WEDNESDAY 18 NOVEMBER 2015
ELECTRONIC ONLINE MEETING WITH USE OF RESPONSE PAPER FOR AGENDA ITEMS

1. Section 83C Not-for-Profit Guidelines: Implementation Actions

The 23 September 2015 Commission meeting noted key implementation and compliance requirements as follows:

- Identification of each school’s / systems of schools’ Governing Body and Responsible Persons;
- Identification of all related party transactions and the management of related parties transactions register;
- Assessment of reasonable market value for each ‘material’ transaction;
- Management of conflicts of interest;
- Development of Policies and Record Keeping;
- Creation of an Assets Register(s); and
- Audit processes / requirements.

The first Section 83C audits of non-government schools (two are Catholic) commenced in October 2015.


On 17 November 2015, a CECNSW Workshop on Not-for-Profit compliance was held with Finance Managers from the eleven dioceses and most Congregational schools. The key compliance issues discussed were:

- NSW Education Act requirements;
- Australian Education Act and Regulation 2013 requirements;
- related party transactions;
- conflicts of interest;
- ownership of specific assets (e.g. parish/school halls); and
- interest on loans from related parties and interest on current loans.

Key outcomes of the workshop are the need to:

- distinguish parish and school assets, including land and buildings;
- identify related Catholic school entities;
- provide advice on common conflict of interest scenarios;
- harmonise Catholic Development Funds’ loan conditions for Catholic schools across dioceses;
- identify a ‘governing body’ for each school or system of schools;
- develop and use clear financial delegations;
- manage gifts and gratuities; and
- specify, document and account for staff travel including professional development travel.

CECNSW Secretariat is processing the written feedback from the workshop, which will be made available to Commissioners as part of a paper for the 11 February 2016 meeting.
2. Accreditation of Non-Accredited Teachers: Policy and ‘Working With Children’ Check (WWCC)

The Executive Director’s report to the 21 October 2015 Commission meeting included both an update on the development of a BOSTES policy on the accreditation of non-accredited teachers and Working With Children Check advice.

In mid-October, BOSTES released the Draft Accreditation of Non-Accredited Teachers Policy for consultation. This version of the draft policy, which has been endorsed by the BOSTES Quality Teaching Council (QTC), was provided for comment to dioceses via the Catholic Accreditation Authorities Group.

Concurrently, BOSTES asked its Reference Group, comprising representatives of the three school sectors, the unions, the Professional Teachers Council, Principals and CCER, to advise if the October public consultation draft, which has been endorsed by the QTC, requires additional changes and improvements.

The Working with Children Check (WWCC) is a requirement for the accreditation of non-accredited teachers.

CECNSW has identified a BOSTES ‘process’ issue with regard to consultation on the draft policy. The draft policy, which is available for public consultation, has been superseded by a version that reflects relative ‘agreement’ among the interested parties. Revised Child Protection legislation requires all existing teachers to have a Working with Children Check (WWCC) clearance by March 2017 (secondary teachers) and March 2018 (primary teachers). It also requires employers (schools) to verify teacher’s WWCC clearance.

The Office of the Children’s Guardian (OCG) determines all WWCC outcomes. Where the decision is ‘Clearance is not granted’, employment as a teacher must be immediately terminated by the employer.

Commissioners were also reminded that non-teaching staff in schools and Catholic Education / Schools Offices may also need to obtain a Working with Children Check (WWCC) depending on the classification of each employee position by the Office of the NSW Children’s Guardian.

CECNSW has hosted two informal meetings involving representatives of all schools sectors, BOSTES and CCER. The intention of these meetings is to enable broad cross-sectoral discussion based on the understanding that there are benefits when all sectors share their interpretations of requirements, current thinking, policy and communication strategies.

Issues raised by Commissioners were as follows:

• given the central importance of teacher development to Catholic schooling consideration should be given to creating a Commission Core Committee for Teacher Development;
• how will Congregational school Principals be accredited?;
• the status of ‘group’ schools such as EREA, being neither systemic nor non-systemic;
• whether the process for pre 2004 teachers should be termed ‘one off’ or not?; and
• the need to clarify advice for Congregational schools in respect of ‘the legal entity that is approved by the TAA’.
3. 2015 Census: Post Implementation Report and Learnings

Commissioners agreed a plan to improve the efficiency of the Census processes by undertaking a process re-engineering exercise and requested an interim report on progress of the aforesaid plans be tabled at the 11 February 2016 Commission meeting. Commissioners also considered that there is a need to carefully assess workload impacts for both diocesan education offices and schools.

