

Annual Conference 2014

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1. HARMONISATION OF THE NSWTF AND AEU NSW BRANCH RULES

The NSW Teachers Federation has a strong tradition of participatory democracy, debate and activism. This is reflected in our registered Rules, our structure, our customs and traditions and ultimately the policy positions we take in the interests of our members and Public Education.

The Federation faces hostile and radically anti-union governments at both the state and federal level. At this time in the union's history we have members covered in both Federal and State jurisdictions. As an activist and campaigning union we need to be able to represent our members in both state and federal jurisdiction to protect their employment rights regardless of where and in which sector they teach.

The previous model of having two legal entities of the NSWTF at the state level, and an AEU NSW branch at the federal level no longer serves the union or our members well and is a legal risk to our continued existence as a strong force for Public Education.

Conference acknowledges that the union needs to exist as a single entity to have both state and federal registration with the NSW Industrial Commission and the Fair Work Commission.

The objectives of any harmonisation of the rules into one legal entity would be:

- The NSWTF maintains control of any successor organisation.
- The structures of the NSWTF maintain their primacy over any current AEU branch structures
- The assets and property of any entity would remain in the hands and control of the NSWTF branch.

Recommendations

1. This Annual Conference ratifies the Rule change to 16.3 of the NSWTF rules carried by March Council 2014 and approved and registered by the NSW Industrial Register earlier this year.
2. Annual Conference notes the Rule changes carried by the AEU NSW branch and accepted by the Fair Work Commission to bring into line the electoral cycles of the two bodies.
3. Annual Conference authorises the Council of the NSWTF to finalise the harmonisation of the rules of the NSWTF and the AEU NSW branch as soon as practically possible.
5. Annual Conference seeks the assistance of the AEU NSW Branch Officers and Branch Councillors to facilitate a new set of rules consistent with our objectives.
6. Prior to the registration of the new entity, 'The NSW Teachers Federation Branch of the AEU' with the NSW Industrial Registrar, the Federation will enter into an amalgamation agreement with the New South Wales Teachers Federation Branch which will address the following issues:
 - (i) The transfer of employees and officers from the Federation to the New South Wales Teachers Federation Branch.
 - (ii) The transfer of assets and liabilities from the Federation to the New South Wales Teachers Federation Branch.
 - (iii) Guarantee that members of the Federation will continue to be financial members of the New South Wales Teachers Federation Branch provided that they continue to pay fees, subscriptions or levies formerly payable to the Federation, to the New South Wales Teachers Federation Branch.

2. SECURING THE GONSKI SCHOOLS FUNDING REFORMS FOR FUTURE GENERATIONS

The implementation of the Gonski schools funding model is one of the most significant achievements in the history of the NSW Teachers Federation.

It is testimony to the many years of committed campaigning by Federation members, who are commended for all their hard work and dedication through difficult times to achieve greater justice and fairness in schools funding policy. The contribution of key public education organisations, in particular the NSW Primary Principals' Association (PPA) and the NSW Secondary Principals' Council (SPC), is also to be commended and publicly acknowledged.

Together with the Australian Education Union (AEU) and the above organisations, Federation succeeded in creating a widespread understanding of the importance of needs-based school funding to the educational attainment of individual students, and the social wellbeing and economic prosperity of our nation.

It is now imperative that this success is not destroyed by the neo-liberal ideology, election campaign deceit and flagrantly unjust actions of the current federal government.

Federation utterly condemns the Abbott Government's decision in the May 2014 federal budget not to fund the fifth and sixth years of the National Education Reform Agreements (the Gonski agreements) that the Commonwealth signed with the governments of Tasmania, South Australia, Victoria, New South Wales and the Australian Capital Territory. This condemnation extends to the denial of the opportunity for public school students in Queensland, Western Australia and the Northern Territory to benefit from Gonski funding.

This action will not only cut funding for students with additional needs, it will resurrect the shameful practice of the Howard Government years by allocating government funding away from the public schools that need it the most to the private schools that need it the least.

It will also dismantle the very architecture of the Gonski model. Underpinned by the equal opportunity principle that the quality of a child's education should not be determined by parental wealth, income, power or possessions, the Gonski model requires that state and federal governments invest in schools to an extent that is sufficient and proportionate to the educational needs of all students.

As two-thirds of Gonski funding was due to be paid in the final two years of the agreements, and because they educate a far higher proportion of students with additional needs, public schools are worst affected by the federal budget cuts. Research prepared by funding expert Dr Jim McMorro shows that \$2.67 billion will be lost from the nation's public schools in 2018/19 and 2019/20. This includes the loss of funding through the reduction of school indexation to the rate of inflation from 2018. In comparison, private schools will lose \$1.2 billion over the same period.

Dr McMorro encapsulates the impact on teaching and learning with this calculation:

"A deficit of almost \$2.2 billion for government schools in the final year of the proposed transition period in 2019-20 translates to the equivalent of around 20,000 teachers across the nation that would otherwise have been available for schools and students with the greatest need."

In contrast to the actions of their federal Coalition counterparts, the NSW Liberals and Nationals announced in the June 2014 state budget that they will fully fund the state government's 35% contribution to the Gonski agreement. It is now incumbent on all state Coalition MPs to lobby their federal counterparts to reverse the federal budget decision and honour the NSW Gonski agreement.

This is particularly important for National Party MPs, whose electorates have a higher proportion of public school students who will receive additional funding through the Gonski needs-based loadings – Aboriginal students, students in need of extra support to achieve English language proficiency, students with disability, and students from low socio-economic status (SES) backgrounds. Students in country electorates will also benefit from funding loadings to account for school location and size.

Federation will work to ensure that the commitments by Labor, the Greens and independent MPs to support the Gonski agreements for their full duration are maintained, and that these parties continue to publicise and advocate for the Gonski funding reforms.

The abandonment of Gonski typifies a federal government that has set about attacking the foundations of a civil and just society. The May federal budget enacts savage cuts to education, health and welfare programs that will exacerbate and compound the disadvantage already experienced by those who are most vulnerable, marginalised and impoverished in our society.

True to its traditions, Federation will stand up with all fair-minded citizens and progressive organisations and campaign to overturn the federal budget cuts and defend the right of all people to equitably access quality public education, health and welfare services, and to gain secure employment in a nation as economically advanced and prosperous as Australia.

In acknowledgement of the transformational power of education, Federation campaigning will focus on ensuring the equal opportunity for all citizens to access a well-funded, high quality public education at school, TAFE and university - a public education that should be free, secular and universally provided by government as a fundamental human right.

This campaign will include:

1. Collaborating with the AEU, the PPA and the SPC to organise and support National Gonski Week in week 3, term 3, 2014. This action aims to raise awareness among members and parents about the budget cuts to Gonski and build pressure on federal Coalition MPs to honour the Gonski agreements. This is particularly important in the nine targeted NSW federal electorates of Banks, Barton, Dobell, Eden-Monaro, Gilmore, Lindsay, Page, Reid and Robertson.
2. Working with the AEU, PPA, SPC and other public education supporters and groups to develop and implement a schedule of on-going Gonski campaign activities and events. If necessary, this schedule will continue the campaign through to the next federal election. This campaign will be driven by this premise – any government that abandons the most significant schools funding reform in modern Australian history does not deserve to be re-elected.
3. Organising intensive school community based lobbying, activities and events in targeted federal electorates across Australia, including the above named NSW electorates, in a sustained strategy for the next federal election. This strategy will include the establishment of a temporary full-time officer position elected by Council in each of the targeted electorates in 2015. Federation's current pilot of new approaches to campaigning in the electorate of Lindsay will be evaluated with a view to informing this strategy.
4. Encouraging Federation members' participation in the 'Bust the Budget' Rally organised by Unions NSW on Sunday 6 July, 2014, to be held from 1pm at Sydney Town Hall, as well as other Unions NSW "Bust the Budget" events to be held in various locations announced on the Federation website and referred to in an email sent to all members prior to these events. Beyond this action, Federation will continue to support similar activities and events, and work with people and organisations that are similarly committed to defeating the Abbott Government's attacks on the rights and entitlements of citizens in a civil and democratic society. Where appropriate, such action will interconnect with campaigning for the state election in March 2015.

