SUMMARY REPORT

The 323rd meeting of the Catholic Education Commission, New South Wales was held on 9 February 2011 in the Clancy/Gilroy Rooms of the Polding Centre. The meeting was chaired by Bishop David Walker DD.

A Summary Report of the Commission meeting is provided below:

1. **2010 Brother John Taylor Award**

   The CEC’s Brother John Taylor Award each year is awarded to an individual who makes a significant contribution (or who has made such a contribution in the immediate past) to Catholic education in NSW which has benefited the Catholic education community generally and, through their work, facilitated the work of others in their professional role, and strengthened the ethos of Catholic education. For 2010 the Committee has decided that there are two winners of the Award, both from the Lismore Diocese. The 2010 Awards are being given to Barry Bermingham, Additional Needs Consultant of the Lismore Catholic Education Office and to Glenn Roff, Principal of St John’s College Woodlawn. Both winners are outstanding success stories in Catholic education. Both awardees have exerted strong influence and leadership among Catholic educators across NSW. The awards are planned to be conferred at Lismore in early 2011.

2. **Deputy Chair of Commission**

   Bishop David Walker DD was appointed Deputy Chair of the Commission for 2011.

3. **Catholic Education and Social Welfare Committee (CESWC)**

   The Commission appointed its four nominees to the CESWC for a term of four years. Those appointed are:

   - Margaret Chittick, CEO Wollongong
   - Dr. Kristin Johnston, Commissioner
   - Linda McNeil, Parent Representative, CSO Maitland - Newcastle
   - Elizabeth Rowe, CEO Parramatta
As background, CESWC is a joint committee of the Commission and Catholic Social Welfare. The Committee focuses on, from a Catholic perspective, the safety, welfare and wellbeing of children and young people by:

- providing information and advice to assist both local and state-wide policy development;
- identifying issues and making recommendations; and,
- responding to and where relevant, developing guidelines and support material regarding specific issues.

4. **Education Act School Attendance Requirements**

The NSW Education Act was amended in 2009 for the purpose of strengthening school attendance provisions and raising the school leaving age in the State to seventeen years of age. The Commission has been working with the State Government and its agencies and other NSW education sector organisations *inter alia* on the implementation of appropriate attendance Delegations from the NSW Minister for Education and Training to key Catholic sector officers. Draft delegations were considered by the Commission at this meeting.

Commissioners confirmed that delegations on attendance in NSW Catholic schools should be consistent across the sector irrespective of the form of management of each school. Further, Commissioners confirmed that Diocesan Catholic Schools Authorities and Congregational schools should not be involved in prosecutions of Parents nor the immediate steps leading up to litigation. It was agreed that prosecutions are more appropriately undertaken by the Director General of Education acting in his/her role as education policy adviser to the Minister, not as the operator of public schools. Catholic School Principals will notify critical attendance cases to the DET Legal Services Directorate as part of their pastoral care responsibilities.

Commissioners noted that all School Principals have been given a delegation to approve absences up to 50 days in one school year. Longer absences are to be delegated to appropriate officers within systems. There is still the matter of the relevant delegate for Congregation schools for exemptions exceeding 50 days. Secondary School Principals have also been given a delegation to approve participation in an apprenticeship as an alternative to schooling for Year 10 students.

5. **NSW DET’s Approved ICT Innovation Fund Project: “Anywhere, Anytime Teacher Professional Learning”**

As background, the approved Commonwealth project in NSW is a two year project (June 2010 to June 2012) with a development budget of $5.4M. The three NSW school sectors in collaboration with NSW Universities will manage the development of both materials and an interface to enable pre-service teacher education students, teachers in schools and schools leaders to interact in self-directed ICT learning.

Commissioners noted that Diocesan and Congregational School participation in this project is optional. It was agreed that considerable benefit to NSW Catholic School Authorities will result from choosing to engage in the development stage of this project, namely:

- moulding the project to meet existing and local teacher development needs;
- ensuring that that the state project and existing local projects are complementary; and,
- development of Catholic sector staff who may be placed in secondment roles during the project’s development phase.
The Commission agreed to participate in the DEEWR funded NSW “Anywhere, Anytime Teacher Professional Learning” project. It authorised the CEC Executive Director to call for nominations from the NSW Catholic schools sector to fill both the Professional Learning Team Co – Leader position and the set of Catholic sector representative positions on each of the Project Control Group, Technical Advisory Group and Professional Learning Group. It also requested the Education Policy Committee to monitor project implementation and report periodically to the Commission on progress.

6. Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Direction 2011

On 21 January 2011 the Government Gazette gave notice of an Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney growth Areas) Direction 2011 under the Environmental Planning and Assessment Act 1979. In brief, specified Councils must impose a contribution of $269,649 per hectare of net developable area as a condition of consent. The imposition of the new contribution could add $800,000 for a small primary school and up to $2.7 million for a large secondary or K-12 school site.

Commissioners noted that Non-government schools are not exempted under the Determination although government schools and TAFE colleges are, and that other public facilities, are specifically exempted [Section 10(3)]. Existing infrastructure contributions such as Section 94 charges remain in place. The Direction applies to the following Councils: Blacktown, Camden, Campbelltown, Hawkesbury, The Hills and Liverpool. The Direction impacts on new school developments in Parramatta, Sydney and Wollongong Dioceses with respect to the relevant council areas.

The Chairman has written to the NSW Premier seeking an exemption equivalent to that for government schools from the Special Infrastructure Contribution Direction and also to the Government and Leader of the Opposition seeking an election commitment to include Catholic schools as one of the exempted facilities.

7. NSW State Election: Platforms of Major Political Parties

The NSW State Election will be held on Saturday 26 March 2011. Parliament has already been suspended and the current NSW Government will enter into ‘caretaker mode’ at the end of February 2011. The Commission discussed education issues that may arise during the election campaign and the known policies of the three major parties.

The Labor State Government has not issued a policy statement on education. The Government is standing on its record. It is assumed this means grants to non government schools remain at 25 per cent of the average cost of a government school. It is also assumed that Other Programs remain at their current levels, including the transport support scheme to the school of choice.

The Coalition has not issued an education policy statement in respect of the general funding of non government schools. The Coalition has, however, issued an education policy statement announcing a Literacy and Numeracy Action Plan, improvements in the local management of BER projects and a $60 million cash injection for government school maintenance. It is assumed that grants and other Programs in support of non government schools will continue should there be a change of government.
The Greens have issued a policy statement on education calling on combined Commonwealth/State funding of most non government schools to be frozen at their 2003 real levels, with grants to the “wealthier schools” to be abolished. There would also be a breaking of the nexus between grants and government school costs. Current exemptions from anti discrimination legislation would be removed, with non compliance resulting in loss of funding. Transport subsidies would be restricted to the nearest public school. The interest subsidy would be reformed so as to protect public schools from any expansion of private schools.

Commissioners confirmed that the five key policy objectives the CEC will pursue in the 2011 State Election Campaign are:

- **A foundation commitment to guarantee the continuation of the existing State funded support items for Catholic schools**;
- **Increased state per capita funding for Students with a Disability**;
- **An increased allocation for the Building Grants Scheme and the application of an industry standard annual indexation methodology**;
- **VET/TVET funding guarantees and an increased funding allocation**; and,
- **Government recurrent funding support for Catholic sector behavioural units**.

Pre-election Strategies have included the provision of Facts Brochures produced by the Council of Catholic School Parents (CCSP) which are being distributed to Diocesan Catholic Schools Authorities Offices. The CCSP website will be updated with relevant information. Meanwhile, both the CEC and the CCSP have continued to liaise with both the Minister for Education, the Shadow Minister and their staffs.

In terms of local initiatives, some Dioceses are in the process of having, or have completed, meetings with local members of Parliament and already declared candidates. Delegations generally comprise Parents, Principals, CEO/CSO staff and in some cases, Parish Priests.

The timing of the distribution of the CEC/CCSP Facts Brochures is dependent upon the timely release of policy detail by the relevant political parties but it is hoped to be able to finalise and circulate this document to Parents, through schools, by mid-March 2011.

Commissioners identified engagement with the school education policy of the Greens as a priority task. The adverse nature of the Greens policy for Catholic schools was stressed.

8. **Crossroads Survey**

The NSW/ACT Bishops in 2007 issued *Catholic Schools at a Crossroads*. The Commission at its October 2010 meeting agreed to survey all Diocesan Catholic Schools Authorities and Congregational schools on how the Bishops’ statement is being implemented.
During November 2010, respondents to an online survey were asked to describe initiatives, indications of success and any major challenges with regard to the following:

1. **Schools being truly Catholic in their identity and life;**
2. **Schools being centres of ‘the new evangelisation;’**
3. **Schools enabling students to achieve high levels of ‘Catholic religious literacy;**
4. **Schools being led and staffed by people who will contribute to the achievement of the goals identified in the Crossroads document;**
5. **Describe specific initiatives which were undertaken as a result of the Crossroads imperatives;**
6. **Provide any evaluative documentation relevant to the initiatives described; and,**
7. **Provide advice on how the CEC might further progress its review of how NSW Catholic schools have addressed the Crossroads pastoral letter.**

The Commission considered that the resulting Report provides a most useful research source for Diocesan Catholic Schools Authorities.

