

Education (General Provisions) (Extension of Primary Schools in Remote Areas) Amendment Bill 2023

Explanatory Notes

Short title

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Policy objectives and the reasons for them

The primary policy objective of the *Education (General Provisions) (Extension of Primary Schools in Remote Areas) Amendment Bill 2023* is to address the need for increased access to designated secondary education services in remote Queensland communities.

Specifically, it seeks to mitigate a long-standing issue impacting remote Queensland families who, as a result of living in a community where the Queensland Government does not provide a high school, are left with a suite of often-unsatisfactory options for their children when it becomes time for them to commence senior schooling. In these cases, the options available to families include a) Enrolling the child in a boarding school, often hundreds if not thousands of kilometres from their family home and loved ones; b) Enrolling the child in a distance education provider; or c) Relocating to a town or city where a high school facility is available in order to keep the family unit together.

Remote families have reported the damaging impacts of these circumstances, citing the psychological impact on the child/children being forced away from their home against their will or before they are emotionally ready, the high and sometimes unaffordable costs of boarding schools, the challenges associated with distance education learning including social isolation, and the decline of small, remote communities suffering population drift to larger communities as a result of inadequate educational service provision.

While the issue this Bill seeks to address is long-standing, the situation has become more acute and the impact on families more severe since 2015 when the Queensland Government implemented significant structural educational reforms that centred on Year 7 being introduced into high school. These changes have resulted in children as young as 12 (as opposed to the previous age of approximately 13) entering high school and therefore, in the case of remote children and their families, being forced to face these difficult circumstances earlier. To address these issues, the Bill empowers remote communities and families to seek improved local educational access when practically needed.

Through the Bill, powers and, importantly, responsibilities are provided to the relevant Minister to expand up to Year 10 the educational offerings of existing primary schools in relevant locations and under certain circumstances.

The Bill outlines that upon a written request from the local community (through their local government) the Minister is obligated to either extend the offering of an existing primary school up to Year 10 or, where critical mass does not make this economically or administratively feasible (and there are less than five students seeking to enrol in Years 7-10 in the coming year) the Minister and his/her Department must reach an agreement with the local government whereby the Department facilitates the establishment of an educational “learning facility” similar to the Julia Creek Learning Facility, Year 7-

10 (JCLF) or the Thargomindah Remote Secondary Learning Facility, Year 7-12 (TRSLF) in the local community.

For background, the JCLF was established in 2015 following an agreement between McKinlay Shire Council (MSC), Department of Education, Mount Isa School of the Air (MISOTA) and Julia Creek State School (JCSS). At the JCLF, students enrolled in Grades 7-10 are able to complete their school through the MISOTA at a designated learning space at the JCSS. The facility is staffed by a teacher aide for 30 hours a week, to supervise and to assist students in their learning. The MISOTA Principal and Business Manager manages this staff member, consulting with JCSS Principal as required. The costs associated with the centre are covered by the MSC.

The TRSLF was established in 2012 and functions in the same manner – as a collaboration between the Bulloo Shire Council (BSC), Department of Education, Charleville School of Distance Education (CSDE) and the Thargomindah State School (TSS). In the case of the TRSLF, students are also able to access Year 11-12 studies through the Brisbane School of Distance Education. The costs associated with the centre are covered by the BCS.

Neither “learning facility” arrangement impacts on the entitlement of State and/or Federal financial support for families who choose to send their children away to undertake their secondary education at a boarding school.

The Year 7-10 expansion option

When a written request from a remote local government is received by the Minister, the Minister is obligated to direct his/her Department to facilitate – in the coming year or at an otherwise reasonable time specified through the request – the expansion of the remote primary school in question to accommodate students up to Year 10. Should this occur, the remote primary school would then be considered a traditional P-10 school (of which there are already approximately 30 across the State) from a Departmental perspective.

Given the small population sizes of remote communities and the low number of students generally enrolled at the relevant schools, it is unlikely the addition of these expanded grades and the students accessing them would require significant staffing or budgetary increases. This, however, will need to be assessed by the Department on a case-by-case basis; the Bill compels this process and requires that this assessment take place with a view to facilitating the request, or otherwise proving a “learning facility” alternative.

The learning facility option

It is possible there will be instances where, upon assessing a community request, the Minister and his/her Department deem it to be economically unfeasible, or otherwise administratively inappropriate, for a remote primary school to be expanded to Year 10. This may be due to staffing limitations, curricular complexities that make it impractical for the relevant grades to be taught concurrently by the teaching staff available, or other administrative reasons.

In these cases, and provided there are less than five (5) students seeking to access Year 7-10 education at the school in the coming year, the Minister does not need to agree to the request. However upon declining the request, the Minister must provide in writing his/her reasons for doing so and must then subsequently reach an agreement with the requesting local government whereby the Department facilitates the establishment of a local “learning facility” instead.

Applicability of the Bill

The definition of remote as it relates to this Bill is integral and has been captured in the new definition of “remote primary school”. A “remote primary school” is a State school that provides primary education and is in a town in a remote area of the State, and in which no school is established at which the State provides secondary education.

