


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

**Submission No:** 2083  
**Submitted by:**   
**Publication:** Making the submission public but withholding your name  
**Attachments:** No attachment  
**Submitter Comments:**

**Submission**  
**EDUCATION (GENERAL PROVISIONS) AND OTHER**  
**LEGISLATION AMENDMENT BILL 2024**

Dear Committee Members,

I am writing to you as both a concerned teacher, and a home-educating parent of a neurodivergent teen (who is also an NDIS participant). I wish to express my objections to the proposed amendments put forth in the Education (General Provisions) and Other Legislation Amendment Bill 2024. I have specific concerns with the implications of Clauses 18, 64 & 68. I strongly believe that the proposed bill, in its current form, will have a detrimental impact not only for my own teen, but for thousands of other children and teens across the state!

As well as concerns relating to the amendments themselves, I also hold **concerns and disappointment relating to the processes, thus far**. Including:

▪ **Notification from HEU regarding the proposed bill** – an email was sent to home-educating families on March 7<sup>th</sup>, 2024. I was one of the ‘lucky’ ones who did receive the email. A large portion of our home-educating friends still have NOT received any direct communication from HEU themselves. A poll that has just been posted in one of the Facebook home-education groups currently indicates that out of the 461 members who have responded thus far, as at 11:00am March 25<sup>th</sup>, 2024, 210 families (45%) still haven’t received any communication from HEU regarding this! For families who are not active on social media, or who may live in more isolated areas (rural, etc), I fear that there may be a lot of families who are still unaware of these proposed changes, and, given the short turnaround timeframe afforded to us to present our official feedback, will be unable to have their say, express concerns, or raise questions, and feel that an extension of the submission deadline for all would be appropriate.

▪ **Consultation Period** – I am to understand that during the official EGPA review consultation period there was a lack of representation afforded to the home-education community. QLD currently has NO official state home-education association for families. 2 key home-schooling advocates who were (and still are) representing the home-education community, Amanda Bartle and Patricia Fitzgerald, state that they were well-known to the EGPA review team and directors at the time, and were actively excluded from the official processes,

after multiple requests. I am also of the understanding that those chosen/allowed to 'officially' represent home-educators, who were included in the 'official' review, were home-education businesses, and not necessarily presenting in the best interests of home-educators, as they potentially stand to profit from the proposed bill amendments, thus creating potential bias. It is, however, interesting to note that Donna Stewart (from 'Simply Homeschool') states "I am totally on the side of Homeschoolers having autonomy from government overreach. I think we shouldn't even have to show progress, etc. It's a parent's right to choose how they educate their children, and we will fight for this all the way."

### **Personal story**

As mentioned previously, I have a neurodivergent teen (who is also on NDIS). During their schooling, they experienced increasing anxiety, distress, overwhelm, shutdown, 'school can't', and other challenges relating to their neurodivergence. In the support community, we call it 'school can't', not school refusal', as it's not a choice...it's a trauma response. Due to Autistic 'masking', these signs of physical and emotional stress weren't typically observed when at school. They were never a challenging student whilst at school, always well-mannered, never a behaviour concern. However, a 'typical' school environment and following the national curriculum proved to be inaccessible, unsuitable and inappropriate for their needs, and mental health and functional capacity was decreasing rapidly due to this. Due to our concerns for their mental well-being and overall health; frequent school absences which increased dramatically once they started high school; a 'typical' school's inability to appropriately support them; their education and learning being affected; and their inability to cope in a busy, chaotic, unpredictable, sensory overloaded, behaviour-riddled, pressured school-environment, we switched to a private Distance Education provider. However, this proved to be unsuccessful long-term also. Overall, DE helped us to pinpoint some more of their strengths and challenges, and proved that, when feeling safe and able, and with the right conditions and support, they can be successful! A 'learning from home' environment allows them to be their authentic self (stims and all), and enables them to learn in a safe, calm, flexible, empathetic, trauma-informed environment, with one-on-one support from someone who is patient, truly understands their needs, and in who they trust. Home-educating has allowed them to re-engage with their learning, focus on their mental health, and work on increasing functional capacity relating to their disability, all the while focusing on their special interests and building skills relating to their future career goals. A very large percentage of home-educated students are neurodivergent. A large percentage of those are also on NDIS.

