SUMMARY REPORT

The 316th meeting of the Catholic Education Commission, New South Wales was held on 19 May 2010 in the Clancy/ Gilroy Rooms of the Polding Centre. The meeting was chaired by Bishop Anthony Fisher OP DD.

A Summary Report of the Commission meeting is provided below:

1. **Senate Inquiry BER P21 Program**

On 18 May 2010, Bishop Anthony Fisher OP in his capacities as both the Chairman of the Commission and as Catholic Block Grant Authority NSW(CBGA) Delegate appeared before the Senate Inquiry into the Building the Education Revolution (BER). The Inquiry was specifically interested in the Primary schools for the 21st Century Program (P21). The Inquiry is being conducted by the Senate Education, Employment and Workplace Relations Committee. Bishop Anthony was accompanied by William Walsh Executive Officer of the CBGA and Gregory B Whitby in his capacity as Executive Director of Schools Parramatta Catholic Education Office. Dr. Bill Griffiths Executive Director of the NCEC was also in attendance.

Bishop Anthony strongly supported the BER Program. He advised Senators that this new funding is allowing NSW Catholic schools to build facilities that otherwise could not be afforded. 445 NSW Catholic Schools are benefitting from the P21 Program. Buildings have been architecturally designed to local sites and are achieving value for money. An estimated 8,700 full time jobs have been created in local communities associated with NSW Catholic schools. Principals and local stakeholders are involved and are appreciative of the outcomes.

2. **NSW Board of Studies**

Under the NSW Education Act 1990, the NSW Catholic Schools Sector has the right to nominate a person for membership of the NSW BOS. The term of the Commission’s current nominee Dr. Brian Croke expires on 4 July 2010. Responding to a request from the NSW Minister for Education, the Commission has submitted three names for consideration by the Minister for appointment to this position from 4 July 2010.
3. **CEC HSC Data Analysis Project**

Commissioners agreed that Dr DeCourcy of CEO Parramatta should continue his work which assists the CEC to better understand HSC educational outcomes. A new element of this work is the creation of linkages with NAPLAN results. Commissioners asked the Education Policy Committee to continue to liaise with Dr DeCourcy and develop further advice for the Commission on the analysis of the performance data of NSW Catholic schools.

Commissioners also discussed Dr DeCourcy’s Report on the Analysis of the 2009 School Certificate linked to Year 9 NAPLAN and his recommendations for extending this analysis. Commissioners agreed that further analysis is required and agreed that this work should continue for the 2010 School Certificate. The aim should be to improve Catholic school outcomes and improve learning growth across NAPLAN, School Certificate and HSC outcomes.

4. **NAPLAN 2010**

NSW Department of Education and Training proposes three functions which may be included in 2010 SMART2 reports for Catholic schools. These are:

- providing virtual Year 7 outcomes for former students, regardless of sector, to Primary schools;
- replacing Catholic Like School Groups with the MySchool/ICSEA statistically similar groupings;
- enabling a Principal or teacher to access both past and present NAPLAN Student Reports in respect of all schools at which a student has been or is enrolled.

Commissioners supported widening of student level data capture, including by allowing Primary School Principals access to the Year 7 outcomes of former students. However, Commissioners did not agree to replacing Catholic Like School Groups with ICSEA statistically similar groups for 2010. Commissioners requested that the option for cross sector ICSEA based reporting groups be further explored.

Commissioners noted that two Catholic sector training sessions on SMART2 are being organised for August 2010.

5. **Commonwealth Funding Review**

Commissioners noted the Draft Terms of Reference for the proposed Commonwealth review of school funding for the period beyond 2012. Commissioners were appreciative of the proposed methodology for the review including the fact that the review applies to all school sectors and both Commonwealth and State funding. Commissioners agreed that this approach is fairer to all sectors compared with exclusively focusing the review on only the provision of Commonwealth funding for non government schools.

