

**Submission  
No 128**

## **INQUIRY INTO HOME SCHOOLING**

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Beverley Paine

## NSW LEGISLATIVE COUNCIL HOME SCHOOLING INQUIRY

Thank you for the opportunity to present a submission to this Inquiry, I deeply appreciate being able to participate in this democratic and consultative process.

My name is Beverley Paine. I began home educating my three children in 1985 and since 1989 have been a volunteer home education advocate, activist, consultant and author. My experience and familiarity with home education is extensive: I began the first South Australian home education support network *SA Home Based Learners*; have coordinated group activities, excursions and camps; produced newsletters; organised and been a keynote speaker at home education information sessions, seminars, TAFE workshops, educational expos, and state and national conferences; authored several books and booklets on home education; and began and continue to manage several online homeschooling and unschooling forums and websites. I am a Life Member of the national Home Education Association and served on the Committee between 2007 to 2011. During this time I was also the Editor of their newsletter and produced the association's magazine *Stepping Stones for Home Educators*. A resident of South Australia, I am keenly interested and involved in promoting and supporting the practice of home education nationally. Over 3,000 copies of my book *Getting Started with Home Schooling, Practical Considerations for Parents of School-Age Children* have been sold, dozens to libraries across Australia.

My submission wishes to focus mainly on the term of reference "(a) the background of home schooling **including comparison** of practices with other jurisdictions" in particular South Australia,

drawing attention to how the various revisions of the regulations within NSW over time has given rise to an instable and unworkable situation that no longer acknowledges the essential differences between home and school-based education and thus unfairly penalizes NSW home educating families, creating unnecessary stress and confusion, as well as inappropriate and poorly considered demands on the management of the education programs they develop for their children.

## THE NATURE OF HOME EDUCATION

I feel privileged to have spent 25 years helping to educate families and anyone interested about the nature of home education and why it is essentially different to school-based education.

The term home education is a misnomer. Education doesn't solely take place within the home: it occurs within a broad and complex social and physical environment that encompasses and embraces the rich diversity of Australian society. A nonetheless significant aspect of our children's education, the word 'home' in home education can be more aptly interpreted as 'home base'. Authentic engagement within the community on a daily basis is a cornerstone of home education practice. It is what home educators call 'real' life: 'real' activities for 'real' and meaningful purposes, within the context of 'real' everyday life. This can be contrasted against the contrived activities within the artificial environment of the classroom which imitates 'real' life situations and applications to help students learn the lessons needed to become engaged in 'real' life when they grow up and become an adult. Living in the 'real' environment, home educated children naturally encounter authentic situations and informally learn many of those 'lessons' children are taught at school: an active, constructive, productive, busy and rich life, full of opportunities at every turn becomes the 'curriculum' and this is complemented by targeted tutoring as deemed necessary by the child or parent to meet the developmental and educational requirements and standards society expects.

## CHANGES IN NSW REGULATORY PROCEDURE

As an observer of the very many different regulatory processes for home education registration within Australia and how they have changed over almost three decades, I am particularly distressed at the changes, together with the gradual effect on the direction and emphasis these

changes have produced, that are now at the heart of the Board of Studies, Teaching and Educational Standards (BOSTES) home education policy.

Approximately two years ago, continuing and prospective home education families began seeking my advice about issues they were encountering when applying for home education registration or renewal of their certificates. I continued, as I'd done in the past, to refer them to the comprehensive *Registration for Home Schooling in NSW - Information Pack*, downloadable from the Board of Studies website. Over the next year many families wrote to me indicating they were being asked by Approved Persons during the home visit interview to comply with requirements not outlined in the 2011 revision of the *Information Pack*. I re-read the *Pack* and had to agree, the demands that were being made of them exceeded and in some instances even contradicted the information provided in the *Pack*, which was all these families had to go on when planning and producing their applications. Understandably this was giving rise to considerable confusion and distress at what is normally and naturally a stressful period for beginning and continuing home education families.

