

**DEPARTMENT OF EDUCATION AND COMMUNITIES  
LEGISLATIVE COUNCIL INQUIRY INTO HOMESCHOOLING  
QUESTION ON NOTICE**

**QUESTION**

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Dr JOHN KAYE: Could you take on notice that the Committee be provided with the policy or at least the details of when somebody can access distance education and when they cannot? It is relevant to this inquiry because that is one issue raised by those who are homeschooling as an alternative.

**ANSWER**

A copy of the *Distance Education Enrolment Procedures 2014* is provided at **Attachment 1**.

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CHAIR: Can I add on to this, because this has come through in some of the representations. Some people who are homeschooling would like to connect their children for certain parts of the education process at local schools, for instance the local library or local sporting events. Would the department encourage that or is it discouraged? Given the fact that one of the major themes is socialisation of these children, why would we not encourage openness to that approach in homeschooling?

Mr LENNOX: I guess the current situation is that a student that is enrolled in homeschooling is not eligible in those circumstances. If there were to be a proposal to change that, it is a complex area with resourcing implications and a range of other implications.

CHAIR: Tell me what those complex situations are.

**ANSWER**

Children registered for home schooling accessing their local school for some activities would not be formally enrolled in a government school. Some of the complexities this would present include but are not limited to:

1. Duty of care.  
The school would owe a duty of care to the student. However with the student not enrolled in the school, it would be difficult to determine what school policies would be applicable to the student and the extent of authority of school principals and teachers regarding the student. For example, application of the department's student discipline policy and work health and safety policy amongst others.
2. Resourcing.  
School staffing is partially calculated on student numbers. The school's actual enrolments are used for the determination of teacher and school administrative and support staff (SASS) entitlements. The potential impact of homeschooling students accessing the school for some activities on resourcing and staffing levels is unclear and likely variable.
3. Support Needs  
The school is responsible to meet its obligations to all students under the Disability Standards for Education.

The school would need to identify, assess, plan and support any additional needs the student may have prior to entering the school site. A proportion of students registered for home schooling have a disability or additional learning and support needs.

#### 4. Maintaining a Safe School Environment

The Department has an obligation to ensure that, among other things, the systems of work and the working environment of its employees are safe. It is also required to obtain and use, as appropriate, information to ensure both the health and safety of its employees at work and of others who come onto Departmental sites.

Principals would be required to assess any risk a homeschooling student accessing the school site may present. Prior to access occurring, information that is relevant to a risk assessment would need to be gathered and assessed. The application of part 5A of the Education Act (1990) which deals management of health and safety risks posed to schools by a student's violent behaviour, to homeschooling students accessing the school site would likely be complex.

The issues would include:

- the need for the school to have authority to have access to all relevant health and safety information pertaining to the student,
- making informed decisions if the student was not under the supervision on a daily or regular basis by teachers in that they current have an understanding on skills and abilities of students based on their day to day involvement with them.
- the student may have a behaviour history that if not clearly provided by parents or carers the school would potentially be accepting the responsibility for the student without having all the required information which may place the student or others at risk.

#### 5. Curriculum Delivery

There is need to plan schooling around the effective delivery of curriculum to all students. The ability of homeschooling students to move in and out of the school setting may impact on school planning and the effective delivery of curriculum.

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The Hon. CATHERINE CUSACK: Following on from a question asked earlier by Dr Kaye about distance education, would you also be able to provide us with details of the postcodes of students who are enrolled in distance education and the numbers? It would be interesting to see, for example, how many students and from which postcodes?

**ANSWER**

The postcode enrolment data for full time distance education has been aggregated from post offices to postal exchanges due to the volume of data. This gives general areas of enrolment across NSW and the ACT. The data is for full time students only and does not capture single subject provision or students travelling overseas or within Australia.

Data is not available from North East Public School of Distance Education (Port Macquarie).

Data for Broken Hill School of the Air was not collected, however their enrolment profile can be assumed as homogeneous and is considered as Far West NSW.

A breakdown of available data for students enrolled in distance education by mail delivery centres follows.

