

A review is to be held on Independent Public Schools by the State Parliament's Education and Health Standing Committee.

The SSTUWA will be making a formal submission. Please send your comments on any or all of the report criteria here by 4 April. More details on the review and the terms of reference can be found here. Members are also encouraged to make their own submissions direct to the committee.

The issues that will be examined including support during the transition phase, the impact on student performance, staffing arrangements and how IPS are monitored and reviewed.

The full **terms of reference** are:

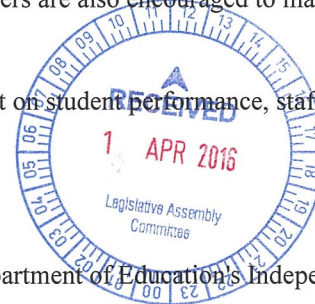
That the Education and Health Standing Committee inquire into and report on the Department of Education's Independent Public Schools initiative.

In particular the Committee will examine:

- a) **The implementation of the initiative, including support provided to schools transitioning to become Independent Public Schools and the use of Delivery and Performance Agreements.**
- b) **The ongoing role of the Department of Education, and other agencies, supporting Independent Public Schools.**
- c) **How Independent Public Schools are monitored through informal and formal review processes and the transparency of reviews for the school community.**
- d) **The impact on the engagement and performance of students, in particular those with additional needs.**
- e) **The outcomes of formal and informal reviews of Independent Public Schools.**
- f) **The process and extent to which the Department of Education incorporates review outcomes into its management of the Independent Public Schools initiative and ensures that Independent Public Schools act on review outcomes.**
- g) **The impact of Independent Public Schools on staffing arrangements.**

Members are: Graham Jacobs (Liberal), Rita Saffioti (ALP), Janine Freeman (ALP), Rob Johnson (Ind), Murray Cowper (Liberal).

Researchers: Alison Sharp, Alice Jones, Catherine Parsons.



Education and Health Standing Committee

Honourable members of the Committee of Review of The Department of Education's Independent Public Schools Initiative.

My name is Anthony Acciano. I was a teacher at _____ in 2014, the last of 10 of 44 years of teaching. In 2014 _____ became an IPS school.

I make the following submissions in respect of 2 of the 7 terms of reference of the Independent Public Schools Review

In respect of term of Reference (d)

- **The impact on the engagement and performance of students, in particular those with additional needs.**

In 2014 I was a full-time teacher of a Year 6 class at _____. In my class was an 11 year old Aboriginal special needs student with Foetal Alcohol Syndrome (FAS). The student had been assessed on entry at the beginning of her formal schooling 6 years earlier as qualifying for 0.8 FTE Education Assistance time and had progressed through her earlier years of school with an 0.8 FTE Education Assistant.

FAS is characterised by short term memory retention difficulty. This can be chronic, extreme or intermittent. Depending on idiosyncratic factors, as FAS students become older the extent of their dependency on an Education Assistant can lessen, but this is not always the case. Need for assistance is usually extremely high in the first 3 years of school.

The student in my class had begun puberty probably in the year before she came into my class (Year 5). Her needs were beginning to change but her on-going short term memory problems and dependency on an EA were still extremely high.

The student in my class received only about 0.4 FTE of the 0.8 FTE time allocated in her name, because of “flexible” use elsewhere of her time.

This was because another student, in another class, with behavioural problems had some of my student's EA time redeployed to him... in effect, to ensure the classroom teacher was able to teach the rest of his class. The student in question (a Year 7 student) was a poor attender, so that on most days the EA was on standby. INSTEAD when the disruptive student did not attend school, my student's EA was deployed to work with another special needs student in Year 2 whose allocation for special needs EA was formally assessed as 0.2FTE EA time but who had been deemed to “benefit more” than the student in my room with extra EA time being directed to him.

Morally, I never understood how this decision was justifiable. The Support Team were obviously under pressure. “Flexibility” disguised as forced choice between limited resources or absence of alternatives is disingenuous use of English – it is NOT ‘flexibility’.

The FAS student in my room had a very poor second half of 2014 in terms of support from the EA time which had successfully been obtained in her name. She remained highly dependent for all of 2014 but was frequently unable to benefit from the many memory prompts and memory-related activities the EA was able to utilise when engaging one-on-one with her. A program existed for her within an Individual Education Plan (IEP) which had been developed in a major way with, and because of, specific, minute knowledge the EA had of the student's progress from age 6 to age 11 years. This nexus was extremely rich because the student had developed numerous skills as a

result of the trust bond that grew between her and her EA (this is not uncommon; sometimes extraordinary benefits accrue from these interactions). The claimed benefit of flexibility in decision-making of IPS schools is clearly not borne out when students like the one referred to here experience a REDUCTION in their allocated "additional assistance" – assistance which is not just salient to, but essential to continued progress.