Reflecting on the information shared by families in personal communication as well as on my online support forums it became evident that while some families were continuing to be assessed by Authorised Persons (APs) according to the information in the available (2011) *Information Pack*, others were being asked to provide considerably more information than previously required, including new demands to report in greater detail and in particular, notation of specific outcomes from within the NSW syllabus their children had attained. At the same time families who had been previously granted the maximum 2 years renewal were, without explanation provided as required by regulation, only given a 6 or 12 month renewal period of registration.

Disturbed, I contacted the Home Education Association (HEA) and was reassured by the Committee that the association had been advised by the BOSTES that the confusion prevalent in the home education community was due to the 'minor edits' being made in the 2011 *Information Pack* resulting from changes caused by the incorporation of the new Australian Curriculum into the NSW Syllabus and the issue would resolve once the new revision was published.

Although accepting that some confusion was due to the implementation of the new Syllabus, it was also evident from the complaints I'd received, there were also considerable changes in AP procedure regarding home visits and the assessment of home education applications and renewals. In early 2013 I pressed the HEA to investigate further, asking that a meeting with BOSTES and representatives of the association be arranged as soon as possible. In previous years the Home Education Association had experienced a productive and cooperative relationship with the Board of Studies and the association assumed the information provided in communications to it from BOSTES in late 2012 and early 2013 were accurate.

By early 2013 I was in contact with several extremely distressed families who believed their ability to provide a home education environment and program appropriate and tailored to their children's individual needs would be impossible to implement in NSW and had decided to relocate interstate. This was as a result of the way they had been treated during their application process. And it was beginning to create a ripple effect: families considering home education for the first time were beginning to become anxious about registering and those who were financially and otherwise in a position to do so were seriously considering moving interstate. The respect NSW had previously gained as an 'okay' state in which to home educate, together with the respect and trust the BOSTES had earned as a body that understood the nature of home education and which welcomed and encouraged consultation with home educators, was being seriously eroded: sadly I'd go so far as to say that for the majority of home education families, not only in NSW but across Australia, it no longer exists.

What disturbed me greatly was the fact that without doubt some APs were already implementing changes in procedure which was contrary to the information provided to families inquiring about home education by BOSTES. These families felt they were being misled, and this continued for a period of approximately 18 months until the *Information Pack* was replaced by the new revision mid-way through 2013. This misleading information, together with a definite change in how some but not all APs were conducting and processing interviews, despite claims that nothing had changed, made my job as volunteer consultant and advisor extremely difficult, and I'm sure the Home Education Association and other support groups and networks felt the same level of confusion and distress. I felt betrayed because I had, in good faith, encouraged families to use the information on the BOSTES website, believing it to

be up-to-date. In fact, as late as early 2013 I had sought and received assurances from the BOSTES that it was indeed, up-to-date.

## COMPARISON TO SOUTH AUSTRALIAN HOME EDUCATION REGULATION

My personal experience of home education regulation is within South Australia.

Information about home education and how to apply for exemption from attending school is available to the public on the Department of Education and Child Development (DECS): website <http://www.decd.sa.gov.au/speced2/pages/default/homeeducation/?reFlag=1>.

Other than this brief publicly available information home education is not promoted by the Department: it is not mentioned in the Education Act and it is hard to find a mention of it on the official application form ED175, the application for exemption from attending school which families must use when applying for home education registration. Legislation in South Australia requires that all children of compulsory school age be enrolled and attending school unless an exemption has been granted. Home education falls under the category 'other' on the form and is only mentioned in the small print as an option on the reverse side. In the DECS document *Attendance Requirement Regulations SA* home education is given scant mention: "Procedures for the processing of applications for home schooling are available from the Director, School and Regional Operations" (delegated by the Minister to assess and approve applications). School principals are able to approve temporary exemptions up to a period of one month. Home education is barely given any attention by the Department and the lack of adequate resourcing for the assessment and approval of home education was highlighted by Department documents sourced South Australian MLC Robert Brokenshire in an article dated October 28, 2013 *The Advertiser*, "Just two full-time staff for 999 students as home-schooling numbers soar in South Australia". In addition, although the exemption from attending school provision within the Education Act means that home education is a legitimate option, it is generally discouraged by teaching and other staff employed by DECS with most unfamiliar or ignorant of the Department's procedures for home education registration.

