

Review of the National School Reform Agreement Indigenous Education Consultative Meeting (IECM) Submission

Executive Summary

On 20 June 2022, Productivity Commission representatives, including Commissioners Natalie Siegel-Brown and Malcolm Robert, attended an Indigenous Education Consultative Meeting (IECM) to discuss the Review of the National School Reform Agreement (NSRA).

This submission reflects those discussions and members' feedback throughout the rest of the meeting, along with related longstanding feedback from members. It is submitted to the Productivity Commission's NSRA Review on behalf of all IECM members. It contains our challenge to government, drawing on our key observations and frustrations. Attachment A also provides further information from our discussion.

The IECM is a biannual forum established by the Australian Government Department of Education, bringing together representatives from state and territory Indigenous Education Consultative Bodies (IECBs) or nominated Aboriginal and Torres Strait Islander education stakeholders for those jurisdictions where IECBs no longer exist. This valuable collaborative mechanism enables participants to share their expertise and local perspectives in ways that bring diversity and cultural integrity to the consideration of national Aboriginal and Torres Strait Islander education policy.

Indigenous Education Consultative Bodies (IECBs)

IECBs (sometimes also referred to as Aboriginal Education Consultative Groups/AECGs) have a long and continued engagement with the education sector. As a collective national group, the IECBs have unparalleled experience in working to address the wide range of complex challenges and issues affecting successful education and training outcomes of Aboriginal and Torres Strait Islander communities. For more than 40 years, IECBs have shared their expertise through advocating on local, state and national education and training committees and, among other things, undertaking major education projects to support Aboriginal and Torres Strait Islander education outcomes.

Our challenge to governments

As articulated through the United Nations Declaration on the Rights of Indigenous Peoples¹, Aboriginal and Torres Strait Islander students, families and communities have a right to self-determine their own educational aspirations, priorities and representatives. We note particularly the rights to equitable education, to our languages, and to live free from discrimination. We reaffirm these enduring rights and the need for all Australian governments and education systems to engage, respectfully, constructively and in partnership, with Aboriginal and Torres Strait Islander families, communities and education stakeholders to realise these rights in Australian schooling.

Further, we celebrate the diversity, strength and resilience of Aboriginal and Torres Strait Islander cultures across this country. We recognise the differing histories and the ways in which that impacts families and communities' differently in terms of their engagement with governments and institutions, as well as the differing impacts on outcomes. We encourage all governments and education systems to embrace this diversity, ensure education is inclusive and provide all students

¹ <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

the opportunity to learn about Aboriginal and Torres Strait Islander cultures, languages and histories.

We reaffirm the contemporary applicability of the 1989 AEP (National Aboriginal and Torres Strait Islander Education Policy), as the foundational policy that must underpin efforts and reform in Aboriginal and Torres Strait Islander education. This policy, developed by the National Aboriginal Education Committee (NAEC; 1977-1989) and agreed to by all Australian governments, has never been repealed and applies today. While a number of plans and strategies have driven focussed effort to support these goals, the AEP remains the enduring foundational policy. We note that original actions under the 2015 National Aboriginal and Torres Strait Islander Education Strategy are all complete and have not been built on through current actions. It is an indictment on the failure to engage genuinely and continuously with Aboriginal and Torres Strait Islander communities that many of the goals set in 1989 have not yet been achieved in 2022.

We note all Australian governments' renewed commitment to Closing the Gap (CTG) through the National Agreement on Closing the Gap (CTG Agreement), particularly the commitment to transforming the way governments work with Aboriginal and Torres Strait Islander communities and stakeholders to strengthen partnership and respect our right to self-determination. In the spirit of partnership, we welcome support from the Australian Government towards the establishment of the National Aboriginal and Torres Strait Islander Education Council (NATSIEC) and look forward to strengthening this partnership, including through additional and ongoing, sustainable financial support. We also encourage all governments to ensure commensurate and enduring financial support is provided to enable an IECB in every jurisdiction and to continue to grow this partnership in all jurisdictions (including those with an existing IECB).

With that in mind, we note disappointment at the narrow commitment to Indigenous engagement in the current National School Reform Agreement (NSRA 2019-2023), particularly through clause 64(d). We particularly note the lack of visibility of what engagement has occurred or how it has contributed to reform. We invite all governments to work together to ensure the next NSRA embeds the strong commitments to reform in Indigenous affairs contained in the CTG Agreement, including practical steps to realise this aspiration that are developed in partnership with Aboriginal and Torres Strait Islander education stakeholders, such as the IECBs.