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**Students Accessing Distance Education by Mail Delivery Centre**

<b>Districts and Towns</b>	<b>Mail Centre</b>	<b>Students</b>
Sydney	ALEXANDRIA DF	46
Northern Rivers	ALSTONVILLE DC	9
New England	ARMIDALE DC	14
Northern Rivers	BALLINA DC	31
South Coast	BATEMANS BAY DC	16
Central West	BATHURST DC	27
South Eastern NSW	BEGA DELIVERY	6
Illawarra	BELLAMBI DC	26
South Western Sydney	BOWRAL DC	3
South Western Sydney and Southern Highlands	BOWRAL DC	27
Far West, Menindee, White Cliffs	BROKEN HILL DC	22
Beelbangera, Queanbeyan, Darlington Point, Tumbarrumba,		
Coolamon, Berridale, Adelong, Barmedman, Batlow, Berrigan		
and ACT	CANBERRA DC	81
Greta, Cessnock and Hunter	CESSNOCK DC	27
Central Coast	CHARMHAVEN DC	37
Far West	COBAR DC	10
Mid North Coast	COFFS HARBOUR DC	39
Far South Coast, Eden, Bombala, Nimmitabel, Delegate	COOMA DELIVERY	13
Central West/North West	COONABARABRAN DELIVERY	2
South West Slopes	COOTAMUNDRA DELIVERY	4
Central West, Coonamble, Nyngan, Condobolin, Lightning		
Ridge, Ivanhoe, Coolah, Walgett	Country West DC	55
Central West Cowra Surrounds	COWRA DC	4
Central West, Wongarbron, Gilgandra, Mendooran	DUBBO DC	56
Hunter Region	EDGEWORTH DC	48
Central West	FORBES DELIVERY	4
Mid North Coast	FORSTER DC	17
Sydney North	FRENCHS FOREST DF	69
Northern Tablelands	GLEN INNES DELIVERY	18
Southern Tablelands	GOULBURN DC	14

<b>Districts and Towns</b>	<b>Mail Centre</b>	<b>Students</b>
Northern Rivers	GRAFTON DC	28
Central West	GRENFELL DELIVERY	1
Riverina	GRIFFITH DC	4
Northern Tablelands	GUNNEDAH DC	4
Riverina, Hillston, Jerilderie, Hay	HAY DELIVERY	7
Sydney North	HORNSBY DC	31
Hunter Region including Gloucester, Cassilis, Bulahdelah, Port Stephens, Gresford, Nahiab, Dungog, Denman, Sandy Hollow	Hunter DC	35
South Western Sydney	INGLEBURN DF	106
Northern Tablelands	INVERELL DC	36
Snowy River	JINDABYNE DELIVERY	12
Riverina	JUNEE DELIVERY	6
Mid North Coast	KEMPSEY DC	16
South Coast	KIAMA DC	1
Sydney South	KINGSGROVE DF	7
Sydney South	KIRRAWEE DC	17
Western Sydney	LAKEMBA DC	20
Mid North Coast	LAURIETON DELIVERY	1
Riverina	LAVINGTON DC	11
Riverina	LEETON DELIVERY	1
Western Sydney	LEIGHTONFIELD DF	54
Central Coast	LISAROW DELIVERY FACILITY	47
Mid North Coast	LISMORE DC	60
Central West	LITHGOW DC	9
Lord Howe Island	LORD HOWE ISLAND LPO	2
North Coast	MACKSVILLE DELIVERY	2
South Coast	MERIMBULA DELIVERY	6
Hunter Region	METFORD DC	56
Moree and Mungindi	MOREE DELIVERY	17
Hunter	MORISSET DC	5
Central West	MUDGEES DC	9
Far North NSW	MURWILLUMBAH DC	18
North Coast	NAMBUCCA HEADS DELIVERY	5
North Western NSW	NARRABRI DELIVERY	4
Riverina	NARRANDERA DELIVERY	1
Central West	NARROMINE DELIVERY	7
Western Sydney	NEPEAN DF	118
Northern Rivers, Northern Tableland and North West Slopes	North Coast	117
Sydney North	NORTH RYDE DC	26
South Coast	NOWRA DC	35

