

Unfinished Business

The last throw of the dice

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The views expressed here are those of the author, but they are based on the policies passed most recently by the 2023 ALP state conference and in many cases, though the wording may be different, by state conferences going back to 1997

Preface

Victoria's Labor governments have used their long periods on office since 1999 to transform education in the state, but there are significant and long-standing policies that are yet to be implemented or that were implemented and then reversed by the 2010-14 Coalition interruption. The purpose of this paper is to motivate the current Labor government to complete the task taken on 25 years ago.

The greatest achievement of the Kennett government was that it changed the way many, including Labor people, think when it comes to public policy. So, while Labor comes to government with reformist aims, it can be misled by assumptions in the media, the bureaucracy and the party itself; e.g., an obsession with competition, a worshipping of business jargon and procedures, a commitment to micro-management and measurement, a faith in the efficiency of the large over the small, the belief that spending money on students makes no difference and a fear of "provider capture".

There are three foundational themes that tie the specific policies in this submission together. They are publicness, professionalism and community. Publicness means the easy accessibility of schools to members of the public, not existence as government-owned enterprises. Professionalism means that the ethics and standards of principals, teachers and other employees must be of the highest quality and that all such persons are respected and expected to work cooperatively and autonomously, not be treated as mere cogs in the wheel. Community means that schools are coherent institutions for human beings to collaborate and grow together, not competing small businesses.

Should the policies advocated herein be implemented, Victoria would have a public education system with 90 per cent of students in it (even if many are in schools not managed by the government), a respected teaching profession willing and able to support the learning of every child and a set of well-resourced, community-focused schools. Non-government schools would be inclusive and operate within the overall education principles that govern the system but not sacrifice their own identity as communities.

If the government can implement only one set of the policies in this paper, it must be the conditions/staffing/funding model because it is essential that teachers are given the time to do their jobs and that the educationally destructive social stratification embedded by Howard/Gonski SES funding model end.

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Related Documents

Refocusing School Education in Victoria, 2014

Submission to Senate Committee on School Funding, 2017

(https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/AustralianEducation2017/Submissions, No 43)

Submission re Australian Education Amendment (Direct Measure of Income) Bill, 2020

(https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/EducationIncomeBill/Submissions, No 21)

Implementing Labor Policy via an EBA, 2021

Summary

Expand public education to 90 per cent of students

Reconceptualise public education as education accessible to the public irrespective of school ownership.

Base the funding model on an explicit staffing ratio.

Provide base funding, sufficient to employ eight teachers in a secondary school and up to eight in a primary school, to government schools only.

Provide the student learning entitlement (per capita funding), sufficient to employ one teacher for every 18 students in years 3-6 and one teacher for every 15 students in all other year levels, to all schools, including non-government ones that agree on disadvantage enrolment targets.

Reduce the student learning entitlement for non-government schools as their private income increases.

Provide a system of loadings for disadvantage for all schools.

Respect the teaching profession

Restore directly elected teachers to the VIT council.

Ensure all teachers are fully qualified.

Restore class size limits, maximum teaching loads and the time allowance pool.

Reduce the useless administrivia imposed on principals and teachers.

Increase permanent employment.

Provide a centrally determined number and type of promotion positions – vice principals, leading teachers and learning specialists – for every school.

Keep learning specialists full-time in the classroom.

Allocate a set number of learning specialist positions for every disadvantaged school.

Return to schools as communities

Use human scale for establishing and maintaining schools in communities by planning for smaller schools (400 students for primary and 900 students for secondary).

Ensure that all schools provide a minimum of five hours classroom instruction per day and that years 7 to 10 have a minimum of 195 days of instruction a year.

Maintain democratically elected school councils with representatives of parents (majority),

teachers/staff (one third) and students where appropriate.

Allow teachers to be parent representatives in their own children's schools.

Require all schools to employ teachers without discrimination based on inherent characteristics while upholding the right of all schools to choose teachers who respect their values.

Encourage all schools to make their facilities available to students from other schools and for after-hours school and community activities.

Encourage the sharing of facilities such as libraries by co-located government and non-government schools.

1. Publicness

1.1 Education for All

Labor education policy is for all students and all schools. It expects the non-government sectors to meet the same standards in teaching, access, teaching conditions, professionalism, community, democracy and facilities as the government sector. That is why the funding policy refers to “all Victorian students”. Labor promises “To ensure that all Victorian students have access to schools that meet their needs for high standard education; i.e., schools with appropriate class sizes, experienced teachers, an equitable share of the most highly skilled teachers in the state, sufficient curriculum support materials and sufficient ancillary staff”. (Section 7, Funding Schools to Meet Every Child’s Needs)

Objective 1 in this section says, “To ensure that all students have an adequate number of teachers, other staff and other resources to support their learning”. It requires a school funding formula with four components:

- a. base funding for each school irrespective of its enrolment,
- b. a student learning entitlement to a set student-teacher ratio,
- c. loadings for disadvantage and concentration of disadvantage, and
- d. specific needs-based programs. (7.1.2)

It then sets out a funding formula based on an explicit staffing ratio, with base funding to provide:

- a. one teacher in the smallest primary school (the principal),
 - b. up to eight teachers (phasing up to one principal, three vice principals, two teacher-librarians, a student welfare coordinator and one special purpose teacher) in larger primary schools, and
 - c. eight teachers (including one principal, up to three vice principals, up to two teacher-librarians, a student welfare coordinator and a careers teacher) in secondary schools. (7.1.3)
- and the student learning entitlement to provide

- a. a student-teacher ratio of 15:1 for Foundation to year 2 and years 7 to 12, and
- b. a student-teacher ratio of 18.1:1 for years 3 to 6. (7.1.4)

These are the ratios necessary to implement the teaching conditions required by the policy as discussed below under “Professionalism”. The policy requires the non-government sector to provide the same working conditions to its teachers as the government sector does.

The Education State objectives cannot be met unless the non-government sector has the same obligations as the government sector.