We express significant frustration and concern at the lack of accountability and transparency relating to funding to support Aboriginal and Torres Strait Islander students and the outcomes (or lack thereof) achieved with this. We hear from communities about stories of local school objection to equity support through recurrent funding and reallocation of these funds to other areas deemed priorities by school executive. We note the Schooling Resource Standard (SRS) includes specific support for Aboriginal and Torres Strait Islander students (Indigenous loading), complementary to that to support all students (base funding) or to support other educational needs (other loadings). Given these elements, school executive must prioritise targeted support to Aboriginal and Torres Strait Islander students.

We acknowledge that each education system sets their own needs-based methodology in accordance with the *Australian Education Act 2013*, to distribute this funding to member schools and that schools exercise local autonomy to make decisions appropriate for their circumstances. However, we call for stronger engagement with IECBs to ensure these models are impacting outcomes on the ground as intended. This includes ensuring that Aboriginal and Torres Strait Islander students from all backgrounds receive appropriate support for their circumstances and are empowered to thrive in their education. We call for substantial and rapid improvement in the

availability of information at a school level, including enabling lasting access to this by IECBs and other members of the public. Without improvements to transparency and accountability of school funding, Aboriginal and Torres Strait Islander students will continue to be failed by the systems that are meant to empower them and open pathways for their future.

Further to increased access and transparency of funding information, we recommend outcomes and reform action data be treated in a more formative capacity to enable early and ongoing analysis of progress. The current NSRA presents lofty data items for reporting. How can we break this down into meaningful elements that can be measured and provide progressive insights into how we are tracking towards achieving the higher order goals?

We recognise the importance of quality teaching; including the ability to see Aboriginal and Torres Strait Islander students as whole people and support their learning needs in a culturally responsive manner, based on high expectations approaches free from deficit discourse². This requires ongoing support of teachers as professionals to continually develop their capability in Indigenous education, both through improved Initial Teacher Education (ITE) and access to (and expectation of completing) effective and culturally appropriate ongoing professional development.

We support the Australian Institute for Teaching and School Leadership's (AITSL) work to develop tools and resources that support this professional learning of teachers. This must be taken up across all Australian schools, to ensure the Teacher Standards are met and all teachers are able to create culturally safe classrooms, irrespective of whether they have Aboriginal and Torres Strait Islander students or not. This is key to ensuring all students have the opportunity to learn Australia's true history. We note, and support, the change in language signalled in AITSL's Final Report³, moving away from 'cultural competency' in line with consistent feedback through the Project's consultation. The next NSRA could include more explicit references to achieving expectations in Aboriginal and Torres Strait Islander education i.e. how will the system reform to achieve the Closing the Gap targets.

We wholeheartedly reject language of 'disadvantage' in reference to Aboriginal and Torres Strait Islander education. This labelling of Aboriginal and Torres Strait Islander students and families as disadvantaged continues to play into a culture of deficit discourse and low expectations that stymie Aboriginal and Torres Strait Islander students' ability to thrive in their education. Our students are not the problem – the system is failing them. While Aboriginal and Torres Strait Islander students and communities face a range of complex and compounding circumstances that impact their educational engagement and outcomes, they are not inherently disadvantaged by being Indigenous.

We commend the strength of Aboriginal and Torres Strait Islander students knowing their culture, language and identity. The power of being able to walk strong in two worlds. The benefit of students who speak Language coming to school with multilingual skills and that these need to be built on as a strength rather than seen as a deficit. However, because these strengths don't fit into the box of western educational assessment, the practices and approaches result in isolating these students. Further to quality teaching and building culturally responsive approaches, we strongly encourage a shift where schools and teachers embrace an Aboriginal and Torres Strait Islander viewpoint to build on students' strengths.

We also highlight the need for teaching efforts to grow the Aboriginal and Torres Strait Islander teaching workforce. For too long this has been below parity of student populations and Aboriginal

² <https://www.lowitja.org.au/content/Document/PDF/deficit-discourse-summary-report.pdf>

³ <https://www.aitsl.edu.au/teach/intercultural-development/building-a-culturally-responsive-australian-teaching-workforce>

and Torres Strait Islander people have been represented in more junior positions. An element of embracing partnership in education is enabling our voices to be represented not just in the policy advocacy through NATSIEC and IECBs, but through education delivery through increasing the Aboriginal and Torres Strait Islander teacher workforce. Renewed effort is required to build on the progress made by the More Aboriginal and Torres Strait Islander Teachers Initiative (MATSIITI).

Many of these issues go beyond the direct focus of the Productivity Commission's current review, or the explicit focus of the current NSRA. However, as the primary lever for agreement between the Commonwealth, state and territory governments, and given the need to strengthen actions associated in bilateral agreements, this breadth of issues must be considered in order to achieve the progress we all aspire to in Aboriginal and Torres Strait Islander education. Working in partnership is key to this – with NATSIEC at a national level and with IECBs at a state level.

