



Tuesday, August 03, 2010

Hon Simon Crean MP
Minister for Employment and Workplace Relations
Minister for Education
Minister for Social Inclusion

PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Dear Minister,

I write in behalf of 130 schools in membership of Christian Schools Australia to seek the ALP's position on issues of great importance to our membership and their communities.

Section one: background to CSA and its members

CSA member schools educate 45,000 students across Australia, are geographically, culturally and educationally diverse and serve predominantly lower socio economic communities. The average ICSEA score of CSA member schools is 997—lower than the definitional mean and very close to the average ICSEA of public schools. In fact, based on our research, CSA member schools serve the neediest communities of any national grouping of non-government schools.

These schools are locally governed, community-based, not for profit organisations. They are closely aligned with one or more Christian churches in their communities, either as a ministry of a local church, or in partnership with Christians from a number of local churches.

Our members are fully accountable to state and national education authorities and to their local communities.

As Christian faith-based schools, our members are overt and particular about the beliefs and values that underpin the school's culture and practice.

CSA schools have a strong culture of mission and service, locally and internationally. They educate students to be locally and globally active citizens, concerned about the welfare of others and about using their gifts to serve.

Finally, CSA member schools have attracted very strong community support as evidenced by their growth, particularly in the urban growth corridors of our major cities. The average annual growth rate of CSA schools since 2002 has been just under 10 per cent.

Key Policy Concerns

CSA members share many of the concerns of other non-government schools. We actively participate in policy discussions with other independent school colleagues and with colleagues in the Catholic and other systems.

Rather than repeat concerns that have been raised with you by others, the purpose of this letter is to obtain your responses to a number of specific issues that represent particular concerns based on the nature of our membership as described above.

Following a brief discussion of the issues we have attached a list of related questions. We would appreciate your brief answers by **Wednesday 11 August** in order that we can circulate the responses to our membership.

Section two: election issues

1. Funding for students with a disability

We consider the most urgent funding need is to end the discriminatory funding which denies students with disabilities real choice, and causes heartache and hardship for their families.

At the Christian Schools National Policy Forum (26 May 2010) I asked the (then) Minister Julia Gillard if she could commit to implementing a policy that students with disabilities should receive the same funding regardless of their sector or state. Her answer included the following:

To do the long term jobs that we need to do, we want to do that in the context of the school funding review. . . . We have started the foundational work, long neglected, of working with state and territory ministerial colleagues to even get a national definition. At the moment the greatest inequity [is that] two children in two different parts of this country with identical disability could qualify for different packages of support. That's wrong and we've started the process through the ministerial council of getting definitions that we can build on, something that simply hadn't been done before we came to government.

Acknowledging the work towards common definitions, which is welcome, this can not wait until the end of the funding review. Ms Gillard's example regarding students with the same disability receiving different support in different states is telling; but only serves to highlight the urgency and importance of this issue. It also, with respect, ignores an equal inequity.

Today, two students with the same disability living in the same street yet attending different schools do not qualify for the same funding if one is in a government school and other a non-government school. In fact, the difference in funding is likely to be greater than in the interstate comparison.

2. Fair and certain recurrent funding

We have appreciated the Rudd/Gillard Government's approach to the funding of non-government schools, noting in particular strict adherence to the promise to not engage in a divisive 'government versus non-government school' debate.

We consider that the approach to future funding outlined in Julia Gillard's speech to the Sydney Institute of 15 April 2010 commits the government to the same non-partisan approach into the future, including in a post-review environment:

In the past, the question of school funding has been used to divide the Australian community, to pit school against school and school system against school system. My intention is not to follow this path, but to seek a constructive and open approach to the questions of school funding.

We have noted your reassurance as Minister, following on from the speech mentioned above, that 'no school would lose a dollar'. However with others we are very concerned about the lack of commitment to annual indexation based on the same equity principles that Labor has previously committed to.

The equitable indexation of funds based on movements in educational cost must be part of any fair funding system. The lack of a commitment to this principle must raise concerns about a return to the divisive and sectarian approach.

While the majority of CSA schools are funded strictly according to their SES, a small number (16) are in the funding maintained category. The undertaking of 'transitional arrangements' needs to be further spelled out. The current funding policy often places low-fee independent schools at a disadvantage compared to some systemic schools. Future policy should not penalise these schools.

3. Capital Funding for Growth

Christian schools are growing at a much greater rate than other sectors, and there is a demand for new schools in growth areas. We have demonstrated that we can help government to meet its obligations for school choice in growth areas.

We are concerned about what will become of capital funding following the BER programme which, while very welcome and certainly meeting many local needs, by definition doesn't meet the continuing need for growth, especially for new schools.

The willingness of parents, churches and other community members to invest in quality infrastructure in order to provide for the education of Australian children is an essential adjunct to direct government investment if Australia's education needs are to be met. It is particularly necessary in an environment of sustainable population growth.

We believe there is great scope for government policy to further encourage this form of educational provision. Interest subsidies or concessional tax arrangements are just two possibilities.

4. Ensuring freedom of choice and expression

No issue is felt more deeply to our members than preserving the right to operate schools in a way consistent with our religious beliefs. We regard as a basic right in a pluralistic democracy the ability for parents to choose for their children a school which is operated in accordance with their faith. Of course if schools do not have the genuine ability to operate in such a way, there is no real choice.