1.2 Government Primary Obligation

Because government has a primary obligation, in the words of objective 2, “to provide free, compulsory and secular education accessible to all students throughout the state”, the policy requires the government to “provide base funding for government schools only”. (7.2.1)

1.3 Funding

The government also has a duty, in the words of objective 3 “To ensure that all students no matter what their background or needs, have the same standards of education, teacher professionalism, learning opportunities and personal support and to do so in a way which promotes social integration and the common purposes of our society”. The policy therefore funds non-government schools on the basis that they do more of the “heavy lifting” and in the light of their private resources. The policy says:

1. “Fund the student learning entitlement from state and Commonwealth sources for government schools and those non-government schools that enter into an agreement with the government to meet disability, low socio-economic status and other diversity targets with enrolments of students and to support such students. A failure to meet an appropriate target will result in a reduction in funding. (7.3.1)
2. Adjust downward the student learning entitlement (SLE) for non-government schools as their fees, assets, gifts, bequests and donations and/or other resources from private sources increase. (7.3.2)
3. Provide a system of loadings for disadvantage for all schools, including students who fall behind, exclusive of scholarships. (7.3.3)
4. Provide program funding on a needs basis to all relevant schools. (7.3.4)

The policy goes on to specify a number of conditions on the use of this funding in all sectors, most particularly that the funds must be spent in the year they are granted for the purposes for which they have been granted. (7.4.3 and 7.4.4)

1.4 Staffing Formula

Currently, there are two big issues in funding. The first primarily concerns government schools, and the second concerns non-government schools.

1.4a Staffing Formula: Government Schools

The issue with government schools is the savage cutting of the staffing formula by the Kennett government in 1993 and the total abolition of the staffing formula by the Bracks government in 2005.

In the 1980s, conditions agreements provided that secondary schools with a base staffing entitlement of between nine and 13 teachers, sufficient to provide each school with a principal, vice principals, a careers teacher, a student welfare coordinator and teacher-librarians, irrespective of the size of the school, with an enrolment factor providing classroom teachers. Primary schools had lower entitlements.

In 1992, the Coalition government cut this base to four teachers, instantly cutting between five and nine teachers from every secondary school in the state.

In 2005, the Bracks government abolished the staffing formula altogether, replacing it with a funding formula. Base funding still allowed the employment of four teachers, but base funding, unlike base staffing of the 1980s, actually decreased as the school's enrolment increased, eventually becoming zero, meaning that under the Bracks Labor government larger secondary schools had 13 teachers fewer than they had had in 1990.

The policy requires the staffing funding formula to be based on a staffing ratio so that the teachers removed 30 years ago can be restored. This does not mean the one school should receive more funding than another just because it has more expensive teachers. Imagine two schools with 1,000 students each. Leafy Suburbs High has 70 teachers, mostly highly experienced, and thus a salary bill of, say, \$9 million. Western Suburbs Secondary College also has 70 teachers, mostly inexperienced, and thus a salary bill, of say, \$7 million. Under a pay-by-salary system, an extra two million dollars, or \$2,000 per student, would go to Leafy Suburbs High. This is outrageous as the taxpayer is giving greater financial support to one group of students than to another purely because one schools manages to keep experienced teachers while the other does not. A global budget approach gives both schools the same amount of money and allows Western Suburbs Secondary College to use the million it has

saved through having inexperienced staff to employ additional staff or provide other resources. When we pay experienced teachers more than inexperienced teachers, we are saying that the extra experience is adding something to the education of students taught by the former. Otherwise, there is no justification for paying more to experienced teachers. We are therefore also saying that students who have inexperienced teachers are comparatively disadvantaged. Good public policy says that this disadvantage must be made up in some way. The real problem is not the funding concept. It's the amount.

1.4b Staffing Formula: Non-government Schools

The issue with non-government schools is the wholesale adoption of the Howard government's non-needs based socio-economic status funding model in 2002, followed by the unfathomable endorsement of that model by the Gonski panel and the federal Labor government in 2012.

Most reporting on Gonski and school funding is abysmal, meaning that there is hardly any member of the public who understands it. We are told that Australia is unique in funding non-government schools even though almost every OECD country funds them. We are told that Gonski is needs-based even though it ignores school fees. We are told that Gonski is sector-blind even though it has one set of rules for government schools, another set of rules for non-government systems and yet another set of rules for independent schools. We are told that the schooling resource standard is the basic amount any school needs for a mainstream student even though it was not based on a rational calculation, such as how much money would be required to employ the necessary number of teachers and support staff for any given number of students. We are told that stacks of non-government schools get more than the schooling resource standard even though they are allocated a discounted amount of the SRS that can be as little as 20 per cent of it. (See Appendix 1, *School funding is almost universally misunderstood and misrepresented in Australia*, for details.)

In summary, the essentials to expanding the public education system are:

1. to reconceptualise it as education accessible to the public irrespective of school ownership;
2. to base funding on explicit staffing;
3. to provide base funding to government schools only;
4. to provide the student learning entitlement (per capita funding) to all schools that agree on disadvantage enrolment targets;
5. to reduce the SLE for non-government schools as their private income increases.

2. Professionalism

2.1 Registration and Qualifications

Teaching is a profession. There is a body of knowledge and skills necessary to the practice of that profession, separate from subject knowledge. It has a code of ethics. It is therefore necessary to have some system of determining who is permitted to say he or she is a teacher, just as there has long been a system for determining who is permitted to say he or she is a doctor or a lawyer. We don't accept that anyone can put a shingle on a door and pretend to be a doctor. We don't accept that anyone can just employ anyone else and tell the world at large that these employees are doctors when they are not. We expect a guarantee of professional standards from doctors. Teaching is the same. The community at large needs to have confidence that those practising as teachers do in fact meet the standards of the profession. We therefore have the Victorian Institute of Teaching, established by Labor after the 1999 election, but that Institute has become a burden on teachers because of its imposition of insulting, time-consuming and unnecessary requirements for the awarding and maintenance of full

registration. One reason that it acts in this way is the absence of directly elected teachers on its council, despite that having been Labor policy for 25 years.