Aboriginal and Torres Strait Islander education funding used to glow in the dark. Now it is contained within recurrent funding where we have extremely limited visibility. This must change.

It is estimated there are 250,406 Aboriginal and Torres Strait Islander students in 2022. This is not an insurmountable or unwieldy number to support. But – without significant improvements to funding transparency and accountability at multiple levels throughout the education system; without properly funded and genuine partnership; or without renewed expectation that schools must actively utilise their funding appropriately to support equitable outcomes – we fear limited progress will be achieved in the next NSRA and the system will continue to fail Aboriginal and Torres Strait Islander students.

Endorsement

This submission reflects our views and lived experience as Aboriginal and Torres Strait Islander people with an extensive and valued background and history in Aboriginal and Torres Strait Islander education throughout Australia. We look forward to the release of the interim report and further engagement with the Productivity Commission.

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Summary of discussion

The current National School Reform Agreement (NSRA) sets out 8 national policy initiatives against 3 reform directions that the Commonwealth, state and territory governments agreed to implement across 5 years. The NSRA review provides an opportunity to inform the next agreement and influence the state and territory bilateral agreements with the Commonwealth. While the current NSRA was ambitious, there has been limited progress, with some initiatives only partially implemented according to the *National School Reform Agreement: 2021 Annual Report*. The next NSRA presents an opportunity to work more effectively across governments and would benefit from a more targeted approach to both national policy initiatives and reform directions, including consistent and comprehensive monitoring and reporting of the progress and outcomes.

Key reforms to support Aboriginal and Torres Strait Islander students should focus on quality teaching, including a clear strategy for an increased Indigenous teaching workforce and improved opportunities to support the teaching and learning of Indigenous languages. The new agreement presents an opportunity to closely align the national initiatives with the National Agreement on Closing the Gap, and its priority reforms and targets. Part of that alignment should include better access to relevant data to monitor implementation and outcomes. Better access to data will assist Aboriginal and Torres Strait Islander communities, who are best placed to consider and develop priorities that will support their needs and ambitions and will contribute to positive and lasting impacts on Aboriginal and Torres Strait Islander student outcomes.

Further reform is also needed around appropriate funding transparency and accountability. Locally, Indigenous Education Consultative Bodies (IECBs) are recognised as the peak community advisory bodies for Aboriginal and Torres Strait Islander education within their jurisdictions and require genuine and ongoing commitment from states and territories to be directly involved in the design, development and implementation of local education policies and programs.

Nationally, the National Aboriginal and Torres Strait Islander Education Council (NATSIEC), in partnership with IECBs, will provide an invaluable contribution to strengthening national Aboriginal and Torres Strait Islander education initiatives, policies and programs, including improving monitoring and accountability mechanisms to ensure that funding for Aboriginal and Torres Strait Islander education is allocated towards initiatives and programs that are developed and implemented in partnership with Aboriginal and Torres Strait Islander communities and have high potential for delivering successful educational outcomes.

Transparency and Accountability

Aboriginal and Torres Strait Islander school education funding

There is a significant lack of transparency and accountability in how the needs-based funding, including the Indigenous loading, are allocated and distributed down to a school level to support Aboriginal and Torres Strait Islander students. Improved transparency and accountability are an integral part of ensuring that funding is benefiting and addressing the cultural and educational needs of Aboriginal and Torres Strait Islander students.

As it has in the past, Aboriginal education funding needs to glow in the dark, communities are entitled to know where the funding is going, who it is benefitting, and what outcomes are being achieved. Community members are aware of reports of Aboriginal and Torres Strait Islander loading being used for infrastructure and capital works projects at schools, and communities having had to

argue with Principals about targeted funding support for Aboriginal and Torres Strait Islander students. Spending of Aboriginal and Torres Strait Islander loading should be consistently reported and directly reflect improved educational outcomes of Aboriginal and Torres Strait Islander students.

Under the current legislation, jurisdictions are not required to report on where the Indigenous and other school funding loadings are specifically allocated at a school level. There can be a substantial difference between Commonwealth allocations of the Schooling Resource Standard (SRS) and approved system authorities' discretion to allocate and report on the school funding they receive in accordance with local priorities and local need.

Aboriginal and Torres Strait Islander communities should have access to comprehensive data on how the needs-based funding and loadings are allocated and distributed at a school level, as well as greater involvement in identifying and developing the priorities for the use of funding to support improved outcomes for Aboriginal and Torres Strait Islander students.

It is vital that all jurisdictions and sectors commit to improving transparency around the amount of funding and loading that is allocated to each school, but also to ensure there is accountability for how that funding is used to progress improved outcomes at a school level. It is essential that equity funding is used as intended, to address inequity and to increase support to accelerate the outcomes of equity cohorts.

