

COMMONWEALTH GRANTS COMMISSION

INDIGENOUS FUNDING INQUIRY

FINAL SUBMISSION

From: Australian Education Union (AEU)

Submission No.: IFI/SUB/0057

Date Received: 12/12/2000

**A RESPONSE BY THE
AUSTRALIAN EDUCATION UNION
TO THE DRAFT REPORT OF THE
COMMONWEALTH GRANTS COMMISSION
INQUIRY INTO INDIGENOUS FUNDING**

December 2000

CONTENTS

1	Introduction.....	1
2	General Response	1
3	Inter-governmental Relations.....	3
4	Commonwealth Funding.....	4
5	Indigenous Education Strategic Initiatives Program (IESIP).....	5
6	Staffing and Teacher Education.....	6
7	ABSTUDY	7
8	Conclusion.....	7
	Attachments	9

1 Introduction

- 1.1 The Australian Education Union (AEU) is the union representing teachers and other education workers in pre-schools, public schools, and TAFEs. It has over 150 000 members throughout Australia.
- 1.2 The AEU has a long history of interest and concern in Indigenous education and related issues and of support for Indigenous people. It has approximately 1200 Indigenous members, mostly teachers. They are formally recognised within AEU structures with direct representation by election amongst those who identify as Indigenous to positions at Federal Conference and Executive. There is an Aboriginal and Torres Strait Islander Committee (ATSIEC) to which they elect representatives on a state and territory basis. The AEU also makes a number of awards to schools who are making a significant contribution to Reconciliation. Since 1986 there has been a full-time position of Aboriginal Education Officer within the Federal office, and a number of Branches and Associated Bodies also appoint officers. Unfortunately this Response coincides with a point in time when the AEU is in the process of appointing a new person to this position.
- 1.3 The AEU regrets that it did not find out about this Inquiry until late November. This combined with the absence of an incumbent Officer has meant that the preparation of this response has not involved our Indigenous members as much as would be normal in more favourable circumstances. Nevertheless, the AEU does have extensive policy and has held and been involved in numerous seminars and conferences on Indigenous issues, and is therefore able to respond in the terms below with confidence that it represents the views both of the AEU as a whole and of the Indigenous representative structures.
- 1.4 This response will concentrate primarily on the Education and Training areas of the Draft Report and related summary sections as the main areas of interest to the AEU. However, the AEU accepts and emphasises the inter-relatedness of many of the issues and believes all sections of the Draft to be equally pertinent and worthy of attention, and would have supported the inclusion of the additional areas identified at point 3 in the Main Findings.

2 General Response

- 2.1 The fact that the Terms of Reference limit the Inquiry to relative need rather than actual need is a limitation of considerable proportion on the potential usefulness of this Inquiry. Within education, and no doubt in most other areas, the scale of inequality for Indigenous peoples is so vast, that to limit a discussion of the problem to how to shift existing money between areas of relative need shows a blatant disregard for the most disadvantaged in our community. To have to balance the relevant need of groups of Indigenous students on remote communities against individual Indigenous students within urban settings, for instance, should be an unnecessary exercise. It would be much more productive if the Inquiry were charged with assessing all actual need.

This limitation stands in marked contrast to the recent increases in private schools' funding, where the Federal Government has not only given some of the most privileged schools in Australia a massive increase, but ensured that the legislation contained a guarantee that no school would be worse off even if the new formula indicated they

should be.

The AEU believes this is yet another indication of the current Federal Government's policy of looking after the privileged whilst displaying a spirit of meanness towards those less advantaged.

Point 68 in the Education chapter shows that the CGC does realise the need for increased expenditure if the identified problems are to be addressed, and the AEU commends them for this. However, it has also clearly indicated it believes it has no option but to work within the terms of reference. The AEU would urge it to make the basic inappropriateness of its task apparent to the Government in the strongest terms.

- 2.2 Within this extremely important caveat, the AEU concurs with much of what is said in the Draft Report and with the general directions indicated.
- 2.3 The AEU agrees with the Draft Report's assessment of the poor outcomes in education for Indigenous students.
- 2.4 The AEU particularly endorses the emphasis placed on the involvement of Indigenous people in decision making related to expenditure on Indigenous programs, and endorses the suggestions made at points 35 and 36 of the Main Findings concerning Indigenous participation.
- 2.5 The other indications of direction suggested under "Possible Alternative Processes" (Main Findings, 29-36) also seem to be generally desirable and would be supported in broad terms by the AEU.
- 2.6 In supporting the Draft Report's call for greater flexibility and more broad banding of programs, it is important to emphasise that AEU support assumes that this is at the level of Indigenous communities and local decision making, not governments. The AEU has considerable doubts about allowing more broad banding and flexibility to governments.