**9. NSW School Certificate**

The Commission considered the views of the NSW Board of Studies President on school certificate reform priorities. Commissioners noted the emphasis which the Board President is giving to the continuing importance of the school certificate tests.

The Commission considered it is now necessary to replace the school certificate with a flexible leaving credential. It requested the Education Policy Committee to provide further advice on reform priorities and options.

**10. CEC/CCRESS Forum**

The Biennial Forum was to have taken place on 27 September 2010 but was postponed to 4 May 2011 to enable wider participation of key Diocesan representatives. Commissioners reviewed progress with Forum planning and supported both the Forum Stimulus Paper and draft Forum Agenda. The Forum stimulus paper will be made available to all Forum participants as they register their attendance.

**11. National Partnerships**

Commissioners noted the growing complexities in managing National Partnerships for Catholic Schools. Despite the administrative burdens, Commissioners were particularly pleased with NSW Catholic schools’ involvement in National Partnerships and the resulting relationships with NSW DET.

Commissioners noted that the State Evaluation Committee is about to tender for two major evaluations in each of the three National Partnerships. The Interim Activity Report has been accepted by the Commonwealth Minister releasing the next grant in mid February 2011. Dioceses report great success in the establishment of their Centres of Excellence. The Australian Government will determine the value of Reward funds available to New South Wales and the State Government will determine the distribution of these funds across sectors. NSW has updated its National Partnerships Implementation Plan.
12. **Trade Training Centres**

The CBGA on 24 November 2010 issued memoranda to education offices (ref. 259/10) and Congregational schools (ref. 261/10) requesting that each authority prepare and submit by 17 December 2010 a three-year strategic plan commensurate with available funding. The closing date was set to allow assessment and reconciliation of the plans prior to an anticipated Round 4 application date of March 2011.

The CEC/CBGA will undertake the above processes in consultation with the Commission’s Vocational Education Advisory Group (VEAG) and with DEEWR. DEEWR is developing area and cost benchmarks for TTC facility types.

13. **Emergency Response to Catastrophic Notices**

Commissioners noted that the CEC’s Emergency Notification System is not yet implemented. Databases of emergency contacts are in place. Testing of the System and full implementation will occur in the next month.

Commissioners noted that a similar region wide system was implemented in parts of Queensland prior to the management of the recent flood crisis. In NSW, local emergency groups are taking control of local evacuations. This occurred recently in Armidale and Wagga Wagga. CEC is following up certain local emergency contact management concerns with State Emergency Services.

14. **Overseas Students: CRICOS Annual Registration Fees**

CEC is the approved CRICOS provider in respect of the enrolment of overseas students in the majority of NSW Catholic schools and recently paid the annual registration charge ($14,595) to DEEWR. This charge was calculated on the basis of 430 full student enrolments and 58 half-enrolments during 2010. In addition, the NSW Board of Studies has initiated an annual charge as part of its new VETAB process for accrediting courses undertaken by overseas students. The BOS charge for 2011 is $3580. This charge is levied on the basis of the maximum number of overseas students that can be enrolled in NSW Catholic schools under the Commission’s provider number. The Board is now the NSW authority for managing CRICOS providers so Officers of the CEC are in ongoing discussions with the Board to determine the post 2011 registration processes that will apply to non-Catholic schools wishing to accept full fee paying overseas student enrolments.

With regard to a related matter CEC is seeking advice from DEEWR as to the eligibility for government funding of a range of students enrolled in Catholic schools who are subject to the terms of “Humanitarian” visas.

15. **Chaplaincy Program**

On 5 September 2010 the Australian Council of State School Organisations announced its intention to explore a High Court challenge to the Chaplaincy Program. The case is being brought by Mr Ron Williams, a Queensland parent. Sydney solicitor Claude Bilinsky and barrister Bret Walker will challenge the program on constitutional grounds in the High Court in May. Their principal argument is that any school chaplain engaged under this scheme holds an office under the Commonwealth. By requiring these chaplains to comply with certain guidelines, a "religious test" as a qualification for a government “appointment” is imposed. This, it is argued, breaches Section 116 of the Australian Constitution. This is the first test of Section 116 since the DOGS case in the early 1980s which upheld the Constitutionality of Commonwealth grants to church schools.
16. MySchool Financial Data

Commissioners reviewed preparation for the impending 2011 launch of the revised version of MySchool.

