




Speech By
Hon. John-Paul Langbroek

MEMBER FOR SURFERS PARADISE

EDUCATION LEGISLATION AMENDMENT BILL

Introduction

 **Hon. JH LANGBROEK** (Surfers Paradise—LNP) (Minister for Education, Training and Employment) (2.31 pm): I present a bill for an act to amend the Child Care Act 2002, Education (Accreditation of Non-State Schools) Act 2001, Education (General Provisions) Act 2006 and the Education (Queensland Studies Authority) Act 2002. I table the bill and the explanatory notes. I nominate the Education and Innovation Committee to consider the bill.

Tabled paper: Education Legislation Amendment Bill 2013 [\[2432\]](#).

Tabled paper: Education Legislation Amendment Bill 2013, explanatory notes [\[2433\]](#).

The Queensland government has committed to move year 7 from primary to secondary education from 2015. Secondary school is the right place for this cohort of students. Secondary schools have access to specialist teachers and facilities that will offer year 7 students age-appropriate academic challenges to maximise the benefit of the Australian curriculum and give them similar learning experiences to their interstate peers. The Queensland government is conducting a pilot of year 7 in 19 state high schools and almost 2,300 year 7 students enrolled this year.

My department has worked with regions and schools to ensure their workforce and facility needs have been met. At this stage, 59 primary teachers transitioned into the state secondary settings. All new buildings, relocatable buildings and classroom refurbishments required by the pilot schools for 2013 were completed by the start of the school year.

An evaluation of the pilot schools will be conducted during the 2013 school year. Learnings from this evaluation will shape future approaches to the transition of year 7 into high school ahead of the state-wide move in 2015. Technical amendments included in this bill are required to Education portfolio legislation to support the move of year 7.

The Education Legislation Amendment Bill 2013 amends definitions of primary and secondary education so that from 2015 primary education will be defined as prep to year 6 and secondary education will be defined as year 7 to year 12. Non-state schools wishing to offer year 7 as secondary education will need to change their accreditation arrangements. Through this bill, the Queensland government is introducing a streamlined process to reduce administrative burden on those non-state schools needing to change their accreditation status for 2015.

Stand-alone secondary schools wishing to add year 7 and combined primary and secondary schools offering education across prep to year 12 which want to continue to offer year 7 from 2015 as secondary education will be able to change their accreditation arrangements by giving a simple written notice to the Non-State Schools Accreditation Board.

Non-state schools currently eligible for government funding for the provision of year 7 or 8 will automatically be eligible for government funding for year 7. They will not be required to reapply for government funding eligibility, a process which usually involves a public notification and consultation phase.

Under normal circumstances it can take several months for a non-state school to change its accreditation status to add on a year of schooling and be granted eligibility for government funding for that year. They are required to apply to the accreditation board to change the school's attribute and funding eligibility for the changed attribute. It is anticipated this streamlined notification process will reduce the accreditation board's processing time significantly. I am advised that the accreditation board aims to process the notifications in just over one month.

Under the proposed notification process, the accreditation board will not need to consider the school's ability to meet the prescribed accreditation criteria such as an assessment of whether the school's educational program and facilities are suitable to meet the needs of a secondary education curriculum. This is considered unnecessary for a school that is already accredited to offer secondary education.

I anticipate that the simple notification process, coupled with the automatic granting of government funding eligibility as provided for in the bill, will reduce the accreditation board's processing time to just over a month from receipt. On the other hand, non-state primary schools wishing to continue to offer year 7 from 2015 as secondary education will have to apply for accreditation. This is appropriate as it enables the accreditation board to consider the school's capacity to provide secondary education including an assessment of the school's proposed educational program and facilities. Nevertheless, the accreditation board anticipates the application process will be administratively streamlined given the schools are already in operation.

