SUMMARY REPORT

The 352nd meeting of the Catholic Education Commission, New South Wales was held on 20 October 2013 in the Clancy/Gilroy Rooms of the Polding Centre. The meeting was chaired by Bishop Anthony Fisher OP.

A Summary Report of the Commission meeting is provided below:

1. **NSW/ACT Bishops Meeting November 2013**
   The NSW/ACT Bishops met in November 2013 *inter alia* to consider matters raised by the Commission.
   The Bishops:
   - approved the 2014 CEC Budget and CEC levy of $9 per student;
   - approved the 2014 CEC Strategic Directions;
   - approved the appointment of Brother Paul Oakley cfc as one of the two CLRI nominations on the Commission;
   - reappointed John Mula as Commissioner being the nominee of the Bishop of Armidale;
   - discussed the proposed change to the NSW Anti – Discrimination Act which has subsequently been withdrawn;
   - considered updates on Commonwealth Schools Funding, the NSW Education Act Section 21 Amendment and establishment of the NSW Board of Studies, Teaching and Education Standards.

2. **Commonwealth Schools Funding**
   The Commission considered three papers relating to Commonwealth schools funding.
   The CEC is in the process of finalising two Memoranda of Understanding with the Commonwealth regarding school funding and these MOUs need to be in place by 31 December 2013.
   Under agreements in place, CEC is the System Authority for the NSW Catholic Schools System which covers all NSW Systemic Schools managed by the 11 NSW Diocesan Catholic Schools Authorities reporting to the local Bishop. The Authority for Congregational schools is the approved individual Congregational school entity. Systems Authorities receive operating grants from the Commonwealth and in the case of the CEC the Commission decides on and manages the distribution of Commonwealth operating funds to the 11 Diocesan Catholic Schools Authorities for NSW Catholic Systemic schools in accordance with a formula approved from time to time by the NSW/ACT Bishops.
The first MOU being finalised by the Commission includes accountabilities and describes how the CEC will distribute Commonwealth operating funds for NSW Catholic Systemic schools through the 11 NSW Diocesan Catholic Schools Authorities. This MOU will constitute the required Commonwealth Education Act Section 99 CEC Implementation Plan.

The second MOU relates to the CEC being the Representative Authority for NSW Catholic schools pursuant to Section 70 of the Commonwealth Education Act.

The NSW/ACT Bishops in 1974 established the CEC as being their representative body for all NSW Catholic schools – Systemic and Congregational – and the CEC continues in this role under the authority of the Bishops.

A short time before the October 2013 Federal election, the Commonwealth and the NSW Association of Independent Schools signed an agreement establishing the AIS as the Representative Authority for all NSW Independent schools. This includes all Congregational schools and other independent schools irrespective of whether they are members of AIS or not.

The CEC is in the process of redeveloping its funding distribution model taking into consideration the loading structure decided by the Australian government. Funding was approved for 2014 which will be a transition year. The Commission will decide on a new distribution model for 2015 onwards early in the New Year and will seek the Bishops’ approval by mid-2014.

3. **NSW Languages Review**

The NSW Board of Studies has developed a Consultation Paper and a Reference Paper that includes six initial proposals. The Review consultation began on 9 October 2013 and will end on 13 December 2013. The Board has established a Review Reference Group where the CEC representative is Ms Gillian Cordy, CEO Sydney.

To assist development of its submission, the CEC has sought feedback from Dioceses and Congregational schools through key survey questions through a web link which includes:

- the proposed K-10 Languages Curriculum Framework;
- new approaches to Post – Compulsory Languages education;
- language proficiency; and
- strengthening and supporting the provision of Aboriginal languages.

Commissioners opined that student attitudes are necessarily different in Australia to those in Europe and Asia to proficiency in a second language and there is a cultural resistance because English is the international language. There is also a supply deficiency in respect of teachers of many foreign languages which impedes delivery on a wide scale. In this context, Commissioners reviewed CEC input to the 1997 NSW Ministerial Review of Languages Education.

The Commission authorised the CEC Executive Director, with the advice of the Education Policy Committee, to prepare a high level response to the Review’s six policy proposals.

4. **National Collection of Data on Students with Disabilities: CEC Participation**

SWD funding arrangements for 2014 are interim in nature only. The Australian Government is developing a new SWD funding model for implementation from 2015. This new nationally consistent approach to collecting data will address the current unsatisfactory situation, where existing data sets are not comparable between jurisdictions and sectors, and pave the way for the implementation of a new funding loading for students with disability, based on level of adjustments.

