



Education &
Communities

Public Schools NSW

Ms Rebecca Maine
Principal Council Officer
Parliament House
Macquarie Street
SYDNEY NSW 2000

MT12/271

Dear Ms Maine

I write in response to your letter of 25 February 2012, regarding the inquiry into the Education Amendment (Ethics Classes Repeal) Bill 2011.

Please find enclosed a copy the Department of Education and Communities' response to the Questions on Notice: Inquiry into Education Amendment (Ethics Classes Repeal) Bill 2011.

Should you require further information please contact me on (02) 9561 8059 or by email at Cheryl.best@det.nsw.edu.au.

Yours sincerely

A handwritten signature in black ink that reads 'Cheryl Best'.

Cheryl Best
General Manager, Learning and Development
19 March 2012

GENERAL PURPOSE STANDING COMMITTEE NO. 2

Inquiry into the Education Amendment (Ethics Classes Repeal) Bill 2011

SUPPLEMENTARY QUESTIONS

QUESTIONS FROM THE REV HON FRED NILE

- 1. How many NSW students attend SRE or attend SEE?**
- 2. How many NSW students do not attend SRE or SEE?**

Enrolment data captures the number of students that are identified as a particular faith or non-faith group on the enrolment form. This information is aggregated at the state level but does not reflect the choices that parents and caregivers make post enrolment. The number of students who attend SRE or attend SEE classes varies on an ongoing basis.

According to the available data for 2012:

- For students enrolled Kindergarten to Year 6, 321 670 students (74.2%) identify with a religion, 107 684 students (24.8%) identify with no religion while the parents/caregivers of a further 4056 students (0.9%) elected to withhold information concerning the student's religion.
- For students enrolled in Years 5 and 6, 95 723 students (80.7%) identify with a religion, 22 578 students (19.0%) identify with no religion while the parents/caregivers of a further 317 students (0.3%) elected to withhold information concerning the student's religion.
- Ethics classes are currently offered to students in Years 5 and or 6 in 166 government schools. Approximately 3,528 students (2.9%) in Years 5 and 6 are currently participating in ethics classes.

The Department does not record the number of students who attend SRE, SEE or non-scripture classes. To provide this information would require every public school in NSW to be individually surveyed and the data to be manually entered and collated. Owing to the scale of this exercise the current timeframe is prohibitive for capturing and collating this data.

It could be assumed that students whose parents have indicated 'no religion' would generally be involved in non-scripture classes, except where ethics classes are available for students in Years 5 and 6 and parents have indicated a desire for them to attend.

3. What provision is made for those students not attending SRE or SEE?

Individual schools determine arrangements for students not attending SRE or SEE. Principals will consider the number of students, the availability of suitable space and

supervision in determining these arrangements. The Department's *Religious Education Implementation Guidelines* provide advice regarding the nature of activity that students may participate in.

The *Religious Education Implementation Guidelines* state on page 3, point 3.11:

Schools are to provide appropriate care and supervision at school for students not attending SRE. This may involve students in other activities such as completing homework, reading and private study.

Note: The *Education Amendment (Ethics) Act 2010* was enacted in 2010 and supersedes the *Religious Education Implementation Guidelines*. New draft Religious Education Policy and accompanying guidelines are prepared and pending the outcome of the inquiry.

4. What application forms are used by schools for the purpose of SRE or SEE?

Parents must fill out an *Application to enrol in a NSW Government School* form to enrol their child at a public school. This form can be viewed at:
<http://www.schools.nsw.edu.au/media/downloads/gotoschool/enrolment/detsef.pdf>.

Page 8 of the enrolment form asks for the student's religion. It stipulates if none, to respond 'no religion'.

Enrolment information is used to allocate students to scripture classes. Where a religion is offered in a school, students identifying with the religion on their enrolment form are automatically placed in that class. Parents/caregivers have the option of contacting the school and electing to enrol their child into another scripture class or alternatively a non-scripture class.

Students identifying with no religion on their enrolment form are automatically placed in a non-scripture class and provided with alternative activities. Parents/caregivers have the option of contacting the school and electing to enrol their child in a scripture class of their choice.

As articulated on page 3 of the *Religious Education Implementation Guidelines*, point 3.7, parents should be made aware at enrolment of the nature of special religious education including what faith groups provide special religious education and what alternative activities will be offered for students not attending special religious education.

Point 3.8 states that parents are to be advised annually of the organisation of special religious education classes and what faith groups will be providing classes for that year. Some schools have chosen to use the sample letter previously provided by the then Curriculum Support Directorate to annually inform parents and offer the

opportunity to withdraw or move their child to another class¹. This is no longer on the website. A new version has been developed with the draft guidelines.