The national curriculum (ACARA) is not accessible for all, especially those with diverse learning needs. There are MANY current, or former teachers, finding ourselves on this very similar (often almost identical) journey with our neurodivergent children/teens. Believe me, speaking with other parent-teachers, we REALLY tried to make it work because that was our background and beliefs. However, a 'typical', traditional school system, and following ACARA doesn't work for EVERY child (particularly not for non-typical students)! We know this now from our own personal experiences. It didn't work for theirs. It didn't work for mine.

### **Some key points of interest or concern**

▪ Currently, home-educators are required to submit a 'high quality' educational plan to HEU whose fully qualified staff (Government Education Department) read through, and determine, utilising the guidelines presented to us, whether to approve it (if considered 'high quality'), or request for further information. The same staff read through our detailed annual reports submitted for approval that shows 'high quality' learning and samples, in the best interests of OUR child (tailoring it to meet the needs of any disabilities or challenges that they face). As per the education department's website regarding what constitutes a 'high-quality' education (<https://education.qld.gov.au/schools-educators/other-education/home-education/registration>)...

"A high-quality education program can be demonstrated in a variety of ways. As a guide, you may wish to consider whether your program addresses the following matters:

- is responsive to the changing needs of the child as indicated by the short and long term educational and personal goals
- has regard to the age, ability, aptitude and development of the child concerned
- is conducted in an environment conducive to learning
- is responsive to the child's need for social development
- utilises suitable and relevant teaching strategies to deliver the educational program to the child
- engages the child in a range of rich and varied learning experiences
- is supported by sufficient and appropriate resources
- uses strategies for monitoring educational progress."

▪ I **DO NOT** support enforcing ACARA for home-educating families, and removing freedom of choice for what works best in their situation for their child/teen. Following ACARA is inaccessible and inappropriate for a lot of neurodivergent students IN schools and is a key reason why many students have needed to seek alternate learning pathways more suited and tailored especially to their needs. We already have access to ACARA (if we wish to use it...if it's appropriate for our child's needs), and many other curriculums and resources. Endless resources! We also have access to a HUGELY supportive

home-educating community that is thriving and filled with a vast array of socialising opportunities (casual and skills-based), including excursions, camps, tours, and more! As mentioned in the Parliamentary Briefing (March 18<sup>th</sup>, 2024), **only 20% of home-educating families are currently choosing to use ACARA** (this means 80% are choosing not to....and you will find that it's because, for many within that 80%, it's inaccessible, inappropriate, and not in the 'best interests of that child'...often due to disability/neurodivergence).

- It was indicated in the Parliamentary Briefing (March 18<sup>th</sup>, 2024), that the only states who were NOT following ACARA for their home-educating was Tasmania and the ACT. According to research presented in the Home-Educating groups discussing the proposed amendments, after looking up each state and territory's home-education policies and legislative requirements, it was found that this is false, and that the proposed amendments for QLD are far more restrictive.

- A LOT of families have not chosen to home-educate for the 'fun' or 'ease' of it, or from a laziness or unwillingness to encourage their child into mainstream school. In most cases, the opposite! A LOT have ended up in HEU by necessity. A LOT have lost employment and income because of this necessity. My teen is fortunate to receive AIC (Assistance for Isolated Children) payment due to schooling from home due to their medical needs. However, this does NOT replace the huge amount of lost income from me not having been able to teach in schools over these past few years. Families not eligible for AIC don't have access to any financial support at all.

- Home-educators are learning and achieving AMAZING things! Did you know that some are even completing university subjects from as young as 13 years? Others are completing TAFE, traineeships, apprenticeships, work experience, entrepreneurs starting their own business, working in other employment.

