Once upon a time, long, long ago some bureaucrats and politicians in Victoria had a dream, a dream that resulted in the whimsically named Education Act 1872. The Act, the first of its kind in the world, centralised education under the credo of “secular, compulsory and free” and led the way for the other Australian colonies to offer a similar level of public education.

Fast forward 140 years and our aspirations for education remain in some measure unchanged. Few would argue with the premise that all children not only have the right to a quality education, but they are expected to exercise that right and attain a certain standard of schooling. It is also clear that levying a charge on public education would exclude many, and hence the “free” element of the Education Act 1872 is as relevant as it ever was.

It is reported that the “secular” component of public education sprang not from a high moral purpose or a desire for equity, but from the fact that the religious parties involved in the negotiations were so vehemently opposed that agreement could not be reached in any other way. According to an article in The Argus printed the day after the Act passed, “When we consider the difficulties which attend all attempts to deal with the much-vexed question of public instruction, the prejudices which have to be overcome, and the sectarian enmity which has to be encountered, we may well be grateful that the Government measure passed through the ordeal it had to undergo in both Houses without the sacrifice of any of those vital principles it was and is intended to establish.”

The Argus also alludes to a slightly more sinister motive for the “compulsory” aspects of the Education Act, asserting, “If due effect be given to the compulsory clauses, none will grow up in that gross ignorance which is such a fruitful mother of crime, which fills our gaols, and yearly robs honest industry of a large portion of its reward.” Despite the capitalist overtones, the statement reflects a desire to educate young people to be effective citizens in their world, a goal which is not so different from current educational directions.

There are a number of issues that education in Australia faces in the present. These include achieving clarity around the role of the teacher, negotiating fair salaries that accord appropriate status and recognition for teachers but are sustainable for the government, sorting out the place that religion has in public schools and refining our understanding of effective practice. Imagine we had the luxury of starting the education system from scratch, much as the developers of the Education Act did in 1872.

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basis, the legislation maintains that schools may not “promote any particular religious practice, denomination or sect” (DEECD, 2006). However, 96 percent of SRI classes in Victorian state schools are conducted by inter-denominational Christian organisation Access Ministries, a group criticised during 2011 for comments that were perceived to be promoting proselytising. The disparity between the ideal and the reality has led to legal action being launched against the Education Department by the Humanist Society of Victoria whose stance is that the classes discriminate against students who choose not to participate in them. An article on the Society’s website states that, “Apart from the clearly discriminatory nature of the current practice, where those who opt out of Scripture classes miss out on well over 100 hours of their primary education, another issue of concern is the impact that segregating children based on their religion has in promoting stereotypes and fuelling prejudice.”

In NSW, a variety of options to non-denominational Christian classes is more widely available, with Catholic and Protestant streams as well as Islamic and even Hindu classes being offered at some schools. The debate there has been more about the recent successful trial of ethics classes as an alternative to scripture. Although the future of the classes appeared guaranteed by the passing of legislation that allowed for ethics to be offered in consultation with the school community, the state government has initiated a parliamentary inquiry in response to calls from the Reverend Fred Nile to abolish the option. The fate of the secular is under threat from the sectarians.

Salvation for the secular may come from the unlikely quarter of the Australian Curriculum. The chairman of the Australian Curriculum Assessment and Reporting Authority (ACARA) is quoted as saying that the discussion paper for the new civics and citizenship course would include ethics and religion. It is a unique opportunity to return to the spirit of the Education Act 1872 by providing students in government schools with a genuine understanding of a range of perspectives and faiths. While not seeking to replace individual beliefs and practices, ensuring that all students are exposed to different ideas and ideologies, if done sensitively, could lay the foundation for increased tolerance and respect for difference among young people.

The parent of any child who neglects to send such child to school as provided in the last section may be summoned by any person authorised by the Minister or the local Boards of Advice before a justice, and on conviction of such offence shall forfeit and pay a sum not exceeding Five shillings for a first offence and Twenty shillings for every succeeding offence, or in default may be imprisoned for a term not exceeding seven days. Education Act Clause 14

The gap in school achievement levels between indigenous and disadvantaged students and other students has been widely publicised. One of the contributing factors to this discrepancy is low attendance rates, particularly amongst indigenous students. The Education 2010: Comparing performance across Australia report released by the Council of Australian Governments (COAG) highlights the severity of the problem, indicating that no state or territory recorded improved attendance for indigenous students between 2007 and 2010, and in fact many regions experienced a fall in attendance. The most severe declines were registered in South Australia, where attendance rates decreased in nine out of 10 year levels by up to five per cent, and in the Northern Territory where decreases of up to 11 per cent were recorded in six year levels.

While the punitive element of non-attendance is still present, albeit in a different incarnation, the emphasis of the federal government’s Improving School Enrolment and Attendance through Welfare Reform Measure (SEAM), is on working with parents. Community seminars are held during the implementation phase to ensure that parents are aware of their responsibilities and of the potential consequences if their child is consistently not at school. If a student’s attendance falls below the required level, the school meets with the family to put in place an attendance plan. Social workers and attendance officers from the Northern Territory Government’s Education Department provide support to help parents meet their obligations. If the problem continues, income support payments can be suspended.

The SEAM initiative certainly represents a shift in approach from the 1870s, taking a more collaborative approach to the problem, while acknowledging the importance of education to a child’s future prospects, even though the last resort is still aimed at the hip-pocket.