When the VIT was established, its council did have directly elected teachers, but the 2010-14 Coalition government, in thrall to the absurd “provider capture” mentality, removed them. Labor promised to return them in its 2014 election campaign:

“Commit to having elected teacher representatives on the Victorian Institute of Teaching Council.”

(Labor Platform for 2014 election)

But it did not do so, appointing union insiders instead.

Policy is clear:

“Maintain the Victorian Institute of Teaching to uphold professional standards and ethics via accreditation of teacher training courses and the registration of teachers in all early childhood centres and schools, government and non-government, with an independent chairperson and one half of the remaining members of the governing council elected by and from all registered teachers in the state voting as one electorate by proportional representation and the other half appointed from the teaching profession, teacher training bodies, teacher employers and parents.” (6.1 Registration 1)

In determining the standards expected of teachers, teachers themselves, are a profoundly relevant group. They go into classrooms day after day and, often under very difficult circumstances and do the actual teaching. We expect that they know a lot about what they are doing, what works, what doesn't.

There is no need for the elected teachers on the VIT council to be divided into categories, (primary versus secondary, government versus non-government), though the council needs to have a sufficiently large enough membership for teachers to divide themselves into categories if they so wish. Teaching is one profession, and teachers should be free to vote for any candidate they wish on the council. Appendix 2: *Implementing Our Election Promise of Directly Elected Teachers on the VIT Council, 2015* recommends a particular composition and gives further historical and philosophical details.

The creation of teacher registration boards arose from the government practice in the 1960s of putting unqualified people in front of classes, a practice that no one ever countenances in medicine, for example, and one that was met by union walkouts. It is extraordinary that today this practice has resumed under such nice-sounding slogans as “Teach for Australia”. Even more extraordinary for a Labor party is that these non-teachers are allocated to disadvantaged schools.

Policy is clear:

“Place only teachers with teacher registration in charge of classes, not student teachers from programs such as Teach for Australia or other individuals who are not properly qualified.” (6.1 Registration 4)

Students cannot learn if they are not ready to learn. Teacher training needs, in the words of the policy, to

“Ensure that trainee teachers learn the need for neuro-linguistic learning readiness in students: introductory biology,

brain development in utero, in infancy and in early childhood featuring cell division, differentiation and specialisation,
 the first five years of learning to learn and the early stages of readiness,
 neurons and the motor sensory perceptual mechanisms of the brain,
 neurological connectivity,
 sensory perception, speech and language acquisition,
 neurological organisation,
 development or maturation of the basic skills of learning: synaptic connectivity, movement coordination, sensory perception, sensory integration, neurological organisation, mastery of speech and spoken language, and the critical importance of physical activity and the physical education of children's bodies, brains and central nervous systems. (6.2.10)

No progress appears to have been made on this aspect of teacher training.

2.2 Working Conditions

In the 1970s, schools with strong union branches had decent working conditions; i.e. teaching loads, class sizes and time allowances. In 1982, agreement was reached between the teacher unions and the Cain Labor government to extend those conditions to all schools, though a different system was used to make the calculations. The election of the Coalition in 1992 saw those legally enforceable agreements torn up by retrospective legislation. The Australian Industrial Relations Commission imposed some restrictions on the Coalition's nasty work but did not restore the full agreements. The election of the Bracks Labor government in 1999 saw some progress, but it was not until James Merlino's second term as Minister for Education that full protection of basic teaching loads and class sizes was restored. Even then, the time allowance pool was not restored, meaning that better teaching loads for classroom teachers can be provided by increasing the teaching loads of those with additional responsibilities, such as subject coordinators and timetablers.

Fair treatment of all teachers requires a new method of calculating teaching loads, one that includes time allowances

Party policy is to:

“Entrench teaching conditions that best support student learning needs:
 class sizes of no more than 21 for Foundation-2 and of no more than 25 for Years 3-12,
 every hour in class having a set amount for time for preparation and correction (one hour for preparation and correction in secondary, 45 minutes in primary to reflect the lower correction load in the latter),
 time allowances equal to the time required to perform additional responsibilities to be deducted from teaching, preparation and correction time,
 adequate support staff in schools for teachers, and
 lower loads for first year teachers to allow for mentoring and collegial support.” (6.3 Teacher Working Conditions 1)

The paper, *Implementing Labor Policy via an EBA*, provides a full discussion of working conditions that does not need to be repeated here, while Section 1 of this paper shows the staffing and funding formulae necessary to support such conditions.

Class size, teaching load and time allowance requirements do not cover all of a teacher's workload as more and more has been demanded of them outside their actual teaching responsibilities in a useless attempt to improve educational achievement by going further and

further down the path that has failed since 1992, when we moved from a system in which teaching children was the main aim to a cacophony of competing small businesses in which box-ticking became the main aim. We had KSCs, KPIs, strategic plans, performance plans, annual reviews, local selection panels, box-and-whiska-graphs and “continuous improvement” (a way of making certain no one was ever good enough). The new Holy Trinity of Reform, Data and Flexibility took over. Yet no child in the state ended up better taught as a result.

Party policy says, “Treat teachers as highly trained professionals with the autonomy needed to do their jobs without micro-managing them.” (6.1 Professional Autonomy 1)

Anyone in touch with reality knows that imposing additional tasks on people causes them to stop doing other tasks so that they can survive. If the system demands more measurement and reporting, it will get less effort in preparation, teaching and assessment.

The system was more successful 50 years ago when schools did not have policies, strategic plans, performance assessment systems or box-and-whiska graphs because teachers and principals could concentrate on teaching. They focused on doing their jobs, not proving that they were doing their jobs. Returning to “Train the teachers, pay the teachers, trust the teachers” will in the long run prove far more successful than the command-and-control regime that stresses everyone.

2.3 Career Structure

50 years ago, teachers had a centrally prescribed career structure with centrally appointed positions for classroom teachers, senior teachers, vice principals, deputy principals and principals. Principals of that era had the ability manage whichever staff members the department sent them.