Monitoring, evaluation and best practice models

Where good practice is demonstrated, all governments and schools need to be able to support, share and where appropriate, implement across the sectors. There are some schools that have good practice in ensuring funding directly benefits Indigenous students, this should be replicated across regions. Schools sometimes don't know the 'different pieces of the puzzle' related to categories and entitlements of school funding and loadings. There needs to be greater clarity of what the expectations are for jurisdictions and schools and how they can learn from and implement best practice models.

Aboriginal and Torres Strait Islander communities do not currently have access to data about how targeted funding support for Aboriginal and Torres Strait Islander students is used within the school context. There are well-funded schools where Aboriginal and Torres Strait Islander students do not seem to be directly benefitting, with reports in some of these schools that some Aboriginal and Torres Strait Islander students don't even have shoes to wear to school. Monitoring and evaluation of how this funding is used would be most appropriate at a school level, against Aboriginal and Torres Strait Islander student enrolment, attendance and attainment data.

The benefit of community led best practice models and evaluations are that they are developed in consultation with community, fit the unique circumstances for each community and in line with culturally appropriate methodology. There are many examples of community led programs, projects and initiatives that are having real impact on student engagement, attendance and outcomes. These need to be promoted, supported and implemented in partnership with local Indigenous Education Consultative bodies (IECBs).

Indigenous Data Sovereignty

Indigenous Data Sovereignty is the right of Indigenous peoples to govern the collection, ownership and application of data about Indigenous communities, peoples, lands, and resources. Its enactment mechanism is Indigenous data governance which is built around the rights of Indigenous nations to have access and control over data about them, regardless of where it is held and by whomⁱ.

It's our data and these are our stories. We must be consulted and participate in the collection and evaluation of any data relating to our communities. The National Agreement on Closing the Gap, Priority Reform Four commits all governments to share access to data and information at a regional level, so that Aboriginal and Torres Strait Islander people have access to, and the capability to use, locally relevant data and information to set and monitor the implementation of efforts to close the gap, their priorities and drive their own development. This is not reflected in the current NSRA, and significant work is needed by all governments to increase access for Aboriginal and Torres Strait Islander peoples and organisations to receive information and data on policies, programs and funding relating to our communities.

The next NSRA should include a reform commitment to improved collection, access, management and use of data for Aboriginal and Torres Strait Islander communities and organisations. Without a firm commitment to better transparency and accountability, Aboriginal and Torres Strait Islander communities will continue to have limited ability to evaluate the educational outcomes of Aboriginal and Torres Strait Islander students or contribute to the development of better, community led initiatives that can affect real change.

Use of Terminology

There have been recent attempts to include Aboriginal and Torres Strait Islander peoples under the banner of Culturally and Linguistically Diverse (CALD), this grouping is strongly rejected. A focus on 'equity' can be misrepresented to the detriment of Aboriginal and Torres Strait Islander students. It is important to recognise both cohorts are individual, with distinct and different needs and to ensure funding is allocated appropriately. The responsibility for appropriate targeted support of Aboriginal and Torres Strait Islander students should not be shirked in the name of 'equality'.

The use of language is important and should not be overlooked. Categorising Aboriginal and Torres Strait Islander students under the umbrella of 'disadvantaged' cohorts happens regularly and creates and reinforces negative stereotypes. While Aboriginal and Torres Strait Islander students and communities face a range of complex and compounding circumstances that impact their educational engagement and outcomes, they are not inherently disadvantaged by being Aboriginal and Torres Strait Islander, rather Aboriginal and Torres Strait Islander students may at times also be experiencing disadvantage.

A strengths-based approach does not always fit neatly into the categorisation of western educational assessment, which has historically viewed Aboriginal and Torres Strait Islander students through a deficit lens. The current practices and approaches of westernised education systems can result in further isolation and marginalisation of Aboriginal and Torres Strait Islander students.

For example, there has been considerable research undertaken on the effects and negative consequences of National Assessment Program – [English] Literacy and Numeracy (NAPLAN) testing for Aboriginal and Torres Strait Islander students, particularly in a remote context. The Language Testing Research Centre (LTRC) study *Investigating the impact of NAPLAN testing on remote indigenous communities*⁴ conducted a series of interviews across education sectors. The findings showed that all participants agreed that NAPLAN in its current form is not an appropriate tool to assess children in remote Indigenous communities. The primary issue was the fact that meaningful participation in the tests depends critically on proficiency in Standard Australian English (SAE) as a

⁴ Macqueen S, Knoch U, Wigglesworth G, et al. The impact of national standardized literacy and numeracy testing on children and teaching staff in remote Australian Indigenous communities. *Language Testing*. 2019;36(2):265-287. doi:10.1177/0265532218775758

first language, which is not the case for the majority of Aboriginal and Torres Strait Islander students in remote and very remote locations.

