

Supplementary Questions

1. **On the 2013 Information Package for Home Schooling, why was the Sydney Home Education Network (SHEN) removed as a support contact for home educators, with no notification or consultation?**

In NSW, there is a large and diverse range of home schooling networks or support groups. Sydney Home Education Network (SHEN) is one such network. For more than 3,000 NSW home schoolers there is no predominant representative stakeholder.

Some networks or support groups are based on a geographical area, such as SHEN which states that it supports home schooling families in Sydney and surrounding areas. Others are faith based or have a religious focus. Some have no cost associated for belonging. Others provide materials and support at cost. Many parents choose to associate with one or more network or support group.

Some examples of the diverse range of networks or support groups are listed below in Table 1. All of these groups are readily accessed via the internet.

Table 1: Some of the home schooling groups in NSW	
Sydney Home Education Network	Hunter Home Educators
Imam's Home-school	Shire Education Group
Home School at ITS	Blue Mountains Home Education Network
Homeschooling with ACE	Home Education Network
Aussie Educator	Global Village School
Byron Bay Unschooling and Natural learners	Conscious Parenting
Albury-Wodonga Homeschooling Support Group	Homeschooling Support Program
HSLDA	Australian Home School Network
The Educating Parent	Homeschooling Downunder
Australian Home Education Advisory Service	Home Education Support and Action Group
Home Learn	Muslim Home Education Network Australia
Australian Christian Home Schooling	Southeast Home Education
Catholic Homeschool Australia	Illawarra Homeschooling Group

The Home Education Association ('the HEA') also lists over sixty home schooling support contacts across NSW on its website.

Whilst Authorised Persons frequently provide suggestions to parents about local support groups, the BOSTES does not recommend or endorse any particular home schooling network or support group by way of publication. Further, the BOSTES does not have any assurance of the quality, professional ethics or otherwise about any of these groups.

When the 2011 Information Package for home schooling was updated in 2013, there was a concern that listing some networks and not others might be perceived as the BOSTES endorsing, prioritising, recommending or 'privileging' particular networks over other networks.

In 2013, the BOSTES decided to retain details of the HEA in the Information Package acknowledging that at the time of publication it was widely considered to be a peak organisation and recognising that it published on its website the details of other support groups.

2. How many Authorised Persons (AP) in respect of home schooling registration are employed by BOSTES (full time equivalent)?

The *Education Act 1990* ('the Education Act') defines an Authorised Person as a Board Inspector or a person appointed by the Minister, or the Minister's delegate, for that purpose.

The BOSTES currently employs 16 Board Inspectors and three Senior Registration Officers. BOSTES Inspectors are Authorised Persons by definition under the Education Act. The three Senior Registration Officers have all been appointed as Authorised Persons under the Education Act. The Board Inspectors and three Senior Registration Officers are permanent roles which work across various programs within the BOSTES including, to varying degrees, home schooling registration.

The BOSTES also employs 18 Authorised Persons based in regional location across NSW. These regionally based Authorised Persons are employed on a casual basis, that is, when there are applications to be assessed. The regionally based Authorised Persons undertake most of the BOSTES' assessments for home schooling registration.

Based on an estimate of the time in 2013-14 that Board Inspectors and Senior Registration Officers worked as Authorised Persons and the time regionally based Authorised Persons spend in assessing applications, the total FTE is 11.34.

3. What is the total annual cost to BOSTES for the previous financial year of providing registration services for home schoolers? Please break this down between salaries for APs, other salaries, and other costs.

For the 2013-14 financial year, the provision of home schooling services is estimated to cost \$1.5 million.

Table 2 below provides a breakdown of this figure to indicate payments for regionally based Authorised Persons (casual roles), a portion of the salaries for Board Inspectors and Senior Registration officers who work as Authorised Persons (permanent roles), other staff salaries and other operating costs. Other staff salaries include costs related to management and administration. Other operating costs are for the most part travel expenses and minor administrative costs.

Table 2: Total expenses - home schooling program – 2013-2014

	\$000s
Authorised Persons payments (casual roles)	600
Authorised Persons salaries (permanent roles)	231
Other salaries	727
Total salaries and payments	1,558
Other costs	37
TOTAL EXPENSES	1,595

4. What was the total amount of revenue collected in fees and other charges from the issuing of home schooling registration in the previous financial year?