Each year, typically on the first Friday of August, the Australian Department of Education and Training (AGDET) conducts a Census of all non-government schools in Australia. The Census results on student enrolments determine the amount of funding allocated to schools as recurrent grants, although data on staff is also collected. CECNSW also uses the Census process to collect extra information required for the Commission’s internal purposes, e.g. religion of students and teaching staff and number of ESL students.

The Census process involves bulk uploads of aggregated Census data on multiple schools typically by the four larger dioceses who have the same student information system and typing Census data by hand by the school personnel of the other seven dioceses.

Approval of special needs students head count is undertaken by AGDET and is a progressive process. This means the total Census numbers tend to continue to drift for several months after the Census date.

CECNSW is the Approved System Authority under the Australian Education Act 2013 (AEA) and Regulations. One of these requirements is to provide the Census information to AGDET.

AGDET has started to require more oversight of the schools’ Census entries than has been the case in the past and to define and enforce the accountabilities for the accuracy of the Census data. As the Approved System Authority, CECNSW will be held increasingly accountable for the accuracy of the Census information.

The NSW Department of Education requires the provision of enrolment data for non-government schools twice a year, in February and August. The first collection in February requires a separate process of data collection while the second collection in August is covered by the AGDET Census process as described above.

It is apparent that there is the potential to apply a common Census data collection methodology to both the February and August Census process.

A survey was conducted of personnel across the NSW Catholic schools system who are involved in the Census collection process and the results of that survey are summarised below.

- Census is a very time-consuming process over a long period;
- documentation for Special Circumstance students seems to be particularly onerous;
- concerns with the effectiveness of CECNSW census procedures;
- access to the CECNSW Census site required the creation and validation of hundreds of Principals and other school users;
- the various methods for obtaining Census data and current arrangements means significant extra work required to maintain alignment of the two data sets;
- the Census data has to be checked more than once, sometimes several times, by school personnel with current methods of sign-off being less than optimal; and
- AGDET needs to give both Diocesan Catholic Schools Authorities and CECNSW a longer lead time before any changes, even minor ones can be accommodated to Census collection procedures.
4. Strategic Socio-Demographic Issues: Report on key topics 2016 - 2017

At its June 2014 meeting the Commission requested the CECNSW Secretariat to develop a strategic socio-demographic strategy. This was submitted at the August 2014 Commission meeting (Paper 360.8.3), then followed up by a presentation to the 23 September 2014 Commission meeting by Crichton Smith (CECNSW, Principal Research Officer) on strategic socio-demographic resources available to NSW and interstate Catholic Schools Authorities and individual schools. The Commission determined that from 2015 there be an annual presentation to it on an issue of strategic socio-demographic significance. The 2015 presentation was presented to the August (Newcastle) meeting by Dr Croke, on Crichton’s behalf due to significant family illness. At the request of the Chair, Bishop Comensoli, this presentation (refer Paper 370/6.2/1) had been refocussed from a specific strategic socio-demographic issue to an overview of enrolment, workforce, funding and educational performance trends in NSW Catholic education, as background for Kathryn Greiner’s review and discussion with CECNSW.

Four topics are proposed to be the strategic socio-demographic topics for the Commission in 2016/2017 as follows:

1. Enrolment Churn in Catholic Schools;
   Kinder and Year 7 have the largest intake of students enrolling in Catholic education for the first time. There is significant movement of Year 5 students, particularly between systemic and Congregational schools. The largest number of students leaving is as they commence their senior education in Year 11. These patterns are not consistent across all schools.

2. How can Catholic schools maintain growth, 2017-2027?
   The unprecedented population pressure will accelerate over the next few years. The urgency of this demographic issue is of critical significance.

3. Changing religious face of Catholic schools
   It is proposed to broaden the scope of the research to include the religious affiliation of teachers and parents, examine potential past patterns of the inter-relationship of students, schools and parents to highlight future trends.

   The public accessibility of comparable school performance data on MySchool has enabled researchers and the public to identify underlying structural patterns. This topic proposes to examine NAPLAN, VET and HSC data to explore potential issues and patterns beyond individual schools or CEO/CSOs to assist the Commission in improving the educational outcomes for all students in NSW Catholic schools.

Reports on topics 1 and 2 are planned for 2016. Topics 3 and 4 are planned for 2017. Commissioners have highlighted the special importance of topic 3, the “Changing religious face of Catholic schools”.

5. Catholic Principles in Curriculum K-10: Finalisation of website material

The Catholic principles website has been launched and is available to all Catholic educators. The content was approved by Fr Wim Hoekstra, BTheol, LSS Censor Deputus, the CENCSW Censor appointed to the project by Bishop Peter Comensoli.

