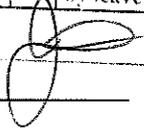


EDUCATION AND INNOVATION COMMITTEE

REPORT No.24 on the

EDUCATION (STRENGTHENING DISCIPLINE IN STATE SCHOOLS) AMENDMENT BILL 2013

QUEENSLAND GOVERNMENT RESPONSE

	Paper No.: 5413T 3944
	Date: 31/10/13
	Member: Hon J-P Langbroek
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Clerk at the Table: 	

INTRODUCTION

On 20 August 2013 the Education (Strengthening Discipline in State Schools) Amendment Bill 2013 (the Bill) was introduced into Parliament.

The Bill was subsequently referred to the Education and Innovation Committee (the Committee) with a report back date of 9 October 2013.

On 9 October 2013 the Committee tabled its report (No.24) in relation to the Bill.

The Queensland Government response to the recommendations made by the Committee is provided below.

RESPONSE TO RECOMMENDATIONS

Recommendation 1

The Committee recommends that the Bill be passed.

Government Response

The Government thanks the Committee for its consideration of the Bill and notes the Committee's recommendation that the Bill be passed.

Recommendation 2

The Committee recommends that the Minister for Education, Training and Employment ensures that policy and procedures specify actions that students, their families and school communities can take in the event there is concern that a principal is misusing the power granted to them under the Bill, for example through using suspension for minor misdemeanours and before exhausting early intervention and positive behaviour management strategies.

Government response

The Government supports this recommendation.

The Department of Education, Training and Employment already provides a system for parents who wish to make a complaint about school operations. Detailed advice about the complaints process is provided on the Department's website at: <http://deta.qld.gov.au/about/complaints/complaint-directory.html>.

Disciplinary consequences fact sheets being prepared to inform parents and students about the reforms in the Bill will contain reference to these complaint handling processes.

Students and parents who are unable to resolve their concerns through the internal departmental processes, can also lodge a complaint with the Queensland Ombudsman.

Recommendation 3

The Committee recommends that the Minister for Education, Training and Employment ensures adequate guidance is provided to support state school principals to make a decision about suspending or excluding a student for criminal behaviour, including what information might be relevant, and how to manage any implications for the criminal justice system.

Government response

The Government supports this recommendation.

Guidance will be provided through Departmental procedure and 'OneSchool' (the Department's student and school management system) to assist principals in discharging their responsibilities, particularly with respect to making decisions around exclusion or suspension in these circumstances.

Information and training on the new reforms will be available to support principals and school staff.

Recommendation 4

The Committee recommends that the Minister for Education, Training and Employment amends the Bill to recognise that suspension and exclusion are discipline options of last resort.

Government response

Recommendation 4 is not supported. The Government's view is that an amendment of this type is not required to be made to the Bill.

The Government recognises that principals have unique insight into their school environment and are best placed to make decisions in the best interests of students at their school. The Government trusts state school principals to make appropriate and fair disciplinary decisions and to use suspensions and exclusions in situations they consider appropriate.

Provisions contained in the Bill already create a hierarchy of when 'long term' (11 to 20 school day) suspension and exclusions can be exercised. For example, a principal is precluded from excluding a student if suspension can adequately deal with the disobedience, misbehaviour, conduct or risk.

The proposed amendment would constrain the autonomy and responsiveness of the principal that is at the heart of these reforms. Moreover, this approach may prevent a principal from applying a suspension or exclusion option when the circumstances warrant it, for example a one-off event of such a nature that no other discipline strategy is suitable. It is important that principals have the flexibility to remove students from schools in certain circumstances before they have exhausted all early intervention strategies, where it is necessary to do so.

Nevertheless, the principle that suspension and exclusion are discipline strategies of last resort will be clearly communicated to state school principals. This will be made clear in departmental policy and procedure.

The Department will monitor the total number of suspensions and exclusions. All state schools will receive a Discipline Audit over the next 13 months from an experienced school principal. This will assist schools to benchmark their progress in strengthening discipline and provide an independent view of what areas they could further strengthen.

Recommendation 5

The Committee recommends that the Minister for Education, Training and Employment confirms that the policy and procedures will provide for early intervention strategies, positive behaviour management strategies and evidence-based practice.

Government response

The Government supports this recommendation.

Positive behaviour management strategies and evidence-based practice underpin the Department's policy and procedures. For example, the Department's policy *Statement of expectations for a disciplined school environment* requires that state schools develop a school-wide behaviour plan collaboratively with the school community and review it regularly.

The *Responsible Behaviour Plan for Students* describes the school's whole-school evidence-based approach to promoting positive behaviour and maintaining teaching and learning environments that support learning and wellbeing for all students.

The behaviour approach adopted in state schools, for example Schoolwide Positive Behaviour Support includes early intervention prevention-based strategies that teach the expectations and consequences alongside important social skills, prevent the development of new problem behaviours and reduce the intensity and frequency of existing problem behaviours.

The Department has a long history of ensuring clear expectations are set for school communities through the *Code of School Behaviour*, implemented by the Department in 2006. The Code defines the responsibilities that all members of the school community are expected to uphold and outlines a commitment to the highest standards of accountability and the need to treat all people with respect and dignity. State schools base their *Responsible Behaviour Plan for Students* on the *Code of School Behaviour*.

Recommendation 6

The Committee recommends that the Minister for Education, Training and Employment identifies in a quarterly data publication, in respect of suspensions and exclusions (see recommendation 7), the number of excluded students who receive education through alternative education centres.

Government response

Recommendation 6 is not supported.

There are a range of state schools, non-state schools and non-government organisations providing alternative education programs for students who are excluded. The Department does not have access to student level enrolment details from non-state schools or non-government organisations.

An analysis of recommended exclusions during 2011 and Semester 1 2012 shows most state school students (approximately 70%) for whom an exclusion was recorded, subsequently re-enrolled at a state school.

Regional case managers will continue to support students who are excluded to engage in another education option. Regional case managers monitor the students at one month and six months post exclusion to ensure they remain engaged in education or training. To report on the educational placements of all excluded students would require manual analysis of each regional case manager's records. This does not accord with the direction to reduce red tape and the associated administrative burden.

Recommendation 7

The Committee recommends that the Minister for Education, Training and Employment publishes suspension and exclusion data every quarter by gender, Indigenous status, racial minority, children and young people with a disability and children and young people in the child protection system.

Government response

Recommendation 7 is supported in principle.

The Government does not consider that quarterly reporting is warranted or appropriate. Departmental data on school disciplinary absences (including suspensions and exclusions) is currently published each semester (i.e. approximately six monthly). Data is currently provided by region and by school and includes the Indigenous status of students who receive a school disciplinary absence.

Providing a break down about some specific minority groups of students, as proposed by the Committee, may inadvertently identify individual students and be contrary to an individual's right to privacy.

The Department will engage in careful consultation with stakeholders on what data other minority groups can safely be provided without the risk of identifying individuals. The Department is also currently working on a collaborative project with the Department of Communities, Child Safety and Disability Services to improve the integrity and timeliness of data about students in out-of-home care.

Recommendation 8

The Committee recommends that the Department for Education, Training and Employment actively communicates changes to policy and procedures documentation through email notification and newsletters.

Government response

The Government supports this recommendation.

The Department has developed a comprehensive communication plan for informing principals, school staff, parents, students and the wider community about the changes to discipline policy and procedures. Communication will occur through various strategies, such as e-mail alerts, departmental newsletters, departmental websites, principals' associations and P&C Queensland's newsletters and education publications. In addition fact sheets about the disciplinary consequences described in the amended legislation will be available for parents, students and school staff on the Department's websites.