In 1996 many Commonwealth programs were broad banded. For instance, English as Second Language (General element), the Disadvantaged Schools Program, and Early Literacy were bundled together under a single program called Literacy. The AEU believes this has probably led to less targeting to those most disadvantaged.

The record of state and territory governments in regard to Indigenous education is extremely inconsistent. The previous Victorian Government had to be made to re-open Northland school after its closure was found to be discriminatory.

The poor practices in the Northern Territory have been well documented in the Collins Report.

- 2.7 The AEU is also concerned that the increasing tendency towards devolving funding decisions to the school level makes it harder to determine what is happening to targeted

funding such as that designated for Indigenous students. Attachment 1 is a case study of what appears to be happening in South Australia as some schools there move to school based funding.

- 2.8 Broad banding and flexibility must not happen in a way that allows less to be spent on Indigenous and disadvantaged programs.
- 2.9 The AEU accepts that, whilst there is much data on the plight and inadequacy of the situation in relation to Indigenous education, there is an absence of data of the type that the Commonwealth Grants Commission (CGC) feels is necessary, particularly related to regional circumstances. The data required should as far as possible be obtained by better use of existing data rather than the absence of data becoming a catalyst for greater mass standardised testing or an excuse for further testing of Indigenous students.
- 2.10 At the same time, the cultural inappropriateness to some Indigenous groups of some mass standardised testing must also be acknowledged and addressed.
- 2.11 Whilst broadly supportive of outcomes based approaches as a means of assessing the extent to which equity is being achieved, and of the indicators proposed in the Draft Report (at point 10 in the Education Chapter), there must also be some further consideration of the relationship between funding, objectives and outcomes. There is a growing tendency by the Federal Government, in particular, to believe that measuring broad global outcomes such as literacy achievement is an adequate measure of effectiveness and accountability. The AEU does not agree. The gap between objectives and measured outcomes is in some cases so large as to make accountability non-existent.

The AEU notes point 50 in the Education chapter as a list of desirable directions in which education systems and schools should be heading, and believes that it is desirable to measure and report against such directions as steps on the way to achieving higher and more equitable outcomes.

- 2.12 It is also desirable that indicators allow analysis of the effectiveness of particular measures so that they contribute to an increasing knowledge base of how to tackle particular problems.

3 Inter-governmental Relations

- 3.1 Whilst the AEU understands the CGC conclusion “that the Commonwealth has limited scope, just through changes within its own activities, to achieve outcomes ...” (Main Findings 33), it should also be recognised that in many areas in education the Commonwealth has used comparatively small amounts of money to great effect by careful targeting, leadership, and building partnerships with the states and territories. Therefore, whilst not disagreeing with the general conclusion, this should not be seen as an excuse for an evasion of responsibility. (Attachment 2 looks at inter-government relations and schools)
- 3.2 The AEU believes that the Commonwealth has considerable constitutional responsibility to Indigenous people, and also has powers under the Constitution which enable it to play a larger role in tackling disadvantage for all students. It therefore has at least two bases

on which it could do more for Indigenous students.

- 3.3 Relations between the different levels of government best serve the needs of the people when they are based on partnerships, cooperation and shared responsibilities. AEU policy on Commonwealth and State/territory Relations and Schools (Attachment 3) states that COAG/MCEETYA should become the principal forums for Commonwealth and state/territory negotiations on national policy on schooling, funding allocations, national targets and the reporting of outcomes. The AEU believes that MCEETYA, in particular, could play a larger coordinating role in identifying needs, pooling potential resources, and allocating total expenditure in relation to Indigenous students. This would be in line with the Draft Report's suggestions at 30 (vi) of the Main Findings.
- 3.4 The conclusion reached by the Inquiry and outlined at point 28 in the Main Findings is regrettably a reasonable description of the current situation, and the result of inadequate partnerships.
- 3.5 The AEU is supportive of the principle of fiscal equalisation which underpins the CGC relativities. Whilst accepting that "The Commonwealth cannot direct states and territories on how they are to spend their general revenues" (Main Findings, point 24), the AEU sees a need for greater transparency in the expenditure of the funding at the state and territory level, particularly in regard to Indigenous funding. It is understood that the CGC intends to produce a report on the effect of relativities and expenditure in Indigenous funding in the future, and this will be valuable.