Commissioners noted that:

i. the resource has been made available on CEnet, with Congregational schools accessing through a CECNSW based NETID function;

ii. the resource is a professional learning resource for teachers rather than a repository of teaching and learning resources for use in the classroom – it is designed to provide teachers in Catholic schools with sufficient background knowledge in order to present classroom Syllabus content with an understanding of the Catholic beliefs and perspectives across K-10 for English, Science, Maths and History;

iii. the site content, primarily sourced from the Catholic Education Diocese of Parramatta, is a collection of short video clips and extracts from the Catechism of the Catholic Church;

iv. the material on the site is arranged according to the NSW BOSTES K-10 syllabuses in English, Science, Mathematics, and History;

v. the site contains a feedback form, as well as an opportunity for users to submit resources for inclusion;

vi. the site can be used without infringing on the approach to Catholic principles and values taken by each Diocese and Congregational school;

vii. it is anticipated that additional subjects will be added to the site as further areas of the Australian Curriculum, configured for NSW schools are released and developed by BOSTES;

viii. it is intended that resources for use with students in the classroom will be added to the site in 2016, although the primary purpose of the site will always be its teacher professional learning function;

ix. copyright clearance issues for all materials included in the site have been addressed; and

x. a process for adding content to the site is to be developed by the CECNSW Mission and Identity Working Party.

6. Commission Decisions

The Commission:

• endorsed the CECNSW NSW Literacy and Numeracy Action Plan Report on 2015 Progress;

• endorsed the Educational special programs allocations for 2016 totalling $15.5 million;

• endorsed the First, Second and Third Quarterly Reports on Road Safety Education for NSW Catholic Schools 2015;

• agreed to CECNSW executing the Scientific Licence for the use of Frogs and Tadpoles by NSW Catholic Schools in Teaching for 2015–2018; and noted that the terms and conditions of this Licence apply to all Catholic schools in NSW.
7. **BOSTES and the Higher School Certificate**

The Board of Studies, Teaching and Education Standards (BOSTES) has begun a series of consultations on the future development of the HSC. These have been initiated to coincide with the separate consultation processes on draft syllabuses in Stage 6 English, History, Mathematics and Science. The new syllabuses will include content from the courses for the Australian Curriculum developed by the Australian Curriculum, Assessment and Reporting Authority (ACARA). Tom Alegounarias, President of BOSTES, addressed the Catholic Secondary Schools Association on Monday 9 November 2015 and invited feedback on the following issues:

- concerns about depth and the amount of content in syllabuses;
- the degree to which options in syllabuses are sustainable;
- difficulties in encouraging high level performance in candidates;
- predictability in HSC assessment tasks;
- the feasibility of using more assessment based on project work, including group work;
- the possibility of extension courses in science;
- structures to encourage greater integration of knowledge across domains;
- student stress and the number and timing of internal assessments;
- the degree to which there should be minimum achievement in literacy and numeracy before students can begin the HSC course of studies.

During Term 1 2016 BOSTES will progress consultations on ‘modernising the HSC by 2019’.

8. **Student Opal Travel Card**

Over the past 12 months CECNSW has been consulted by Transport for NSW on the use of the Opal Card for school student transport. The key concerns for CECNSW have been preserving the current entitlements under the School Student Transport Scheme (SSTS) and reducing to a minimum the administrative burden for schools. A trial of the new card is currently underway.

On 29 October, the Minister for Transport and Infrastructure, Andrew Constance, announced that students whose travel includes areas covered by the Opal card will be able to apply for a ‘School Opal Card’. Conversely, students who travel in areas not covered by the Opal Card will continue to use the current cardboard passes.

Applications for the new cards opened on 2 November 2015. Initially, applications will need to be printed and verified by schools. Once a pass has been issued, annual renewals will be automatic unless a student changes schools. Detailed information has been provided to all schools.
9. Countering Violent Extremism at School

The 2011 Memorandum of Understanding for Information Exchange between schools and NSW Police, to which CECNSW is a party, includes a requirement to contact police in the case of concerns that a criminal act may be about to be committed and in circumstances where the act would impact on the safety of a school’s students and/or staff. Incitement to such acts is addressed by both the NSW Crimes Act at Section 60E and the Commonwealth Crimes Act. Part 5A of the NSW Education Act 1990 enshrines the legal obligations of schools to undertake measures to promote the safety of students and staff in situations where a student may pose a risk to others or themselves by reason of violence.

In response to NSW government concerns, arising from an incident in a government school on 30 July, CECNSW wrote to metropolitan Dioceses, attaching advice to Principals from the Department of Education (DoE) and the NSW Police Force.