A strengths-based approach which recognises the value of Aboriginal and Torres Strait Islander students knowing their culture, language and identity needs to be adopted by all school systems. Celebrating the diversity of Aboriginal and Torres Strait Islander communities will contribute to our children being able to walk strong in two worlds. The strength of students who speak English as a second, third or fourth language should be recognised by all governments and school systems, and that capability needs to be expanded and built on rather than seen as a deficit.

Positive and lasting change will require a permanent shift in the thinking and approaches taken by schools and teachers to embrace an Aboriginal and Torres Strait Islander viewpoint and to build on students' strengths. This can be achieved by incorporating bilingual education and Indigenous knowledge and perspectives in assessments, strengthening and celebrating cultural knowledge and supporting a strong sense of identity in Aboriginal and Torres Strait Islander students by creating culturally safe schools and a culturally responsive workforce.

Strengthening Partnerships

Self-determination is particularly relevant to Aboriginal and Torres Strait Islander peoples and should be considered when developing legislation or policies that will have an impact on Aboriginal and Torres Strait Islander peoples. In the current NSRA, Clause 64(d) requires States and Territories to engage with Aboriginal and Torres Strait Islander communities regarding the implementation of national and state-specific reform initiatives. To date, this has not been achieved in a consistent way, or to a suitable standard and there is a need to strengthen the commitment to community self-determination and genuine, early and ongoing engagement to enable strong partnerships and improved education outcomes.

The current NSRA seems to be overly complex and ambitious over a five-year period. This should be simplified to enable more achievable indicators and targets to be reached and reported upon during regular intervals throughout the agreement. Increased monitoring across the life cycle of the agreement will be able to inform the next steps and ensure that the national policy initiatives and reform directions are fit for purpose.

When developing the next NSRA consideration should also be given on how to achieve better connection between the early childhood and school sectors, for example the early childhood preschool agreement (UA NP) could be better connected with schooling, or an agreement that covers school age children should be formulated. Improved outcomes will be achieved when it is recognised that lifelong learning starts in early childhood and continues through school and higher education or training and into employment. There is a need to look at this in a holistic way, not in isolation. That is how you can affect real and lasting change. There needs to be better connection between all the factors that can influence outcomes for Aboriginal and Torres Strait Islander peoples' life outcomes, including Health and Wellbeing, Justice, Employment and Economic Participation, Housing, Culture, Languages and Education.

The ability of Aboriginal and Torres Strait Islander organisations to influence Indigenous educational outcomes is a critical element of genuine partnerships and engagement with Aboriginal and Torres Strait Islander communities, that is, early engagement without a pre-determined outcome is essential to achieving a mutually beneficial outcome. IECBs can provide advice into early thinking on an engagement approach to assist in maximising the benefit of those engagements.

Only three IECBs are currently funded by state governments (South Australia, New South Wales and Victoria). There is a need to strongly encourage other states and territories (Tasmania, the Northern Territory, Queensland, Western Australia and the Australian Capital Territory) to establish and fund local IECBs to ensure programs, projects and reforms align with local Aboriginal and Torres Strait Islander community priorities. This commitment would also closely align with the Priority Reforms in the National Agreement on Closing the Gap, for which all governments are formally committed. This commitment would require an adequate proportion of Indigenous education funding at the state and territory level to be allocated for IECBs to enable self-determination, as agreed under Clause 33 the National Agreement on Closing the Gap.

Clause 33 of the National Agreement on Closing the Gap states:

The Parties recognise that adequate funding is needed to support Aboriginal and Torres Strait Islander parties to be partners with governments in formal partnerships. This includes agreed funding for Aboriginal and Torres Strait Islander parties to:

- a. engage independent policy advice*
- b. meet independently of governments to determine their own policy positions*
- c. support strengthened governance between and across Aboriginal and Torres Strait Islander organisations and parties*
- d. engage with and seek advice from Aboriginal and Torres Strait Islander people from all relevant groups within affected communities, including but not limited to Elders, Traditional Owners and Native Title Holders.*

Shared decision making, genuine engagement and partnerships need to occur at multiple levels in an educational context, for example, in South Australia there is a focus on all schools having a Reconciliation Action Plan (RAP) as a minimum requirement. This should be enacted in all jurisdictions. There are gaps that also need to be addressed within individual school systems, for example, there are often no Aboriginal and Torres Strait Islander education officers in schools with large proportions of Indigenous students. Having culturally appropriate supports in place should be mandatory for all schools. States and territories should be reporting on how it is articulated to schools what their responsibilities are for school funding and loadings and evaluating the outcomes achieved, this could be built into the next NSRA as a mandatory reportable indicator.

