

CURRICULUM COUNCIL AMENDMENT BILL 2011

Introduction and First Reading

Bill introduced, on motion by **Dr E. Constable (Minister for Education)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

DR E. CONSTABLE (Churchlands — Minister for Education) [12.58 pm]: I move —

That the bill be now read a second time.

The Curriculum Council Amendment Bill 2011 amends the Curriculum Council Act 1997. The four main aims of the bill are: firstly, to replace the Curriculum Council with a statutory body known as the School Curriculum and Standards Authority; secondly, to provide the new authority with a board comprising individuals appointed for their collective expertise and knowledge of curriculum and educational standards, and reduce the potential conflict of interests inherent in the present governance arrangements; thirdly, to streamline the authority's functions by adapting some of the present functions of the Curriculum Council, together with new functions primarily related to the monitoring of standards of student achievement across the primary and secondary years of schooling; and, fourthly, to enable the new authority to prepare reports on the standards being achieved in schools.

The proposed new authority will have a seven-member board appointed by the minister. It is the government's intention that no member of the board should be concurrently involved with the governing body of a school or system of schools. The government will appoint eminent educators and relevant experts to the board. They will have the requisite qualifications, experience and expertise to serve the interests of students and the broader community.

Two statutory advisory committees to the board are to be established—these will be known as the Standards Committee and the Curriculum and Assessment Committee. The Standards Committee will have five members appointed by the board with the approval of the minister. One member of the board shall also be a member of the Standards Committee, and this person will be the committee's chairperson. The other four members will be appointed for their qualifications, experience and expertise in the development and measurement of standards of achievement. The Standards Committee is to be an expert committee on education standards, and the correct interpretation of student achievement results in relation to standards. This committee will be an important source of advice to the board in the preparation of reports on the standards being achieved across the state.

The Curriculum and Assessment Committee is to have 13 members, one of whom is also a member of the board and they will be the chairperson of the Curriculum and Assessment Committee. The other 12 members will be appointed for their qualifications, experience and expertise in the development and implementation of courses in schools, and the options for employment and further study available to students leaving secondary school. This committee will advise the board about what ought to be included in accredited courses and syllabuses and how student learning in them is best assessed.

As to the functions of the new authority, the functions currently appearing at sections 9 and 12 have, with some reformulation, been combined into a single section—namely, new section 9. In doing this, the intention has been to clearly state those regulatory functions of the authority and remove functions that more appropriately belong with the providers of school education. This will minimise any potential for regulatory duplication. Functions related to professional development will be removed from the current act. It is not appropriate for a regulator of the curriculum to be planning and providing professional development for those responsible to deliver the curriculum.

New functions introduced by this bill are included for a number of reasons. Firstly, there is the need to enable the authority to exercise its role as a standards body. Secondly, there is the need to accommodate the emergence of a national curriculum. A new function has been framed specifically for the purpose of recognising agreed arrangements between the state and the commonwealth under a Western Australia statute. Thirdly, there are new functions in the bill that make explicit provision for a number of approvals that are currently granted by the Curriculum Council, but which are not expressly provided for under the present act. One of these formalises the council's practice of "endorsing" courses that are not developed, accredited or assessed by the council itself, such as St John's first aid courses and Duke of Edinburgh Awards et cetera. Such courses nonetheless count for the purposes of secondary graduation, and the issuing of the Western Australian Certificate of Education. Fourthly, an additional new function will enable recognition of educational achievements already attained by students elsewhere in Australia or overseas, but who move to Western Australia to complete their schooling.

Another new function appearing in the bill enables the authority to admit students to Western Australian Certificate of Education examinations as “private candidates”; that is, candidates whose grades are calculated on exam marks alone, where there has been no school assessment.

An existing section—section 10—which requires all schools and home educators to provide schooling in accordance with the curriculum framework unless exempted from so doing is to be repealed for three main reasons. Firstly, in 1997 when the Curriculum Council Act was passed, the principal education legislation was the 1928 Education Act, which had no explicit provisions related to the curriculum of non-government schools other than requiring them to be “efficient”. Given the increase in the number of non-government schools since 1928—there were over 300 in 2010—there was a strong case in 1997 to establish some way to regulate their curriculum. The School Education Act, which was passed in 1999, has extensive regulatory provisions for non-government schools, including the ability to prescribe and set a standard for curriculum. Under section 67 of the same School Education Act, the curriculum for government schools is determined by the Director General, as it was under the 1928 act. In effect, since 2000 when the School Education Act commenced, schools have been subject to two layers of regulation when only one is required.

The second reason for repealing current section 10 of the act relates to Western Australia’s commitment to implement a national curriculum that cuts across the legislative requirement to implement a Western Australian curriculum framework. The third reason for repealing current section 10 of the act relates to the actual experience of those charged with the implementation of the curriculum framework since its inception. When this was reviewed by Professor David Andrich in 2009, he specifically recommended that section 10 of the Curriculum Council Act be removed.

One of the proposed new authority’s functions will be to prepare “an outline for curriculum and assessment in schools”. This is intended to be a descriptive statement of approved courses and the assessments of student achievement. It will in all likelihood resemble the current framework, but will not constrain the authority’s course development and approval in the manner that has been evident over the past decade and nor should it constrain school programs. This is consistent with one of Professor Andrich’s conclusions, which read as follows —

The framework is capable of a wide range of uses, from being in the background to being in the foreground. For those schools that find its general principles and related statements useful, it need not be jettisoned.

The bill proposes the introduction of provisions to enable the authority to prepare independent reports of the standards being achieved in Western Australian schools, based on the results of external assessments of student achievement. The authority will hold in its database the results of all assessments of student achievement it has made, caused to be made, or has recognised. These include the results of national and international tests. Results of other assessments conducted by schools of their own volition and for their own purposes will not form part of the authority’s database. In its preparation of any report on standards, the authority is to give relevant governing bodies of schools the opportunity to make submissions when the reports are in draft form. In addition, the authority may request governing bodies to provide specified information in relation to any matter referred to in a draft report. Taken together, these new provisions will ensure that students’ results on tests and examinations are interpreted by the authority in the context in which they were attained. It will be appreciated that if results are taken out of context, they can give rise to misunderstandings, and could cause damage to the good reputation of individual schools, teachers and students. The aim of this bill is to have reports prepared that are diagnostic, and serve the purpose of improvement of student achievement, when necessary.

The authority, through the accreditation of courses and the setting of external examinations and the requirements for certification and graduation, will retain its strong influence over what is taught in the final two years of schooling. For all other school students, the authority will have the power to accredit courses and will safeguard the results of tests conducted either directly by it or under nationally agreed arrangements. Through its power to accredit courses and support materials, tests and associated standards, the authority will ensure that education providers are clear about what schools ought to be teaching across those years. Schools, and school systems, will retain flexibility in how they go about teaching in pursuit of the standards articulated by the authority.

In conclusion, I assure members that this bill has considerable merit. I understand that my predecessor had worked on a bill with similar provisions, and I look forward to hearing the contributions of all members regarding this bill, in the context of bipartisan interest in ensuring the highest possible educational standards for our school students.

I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman**.