4 Commonwealth Funding

- 4.1 Current direct Commonwealth funding for Indigenous schooling represents only a small proportion of the total funding expended on schooling for Indigenous students, with the major share coming from state and territory governments.
- 4.2 Commonwealth expenditure on Indigenous education is also a small proportion of total Commonwealth expenditure on schools (around 6%). Overall Commonwealth expenditure has increasingly favoured private schools. In the 1970's only about 30% of Commonwealth expenditure went to private schools. By 1996 this had become over 58%, and by 2003 it is predicted that around 67% of all Commonwealth expenditure will go to private schools.

The current Federal Government has claimed that increasing choice through increasing funding to private schools is a primary policy objective. The AEU argues that this should not be the policy priority and that meeting the needs of the less advantaged, particularly those such as Indigenous students who are currently disadvantaged, would be a more desirable and socially just priority for a caring government.

This would enable it to allow the Inquiry to consider actual need, as it should, rather than relative need, as it is being compelled to.

5 Indigenous Education Strategic Initiatives Program (IESIP)

- 5.1 This is the principal source of Commonwealth direct assistance for Indigenous students.

- 5.2 IESIP funding is currently distributed (at the inter-state level at least) on a per capita basis rather than on a needs basis. The Draft Report (Education, point 63) notes current inadequacies in the distribution formula, and the AEU would basically agree with this observation, except that within the restricted terms of reference this will create winners and losers. Whilst there are many areas that need to gain more, the AEU cannot accept that any area is over funded.
- 5.3 The largest percentage of IESIP funding goes to the private schools sector, and AEU calculations suggest that this is becoming more so. The private sector educates only about 15 % of Indigenous students. It therefore seems reasonable to conclude that increased funding is not being directed at the areas of greatest need.
- 5.4 Based on tables provided in answer to Question on Notice E80 before the Senate Employment, Workplace Relations, Small Business and Education Legislation Committee (Education and Youth Affairs Portfolio), v1, August 1999, it would appear that Commonwealth expenditure on Indigenous students in public schools will fall from over 65% in 1995/96 to under 52% by 2000/01.
- 5.5 It is difficult to see how Commonwealth funding is likely to have a real impact on the educational outcomes for the majority of Indigenous students if nearly half of it is allocated to the 15% of Indigenous students in private schools.
- 5.6 The AEU is uncertain as to why this is the case - it is consistent with what is happening in many Commonwealth schools funding areas, but may be more the product of the criteria and processes than the deliberate bias to private schools exhibited elsewhere by the Federal Government.
- 5.7 The AEU notes the Inquiry's undertaking, given at the hearings in Melbourne, to investigate this matter further, and would be pleased to assist in any way.
- 5.8 There is some dissatisfaction, particularly at the school level, with the lack of flexibility in the use of Commonwealth funds and the piecemeal, disjointed nature of programs, which has been noted in the Draft Report. The suggestion made at point 66 in the Education chapter is a desirable way of addressing this.
- 5.9 There is a need for integrated, cross-departmental, community-based approaches that take into account the effects on educational delivery of such things as health problems (e.g. otitis media) and social/economic conditions. For example in relation to vocational training, a key problem is the lack of articulation of training to jobs due to lack of industry and poor labour markets. Issues such as adequate food and housing are extremely relevant to educational outcomes.
- 5.10 The AEU would support the development of a needs-based approach for distribution of funding for Indigenous education. Key aspects which might be taken into account in determining level of need (as identified in the Queensland Government submission)

include: population, distribution of population, barriers to access, barriers to participation, isolation, involvement in decision-making. Aspects specific to education include literacy and numeracy, attendance, retention and completion rates.

