



HOME EDUCATION 2014 NEXT STEPS FOR LOBBYING IN NSW

2013 was a significant year for home educators in NSW

Although we have had much success, there are still many individuals experiencing problems. Families are still receiving three month registration periods, they are still being asked to withdraw their applications for reasons that are unreasonable and many other long standing issues remain. The aim of lobbying in 2014 will be to continue with pressing the case to get the changes to home education regulation removed and for consultation with the home education community to occur while widening our lobbying to other issues affecting many home educators.



A trickle of reports of home educators having great difficulty with the registration process turned into a flood

A new Information Pack for Home Schooling Registration was released indicating major changes in policy and practice by the Office of the Board of Studies

Home educators started lobbying their members of parliament about the inappropriate regulation that was being forced upon them and the lack of consultation

Almost 10 000 signatures were collected on a petition asking the government to withdraw their changes to home education policy and to engage in wide consultation with home educators

The Office of the Board of Studies was forced to back off on some of the most burdensome changes

HOME EDUCATION ASSOCIATION

PO BOX 245
PETERSHAM NSW 2049
Ph. 1300 72 99 91

www.hea.edu.au
admin@hea.edu.au

ABN 98 261 801 288

Our first major action in 2014 will be the tabling of the home education petition. This will probably occur in early May (and if you can attend with your children on the day it is tabled and/or the day it is discussed please do!!). There are still a few hundred signatures that need to be collected- please help with this if you can. The petition can be downloaded from

<http://www.hea.edu.au/getting-started/state-by-state/nsw/>

In order to make the most of the tabling of the petition we need to educate our Members of Parliament (MPs) about the way that home educators have been treated by the NSW Government. It seems that there are many punitive measures that have been taken against home educators and hopefully our MPs will understand that this is not reasonable. We can educate our MPs via a combination of letter writing and a visit. The visit is a really important part of the education as a letter may go through the system without the MP actually seeing it but if you write a letter when you visit, he or she will almost certainly have read it and will be prepared to take the concerns of home educators seriously.

What you can do? Write to your MP and meet with your MP!

Many of you have already written to your MP about the changes that were made to the registration process. We would encourage you to make an appointment to meet with your MP as soon as you can. You may have never met with a member of parliament before, that's OK. Visiting an MP is usually a pretty pleasant experience. Most know very little about home education, are generally curious about it and are more than happy to talk with home educating parents and to meet their children. The purpose of arranging these

TAKE ACTION!

Four actions for home educators in lobbying

- 1) Collect final petition signatures**
- 2) Write to your MP about the poor treatment home educators are experiencing at the hands of the NSW government**
- 3) Make an appointment to see your MP in April**
- 4) Attend NSW Parliament for the tabling or discussion on the home ed petition in May**

meetings is to help our MPs to understand that home educators are normal people who care greatly about the education of the children and to help them to understand some of the issues we face.

The hardest part about meeting with an MP is often just getting the appointment. So we would encourage you to contact your MP ASAP to make your appointment. The best way to do this is simply to ring his or her office (contact details for MPs can be found at

<http://www.parliament.nsw.gov.au/prod/parliament/members.nsf/V3ListCurrentMembers>).

The person you speak to will probably ask you what you want to speak to them about and may say that it would be better for you to write a letter. If you have already written a letter you can tell them that you have and insist that you really want to meet with the MP. If you haven't already written a letter you can still say that you really want to meet with the MP and that you will also write a letter. Usually this gets you the appointment, but it can also take quite some persistence!! MPs will be very busy with the NSW Parliament sitting from the end of February through most of March but they will not be sitting at all in April and so you will have your best chance of getting an appointment in April. As with previous letters written to MPs, the letter you write will be forwarded from your MP to the Minister for Education who will then send it to the OBoS and/or the Department of Education who will formulate the reply. However, it is really important that letters be sent to your MP because that chain of response creates the political pressure that we are looking for.

Suggestions for letter writing

The following presents a guide for the sorts of things that you might write in a letter to your MP. In our lobbying MPs have expressed a desire to know more

DON'T FORGET TO ADD LOBBYING INTO YOUR HOME ED PROGRAM!

If you bring your children with you on a visit to your MP or attend NSW Parliament with them when the petition is tabled or discussed you will be meeting aspects of the NSW Syllabus. Your older kids might even like to write their own letter to your MP. Specifically these activities contribute to achieving HSIE for Stage 3 SSS3.8

Explains the structures, roles, responsibilities and decision-making processes of State and federal governments and explains why Australians value fairness and socially just principles.