The BOSTES does not collect any revenue from the issuing of home schooling registration certificates.

The Education Act does not provide for charging fees to be registered for home schooling.

5. **A number of submissions from home schoolers have complained that the Board requires students to be educated at their chronological age, rather than at their ability levels. Please respond to this assertion, both in the case of students who appear to be learning at below their age and those who have demonstrated an apparent ability to learn above their age cohorts.**

The requirements for home schooling registration are detailed in Part 2 of the BOSTES' *Registration for Home Schooling in NSW – Information Package* ('the Information Package') as published in August 2013. A copy of the Information Package was attached at Tab 1 of the BOSTES' submission to the Inquiry.

The requirements in Part 2 of the Information package do not state that students are to be educated at their chronological age.

The requirements state that the educational program is to be suitable to cater for the identified needs of the child. This requirement did not change from the 2011 Information package to the 2013 Information Package.

2011 Information Package	2013 Information Package
"the educational program is suitable to cater for the identified learning needs of the child"	"the educational program is suitable to cater for the identified learning needs of the child"

The requirements also state that the educational program is to be based on and taught in accordance with the relevant BOSTES syllabuses. This requirement was also stated in the 2011 Information Package and did not change with the 2013 Information Package.

2011 Information Package	2013 Information Package
"the educational program is based on and taught in accordance with the relevant Board of Studies syllabuses"	"the educational program is based on, and taught in accordance with, the relevant Board of Studies syllabuses"

The BOSTES syllabuses are not structured or based on chronological age. They are structured around stages of learning that correspond to Years of schooling as per the following:

- Stage 1 – Kindergarten to Year 2
- Stage 2 – Years 3 and 4
- Stage 3 – Years 5 and 6
- Stage 4 – Years 7 and 8
- Stage 5 – Years 9 and 10
- Stage 6 – Years 11 and 12

The rationale, aim, objectives and content of the BOSTES' syllabuses have been designed to accommodate teaching approaches that support the learning needs of all students, including those who appear to be achieving ahead of, or behind, expectations.

The stage statements and continuum of learning can help to identify the starting point for teaching every student, including those with special needs. The syllabuses are designed so that most students with special needs will participate fully in learning experiences based on the regular syllabus outcomes and content. For students with particular learning needs, teachers or parents may provide additional support or adjustments to teaching, learning and assessment activities to address the identified needs.

Following the publication of the updated Information Package in 2013 and in response to some views expressed by some home schooling parents that they were now required to teach according their child's age, the BOSTES published additional information in the form of Questions and Answers. The aim of publishing the Questions and Answers was to provide clarification and address any misunderstanding. A copy of the Questions and Answers was attached at Tab 3 of the BOSTES' submission to the Inquiry.

In particular, the following Questions and Answers are relevant to the incorrect assertion that the BOSTES requires students to be educated at their chronological age.

Q8 Can I develop a program to meet my child's individual learning needs?

Yes. It is expected that in planning an educational program, a parent will consider his or her child's individual learning needs and will incorporate specific learning activities and content to address those needs.

Q6 Can I select the content for my child's educational program?

Yes. The updated Information package continues to provide for a home schooling parent to choose content that is relevant to the child's learning needs. This may be syllabus content, content developed by the parent or content drawn from a range of other resources.

Q10 Do I have to seek approval when working above the Years of schooling recorded on my child's certificate of registration?

The additional information in the Information Package means that it is only if a parent is seeking to change the Years of schooling on a child's certificate that the parent needs to notify the Home Schooling Unit. (Note: A certificate may record 'primary' or 'secondary' education.)

Home schoolers may recall that Years of schooling was only added to registration certificates when the minimum school leaving age was increased in 2010.

Parents can continue to extend their child's learning or to assist a child with learning difficulties.

Parents do not need to seek approval to select content, learning activities and resources that are relevant to the educational program that has been developed to address the child's individual learning needs. Parents do not need to seek approval to adjust an educational program, for example by providing extension work, spending more time on a topic, repeating an activity or progressing towards learning a new skill.

Addressing the individual learning needs of a child is part of home schooling. It is also part of meeting the registration requirement for the educational program to be suitable for the identified learning needs of the child.