- 5.11 Such a development should encompass at least all IESIP funding and result in changing the large percentage of Indigenous education funding which currently goes to private schools.
- 5.12 Recognising that direct Commonwealth funding for Indigenous education is supplementary to direct and indirect State/Territory funding for Indigenous education, the use of direct Commonwealth funds for Indigenous education should be **strategic**. For example, a framework could be developed where emphasis is placed on:
- the use of Commonwealth funding to support the agreed State/Commonwealth goals enunciated in the National Strategy for Education of Aboriginal and Torres Strait Islander Peoples, including support for Indigenous participation in decision-making;
 - providing support in identified areas of high need (e.g. literacy education, community development);
 - Use of the funds to support integrated, cross-departmental, community-based approaches;
 - Use of the funds to improve the number of Indigenous teachers and other education workers (see below).
- 5.13 Within this framework, there should be increased flexibility for schools in the use of the funds. Schools and systems must be able to demonstrate that the use of funds is consistent with and contributes to the realisation of the goals of the framework.
- 5.14 The AEU notes and commends the publication “What Works: Explorations in Improving Outcomes for Indigenous Students” and its companion volume “What Has Worked and Will Again” (both published by the Australian Curriculum Studies Association in 2000). This review of what is only minor expenditure within IESIP demonstrates that much can be and is being achieved in Indigenous education, and suggests that properly directed increased funding to this type of activity could do much to make major improvements in the area.

6. Staffing and Teacher Education

- 6.1 The Draft Report under plays the importance of staffing issues, and the need for funding to address many of the issues raised by considering them.
- 6.2 Aboriginal and Islander Education Workers (AIEW’s) play a vitally important role in relation to Indigenous students, and it is desirable that there be more, that they receive more training and that their working conditions are improved. The publication “AIEWs:

Ara Kuwaritjakutu Project: Towards a New Way” addresses many of the issues associated with their employment and is relevant here. (Copy tabled at Hearings in Melbourne).

- 6.3 There is need for more Indigenous teachers both within the general teaching force and who wish to return to their community. Those already teaching often have onerous expectations placed on them in pastoral care for Indigenous students. Funding should be directed to finding ways to attract and keep more Indigenous people in teaching. It may be appropriate to consider more flexible methods of teacher training which, whilst not diluting the qualification, allow potential Indigenous teachers to remain more in their communities whilst training.
- 6.4 Teacher education courses for non-Indigenous teachers should contain more content related to the teaching of Indigenous students, particularly in regard to situations where they are in a minority in mainstream situations.
- 6.5 Teachers taking up appointments in schools with substantial numbers of Indigenous students should receive appropriate professional development. Professional development for all teachers with Indigenous students should be more readily available.
- 6.6 The recent HEREOC Inquiry into rural and remote education made many pertinent observations about staffing such schools. Many of its general observations and conclusions are extremely relevant to Indigenous education, and it includes many specifically about Indigenous education.
- 6.7 The AEU particularly draws the attention of the Inquiry to those sections dealing with staffing problems in rural, remote, and Indigenous community schools, and the need to deal with matters such as housing, access to professional development, and attracting and keeping experienced and committed teachers.

7. ABSTUDY

The AEU agrees that recent changes to ABSTUDY have created a number of serious problems (point 76 in the Education chapter) and endorses the call for a review of these changes.

8. Conclusion

The AEU looks forward to the final report and is hopeful that it will be able to bring about some improvement in the outcomes for Indigenous students in education and for Indigenous people overall. However, given the limitation of the Inquiry to relative rather than actual need, it has considerable concerns about the capacity of any recommendations to not create a winners and losers situation. This is extremely undesirable because whilst there are large areas of obvious need, there are no areas which can sustain a cut.

Attachments

1. Aboriginal education Funding and P21 by Janet Giles

2. Commonwealth and State/Territory Relations and Schools, Past and Future, by Roy Martin
3. Policy on Principles of Commonwealth and State/Territory Relations and Schools.

Documents Tabled at Hearings

1. AIEWs: Ara Kuwaritjakutu Project: Towards a New Way Stage 3
2. Extract from AEU Submission in the HEREOC Inquiry into Rural and Remote Education.

Attachments

Attachment 1

Aboriginal Education Funding and P21

Aboriginal Education Funding and P21.

Background

In November 1999, it became clear to a number of people concerned about Aboriginal Education that there were serious problems with the allocation of per capita funding under global budgets for Aboriginal Education and Aboriginal students. (Schools receiving global budgets are known as Partnerships 21, or P21 schools).