It also contributes to multiple aspects of the mandatory Geography Syllabus at Stage 4 such as E5.7 explains the roles and responsibilities of individuals, groups and governments in resolving tensions and conflicts at a range of scales and E5.9 applies geographical knowledge, understanding and skills with knowledge of civics to demonstrate active citizenship and all of the Stage 6 Legal Studies Syllabus would be assisted by such engagement with the political process.

about the other issues impact home educators. Some have struggled to understand the problems with the new Information Pack but have really gotten more concrete issues. Thus, this letter guide broadens the discussion beyond the recent changes to home education registration. You may want to focus on just a few of these things, address them all or add in your own. Add in any personal experience (or those of people you know) that relate to these issues.

Letter Guide

Introduction

Describe what home education is, why you home educate and how this works for your family. If you have previously written to your MP about the changes in registration policy then say so. If you haven't, briefly describe the situation (you can find more info on the changes in the Office of the Board of Studies (OBoS) policy at <http://www.hea.edu.au/getting-started/state-by-state/nsw/> - click on Documentation with regard to NSW OBOS- the "HEA Background Document" and Lobbying Update in NSW are good places to start.

Ask your MP to raise the following issues with the Minister for Education

Issues facing home educators

The following points are a summary of the issues. Each is described in detail below these points.

1. The OBoS introduced major changes to the way that home education registration is managed. The home education community has asked them to withdraw the changes and revert to previous practices and guidelines and then to consult with home educators. The OBoS is continuing to maintain that they have not made changes to the home education registration process and they have refused to withdraw the 2013 Information Pack and to engage in consultation with the home education community.
2. Home educators in NSW are experiencing other problems. The OBoS and Department of Education appear to be acting in a punitive way towards home educated children to the detriment of their education. These include:
 - The OBoS not allowing part-time registration for home education and part-time schooling;
 - Exclusion from educational opportunities that are available to school students in NSW such as TVET courses, Open High School, School Sports Programs including representative carnivals, support programs for children with a disability, educational resources such as Belgenny Farm;
 - Limitation of the home education registration period of the mandatory

- schooling years of between 6 and 17 years;
 - The OBoS refusing to register families that are travelling or away from their home address for longer than the school holidays;
 - Ineligibility for the award of the HSC and restriction of HSC subjects available;
 - These exclusions and punitive actions work against the role of the government in ensuring that every child receives an education of the highest quality.
3. Home educators have been excluded from having a voice in the management of home education in NSW because they are not represented on the Board of Studies. They are the ONLY stakeholder group not represented on the Board of Studies.

The OBoS is continuing to maintain that they have not made changes to the way that they process applications for registration for home education

The OBoS introduced major changes to the way that home education registration is managed. The home education community has asked them to withdraw the changes and revert to previous practices and guidelines and then to consult with home educators. The OBoS continues to maintain that they have not made changes to the way that they process applications for registration for home education. This flies in the face of the experience of home educators and also their own materials. For example, Deputy Director of the OBoS stated in a letter to the HEA in November 2013, *“The 2011 Information Package did not prescribe a minimum period of registration of six months. The 2013 Information Package does not prescribe a minimum period either.”* However, the 2011 information pack clearly states that six months is the minimum registration period, *“Registered home schooled children are authorised to be home schooled in accordance with the conditions specified on the relevant certificate of registration including the period of time (from six months to two years) and the Year or Years of schooling for the educational program to be delivered.”*

The Home education community has circulated a petition asking the government to require the OBoS to withdraw its new policies and procedures and to revert to previous practices and guidelines while broad consultation with the home education community is undertaken. This petition will be presented to parliament in early 2014 with 10000 signatures. Home educators are asking their MPs to represent their concerns in the discussion that will ensure in parliament as a result of the petition and to ensure that home educators are treated fairly and supported by the government in the important job of educating their children.

Prevention of part-time home education-part time registration for home education

The OBoS has determined that children cannot be part-time home educated and part-time

schooled between kindergarten and year 10 (it appears that they may consider part-time school and part-time home education for years 11 and 12). Some children have special needs that mean that they cannot attend school full-time but could attend school part-time, while being part-time home educated. Some children would benefit from being able to access activities at school such as sporting, art or science that may be difficult to for their families to provide via home education. Part-time home education and part-time schooling is an option in several Australia jurisdictions.