For the free instruction of all children attending school in the subjects specified in the First Schedule hereto, teachers of State schools shall be paid such salary and remuneration by way of results as shall be fixed by regulations: For instruction in other branches fees shall be charged to the parents in accordance with a scale to be fixed, and the teacher shall be entitled to such fees subject to a percentage to be deducted, which shall be applied as a fund for the payment of the teachers by way of results. Education Act 1872 Clause 17.

Teacher quality has been identified in many studies as the key driver of student achievement. Unfortunately a suitable description of what constitutes teacher quality is elusive at best. The current discourse about appropriate remuneration for teachers underscores the difficulty in pinning down what makes a teacher exceptional. The federal government proposes to pay bonuses to the top ten per cent of teachers based on a range of factors including lesson observations, student attendance, and of the potential consequences if their child is consistently not at school. If a student’s attendance falls below the required level, the school meets with the family to put in place an attendance plan. Social workers and attendance officers from the Northern Territory Government’s Education Department provide support to help parents meet their obligations. If the problem continues, income support payments can be suspended.

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performances measures including NAPLAN results, parent feedback and the teacher’s qualifications and professional development. But we all know that an outstanding teacher is more than all of these things put together.

According to the Education Act 1872, “The term ‘Teacher’ includes assistant teacher pupil teacher sewing mistress and every person who forms part of the educational staff of a school.” How would we define a teacher today? The First Schedule to which Clause 17 above makes reference lists “Reading, Writing, Arithmetic, Grammar, Geography, Drill and, where practicable, Gymnastics; and Sewing and Needlework in addition for Girls,” as the essential learning for late 19th century students. The increasing complexity of modern life has brought with it a corresponding increase in the complexity of the role of teacher. It is true that Sewing and Needlework are no longer considered indispensible subjects, but in trade for that single omission, primary school teachers are now expected to teach social skills, history, science, music, information technology, art, road safety, water safety and drug education, and are responsible for a whole host of other areas such as student wellbeing and involvement in the broader community. Yet we don’t get to charge parents for these other branches, “in accordance with the scale to be fixed.”

It is therefore the ultimate irony that the most fundamental principle on which our public education is based – that it is free for all – is the one which inadvertently puts the greatest impediments in our way. There are two big moves afoot in the area of funding at present. The first is the federal government review of education funding. Key stakeholders have been squabbling like seagulls with a chip over who should get what proportion of the potato. Wouldn’t it be nice if there were more chips to go around? On the one hand, educators are being urged to adopt 21st century practices and engage students using the technology that is an inherent part of their world, while on the other, schools in the government and Catholic systems in particular are often struggling to maintain buildings and grounds, let alone being able to buy and support equipment that is essential for effectively capitalising on the potential for information and communication technology.

The other initiative in terms of funding is the shift towards granting schools greater autonomy over their budgets. This could be a huge step forward, allowing principals to spend funds in a way that meets the unique needs of their schools. Nothing is ever that simple though. An unintended consequence may be a trend towards hiring a greater proportion of teachers in the early stages of their careers, as this can be substantially cheaper. A school that has only one or two highly experienced teachers and many newer teachers may be able to afford to have extra classes, resulting in smaller class sizes. The downside is that it may be increasingly difficult for more experienced teachers to find jobs. Schools need a certain amount of staff turnover to foster a culture of new ideas and fresh approaches, but if teachers who have been in the profession for some years cannot find new positions, they will be forced to stay put for longer periods of time.

The desirability of smaller class sizes is another area around which there is a great deal of contradictory information. Respected educationalists such as John Hattie are dismissive of class size as a significant influence over student achievement. In data Hattie presented to an ACER conference in 2005, class size was given an effect size of just 0.05, where an effect size of 1.0 represents advancing by a full year of achievement.

Anecdotal evidence, however, suggests that the impact of larger class sizes can make a substantial difference to how effective teachers feel they are. A number of studies support this view. The English-based Institute of Education Class Size Research Project, for example, found that in the first year of schooling, small classes, which are defined as less than 25, had a significant positive effect on literacy and numeracy achievement. This was particularly evident for students who had lower scores upon school entry, who benefitted most from the greater attention and smaller group sizes. The project also concluded that maintaining smaller class sizes in the junior years was worthwhile.

Of course, compared with back in the late 19th century, our class sizes are positively tiny. In New South Wales in 1861, the guidelines stated, “the formulas for schools or departments large enough for more than two teachers produced ratios ranging from 140 to 163,” according to
the state Government’s current website. Our understanding of acceptable class sizes has progressed substantially since then, but we are still lacking a clear and unambiguous answer.

And there’s the rub with all the issues in education. If there were a magic solution or a single right way to proceed, we would all be happy following the same path, secure in the knowledge that we are unequivocally doing the right thing for our students. Conflicting research and competing interests add confusion to a profession with so many variables that it is an art to balance student, teacher, community and budgetary needs. Perhaps power, rather than altruism, has always been a driving force behind those making the decisions about how schools will run and it is often difficult to sort through the rhetoric to find the reality.

The three tenets on which education was based back in 1872 – secular, compulsory and free – made it all seem so simple. If I could wave my magic wand, maybe I would wish for a similar clarity of thought and purpose that would give us the solutions to funding problems and to eradicating educational disadvantage, and a clear and correct way to teach. Or maybe sanitising the profession too much would undervalue the enormous contribution that teachers, with their myriad methods, personalities and quirks, bring to the lives of their students.

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