In practical terms this means that existing protections under Commonwealth and State laws and regulations need to be retained. This includes in particular:

- The ability to integrate a world view based on our beliefs and values into curriculum and school practice
- The ability to choose staff on the basis that they are genuine adherents, in belief and practice, to the Christian faith.

These principles have come under challenge in recent years in several states and federally. Indeed in Queensland, South Australia and Victoria ALP governments have been party to legislative amendments that would overturn these legislative protections. In each case, and after considerable angst, they have been persuaded to a more conciliatory position. We are greatly concerned by these developments.

We are aware of a proposal to streamline federal anti-discrimination legislation into one single comprehensive law and for the development of harmonised State and Territory anti-discrimination laws which is currently being progressed through the Standing Committee of Attorneys-General (SCAG).

We have no 'in-principle' objection to the consolidation of Commonwealth anti-discrimination legislation and can see some potential benefits in harmonisation across jurisdictions. However, we are apprehensive about the potential for any legislative change in this area to have unintended consequences and for existing exemptions to be curtailed. We are seeking your assurance that this would not be supported during the next term of a Labor government.

5. School chaplains

Member schools and their communities continue to benefit from the School Chaplaincy Programme. We are seeking an assurance about its continuation.

Section three: Commitments sought

In order that we can inform our members prior to the election, your response by **Wednesday 11 August** would be appreciated.

1. Funding for students with a disability

Commitments sought

We are seeking a commitment to additional funding to address this funding injustice, commencing in the next term of Government.

- a) Can you commit to the principle that for students with disabilities, it is the level of their need that should determine the funding available to them, not their choice of school?
- b) Will you commit to implementing policy based on this principle, so that Commonwealth funding (recurrent and targeted) provided for students with disabilities will be equitably distributed according to the need of the individual student and irrespective of sector or state?
- c) By what date would equitable funding commence?
- d) Will you commit that in Government your party will work, through COAG and Ministerial Council processes, to see the same principle applying to state funding for students with disabilities?
- e) We consider that the following framework for policy would go a long way to eliminating the injustices of the current arrangements. We would welcome your commitment to, or comment on, the following:
 - i. A nationally agreed set of definitions and classifications should be established as the basis of funding for students with disabilities across all jurisdictions and sectors.
 - ii. Nationally agreed levels of funding should be identified based on the support required to achieve beneficial outcomes for students in each classification.
 - iii. Students with disability should be assessed against the national criteria and funded accordingly.
 - iv. Funding to meet the particular needs of students with disability should be regarded as a basic entitlement for that child, and therefore portable.
- f) Additional funding should be provided to groups of clusters of schools enabling the establishment of locally-based support services to strengthen practice in the inclusion of students with disabilities through teacher development in targeted areas of need, such as the education of students with Autism Spectrum Disorders.

2. Fair and certain recurrent funding

Commitments sought

We note that legislation for the next quadrennium was promised by Julia Gillard (in the speech referred to above) for 2011. Notwithstanding the review currently underway it is reasonable in the context of an election to ask for commitments to the policy to be pursued should the Government be re-elected.

Therefore we are asking for a commitment to the following:

- a) that funding policy will recognise and support the right of parents to choose an education for their children consistent with their beliefs and values;
- b) funding for schools should be fair and equitable across all sectors, not determined by ideology, sector or governance;
- c) in any future needs-based formula for non-government school funding, a nexus should remain between the basis of funding and the full costs of providing an education consistent with the full scope of the Melbourne Declaration on Educational Goals for Young Australians;
- d) funding will be indexed annually, with the basis of indexation being the same for all schools, and at a level which reflects the growth in education specific costs;
- e) each child will be considered to have a basic minimum entitlement for government support;
- f) the funding model adopted will be based on transparent distribution mechanisms and reliable, objective and independent data, open to scrutiny and subject to appeal; and that
- g) schools will be provided with certainty in any funding model, in particular through legislated four year agreements.

3. Capital Funding for Growth

Commitments sought

We believe there is great scope for government policy to further encourage private investment in community-based education infrastructure.

- a) Will you support measures to stimulate the further investment of private funds into capital school facilities?
- b) Will you support government tax incentives or other concessional arrangements to provide incentive for such investment?
- c) Will you support a national interest subsidy scheme to assist schools in raising funds from banks and other financial institutions in support of their building programmes?

4. Ensuring freedom of choice and expression

Commitments sought

- a) Will you give an unequivocal commitment not to support amendments that would remove the current ability of religious schools to:
 - i. hire and retain staff on the basis that they are genuine adherents, in belief and practice, to the Christian or other faith basis of the school; and
 - ii. integrate a world view based on religious beliefs and values into curriculum and school practice including enrolment.

5. School Chaplaincy Programme

Commitments sought

- a) What commitment can you give to the continuation of funding of this programme?

Conclusion

As indicated in a recent letter to the Prime Minister we have been grateful for the considerable goodwill engendered towards Christian schools during the current term.

We look forward to continuing to work with you and your colleagues during the next Parliament, with the aim of achieving positive outcomes for the students attending our schools and the wider Australian community.

Sincerely

Stephen O'Doherty
Chief Executive Officer