- 6. A number of submissions from home schoolers have complained that the imposition of the Board's syllabuses reduces flexibility in education delivery, especially for parents who follow the eclectic or unschooling (or so-called natural learning) approaches. One submission referred to the "importance of flexible, life-embedded and project based learning". Please respond to this assertion.**

The requirements for home schooling registration are detailed in Part 2 of the Information Package as published in August 2013.

The requirements stated in Part 2 of the 2011 Information Package did not require or preclude the use of any particular approach. The requirements stated in Part 2 of the 2013 Information Package do not require or preclude the use of any particular approach.

The requirements state that the educational program is to be based on and taught in accordance with the relevant BOSTES syllabuses. This requirement was also stated in the 2011 Information Package and did not change with the 2013 Information Package.

2011 Information Package	2013 Information Package
"the educational program is based on and taught in accordance with the relevant Board of Studies syllabuses"	"the educational program is based on, and taught in accordance with, the relevant Board of Studies syllabuses"

The publication of the updated Information Package in 2013 did not place any additional imposition on parents.

Whilst meeting the requirement stated in Part 2 of the 2011 and 2013 Information Packages, parents were, and remain, free to approach home schooling in any way they choose so long as it can demonstrated that the child's educational program is based on and taught in accordance with the BOSTES' syllabuses.

Following the publication of the updated Information Package in 2013 and in response to the view expressed by some home schooling parents that their flexibility in education delivery was reduced, the BOSTES published additional information in the form of Questions and Answers. The aim of publishing the Questions and Answers was to provide clarification and address any misunderstanding.

In particular, the following Question and Answer is relevant to the assertion that the 2013 Information Package reduced the flexibility parents have in delivery of education.

Q3 Does the updated Information package mean that the unique nature of home education is no longer recognised?

No. The unique nature of education in the home and the commitment, energy and time home schooling parents give to educate their children continue to be recognised. The diverse range of strategies, philosophies and approaches parents have for educating their children also continue to be recognised and valued.

The Information package does not prescribe any particular approach to home schooling, nor does it preclude any particular approach.

A number of home schooling submissions continue to assert that schools with a Steiner or Montessori approach, or schools with students undertaking the International Baccalaureate are not required to provide courses based on and taught in accordance with BOSTES syllabuses. This assertion is also incorrect.

All schools, and home schoolers, regardless of philosophy or approach must comply with the Education Act in relation to the curriculum.

All Steiner, Montessori and International Baccalaureate schools provide courses based on and taught in accordance with the BOSTES syllabuses. Such schools may integrate the delivery of the BOSTES syllabuses within their preferred delivery approach or may provide additional learning opportunities, if required to ensure delivery of the BOSTES syllabuses.

The BOSTES syllabuses contain sufficient flexibility for all types of non-government schools, including Steiner, Montessori, International Baccalaureate and varying faith based schools, including Christian, Jewish and Islamic, to satisfy the requirements of the Education Act. This flexibility with delivery approach is also provided to home schooling parents according to their preferences.

7. When an AP visits a home schooling site, what steps does the AP take to identify child protection issues?

Authorised Persons are mandatory reporters under the *Children and Young Persons (Care and Protection) Act 1998* ('the Care and Protection Act'). Mandatory reporters have a legislated obligation to report to Family and Community Services ('Community Services') if they suspect a child or young person is at risk of significant harm in relation to the safety, welfare or wellbeing of the child or young person.

The BOSTES informs and routinely reminds Authorised Persons about their legal obligations in relation to mandatory reporting including the matters that constitute risk of significant harm, the NSW Government's online mandatory reporter guide which assists mandatory reporters identify whether a concern meets the threshold of 'significant concern' and the process for making a report.

The BOSTES' *Registration for Home Schooling – Authorised Persons Handbook* ('the AP Handbook') states the Authorised Persons' obligations in relation to mandatory reporting and this topic is a regular feature of professional learning sessions for Authorised Persons. The AP Handbook also states that the child to be registered is expected to be present during the assessment by home visit. A copy of the AP Handbook was attached at Tab 6 of the BOSTES submission to the Inquiry. This was then explicitly referenced in the Information Package as recommended by the NSW Ombudsman.