<b>Districts and Towns</b>	<b>Mail Centre</b>	<b>Students</b>
North Western NSW including Bourke and Brewarrina	NSW Country West	48
Illawarra	OAK FLATS DC	24
Central West	ORANGE DC	34
Central West	PARKES DELIVERY	18
Sydney South	PEAKHURST DC	7
Mid North Coast	PORT MACQUARIE DC	14
Sydney North	PYMBLE DC	8
Queanbeyan	QUEANBEYAN DC	8
Northern Tablelands	QUIRINDI DELIVERY	1
Mid North Coast	RALEIGH DELIVERY	4
Sydney South	ROCKDALE DC	16
Mid North Coast	SAWTELL DC	15
Western Sydney	SEVEN HILLS DF	60
Hunter Region	SINGLETON DC	5
Northern Sydney	ST LEONARDS DF	19
Sydney	STRATHFIELD DC	30
Northern Tablelands	TAMWORTH DC	23
Mid North Coast	TAREE DC	36
Sydney South	TAREN POINT DC	14
Hunter Region	TAYLORS BEACH DC	14
Riverina	TEMORA DELIVERY	6
Northern Tablelands	TENTERFIELD DELIVERY	6
Central Coast	TERRIGAL DC	45
South West Slopes	TUMUT DELIVERY	8
Northern Rivers	TWEED HEADS SOUTH DC	28
South Coast	ULLADULLA DC	29
Balranald, Goodnight Moulamein and Tocomwal	Victoria Far Country DC	7
Riverina	WAGGA WAGGA DC	16
Northern Tablelands	WALCHA DELIVERY	3
Newcastle	WARABROOK DELIVERY FACILITY	12
Sydney	WATERLOO DF	38
Mid North Coast	WAUCHOPE DELIVERY	13
Central West	WELLINGTON DELIVERY	5
Illawarra	WOLLONGONG DC	27
North Coast	YAMBA DELIVERY	4
Southern Tablelands	YASS DELIVERY	4
South West Slopes Harden	YOUNG DELIVERY	6
	<b>TOTAL</b>	<b>2322</b>

**Postcode data not available for:**

Broken Hill School of the Air	142
North East Public School of Distance Education	191
Students temporally residing overseas or travelling within Australia	110



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The Hon. CATHERINE CUSACK: How are you enforcing compulsory schooling in relation to homeschooling and have you ever taken any actions in relation to that?

Mr WATERHOUSE: It depends on what you mean in relation to homeschooling. If someone is—

The Hon. CATHERINE CUSACK: Registered.

Mr LENNOX: —registered for homeschooling there is no reason to take action.

The Hon. CATHERINE CUSACK: But how are you enforcing it? They might be registered but it might not be happening.

Mr WATERHOUSE: That is a question for the Board of Studies as to its monitoring.

The Hon. CATHERINE CUSACK: No, I am asking you because you are responsible for compulsory schooling.

Mr WATERHOUSE: A person who is registered by the Board of Studies as a homeschooler is meeting their compulsory schooling obligation.

The Hon. CATHERINE CUSACK: How do you know?

Mr WATERHOUSE: That is by definition. One of the two elements of the definition I read out under section 22 is that you are either enrolled and attend a government school or you are registered as a homeschooler. If you are registered you are compliant with the Act. We do not go behind that in terms of regulation.

The Hon. CATHERINE CUSACK: The regulation assumes that you are being educated. There is no way of questioning whether or not you are being educated?

Mr WATERHOUSE: From a regulatory point of view, no. But the way of examining it is that the Board of Studies has a responsibility of determining whether they should or should not be registered under its criteria.

The Hon. CATHERINE CUSACK: So you would rely on the Board of Studies to deregister them if the board felt they were not being educated? Is that how it would work?

Mr WATERHOUSE: Correct.

Mr LENNOX: As I indicated earlier, if the board indicates that it has refused registration then we follow that up at the local level with our home school liaison team to make sure—

The Hon. CATHERINE CUSACK: Have you taken action in those cases?

Mr LENNOX: I indicated earlier that there are some matters in which we have taken action.

The Hon. CATHERINE CUSACK: Can you take that question on notice and get back to us with the details?

Mr WATERHOUSE: In 2013, 79 matters and in 2014, 54 matters have been referred to home school liaison officers. Of those, in 2013 six were referred to the Children's Court in relation to the process I outlined earlier and four in 2014 so far. Of those going to the Local Court, two have gone to the Local Court and four in the current year have gone to the Local Court—

The Hon. CATHERINE CUSACK: But are those cases registered for homeschooling?

Mr WATERHOUSE: Those are cases of people who are not meeting the compulsory schooling requirements. So they are not registered for homeschooling, they are not enrolled.

The Hon. CATHERINE CUSACK: I am only interested in the subset registered for homeschooling. They are the statistics I am asking you about.

Mr WATERHOUSE: There are no people who are registered for homeschooling who are prosecuted or taken to the court because they are meeting the requirements of compulsory schooling.

## **ANSWER**

These questions relate to students deregistered from home schooling by the Board of Studies, Teaching and Educational Standards (BOSTES) and are answered in the supplementary questions.