That centralised system was gradually dismantled from the late 1980s to the mid 1990s, so that all positions are now locally filled and all positions other than that of principal are locally determined; i.e., the school itself (in essence the principal) determines how many teachers will be appointed, what positions they will hold and who they are. Often, they are on short-term contracts.

Along the way there were three dishonest career restructures claiming the reward the best teachers for staying in the classroom, none of which did so. The first, the introduction of advanced skills teachers, provided so little reward to the first level that becoming one was almost automatic and required those at the next two levels to take on non-classroom responsibilities. The two iterations of leading teachers were equally dishonest, also requiring those promoted to take on non-classroom responsibilities. Even the fourth restructure, which created learning specialists to keep the best teachers in the classroom, allows such teachers to take on non-classroom responsibilities. The initial discussion for rewarding the best teachers to stay in the classroom dates from the 1980 Green Paper, and here we are, 44 years later, still short of the goal.

Furthermore, there are no obligations on schools to appoint a specific number of leading teachers or learning specialists or for them to cover any particular responsibilities or to ensure, across the system, that all subject areas are covered.

Party policy deals with all these failings:

“Re-establish permanent, ongoing employment for teachers as the dominant method of employment, with minimal use of short-term contracts, limited tenure positions and other insecure arrangements.” (6.3 Departmental Staffing Role 6)

“Provide each school with a centrally defined number and schedule of promotion positions (including promotion positions for teachers who remain fully loaded with classroom teaching)”. (6.3 Career Structure 3)

“Ensure that promotion is available in all subject areas.” (6.3.Career Structure 4)

“Recognise and reward outstanding classroom teachers with higher salaries and in a way that enables them to share their expertise and remain in the classroom with a full teaching load. Such rewards will take the form of ongoing higher salaries, not one-off performance bonuses. Such positions will be centrally allocated but locally filled.” (6.3 Career Structure 6)

“Allocate a set number of learning specialist positions to schools throughout the state, half allocated on enrolment and half allocated to disadvantaged schools beyond their enrolment entitlement, such teachers to have a full teaching load, to be ineligible for responsibility positions requiring a time allowance and to mentor student teachers and beginning teachers.” (6.3 Career Structure 7)

The paper, *Implementing Labor Policy via an EBA*, provides details for the implementation of these policies.

3. Community

3.1 School Size

There is overwhelming evidence in support of the proposition that small schools are not only educationally more effective than large schools but also more economically efficient if judged on the cost per successful student rather than the cost per enrolled student (<https://smallschoolscoalition.org/small-schools-whitepaper-a-meta-study-on-the-benefits-of-small-schools/>). This is even more the case for disadvantaged students. Large schools lose contact with their students. They know this too, which is why they create mini-schools. This is absurd. Surely creating four schools of 800 students each in the first place makes more sense than creating one of 3,200 and dividing it into four mini-schools.

Party policy says:

“Use educational and social need and a human scale as the primary criteria for establishing and maintaining schools in communities by planning for smaller schools in local communities rather than large ones (ideally with no more than 400 students for primary schools and 900 students for secondary schools) and by keeping open smaller schools, particularly in primary education where these can be efficiently provided.” (4.3.10)

3.2 Instruction Time

For many years, schools operated on an instructional day of 300 minutes (or six 50-minute periods in the case of secondary schools). This was reduced to 288 minutes (or six 48-minute periods) for high schools in the 1990 agreement. The 2008 agreement required a return to 300 minutes via an associated memorandum of understanding. This increase of 12 minutes a day may seem trivial, but it amounts to a whole term of learning over a student’s school life. Many schools blithely ignore this requirement or count home group assemblies in the 300 minutes. They should not be so counted. The term “instruction” was deliberately chosen to make it clear

the time is for lessons not assemblies.

Party policy says:

“Ensure that all schools provide a minimum of five hours classroom instruction per day by providing sufficient teachers.” (4.3.8)

Schools need to be instructed to run lessons for 300 minutes a day and to report to the department on their timetabling to ensure that they are doing so.

Similarly, it is essential that schools provide lessons for the full year. The practice of Mickey Mouse activities for the last two weeks of the year needs to stop.

Party policy says:

“Ensure that years 7 to 10 have a minimum of 195 days of instruction a year.” (4.3.9)

3.3 School Governance

Victoria has had a system of school committees or school councils for well over a century. Empowered school councils of elected parents, elected teachers, the principal and community members were introduced by the very different Liberal Party government in 1975. They were further strengthened by Robert Fordham as Minister for Education in the Cain Labor government in the 1980s. The 1992-99 Coalition government, in obedience to the “provider capture” nonsense of the Institute of Public Affairs, undermined them by banning teachers from being parent representatives in schools that their own children attended. There have been ongoing attempts since to replace elected school councils with district boards.

If we see schools as communities, we need to have their governing bodies representative of those communities. It is up to the members of those communities to elect whomever they wish to represent them. Obviously, teachers cannot logically be parent representatives in a school in which they teach as they are already represented by their teacher representatives, but they have every right to be parent representatives in another school if their children attend it. The same applies to education support staff and departmental or non-government system employees.

Party policy says:

“Maintain and support democratically elected school councils, consisting largely of the elected representatives of current parents, teachers/staff (and students where appropriate).” (5.1.1)

Note that this, like almost all the policy, applies to non-government schools as well as government ones.

In the case of government schools, the policy is more prescriptive. It is not a matter of a token parent or a token teacher on a large school council. Both groups need a guaranteed minimum number of representatives so that their voices are effective. Party policy calls for a review of the membership of government school councils to ensure that they are constituted under the following principles:

“elected parents should constitute the largest single membership component in any school council;

elected teachers and other staff members (other than those elected as representatives of parents) should constitute at least one third of the membership of any school council, where school staff numbers permit ...

teachers, other school staff, and employees of systemic educational authorities, including the state department, may seek election to their own children's school councils as representatives of parents, except where they work at the school in question for more than one day a week" (5.2 Membership 1)

There is also a need for greater clarity on the role of school councils.