TVET courses

TVET courses are short TAFE courses that older high school students (usually in years 10, 11 or 12) can undertake as a part of their studies. TVET courses give students a “taste” of a particular area of work or study and are designed specifically with young people in mind. These courses are often not available in any other way than as TVET courses. Students from both state and private schools can enroll in TVET courses (private school students pay a fee to access the courses). Home educated students are barred from TVET courses. They are thus excluded from an educational opportunity that is available to all other students in NSW.

Open High School

Open High School is a distance education language school for students who are in years 9-12 and studying a language that is not offered at their school. Open High School is available to students in both State and Private Schools in NSW but also in the ACT and even in Papua New Guinea! It is not available to home educated students in NSW.

Access to programs

There are a variety of programs that supplement children’s education that are available to school students but not to home educated students.

Schools sport competitions from regional through to a national level (for example, swimming, basketball, netball, diving, soccer etc), are open to students in State and Private schools but not home educated students.

Programs for students with a disability such as the Department of Education Vision Impaired Camp exclude home educated students. The issue of exclusion of children with disabilities from accessing specialist resources is one that is particularly serious given the disadvantage that these children already face. Such exclusion is hard to understand given how expensive the education of these children would be for the State if the children were attending a government school.

Camden Park Environmental Education Centre offers educational programs for school students such as at the historic Belgenny Farm at Camden. Home education groups have been refused access to these programs.

Limitation of registration period to between 6 and 17 years

Although children can attend school from 4.5 years of age and it is common for children to not finish school until past their 18th birthday, home educated students can only be registered for home education for the compulsory years of schooling. As stated by the OBoS *“In NSW, the compulsory years of schooling are from the age of 6 years until the minimum school leaving age specified in the Education Act 1990. Children who are not of compulsory school-age are not eligible for home schooling registration.”* This means that home educated students less than six years of age and more than 16 years of age are not able to access resources and support that they could if they were registered for home education (resources as simple as a travel pass or as significant as exemption from the work or study requirements of some Centrelink payments for parent teachers). The OBoS has not provided any explanation as to why students can attend school outside of the compulsory schooling ages but students cannot be registered outside of the compulsory schooling ages.

Ineligibility of travelling families for registration for home education

Many families who are travelling because of work or as a lifestyle/extended holiday use experiences gained through travelling to assist in the education of their children. Many home educators in NSW who were planning to travel as a part of their home education program have been told that the travelling environment is not suitable for home education, that registration for home education is not available to them for that reason and that the family should apply for distance education. The OBoS has determined that if a family is going to be travelling for longer than the usual school holidays that they cannot be registered for home education and must study via distance education. The OBoS state, *“Registration for home schooling applies only to children of compulsory school-age residing in NSW. If you are planning to reside temporarily outside NSW or travelling for periods longer than the typical school holiday periods, you may be eligible to apply for distance education through the NSW Department of Education and Communities.”*

Distance education is an unacceptable option for many families, as it does not allow sufficient flexibility to enable families to take advantage of the environment through which they are travelling. For such families, it makes sense that they would study the Gold Rush while they were visiting Hill End and Bush Rangers while in Uralla for example. Travelling

allows for learning in context. There is no reason why the travelling environment should be considered unsuitable for home education.

The OBoS has previously dealt with the issue of suitable environment for education in relation to schools. The OBoS sought to reject the application of a school that proposed to deliver all of their lessons online and without physical premises. The proposed school appealed to the Administrative Decisions Tribunal who found in their favour stating that a school was responsible for providing education and instruction and that this was indeed possible without the bricks and mortar traditionally necessary for a school. Similarly, home educators would argue that while homes are traditionally at fixed addresses, for some families their “home” is a mobile and the OBoS should be able to register them for home education even without a fixed address.

Large numbers of families who are travelling with their children have no choice but to home education without being registered because of the standing of the OBoS that travelling families cannot be registered.