The bill will enable an application from a non-state primary school for accreditation to offer year 7 as secondary education to be processed by the accreditation board prior to 2015, when the mechanical amendments around the definition of primary and secondary education take effect. The primary school will need to indicate whether government funding eligibility is sought for year 7 as secondary education. If the school is currently eligible for government funding for year 7 as primary education, it will under the bill be deemed eligible for funding for year 7 as secondary.

By removing public notification requirements and assessments around government funding eligibility, it is anticipated that an application for accreditation that satisfied all requirements of accreditation could be processed quickly by the accreditation board. I expect that an application would be decided by the accreditation board in less than two months. Non-state primary schools not proposing to offer year 7 as secondary education will not need to take any action. Their accreditation status will be changed automatically by the accreditation board to meet the new definition of primary education. Independent Schools Queensland, the Queensland Catholic Education Commission and the Non-State Schools Accreditation Board have all been consulted about the proposed processes and support them.

To formally recognise the government's policy that prep is the first formal year of schooling in Queensland and the government's commitment to provide 13 years of state schooling, the bill amends the Education (General Provisions) Act 2006, the EGPA, to include prep in a state school student's basic allocation. Enrolment and full-time attendance in prep is considered essential so that students develop a set of foundation skills, knowledge and understanding to maximise their educational outcomes.

Under the EGPA, all students attending Queensland state schools are entitled to an allocation of 24 semesters of state education. This is called the 'basic allocation'. This is enough to complete years 1 to 12, which was appropriate prior to the introduction of prep in 2007. The bill ensures that students who undertake prep to year 12 will have a basic allocation of 26 semesters or 13 years of schooling.

The amendments will not change the rules around compulsory schooling. The bill makes one other important amendment. It will allow for the cancellation of the enrolment of international students at state schools for nonpayment of tuition fees. A student who is not an Australian citizen or permanent resident, or the child of an Australian citizen or permanent resident, is required under the EGPA to pay fees for state school education. My department currently has approximately \$1.5 million of tuition fees outstanding from international students. Nonpayment of fees is more prolific with parents of dependent students—that is, people who come to Australia to study a vocational or higher education qualification and enrol their children in state schools.

Queensland charges dependent students fees of approximately \$8,000 to \$10,000 per year depending on the year of schooling the child is enrolled in. All Australian states and territories charge tuition fees to dependent students. Parents of dependent students are advised of the requirement to enrol their children in school before they apply for a visa and must prove to the Commonwealth Department of Immigration and Citizenship that they have sufficient funds to pay school fees during their stay in Australia. However, the experience has been that, after the first year of enrolment, many

of these parents ignore the requirement to pay as there is no power to cancel enrolment for failure to pay fees.

Debt collection has not been an effective mechanism to recoup unpaid fees. Most dependent students only attend Queensland schools for two to three years and many have left the system by the time civil enforcement options can be exhausted. The Queensland government respects the human right to access education and will not take cancellation of enrolment lightly. The director-general of my department has the power to waive or exempt a person from paying tuition fees in times of financial hardship or to enter into payment plans enabling payment of fees over a period of time. Under administrative practice, parents who have failed to pay school fees will be given at least three warnings, written and verbal, before the enrolment of their child is cancelled. If payment cannot be obtained, or if a payment plan has been entered into and not met, a final letter will advise that enrolment will be cancelled and give the parents two weeks to pay. Even if enrolment is cancelled, the student can be re-enrolled in a state school provided the outstanding payment is received.

The new power will apply to students who are enrolled in a state school prior to commencement of the bill and have outstanding fees. However, before cancelling the student's enrolment in this circumstance, the bill requires the director-general to notify the student, or their parent, of the intention to cancel enrolment should the fees not be paid within the prescribed time. I commend the bill to the House.

First Reading

Hon. JH LANGBROEK (Surfers Paradise—LNP) (Minister for Education, Training and Employment) (2.41 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Education and Innovation Committee

Madam DEPUTY SPEAKER (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Education and Innovation Committee.