



Aboriginal Education Advisory Board Bill 2019 (NSW)

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Aboriginal Education Advisory Board Bill 2019 (NSW)

A Bill for

An Act to establish an advisory board in all NSW High Schools for
Aboriginal students.

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Explanatory Notes

All over NSW, there have been cases where funding has been misused and distributed in a way that has hindered the education of Aboriginal identified students. This is a subject of conversation that is often overlooked. In a survey conducted in 2017, approximately 32.73% of students in NSW identify as Aboriginal.¹

As of now, all decisions made in relation to funding for Aboriginal Education are made by the principal of the school. These decisions are made without any consultations from the Aboriginal community, Elders, the Aboriginal Student Officer (ASO) or Aboriginal-Identified teachers. The introduction to the Aboriginal Education Advisory Board aims to increase consultations and give important stakeholders more of a voice into where funding is allocated. By deciding where the funding goes for Aboriginal Education, it gives Aboriginal people the right for self-determination in decision-making. It allows them to take priority towards Aboriginal education, culture and identity.

With the introduction of an Aboriginal Advisory Board, not only will funds be allocated to Aboriginal initiatives that must be approved by stakeholders, but it will be compulsory for the school to allocate where all the money goes, even if it is used to pay an Aboriginal Education Officers salary.

An Aboriginal Advisory Board will allow for a more integrated school society and environment, rather than the idea of having a “them” and “us.” It will allow for people to be more culturally aware and educated. The Advisory Board will provide lists to the school to have culturally appropriate resources for the classroom. Through the power of the board and the responsibilities of the Advisory Board, it allows the opportunity to break down the negative perceptions the Aboriginal people face; such as education, housing, employment, etc. The Board also allows the opportunity to teach the school staff, students and community the appropriate language when talking about Aboriginal people; such as removing the use of the acronym ATSI, as it is culturally insensitive.

¹ Australian Bureau of Statistics, 2018, “4221.0 – Schools, Australia, 2017”, Table 80a Summary Tables 2008-2016, Table 13, ABS, Canberra

Part 1 - Preliminary

1. Short Title

This Act may be cited as the *Aboriginal Education Advisory Board Act 2019*.

2. Commencement

This Act shall commence 50 days after Royal Assent from the NSW Youth Governor.

3. Objectives

1. To provide a voice for the Aboriginal students, families and communities.
2. To enable the affected Aboriginal families and communities self-determination to the areas of education, cultural practice, health and wellbeing, heritage and identity.
3. To work in partnership with schools to bridge the gap in the achievement of literacy and numeracy standards for Aboriginal students, also known as the “Close the Gap” initiative.
4. To work in partnership with schools to determine how and where best to spend Aboriginal student funding.
5. To provide support in ensuring schools are culturally appropriate for Aboriginal students, families and communities.
6. To provide ongoing mentorship and guidance to Aboriginal students.
7. To assist schools in establishing a Reconciliation Action Plan (RAP).
8. To help assist the students within the school to have a voice.

4. Definitions

- (a) The **Advisory Board** is a group of stakeholders chosen to advise the heads of school and faculties on where funding from the government should be directed.
- (b) **Funds** include any money a school possesses, which has been allocated by the government and individually sourced funds.
- (c) **Self-Determination** is the right of all Aboriginal people to freely determine their political status and freely pursue their economic, social and cultural development.
- (d) **Reconciliation Action Plan (RAP)** is a formal statement of commitment to reconciliation. Outlining how to develop relationships, respect and opportunities in the classroom, around the school and with the Aboriginal community, with the aim of enabling Aboriginal and non-Aboriginal people to walk together ensuring equity for all.
- (e) To be **culturally appropriate** or **culturally aware** is to ensure that people are using the correct terms for Aboriginal people and to be correct in terms of not using stereotypical terms or conforming to stigmas that society has created for Aboriginal people.
- (f) The Aboriginal Education Consultative Group; or known as the **AECG** is a non for profit Aboriginal organisation that provides advice on all matters relevant to education and training with the mandate that this advice represents the Aboriginal community viewpoint.

Part 2

5. The advisory board gives recommendations for government funding allocations.

- (a) The advisory board does not hold a binding decision over funding allocation.
 - (i) It can provide recommendations and suggest solutions to issues recognised by the board.
 - (ii) It holds more authority than the P&C, SRC and bodies similar as it represents more stakeholders in the school community and will be in charge of allocating funds for Aboriginal Education and resources.
 - (iii) The Principal makes the final funding decisions, based on recommendations from the Advisory Board.