Previously, and in non-P21 schools, the funding for Aboriginal students was allocated to schools in the form of Aboriginal Education Workers (AEWs), Aboriginal Education Teachers (AETs) and special project funds. This funding was coordinated and allocated through the Aboriginal Education unit.

There was also ASSPA money which is federal funding allocated for Aboriginal students and managed by Aboriginal parents at the school level.

The funding in Aboriginal education comes from both the Federal and state governments. The allocation of federal funding is negotiated between the Federal Government and state governments on a triennial basis. The agreement which governs this funding is linked to a commitment to achieve specific performance targets by the states. These targets are clearly documented. This agreement is called the IESIP Agreement.

The funding for AEWs is largely Commonwealth funding. The funding for Aboriginal Education Teachers is largely state funding.

ASSPA funding comes as a discrete allocation and is managed by ASSPA committees outside the global budget and school budget process.

Prior to global budgeting in Partnerships 21, there was quite a simple process of identifying the use of Aboriginal funding. The money was "delivered" to the school as either a staff member (AEW, AET), as a payment for a specific project or as ASSPA money which was held in a different account and spent only with the authority of the ASSPA committee which is made up of parents of the Aboriginal students of that school.

Per Capita Funding

Under P21 global budgets, a per capita allocation is made to the school. This per capita allocation is for each enrollment and then an additional per capita allocation is made for each Aboriginal student enrolled.

This is \$2,274 for each student enrolled and an additional \$500 if this Aboriginal student is in a disadvantaged school. In total therefore, many schools are receiving \$2774 for each Aboriginal student enrolled.

Since November 1999, the AEU has attempted to get information from the Department about how the per capita allocation is made up. i.e. what funding is included in the per capita amount?

On 27th September the AEU received a letter from the Executive Director, Schools and Children's Services with the following information:

Key components of the per capita allocations for Aboriginal students are :

- \$3.2m for AEW salaries
- 35.6 FTE AET salaries
- Tier 3 salaries
- Aboriginal CPC
- Anangu CPC
- Anangu ESL program
- Other indirect components, e.g. utilities, maintenance, furniture, and disadvantaged schools program grant.

In addition there is district level support and the support provided by the Aboriginal education Unit.

These amounts seem to fall far short of the amount being allocated as per capita funding to schools in global budgets and only serve to raise more concerns and questions.

There are currently approximately 3,500 Aboriginal students in the SA Education system, outside of the Anangu schools.

If all non Anangu schools were P21 schools, the total amount of funding allocated as per capita funding for Aboriginal students would be approximately \$9.7m.

The money allocated for the Tier 3 and for Anangu programs mentioned in the departmental letter is allocated to Anangu schools only.

The allocation for 35.6FTE Aboriginal Education Teachers is approximately \$1.8m. Add the \$3.2m for AEWs and this only comes to around \$5m.

Commonwealth Funding and the IESIP Agreement

We therefore believe that the per capita amount must contain a mixture of Commonwealth and state funding with a large proportion of the funding coming from the Commonwealth.

Our concerns are that the state could be using P21 as a process of diminishing its own effort in Aboriginal education or worse, replacing state funding with Commonwealth funding. At the very least we believe the allocation of per capita funding under P21 global budgets is in breach of the IESIP agreement which states:

IESP assistance is towards achieving specific targets and/or specific objectives as negotiated. Priority areas are educational outcomes and employment for Aboriginal students and people.

Commonwealth money is to be spent on initiatives aimed at achieving the performance targets identified. This money can be spent only on activities aimed at achieving the performance targets.

Money paid by the Commonwealth under this agreement shall not be spent on activities which are not related to achieving the performance targets, even if those other initiatives are contained in or otherwise related to the Recipient's operational objectives or plans.

Money paid under this agreement shall be paid into and dispersed from a separate account or accounts opened by the Recipient and maintained solely for the purposes of this Agreement; unless otherwise agreed by the Commonwealth in writing.

The IESP agreement may terminate (that is, the funding be removed) if, among other reasons, the state ceases to operate in the field of Indigenous Education or to adhere to any conditions of the agreement.

The current process of allocation of percapita funding for Aboriginal students as part of a global budget puts the onus clearly at the very local level, to ensure the conditions of the IESIP agreement are met. This leads us to explore what is happening in P21 schools with this per capita funding.

Use of Funds at Local Level

At this stage the anecdotal evidence points to the concern that per capita funding for Aboriginal students is being used for the general operation of schools and not necessarily for programs which would improve learning outcomes for Aboriginal students.