Contrast this to the comprehensiveness of the detailed *Information Pack* provided by the Board of Studies in NSW. Until recently I applauded the provision of what I considered to be a supportive and welcome approach to home education in NSW. That is, until the direction and intention of the content of the *Information Pack* began to gradually and systematically change, culminating in the most recent revision in 2013. What was described as 'minor edits' last year is actually a considerable shift in culture away from an understanding of the nature of home education.

In South Australia it has been my extensive experience that once families have made contact with the Home Education Project Officer the application process is usually quick and efficient and conducted in an unbiased and objective manner, which is to my way of thinking is both pleasant and welcome given the obvious conflict of interest that arises when an authority responsible for the provision of government (public) schooling is responsible for providing approval for what is essentially the provision of private education. In South Australia parents wishing to home educate contact the Home Education Office of the Department and paperwork, including ED175 and a set of forms that can be used (if desired) to outline a summary of the proposed learning program and other requested information, are sent to the family. The application process, described by one home educator as "simple and easy to comply with", usually takes 3-4 weeks to complete, from initial contact with the Department to approval or rejection: "I filled in a two page form with very simple and relevant questions... after posting it back they called me about two weeks later to come out, have a quick chat and look around and I received the approval letter a week after that."

Until recently this was also my experience of the registration process in NSW, although the bodies responsible for the assessment and approval of home education programs are considerably different. In South Australia it is the Department of Education and Child Development, which oversees the provision of public education (government schooling), and the Education and Early Childhood Services Registration and Standards Board (EECSRSB) is responsible for the regulation and provision of private education. In NSW the Board of Studies, Teaching and Educational Standards (BOSTES) is responsible for both the governance of public and private education. The assessment and approval task within BOSTES has been overseen by the Board of

Studies (BOS), whose main role and focus (according to the BOS website) is the development and implementation of curriculum, assessment of student achievement and registration and accreditation of non-government schools. The NSW Education Department is not responsible for home education provision, although its truancy officers are confusingly (to the home education community) called Home School Liaison Officers.

Until recently, because of the obvious conflict of interest stated above, South Australia home education registration was considered by many in the home educating community outside of South Australia to be inherently problematic. However, the sudden emphasis on assessing home educating parents in NSW against what appears to be standards required of private and public schools and teachers (who are responsible for other people's children and accountable to the tax payers who fund them, unlike home education parents who are responsible for their own children and receive no funding at all) reveals a worrying misunderstanding of the essential difference of the nature of home education (outlined briefly in the opening section of this submission) and school-based education.

It needs to be noted too, that the turn-around time for applications by the BOSTES is up to 3 months (source: *Approved Persons Handbook*). Why is it that South Australia can process applications within 3 weeks and NSW need 3 months?

I am left wondering if the fact that home education in South Australia, due to the wording of the Education Act, means it falls under the responsibility of public education and this has inadvertently over time cultivated a more sensible and practical understanding of the nature of home education. I am suggesting that this culture could be the end result of an incredibly stable approach to the assessment and approval process which, due to the nature of the exemption provision within the Education Act, has had little need to change. I further suggest that this stability has possibly given rise to a growing confidence and trust in the efficacy and success of home education garnered from years of experience within the DECS School and Regional Operations office. For decades little has changed in the procedure employed by DECS staff overseeing home education and during this time families have complied with and successfully home educated in South Australia. Indeed the paperwork sent out is almost the same as it was when I last completed it in the 1990s. This indicates, to me, a highly successful and efficient

process, with naturally ends up benefitting both the Department and home educating families in time and energy efficiency and resources.

Contrast this with the many revisions of the NSW *Home Education Information Pack* over the years (1998 creation of the guidelines for home educators, revisions made in 2004, 2006, 2010, 2011, 2013), including a major review of home education legislation in the Education Act in 2004. A comparison of the revisions of the *Information Pack* reveals many changes in regards to defining the curriculum requirements placed on home education families both before and after the change in Legislation in 2004. The allowance of Foundation Statements to be used in preparing an educational program in 2006 was obviously deemed appropriate and suitable for many years by assessing APs and the Board of Studies as providing quality education to home educating students (indeed, registrations during this period based on the Foundation Statements were renewed for the maximum 2 years). There has been no legislative changes in the Part detailing home education provision, thus no real basis for changes or for clarification or for an increase of regulation since 2006.

