



Speech by
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MEMBER FOR MULGRAVE

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EDUCATION LEGISLATION AMENDMENT BILL AND EDUCATION AND TRAINING LEGISLATION AMENDMENT BILL

Mr PITT (Mulgrave—ALP) (5.06 pm): I rise to participate in the cognate debate on the Education Legislation Amendment Bill 2009 and the Education and Training Legislation Amendment Bill 2009. I will be focusing my remarks today on the latter.

The Education and Training Legislation Amendment Bill makes a number of important amendments to legislation within the Education and Training portfolio, including some critical practical amendments to the Education (General Provisions) Act 2006. The 2006-07 budget identified 35 Indigenous communities for the provision of a pre-preparatory learning program for 3½- to 4½-year-olds. The Queensland government is spending more than \$40 million over four years to enhance existing early childhood education programs across these 35 communities.

Research has shown that giving our children a head start by investing in the early years makes the biggest difference to a child's future life chances. This is particularly important for children living in the most disadvantaged families and communities. COAG has recognised this by including early childhood as one of its six targets for closing the gap in outcomes for Indigenous Australians.

Currently, some 600 children are participating in the pre-prep learning programs across the 35 communities in 28 state schools and one non-state school. Without school provision of these learning programs, many of these children would not have access to a quality early childhood education experience.

The recent Productivity Commission report *Overcoming Indigenous disadvantage: key indicators 2009* identified the pre-preparatory program as one of the 'things that work' in increasing Indigenous preschool attendance and learning outcomes. It was considered necessary to deliver the pre-prep learning program in these schools as there is limited capacity or viability for private providers in the communities, which these schools service, to deliver sustainable early childhood education and care services where the pre-prep program can be provided.

Investigations have shown that using school infrastructure in these communities to provide pre-prep learning programs, where the early childhood education and care market has been unable to provide consistent quality services, is the only cost-effective approach at this time.

The pre-prep learning program being implemented in these schools is *Foundations for success: guidelines for an early learning program for Aboriginal and Torres Strait communities*. This program was released in October 2008 and is currently being implemented by teaching teams across the 35 communities. Under the Education (General Provisions) Act 2006, programs delivered to children below prep age who are younger than 4½ years old are not considered as 'schooling'. Consequently, providers of pre-preparatory programs are subject to the licensing requirements of the Child Care Act 2002, which regulates child-care services. It is not appropriate for the state to issue itself a licence under the Child Care Act 2002 as a child-care service. Therefore, there is a need to address the legislative gap in relation to the provision by schools of pre-prep programs in some Indigenous communities.

The bill creates a legislative head of power for the minister to provide an approved pre-prep learning program at prescribed schools to children aged at least 3½ years old. A 'prescribed' state or non-state school is a school that, immediately before commencement of the relevant sections, was providing a pre-preparatory learning program and approved by the minister for the school. The schools are located in the communities of Bwgc Colman Community School at Palm Island, Cherbourg State School, Doomadgee State School, Kowanyama State School, Lockhart State School, Mornington Island State School, Northern Peninsula Area State College campuses at Bamaga and Injinoo, Hammond Island Campus of Our Lady of Sacred Heart, Pormpuraaw State School, Tagai State College campuses at Badu Island, Darnley Island, Dauan Island, Horn Island Kubin, Mabuag Island, Malu Kiwai, Mer Island, Poruma Island, Saibai Island, Stephen Island, St Pauls Thursday Island, Warraber Island, Yam Island, Yorke Island, Western Cape College campuses at Aurukun and Mapoon, and last but certainly not least Yarrabah State School.

In speaking about Yarrabah State School, I would like to take this opportunity to congratulate the teaching staff at Yarrabah for their hard work and commitment which has led to the school being named one of the 60 most improved schools in the state in this year's NAPLAN test. Yarrabah State School has gone from 17.5 per cent of students performing at or above year 3 writing national benchmarks in 2008 to 61.3 per cent—a lift of 43.8 per cent. I am proud of these students. This is a significant result and confirms that the school is heading in the right direction. All of the schools I mentioned, including Yarrabah, have been providing pre-preparatory learning programs for many years, and it is expected that Hammond Island will be the only non-state school which will be providing a program at commencement.

The Education and Training Legislation Amendment Bill also allows further state schools to be prescribed by regulation. This is necessary in case a private provider within a remote discrete Indigenous community providing the program at commencement is not able to continue and there is no alternative private provider able to deliver the program. If this were to occur, a state school could deliver the program.

Legislative coverage of these programs under the Education (General Provisions) Act is intended to be a short-term measure until Queensland's approach to universal access to early childhood education is further clarified—for example, through the review of the Child Care Act 2002. For this reason, the bill provides that these provisions must be reviewed within five years after commencement to ensure that they remain relevant and necessary. While pre-prep children will not be formally enrolled, they will be registered on the school's computerised management system and issued with a unique education identification number. As a consequence, pre-prep children will be counted for the purposes of staffing and other resource allocations. This does not differ from the present system, where students are counted for staffing purposes.

The bill will provide that a pre-prep aged child who is provided with a pre-prep learning program at a prescribed state or non-state school is not a student of the school or enrolled at the school. This is necessary to ensure that a range of provisions in the Education (General Provisions) Act that are not deemed appropriate for these children will not apply to them, such as the imposition of an inappropriate behaviour management condition on a child. Instead of enrolment at school, the bill will provide that the child will be registered for the program.

The bill also applies specific provisions of the Education (General Provisions) Act which are appropriate to apply to pre-prep children. For example, sections 365 and 366 of the act, which oblige school staff to report suspected sexual abuse of a child by another employee of the school, will apply to pre-prep, as will section 426 of the act, which provides that personal information about pre-prep age children must be treated confidentially.

Section 429A of the act prohibits the use of certain terms by child-care providers. The intention of the prohibition is to distinguish the prep year from child care and to limit confusion for parents, because the use of those terms by a child-care provider could lead to an assumption on the part of parents that the child-care provider is able to provide education in the prep year of schooling. However, since its introduction it has become clear that the prohibition as it stands is not sufficiently broad to achieve this policy intention. Therefore, the bill amends the Education (General Provisions) Act 2006 to expand this prohibition and ensure that child-care providers must not describe the care they provide in any manner which may suggest that they are providing prep year education—for example, by using the acronym 'PREP'.

Under this important government initiative, pre-prep or kindergarten programs are being delivered across 35 discrete Indigenous communities, resulting in more than 70 per cent of four-year-old Indigenous children across Queensland's remote areas accessing a quality early childhood education. I congratulate education and training minister Geoff Wilson on this bill. These amendments support that crucial delivery, and it is hoped that improvement in the early years can create a flow-on effect for these students as they progress through their school years, providing much better educational outcomes and improved pathways to employment in the longer term.