5. Is the Department planning to pay SEE teachers?

The Department has no intention to pay for Special Ethics in Education or Special Religious Education teachers.

Primary Ethics are responsible for the training and engagement of volunteers to deliver the ethics program.

UNCORRECTED TRANSCRIPT

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...are there any bodies in the community like the St James Ethics Centre that could have been approached to prepare a pilot scheme? Was there any investigation of that?.....

For something like this would there not be a tender process? Would it not be put out into the community that we were considering doing this and any bodies, even academic bodies, could draft a proposed ethics curriculum? Are you aware whether anything like that was done?

There was no tender process for the development of the SEE course because no services were being purchased by government. Government tendering guidelines apply to the purchase or procurement of services, not to the voluntary provision of services. The Department accepts expressions of interest from religious and other organisations who express interest in delivering a program in the time set aside for the delivery of SRE. The Department has in place an approvals process to determine the suitability of applications received.

The former Premier, the Hon Nathan Rees announced the approval of the trial on 25 November 2009 at Rozelle Public School.

The approach to teach ethics as an alternative to SRE was made by the St James Ethics Centre. The Department has not investigated whether or not there are similar community bodies to the St James Ethics centre and has not contacted SRE providers to request they prepare a pilot program for delivery in a public school.

It is the intention to provide other organisations with the opportunity to offer ethics programs alongside those provided by Primary Ethics. The process for applying to be authorised to provide ethics classes in NSW public schools is under development.

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¹ Note that this form is part of the Religious Education Implementation Guidelines. A new sample letter that includes ethics, where appropriate, has been developed with the New draft Religious Education Policy and accompanying guidelines.

...I am getting the vibe that there seems to be some issues as to whether these materials are fully available. Could take on notice what the circumstances are of all of these curriculum materials being available to members of the public, whether there is copyright, whether there is copyright the department has sought permission for these materials which after all are being taught to our children in schools, and that they are readily available?

The curriculum is the property of authoring organisation/provider and as such, questions regarding copyright and availability should be referred to them.

The Department's *Religious Education Implementation Guidelines* page 3, section 3.16 states:

The school is not responsible for and should not disseminate details of lesson content for SRE, but may indicate the name and method of contacting the approved provider or their local representative.

These guidelines are taken to apply to the Special Ethics Education curriculum.

Further information about the availability of curriculum resources is provided in the Department's reply to the question on p. 43 of the transcript, p. 8 of this response.

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....the Anglican Education Submission states: It is regrettable that the new Religious Education Policy and the Implementation Guidelines (which we understood were substantially complete by the end of August 2011) have not yet been promulgated on the Department's website. Is that something you can comment about or take on notice?...

The Department has revised the *Religious Education Policy* and developed new procedures for ethics. Approval of the draft policy and procedures is pending the outcome of this Parliamentary Inquiry.

In the interim information has been provided to regions, schools and principals. A network of regional contacts has been established to support schools in each region in implementing both special religious education and ethics.

...What is the anecdotal feedback you are getting from principals about the program?...

The Department has collected the following anecdotal comments:

"We have 34 students in ethics classes. We have 3 volunteers who have been trained and deliver the program. The program has been well received by our parent community who are keen to see ethics classes offered to the younger years. Prior to the introduction of Special Ethics Education classes I received many complaints from parents concerned about the lack of options during scripture time. Before starting Special Ethics Education classes the school held a meeting with coordinators and representatives from both Special Ethics Education and Special Religious Education programs. Parents/carers were also invited to attend this meeting. This provided a forum for parents/carers to find out about both programs and to ask questions. As a community we agreed that both programs aligned with our school vision and value statements. The number of students participating in non-scripture classes is now insignificant in Years 5 and 6 but much higher in Years K-4."

Principal, North Newtown Public School

"At Enfield PS we have found the Ethics classes to be engaging and well run. The content is stimulating for the children, and the teacher well prepared and motivated. We find them to be a welcome addition to options able to be offered to students at our school."

Principal, Enfield Public School

"We have a class of 19 students attending ethics from Years 5 and 6, once a week. There is an increased management and supervision load on teaching staff due to a couple of issues. There is no adequate way on ERN to manage student enrolment into ethics. Our understanding is that students opt out of scripture and then are able to choose ethics and this is difficult to maintain as a record. The ethics providers have found this hard to understand and have perhaps felt we are not as helpful as we could be."