- I **DO NOT** support the removal of the 60-day 'Provisional Registration' from HEU. Whilst we personally didn't need to access the 60-day 'Provisional Registration', where an educational plan is not required during this timeframe, removing this will **absolutely** put some students at risk, and put extra stress and pressure on families who desperately need that mid-way option whilst they are awaiting enrolment elsewhere, deciding what the next best step is, and/or seeking out appropriate medical and specialist care. Removing this option will mean that some students may be forced to remain in an unsafe environment/situation (eg. ongoing bullying; ongoing distress for neurodivergence and/or mental health reasons), whilst their parent/caregiver is trying to put an educational plan together and source appropriate resources. Alternatively, the student may be needing to be home already (and unable to access their school), whilst still enrolled, with the parent/caregiver enduring the added stress and pressures from their school and department, all the while dealing with their child's distress (on top of their own), all the while seeking

medical support (which often is hard to come by with availability and lengthy wait times), all the while trying to write up an educational plan if the amendments now deem it necessary to submit immediately alongside HEU registration.

- I **DO NOT** support the removal of the HEU Registration Certificate. It is a simple enough thing to do up and email out to families. It makes things easier and more stream-lined across departments and other official organisations where it might be required.
- I **DO** support the amendment of the Bill to increase the HEU registration legal age to cease the end of the year that a home-educating student turns 18 years (as opposed to the current 17 years).

### **Some questions**

- WHY were home-educators not afforded official representation from those in the actual community, those who the Amendments Bill directly affects as home-educating students and their families?
- If the amendments are proposing that students learn via ACARA, and then the Senior Syllabus...will they then be afforded a Senior Certificate?
- What will happen to home-educating students who are STILL unable to access the national curriculum, who weren't able to continue to access it via mainstream, or via a DE, and if they are unable to show adequate 'progress' in all 8 subject areas in a report to HEU, if these amendments are passed?
- It's all good and well to use words in social media posts saying 'get' and 'make' home-educators 'follow the curriculum'. For those whose children/teens 'can't', especially due to disability, what supports and exemptions will you put in place in the interests of 'inclusivity'?
- What support and training will be offered to home-educating parents to teach ACARA, and especially Senior Syllabus, since we, as teachers, undergo lengthy training at University to have the qualifications to do so?
- Who determines 'best interest of the child'?

- Currently, it takes HEU (qualified) staff 1-2 months, on average, to read through and assess 'high quality education' (or not) and approve plans and reports for each home-educating child (of which there are currently over 10,000 in QLD and growing each day). We currently only need to plan and report on English, Maths, and one other subject area, per child. With my teaching background, my plans and reports are usually in detail and lengthy (around 15 pages), compared to most other families. What processes will be put in place to assist HEU staff to manage the HUGE increase in plan and report size for EACH of the over 10,000 (and growing) home-educated students, if we're all having to plan and report on 8 subject areas, every single time?
  
- The law states that families are unable to be enrolled in 2 places at once (including home-education). A lot of families are having difficulties with being released from their current school to be able to enrol in HEU, however, can't enrol in HEU until released from their current school. We didn't have an issue, ONLY because we were switching from a school to a Distance Education school, so we were finishing one school at the end of one term and starting at the DE provider at the start of the following term. I absolutely understand that it's to help keep track of students in the interest of child safety. However, this crossover issue is causing families a lot of extra unnecessary angst. Surely this can be improved upon somehow – schools and HEU having direct contact?
  
- WHY aren't home-educating students afforded the same access to a '.edu.au' email address just as their peers are in state or private schools (including DE)? HEU is a part of the government education department. This isn't fair and needs to change! It's been raised many times over the years and ignored.

Please...listen to the home-educators! Hear our concerns! Hear our stories! A lot of us have gone through so much family stress and tears to get from where we were to where we are currently! I truly appreciate your committee's time in reading through my submission and hearing our personal story and concerns!

Kind regards, a concerned teacher and home-educating parent of a neurodivergent teen.