

Legislative Council—Bill No 249

Amendments to be moved by the Hon Robert Brokenshire MLC [1]

Draft 8.11.17

South Australia

Education and Children's Services Bill 2017

Amendment No 1 [Broke-1]—

Clause 3, page 9, line 29 [clause 3(1), definition of *approved learning program*, (g)]—

Delete "regulations;" and substitute:

regulations,

but does not, to avoid doubt, include the Safe Schools program developed by the Safe Schools Coalition Australia, or any other program of a similar kind;

Amendment No 2 [Broke-1]—

Clause 7, page 14, after line 32 [clause 7(4)]—

Insert:

- (i) schools, preschools and children's services centres are entitled to refer to celebrations by such names as they see fit, including, to avoid doubt, colloquial names.

Example—

Examples would include Mother's Day, Father's Day or Easter.

Amendment No 3 [Broke-1]—

New clause, page 29, after line 9—

Insert:

32A—Government preschools and children's services centres to have statement of social values

- (1) The director of each Government preschool and children's services centre must, as soon as is reasonably practicable after the commencement of this section, prepare a written statement explaining the position of the Government preschool or children's services centre on social values (a *social values statement*).
- (2) A social values statement must contain the following information:
 - (a) whether or not the Government preschool or children's services centre provides, or intends to provide, instruction in social values;
 - (b) if the Government preschool or children's services centre provides, or intends to provide, instruction in social values—details setting out who is to provide the instruction, as well as information relating to the nature of the instruction;
 - (c) if the Government preschool or children's services centre provides, or intends to provide, instruction in social values as part of an organised program—details setting out who is the organiser and provider of the program, as well as information relating to the nature of the program;

- (d) information setting out any policies of the Government preschool or children's services centre for dealing with issues relating to intercultural matters, religion and social values;
 - (e) any other information required by the regulations,
- and may contain such other information as the director of the Government preschool and children's services centre thinks fit.
- (3) The director of a Government preschool or children's services centre must cause a copy of the Government preschool or children's services centre social values statement to be provided (without charge) to a person responsible for each child attending, or who is to attend, the Government preschool or children's services centre.
 - (4) The director of a Government preschool or children's services centre must publish the social values statement of the Government preschool or children's services centre, as in force from time to time, on a website determined by the director.
 - (5) In this section—
social values has the same meaning as in Part 7 Division 4.

Amendment No 4 [Broke-1]—

Heading to Part 7 Division 4, page 57, line 19—

Delete "Intercultural" and substitute:

Extracurricular, intercultural

Amendment No 5 [Broke-1]—

New clauses, page 57, after line 19—

Insert:

81A—Interpretation

- (1) In this Division—

extracurricular instruction means—

- (a) instruction (however described and including, to avoid doubt, the Safe Schools program developed by the Safe Schools Coalition Australia) in social values; or
- (b) instruction (however described) that does not directly form part of the curriculum determined by the Chief Executive for the purposes of this Act,

but does not include instruction of a kind referred to in section 82;

social values include—

- (a) gender equality; and
- (b) gender identity; and
- (c) same sex marriage; and
- (d) any other values or matters prescribed by the regulations.

- (2) For the purposes of this Division, instruction in any area related to social values (however described and whether or not such instruction forms part of an organised program) will be taken to be instruction in social values.

81B—Extracurricular instruction

- (1) A student who is a child may only participate in extracurricular instruction if a person responsible for the student expressly consents to such participation in accordance with any requirements set out in the regulations.
- (2) A student who does not have consent to participate in extracurricular instruction—
- (a) cannot be made to suffer any detriment for not participating in such instruction; and
 - (b) must be offered an alternative activity related to the curriculum determined by the Chief Executive during the period in which such instruction is conducted.
- (3) In this section—
- detriment* includes—
- (a) intimidation or harassment; and
 - (b) discrimination, disadvantage or adverse treatment.

Amendment No 6 [Broke-1]—

New clause, page 58, after line 4—

Insert:

82A—Schools to have statement of social values

- (1) The principal of each school must, as soon as is reasonably practicable after the commencement of this section, prepare a written statement explaining the school's position on social values (a *social values statement*).
- (2) A social values statement must contain the following information:
- (a) whether or not the school provides, or intends to provide, instruction in social values;
 - (b) if the school provides, or intends to provide, instruction in social values—details setting out who is to provide the instruction, as well as information relating to the nature of the instruction;
 - (c) if the school provides, or intends to provide, instruction in social values as part of an organised program—details setting out who is the organiser and provider of the program, as well as information relating to the nature of the program;
 - (d) if the school provides, or intends to provide extracurricular instruction—details setting out who is to provide the instruction, as well as information relating to the nature of the instruction;
 - (e) information setting out any policies of the school for dealing with issues relating to intercultural matters, religion and social values;
 - (f) any other information required by the regulations,

and may contain such other information as the principal of the school thinks fit.

- (3) The principal of a school must cause a copy of the school's social values statement to be provided (without charge) to—
 - (a) each student of the school; and
 - (b) —
 - (i) in the case of a child who is to be enrolled in the school—a person responsible for the child; or
 - (ii) in the case of an adult person who is to be enrolled in the school—the person.
- (4) The principal of a school must publish the social values statement of the school, as in force from time to time, on a website determined by the principal.