



# Review of Religious Educational Institutions and Anti -Discrimination Laws

Submission by

The Association of Independent Schools of the ACT  
(AISACT)

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## **Introduction**

The Association of Independent Schools of the ACT (AISACT) welcomes the opportunity to provide a submission on the consultation paper from the Australian Law Reform Commission regarding *Religious Educational Institutions and Anti – Discrimination Laws*.

The ACT independent school sector provides a diverse range of schooling options to families living in the ACT and in the surrounding region, and to families needing boarding school facilities.

Independent schools play an important role in providing educational alternatives to those provided by the government sector. The ACT community is multicultural and diverse, and the independent school sector reflects this. It should be a basic premise that parents should have a choice, where possible, about where their child is educated. There are many reasons underpinning parental choice, including pedagogical style, learning environment, faith, values, gender, school culture and pastoral structures.

Independent schools have emerged in direct response to community demand and have a long history of accepting an educational leadership role in the national capital, and a shared role with governments, in setting up schools in the ACT.

In the end, it is about parents finding a school which provides the best 'fit' and, therefore, the best opportunities for success for their child.

The Association represents all eighteen independent schools which together educate around 15,392 students, or around 19% of the ACT school population (29% of ACT high school students attend independent schools). Enrolment in Canberra's Independent schools has historically been very strong and have seen a 21% increase in student enrolment over the past 10 years.

Independent schools in the ACT have a wide range of student populations, with the smallest school having 70 plus students and the largest over 2200 students.

## Response

AISACT Member schools are very committed to ensuring that they provide safe and supportive environments which protect and empower children and young people to achieve their potential.

Enshrined within the ACT Education Act 2004 are the Principles for non-government schools. Independent schools in the ACT have been established under these principles, which state:

- (a) The non-government school sector consists of schools from a range of different educational and religious philosophies;
- (b) The variety of schools in the sector reflects the diversity of the community in the ACT and the preferences of parents for a particular style of education for their children;
- (c) The non-government schools sector is committed to –
  - (i) Developing the spiritual, physical, emotional, and intellectual welfare of its students; and
  - (ii) Innovation, diversity, and choice; and
  - (iii) Maximising student outcomes; and
  - (iv) Teacher, parent, and student participation in school education; and
  - (v) Promoting the partnership between home and school; and
  - (vi) Preparing students for their full participation in all aspects of a democratic society.”

AISACT acknowledges that the reform propositions articulated in the consultation paper enter highly sensitive areas of debate, and importantly we acknowledge that freedom of religion and freedom from discrimination are pillars of the Australian society.

The Australian Capital Territory is a human rights jurisdiction and already many territory laws exist which are relevant to the propositions as presented.

That said, of primary concern is that many of the recommendations in the consultation paper erode the independence of schools to be able to employ staff of ‘best fit’; those who not only demonstrate appropriate qualifications and experience, but also demonstrate other attributes which contribute to the overall culture, ethos and mission of the school.

These staff are not limited to teaching staff. Independent schools employ a wide range of administrative, health, maintenance, support, and visiting specialist staff, and all should be able to be selected by schools following a ‘best fit’ preference. It should be considered an inherent requirement for all staff working in these school to support and model the school’s culture and purpose.

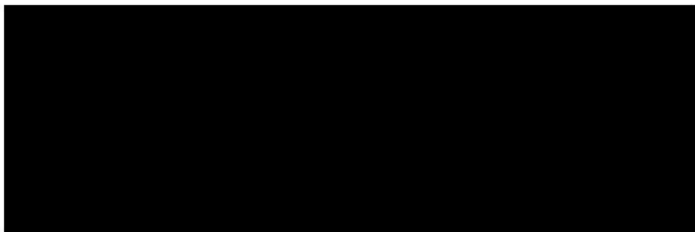
Parents choose particular independent schools having considered all of these attributes, and deciding which school provides the best environment and community in which their children should be educated.

Both things – the independence of non-government schools and parental choice - are core values of AISACT Member schools. Many of the consultation proposals appear to be focussed at removing the application of these core values.

AISACT therefore wishes to stress that Member schools in the ACT do not want to see that their independence is eroded by any changes to the Commonwealth laws which will impact on their ability to offer and promote an independent school education from a range of different educational and religious philosophies as an authentic choice for parents.

AISACT advocates that Member schools should be able to select any staff that will be the “best fit” for the community ethos, character and faith base of their school.

This may include preferencing staff who model a life of faith which mirrors the values of a school. In doing so, the school continues its support of parents who wish to make that choice for their children knowing that the school is a community that supports a religious ethos that matches their own.



Andrew Wrigley  
Executive Director AISACT

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