6. It is mandatory for all schools to establish an ongoing relationship with the Local Aboriginal community and AECG.

- (a) Once a school establishes an Advisory Board, they are to join the local AECG of the region to provide the ability to engage students in more Aboriginal Education programs. The consultative group promotes respect, empowerment and self-determination which helps with the students well-being.
- (b) A relationship between the school and the local Aboriginal community must be ongoing to allow cultural awareness and community consultations.

7. There must be no more than 15 members on the board as a whole

- (a) Teachers
 - (i) There must be a maximum of 3 teacher representatives on the board.
 - (ii) Two teachers must be in an Identified position as an Aboriginal Education Teacher and/or Aboriginal Student Officer.
 - (iii) One teacher must be Non-Aboriginal.
- (b) Principal & Deputy Principal
 - (i) In the instance that the Principal/Deputy Principal is unable to participate, the chosen acting Principal/Deputy Principal will take their place.
- (c) Community
 - (i) The board must include the Local Aboriginal Community and the Elders.
 - (ii) Minimum of three Elders must be involved in the Board.
 - (iii) Parents of the Aboriginal students so they know the initiatives their children can be involved in.

8. If a school is unable to obtain the number of representatives needed to fulfil the 15 person quota as it has a limited population, an exception can be made to allow a minimum of 7 members on the board.

9. Board Meetings

(a) The board will meet twice a term; both the beginning and end of the term.

10. The Responsibilities of the Advisory Board

(a) Funding

(i) See Part 2, Section 5

(b) Access to Resources

(i) Accurate and authentic resources Aboriginal resources should be used when talking about Aboriginal Australians.

(ii) If resources have offensive terminology that affect Aboriginal people, they must not be used.

(c) Workshops

(i) To organise workshops for teachers of schools to learn and understand appropriate terminology when addressing Aboriginal People's.

(ii) To establish workshops that allow students of both Aboriginal and non-Aboriginal ancestry to be involved in traditional artwork, music and cultural initiatives, especially throughout events such as NAIDOC Week.

(d) Education

(i) To be aware of the Aboriginal Studies curriculum being taught and making any modifications within the Department of Education or Independent Education Office guidelines to make the subject more culturally appropriate.

(ii) To ensure that Aboriginal students are receiving the same level of education as other students and are not a statistic in the lack of "Close the Gap."

(iii) To include Aboriginal and non-Aboriginal perspectives in all board-endorsed subjects such as, but not limited to, Religious Education, HSIE, Science and English.

(iv) To ensure that important events commemorating Aboriginal people are being recognised within the school.

(e) Reconciliation Action Plan

(i) As the school establishes an advisory board, they are required to create a Reconciliation Action Plan, this allows all schools to have a higher level of knowledge and pride in Aboriginal and Torres Strait Islander histories, cultures and contributions.

(f) Support

(i) Ensuring Aboriginal students are receiving equal opportunities as non-Aboriginal students and are not at a disadvantage in any way.

Part 3

12 Penalties and Proceedings for Offences

- (a) If a school does not comply with the board requirements, they will be penalised with Aboriginal funding being cut
 - (i) The school has a period of 3 months to meet the requirements of the board to prevent further punishment
- (b) If the school lacks initiatives for Aboriginal Education, they will be investigated by the Advisory Board and further punishment will be decided by the board.
 - (i) After the punishment is placed, the school has a period of 3 months to comply and rectify the penalty
- (c) If the school is reported on racism and discrimination towards Aboriginal teachers and students, the matter will be investigated by the board and reported to the director of schools of the region.
 - (i) An internal investigation will be conducted by the Advisory Board in conjunction with the Education Office of the region.

Part 4 - Amendments

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Clause number	Part 2, Section 7
Existing clause	<p><i>ORIGINAL CLAUSE:</i></p> <p>7. <i>There must be no more than 15 members on the board as a whole</i></p> <p>(a) <i>Teachers</i></p> <p>(i) <i>There must be a maximum of 3 teacher representatives on the board.</i></p> <p>(ii) <i>Two teachers must be in an Identified position as an Aboriginal Education Teacher and/or Aboriginal Student Officer.</i></p> <p>(iii) <i>One teacher must be Non-Aboriginal.</i></p> <p>(b) <i>Principal & Deputy Principal</i></p> <p>(i) <i>In the instance that the Principal/Deputy Principal is unable to participate, the chosen acting Principal/Deputy Principal will take their place.</i></p> <p>(c) <i>Community</i></p> <p>(i) <i>The board must include the Local Aboriginal Community and the Elders.</i></p> <p>(ii) <i>Minimum of three Elders must be involved in the Board.</i></p> <p>(iii) <i>Parents of the Aboriginal students so they know the initiatives their children can be involved in.</i></p>
Amendment request	<p>Add a new clause to include Students in the Advisory Board.</p> <p>To improve on Youth Empowerment and involvement, by including students to the board will allow them to raise issues and concerns with the Elders and School Execs for them to improve on. It is also important to include student voices on concerns</p>
New clause shall now read	<p>7. There must be no more than 15 members on the board as a whole</p> <p>(a) Teachers</p> <p>(i) There must be a maximum of 3 teacher representatives on the board.</p> <p>(ii) Two teachers must be in an Identified position as an Aboriginal Education Teacher and/or Aboriginal Student Officer.</p> <p>(iii) One teacher must be Non-Aboriginal.</p> <p>(b) Principal & Deputy Principal</p> <p>(i) In the instance that the Principal/Deputy Principal is unable to participate, the chosen acting Principal/Deputy Principal will take their place.</p>