Ineligibility for the award of the HSC

Children who are home educated are not eligible for the HSC. Home educated children may study for the HSC although they are restricted to a very limited number of subjects. They may sit the HSC exams and receive an ATAR based upon their HSC results but they may not be awarded the HSC. Thus, the OBoS states *“Children registered for home schooling may undertake the HSC by self-tuition. To be eligible, the requirements for home schooling registration and the conditions for self-tuition must be met. Self-tuition students are not eligible for a Higher School Certificate.”*

In practical terms the main impact of ineligibility of home educated students to be awarded the HSC means that parents of home educated students who are 16 years or older are unable to qualify for Family Tax Benefit. Family Tax Benefit requires children to be *“undertaking full-time education or training in an approved course leading to a Year 12 or equivalent qualification.”*

No representation on the Board of Studies

The Board of Studies develops the NSW Curriculum, oversees the registration of non-

government schools, and awards the Record of School Achievement and the HSC. It is the OBoS that manages home education in NSW. The make-up of the Board of Studies is specified in the Education Act 1990. The Act requires that the Board of Studies contain:

- 1) the [Director-General](#) or a nominee of the [Director-General](#)
- 2) the Managing Director of the TAFE Commission or a nominee of that Managing Director
- 3) the Executive Director of the Ministry of Education and Youth Affairs or an officer of that Ministry nominated by the Executive Director
- 4) one nominee of the New South Wales Vice-Chancellors' Committee
- 5) two nominees of the Council of the Federation of [Parents](#) and Citizens Associations of New South Wales, one nominee to represent [parents](#) of primary [school](#) children and the other nominee to represent [parents](#) of secondary [school](#) children
- 6) one nominee of the Catholic Education Commission of New South Wales
- 7) one person, being a nominee of the Association of Independent [Schools](#), the Headmasters' Conference and the Association of Heads of Independent Girls' [Schools](#)
- 8) one [non-government school](#) teacher (other than a [principal](#)), being a nominee of the Independent Teachers' Association
- 9) one [parent](#) of a child attending a [non-government school](#), being a nominee of the Council of Catholic [School Parents](#) and the New South Wales [Parents'](#) Council
- 10) two [principals](#) of [government schools](#), one being a nominee of the New South Wales Council of Primary [School Principals](#) and the other being a nominee of the New South Wales Council of Secondary [School Principals](#)
- 11) two nominees of the New South Wales Teachers Federation, one being a primary [government school](#) teacher (other than a [principal](#)) and the other being a secondary [government school](#) teacher (other than a [principal](#))
- 12) one person with knowledge and expertise in early childhood education
- 13) an Aboriginal person with knowledge and expertise in the education of Aboriginal people
- 14) six other persons having, in the Minister's opinion, qualifications or experience that enables them to make a valuable contribution to primary or secondary education in New South Wales.

Thus, every stakeholder group in NSW is represented on the Board of Studies **except for home educators**. It is not surprising that the OBoS might institute burdensome and inappropriate regulation on home educators when home educators have no voice on the Board of Studies.

The responsibility of the NSW Government

The NSW Education Act 1990 states that, *“every child has the right to receive an education”* and *“the education of a child is primarily the responsibility of the child's parents.”* It also states that it is an object of the Act *“to allow children to be educated at home”* and that *“it*

is the duty of the State to ensure that every child receives an education of the highest quality.” While families have chosen, or needed to, home educate their children this should not preclude them from receiving support from the government in this important job. They should not be punished because they are home educating and excluded from assistance that is available to other children in NSW. If the government is serious about seeking to ensure that all students in NSW receive an education of the highest quality they should seek to ensure that home educated students are not treated punitively by the OBoS or the Department of Education. The government should be concerned that there are many (perhaps thousands) of unregistered home educators in NSW. They should ensure that the system of registration for home education is appropriate and something that home educating families are prepared to engage with. The fact that there are so many unregistered home educators (i.e. poor “buy-in” to the system) reflects the poor quality of the current registration system and the lack of benefit to registration in NSW. A better system is needed. The state should be obliged to ensure that home educators receive appropriate support.

Note: MPs may state that home educators have made a “choice” to home educate and so have no right to complain about denial of access to public education resources. They may say that parents who send their children to private schools are similarly placed. It is worth pointing out that while the State government provides more funding to support the education of public school students they also assist in funding the education of private school students (about \$2000 per student per year) and that, at this time, no funding is allocated to supporting the education of home educated students. It is also worth pointing out that many home educated students have special needs that have meant that obtaining an adequate education at a school is not possible and so the issue of “choice” is not a real one. It may be worth addressing this in letters.

Encourage others!!

Please encourage others to take on this role. It may be possible for a few home educators to meet their MP together! Keep in mind that in taking your children with you to meet an MP you are meeting many aspects of the NSW Syllabuses (what a great learning opportunity!!). If you have any questions, want more information or want to volunteer to help HEA in lobbying please contact the HEA lobbying team via lobby@hea.edu.au