5. Providing the means by which schools will be able to highlight the teaching and learning benefits of the additional Gonski funding. In doing so, Federation will consider a regular feature in the Journal, online communication, paid advertising and metropolitan and regional media opportunities.

3. STATE ELECTION CAMPAIGN

The next state election in March 2015 will be a critical one for public education.

It will be held at a time when both state and federal Coalition governments, driven by neo-liberal ideology, are acting to privatise the delivery of public services, cut jobs, push people into insecure employment and diminish the educational, social and economic opportunities of the most disadvantaged, vulnerable and marginalised citizens.

To ensure that public education features prominently in this election, Federation will organise a state-wide campaign in pursuit of improvements in student learning conditions and teacher working conditions. Key priorities will include teacher salaries and status, work health and safety, school staffing and TAFE.

Federation will lobby MPs and election candidates for both houses of parliament in pursuit of these campaign priorities. Teachers Associations and Federation Workplace Committees will be supported with appropriate resources to campaign at the local community level. This action will be intensified in key targeted state electorates. Campaigning will include extensive publicity, including paid advertising and social media.

Senior Officers will seek meetings with party leaders to call upon them to support Federation's claims in the key priority areas prior to the end of the 2014 school year. Responses from political parties will be used to inform members in the lead-in to the election. Progress reports will be provided to Executive and Council.

Raising the salaries and status of public education teachers

For members in all NSW public education sectors including schools, TAFE and Corrective Services, Federation remains committed to securing fair and just salary increases that account for Consumer Price Index (CPI) increases and relativities with other university qualified professions.

Public education teacher salaries and status must be commensurate with the value and significance of the teaching profession's contribution to the education, wellbeing, and work and life achievements of individual students, and to a socially cohesive, multicultural, democratic and economically prosperous nation.

Federation therefore re-affirms its opposition to the NSW Government's public sector wages policy and commitment to overturning the unjust and discriminatory 2.5% per annum wages cap. The wages policy encourages all employers to devalue the labour of New South Wales workers.

While acknowledging that important protections of teacher working conditions, qualifications and professional teaching standards have been achieved in recently negotiated awards and agreements, Federation condemns state government legislation that arbitrarily imposes limitations on the quantum of annual increases that can be paid to public education teachers.

By denying public sector employees the right to an independent hearing of a salaries case on work value and other matters in the NSW Industrial Relations Commission, and by imposing the public sector wages cap, the NSW Government unjustly punishes public sector employees and provides a comparative advantage to private sector counterparts.

To overturn the public sector wages policy, Federation will work with Unions NSW and other public sector unions in the lead-in to the March 2015 state election. This will involve lobbying all major political parties and community based campaigning that includes local meetings and activities, and

where appropriate and timely, rallies and events in metropolitan, regional and country locations across the state.

Federation will propose to Unions NSW and other public sector unions that this campaigning should be supported by a jointly funded program of paid advertising in the months preceding the state election. This advertising is to highlight the need for increased government investment to ensure the provision of high quality public services for the citizens of New South Wales, and that fair and just salaries and working conditions are necessary to recruit and retain the public sector employees who deliver these services.

Work, Health and Safety and Workers' Compensation

Successive NSW governments have failed to provide sufficient funds for capital works, maintenance and cleaning in public schools, TAFE colleges and other public education workplaces. The Baird Government's 2014-2015 Budget has replicated this failure with only 14 out of 2,200 schools receiving major upgrades.

This failure has resulted in substantial numbers of staff and students suffering a wide range of injuries. Risks associated with slips, trips and falls, manual handling, workplace stress and violent student behaviour continue to impact on the health and safety of staff and students.

The Department and other employers have a duty to ensure the health and safety of workers and others at the workplace so far as is reasonably practicable. However, the continuing numbers of physical and psychological injuries point to the failure of the injury management systems in public education.

The Workers' Compensation Legislation Amendment Act 2012 cut injured workers' entitlements by:

- reducing weekly payments;
- stopping weekly payments for most injured workers after 2½ years;
- capping medical expenses for workers suffering long term injuries;
- stopping lump sum payments for pain and suffering;
- removing journey claims for workers travelling to and from work.

When this legislation was introduced in 2012 the then Treasurer Mike Baird claimed "the bills will ensure better protection for injured workers, save businesses from unnecessary premium hikes and get the scheme back to surplus". The cuts to workers entitlements have left many injured workers and their families suffering extreme financial hardship and paying their own medical costs for workplace injuries. Employers, on the other hand, have benefitted from reduced premiums of up to 17.5% and the WorkCover scheme is now in surplus by \$1.8 billion. The benefits to employers, insurers and the scheme have come at the expense of injured workers.

The massive profits of the Workers Compensation Scheme show that, even with cuts to premiums, businesses could argue they are still paying too much.

The mandated review of the legislation was seriously flawed and is unlikely to improve the situation for workers. Action will include the following:

1. The Federation will continue to play a significant role in pursuing a combined union campaign developed and co-ordinated by Unions NSW in the lead up to the state election, to restore protections, entitlements and support for workers injured at work.
2. The Federation calls for a genuine and comprehensive review of the Workers' Compensation legislation which focuses on the need to provide better entitlements, protection and support for injured workers. This review must also consider the role of WorkCover and the need to ensure

that there is a strong emphasis on enforcing employer compliance with Work Health and Safety duties.

3. The Federation will continue to campaign for safer public education workplaces. This will include supporting members to assert their rights, the rights of students and other staff to safe and healthy workplaces which support quality teaching and learning. The Federation will investigate options to pursue Departmental breaches of their duty of care to staff and students. Members will be supported in using the “Issue Resolution Procedures” and other appropriate action to eliminate or minimise risks and hazards.

Protection, stability and security through a state-wide school staffing system

A state-wide staffing system, including the full range of teacher transfers and recruitment/retention incentives, is crucial to ensuring the equitable provision of suitably qualified teachers and a curriculum guarantee for all students, wherever they attend public school in the socio-economically diverse and geographically vast state of New South Wales. This system is also crucial to ensuring career mobility and security of employment through permanency for teachers.

This staffing system is gravely threatened by the ideology and practice of devolution, as implemented in NSW through policies such as Local Schools, Local Decisions (LSLD) and Empowering Local Schools (ELS). These policies are underpinned by and seek to promulgate the view that schools should be self-managing and autonomous, operating as if they are little more than business entities in an education marketplace of winners and losers. Such a view is anathema to the Federation’s commitment to excellence and equal opportunity for all students. It is also an abrogation of government responsibility.

No public school should be allowed to make a ‘local decision’ which has the direct or indirect effect of causing harm to another school. Specifically, no school should be allowed to refuse the appointment of a teacher on transfer, if that decision undermines the capacity of a harder-to-staff school to attract and retain teachers for its students, denies a teacher due credit for service, or causes hardship and disadvantage for a teacher whose current position is abolished and whose right to be appointed to another permanent substantive position is guaranteed by a nominated transfer.

Federation therefore reiterates its long held commitment to the maintenance of a legally enforceable School Staffing Agreement that vitally connects each and every NSW public school through the mutual obligation of a teacher transfer system.

In the face of changes being piloted in the 229 schools included in the ELS pilot, which allow executive and specialist teacher positions to be traded off for some other staffing purpose, Federation’s recent negotiation of the Principles for Determining the Mix of Staff in Schools is a significant achievement. As this policy must be read in conjunction with the Staffing Agreement, it provides important protection of the teacher staffing entitlement, in the ELS pilot now and in all schools when the Department rolls out these changes state-wide.

The Federation reaffirms its commitment to the current staffing entitlement for schools as a minimum provision. In regard to executive positions and specialist positions, the Federation will support all schools in resisting any attempt to reduce staffing below this provision.