Obligations in relation to mandatory reporting are not new to the BOSTES' Authorised Persons who are highly professional and experienced senior educators with many previously holding a position as Principal of a government or registered non-government school. All Authorised Persons come to the BOSTES with a history of training and exposure to mandatory reporting and a pre-existing knowledge and awareness of child protection matters.

The legislated obligations of Authorised Persons are no different to any other mandatory reporter. However, meeting this obligation is particularly critical for Authorised Persons given that an Authorised Person's visit occurs in a child's home, a context that is not readily accessible to most other mandatory reporters and that, for some home schooled children, there may be little or no other contact with an adult subject to mandatory reporting obligations.

8. Does the Board have data in the number of child welfare reporting events involving home schoolers that have been reported by an AP. If so, please provide.

Under the Care and Protection Act, the BOSTES' Authorised Persons are mandatory reporters. Mandatory reporters have a legislated obligation to report to Community Services if they suspect a child is at risk of significant harm.

The BOSTES' Authorised Persons advise the BOSTES if they make a mandatory report to Community Services.

The question from the Select Committee regarding the number of 'child welfare reporting' events is taken to mean the number of mandatory reports. On that basis, Table 3 provides an overview of the number of mandatory reports made by Authorised Persons from 2010 up to 30 June 2014. More details about the reports are provided at **Annexure 1**.

Note: Chapter 16A of the Care and Protection Act provides for the exchange of information with regard to the safety, welfare or well-being of a child or young person. Data in relation to the number of exchanges of information is addressed in question 4 of Tab B - Questions on Notice. The exchange of information is a separate legislated process to mandatory reporting.

Table 3: Number of mandatory reports made by Authorised Persons per year	
Year	Number of children and families
2010	Nil
2011	2 children from 2 families
2012	6 children from 5 families
2013	12 children from 6 families
2014 (at 30 June)	8 children from 5 families

9. What importance does the Board place on learning in a collaborative environment? What are the impacts of extremely small class sizes on learning outcomes?

Collaborative learning environment

A collaborative learning environment is not one of the requirements for home schooling registration.

The BOSTES' Authorised Persons find that many home schooling parents provide opportunities for collaborative learning both in the home, particularly if there are siblings being home schooled, and out of the home in learning activities that are designed to supplement the home schooling program and/or learning activities that are part of the broader education of the child.

The BOSTES' syllabuses provide for flexibility in delivery approach and may be delivered in the context of a highly collaborative learning environment or to a child learning on his or her own.

Class sizes

Generally, some research appears to suggest that small class sizes may have a positive impact on student learning for some students. Also noted by researchers is the interrelationship between varying factors on student learning such as class size, teaching approach and/or social disadvantage. In particular, recent research suggests that the quality of the teacher is the key determinant of students' learning outcomes.

The BOSTES is not aware of research regarding the impact of *extremely* small class sizes on student learning outcomes.

10. What percentage of applicants indicate their child is currently the subject of a court order?

Table 4 on page 11 provides the percentage of applications received each year from 2010 up to 30 June 2014 where the applicant identified that the child was the subject of a court order.

Table 4: Percentage of applications identifying that child is the subject of a court order per year				
2010	2011	2012	2013	2014 (at 30 June)
0.79%	0.45%	1.15%	2.34%	2.09%

Table 5 provides the percentage of children registered for home schooling who are the subject of a court order as at 31 December for 2010, 2011, 2012 and 2013 and as at 30 June 2014.

Table 5: Percentage of children registered for home schooling who are the subject of a court order per year				
2010 (at 31 December)	2011 (at 31 December)	2012 (at 31 December)	2013 (at 31 December)	2014 (at 30 June)
0.53%	0.59%	0.90%	1.36%	1.63%

11. What percentage of applicants indicate their child is a state ward?

Table 6 provides the percentage of applications received each year from 2010 up to 30 June 2014 where the applicant identified that the child is a state ward.

Table 6: Percentage of applications identifying that child is a state ward per year				
2010	2011	2012	2013	2014 (at 30 June)
0.1%	0.05%	0.15%	0.14%	0.32%

Table 7 provides the percentage of children registered for home schooling at 31 December 2010, 2011, 2012 and 2013 and at 30 June 2014 who have been identified as state wards.