Party policy says:

"Ensure that the legal powers of school councils are clearly enunciated, particularly in relation to school finance and employment, and directly employ people with appropriate experience to support school councils both in the central Department and across all regional offices." (5.3.8)

The principle of democratic consultation needs to extend beyond the individual school.

Party policy says:

"Re-establish representative advisory councils consisting of people nominated by the major organisations involved in Victorian school education, including teacher/staff, parent, principal and school council organisations, to provide advice to the Minister on key issues in Victorian education." (5.1.8)

3.4 Freedom of Association

If schools are communities, then they are entitled to insist that those who work in them subscribe to their values. If they are religious schools, under the principle of freedom of association, they are entitled to insist that their employees belong to their religion. It is not up to the government to decide which positions must be filled by a co-religionist and which may not, just as the Greens are not forced to employ Labor Party members and the Labor Party is not forced to employ Liberals. This is not to allow discrimination on irrelevant characteristics. It is the once blindingly obvious principle that any organisation may demand that its employees support its objectives.

Party policy says:

"Require all schools to employ teachers without discrimination based on inherent characteristics while upholding the right of all schools to choose teachers who respect their values." (6.3 Personnel Practices 3)

3.5 School Co-operation

If we want a larger public education system, then we need to break down the barriers between the different school sectors, something other countries have been capable of doing for decades. Every school may retain its own character but ideally every school will cooperate with other schools in the enhancement of the education of the future citizens. That means a greater sharing of resources.

Party policy says:

"Encourage all schools (public, Catholic, independent) to make their facilities, including sports facilities, rehearsal spaces, science labs, libraries, available to students from other schools who live in the same general area where this can be done in a safe and orderly manner." (4.4.4)

"Encourage the sharing of facilities such as libraries by co-located government and non-government schools" (7.3.6)

"Require all non-government schools with publicly funded facilities to make them available for public use on the same basis as government schools in the locality" (7.4.6)

“Encourage all schools to make their facilities available for after-hours school and community activities, including sports, languages and music programs, and facilitate joint-use and funding agreements with local government and other organisations.” (8.2 Usability 2)

Conclusion

The purpose of Labor education policy is to create a public education system of community-based schools that cooperate to achieve greater educational success for all students in the state. That means:

a funding model that supports inclusion in all sectors,
an industrial agreement that supports teachers in all sectors,
an operating system that promotes community in all sectors.

Labor started on this task of rebuilding 25 years ago and has been in office for 21 of those years. Surely the current term of government can finish the job.

Chris Curtis

2/5/2024

Appendix 1: School funding is almost universally misunderstood and misreported in Australia

(Article submitted to *The Age*, *The Australian* and *The Australian Financial Review*, the non-publication of which is evidence of why school funding is so misunderstood in Australia)

Most of what you read about school funding in Australia is wrong. You are told that Australia is unique in funding non-government schools, that Gonski is needs-based and sector-blind, that the schooling resource standard is the basic amount any school needs for a mainstream student and that stacks of non-government schools get more than the schooling resource standard. None of these statements is true.

Almost every OECD country funds non-government schools. *OECD Education at a Glance 2023* lists nine countries that fund non-government schools more generously than Australia does; for example, Sweden, which fully funds them at \$US12,674 per student as long as they do not charge fees. The difference is not the fact of funding but the method.

The Gonski model is not needs-based. It is the Howard government's socio-economic status funding model under new name. It ignores school fees and funds schools on the basis of the median income of the parents whose children attend the school.

It is designed to support well-off families to enrol their children in non-government schools but to force poor families into government schools unless they use a school attended by lots of poor families. Any school with middle-class students that wants to keep its fees low so that poorer families can attend has its funding cut, its fees forced up and the poorer families driven out of it.

The only reason we do not yet see this divisive result wholesale yet is that non-government systems do not have to allocate money to individual schools on the Gonski basis and the Choice and Affordability Fund exists to compensate for the injustice of the underlying model. The Victorian education department ignores family income in allocating the basic funding per student in the Student Resource Package and is not criticised for doing so, but non-government authorities that do the same are criticised.

The Gonski model is not sector-blind. It has one set of rules for government schools, another set of rules for non-government systems and yet another set of rules for independent schools. Given the government sector has to provide schools for everyone everywhere, there is no reason that the model should be sector-blind. The issue is why the false claim that it is so is so often made.

The schooling resource standard was not based on a rational calculation, such as how much money would be required to employ the necessary number of teachers and support staff for any given number of students. It was determined by the costs of so-called reference schools, those that were particularly successful in NAPLAN over three years, with some very strange adjustments made to the raw figures to reduce the effect of the inclusion of many high-fee schools in the group.

The SRS is a set amount. It does not vary from school to school. No school has its own SRS. The SRS for 2024 is estimated to be \$13,557 per primary school student and \$17,036 per secondary school student. Thus, the claims that certain schools receive more than the SRS are false. If they were true, the state and federal governments would be giving such primary

schools more than \$13,557 per student per student and such secondary schools more than \$17,036 per student – before loadings for disadvantage – but MySchool shows that they are not.

The schools labelled overfunded are getting more than the Australian Education Act says they should get, but this is not the SRS. They are allocated a discounted amount of the SRS that can be as little as 20 per cent of it. Those schools receiving more than their legislated amount are doing so because they are still on previous funding models, most notably the needs-based Labor one of the 1980s that does take account of school fees.

Much is made of the fact that the Commonwealth Government supplies 80 per cent of the funding for non-government schools but only 20 per cent of government schools. That the state governments do almost the reverse is ignored.

We have the extraordinary situation in which schools being forced to transition from a needs-based Labor model to a non-needs-based Liberal model are accused of being overfunded by people who vehemently opposed the SES model when it had John Howard's name in front of it but zealously demand its implementation now that it has David Gonski's name in front of it.

