

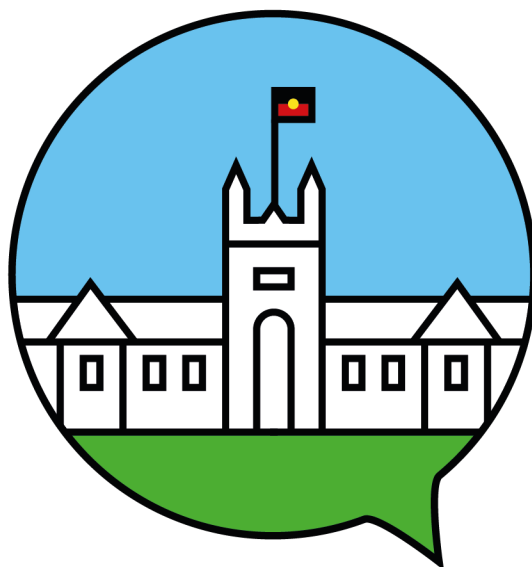
**Submission  
No 61**

**INQUIRY INTO EDUCATION LEGISLATION  
AMENDMENT (PARENTAL RIGHTS) BILL 2020**

**Organisation:** Students' Representative Council of the University of Sydney

**Date Received:** 2 March 2021

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University of Sydney Students' Representative Council  
Submission to:

**Inquiry into the Education Legislation Amendment  
(Parental Rights Bill) 2020**

February 2021



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***Inquiry into the Education Legislation Amendment (Parental Rights Bill) 2020, Submission by the University of Sydney Students' Representative Council (SRC).***

We write to represent the 37,000 undergraduate students of the University of Sydney, at least 2000 of whom are studying Education. We take gratitude in the opportunity to write to the Parliament of New South Wales on their behalf.

One of the core roles of the SRC is student advocacy. It is therefore our representation of education students that would cause us to voice concerns raised by the Bill – more specifically, its proposed amendments to the *Teachers Accreditation Act 2004 No 65* and to the *Education Standards Authority Act 2013*.

Through this submission, we outline these concerns and how they have the power to have a directly negative impact on students studying Education degrees. Ultimately, the consistent concern voiced throughout this submission is the proposal that teachers must reject truths around diverse genders and sexualities in order to continue practicing in their profession, and the adverse impact this could have on individuals, as well as the threat that it poses to the role of teachers in schools.

If any part of this document requires further clarification, please reach out by post or email.

Yours Sincerely,

**Roisin Murphy**  
Vice President  
93<sup>rd</sup> SRC

**Priya Gupta**  
General Secretary  
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**Cole Scott-Curwood**  
General Executive  
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## Section One: Amendments to the *Teachers Accreditation Act 2004 No 65.*

The proposal to amend this legislation is of deep concern.

A key part of the Australian education system is that the people who make up both the teaching and non-teaching workforce are of diverse backgrounds, identities and experiences.

The suggestion in *The Act* that teachers in training should not be able to teach gender fluidity as a “condition of their accreditation” is of the utmost concern. We believe that this piece of legislation severely lacks nuance. In the first instance, we believe this because it is already clear that gender diversity is not enshrined in the school curriculum, nor is it a common aspect of the curriculum of individual schools. On almost all occasions, when gender diversity is discussed between teacher and student, it is in the context of a student seeking out support, informational, emotional, and otherwise. To prevent a teacher supporting a student in distress is to prevent them doing their job. **We cannot expect students to wait until Mum or Dad get home from work to access support and information.** Moreover, to enshrine in education training a limit on what support teachers can offer students will cause immeasurable distress to teachers, particularly those who are queer or gender diverse themselves.

For many queer and gender diverse individuals, teachers are a uniquely safe space to disclose information about themselves which they need support for. Many students do not have a safe and supportive home to discuss such matters in, and given that students often spend more time with their teachers at school than they do with their parents, it is natural and common for students to rely on teachers, councillors, pastoral, and other non-teaching staff for a range of support measures. To strip this away will strip away the wellbeing of countless students. It will cost the wellbeing, too, of the teachers who are placed in a position of helplessness – **stripped of the ability to do their job.**

Moreover, the SRC has a holistic issue with the stance *The Act* takes, that teachers cannot teach gender fluidity because they cannot have a role in the development of a child's values, as parental supremacy is maintained throughout. In reality, the freedom to discuss gender fluidity does not result in a certain set of values being forced onto students, but allows school staff to play a support and educational role beyond the curriculum. Allowing staff to provide emotional support to students who are questioning or in distress saves lives. To suggest otherwise ignores the fact that children in schools do face these issues.

Beyond perspectives of duty of care, diverse genders and sexualities exist in many higher-level secondary school texts. To strip away the opportunity to teach these and address the subject matter which already appears in assigned texts, would begin a dangerous path of stripping away academic freedoms. *The Act* is particularly worthy of concern, as it would create a precedent where there is none to disallow entire topics to be banned from discussion in schools. While there are currently restrictions and guidelines which attempt to ensure that teachers are being non-discriminatory, nothing so invasive currently exists and is a concerning proposition.

Teachers, for many students, are a safe place to go when nowhere else is. Amending the *Teachers Accreditation Act* will take that away.



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## **Section Two: Amendments to the *Education Standards Authority Act 2013*.**

The proposed amendments to the *Education Standards Authority Act 2013* further voices our concerns regarding teachers potential inability to perform vital acts of their duties. Further, it creates concern for the wellbeing of teachers in its potential to fuel an incredibly hostile environment.

We are deeply concerned about the implications of amending this legislation.

On an administrative level, we of course raise concerns surrounding the administrative ability of NESAs to focus on this issue, which presumably would require a significant amount of scrutiny, whilst continuing to function as an education standards body.

However, our key concerns rest in the wellbeing of teachers who will be forced to have their work continuously scrutinised and, in many cases, their personal identity. It is well accepted that privacy is a basic right of any worker. To force teachers into an environment verging on surveillance is something which will have incredibly negative impacts. This is particularly the case in the role of school counsellors; the emotional support they give to students with diverse sexualities and genders is immense. To strip them of the ability to do so and create anxiety around the way they practice their duty of care would limit the ability of perform the crux of their role for a large number of students.

Dr Victoria Rawlings from the Education faculty at the University of Sydney provided the SRC with her concerns on the issue as follows:

*"In brief, my thoughts are that this legislation attempts to erase the lives and livelihoods of trans and gender diverse people. It suggests that gender diversity is 'dogmatic' ideology, rather than what it is- a true, lived experience for people in our communities. Schools are already difficult places for young people that are not heterosexual or cisgender, and this legislation seeks to make that experience worse. There is no question that trans people exist, but it seems that some wish to erase this simple fact from our school systems. In reality, nuanced and complex discussions about gender diversity make school environments and the spaces outside their walls safer, better and more expansive than they are without."*

**- Dr Victoria Rawlings, BEd(Hons), PhD (Sydney), Lecturer, ARC DECRA Fellow,  
the University of Sydney**



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## **Summary.**

Ultimately, the ability for teachers and non-teaching staff in schools to support students is paramount. To ask teachers to reject truths around diverse sexualities and genders in order to support students, and in order to become teachers, would strip away an incredibly important part of the education system, and threaten the wellbeing of not only students, but of teachers as well. It would also impact the composition of the education system, where queer and gender diverse teachers are less likely to become accredited as teachers if such impositions are posed.