Table 7: Percentage of children registered for home schooling who are identified as state wards per year				
2010 (at 31 December)	2011 (at 31 December)	2012 (at 31 December)	2013 (at 31 December)	2014 (at 30 June)
0.04%	0.07%	0.1%	0.19%	0.26%

12. What percentage indicate their child is of Aboriginal or Torres Strait origin?

The BOSTES commenced collecting data on children of Aboriginal or Torres Strait origin from August 2013.

From August 2013 to 30 June 2014, 4.35% of applications identified that the child is of Aboriginal or Torres Strait origin.

13. What opportunities do registered home schooling families have to provide customer feedback to the Board of Studies? What feedback has been given, how is it assessed, what are key issues and how has BOS responded?

Opportunities for feedback

Each year, the BOSTES assesses around 3,000 applications for home schooling registration. Each of these assessments provides an opportunity for parents to provide direct feedback to the Authorised Person. Following an assessment, many parents correspond with the Authorised Person or the BOSTES to provide additional feedback.

During 2010 to 2013, as the current new BOSTES syllabuses were being developed, the BOSTES provided an online means for any person, including home schooling parents as consumers of the syllabuses, to provide feedback for consideration.

The BOSTES' website publishes contact details for the Home Schooling Unit and parents frequently make contact by telephone, facsimile and email to ask questions and provide feedback.

Feedback from customers, including home schooling parents, is considered in terms of emerging issues, common themes and areas for improvement. Feedback is sometimes provided to the Minister's office, community forums and from Members of Parliament, and there are processes in place to direct this back to the BOSTES. Where relevant, feedback is considered by Authorised Persons for training purposes.

Assessment of feedback and key issues

Since the publication of the 2013 Information Package, the BOSTES has received a large volume of correspondence raising issues with the Information Package and the BOSTES' processes. Such issues and concerns have been represented to the Inquiry in submissions and during the hearings from various home school groups and parents.

Whilst this correspondence raising concerns represents some of the feedback given to the BOSTES it does not reflect the totality and diversity of feedback received by the BOSTES. For example, more frequently than not, parents express to Authorised Persons their satisfaction with the registration process and, in many cases, thankfulness for the flexibility and helpfulness of the Authorised Person. Of note is that, anecdotally, Authorised Persons are receiving feedback from home schooling parents who express frustration and disagreement with some of the views currently being vocalised by some home schooling groups.

The diversity and varying views about home schooling registration expressed to the BOSTES demonstrate that home schoolers are not a single group in terms of views, needs, capability, skills, philosophies, faith and so on. Each home schooling family reflects the uniqueness of each family's personal life and, it appears, that no one group or association is representative of that uniqueness and diversity.

Whether feedback is provided verbally or in writing to the BOSTES, it is considered according to its merit and acted upon accordingly.

The positive feedback from parents from a first-hand experience of the BOSTES' registration process is affirming and suggests a high level of general satisfaction for people seeking initial and/or renewal of home schooling registration.

In considering the concerns and issues that have been raised in relation to the 2013 Information Package, the BOSTES has identified areas where improvement can be made. These areas have been informed by whether the feedback has been first-hand, verifiable, accurate and/or realistic within the current legislation and the responsibilities and budget of the BOSTES.

Some of the actions taken since concern was first raised by some home schoolers when the Information Package was updated in 2013 include:

- reviewing all correspondence to identify areas of misunderstanding and areas where clarification would be helpful and publish these as Questions and Answers on the BOSTES website
- advising Authorised Persons of the issues and concerns during training sessions
- offering to meet with home schooling groups, offers which continue to be declined
- commencing the development of a curriculum support package for home schoolers in response to the concerns that have been raised
- planning for an updated Information Package to incorporate areas of misunderstanding and provide clarification in response to the concerns that have been raised

- planning to provide an online process for home schoolers to provide feedback to the BOSTES about home schooling at any time
- reviewing whether the BOSTES might publish a list of home schooling support groups in a way that would be clear that the groups are not endorsed or recommended by the BOSTES.

The efficacy of these actions and plans would be significantly assisted by the establishment of a more formal consultative structure as discussed during evidence provided to the Committee.