There is no requirement in becoming a P21 school to identify this funding and report on how it will be used to meet the goals agreed between the state and Commonwealth under the IESP agreement.

It is very difficult to get information out of P21 schools as to their global budget allocation for Aboriginal students and how they are spending it.

Out of all the 115 non-Anangu schools who are usually allocated AEWs because they have over 15 Aboriginal students, 40 are in Partnership 21. These 40 schools contain 1174 Aboriginal students (based on the 1999 census). Given a per capita grant of \$2,274 for each of these students, the total amount allocated for Indigenous students in these 40 schools is \$2.67m.

In these particular schools there are 919.25 allocated hours of AEW salary. This is approximately \$800,000 in salary. Even allowing for an Aboriginal education teacher allocation, there is a significant amount of funding unaccounted for.

What is this money being spent on?

One Western suburb school with 22 Aboriginal students received \$61,028 for Aboriginal students in their P21 Global budget. Prior to P21 there was a 14 hour AEW at the school. The school has not increased its AEW time under P21. It is likely that the funds were used to reduce class size although it is unclear whether this money or other money was used. There is no properly functioning ASSPA committee at the school and there are no Aboriginal parents on the school council which is responsible for the management of the school funds.

At the beginning of the year, the Aboriginal Education Unit received phone calls from Principals in a few P21 schools who asked if they could convert AEW time to SSO time.

In another school which is considering entering P21, in response to a question raised about the Aboriginal funding, parents were told that the funding for Aboriginal students had to take into account parts of the Principal salary, the librarian, the grounds, the maintenance etc. This is clearly misinformation but demonstrates the lack of information and accountability required at the local level.

In a report produced by the DETE in August 2000 titled " From plans to practice, the first six months, perspectives of Partnerships 21 schools and preschools", schools were asked to identify their priorities in their partnership plans, (three-year plans) and identify how they had used their resources.

Aboriginal Education was not identified as a strategic priority by any of the sites.

When identifying specific students in their objectives, strategies, performance targets or targets, 20% identified Aboriginal students and 33% did not mention any particular group of students. It is not possible to tell from this report whether the schools who identified Aboriginal students as a specific group worth focussing on were the only schools who had Aboriginal students enrolled.

Later in the report, schools and preschools were asked to report on the use of their resources. 40 % had increased their SSO and ECW time. (An additional 1,521 hours.) No school or preschool reported an increase of AEW time.

When asked to describe the scope and extent of the programs that the flexibility of the local management of resources made possible, only 3 primary schools and 1 preschool identified Aboriginal programs and only 1 primary school and 1 other school identified the AEW program.

These results are despite glowing reports of increased resource availability and flexibility in these schools.

Accountability and Funding

The philosophy of P21 is largely based on the presumption that schools will use their resources for the best interest of the students they serve. There is therefore little direction given from the system about how money must be spent. This is in contradiction to the

very strict guidelines and accountability processes between state and Commonwealth governments in relation to Aboriginal education spending.

Aboriginal people have come to use these strict processes due to serious problems in the past in relation to the mis-spending of money which should be allocated to Aboriginal students.

It is not appropriate for state governments whether by accident or intent to spend money allocated for Aboriginal students to fund things they should be required to fund for all students such as small class sizes, professional development or worse, computers or building upgrades.

It appears from the early days of P21 that schools may be attracting a large amount of funding because of their Aboriginal enrollment but feel no obligation to spend this money discretely on Aboriginal students or involve Aboriginal parents or even the Aboriginal Education Unit in decisions about the use of these funds.

Therefore it appears that funds, previously tagged and targeted, for Aboriginal students are now being used for non-Aboriginal students.

Key Issues and Questions

Key questions that need to be answered and resolved are:

- How are schools being called to account for the spending of this funding?
- What involvement are Aboriginal people having in decisions about the spending of Aboriginal Education funding?
- What system- wide watch will occur to ensure that funding allocated as per capita funding for Aboriginal students is used to meet the goals as agreed between the states and the Commonwealth under the IESIP agreement?