Adequate funding to enable strong partnerships is a key element to success and sustainability. Evidence suggests that Aboriginal and Torres Strait Islander community-controlled services are better for Aboriginal and Torres Strait Islander peoples and achieve better results. While some education systems and departments have their own Aboriginal and Torres Strait Islander advisory groups, they are not always representative of community views and the representatives can be often be hampered by the structure, purpose and selection process for those groups. All governments should commit to establishing and supporting local IECB partnerships within their jurisdictions to respond to local educational priorities as part of the next NSRA.

Language and Culture

Aboriginal and Torres Strait Islander community members are passionate about the importance of Language and its inherent connection to culture and wellbeing. Schools, and school reform, are

important change agents to assist in valuing, celebrating, and utilising Aboriginal and Torres Strait Islander Languages.

Languages have strong implications for identity, cultural diversity, spirituality, communication and social integration for Aboriginal and Torres Strait Islander students, families, and communities. Embedded in our languages are history, traditions, memories, traditional knowledge, unique modes of thinking, meaning and expression. Today Aboriginal and Torres Strait Islander languages are being recovered, revitalised and celebrated.

The United Nations General Assembly (Resolution A/RES/74/135) proclaimed the period between 2022 and 2032 as the International Decade of Indigenous Languages (IDIL 2022-2032). Domestically, this timing aligns with the National Agreement on Closing the Gap, Target 16: *by 2031, there is a sustained increase in number and strength of Aboriginal and Torres Strait Islander languages being spoken*. In responding to Closing the Gap, governments can look at ways for their responses in schools to address both Target 16 and Target 5 (Year 12 attainment). Through this, schools can embrace the strengths and benefits of multilingual Aboriginal and Torres Strait Islander students knowing their culture, language and identity. Rather than seeing these home-language skills as an impediment to learning Standard Australian English, schools and teachers can recognise students strong exiting language skills and use these to build on, not denigrate. Members strongly affirm that key to this is embedding the right community led approach to teaching, maintaining and preserving Indigenous languages.

To support the social and emotional wellbeing of Aboriginal and Torres Strait Islander students, all governments must recognise that connection to language, culture and identity is critical. It is well demonstrated that children learning in their own language contributes to better attendance, better performance and better educational outcomes. The opportunity to learn on Country, with Elders and other community members who can provide opportunities for children to develop western knowledge and education, but more importantly cultural knowledge and ways of learning will allow Aboriginal and Torres Strait Islander children to grow and thrive as they walk in two worlds.

In order to effect real change, all governments must work collaboratively and in genuine partnership with Aboriginal and Torres Strait Islander peoples and communities. Schools can actively contribute to the teaching and learning of Indigenous languages by strengthening their commitment to *The Framework for Aboriginal Languages and Torres Strait Islander Languages* (Australian Curriculum) and implementing community designed and led Aboriginal and Torres Strait Islander language programs. As custodians of those languages, it is critical that all Indigenous language programs reflect community priorities and are responsive to community needs and feedback.

For example, the *NSW Aboriginal Languages Act 2017* (the Act) became law on 24 October 2017 and is the first legislation in Australia to acknowledge the significance of First Languages. The Act commenced on 5 March 2020 and seeks to promote, reawaken, nurture and grow Aboriginal languages across NSW.

The Act has three parts:

1. A preamble which acknowledges the importance of Aboriginal languages and the importance of reawakening, nurturing and growing Aboriginal languages and Aboriginal custodianship of languages.
2. Establishment of an Aboriginal Languages Trust to resource local language activities (amongst other functions).
3. A 5-year Strategic Plan to guide investment and activities in language revival in NSW.

Members noted the connections beyond the National School Reform Agreement, affirming that community led co-design and development of Indigenous Languages legislation in all jurisdictions would be incredibly beneficial for Aboriginal and Torres Strait Islander students, families and communities across Australia. It would also demonstrate state and territory governments commitment to the National Agreement on Closing the Gap priority reforms and targets. This is an example where an element that could be improved in schools, through locally led initiatives supported by strong commitments to Aboriginal and Torres Strait Islander education in the next National School Reform Agreement, could then become a small piece in a broader reform puzzle beyond schools that benefits the standing of Indigenous languages in Australia.

NSW Aboriginal Language and Culture Nests

Aboriginal Language and Culture Nests are an NSW government initiative led by the NSW Department of Education in partnership with the NSW Aboriginal Educational Consultative Group Inc. (NSW AECG), the peak advisory group on Aboriginal education in NSW. The Language and Culture Nests support local communities with realising their visions and aspirations to revitalise, reclaim and maintain their traditional languages through the teaching of Aboriginal languages in schools. The Nests bring communities together around their traditional languages and link to schools, TAFE NSW, universities and other community language programs and groups. Each Aboriginal Language and Culture Nest has a base school which receives funding each year for administrative support and to employ Aboriginal language tutors at schools within the nest.