Commissioners agreed with the guiding principle of the proposed review that: “a funding system needs to support schools to raise the educational standards of all school students whilst reducing achievement gaps between students”. The review aspires to an outcome which will result in a fair and simple funding model that supports student attainment and distributes funding based on need, regardless of sector. The intention is to build the best possible platform for the longer term sustainability of schools. The Deputy Prime Minister has announced that the review will be undertaken by a small group of eminent Australians.
Commissioners were advised that the NCEC is responding to the draft Terms of Reference.

The Review Panel is chaired by David Gonski AC, an eminent businessman and philanthropist who is also the Chancellor of the University of NSW as well as Chairman of the Australian Securities Exchange, Coca-Cola Amatil and Investec Bank.

The Review Panel will also include Ken Boston AO, former Chief Executive of the Qualifications and Curriculum Authority in the United Kingdom; Carmen Lawrence, former Federal minister and Premier of WA and current Professorial Fellow in the Institute of Advanced Studies at the University of Western Australia; Kathryn Greiner AO, Deputy Chancellor at Bond University and Chairperson of Australian Hearing; and Peter Tannock AM, noted international educationalist and former Vice-Chancellor of the University of Notre Dame.

6. **National Partnerships**

Commissioners noted that the CEC National Partnership Coordination Group involving Diocesan, CLRI and CCER representatives met on 4 May 2010 and explored:

- National Professional Teaching Standards;
- NSW Evaluation procedures;
- Planning process for Low SES schools joining the program in 2010;
- School Leadership Development Processes; and,
- The sharing of Diocesan National Partnership activities.

7. **MY School Financial Data**

The Commission’s Resources Policy Committee has established a Financial Questionnaire (FQ) Specialist Working Group to provide technical advice on ACARA requirements in general and the FQ in particular.

With respect to the reporting of school income by MySchool, it was noted that what was originally envisaged as a simple reporting of three composite figures for each school, based on audited financial data, has raised complex questions. In particular, comparability of data across all school sectors has emerged as a key issue. Commissioners confirmed their earlier commitment to the full public disclosure of the income of each Catholic school but on condition that there is comparability of financial reporting across all school sectors.

8. **Responding to Children and Young People with Sexual Behaviour Problems**

Commissioners welcomed the rewritten Summary Guide which has been renamed “Summary Guide: Responding to Children and Young People with Sexual Behaviour Problems.” This Guide had previously been titled “Peer Abuse Guidelines.”

Commissioners agreed that the new title is more descriptive of the subject matter than the earlier title as considered by the Commission at its meeting on 18 August 2009. The new title is also more expressive of Catholic values. Commissioners expressed their thanks to Dr. Gerard O’Shea of Victoria and to the Catholic Education and Social Welfare Coordinating Committee (CESWCC) for their work in redeveloping these Guidelines.
Commissioners noted that CESWCC will continue to consult with Dioceses, Congregational schools and Catholic Welfare Groups on implementation issues. CESWCC intends to publish one document to serve both Education and Social Welfare purposes.

Commissioners identified some key amendments to the final Draft. Commissioners also agreed that the Summary Guide may need to be modified in the future following a reasonable time for trialling. Commissioners agreed that this subject matter is both sensitive and important and they therefore requested CESWCC to monitor its use in both Education and Social Welfare contexts and recommend changes as necessary.

The Guidelines are planned to be released on-line to Catholic authorities later in 2010.

9. Bushfire Management and NSW Catholic Schools

Commissioners noted that there have been four memoranda sent to NSW Catholic Schools Authorities about new National bushfire management requirements. Commissioners also noted the legal obligations arising from alerts and emergencies that apply to both the CEC and impacted NSW Catholic Schools Authorities.

Commissioners supported the preparation of those Catholic sector communication protocols that are progressively being put into place. This is being done in conjunction with both Catholic Church Insurances and the NSW State Emergency Operations Centre.

10. Memorandum of Understanding with NSW Police

At its 24 March 2010 meeting, the Commission considered a paper on: “School Safety Management, Bullying, Knives in Schools”, inclusive of the 2003 “Schools and NSW Police Information Exchange MOU.”

Since March, this MOU has been amended to reflect new statutory information exchange requirements, including Part 5A of the Education Act 1990 and Part 16A of the Children and Young Persons Care and Protection Act 1998. This redrafted MOU was discussed at an inter Diocesan CEC forum on Privacy issues held on 6 May 2010.