Recently (prior to the murder of a civilian employee of NSW Police), CECNSW, the Association of Independent Schools NSW (AIS) and DoE signed a protocol regarding students about whom concerns are held because of extremist views/behaviours. This protocol provides for a common, cross-sectoral response process. The implementation of this protocol is dependent upon the broader NSW strategy to counter violent extremism.

On 21 October 2015 the Premier announced a range of measures to support all schools including decisions to:

- establish up to five Specialist School Support Teams of psychologists and student support workers to work pre-emptively as potential threats are identified and to deal with incidents that have occurred. This measure is available to all schools.
- develop additional resources for teachers and parents to ensure they are able to identify and manage violent extremist behaviour by students, including in prayer groups (all schools).
- enhance the case management framework for supporting students identified as being at risk of radicalisation. This will be tailored support for young people who are identified as being at risk of violent extremism or already engaged in extremism, and their families (all schools).
- establish a telephone hotline to securely report to the DoE any suspected radicalised behaviour by students (all schools).

Regarding the last measure, this refers to the implementation of the protocol, referred to above, to have all concerns about students with extremist views/behaviours addressed though a common, cross-sectoral process. Following a meeting between officers from the DoE, AIS and CECNSW, the process to set up the phone hotline for non-government schools has begun.
10. NAPLAN Online: Update

Transition to NAPLAN online will commence across Australia from 2017 with voluntary take-up by jurisdictions and/or schools. Full uptake by schools must be in place no later than 2019. The NSW Minister has not yet committed to an opt-in date for all NSW schools, however, 2018 is the targeted date. The NSW NAPLAN Online Work Group meets regularly. It includes representation from the three school sectors, BOSTES (the NSW NAPLAN Test Administration Authority) and CEnet.

Whilst the first NAPLAN online test will be delivered in May 2017, national user acceptance testing of the platform will commence in April 2016 and will be available to schools in July 2016. The test window for online testing will be two weeks (10 days) in May 2016, with the Monday of the first week being dedicated to preparation. On 9 November, ACARA released an update on the technical requirements for NAPLAN online. The updated requirements are available at: http://www.nap.edu.au/verve/_resources/NAPLAN_online_technical_requirements_updated_October_2015.pdf. Current NAPLAN Online issues include (i) the feasibility of BYO/unmanaged devices, and (ii) implementation costs for the Catholic sector.


The Brother John Taylor Fellowship is offered each year to one applicant who has demonstrated a capacity for research and effectiveness as a teacher in Catholic schools and who can contribute significantly in the future. The initial Fellowship for 2015 was awarded to Mark Gronow. Mark has researched the area of Maths teaching. The Fellowship for 2016 was presented on 10 November 2015 to Miss Zeina Chalich, St Finbar’s Primary School, Sans Souci, by the Commission Chairman, Bishop Comensoli. Zeina will be focusing her 2016 research on the links between digital technologies, creativity and learning in Primary schools.

12. Australian Government Online Safety Program

At the 20 August 2015 Commission meeting Commissioners considered an initial proposal for the implementation of the Australian Government’s online safety program for schools, see paper 370/8.1/1. Since the August Commission meeting all involved parties have been considering how to best implement this program.

On 1 July 2015 the Office of the Children’s eSafety Commissioner was set up (https://www.esafety.gov.au). The eSafety Commissioner is Alastair McGibbon. The Office of the Children’s eSafety Commissioner has invited applications from prospective online safety program providers. Information about the scheme, along with the application form and accompanying Voluntary Certification Guidelines can be viewed and downloaded from the website at: www.esafety.gov.au/certification. Commonwealth and State governments are still in negotiations regarding the structure of this program. It is anticipated that significant developments before 2016 are unlikely.

Funds will be delivered to the NSW Catholic sector through a project agreement between the Australian and NSW Governments. It is expected that a NSW Steering Committee will be formed to coordinate state-wide implementation and reporting. The program funds will be focused on assisting a small number of schools each year.
13. NSW Child Protection Education Program

The NSW Government has undertaken to further strengthen existing child protection education measures in NSW schools by providing $4 million over 4 years to deliver a specialised program to children and young people. Representatives from CECNSW and the Association of Independent Schools have been invited to be part of an Advisory Group to oversight the project. Education authorities will be responsible for achieving minimum performance targets, formulating criteria to identify less resourced schools and/or schools with identified child safety issues in their respective jurisdictions. Each sector will select schools to participate in the project in accordance with minimum performance targets.

Invitations to quote for the research component of the project have been issued with the successful tender to be determined by the Advisory Group at its next meeting on 20 November.