There are currently five Aboriginal Language and Culture Nests located throughout NSW, in Lismore, Lightning Ridge, Coffs Harbour, Dubbo and Wilcannia. All five Aboriginal Language and Culture Nests were established following extensive local Aboriginal community consultation and are continuing to develop and grow through the guidance and support provided to each local nest's reference group by the NSW AECG.

This initiative could be replicated by Indigenous Education Consultative Bodies (IECBs), once established and adequately resourced, in each jurisdiction. It is recommended that as part of the next National School Reform Agreement, all jurisdictions commit to funding and establishing Indigenous Education Consultative Bodies (IECBs) to support this important work.

Teaching and Curriculum

Quality Teaching and Cultural Capability

There is a direct link between quality teaching and student learning outcomes. Quality teachers can accelerate the achievement of students by ensuring effective teaching practice and cultural understanding and appreciation. While Aboriginal and Torres Strait Islander staff play a significant part in ensuring cultural safety and providing positive role models for Aboriginal and Torres Strait Islander students, it is essential that all teachers and school leaders see this as their professional responsibility and seek to demonstrate culturally responsive behaviour and create culturally safe learning environments that supports progress towards truth telling, reconciliation and improving the educational experiences and outcomes of Aboriginal and Torres Strait Islander students.

Further Commonwealth and state and territory support is needed for implementation of the Australian curriculum and how the associated resources developed by Australian Institute for Teaching and School Leadership (AITSL) and Australian Curriculum, Assessment and Reporting Authority (ACARA) filter down to our schools, lots of amazing work has been done around the Australian Professional Standards for Teachers, but it is not clear how that work is being implemented and monitored. Is it being monitored by teacher regulation authorities, university accreditation, and principals, or is it just another 'tick a box' exercise? It is a priority that we make sure teachers and school leaders are aware of the standards, and there is a need to track that progress through the National School Reform Agreement. There is a demand for systematic change in embedding Aboriginal and Torres Strait Islander histories, cultures and languages in the Australian Curriculum and a need for better connection between the Australian Curriculum and the national teacher standards.

Aboriginal and Torres Strait Islander Teacher Workforce

A clear national strategy for increasing the Aboriginal and Torres Strait Islander teaching workforce needs to be developed, implemented and monitored, including establishing and promoting pathways for Aboriginal and Torres Strait Islander Education Workers to transition to careers as teachers. Increased numbers of Aboriginal and Torres Strait Islander teachers are a key priority for improved student learning, increased cultural safety and an inclusive learning environment for Aboriginal and Torres Strait Islander students.

Members highlighted the *More Aboriginal and Torres Strait Islander Teachers Initiative (MATSI)* which aimed to increase the number of Aboriginal and Torres Strait Islander peoples in teaching positions in Australian schools, and to increase the capacity and retention of Aboriginal and Torres Strait Islander teachers in teaching positions. The MATSI project released an independent evaluation report in March 2016 that noted the number of Aboriginal and Torres Strait Islander teachers had increased by approximately 16.5 per cent (between 2012–2015) along with an increase in the number of Aboriginal and Torres Strait Islander students entering into teaching courses. This represented an increase of 439 Indigenous teachers from 2012 to 2015. The MATSI final report included the following five recommendations:

1. Fund MATSI or equivalent employment strategy for a further four years to sustain current initiatives and leverage investments to date.
2. Develop and launch a national campaign for promoting and marketing teaching as a career for Aboriginal and Torres Strait Islander peoples.
3. Increase the profile of Aboriginal and Torres Strait Islander teachers as leaders through bold affirmative action strategies that provide leadership development, succession planning and targeting of suitable leadership positions to be filled by Aboriginal and Torres Strait Islander applicants.
4. Work with public, Catholic and independent education sectors, and universities to develop culturally safe recruitment and employment practices that enable Aboriginal and Torres Strait Islander teachers and teacher education students to identify; and effective systems for storing and reporting de-identified study and employment data.
5. Forge stronger links between all Australian universities' schools of education and Indigenous Higher Education Centres; respond to research findings on reasons for the low completion rates of Aboriginal and Torres Strait Islander teacher education students; and implement effective retention strategies to maximise the number of Aboriginal and Torres Strait Islander teacher graduates.

Further joint Commonwealth and state and territory commitment is required to build on the success of MATSITI and increase the Aboriginal and Torres Strait Islander education workforce.

Individual Learning Plans

Ensuring Aboriginal and Torres Strait Islander students have a voice and can exercise self-determination when it comes to defining their goals and learning objectives is critical in ensuring students feel engaged and supported throughout their education journey. The development of Individual Learning Plans for Aboriginal and Torres Strait Islander students can assist in identifying and strengthening a shared understandings of goals, expectations and responsibilities and support teachers to tailor students learning.