Instead of trading off current positions in the staffing entitlement to create others to meet locally identified school needs, Principle 4 states that funding from the NSW National Education Reform Agreement (the Gonski agreement) “should be considered in establishing additional teaching and executive positions”. Principle 5 states that such “additional positions should be filled through permanent appointment, to provide continuity and stability for students in educational program delivery and to enhance schools’ capacity to recruit and retain teachers”.

These gains add to the achievements of the current Staffing Agreement (2012-2016), which include protecting current class sizes, maximising permanency in teacher employment and maintaining teacher transfers.

With regard to the threats posed by the world wide spread of deregulatory attacks on public school systems, and the state election to be held in March 2015, Federation will pursue with the major political parties an extension in duration of both the Principles for Determining the Mix of Staff in Schools and the Staffing Agreement. This will include seeking improvements based on current Federation policy that strengthen their provisions.

To support Federation Representatives and Federation Workplace Committees in explaining, promoting and implementing the principles and the agreement, Federation will prepare a School Staffing Kit in print and video format, for distribution to all schools in term 3, 2014.

4. POST SCHOOLS CAMPAIGNS

Ensuring high quality public education through a strong NSW TAFE system

While the provision of high quality public vocational education and training (VET) through TAFE has been under threat in New South Wales and across the nation for decades, it has intensified dramatically in recent years. Driven by privatisation and marketization, government policies have used workforce casualization, breakdown of the statewide system into stand-alone institutes, administrative and industrial separation of TAFE from the schools sector, introduction of ever increasing fees and so-called competitive tendering to undermine TAFE as the pre-eminent provider of VET.

These policies neglect the needs of students, communities and the nation as a whole, by turning VET provision over to private companies whose primary purpose is to profit financially. This approach epitomises state and federal governments' abrogation of their core responsibility to provide high quality public education that enables individual students to realise their potential in education, work and life, and that builds the knowledge, expertise and skills base that underpins our socially cohesive, democratic and economically prosperous nation.

Recent years have been challenging for TAFE as a system and for teachers and students. Nationally, TAFE has been the subject of a House of Representatives Inquiry, a Senate Inquiry and a Department of Industry VET Reform Taskforce. TAFE NSW has faced budget cuts, an Independent Pricing and Review Tribunal (IPART) review, the staged introduction of 'reforms' based on contestable funding and increased student fees, and the severing of connection to the larger Department of Education and Communities.

Each TAFE Institute has undergone structural reform resulting in wholesale change to the way post school education is delivered in NSW. Delivery of all courses has been reviewed and rearranged. Whole teaching/learning sections have been deleted, courses have been cut, delivery has been condensed in hours and geographic area, and hundreds of teachers have lost their jobs.

There are now more devastating cuts threatened across the state. These threatened cuts especially and specifically target student support services such as TAFE Counselling, Disability Support Units, Multicultural Education Officers, Outreach and Libraries.

Essentially, TAFE has been in a state of transition since the mid-1980s, when VET was moved toward a national system and aligned more directly to industry. Increasingly, there has been contestation between state and federal governments over curriculum, regulation and funding. Since the late 1990s, TAFE has been under growing pressure through a decline in real funding and a steady increase in enrolments.

The National Agreement for Skills and Workforce Development (NASWD), which all states and territories signed up to at a Council of Australian Governments (COAG) meeting in April 2012, has been used to drastically change the TAFE system. Other states and territories are currently implementing the COAG 'entitlement' model to access federal funding. In NSW, this model will be introduced under the title 'Smart and Skilled' from January 2015.

Preparation for the full implementation of 'Smart and Skilled' is occurring at increasing speed. In March 2013, the NSW Government asked IPART to "provide advice and develop a methodology to determine price and fee arrangements for government funded VET under 'Smart and Skilled'". IPART released its final report in November 2013 but it was not until May 2014, just two days after the federal budget cuts to VET were announced, that the NSW Government stated it will implement the majority of IPART's recommendations.

'Smart and Skilled' will set a price for each course that is on the skills list. Courses not on the skills list will not be government funded. Every provider will have to charge the set price. The percentage of the cost the student will pay will also be set. Courses above Certificate III will not be part of the national 'entitlement' model. For these courses, most students will pay the full cost. Students enrolling in some Certificate IV courses and all Diplomas and Advanced Diplomas will pay a large up-front fee, or take on an annually increasing debt through VET FEE Help.

'Smart and Skilled' will force TAFE to compete for government funding with other training providers, most of which will be for-profit companies. According to 'Smart and Skilled', TAFE will be regarded simply as 'another provider' when competing for funding, alongside currently, the over 5000 training organisations registered nationally.

This will mean that TAFE, until now the largest provider of VET in NSW, will not be able to accurately plan which courses it will deliver next year or how much funding Institutes will receive, until State Training Services, the managers of 'Smart and Skilled' funding, announces successful tender contracts. To date, it is unclear what level of funding TAFE will receive for operational base funding and its community service obligation.

In this difficult context, Federation's Stop TAFE Cuts campaign has had a real effect across NSW. The campaign has a presence in local communities, towns and regions, and has put TAFE firmly on the political agenda. The NSW government has fielded a myriad of TAFE questions from Labor, Greens and Independent Members of Parliament. The carriage in the NSW Legislative Council of the 'Save TAFE Moratorium Bill' has generated political and media interest and is set to continue to do so. TAFE members and community supporters have lobbied local MPs in or outside their electorate offices.

TAFE members and supporters have participated in the Labor Skills Summits as they have travelled the state, highlighting the importance of TAFE for meeting skills shortages, assisting students to gain employment and boosting the nation's economic development. The broader union movement, particularly through local union-community groups, has been involved in the campaign. Unions NSW has passed resolutions of support and activists have worked closely with trade unions such as the CFMEU, CPSU, ETA and the PSA. Much mainstream media publicity has been generated and extensive social media communication has helped to carry the campaign to broader reaches.

The campaign has also been informed by what has occurred interstate where, in some jurisdictions such as Victoria, TAFE has been decimated by the onslaught of so-called competitive tendering and cutbacks. The NSW Stop TAFE Cuts campaign has received extensive state-wide and local media attention and has led to the short-term postponement of the full national marketisation agenda and the privatisation push by the NSW Government. Federation will build on these achievements by broadening community support and increasing political pressure through intensified campaigning in the lead-in to the state election in March 2015.

Action:

Federation is to organise regional Stop TAFE Cuts rallies to be held on weekends in key metropolitan and regional locations during September 2014, to highlight the importance of TAFE and call for support for the on-going campaign to protect and promote the role of public education in providing high quality VET.

Federation will continue to work closely with Unions NSW and other unions, community and industry organisations and employers in this campaign. This will include providing materials to members in schools and TAFE Colleges to share with specific employers to encourage them to join the campaign. This material would focus on the evidence which exists demonstrating that damage being done to TAFE will also be damaging to their businesses.

Federation will engage an additional officer during the state election Stop TAFE Cuts campaign to support local colleges and communities in highlighting TAFE as a critical election issue.

Federation will provide the resource materials to all high schools for wide distribution in school communities.

Local forums of TAFE teachers and supporters will be held across the state, particularly in key targeted electorates, to help grow the campaign. Local communities are to be supported in preparing for and taking action should there be any indication that TAFE colleges are to be sold or privatised.

A short campaign video will be produced by Federation and distributed via YouTube and other social media sites to succinctly explain why the privatisation of TAFE must be resisted. This video will also be available in Community Languages.

Stall sites at major spring and summer community events will be hired by Federation in the lead-in to the March election. These stalls will be used to sign community members up to the Stop TAFE Cuts campaign and website and highlight the importance of TAFE as the premier provider of VET in NSW.

Paid advertising and resource materials highlighting the great value and importance of a well-funded, high quality TAFE system will be utilised by Federation in the lead-in to the March 2015 state election. Other resources, including additional Officers, as required and possible will be provided.

In preparation for the state election campaign Federation will poll, either state-wide or targeted seats, in order to ascertain community support for the TAFE system as opposed to privatisation.