A remote area of the State is an area identified as remote Australia or very remote Australia in the document called ‘Australian Statistical Geography Standard (ASGS) Edition 3 Remoteness Structure’, published by the Australian Bureau of Statistics on its website.

As per this definition, the following schools would currently be captured under this Bill: Arcadia Valley State School, Bauhinia State School, Begonia State School, Bloomfield River State School, Bungunya State School, Bymount East State School, Clarke Creek State School, Dingo State School, Alexandra Bay State School, Dunkeld State School, Dunwich SS - Special Education Program, Dunwich State School, Gindie State School, Glenmorgan State School, Greenvale State School, Grosmont State School, Halifax State School, Hannaford State School, Cape York Aboriginal Australian Academy, Hopevale Campus of CYAAA, Kennedy State School, Kilcummin State School, Kioma State School, Lakeland State School, Lochington State School, Marlborough State School, Meandarra State School, Millaroo State School, Mount Fox State School, Mount Garnet State School, Talwood State School, Orion State School, Ravenswood State School, Rolleston State School, Rossville State School, Scottville State School, St Lawrence State School, Teelba State School, Thallon State School, Anakie State School, The Gums State School, Tieri State School, Trebonne State School, Valkyrie State School, Westmar State School, Hamilton Island State School, Yuleba State School, Augathella State School, Tagai State College - Badu Island Campus, Bedourie State School, Birdsville State School, Tagai State College -Malu Kiwai Campus, Bollon State School, Bouliia State School, Burketown State School, Camooweal State School, Chillagoe State School, Coen Campus of CYAAA, Croydon State School, Dajarra State School, Tagai State College - Dauan Island Campus, Eromanga State School, Tagai State College - Darnley Island Campus, Eulo State School, Forsayth State School, Georgetown State School, Hebel State School, Homestead State School, Tagai State College - Horn Island Campus, Tagai State College - Yam Island Campus, Ilfracombe State School, Northern Peninsula Area College - Injinoo Junior, Isisford State School, Jericho State School, Julia Creek State School, Jundah State School, Karumba State School, Laura State School, Tagai State College - Mabuig Island Campus, Western Cape College – Mapoon, Tagai State College - Yorke Island Campus, Tagai State College - Mer Campus, Tagai State College - Kubin Campus, Tagai State College - St Pauls Campus, Morven State School, Mount Surprise State School, Mungallala State School, Muttaborra State School, Tresswell State School, Pentland State School, Urandangi State School, Pormpuraaw SS - Special Education Program, Pormpuraaw State School, Tagai State College - Poruma Campus, Prairie State School, Tagai State College - Saibai Island Campus, Stonehenge State School, Cameron Downs State School, Thargomindah State School, Tagai State College - Stephen Island Campus, Tagai State College - Warraber Island Campus, Hayman Island State School, Windorah State School and Wyandra State School.

These schools fall within the Queensland State electorates of Gregory, Cook, Southern Downs, Warrego, Mirani, Oodgeroo, Traeger, Callide, Hinchinbrook, Burdekin, Southern Downs, Hill and Whitsunday.

Achievement of policy objectives

This Bill achieves its policy objectives by exclusively amending the *Education (General Provisions) Act 2006* for particular purposes.

Specifically Clause 4 inserts new ch 2, pt 3A comprised of:

- S 20A which provides the definitions of “remote area” of the State and “remote primary school” for the purposes of the new part.
- S 20B which provides that the Minister may extend the education provided at a remote primary school to include Years 7 to 10.
- S 20C which provides that the Minister must extend the education provided at a remote primary school to include Years 7 to 10 if a local government applies to the Minister for the Minister to do so and at least five (5) students will attend the school in those years. The local government may only apply in response to a request by one (1) or more residents. If there are less than five (5) students that will attend those years, and the Minister decides it is not economical to expand the school, he/she can decline the request. Upon doing so the Minister must give reasons for the decision to the local government, and under the new S 20D, the chief executive and the Local Government must establish a remote secondary “learning facility” for Years 7 to 10 in the town in which the remote primary school is located.

Additionally, Clause 5 amends the dictionary to insert signposts for the definitions of remote area of the State and remote primary school.

These amendments deal with State schools only, and the Bill is designed to commence on 1 January, 2025.

Alternative ways of achieving policy objectives

There is no practical, alternative way of achieving the policy objectives in a manner that encapsulates the possible needs of all remote communities across the State.

The current option for establishing educational “learning facilities”, as has occurred in Julia Creek and Thargomindah, is disjointed and places an unfair and unnecessary burden on local students and parents, and on local governments, in rural and remote communities to secure access and bear the procedural and administrative burdens for establishing educational access that is provided by default in more populated areas of the State.

For this reason, the current option has been deemed inadequate to achieve the policy objectives.

Estimated cost for government implementation

It is not anticipated this Bill will significantly draw on any additional funds from the Queensland Government’s consolidated revenue.

Consistency with fundamental legislative principles

The Bill is consistent with the fundamental legislative principles as defined in Section 4 of the *Legislative Standards Act 1992*.

Consultation

Consultation has been undertaken with key stakeholders, most importantly rural and remote school parents and students who would benefit from the Bill.

Consistency with legislation of other jurisdictions

This legislation is unique to Queensland.