essential learning outcomes.
3. **Support for Homeschooling Families:** Instead of focusing on increased reporting, resources could be allocated to support homeschooling families. This could include providing access to curriculum materials, workshops on educational best practices, phone support or connecting families with homeschooling communities for support and collaboration.
4. **Focus on Learning Styles and Outcomes:** The amendments could be revised to focus on assessing how children are achieving expected learning outcomes, without prescribing specific methods or curriculum. This allows for flexibility in homeschooling approaches while ensuring basic educational standards are met.

These alternatives offer a balance between accountability and flexibility, ensuring a high-quality education without stifling homeschooling's core principles.

Ambiguity regarding parental authority:

The amendment introducing "**best interests of the child**" in Section 7(da)(i) creates a **direct conflict** with the existing Section 7(a) emphasising **parental responsibility in choosing an educational environment**. Further confusion arises from its placement under Section 7(d), promoting collaboration between various entities. This ambiguity creates a situation where:

1. The ultimate authority in determining a child's "best interests" becomes unclear. Is it the parents, with their intimate knowledge of their child's needs, or a collaborative group, the deciding factor?

2. There is potential for **misinterpretations and conflict** between parents and authorities, causing undue stress and hindering the homeschooling experience for the child and family. It is clear from the Queensland Family and Child Commission Submission to the Consultation Group in 2022 that “... *care should be taken to not compromise the quality of the education experience being offered to children and young people nor the educational outcomes being achieved*”. This demonstrates the conflict arising from this amendment.

I completely understand the government's desire to ensure the safety and well-being of all children, including homeschooled ones. Ensuring the safety and well-being of all children in Queensland is a shared responsibility between parents, educators, and the government. While the proposed amendments aim to achieve this goal, this amendment lacks clarity in **how** this will be achieved.

This amendment could be improved by consultation with key stakeholders in the homeschooling community. Involving homeschooling representatives in collaborative discussions about child safety will ensure a more effective and inclusive approach.

Increased Costs for the Government and Taxpayers:

In addition to the significant burden placed on families, I also have concerns that the proposed amendments are likely to incur substantial costs for the government.

1. **HEU Resource Allocation Concerns:** The amendments raise concerns about resource allocation for the HEU. Assessing progress in five new learning areas and managing the influx of reports will require additional resources for the HEU's staffing and online reporting system.
2. **Potential Legal Challenges:** The ambiguity surrounding "best interests of the child" could lead to legal disputes between parents and authorities. Litigation associated with such conflicts would incur significant financial costs for the government.

Lack of Homeschool Community Input in Round Two of the Consultations:

Finally, a significant concern regarding the proposed amendments is the apparent lack of consultation with homeschooling communities during their development. The amendments seem to be crafted without considering the realities and needs of homeschooling families in Queensland.

1. **Overlooked Expertise:** Homeschooling parents possess a wealth of experience and expertise in tailoring education to individual children. Their insights are invaluable in shaping amendments that are effective and respectful of homeschooling principles.
2. **Potential for Misunderstandings:** The lack of homeschool community input increases the risk of unintended consequences. Amendments designed without considering homeschooling practices create unnecessary burdens and hinder the ability to provide a high-quality education.

Kathleen Forrester's incomplete responses to the Committee on the 18 March 2024.

Lastly, I would like to add that I am mystified by some of Ms Forrester's statements and responses to the Committee's questions, particularly in relation to the 'associations' she refers to as having been consulted as key stakeholders in the consultative process. From my knowledge, it appears that one of the organisations that was given consideration provides paid subscriptions to their curriculum and reporting services to the homeschool community. A registered business is not an association and consulting them is a conflict of interest with a potential of bias in reporting. Nor does Queensland have six homeschooling associations.

Moving forward, it's crucial to involve homeschooling representatives in discussions about education regulations. By incorporating the perspectives of homeschooling families, the government can make informed decisions regarding amendments that are effective and practical.

I am familiar with the work of Home Education Queensland (HEQ) Facebook group that advocates for homeschooling families in the state. Open communication and collaboration between the government and homeschooling communities, including those represented by HEQ, would foster trust and a productive working relationship, and encourage confidence in the homeschooling community of the government's best interests in supporting them to educate their children.

Recommendation: The Committee to consider initiating a Queensland Home Schooling Consultative Group, as done by other states (links listed below), prior to amending legislation that affects the homeschooling community.

- NESA Home Schooling Consultative Group: <https://www.nsw.gov.au/education-and-training/nesa/home-schooling/home-schooling-consultative-group>
- Victorian Home Education Advisory Committee: <https://www.vic.gov.au/victorian-home-education-advisory-committee>

In conclusion, I urge the Committee to establish a homeschooling consultative group that can work collaboratively with the Department of Education and other statutory bodies, whilst keeping in mind the best interest, wellbeing, and safety of our children, when amending legislation that impacts homeschooling families.

Thank you for considering my concerns.

Sincerely,

Tasneem Winkler
Homeschool Parent

Reference:

Queensland Family & Child Commission. (May 2022). Review of the Education (General Provisions) Act 2006. *Submission*.

[https://www.qfcc.qld.gov.au/sites/default/files/2022-09/QFCC%20Submission%20-%20Review%20of%20the%20Education%20\(General%20Provisions\)%20Act%202006.pdf](https://www.qfcc.qld.gov.au/sites/default/files/2022-09/QFCC%20Submission%20-%20Review%20of%20the%20Education%20(General%20Provisions)%20Act%202006.pdf)