14. How many families/students were deregistered from home schooling each year for the past five years? Was the department advised and what action if any resulted?

During the period from 2010 up to 30 June 2014, the BOSTES cancelled the home schooling registration of three children. In 2012, the registration of two children from the same family was cancelled and in 2014, the registration of one child was cancelled.

In all cases of registration being cancelled, the BOSTES advised the Department of Education and Communities ('the DEC') of the cancelled registration at the time the registration was cancelled.

The BOSTES has been advised by the DEC that all three children were enrolled at a government or registered non-government school following the cancellation of home schooling registration.

15. In relation to governance and funding, can you please advise:

- (i) **income and expenditure on home schooling regulation, policy and administration in the past five years (financial)**
- (ii) **current staffing allocation**
- (iii) **reporting arrangements and responsibilities**
- (iv) **relevant internal Committees that consider and advise on home schooling issues**
- (v) **role and opportunities for Members of the Board to consider and approve Home Schooling policy and administration?**

- (i) Income and expenditure

The home schooling program does not generate any income for the BOSTES as explained in the response to Question 4..

The estimated expenditure on home schooling regulation, policy and administration is set out below in Table 8.

Table 8: Expenditure – home schooling program for past five financial years

	\$000s	\$000s	\$000s	\$000s	\$000s
Expenditure	2013/14	2012/13	2011/12	2010/11	2009/10
Authorised Persons payments (casual roles)	600	510	360	332	344
Authorised Persons salaries (permanent roles)	231	254	127	62	56
Other salaries	727	522	339	245	232
Total salaries and payments	1,558	1,286	826	639	632
Other costs	37	38	26	31	36
TOTAL EXPENSES	1,595	1,324	852	670	668

(ii) Current staffing allocation

The BOSTES staffing allocation for the home schooling program is estimated to be \$1.6 million.

(iii) Reporting arrangements and responsibilities

Authorised Persons report to a BOSTES Inspector or, in the case of BOSTES Inspectors in their capacity as Authorised Persons, to the Director, School Registration and Accreditation Standards. The Director reports to the Executive Director, Regulation and Governance/Registrar of Schools. The Executive Director reports to the BOSTES President as agency head. The BOSTES President reports to the Minister.

Authorised Persons assess and make recommendations in relation to applications for home schooling registration. The Director is responsible for the day to day management of the home schooling program. The Executive Director exercises the Minister's delegations in relation to home schooling.

(iv) Internal committees

There are no internal BOSTES committees that have a role in relation to home schooling given the very specific requirements of the relevant legislation when compared to government and non-government school sectors. The administration of home schooling is governed by the arrangements described at point (iii) above.

(v) Role and opportunities for members of the Board

As explained in pages 2 and 3 of the BOSTES' submission to the Inquiry, the Minister's functions have been delegated to BOSTES officers. The Board does not have a role in the administration of the home schooling program.

16. Refusal of an application due to court orders (eg family court orders, where one parent does not consent to home schooling) – how does BOSTES find out about court orders? What other information is accessed during the assessment with regard to court orders and child protection considerations?

Court orders

The BOSTES requires applicants to disclose if there are court orders in force for children for whom home schooling registration has been sought. This is required because it is a relevant consideration if a child is subject to a court order.

Frequently, such orders require joint decisions in relation to the education of the children. In such cases, it would be unlawful for the BOSTES to register a child for home schooling in the absence of contemporaneous evidence of the consent of both parents.

The BOSTES' application forms for initial and renewal of home schooling registration contain the following question:

Is the child the subject of a court order? Yes ☐ No ☐
(If yes, please attach a copy of the current court order with this application.)

If a court order is provided, the BOSTES has regard to the provisions made for the child during the assessment of an application for home schooling registration.

Child protection considerations

Information received by the BOSTES concerning a child protection matter is considered on a case by case basis.

Any particular information is considered and acted upon according to the legislative obligations of the BOSTES in relation to mandatory reporting, where relevant, and/or the exchange of information, where relevant, including either the provision or request of information with another agency.

Also considered is the relevance of the information in terms of whether the information raises concern about compliance with the requirements for home schooling registration for a registered home schooler. If there is concern about whether or not the requirements are being complied with, the BOSTES investigates to assess whether there is evidence demonstrating compliance with the requirements.