In the long term, Federation will need to engage collaboratively with the community to re-frame the future for TAFE. This should counter the neo-liberal approach that defines TAFE's role in purely economic terms. A wider debate will need to be initiated that includes teachers, students, industry, the trade union movement, political parties and the broader Australian society. To this end, the Federation will work with the AEU to develop a position paper on the future of TAFE.

Maintaining quality provision in Corrective Services

The provision of education services in Corrective Services (CS NSW) institutions is a fundamental human right. The efficacy of education in reducing recidivism is well-documented and the resultant cost savings flow on to many areas of government and society as a whole. Investing in education in Corrective Services provides social and economic benefits to the community. To this end CS NSW must maintain a comprehensive adult education curriculum for all inmates/students.

However, during the past twelve months CS NSW has:

- slashed gaol education budgets by approximately 50%;
- engaged in a state wide review;
- proposed that metropolitan gaols house all remandees, shifting all sentenced inmates elsewhere in the state;
- proposed changes to non-attendance time.

Federation will demand that CS NSW continue to provide an educational provision in all gaols including those housing remandees. Federation will demand that CS NSW undertake appropriate consultation involving all stakeholders and provide a clear understanding of the scope of any change management process. Federation asserts that all educational-based recommendations must not impose additional workloads or erode award conditions of educational staff.

Federation will develop a campaign around the following demands for CS NSW to:

- undertake active, ongoing research into the educational needs of offenders to inform decisions on educational opportunities offered to offenders;
- continue to provide education to ALL inmates, both remandees and sentenced;
- restore educational budgets to 2012 levels;
- uphold the promise of no reduction in educational staff or forced transfers;
- seek equity for education staff to bring them in line with the salaries and conditions of colleagues in the TAFE sector;
- ensure that Aboriginal inmates, hugely over-represented in goals, have the opportunity to learn from Aboriginal teachers;
- provide qualified ESL teachers for inmates from culturally and linguistically diverse backgrounds.

5. CURRICULUM, ASSESSMENT AND REPORTING

1. 21st century learning

The professional judgement and voice of teachers must be heard and heeded in the development and implementation of curriculum, assessment and reporting processes which support 21st century learning.

A number of countries including Australia, Portugal, Singapore, United Kingdom and United States in “The Assessment and Teaching of 21st century Skills Consortium” describe 21st century skills, knowledge and attitudes in terms of:

- **Ways of thinking:** *creativity/ innovation, critical thinking, problem-solving, decision-making, and learning to learn*
- **Ways of working:** *communication and collaboration/ teamwork*
- **Tools for working:** *including information and communication technologies*
- **Living in the world:** *citizenship, life and career, personal and social responsibilities, including cultural awareness and competence*

There appears to be widespread agreement nationally, through the Melbourne Declaration on the Goals of Schooling 2008, and internationally, on the need to support 21st century learning. Despite this rhetoric, the adoption of punitive accountability measures based on high stakes testing in many countries has narrowed curriculum and over emphasised basic skills. Research has demonstrated that test based accountability is unlikely to improve student achievement over the long term and has not reduced the achievement gap between socioeconomically advantaged and disadvantaged students.

Any revision of policy and practice concerning curriculum, assessment and reporting must focus on:

- education as a social good;
- supporting the diverse needs of students engaging in 21st century learning;
- ensuring funding and resources are provided to offer all students equal educational opportunities as 21st century learners;
- acknowledging, supporting and developing teachers’ professional judgement;
- supporting teachers and schools to work collaboratively rather than focusing on competition;
- realistic and reasonable expectation of demands relating to teachers’ work associated with curriculum, assessment and reporting for teachers and students.

Conference notes the threats posed to areas of curriculum, assessment and reporting as a result of devolutionary policies such as “Local Schools, Local Decisions”. Such policies have resulted in a significant reduction of direct support for the teaching profession in these areas. Overseas evidence illustrates the need for the teaching profession to maintain ownership of curriculum, assessment and reporting. This will ensure that any void created by devolutionary policies is not filled by corporate entities motivated by profit, rather than improving educational opportunities and outcomes for students.

2. Curriculum

2.1. Australian Curriculum

Conference notes, that even though the Australian Curriculum in English, Mathematics, Science and History has not been fully implemented in each State and Territory, the Abbott Government has announced a Review. This Review lacks credibility and is aimed at distracting attention from the failure of the Abbott Government to meet its pre-election commitment to implement the Gonski needs based funding model over six years.

The Federation contributed to the national submission to the Review through the AEU and will continue to work with the AEU and other branches in responding to the Review.

In NSW the Board of Studies Teacher Education Standards (BOSTES) has advised all NSW teachers in the Board Bulletin on 24 January:

“There are no implications for the implementation of the NSW syllabuses arising from this Review. The implementation of NSW syllabuses will continue on the existing schedule”.

2.2. NSW syllabuses

The development of the NSW syllabuses in English, Mathematics, Science and History was undertaken based on extensive and direct consultation with teachers, the Federation and elected Board Curriculum Committee (BCC) representatives.

The syllabuses in English, Mathematics, History and Science acknowledge the importance of teachers' professional judgement in determining content which is appropriate to cater for student diversity as well as the *“sequence, the emphasis to be given to particular areas of content, and any adjustments required based on the needs, interests and abilities of their students”*. (NSW BOSTES syllabus content statements).

The direct consultation with teachers undertaken by the BOSTES in the development of these syllabuses is both welcome and essential. The development of Senior Secondary Syllabuses and K-10 Geography must allow for two rounds of consultation should this be necessary. Such consultation to be adequately publicised by BOSTES. Quality not speed must be the key focus of syllabus development.

The Federation will provide appropriate support to BCC representatives to facilitate their engagement in the syllabus development process. Further, Federation encourages members to respond to draft syllabus documents to ensure the new syllabuses are high quality, cater for diverse learning needs and focus on the development of knowledge, skills and attributes necessary for 21st century learning.

As a result of the implementation of Local Schools Local Decisions there have been extensive cuts to the number of specialist curriculum consultants and other support positions. This has negatively impacted on the implementation of the new syllabuses. The Federation will continue campaigning for the necessary resources and professional learning to support syllabus implementation. This will include pursuing the need for the implementation of Senior Secondary Syllabuses and K-10 Geography to include time for familiarisation, preparation and planning. The implementation of these syllabuses must be supported and implemented in a manner which will avoid conflicting resource demands on schools in terms of the roll out of existing syllabuses.

2.3. **VET in schools**

The provision of VET courses in NSW schools as a “dual accreditation model” allows students to receive both a school based credential such as Record of Student Achievement (ROSA) or the HSC, as well as a nationally recognised VET qualification based on the national training packages. The so called “model for continuous improvement” to these packages imposes constant rapid changes to the courses as well as questionably “appropriate” changes to the qualifications required to teach them”. This process requires rapid syllabus change which occurs without appropriate consultation with VET teachers.

The Federation is deeply concerned that this process is negatively impacting on the quality of education in VET. Federation recognises that school VET teachers are already highly qualified professional educators and that they have the skills needed to teach a VET package in schools. The Federation believes that a strict focus on delivering training packages around specific competencies is inconsistent with the needs of 21st century learners and workers. Accordingly, Federation calls on the BOSTES to conduct a review of the dual accreditation model and the impact of the national training packages on teaching, and student learning and school curriculum.

3. **Assessment**

3.1. **Assessment processes in syllabuses and policy**

Assessment of student knowledge, understanding, skills and a recognition of the values and attitudes inherent in the school curriculum are a fundamental and essential part of teaching. It is through developing an understanding of student capabilities, knowledge and their current skills that further learning, challenges, remediation, support and extension of students is fostered. Expertise in various aspects of, and approaches to, the assessment of student learning is, therefore, a defining aspect of the teaching profession.

The way that assessment is explained in the NSW Syllabus for the Australian Curriculum documents as “Assessment for Learning, Assessment as Learning, Assessment of Learning” is broadly accepted as a satisfactory way to summarise the complexity of the task of assessment. These three elements of assessment and the wide variety of ways that these elements may be explored through the NSW subject syllabuses from K-12 point to the essential role of teacher professional judgement in assessing student achievement and learning.