	<p>(c) Community</p> <ul style="list-style-type: none"> (i) The board must include the Local Aboriginal Community and the Elders. (ii) Minimum of three Elders must be involved in the Board. (iii) Parents of the Aboriginal students so they know the initiatives their children can be involved in. <p>(d) Students</p> <ul style="list-style-type: none"> (i) Aboriginal and Torres Strait Islander students are to be selected to be apart of the advisory board.
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Clause number	Part 1, Short Title
Existing clause	<p><i>ORIGINAL CLAUSE:</i></p> <p>1. <i>Short Title</i></p> <p><i>This Act may be cited as the Aboriginal Education Advisory Board Act, 2019</i></p>
Amendment request	<p>Amend Short Title to include 'Torres Strait Islander'</p> <p>To reduce the amount of racism and exclusion that Aboriginal and Torres Strait Islander students face in there day to day life.</p> <p>The Advisory board will assist the Aboriginal and Torres Strait Islander students within their schools combat the issues of racism and exclusion. The Aboriginal and Torres Strait Islander Advisory boards will be enforced in all schools in NSW to help these students have a voice within their school. By allowing the board to be called the Aboriginal and Torres Strait Islander Education Advisory Board allows the students to be acceptive towards their heritage and identity, which is the main vision of the bill the sponsors have written. The Advisory board will allow students to raise any issues or concerns that are affecting them in regards to their education. The second Advisory board meeting will allow students to work on their issues and concerns this will also allow the students time to discuss what the Advisory board has done regarding their issues. there must not be more than 15 members on the board. in the advisory board, it must include local members local Aboriginal and Torres Strait Islander members in the community and the Elders as this will positively benefit the students. Students in the school that are Aboriginal or Torres Strait Islander will be selected to be on the Advisory board, the reasoning for this is so there is a student opinion and they can raise any concerns or issue amongst the students with the Advisory board. Also in the Advisory board, there must be non-Aboriginal or Torres Strait Islander people on the board for a different</p>

	<p>approach to the concerns, issues or comments that have been raised. Parents of Aboriginal and Torres Strait Islander children within the school should also be in the Advisory board, this gives a parent approach on situations and this will advise them on the programmes and initiatives that their child or children have the opportunity to be involved in. in the advisory board, at a maximum of three teachers must be involved, they must identify as an Aboriginal Education Teacher or Aboriginal Student Officer.</p>
New clause shall now read	<p>1. Short Title This Act may be cited as the Aboriginal and Torres Strait Islander Education Advisory Board Act, 2019</p>

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Clause number	Part 2, Section 9
Existing clause	<p><i>ORIGINAL CLAUSE:</i></p> <p>8. <i>Board Meetings</i> (a) <i>The board will meet twice a term; both the beginning and end of the term.</i></p>
Amendment request	<p>To allow students to attend meetings.</p> <p>This amendment is crucial for the students to call issues and concerns to the board for them at the start of the term, then it is the board's responsibility to improve on as the term progresses. The meeting at the end of the term is to allow students to hear back from the board to see what improvements the board has done to handle the issues and concerns raised by the students at the beginning of term.</p>
New clause shall now read	<p>8. Board Meetings (a) The board will meet twice a term; both the beginning and end of the term. (i) The meeting times allow students to attend both meetings if they wish (ii) The meeting at the beginning of the term allows students to raise issues and concerns regarding their education.</p>

	<p>The time between the last meeting of the term allows the board time to work on their issues</p> <p>(iii) The final meeting of the term gives students the opportunity to hear what the advisory board had done regarding the issues and concerns raised by the students.</p> <p>(iv) it is mandatory to attend the two meetings of the term, this will allow students to hear from the board.</p>
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