17. 2010 NSW Higher School Certificate: Catholic Schools’ Performance

15,735 students from Catholic schools were awarded a HSC in 2010, an increase of 262 from 2009. The percentage of students from Catholic schools gaining with a Band 6 or Band E4 increased from 23.66 in 2009 to 24.24 in 2010. The number of students from Catholic schools in the Distinguished Achievers list increased from 4009 in 2009 to 4344 in 2010. The number of students in the All-round Achievers List increased from 175 in 2009 to 197 in 2010. The number of students from Catholic schools in the Top Achievers in Course List increased from 147 in 2009 to 151 in 2010. However, the number of students from Catholic schools placed first in course dropped from 19 in 2009 to 12 in 2010. Overall, this data would appear to denote a significant qualitative improvement in outcomes.

18. National Teacher Standards

It is a requirement of the National Partnership for Teacher Quality that Catholic schools implement new national standards for pre-service teachers, teachers and principals developed by the Australian Institute of Teaching and School Leadership (AITSL). Catholic school teachers have had considerable opportunities for input through NSWIT, AITSL and through presentations in a number of forums. On 9 February 2011, MCEECDYA released the teacher standards and associated documentation. AITSL will develop support materials to aid jurisdictions in the implementation of the new standards from 2012. Both the Standing Committee Education Policy and CCER will monitor the implementation of the new standards. At this stage, the release dates of the related National Professional Standard for Principals and the Pre-Service Teacher Education Program Accreditation are unknown. The latest material can be accessed on the website of the NSW Institute of Teachers.

19. Scoping Study: Regulator for Not For Profits

The Commonwealth Review of the Charities Act in 2009 recommended the establishment of a regulatory regimen for the not-for profit sector. This was also taken up and reinforced by the Henry Review of Taxation (2009). Accordingly, the Commonwealth Treasury has now begun a process for the possible establishment of a national ‘Not-for-profit Regulator’ whose remit would include all non-government schools. ACBC is preparing a response to the January 2011 consultation paper Scoping Study for a National Not-for-Profit Regulator and CEC is providing input to the ACBC response through both the Archdiocese of Sydney and NCEC. CEC is liaising with NCEC which is part of the ACBC response process. In summary, CEC together with the other Catholic agencies does not consider that there is a need for either a statutory definition of “charity” or the establishment of a national Not-for-Profit Regulator. CEC is of the strong view that Catholic schools are already appropriately accountable and regulated as Not-for-Profit entities at both the State and Commonwealth levels.

John Kitney
Secretary to the Commission
3 March 2011
Catholic Block Grant Authority NSW (CBGA) Briefing to the Commission

The Commission noted the briefing from the CBGA:

**CAPITAL PROGRAM**

Funds for all 2010 recommended projects and a 2011 application round will become available with the passing of the Schools Assistance Act with 2013 and 2014 funding commitments.

As an interim measure, the Commission has agreed for the CBGA Delegate to set priorities in respect of 2010 Capital Grants recommended projects. Those 2010 projects that are urgent and ready to start will be forwarded immediately to DEEWR. Other projects will be forwarded following the passing of the Schools Assistance Act in autumn 2011 or if DEEWR changes its position on “negative indexation.”

**BER PROGRAM**

**P21 Program**

The P21 Program was originally required to be fully completed by the end of March 2011. Subsequently, the Commonwealth required a small number of projects to be re-phased later into 2011 with adjusted cash flows. The CBGA has obtained approval from DEEWR to re-phase 51 of its 723 projects (7%).

**Science and Language Centres Program**

Of the 29 approved projects, 20 (69%) have completed as at 1 February 2011 and 86% of total funding claimed in progress payments across all projects.

Of the nine projects not completed, extensions have been granted by DEEWR to mid-February 2011 for 5 projects, one to end of February, one to end of March, one to end of April and one to beginning of May.

**DIGITAL EDUCATION REVOLUTION**

As at the end of January 2011, DEEWR had allocated $37 million in funding to take all secondary schools with Year 9-12 enrolments to a 1:1 ratio. To date, $21.5 million has been paid out to Diocesan Catholic Schools Authorities and Congregational schools. All schools have commenced moving towards 1:1 and 60% of the computers to achieve 1:1 have been purchased. All schools have advised that they will achieve 1:1 by the end of 2011.

**NATIONAL SOLAR SCHOOLS PROGRAM**

Commissioners noted that Catholic Block Grant Authorities, in conjunction with NCEC, have agreed *in principle* to administer this Program. BGAs are currently assessing draft guidelines and funding agreement from the Department of Climate Change. The agreement includes an administrative allowance for program management.

John Kitney  
*Secretary to the Commission*  
3 March 2011