The Department’s Assessment and Reporting Principles 2012 support this concept of assessment. These principles can be summarised as:

Effective and informative assessment and reporting practice:

- *has clear, direct links with outcomes;*
- *is integral to teaching and learning;*
- *is balanced, comprehensive and varied;*
- *is valid;*
- *is fair;*
- *engages the learner;*
- *values teacher judgement;*
- *is time efficient and manageable;*
- *recognises individual achievement and progress;*
- *involves a whole school approach;*
- *actively involves parents;*

- *conveys meaningful and useful information.*

Thus both the Department and BOSTES through policy and syllabuses support a concept of assessment which is consistent with supporting 21st century learning. At odds with this concept of assessment as, for and of learning is the focus on NAPLAN and the use and misuse of NAPLAN data which has made it a high stakes test.

3.2. **High stakes testing**

The Senate Standing Committee Report on the “effectiveness of NAPLAN” and other research indicates there have been many “unintended consequences” of NAPLAN testing and reporting on the MYSCHOOL website. These consequences include:

- “teaching to the test” and the impact on quality teaching and narrowing the curriculum;
- some students experiencing stress and anxiety;
- the creation of a NAPLAN preparation industry, within a globalised education business testing agenda, including players such as Pearson;
- increased pressure on teachers and schools associated with rankings on the MYSCHOOL website;
- undermining teachers’ professional judgement by placing undue pressure for teaching and learning to focus on NAPLAN testing requirements and literacy and numeracy rather than the whole curriculum.

These ‘unintended’ negative consequences of NAPLAN testing and reporting were foreshadowed by the Federation and the AEU in campaigning against the misuse of NAPLAN testing and the MYSCHOOL website. The combined AEU campaign against NAPLAN being misused as a high stakes test resulted in significant changes to the MYSCHOOL reporting process.

The Whitlam Institute Report on “The Experience of Education: The impact of high stakes testing on students and their families” 2014 summarises serious concerns raised about NAPLAN:

“Although NAPLAN testing is designed to improve the quality of education children and young people receive in Australia, its implementation, uses and misuses undermine quality education, and it does harm that is not in the best interest of Australian children. We need to ensure that the development of literacy and numeracy in our schools is assessed and reported upon in a way that enhances rather than constrains pedagogy, that evokes confidence and enthusiasm among educators rather than resignation, that challenges and encourages learning rather than induces widespread anxiety and stress among students.”

The Senate Standing Committee recommendations point to the potential for significant improvement in the use of NAPLAN testing data which reflects many of the AEU recommendations which seek to ensure that NAPLAN is used only as a tool to support student learning.

The Senate Standing Committee recommendations refer to the development of NAPLAN Online as an adaptive test which takes account of the needs of students with disability and students from non-English speaking backgrounds, the need for a quick turnaround of test results and for ACARA to monitor the use of NAPLAN results so that funds are targeted for students who need further support.

Federation opposes any high stakes use and misuse of NAPLAN data which corrupts its role as just one of many assessment processes. The aim of any assessment process must be to improve student learning. Greg Thompson from Murdoch University has considered international research on high stakes testing in his paper “What’s the fuss about NAPLAN?” and pointed out “... *the stakes associated with accountability encourage an excessive focus on the test which, in turn, distorts the measure ...*”, “... *if schools teach to the test, will NAPLAN measure the transferable literacy skills of students, or the ability of the school to prepare students for the test?*”

An analysis of the results of the OECD PISA tests shows that most of the higher achieving countries do not use high stakes testing and place a strong degree of confidence in teacher professional judgment in the delivery of curriculum.

High stakes testing regimes are, more often than not, a political construct used by governments to divert attention away from inadequate funding and to create competition between schools. Federation will continue to support the judgment of teachers, as professional educators, regarding the appropriate application and use of any testing instruments.

4. Reporting

In NSW teachers have to weigh the reporting guidelines of the BOSTES syllabus documents, the advice provided by the DEC and the needs of their school communities in relation to reporting. A sound basis for consistent and effective reporting inherent in the policies and guidelines is reporting using a standards referenced framework, with professional judgements related to progress towards outcome achievements, which are informed by syllabus descriptions of student achievement standards.

As standards-referencing is the foundation on which consistent professional judgements are made, it is clear that there must be a comprehensive resource available as a guide for teachers to identify achievement standards across all subject areas and all stages of learning. The beginning of such a resource has been published by BOSTES in the Assessment Resource Centre, but it is not comprehensive and provides a limited range of samples at each achievement level.

4.1. Effective reporting

The current reporting system in NSW Public Schools has been impacted by two significant forces for change; the Eltis Review – Time to Teach, Time to Learn (2003) and the Australian Government intervention, in the form of the Schools Assistance (Learning Together-Achievement Through Choice and Opportunity) Act (2004), which tied the provision of funding to the compulsory implementation of elements such as the use of an A-E scale or its equivalent. The current NSW DEC reporting policy makes specific reference to the Eltis Review which recognised the need to define and limit the workload implications of assessment and reporting by stating:

- Schools plan assessment so that processes are “time efficient and manageable for teachers and students”.
- Schools’ reporting procedures will be “time efficient and manageable”.

Despite this policy objective it is clear that the complexity of reporting systems in many schools and the desire for reports to be completed through online reporting packages has increased workload pressures. In many cases the additional time spent using these systems actually detracts from a focus on the teaching and learning cycle.

Teachers from K-12 report that additional hours are spent in drafting, writing, proof-reading and re-drafting reports. The issues commonly relate to the direct reporting of specific syllabus outcomes against an A-E (or equivalent five point scale) and over-complicated demands and guidelines for the writing of comments. The writing of comments can be onerous, but the five point scale is potentially more limiting and damaging as it may lead to **summative assessment for reporting** rather than **assessment for learning**. In addition to ignoring the specific needs of students in designing assessment activities, this process potentially subverts both the DEC policy to use “a variety of appropriate assessments for judging student achievement” and the BOSTES guidelines to “make a professional, on-balance judgement” of achievement.

Teacher professional judgement in all aspects of assessment, rather than a narrow range of specific summative assessments, should be the basis of reporting against outcomes. The DEC “Principles for Assessment and Reporting for NSW Government Schools” do not limit reporting only to outcomes and state:

Student progress can be reported by comparing:

- *The students’ work against a standards framework of syllabus outcomes*
- *The students’ prior and current learning achievements*
- *The students’ achievements with those of other students*

Reporting can involve a combination of these methods.

The professional judgement of teachers must be supported in balancing these various demands and reducing onerous practices focussed on a single approach to reporting which is counter-productive and limiting.

4.2. Embedding teacher professional judgement in effective practices

The English, Mathematics, History and Science K-10 Syllabuses for the Australian Curriculum point to a model of writing strand descriptions (or areas of learning) for student reports by linking them directly to syllabus objectives.

Taking this approach to developing strand descriptions for reporting can assist in linking the assessment of outcomes through assessment of, for and as learning to the “Stage Descriptions” in the syllabuses, thereby helping to embed authentic assessment practice and the role of teacher professional judgement. There is also the possibility of reducing the number of strands reported against. Many schools already use a small number of reporting strand statements, but establishing sound practice and its basis can assist where there is pressure to adopt less time efficient practices.

It is of concern that rather than embedding literacy and numeracy strategies connected to existing syllabuses, many teachers are experiencing pressure to implement these strategies separate from, and in addition to, existing assessment and reporting practice. This imposes additional and unnecessary workload on teachers. An undue emphasis on plotting students’ learning in literacy and numeracy can limit students’ access to the benefits of the curriculum as a whole. Student learning is not a linear process and can be impacted by factors such as the home environment, including whether students have eaten, slept, or suffered from domestic violence. Supporting effective student learning depends on more than data collection and analysis.

The Department has clarified that for primary schools only Best Start is mandated. A number of schools have received additional funding through National Partnerships or as part of the “Aboriginal Literacy Initiatives” to trial various literacy and numeracy initiatives.