The Commission adopted the revised MOU for the exchange of information between Police and Schools to be executed by CEC NSW, AIS NSW, NSW DET and the NSW Police Service.

11. NSW Catholic Schools System’ Financial Health Assessment

DEEWR requires all non government schools to undergo and pass a financial viability test as a precondition for Commonwealth funding. As an alternative to each Catholic systemic school completing an individual Financial Health Assessment CEC has been authorised to provide a “Deed of Guarantee” on behalf of the NSW Catholic schools system which comprises all NSW Catholic systemic schools across the eleven Dioceses. Once this Deed of Guarantee is executed, NSW Catholic systemic schools will not be required to comply individually with the Financial Health Assessment Framework.

All eleven NSW Diocesan Schools Authorities have reviewed the application of the financial viability test in respect of their Diocesan system schools and made financial viability declarations on behalf of their Diocese to the Chairman of the Commission, Bishop Anthony Fisher OP. Bishop Anthony has signed the 2010 Deed for NSW Catholic systemic schools on this basis and forwarded it to DEEWR for execution. This was done on 1 June 2010.
12. **2010 Federal Budget**

The overall impact on schools of the 2010-2011 Budget brought down on 11 May 2010 is minimal.

Critically the Budget confirms the previously know decision that the regular Capital Grants Program has no funding commitment beyond 2012. Unless something changes with the funding review, 2011 will be the last application year for the Capital Grants Program with half the normal funding pool being available.

13. **Modernisation of the NSW School Certificate**

The NSW Minister of Education and Training, Verity Firth, has announced that there will be an examination of the current NSW School Certificate by OBOS to determine what may need to be changed in the light of recent educational reforms. Among these developments are changes to the school leaving age, resulting in most students staying at school beyond Year 10, and the introduction of NAPLAN testing in Year 9. The impact of the National Curriculum will also be considered. There will be a broad OBOS consultation process in which CECNSW will participate. A report is anticipated in late November 2010.

14. **2010 Quinquennial Review of the CEC**

Under the CEC Charter, there is a requirement for a Quinquennial review. The last review was in 2005. The Commission has considered a number of CEC operational issues. Bishop David Walker has been given responsibility by the NSW/ACT Bishops to supervise the review. Bishop David has finalised Terms of Reference in conjunction with the Commission and will shortly recommend their adoption by the NSW/ACT Bishops. He is also considering potential consultants to carry out the review. It is expected that the review will commence shortly and report to the Bishops by early 2011.

15. **Crossroads Evaluation**

In mid 2007, the NSW/ACT Bishops issued a Pastoral Letter explaining the challenges facing Catholic schools in a changing environment. The Pastoral Letter calls on Catholic educators, staff and parents to recommit themselves to ensuring that Catholic schools:

- are truly Catholic in their identity and life;
- are centres of “the new evangelism;”
- enable our students to achieve high levels of ‘Catholic religious literacy’ and practice; and,
- are led and staffed by people who will contribute to these goals.

The Commission is committed to reviewing during 2010 the implementation of the **Crossroads** Pastoral Letter across all NSW Catholic schools.

A consultant has been identified to carry out this review on behalf of the CEC. Terms of Reference are being discussed and a methodology is being explored. The Commission will review the proposed methodology for the evaluation at its 21 July 2010 meeting.
16. **Management of Overseas Students**

Currently, CEC is the Registered CRICOS (Commonwealth Register of Institutions and Courses for Overseas Students) provider of schooling to overseas students enrolled by all NSW Catholic Systemic schools and most NSW Congregational schools.

Recent amendments to the Commonwealth Education Services for Overseas Students (ESOS) Act will impact on CEC’s role as the Registered CRICOS provider. More specifically, from 3 June 2010 CEC will be required to list on its website the names of all Education Agents who represent NSW Catholic schools.

The CEC Secretariat is currently finalising its CRICOS compliance options.

The Commission will consider a paper on the implications of these legislative changes at its July 2010 meeting.