Consider this: there would undoubtedly be many more instances of successful transitioning from home education to tertiary education or employment of home educating students in NSW than in SA, simply based on the larger numbers of registrations occurring each year in that state. The Board of Studies would be aware of these successful incidences of home education which occurred under pre-2013 guidelines and in accordance with their policies and regulations. The frequent tinkering and change endemic to NSW begs the question: why change what is obviously working? Surely the succession of home education 'graduates' in NSW should have created a similar culture of confidence in home education as a viable alternative to school-based education? What is driving the need for increased scrutiny of home education programs, students, and their learning environments and the insistence of more restrictive and controlling assessment and approval procedures?

#### PLANNING AND REPORTING REQUIREMENTS: EMPHASIS ON CURRICULUM

While the registration process is similar in many ways to that of NSW, there is no requirement in the South Australian Education Act or Regulations or Conditions for home education families

to adhere to the state curriculum framework (equivalent to NSW Syllabus) or Australian Curriculum. Under 'Conditions' on the publicly available information on its website DECS states "The home education choice is exercised with the full knowledge of parental responsibilities in relation to the provision of a suitable education program, resources, learning environment and opportunities for social interaction." Policy goes on to describe "a suitable program" as one which "addresses the eight areas of learning". No further elaboration or direction is given, including any reference to the state or national curriculum.

It is only when parents receive the *Information for Applicants* after contacting the Home Education Project Officer, Schools and Regional Operations, at DECS that mention of specific curricula is made indirectly: "Schools within South Australia are required to plan, develop and implement education programs that align with the Australian Curriculum (AC), although parents may prefer to refer to the South Australian Curriculum and Standards and Accountability (SACSA) Framework for the areas of the Australian Curriculum which is yet to be completed when planning their Home Education programs." Adherence to a particular curriculum is not prescribed but suggested. The information then goes on to offer advice on the nature of "successful home education programs" indicating they are "planned to align with the AC utilizing a range of resources" and "have clearly identified learning outcomes".

The flexibility of educational programming provided by South Australian legislation, regulation and policy contrasts sharply to the increasingly rigid way the BOSTES interprets the legislation and regulation governing home education registration in NSW. In South Australia the information provided to families notes what works well in schools and suggests following a similar pattern of planning: in NSW the BOSTES has moved from an understanding of the nature of home education contained in previous revisions of the *Information Pack* to now requiring families to adopt a structured and state syllabus focused 'school-at-home' style of home education based on a classroom approach to education, casting the role of parent as teacher, akin in nature to perhaps to distance education teachers, which they are clearly not, and home education programs are not the same as distance education programs. Home education programs are truly personalised learning programs based on the individual child's learning needs and work best when considerable flexibility is built into the learning plans to allow for maximizing of learning opportunities as they arise. And given the nature of the home

education learning environment – “the world is our classroom” – the number and range of those opportunities is considerable!

It is not considered necessary or desirable by the regulatory authority in South Australia, nor is required, to report to particular year level outcomes in each curriculum subject, as it is within the 2013 *Information Pack*. Although the Q&A published on the BOSTES website amends the information to allow parents to use the Foundation Statements (as before) this is contradicted by the information contained within the *Pack* – again, causing confusion for home education families trying to comply with the regulations.

#### SUMMARY

I observe a cultural difference emerging between how the NSW and SA officers within the regulatory bodies see the main responsibility of their role: it is my experience gleaned from talking to hundreds of families over many years that in South Australia the focus on promoting the education and social well being of the children, with Home Education Officers seeing their role as one which facilitates the best outcomes for children and thus are open to working with parents to encourage them in their role as facilitators of learning opportunities for their children. In contrast, NSW Approved Persons are increasingly required to interpret their role as one of regulation and assessment of the proposed learning program and environment, with a focus on ensuring adherence to the state syllabus and achievement of curriculum outcomes. Approved Persons are discouraged from offering advice, support or encouragement. They do not regard themselves in any way as being in partnership with the parents to help achieve better outcomes for the children: they apply the regulatory process as if home educating parents are seeking to establish a school – which they are not, they are merely seeking to continue the educational and developmental role, responsibility and expectations society required of them before their children reached compulsory school age, in same hands-on, full-time responsible manner.