In 2014 the Department allocated some funding directly to schools for literacy and numeracy programs and a number of programs eg. PLAN, TEN, TOWN and L3. These programs are not mandated but the additional funding can be used to support implementation. Implementation of strategies around literacy and numeracy must be consistent with policy requirements including being “time efficient and manageable” and be supported by appropriate funding.

5. Supporting teachers’ professional judgement in Curriculum, Assessment and Reporting

1. The Federation will seek clarification from the Department regarding the timeframe, terms of reference and consultation provisions for the review of the “Curriculum, planning, programming, assessing and reporting policy K-12”. The Assessment and Reporting Restricted Committee will assist in the development of the Federation’s response to this review using this policy as a foundation.
2. The Federation will develop a range of guidance material to assist teachers to engage in professional discussions about assessment and reporting processes which focus on improving student learning and are consistent with the Department’s policy of being “time efficient and manageable”. The following questions should be considered collectively by teachers adopting initiatives, strategies or programs which are not supported by adequate resources:
 - (a) How will the strategy or initiative improve student learning in a way that is not already being addressed?
 - (b) How will it be embedded in the syllabuses to ensure students can access all aspects of the curriculum?
 - (c) How can the strategy be implemented consistent with the Department’s policy requirements? In particular that “the timing, frequency and nature of the assessment processes are time efficient and manageable for teachers and students”.

Similar questions should be considered in terms of reviewing initiatives and strategies which have been adopted to determine whether continuing these initiatives or strategies are consistent with syllabus requirements, policy and support improvements in student learning and a manageable workload for teachers.

3. The Federation will continue to provide ongoing curriculum, assessment and reporting advice to assist teachers in expressing their professional voice and judgement. This information will include ongoing analysis of NAPLAN as well as national and international research, in articles in the journal and reports to Council. Consideration will be given to providing seminars and/or Friday night forums on the negative impact of high stakes testing and accountability regimes on teaching and student learning.
4. The Assessment and Reporting Restricted Committee will research the impact of technology on curriculum, assessment and reporting in terms of assessing students’ use of technology and using technology to assess students’ learning. The results of this research will be reported to Council.

6. SPECIAL EDUCATION POLICY

This policy is underpinned by and should be read in conjunction with the attached Federation special education position paper entitled *Public Education: An Inclusive System of Provision for Students with Disability*.

This policy builds on the commitments outlined in the Federation's 2007 and 2009 Annual Conference decisions on Special Education, the Federation's 2005 and 2006 Annual Conference decisions on the Integration of Students with Disability and the issues and proposals identified in the Federation's submissions to the New South Wales (NSW) Legislative Council's inquiries into the *Provision of education to students with a disability or special needs* (2010) and *Transition support for students with additional or complex needs and their families* (2011).

Vision

A well-resourced public education system – one that values diversity, understands social and cognitive development, reaches out to all learners through inclusive processes and is responsive to fundamental human needs – has the potential to develop actively engaged, resilient and connected individuals who lead lives with hope as productive members of the wider community.

Strengthening the quality, inclusivity and equity of the NSW public education system

An education system has to be built on more than the exceptional talents and motivation of individuals, if that system is to help develop the abilities of all of our children and young people. (Tony Vinson, Public Education and Social Inclusion, 2009)

As an overall principle, [inclusion] should guide all education policies and practices, starting from the fact that education is a basic human right and the foundation for a just and equal society... Looking at education through an inclusive lens implies a shift from seeing the child as the problem to seeing the education system as the problem. (UNESCO, Policy Guidelines on Inclusion in Education, 2009, p. 8, 14)

Federation recognises that students with disability have the same human right to a quality education as all other students. Government is responsible for providing the funding and resources to ensure the legislated rights of students with disability can be met.

Federation reaffirms its commitment and asserts DEC's obligation to the maintenance and improvement of a continuum of provision. This continuum of provision should seek to include all students in education and engage all students in learning. For students with disability, this inclusion and engagement should be supported by a cascade of services and settings to best meet their needs and provide equitable access to quality education. These currently include but are not limited to:

- Schools for Specific Purposes
- Support classes
- Specialist support teachers
- School Counsellors
- Integration programs
- Inclusive curriculum and adjustments
- School Learning Support Officers

Federation's support for an inclusive approach to education is borne of the belief in quality education for all. Federation notes that there has been past and current use of the term "inclusion" that refers to all students being educated in the general education classroom, with age-appropriate peers and

without support. This is not the Federation's interpretation of the term. The advocacy for this view of inclusion has been ideologically rather than empirically driven.

Quality public education for every student is contingent on additional resources that acknowledge and seek to reduce the disadvantage caused by disability. These resources need to be complemented by an attitudinal shift that goes beyond legislative and policy requirements to our profession as a whole, promoting the wellbeing of all our students and championing their right to rigorous and orderly learning.

To do so is to include every student in the public education system, where inclusion goes beyond a place or a placement. It is a set of beliefs and practices actively implemented to enact social inclusion. Federation affirms the notion of social inclusion and defines a socially inclusive public education system as one where all students, irrespective of their abilities and backgrounds, have the opportunity to participate in quality education, with equality of access to broad inclusive curriculum and the necessary support to fulfil their human potential. Federation recognises that our collective future wellbeing and prosperity depends on the critically important work and investment in the pre-school and early primary school years via early intervention strategies, to enable the healthy development of children and families.

Further, it requires that individuals have their needs acknowledged, understood and catered for in an equitable and dignified manner, with their capabilities placed at the centre of instruction and reasonable adjustments provided, including access to viable, differentiated specialised education settings. To this end, specialised settings that make specific quality teaching adjustments for students with complex needs are a part of this socially inclusive public education system, not separate from it.

For many students, a mainstream school will be the best schooling option. For a significant number of students however, with general education classes providing the optimal context. For a small but significant minority of students, however, no amount of adjustments within a mainstream school will change the fact that for some students the social complexities of a mainstream school are not conducive to either social or academic engagement. The maintenance of quality, appropriately resourced alternative specialised settings is the only way to ensure the provision of a truly inclusive system of public education.

Furthermore, recognition must also be given to the very small minority of students across a number of settings for whom even a specialised education setting is not appropriate. As identified by Denis Fitzgerald in his 2013 paper titled *Taking the Lead A Future for Public Education*, in this situation "It might mean a greater role for the Department of Family and Community Services or other similar departments." (p. 38-39)

It is critical that teachers understand what constitutes best practice in support of these students. Teachers are part of the collective voice for students whose educational opportunities are being seriously impacted by the imposed inclusion of students whose support needs cannot be met in a mainstream school. Teachers in public education settings play a pivotal role in creating and promoting a society where all students can flourish. They are one of the agents of change in promoting social and emotional wellbeing, acting as early detectors of need and implementing effective prevention and intervention strategies. Providing quality education for all is an important and complex task that has fallen too often on individual school communities and teachers - teachers whose skills, health and workload are unsustainable in the absence of systemic support, safe work environments and increased funding.

The *Review of Funding for Schooling* found disability to be a factor of disadvantage proven to have a significant impact on educational outcomes. In acknowledgement, the resultant National Education Reform Agreement (NERA) includes a 'disability loading' that provides this category of educational need with the additional funding required to support student achievement.

The Parties agree that needs-based funding arrangements that take account of the specific circumstances of students, individual schools and systems are an important way to minimise disadvantage and to facilitate a high quality education for every student in every school. (NERA Principles for Needs Based Funding, p. 17)

As such, the Gonski needs-based funding model paves the way for equitable access to inclusive, quality public education for all students. It provides the resources necessary to:

- improve early detection systems and early intervention programs
- facilitate the delivery of a broad, inclusive curriculum and learning and support adjustments
- strengthen initiatives to address and promote mental health, safety and wellbeing
- increase the resourcing of specialised settings and enhance specialist provision
- provide support for students and settings at different transition points
- foster parent and community engagement partnerships and strategies.