It also appears that the education department in South Australia may be in breach of the IESIP agreement by no longer separating out this funding in a way which is clearly identifiable. This is a serious situation and could lead to a diminution of the gains made in South Australia for Aboriginal children. The history of education of Aboriginal people in this state is one where similar problems have arisen. Under P21, the only way to test whether a system of devolving funds to a local level will work, is to wait and see. We could wait three years and find it is a disaster for Aboriginal people. We must not even allow for the possibility of this to occur. The current accountability and safeguards in relation to funding are there for a reason. Equity for Aboriginal people should not be up to each individual school. Equity resides across a system and must be a system responsibility.

It is crucial that:

- An investigation occur into P21 to determine whether or not the South Australian Government has adhered to the conditions of the IESIP agreement.
- The funding and sources of funding for Aboriginal Education in our state is clearly and publicly identified.
- The make up of the per capita grant is transparent including identifying which parts of the per capita amount are Commonwealth and which are state funded.
- Aboriginal people are involved in meaningful consultation about the use of these funds to meet the required targets under the IESIP agreement.
- Aboriginal parents of P21 schools have access to information about how much money has been allocated and are involved in a meaningful way in decision making about its use.
- The Aboriginal Education Unit remain with Aboriginal staff and leadership with the brief to oversee the improvement of educational outcomes and employment of Aboriginal students and people.
- The unit must be funded as a state responsibility in a way that allows it to perform this role with authority and effectiveness.

Note: Since writing this paper, the department has sent a memo to schools which clearly states that they must spend money allocated for AEW salaries on AEWs. However this still does not answer the fundamental issue of ensuring that funds allocated for Aboriginal Education are spent on Aboriginal students.

(Prepared by Janet Giles, Vice President, Australian Education Union, South Australian Branch)

Attachment 2

Commonwealth and State/Territory Relations and Schools, Past and Future,
by Roy Martin

(Attachment is appended to the end of the Response)

Attachment 3

Policy on Principles of Commonwealth and State Territory Relations and Schools

Australian Education Union

**Policy on Principles of Commonwealth
and State/Territory Relations in
Schools**

As adopted at the August 1996 Federal Executive



Australian Education Union

Policy on Principles of Commonwealth and State/Territory Relations in Schools

(To be considered in conjunction with the Common and Agreed Goals for Schooling in Australia)

1. All students within Australia have a right to high quality public education regardless of geographic location, gender, socio economic status, social circumstances, cultural background or special needs.
2. Students attending school in one state/territory jurisdiction should not be disadvantaged by the nature or content of that schooling if they later seek to live, be educated, and/or work in another.
- 3 The inter-governmental arrangements should:
 - be based on an acceptance of ‘*public first*’ to ensure implementation of governments’ primary obligation to the maintenance and improvement of a universal public system of education;
 - whilst non government schools continue to be publicly funded, make explicit jurisdictional or government responsibility for planning, funding and accountability including minimising any negative impact on government schooling provision.
4. The states/territories have by tradition exercised constitutional responsibility for schools and are the managers of the government schools systems.

They have a particular responsibility to:

- ensure that the provision of physical and human resources of the highest quality are equally accessible to all children/students regardless of parents capacity to pay;
- ensure that the curriculum is of the highest standard and relevancy;
- promote equality of educational opportunities for individuals and equality of outcomes for groups (for example across gender, social class and ethnic and cultural groups);
- work collaboratively with other states/territories and the Commonwealth in the national interest.

5. The Commonwealth has the constitutional capacity and the moral responsibility to play a leadership role to ensure that schooling in Australia:

- meets the social, cultural and economic needs of the nation;
- promotes equality of educational opportunities for individuals and equality of outcomes for groups (social, cultural and gender) in Australia;
- is supported by high quality teacher education including pre-service, induction and continuous development.

It has a responsibility to monitor and assist in the coordination of state/territory effort in education and ensure that school funding in Australia is at least at the OECD average.

It must meet its constitutional responsibility to ensure that the schooling of Australia's indigenous peoples' meets their special needs.

6. These dual responsibilities are best carried out through a partnership that is based on negotiated common objectives.

COAG/MCEETYA should become the principal forums for Commonwealth and state/territory negotiations on national policy on schooling, funding allocations, national targets and the reporting of outcomes.

However, as they are currently constituted these forums are removed from democratic and consultative processes. They should therefore:

- publish agendas and outcomes widely in relevant communities;
- establish a Schools Advisory Council as the principal forum for advice on national schooling policy. This body should be broadly representative and have the capacity to access independent research support.