Typically, schools can use far more EA time than they are allocated or can qualify to obtain. The application process to obtain EA time is competitive, medical-evidence exhaustive and time onerous. As a consequence when EA time is not won via the application process, or cut back, as in 2014-15 when the government excised 100+ FTE EA and AIEO positions, the inference that IPSs have greater flexibility in decision-making is meaningless.

It is not an improvement, it is not 'better,' to be an IPS government school if all that IPS means is flexibility to choose which program(s) to cut from which special needs students. Any process that lauds 'flexibility' on a rob-Peter-to-pay-Paul basis is predisposed to a zero sum outcome; having 'flexibility' can only be better than not having flexibility if it improves student outcomes. **I believe the reduced engagement of my student with her EA affected her late-primary performance.** Her additional needs, which were changed, but still very high, were REDUCED not dealt with better.

If I may expand on this latter point: At puberty FAS students typically face hygiene and personal cleanliness issues as well as any learning ones they may have. They do not automatically wash themselves, for example, or understand the need to wash more often. For girls, menstruation onset can complicate the issue. They are often not aware of inappropriate sexual behaviours, or the morality around them. While 'teaching' this aspect of personal care is usually done by parents in the home, an exceptional Education Assistant (such as the EA who cared for my student) could have fulfilled the role doubly, and achieved cognitive gains. These benefits of having the full EA time entitlement are immeasurable; they cannot even be properly explained to a dedicated internal Learning Support Team shuffling EA time around to help weaker students in earlier school years get good NAPLAN results.

Footnote:

The FAS student in my class retained her 0.8 FTE allocation of EA in 2014. This time was pooled with all other EA time entitlements. The school had an internal Learning Support team of 2 teachers, the School Psychologist and the principal, supported by Schools Plus. They regularly reviewed the deployment of the 0.8 FTE my student had during 2014. (All special needs funding itself is closely monitored and tied to a review process). Classroom teachers had access to the Learning Support team and could make submissions freely. The final decision on time allocation of EAs rested with the principal. No additional resources were due to flow through to the school in 2015 for students with "additional needs" as a result of the school becoming an IPS school. It is implausible that reducing my student's EA contact time below the 0.8 FTE of earlier years could produce a better outcome for her. It did not; it worsened it. The 'flexibility' provision is the reason it worsened.

I make the following submission in respect of term of reference (g).

- **The impact of Independent Public Schools on staffing arrangements.**

In the 2 years prior to beginning the process of applying for IPS a number of guest speakers were invited to the school to speak to the staff to present a vision of what IPS schools are like. 3 senior administrators, of which 2 were principals of IPS schools in the first roll out, spoke about various aspects, including staffing at one of these meetings.

I refer to comments by a male principal regarding a position of Phys. Ed. Specialist which became vacant at his school. It would be fair to say his school had a very different socio-economic index rating to : - quite unlike with much more behaviour-management pressure to teach in.

He commented that the P.E. Specialist position needed a male teacher because the Year 7 group in the school had a number of extremely challenging boys who presented behaviour management problems (implying: when taken by female teachers). It was his determination that a male teacher was best in this role because, in his experience, it would deter certain behaviours and make behaviour management easier. There was a bonus potential for positive role-model effects.

He may well have been correct. The only problem with this 'bull-male exudes control' concept is that it is a breach of the Equal Employment Opportunity Act 1984, S.8, and is precisely why the original EEO legislation was enacted. There are numerous examples in teaching rendering this principal's conception not only theoretically wrong, but factually wrong. There is no instrument that I can see in the IPS legislation that will allow a stakeholder, to challenge this type of sexist decision-making unless the person feels aggrieved and raises it through one of the general grievance resolution fora within the Education Act, if they were EVEN AWARE they were denied equal opportunity.

Almost no one who is excluded from gaining such a position at an employing school, by virtue of private agenda beliefs about who is best suited to teach whom, is likely to complain formally because of possible repercussions to their career. The principal's advert for the position did not exclude women from applying specifically but only males were interviewed.

When I pointed out to Education Minister Constable in 2012, in writing, the possibility of the EEO Act being abused, her reply was that IPS staff selection panels had to abide by the EEO legislation. She made no mention of how, or if, this was monitored. I suggest it was not originally, and still is not.

I submit that your Committee of Review should look at the issue of potential and actual failure to comply with the EEO Act, 1984 and bring it to the attention of the Commissioner for Equal Opportunity or State Auditor-General. Such practices are happening. A recommendation for a monitoring process is clearly required because the compliance with EEO controls once guaranteed by the central teacher placement system no longer exist. I have not made a submission in respect of term of reference (c) but the enabling IPS legislation doesn't appear to have a substantive review or monitoring process for either subtle or blatant breaches of the EEO Act.

I have mentioned only one instance here but I know of others where elements of the Equal Employment Opportunity Act 1984 have arguably been breached in the appointment/selection of staff. The EO Commissioner doesn't appear to be the appropriate authority to turn to - it seems to exist to deal with adversaries engaged in dispute rather than jurisdictional oversight of the EEO Act.

Anthony Acciano

1 April, 2016