17. **Review of the NSW Commission for Children and Young People Act 1998**

The Director General of the NSW Department of Communities has advised CEC that input to the current review of the Commission for Children and Young People Act 1998 may be made until the end of May 2010. CEC has advised that CCER will provide the Catholic Sector’s input to this review since the Review is mainly focused on Working with Children Check issues.

18. **Senate Inquiry into the Administration and Reporting of NAPLAN Testing**

On 13 May 2010 the Senate referred the administration and reporting of NAPLAN testing for Years 3, 5, 7 and 9 to the Senate Education, Employment and Workplace Relations Committee for inquiry and report.

Commissioners noted that submissions are required by 25 June 2010. The reporting date is 13 August 2010. CEC will liaise with NCEC regarding a Catholic schools’ sector response strategy.

John Kitney
**Secretary to the Commission**
4 June 2010
Catholic Block Grant Authority NSW (CBGA) Briefing to the Commission

The Commission noted the briefing from the CBGA:

Building the Education Revolution (Funding Program of $1.1 billion for CBGA over 2010 – 2012)

NSP Projects: This BER element is drawing to a close by way of project completions and payments. Program administration will continue for some time to fully financially acquit the 1,111 school projects and the total allocation of $84.2m in grant funds.

As at the end of March, 1,059 projects had been completed (95.3%) and $79.8m paid out (94.6%). Six hundred projects have been fully acquitted (54%).

P21 Projects: Of the total of 732 approved projects, 434 (59%) have commenced actual construction on site and 52 (7%) are fully completed. Of the total allocation of $888.2million, $220.8million has been paid in progress claims, 24.8% of the total.

Science and Language Centres: Of the 29 approved projects, 18 have commenced construction. Projects are required to be completed by the end of 2010. Of the $49.3 million allocation, $9.7 million has been paid in progress claims, 19.7% of the total.

Digital Education Revolution The provision of computers into secondary schools is continuing to plan. Of the Rounds 1 and 2 to provide computers to a level of 1:2 students in Years 9-12, the Rounds have been completed to levels of 100% and 75% respectively. For Round 3 which is to bring all Years 9-12 to a level of 1:1, 75% of the computers have been allocated to schools.

Trade Training Centres Applications for Round 3 close on 4 June 2010. The number of applications (based on Expressions of Interest to DEEWR) will far exceed the available funding. It has to be expected that not all NSW Catholic sector applications, irrespective of quality, will be successful in a national assessment process run by DEEWR.

Other Matters

Federal BER Taskforce

The Taskforce Chair, Brad Orgill, and his review team are scheduled to meet with national BER Coordinators in Melbourne on 21 May 2010. The CBGA Executive Officer is attending the meeting.

DEEWR has confirmed that a levy to support the Taskforce’s $14m operation will be imposed on each BGA. No figure has been confirmed for the NSW CBGA; a levy in the order of $1million is anticipated.

ANAO Report

From the CBGA perspective, the ANAO is reasonably accurate in describing the progress and DEEWR’s administration of the BER Program.

The audit objective was to examine the effectiveness of DEEWR’s establishment of the P21 element of BER; it was not a review of individual projects, ‘value for money’, school satisfaction or the role of delivery agencies. A survey of principals’ views on the administration of the program was part of the audit.
The ANAO audit identified two major areas of program deficiency. Firstly, the delays in construction starts and completions in relation to the Government’s original timetable. Secondly, the over-involvement of DEEWR in program delivery. There were no criticisms of BGA operations. While there have been delays in our sector on project construction starts, completion dates will in the main be met.

The ANAO report makes several references to the over-involvement of DEEWR in program delivery. The ANAO report states that DEEWR needed to strike a better balance between the use of controls to achieve program objectives and the flexibility needed by education authorities to determine the most appropriate delivery approaches to achieve outcomes at the local level.

**Capital Grants Program**

2010 round applications total $102 million. Around $30m can be allocated this year. There would be a residual funding amount of around $17m for a 2011 application round with no Commonwealth commitment to further capital funding pending the outcomes of the Government’s review of all school funding.

John Kitney  
**Secretary to the Commission**  
4 June 2010