For the purpose of the 2013 process, 30% of NSW Catholic schools participated in the collection of data. Students were identified using the broad definition of disability under the Disability Discrimination Act. CEC has submitted aggregate data to the Australian Government Department of Education, using the reference date of 18 October 2013.
Commissioners noted that the new nationally consistent approach to data collection is intended to:

- ensure comparability of data;
- be more accurate and comprehensive;
- inform policy and planning at all levels;
- assist schools to understand their responsibilities;
- pave the way for a new funding loading for SWDs based upon levels of adjustments.

Commissioners noted that better data collection does not necessarily mean more funds but a more equitable distribution of funding based upon a more accurate assessment of student need.

One of the major accounting firms has been tasked by the Australian Government to ensure that a robust Quality assurance Framework is put into place to ensure the comparability of data across jurisdictions. CEC is participating in this data validation review.

5. **School Counsellors: Advice for Diocesan directors and Principals of Congregational Schools**

The CEC Working Party on School Counsellor Issues was established by the Commission in September 2012. This Working Party was established in response to recommendations made by the Anti-Bullying Working Party (which explored issues arising from the Inquest into the death of Alex Wildman, a student of Kadina High School, by the NSW State Coroner and the St Patrick’s Campbelltown Oyston case). The CEC Working Party on School Counsellor Issues was asked to examine the role of the School Counsellor in NSW Catholic Schools and provide advice and recommendations on practice issues. This Working Party met on nine occasions between September 2012 and August 2013.

The advice arising is intended to provide Catholic school authorities in NSW with advice on key School Counsellor management issues. It is to be considered in the context of existing Diocesan and school policy statements on Pastoral Care in Catholic schools, including the CEC “Guidelines for Pastoral Care in Catholic Schools” available at:


Commissioners at this meeting considered a very advanced Draft of proposed Guidelines for NSW Catholic schools. A final document will be considered by the Commission at its December 2013 meeting. Following approval by the Commission, the Guidelines will be issued to NSW Catholic Schools Authorities and it is intended that a School Counsellor intranet site be established by CEC to host a dynamic set of FAQs for password protected access through CEC NETiD.

6. **Commission Decisions**

The Commission:

1) approved the allocation of 2014 More Support for Students with Disabilities allocations to dioceses and Congregational schools totalling $5.8 million;

2) endorsed and adopted the *great Teaching Inspired Learning* advisory letter as forwarded to the NSW Institute of Teachers;

3) endorsed the CEC’s 2013 State Literacy and Numeracy Action Plan annual progress report;

4) confirmed a list of 107 target schools for Minister’s approval under the 2014 State Literacy and Numeracy Action Plan; and

5) appointed HLB Mann Judd as CEC’s external auditor for 2014.
7. **NSW Board of Studies, Teaching and Education Standards Bill 2013**

On 13 November 2013 the NSW Parliament passed the *Board of Studies, Teaching and Educational Standards Bill 2013*. This new Act implements the NSW government’s announcement to combine the functions of the Board of Studies and the NSW Institute of Teachers under a single body. There are now three NSW Acts which will apply to the management of school education in NSW:

- the Board of Studies, Teaching and Educational Standards Act 2013.
- the Education Act 1990; and

Commissioners noted a number of aspects of the new legislation, including:

- the Board will include a nominee of CEC NSW;
- the objectives and functions of the Act include the requirement to “maintain flexibility” in its monitoring of the delivery of curriculum and assessment;
- the registration function of BOSTES is not confined to non-government schools;
- the rules of the Board do not take effect unless approved by the minister;
- there will be a review of the Act five years from the date of assent; and
- there is a new requirement regarding “proper governance” of schools.

The Commission will be provided with a more extended analysis at the April 2014 meeting, following the expected release of regulations pursuant to the Act.

8. **NSW Education Act Section 21 Amendment**

At their 23 October 2013 meeting, Commissioners considered a paper “NSW Education Act: Section 21 Financial Assistance to Schools”. Since that meeting, the NSW Parliament has enacted the amending legislation. The new Section 21:

- links financial assistance to the National Education Reform Agreement (NERA)
- requires funding for non-government schools to be maintained in the absence of the National Education Reform Agreement
- allows the Minister to provide additional funding beyond NERA requirements
- maintains the funding role of CEC, NSW
- requires a Ministerial Review to be undertaken in 2017.

The CEC will monitor developments.

John Kitney  
Commission Secretary  
29 November 2013