Principal, Cronulla South Public School

"Last year an ethics class was established at my school. This was instigated from a brief discussion at a P&C meeting. It was followed up by an article written by a parent in the school newsletter. The school staff including myself was not consulted about whether we supported this Special Religious Education time initiative. I support the parent community and will support what the Department of Education

and Community and school believes is in the best interest of our students. I do suggest that within teacher instruction time throughout a student's week that several aspects related to ethics are adequately addressed. This is represented not only through reaction but through the Department of Education and Communities' core values, our welfare policies and civics program. Our teachers are professionals in educating students and adhere to our Department of Education and Communities Code of Conduct to deliver the right messages. We are very fortunate that our students have been presented to the school by the local community with the foundations of moral principles which is built upon as they develop. I have not to date received any negative or positive feedback about the ethics class."

Principal, Normanhurst West PS

"A group within our parent community were very eager to have ethics classes commence at Crestwood Public School. The coordinator and volunteer teacher both trained in the implementation of the lessons. Ethics is offered to our Year 5 and Year 6 students. Approximately 30 students currently attend these classes. Student feedback is that they enjoy the classes and they do group work to share their opinions on hypothetical scenarios. Students also have to provide justification/ reasons for their responses to a situation. Ethics is seen as a good option for those not in a designated scripture group as you are involved in a set lesson during this time.

A handful of students have moved from a scripture class to attend ethics classes (however this is not so unusual as we have a number of students who change their scripture group from year to year, just to become informed of other religions), others have tried ethics and then went back to a designated scripture class - no real trend. The ethics coordinator is hoping to extend classes to Stage 2 (Year 3/4) this year, however, the issue in doing so at our school is the availability of space and rooms where these lessons can take place as all rooms are currently taken by SRE and non-scripture classes."

Principal, Crestwood PS

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Is it correct that the Parents and Citizens (P&C) requested the department to provide supplementary staffing for ethics classes? If that is correct, have you considered that request?

The Department has no record of receiving such a request from the P&C.

The proposal for the teaching of ethics as an alternative to SRE was for it to be delivered under the same conditions as SRE; that is by volunteers.

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...you are telling me that the department does not have in its possession material from any of the special religious education [SRE] providers?...so you will follow up for us at which other materials, when they were provided, were (they?) vaguely provided on a request from the Department, or were they provided as a voluntary matter from their providers, and whether they were provided with the understanding that the material would not be published or handed on to other individuals or organisations?..

In November 2011 the Department sent a letter to approved providers of SRE advising that as part of the revised policy and procedures they were required to provide online access to their curriculum and/or curriculum outline.

There are currently 120 organisations listed on the approved provider list. Of these organisations 63 organisations have fulfilled the curriculum outline requirements and a number of smaller organisations have contacted the Department to inform that they are working on it.

The requirement to provide a link to curriculum or a curriculum outline is a new requirement. Hence this year is an interim year. The 57 organisations that have not provided this information will be contacted to determine if the Department can assist.

The St James Ethics centre has provided the Department with a copy of the ethics curriculum.

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...So that standard of governance on special religious education therefore is lower than the standard of governance imposed on special education in ethics [SEE] by the policy which gave you those four dot points? For example, you require there to be a coordinator which you do not require for SRE. SRE can be negotiated locally, is that correct?...Whereas SEE cannot be negotiated locally, it has to be negotiated via a coordinator?...

Special education in ethics is an alternative for students who do not attend special religious education. For this reason the time is not negotiated with the principal, rather it is provided at the same time as negotiated for special religious education.

Ethics Coordinators are responsible for liaison between the parents in a school community, ethics teachers, the principal of a primary school and Primary Ethics. Primary Ethics have determined that at this point in time ethics coordinators cannot also teach ethics classes and that ethics classes cannot be offered in a school where the coordinator's position is vacant.

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..”appropriate teaching spaces’. What advice are you giving principals for the situation where Special Ethics Education wants to run a class of 20 students and the local Baptists want to run a class of 20 students and there is only one classroom left? Who gets precedence? How do they resolve that? It was said before that rooming should not be a problem. I beg to differ with that. I think if you spoke to teachers they would say quite often their schools are operating at capacity...

Special religious education classes and ethics classes are both entitled to be offered at the same time. The school is responsible for making the necessary arrangements to allow this to occur. If there is legitimately an issue with finding appropriate teaching space principals are advised to discuss possible arrangements with the SRE providers and with the coordinator for SEE to determine an equitable allocation of teaching spaces.