Action:

ACTION POINT 1

Improve early detection systems and early intervention programs

- 1.1. Federation calls on the State Government to provide funding to students with disability in regular DEC preschool classes, to enable timely access to early intervention services.
- 1.2. Federation re-iterates its call on DEC to establish more government pre-schools in NSW.
- 1.3. Federation calls on DEC to increase the number of Early Intervention Support Classes and increase the number of Early Intervention support teachers.
- 1.4. Federation calls on the state government to resource the co-ordination of trans disciplinary teams, in conjunction with health professionals, to identify the needs of children with disability to facilitate early referral to appropriate services.
- 1.5. Federation calls on DEC to provide placement options for students K-2 who present with a mild intellectual disability.
- 1.6. Federation calls on DEC to provide public pre-schools and schools with timely access to system-based speech therapists.
- 1.7. Federation calls on DEC to update its current student placement process. DEC will ensure that the placement process procedures are consistent across the state and that the determination of placements is based on student need and school enrolment criteria, with additional placements/settings established where required.
- 1.8. Additionally, Federation calls upon the DEC to re-establish early childhood consultants and their roles, that assisted with the early identification of students with additional needs and liaised with all major stake holders.
- 1.9. Federation calls on DEC to re-establish the Special Language Classes for K-2 students, whose low language ability inhibits their ability to fully participate in mainstream classes, to provide the early intervention that will see a more successful transition into mainstream classes.

ACTION POINT 2

Facilitate delivery of a broad, inclusive curriculum and learning and support adjustments

- 2.1. Federation calls on DEC to actively implement the requirement for teachers to have special education qualifications and/or experience in order to be appointed as Learning and Support

(LAS) teachers. It should be the exception that a LAS teacher is appointed without qualifications. Qualifications are considered a minimum requirement for LAS teachers, whose role statement requires a 'specialist' level of expertise. The maintenance of a 'specialist' standard of teacher provision is critical given the loss of expertise through DEC's reclassification of support teachers under Every Student, Every School (ESES).

- 2.2. Federation Workplace Committees are called on to ensure that teachers filling the positions of support and SSP classroom teacher, LAS Teacher, Assistant Principal Learning and Support, Assistant Principal Special Education and Head Teacher Special Education, have the required qualifications and/or experience to provide specialised, quality education for students with disability. Consideration of the specialist nature of these roles will be given when filling the positions on a casual or temporary basis.
- 2.3. Federation calls on DEC to make special education qualifications and/or experience a mandatory requirement to be appointed to the role of Learning and Engagement Advisor and Learning and Engagement Officer.
- 2.4. Federation calls on DEC to investigate incentives for teachers to teach in special education roles and settings. Consideration could be given to increasing the transfer points allocated to SSPs, increasing the special education allowance and giving experienced special education teachers opportunities to take on mentor roles.
- 2.5. While Federation acknowledges the training being provided by DEC in the Disability Standards for Education 2005 and Disability Discrimination Act 1992, DEC is called on to provide ongoing and equitable access to quality, relevant professional development that is targeted at the appropriate level of expertise - based on experience, teaching setting and student population. The suggestion that innovative online training courses can equip all teachers to provide for all students is a fallacy. The training was never intended to qualify teachers to work in areas of special education; it was aimed at acquainting teachers with area of disability and the training must enable teachers to effectively meet the learning and support needs of all students. Federation urges DEC to develop further professional development in such areas as making adjustments for personalised learning and assessment, developing Individual Education Plans, human behaviour, early detection, mental illness and wellbeing.
- 2.6. Federation calls on DEC to ensure that teachers are supported to make appropriate learning adjustments through the provision of quality professional learning, resources and time, within the current legislative and curriculum context.
- 2.7. Federation calls on DEC to monitor the establishment of Learning Support Teams in schools and ensure they are functioning effectively - guided by centrally developed principles and requirements, examples of best practice and other necessary resources. Resourcing should include a funding allocation to release the team from class to adequately coordinate appropriate support for students. The requirements should reinforce the inclusion of school counsellors, the corresponding classroom teacher/s and other relevant specialist professionals.
- 2.8. Federation rejects prevalence based funding models that allow government to abrogate responsibility to all schools. There is no substitute for increased government investment that responds to the needs of students within the system. It is the legislative responsibility of government. Federation calls for the uncapping of funding for student deemed by DEC as "low support needs" and that funding be distributed based on the principles of the Gonski needs-based model.
- 2.9. Federation calls on DEC to increase the broad spectrum of educational placements - through the provision of SSPs and support classes - currently lacking in rural and remote areas of NSW. Federation will pursue opportunities to implement this policy through relevant initiatives in the

NSW government's *Rural and Remote Education Blueprint*.

- 2.10. Federation calls on DEC to prepare an impact statement of the effect and implications of the NDIS on public education settings, teachers, students and their families. This work will focus particularly on the impact of the future dismantling of the state government's Ageing, Disability and Home Care NSW (ADHC) agency. It will include consideration of the impact on the work of DEC Transition Support teachers, ADHC's assessment for community participation and work placement, ADHC funded post-school programs and ADHC's coordination of legally sensitive cases. Further it will consider the protocols and legal implications, for principals and teachers, in working with non-government organisations at the interface between education and the NDIS. This information will be made publicly available.
- 2.11. Federation will continue to develop its Special Education Policy and Special Education Position Paper, to maintain the currency of Federation's position, effectively inform campaigns and articulate research-based practice in the education and support of students with disability. The research commissioned from the University of Sydney - to provide information on learning and support in NSW - will inform this ongoing work and future campaigns.
- 2.12. In 2013, DEC ceased the centralised provision of Language and Reading Support Classes. Federation calls on DEC to ensure the provision of specialist support for students with severe expressive language and/or receptive language disorders and for students with significant difficulties with reading.

ACTION POINT 3

Strengthen initiatives to address and promote mental health, safety and wellbeing

- 3.1. Federation re-iterates its call for additional School Counsellors as per the recommendation of the *Inquiry into the provision of public education in NSW* of a ratio of one Counsellor per 500 students. Any recruitment process for school counsellors should prioritise successful teaching experience, and in doing so, align the role of the school counsellor to the teaching students.
- 3.2. Federation will call on the DEC to establish system-based psychiatric services, which are additional to existing school counselling services. Such a service must be easily accessible to students and schools.
- 3.3. Federation will work with DEC on the Wellbeing Framework to ensure schools are being supported to embed - in whole school planning and practice - the guiding principles and initiatives such as those outlined in the *National Safe Schools Framework*, *National Framework for Health Promoting Schools (HPS)* and *National Action Plan on Mental Health 2006-2011*. Federation commends the government's national HPS initiatives KidsMatter and MindMatters. Federation will also call on DEC to expand its NSW School-Link Initiative.
- 3.4. Federation will call on DEC to further differentiate specialised settings by
- having separate SSPs for students with a Mental Health (MH) 1 sign-off (students who internalise their behaviours) and those with MH2/MH3 sign-offs (students who externalise their behaviours)
 - affording students with mild and moderate intellectual disabilities and those with emotional and behaviour disorders the opportunity to access different support classes/specialised settings and maintain the level of funding for the Kids Matter and Mind Matters initiatives.
- 3.5. Federation will research programs, initiatives and materials to support the health, safety and wellbeing of teachers, and will call on the DEC to provide adequate funding for the implementation of such programs.
- 3.6. Federation will continue discussions with the Ministry and DEC to develop initiatives to protect

and improve the health and safety of teachers and students:

- through safety response mechanisms to critical incidents and dangerous behaviours
- provision of mental health support
- adherence to DEC enrolment procedures