For further advice about this program, Commissioners should contact Peter Grace, CECNSW State Coordinator Student Wellbeing.

14. NSW Domestic Violence Toolkit for use in Stages 4 and 5 PDHPE

On 7 August 2015, BOSTES released an Official Notice outlining the amendments to the Years 7-10 PDHPE Syllabus to include Domestic and Family Violence education. The amendments become effective at the start of 2016. Whilst the PDHPE syllabus has always provided the opportunity for students to learn about domestic violence, the amended content enables the issue to be taught more explicitly to ensure it is addressed appropriately.

CECNSW has collaborated with BOSTES and other partners in developing a support document or toolkit containing a suite of activities to assist in the delivery of domestic violence education in Stages 4 and 5 PDHPE classes. The Toolkit was published on the BOSTES website on 9 November 2015.

15. Submission to NSW Minister for Planning on School Building Issues

On Friday, 20 November, CECNSW and AIS will provide a joint submission to the NSW Minister for Planning, the Hon Robert Stokes. This submission, ‘Levelling the playing field: Reforming the planning for non-government schools’, addresses four elements of the NSW planning system that impact non-government schools differently to Government schools. These four elements are:

- infrastructure contributions
- approval pathways
- major rezoning processes
- strategic planning

On Monday, 23 November 2015, Commissioners will be emailed a confidential copy of the submission. Questions about the submission should be directed to Jim Hanna, Senior Manager Government Relations and Media CECNSW.

John Kitney
Commission Secretary
23 November 2015
BRIEFING BY THE CATHOLIC BLOCK GRANT AUTHORITY WITH BGA DELEGATE

CAPITAL GRANTS

2015 Application Round

The projects recommended by the NSW Catholic Block Grant Authority (CBGA) for the 2015 application round were submitted for approval to the Commonwealth and State governments in two separate schedules.

The grant funding for any one project is sourced fully from either the Australian Government’s Capital Grant Program – General Element or from the NSW Governments Building Grants Assistance Scheme, but not both.

The table of projects approved by the Commonwealth Government is set out below.

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<thead>
<tr>
<th>School Name</th>
<th>Location</th>
<th>Grant Amount $</th>
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<tbody>
<tr>
<td>St Pius X High School</td>
<td>ADAMSTOWN</td>
<td>1,460,370</td>
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<tr>
<td>Bethlehem College</td>
<td>ASHFIELD</td>
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<tr>
<td>St Joseph’s College</td>
<td>BANORA POINT</td>
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<tr>
<td>St Joseph’s Catholic Primary School</td>
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<td>St Aloysius’ Catholic Primary School</td>
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<td>Red Bend Catholic College</td>
<td>FORBES</td>
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<td>St Gregory’s College Campbeltown</td>
<td>GREGORY HILLS</td>
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<td>St Joseph’s Primary School</td>
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<td>St Ursula’s College</td>
<td>KINGSGROVE</td>
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<td>St Brigid’s Catholic High School</td>
<td>LAKE MUNMORAH</td>
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<td>LAVINGTON</td>
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<td>St Patrick’s Catholic Primary School</td>
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</table>

Total Approved by the Commonwealth          |                    | 38,488,658
The schedule submitted to the Australian Government Minister for Education covered 23 of the 34 projects recommended. Another project that was recommended was submitted separately and consolidated with an approved project from the 2014 application round to gain an economy of scale in the tendering phase. The schedule has been approved by the Minister and the CBGA has issued Initial Offer documentation to the Delegated Authorities to commence tender action.

The second schedule of projects was submitted to the New South Wales Minister for Education covering the remaining 10 projects. The CBGA have been advised that this approval may not be given till late December or early January 2016.

**State Priority Committee (SPC) Annual General Meeting**

The State Priority Committee Annual General Meeting that was to be held on 5 November 2015 was postponed due to the conduct of the Capital Review. When any recommendations arising from the Capital Review have been agreed, the need to have an Annual General Meeting of the SPC will be determined and Diocesan and State Priority Committee members will be advised.

**2016 Application Round**

The arrangements for the 2016 application round have nearly been completed. Although this process might be impacted by the Capital Review and the subsequent SPC AGM, it is proposed to upgrade the system information for 2016 as per normal. If the recommendations of either the Capital Review or SPC AGM require that the system be modified this can be done and applications that are currently being worked on can also be revised.

While the CBGA would prefer that the system not be updated until the Capital Review has been finalised and the SPC AGM held, to not do so may delay the application and assessment of applications for 2016.

John Kitney  
Commission Secretary  
23 November 2015