We all understand that public health is provided by publicly funded non-government doctors via Medicare and publicly funded non-government pharmacists via the PBS. We need to understand that public education is not just education provided in schools owned by the government but also education in non-government schools that are accessible to the public.

The public education lobby should get out from behind the Maginot Line, where it is always trying to refight the war it lost in 1967, when Henry Bolte began recurrent funding of non-government schools as a result of pressure from the Democratic Labor Party, and make common cause with low-fee non-government schools. We could start by looking to New Zealand, which almost fully funds non-government schools that keep their fees in the hundreds of dollars.

Chris Curtis
4/3/2024

Chris Curtis is a former government school teacher and university tutor who has retained an interest in education and the only person in the country who put a funding model to the Gonski panel, which ignored it.

Appendix 2: Implementing Our Election Promise of Directly Elected Teachers on the VIT Council

Election Commitment

Victorian Labor's 2014 state election platform promises:

“Labor will ...

Commit to having elected teacher representatives on the Victorian Institute of Teaching Council” (page 29).

There are no ifs or buts about this: we have promised to return elected teachers to the VIT council. Any pressure on the government from particular organisations to break this promise by accepting appointees instead should be rejected head-on.

The platform does not specify the proportion, but the policy does – half directly elected, half appointed by the government plus a chairperson:

“Maintain the Victorian Institute of Teaching to uphold professional standards and ethics via accreditation of teacher training courses and the registration of teachers in all schools, government and private, with an independent chairperson and one half of the remaining members of the governing council elected by and from all registered teachers in the state and the other half appointed from the teaching profession, teacher training bodies, teacher employers and parents.”

The purposes of this paper are to suggest the numbers and method of election of such teacher representatives and the numbers and method of appointment of the other representatives and to show the cost of not implementing the policy as promised.

A Brief History of Teacher Registration Authorities

45 years ago, there was no teacher registration authority in Victoria. It took a long and militant campaign by the Victorian Secondary Teachers Association and others to have such authorities established. This campaign involved the VSTA setting up its own registration scheme and having its member walk out of schools when the government of the day sent unqualified people into them as teachers.

This campaign led to the Liberal government establishing an inquiry, led by Judge Alec the Southwell, which recommended the establishment of teacher registration boards for different sectors with directly elected teachers on them. Judge Southwell had no doubt that teacher representatives should be directly elected. In fact, six of the eight members of each board were to be elected, from teachers, principals and teaching college staff.

These boards functioned uncontroversially under the Liberal governments of the 1970s and early 1980s and the Labor governments of the 1980s and early 1990s.

The Coalition government elected in 1992 abolished them and replaced them with nothing.

In the 1999 election, Labor promised to establish one teacher registration authority with directly elected teachers making up half the membership of its governing body. All registered teachers were meant to have a vote, be eligible to stand and not have their representatives

divided by sectors, but the Coalition, which controlled the Legislative Council, refused to support any system that would allow union officials to win seats on the Victorian Institute of Teaching council, so, contrary to the policy's intent, the Labor government had to compromise and require only teachers available for work in a particular school on a particular day to have the vote and be eligible to stand and to divide the teaching profession into sectors for the purpose of the elections.

When Labor gained a majority in the Legislative Council in 2002, it did not correct this fault. When a review of the VIT was conducted, Labor remained committed to its election promise and ignored the recommendation to remove directly elected teachers.

The Coalition government, elected in 2010, gained a majority in the Legislative Council and removed elected teachers from the VIT council. It did so at the same time as making other changes that Labor supported, so Labor supported the legislation but promised to return elected teachers to the VIT council.

Before it was taken over, ideologically speaking, by the Institute of Public Affairs, the Liberal Party supported having directly elected teachers on teacher registration authorities. Labor has consistently supported this stance.

The Argument for Professional Registration

Teaching is a profession. There is a body of knowledge and skills necessary to the practice of that profession, separate from subject knowledge. It has a code of ethics. It is therefore necessary to have some system of determining who is permitted to say he or she is a teacher, just as there has long been a system for determining who is permitted to say he or she is a doctor or a lawyer. We don't accept that anyone can put a shingle on a door and pretend to be a doctor. We don't accept that anyone can just employ anyone else and tell the world at large that these employees are doctors when they are not. We expect a guarantee of professional standards from doctors. Teaching is the same. The community at large needs to have confidence that those practising as teachers do in fact meet the standards of the profession.

In determining the standards expected of teachers, there are several relevant groups. First of all, there are the teachers themselves, the ones who go into classrooms day after day and, often under very difficult circumstances, do the actual teaching. We expect that they know a lot about what they are doing, what works, what doesn't. Secondly, there are the parents of the children being taught. We expect that they, in the main, have a good idea of what they want from the education of their own children. Thirdly, there are the teacher training institutions. We expect that they have some knowledge of the theory and practice of teaching and of the practicalities of conveying that knowledge to prospective teachers. Fourthly, we have the employers of teachers. We expect that they have some knowledge of what they want to achieve in their schools. Finally, we have the state (or society, to be updated about it). The state has an interest in its future citizens, their knowledge, skills and commitment to our democratic way of life. All these groups need to have a say in the accreditation of teacher training courses, the registration of teachers and the removal of those teachers who behave unethically.

Teacher unions, subject associations and the like do not need any representation on teacher registration authorities when teachers are directly represented via elections. Subject associations and unions are free to endorse candidates and teachers are free to vote for those

so endorsed if they wish, but there is no reason for organisations to appoint members. Indeed, having organisations appoint members purporting to represent teachers would be counterproductive to the idea of one teaching profession as such appointments would be by their nature be sector-based.

The point of having registration authorities is that they cannot be an employer's organisation. They have to be independent of the employer as the employer has an interest in downgrading the professional requirements. That is the history alluded to earlier. The government of Victoria used to put unqualified people in front of classes until the teachers' unions forced it to establish a professional registration system at arm's length from government.

Categories or Not?