ACTION POINT 4

Increase the resourcing of specialised settings and enhance specialist provision

- 4.1. Federation re-iterates its call for the restoration of SSP and support class sizes to pre-2005 numbers and SSP staffing/secondary supplementation.
- 4.2. Federation will investigate the provision of separate K-6 and 7-12 SSPs based on safety grounds.
- 4.3. Federation will continue negotiations with DEC to reduce class sizes in ED/BD settings and staff such settings at their maximum capacity, to provide the necessary staffing stability and remove the unnecessary uncertainty of schools constantly being placed on review.
- 4.4. Federation calls on the Department to develop and implement minimum building, resource and safety response standards for specialised and support settings. Federation will call on input from members to detail what should be considered.
- 4.5. Federation will host a Learning and Support Expo to celebrate, highlight and network the work of specialised settings, support classes and adjusted teaching and learning in public schools. Federation will approach the Department to participate in the event. The event will be open to public school teachers, community members, relevant parent, principal, public education and professional organisations, and disability organisations. The NSW Premier, Education Minister and other MPs will be invited.
- 4.6. The Federation calls on the Department to conduct an evaluation of Multi-Categorical (MC) classes and make available to Federation the number of MC classes, their location and their diagnostic criteria.
- 4.7. Federation calls on DEC and the NSW Government to trial a 'connected services' model of student support that involves a public high school, together with its feeder primary schools in a P-12 continuum, in a socio-economically disadvantaged urban school community. This initiative would utilise the public high school as the pivot point or hub within its local community, to coordinate a proactive, integrated model of student support that connects the delivery of teaching and learning with meeting the needs of students in the areas of health, family and community services and housing.
- 4.8. Federation maintains that access to a system of free, safe and properly run transport to and from school is a right for students with disability. Federation calls on DEC and other government agencies to enhance and improve the Assisted School Travel Program (ASTP) to ensure that all students with disability arrive safely at school and are returned safely home. The ASTP must include a guaranteed provision for transport of students with disability to and from respite settings when required.
- 4.9. Federation calls on DEC to provide information and training on how to complete Access Requests and about the placement panel process.
- 4.10. The Federation's Special Education Restricted Committee will continue work on the development of materials for members and training for Federation Workplace Committees, outlining entitlements, obligations, policies and procedures in relation to the enrolment and education of students with disability in public education settings.

ACTION POINT 5**Provide support for students and settings at different transition points**

- 5.1. Federation calls on the Department to increase the number of Transition Support teachers for secondary schools and establish an equivalent position for primary schools, so that students, families and schools can access expert transition support.
- 5.2. Federation calls on DEC to establish transition programs - such as those currently in place for students with vision and hearing disabilities - to support students with other disabilities at various transition points throughout their schooling.
- 5.3. Increase the number of Assistant Principals Learning and Support to assist schools with the transition of students with disability at different points in their schooling, including the transition from specialised settings back to general education classes in mainstream schools and from Juvenile Justice Centres back to school.
- 5.4. Federation calls on DEC to provide resources to facilitate sharing amongst public education settings of successful initiatives and strategies for transition.
- 5.5. TAFE Teachers Association and members will be consulted in the development of an appropriate policy for TAFE.

ACTION POINT 6**Foster parent and community engagement partnerships and strategies**

- 6.1. The Federation's Special Education Restricted Committee, supported by a research officer, will research models and initiatives geared towards parent and community engagement strategies, including the role of Community Liaison Officers, to empower teachers to work effectively with parents and school communities to support the education and wellbeing of students with disability. This work will involve collaboration with relevant parent organisations.
- 6.2. Federation will seek opportunities to establish and strengthen relationships with relevant parent, professional and community organisations, and will establish relevant academic partnerships

ACTION POINT 7**Federation will consider hosting a Special Education Summit before the end of 2014. The summit will:**

- 7.1. Include guest speakers and themes detailed in the Special Education Position Paper
- 7.2. Invite state and federal politicians
- 7.3. Develop and publicise a summit statement to be used to maximise pressure on all politicians in the lead up to the next state election and the 2015 federal budget

ACTION POINT 8**Following the Special Education Summit, Federation will schedule special education community forums in regional locations**

7. QUALITY TEACHING AND LEARNING ENVIRONMENTS

Conference condemns the NSW Government for failing to commit sufficient funds for capital works and maintenance in public schools. This follows the neglect of successive NSW Governments to ensure that public schools are well resourced and maintained to a huge standard.

Quality teaching and learning are impeded in school environments which:

- are poorly maintained and/or unsanitary;
- have ineffective and/or unsafe heating and cooling systems;
- are noisy;
- do not allow the space to facilitate innovative teaching and learning, the use of new technologies, including the infrastructure to support this in classrooms of a suitable size, and the numbers of students;
- do not provide the necessary physical or other adjustments necessary to support the special needs of some students.
- Including the current practice of accommodating students and staff in demountables on a long term basis.

The budget allocation for two new public schools and fourteen new school projects will not address the needs of hundreds of schools which require major upgrades.

Public schools have also been negatively impacted by the privatisation of school cleaning with cuts to staff numbers and to the time allocated for cleaning.

Action:

1. Federation will meet with United Voice to discuss how we can support their “Clean Schools Campaign” to show support for our cleaners in the lead up to the state election. We should be careful that they are not blamed for the deficiencies in the school cleaning policy. Federation will invite Mel Gatfield, Assistant Secretary, United Voice, NSW Branch to address Council regarding their campaign and how it can be supported.
2. Federation will seek information from Workplace Committees about health and safety issues impacting on working and learning conditions as part of the Federation’s state election campaign.
3. Federation will support workplace committees in pursuing health and safety issues related to risks which arise from poor maintenance and lack of investment in school infrastructure to a high standard which ensures the well being of both students and teachers. This will include:
 - a) Information and support in raising health and safety issues through the Issue Resolution process with the Senior Executive of the Department.
 - b) Organisers assisting workplace committees in developing local campaigns to address school cleaning, maintenance and capital works needs. Organisers will support school workplace committees in discussing and planning appropriate local action to support the campaign.
4. Reports on local action and the progress of the state election campaign will be provided to October and November Council to inform progress on these issues.

5. A recommendation for further action in 2015 will be put to November Council at the latest.
6. Federation is to reignite the unflued gas heater issue.
7. The Federation will continue to pursue the removal of all unflued gas heaters from schools and colleges across New South Wales. Further the Federation is to reiterate the proven health hazards associated with unflued heaters for both staff and students.

9. RESOURCING AND SUPPORT FOR TECHNOLOGY IN SCHOOLS

Technology has changed the nature of teaching and learning in the 21st Century. It provides unprecedented opportunities for personalised learning, student engagement, digital literacy and creativity. The use of technology in education is widely supported by teachers, parents and school communities.

This technological revolution has changed the expectations of teachers and the methodology they use to deliver current and relevant learning. It has resulted in the need for teachers, and in particular technology teachers, to constantly update their knowledge and skills to keep up with rapidly evolving programs and technologies. These factors have caused an increased demand on teachers' workload and need for professional learning.

However, existing DEC provisions of time, support and professional learning to meet these expectations are no longer adequate due to:

- the rate of change of technology and the need for constant updating of skills required to use new technologies;
- insufficient IT support personnel at the school level;
- demise of DER program and the increased demands placed on schools to implement the DEC's BYOD policy; and
- loss of Non School Based Teaching (NSBT) consultants providing professional learning in ICT.

Action

The NSW Teachers Federation, in consultation with members, including teachers working in Distance Education settings will, as a matter of urgency, enter into discussions with DEC to provide increased, ongoing and appropriate resources for professional learning and support for teachers' uses of technology in teaching and learning.

Federation encourages schools experiencing technological problems to make contact with the ICT help desk.

10. FAILURE TO HIRE CASUAL TEACHERS

The NSW Teachers Federation is concerned about the increasing incidence of school executive failing to hire casuals to replace absent teachers, instead choosing to split or leave classes uncovered, claiming a variety of reasons that are largely untrue. Schools are also reporting that principals are using the introduction of the RAM as an excuse for the enforcement of “extras” so that casual teachers need not be employed.

The Teachers Federation will consult with the DEC to ensure all school executive are instructed to organise day-to-day casual relief on every occasion according to current practice and policy.

This is essential for the safety of students and to guarantee that classroom programs are continued and student learning is not disrupted when teachers are sick or on any other type of leave including Professional Development.