The regulatory regime in South Australia acknowledges that parents are the child’s first educators and recognise the value interested and committed parents invest in the education of their children. This is the cultural basis officers within the South Australian Department work from when considering applications and renewals for home education. Their attitude is one that

recognises parents as partners across the educational system; they are encouraging of parents taking on increased roles and responsibility in education, evidenced and summarized by this statement by a South Australian parent: "Great, friendly, supportive and relaxed process which allows me as a parent and educator to exert my energies and focus on what's most important – better care, support and education of my children in a relaxed environment which allows them to learn best and excel." One parent reported that despite having met 5 different Officers over the years she had "never felt threatened or judged at any of the interviews ... [they] have shown true interest in our homeschooling and our children".

The home visit usually lasts about one hour: "the DECD representative comes to your home and over a friendly cuppa looks over your forms, has a social chat to the children and they share with her some of their work from the year. It is a pleasant experience in which questions and information are shared." The interview in the home is generally seen as supportive, with information provided about the Australian Curriculum and home education resources and groups: "I felt that the reviewers both believed that: home schooling was a good alternative to school and that their job was to support us as parents (as well as making sure the children being well looked after)." Parents reported being encouraged to participate in community learning programs such as the Premier's Reading Challenge. In addition, extensive information about support networks within the South Australia home education community is provided as is a brief resource directory listing curriculum and educational suppliers.

The role of NSW Approved Persons is specifically described in the Authorised Persons Handbook as not being "a mentoring or consultative role" and that information about BOS educational support materials and "other helpful advice" must be within the context of "assessment of the application based on the documentary evidence provided by the applicant". My experience of the early versions of the *Information Pack* was that it was helpful, encouraging, packed with useful information that would guide the home educator and help them achieve success in their home learning environment. This gradual change in emphasis from information and support to assessment I've witnessed and which has been reported to me over the past couple of years can be described as objective at best but by many NSW home educating

parents in the past couple of years as either actively discouraging or openly suspicious of their intent and desire to home educate.

It is difficult to understand why there should be so much difference between the regulatory provisions and emerging cultural and attitudinal difference towards home education across Australia.

After decades of successful home education practice in each jurisdiction, documented by the registration and exemption from attending school processes, it should be obvious that for the majority of situations home education is not only viable as an educational alternative but successful. There is a growing body of literature produced by academic researchers available providing valuable information about the nature and efficacy of home education, some of it by government agencies: a comprehensive summary of Australian research on home education has been compiled by academic Glenda Jackson and can be found here:

<http://theeducatingparent.com/articles/SUMMARY%20OF%20AUSTRALIAN%20RESEARCH%20ON%20HOME%20EDUCATION-2014.pdf>. I encourage members of the Inquiry

Committee to peruse the contents and become familiar with the nature of home education. Home educators are not competing with public or private schooling, we are adding to the vibrant mix of educational opportunity and expertise within the wider community.

In addition, home education saves the Australian tax payer millions of dollars each year. A couple of years ago Ian Townsend produced a documentary for Background Briefing (ABC Radio National) estimating the number of home educated students in Australia to be approximately 50,000. Given a modest estimated cost of putting each of these children through public schooling of about \$5000 a year (it was \$4000 for my children for my local school in the 1990s), that's a cool quarter of a billion dollars of saved government expenditure! Home educators receive no funding at all from the tax payers' wallets. Yet we achieve educational and development success for our children and I am sure that other submissions will provide considerable detail on the nature and extent of these successes. Home education is okay, it's not a threat to national security or to society, the economy or families, it's not even undermining the school system. It's an option a minority of families find convenient or necessary and adds greatly

to the democratic mix of educational choices available in Australia.

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