Some states and territories already have individualised or personalised plans that address specific learning and support needs of students. However, these can differ greatly from state to state and in some cases are not developed in partnership with parents. AITSL developed illustrations of practice and has tools and resources online, including strategies for teachers to support students and information on how to implement individual learning plans that specifically address English literacy and numeracy. There were also tools developed through the *What Works? Improving outcomes for Indigenous students* initiative⁵ (Department of Education, Science and Training, 2001)

There is an ongoing need for a more consistent approach to tailored learning for each individual student, community and context. According to Census population data released on 1 July 2022, it is estimated there are approximately 265,545 Aboriginal and Torres Strait Islander children aged 0-15 years in Australia. As part of the next NSRA, jurisdictions could be required to develop culturally safe, individual learning plans for each Aboriginal and Torres Strait Islander student. These plans would need to be created in close consultation with the student and family, reflect the local context and be backed by funding from the Aboriginal and Torres Strait Islander loading for that child.

There should be engagement with Indigenous Education Consultative Bodies (IECBs) in development, monitoring and evaluation of these plans at a local school level, including the allocated funding and outcomes achieved to ensure genuine transparency and accountability. Appropriate prioritising and resourcing of this initiative would be required to achieve the desired outcomes.

Transitions

On 12 December 2019, Australia's Education Ministers renewed their commitment to national educational goals and actions for the coming decade through the Alice Springs (Mparntwe) Education Declaration. Under the Mparntwe Declaration, the Ministers agreed that education should continue to promote excellence and equity, and that all young Australians become confident and creative individuals, successful learners, and active and informed community members.

The Mparntwe goals reflect the changing nature of education and the importance of learning throughout life from early childhood onwards, and the need for effective transitions between all stages of learning. Increased support at the pivotal transition points between early childhood education and primary school, as well as the transition points between primary and secondary, and from secondary to further training, tertiary education or employment will assist in promoting positive education, employment and life outcomes for Aboriginal and Torres Strait Islander students.

The transformative value of high-quality education is at the centre of achieving positive outcomes for Aboriginal and Torres Strait Islander students. The National School Reform Agreement and the

⁵ <https://whatworks.edu.au/>

National Agreement on Closing the Gap complement each other, better alignment between the two can drive reform and improve outcomes and supporting every Aboriginal and Torres Strait Islander student to succeed and thrive in their education. Further alignment with the preschool reform agreement is also required to allow better connection and transition between early childhood and school.

While Aboriginal and Torres Strait Islander students should experience the same educational opportunities as other students, it is important to identify the needs of each individual student and to recognise that Aboriginal and Torres Strait Islander students should not be measured and defined only by western standards.

It is recommended that an Aboriginal and Torres Strait Islander cultural framework be developed in each state and territory, that demonstrates strategic actions and the commitment to improved outcomes of Aboriginal and Torres Strait Islander students, families, and communities. Established IECBs are focused on community priorities and can support states and territories by identifying needs and modelling the successes of community led projects and programs to support transitions for Aboriginal and Torres Strait Islander students of all ages.

Areas for further exploration

While perhaps outside the scope of the next NSRA, a focused effort on addressing inequity in education and the need for targeted measures for children in detention, juvenile justice systems and out of home care is worthy of further exploration and discussion. Closer connections and partnerships with other agencies are needed to measure and evaluate data around educational outcomes for Aboriginal and Torres Strait Islander students in detention centres and in out of home care.

For example, in New South Wales around 30 to 40% of Aboriginal and Torres Strait Islander students are in out of home care but are not in kinship care with family. Aboriginal and Torres Strait Islander children need to be able to go to school based on cultural connections and relationships, rather than being further isolated due to school zone enrolment requirements. Aboriginal and Torres Strait Islander children in out of home care with non-Indigenous carers need mandated cultural plans and additional cultural support at school. Some states and territories have a mandated cultural component in the Australian Curriculum, however this needs to be mandated in all states and territories.

There is also a need for better reporting and monitoring of attendance, as well as suspension and expulsion data of Aboriginal and Torres Strait Islander students. There have been known cases where student attendance, or non-attendance has not been reported at all over a 12-month period. This is not acceptable and contributes to disengagement and poorer educational, employment and life outcomes of Aboriginal and Torres Strait Islander students.

¹ Tuesday, 2 July 2019, Associate Prof Gawaian Bodkin-Andrews, Prof Maggie Walter, Dr Vanessa Lee, Prof Tahu Kukutai, Dr Ray Lovett, 2019 National Indigenous Research Conference, AIATSIS