There is no need for the elected teachers on the VIT council to be divided into categories, though the council needs to have a sufficiently large enough council for teachers to divide themselves into categories if they so wish. Teaching is one profession. If a government secondary teacher wishes to vote for a Catholic primary schoolteacher, he or she should be able to. If a Catholic primary school teacher wishes to vote for an independent secondary school, he or she should be able to. If an independent secondary school teacher wishes to vote for a government primary teacher, he or she should be able to. If a casual relief teacher wishes to vote for a CRT, irrespective of sector, he or she should be able to. If a beginning teacher wishes to vote for a beginning teacher, irrespective of sector, he or she should be able to. The council needs to represent all teachers in the way that those teachers decide themselves. Part of the Education State is to build the commitment and capacity of teaching as a profession. It is to get teachers to see themselves as professionals, to get them to make judgements on a professional basis.

However, teachers do teach in different sectors, so it should be possible for teachers to elect representatives from all large sectors to the VIT council and not be forced by the size of the council to have any sector completely unrepresented. Having five elected teachers would allow three from government schools (at least one primary and at least one secondary), one from Catholic schools (from either primary or secondary) and one from independent schools (from either primary or secondary). To make it possible for both primary and secondary teachers in the Catholic and independent sectors to be represented by someone from their own category, if they so wished, the council would have to have ten elected teachers on it. Having ten elected teachers would allow six from government schools (three primary and three secondary), two from Catholic schools (one primary and one secondary) and two from independent schools (one primary and one secondary). To ensure that principals or early childhood teachers or special school teachers could elect a representative each if they so choose, the council would have to be much larger – too large. To go beyond ten would be unwieldy. In any case, the number of appointed members is to equal the number of elected members, so the government can legislate to ensure that a principal, an early childhood teacher and a special school teacher are appointed to the council to give their particular perspectives.

The other groups with an interest in teacher training, professional standards and professional ethics are the employers of teachers, parents and the teacher training institutions.

There are at least three sets of employers – the department, the Catholic Education Office and the independent schools. Each ought to have a member on the VIT council. With the expansion

of registration to early childhood teachers, a representative of kindergarten employers may also be necessary.

Principals are the ones who lead schools. They have or ought to have insights into the practicalities of teaching. They should certainly have a member on the VIT council.

Similarly, parents have a deep interest in how the education system works. They should certainly have a member on the VIT council.

The problem with the above two groups is that they are in three sectors, but the appointment of a parent and a principal from each sector would make the VIT council too large and skew the sectoral representation against the government sector. There needs to a way to have one principal representing the insights of principals from all three sectors and one parent representing the insights of parents from the three sectors, via advisory councils perhaps.

The teacher training institutions have the knowledge of the practicalities of how to train teachers.

The composition would be as in the table below – if teachers voted for people from within their own sectors. If they did not, that would be their considered choice.

	<u>Government</u>	<u>Catholic</u>	<u>Independent</u>	
<u>Elected Teachers</u>				
Primary	3	1	1	
Secondary	3	1	1	
				10
<u>Appointed Members</u>				
Early childhood teacher	1			
Special school teacher	1			
Employers	2*	1	1	
Principals	1			
Parents	1	1 (non-gov)		
<u>Deans of Education</u>	1			
	13	3 or 4	3 or 4	10
Chair (experienced in both gov and non-gov sectors)				<u>1</u>
				21

*The secretary of the department and a representative of kindergarten employers.

No one advocates that the teacher members of school councils be appointed by unions. No one advocates that the staff members of university councils be appointed by unions. No one advocates that teacher members of TAFE boards by appointed by unions.

Open election by all teachers is the best system to get teachers involved in their own profession.

Election would be via the single transferable vote method of proportional representation, with no group voting tickets and preferences being optional after a certain number. There is no logical reason that that number must be the same as the number of vacancies. Given reviews of the Victorian election and local government, the government ought to pick a number (15 or 20) and make it the number of compulsory preferences for all elections in the state.

Political Considerations

Political parties should not break promises. Doing so fuels the dreadful cynicism in Australian about politics and undermines the commitment of grass roots political activists.

One advantage that overseas jurisdictions like Finland have is that both sides of politics have endorsed the general shape of the education system in those countries. Labor needs to embed positive change so deeply that future Coalition governments will be unwilling to undo it. While there is no guarantee that a future Coalition government will not remove elected teachers, there is its own history of providing for elected teachers when registration boards were first established and always the hope that the “provider capture” nonsense of the IPA will be discarded by a more centrist Coalition in the future. However, the temptation to attack Labor if it provides for union appointments or even ministerial appointments based on union consultation to the VIT council will prove irresistible. This will result in the usual headlines attacking the Labor Party as the creature of the unions. The Coalition will vote against it in the Legislative Council and the support of the cross-benchers cannot be guaranteed. The original DLP advocated directly elected teachers on the registration authority and one can expect the new DLP to have the same view. If the Coalition is unable to defeat union appointments initially, we can be sure it will remove them when it is returned to office. It may even go further and replace them with a totally government-appointed body. Entrenching a half-elected council is the only way to go.

Practical Considerations

The arguments against democratic elections are cost and lack of interest.

The first is to be dismissed. If the principle is right, we ought to be able to find the money in the tens of billions of dollars of state expenditure to run an election every four years. In fact, the registration fees should cover all the costs of the VIT, including the costs of elections.

It is true that the voting turnout by teachers has been abysmal. That should be tackled directly by explaining to teachers that it is their professional duty to vote. It would probably be too much to fine those who did not vote, but registration fees could be discounted for those who did.

Conclusion

The party has committed to directly elected teachers making up half the VIT council and to giving all teachers a vote in those elections at every state election since 1999.

There is no need for categories of elected representatives. It is better to let teachers vote in accordance with the issues they see as important, irrespective of sector.

Chris Curtis
9/11/2015

Appendix: Extract from the Southwell Inquiry Report

The Personnel of the Board

This is the most difficult subject of all. It became sadly apparent during this Inquiry that any suggestion relating to the composition of a Registration Board was subjected to a quick "count of heads" analysis—each "side" determining whether the suggestion gave effective control to it. I say "sadly", because the underlying assumption is that what is good for the Department is not good for teachers, and vice versa. The Board Department thinks that the vital fact of Governmental responsibility precludes it from agreeing to any scheme which gives obvious control to any group of teachers who will in practice follow V.S.T.A. and T.T.A.V. policy. Those organisations say that the "control of entry" schemes were introduced only because the Department had failed abjectly to exercise proper control of the quality of teachers admitted to the teaching service: and that they will steadfastly refuse to accept any scheme which gives obvious control to the Department (and I do not know to what extent, if any, they are prepared to compromise. I may be necessary for them to hold special meetings before that could be determined.) It is apparent, therefore, that a recommendation giving such obvious control would be completely unacceptable to one "side" or the other. It is equally apparent, I believe, that this Board of Inquiry was not appointed to entertain itself with academic exercises by conjuring up, in a vacuum, theoretically attractive proposals. It was appointed, I believe, because serious disputes were causing grave interference with the education of State school children; because the Government was prepared to accept that the present method of appointing temporary teachers had proved unworkable in practice, and that the Tribunal was not functioning satisfactorily, and because the Government was hopeful that such a Board of Inquiry would make acceptable recommendations which might have some chance of success if put into practice. Those are the inferences I draw from the very fact of the appointment of this Board, the time and circumstance matter of the terms of reference. I therefore agree with the submission of assisting Counsel that the composition of the Board should be such that neither "side" will reject it out of hand as being stacked against it. I do so in the knowledge that this is a compromise proposal, and that such proposals often please no one. But I do so on the basis that this seems to me the proposal most likely to be acceptable and workable: I believe it would prove unworkable only if members of the Board were to act without due regard to their own, and others' responsibilities. I consider that in recent times the V.S.T.A. has acted irresponsibly: and were its nominees (because, undoubtedly, some of its nominees would be elected) on such a Board to act similarly, I have little doubt that it would make the successful functioning of that Board difficult, if not impossible. Although some may regard this as a pitiful display of political naivety, I believe that this is a risk which ought to be accepted. The evidence and submissions at this Inquiry do not suggest to me that the T.T.A.V. representatives will behave irresponsibly. In regard to the V.S.T.A., it should be remembered that, powerful as the present executive may be, there are 7,000 members, and I believe the very great majority of them want to see reasonably structured machinery work to the advantage of all, and that in time they will see to it that the executive does not wage war for the sake of war. It became apparent during the Inquiry that while there were submis-

sions that a majority of the Board should be practising teachers, there was some disagreement as to the proper meaning to be attached to the words "practising teachers": whether former teachers who are now administrators or principals should be included. It seems incongruous to suggest that a highly qualified teacher should suddenly change character when he is appointed to a professional position in the Department; even more so if he is appointed a principal: some principals continue to teach, and, no doubt, more would do so if they were relieved of the many administrative tasks—a great number of them routine—which now overwhelm them.

I would therefore include principals in the definition of practising teachers. It is perhaps worth noting that the V.S.T.A. and T.T.A.V. in their opposition to classroom assessment of teachers by inspectors, argue that the principal is in the best position to give such an assessment. In my view, a principal, above all perhaps, is best fitted to judge whether an applicant for registration should succeed.

Giving what I hope is proper consideration to the various submissions, I recommend that each Board should comprise:

- I Divisional Director or his nominee;
- I other Departmental officer, nominated by the Director-General;
- 2 principals, elected by principals;
- 3 teachers, elected by classified teachers (not including students);
- I to be elected by principals and staff of the division's teaching college(s).

It will be seen that the total number is eight, giving rise to the possibility of a voting deadlock.

Mr. Northrop (who proposed the above spread of representation) suggested that the members should elect their own independent Chairman, or the Director-General should nominate one of the Deans of the Faculties of Education. I would think that there may be considerable practical difficulties in this suggestion, in finding a suitable person who could give the necessary time and attention. And in any event, I think it preferable, certainly in the initial stages, to confine membership to those in the State teaching service.

I think the Divisional Director should be Chairman, and that he should have both a deliberative and a casting vote. It may be said that I might just as well have added another Departmental member, but I do not agree with this. Such a member would, of course, be junior in the Department to the Director, and might therefore be thought to be under some pressure. A chairman who holds a casting vote bears a heavy responsibility. Having regard to the recent history of tension and dispute, I think it is unlikely that the Chairman will use that vote lightly: if the three teacher representatives were to follow one line, for there to be a deadlock, they would need the support of a principal, or the teachers' college representative. If they received that support, the Chairman would obviously be called upon not only to give proper weight to the opposing view, but would need to give precise reasons for his vote. And, in the final analysis, if there is to be a deadlock on such a committee of professionals, I think it proper that the responsibility should be with the Divisional Director, as the first link in the chain of responsibility which rests ultimately with Parliament.

I have suggested excluding students from voting for the teachers' representatives. Whatever may be thought about the desirability of giving students a vote in Tribunal elections, having regard to the fact that they are not teachers, and the drop-out rate is high, election to the Teacher

Registration Board is a first step in controlling entry to a profession. I have already said that only members of the profession should be members of such a Board. It is logical that only members of the profession should elect representatives, and I suggest it is illogical to give a vote to those who may be seeking to enter the profession in the election of a body which will judge their application.

If such Boards are established, it should soon become obvious to all members whether one or more of their number is pursuing such an inflexible line as to suggest that such member has no real desire to see the Board functioning effectively. I can merely repeat that such machinery can only work effectively if those in control of it wish it to do so.

Having regard to the events of November and December, 1970, in relation to the Tribunal, I think it will be a regrettable necessity to include provisions to enable deputies to be appointed should any member absent himself from meetings. Finally, I would suggest a quorum of five.

(pp27-28, **REPORT OF THE BOARD OF INQUIRY INTO CERTAIN ASPECTS OF THE STATE TEACHING SERVICE**

PRESENTED TO BOTH HOUSES OF PARLIAMENT BY HIS EXCELLENCY'S COMMAND

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