The States Grants (Schools Assistance) Bill 1981

Date Introduced: 15 October 1981
House: House of Representatives

Short Digest of Bill

Purpose

To provide legislative authority for payments to the States and the Northern Territory in 1982 for the education of children in primary and secondary government and non-government schools.

To adjust grants in respect of 1981 for cost increases in the wage and salary component of recurrent grants and for the clarification of provisions relating to the Education of Severely Handicapped Children Program.

Background

In August 1981 the Commonwealth Schools Commission reported its recommended allocations for 1982 for Schools in the States and the Northern Territory in accordance with the guidelines announced by the Minister for Education on 4 June 1981. The Government accepted all of the Commission's financial recommendations, apart from changes in relation to the Transition Program which the Government made following consultation with the States. The Government had proposed to earmark up to $27m of the Commonwealth general recurrent grants to the States for government schools in 1982 for expenditure on the Transition Program in secondary schools. However the States subsequently indicated that they have increased, or will increase, their recurrent expenditure on transition programs in schools and TAFE, and the Government therefore now considers it no longer necessary to proceed with the earmarking of the general recurrent grants.

For the years up to and including 1981 grants have been adjusted retrospectively for inflation by amending legislation. For 1982 the value of grants has been supplemented prospectively. Because grants for the non-government schools general recurrent program and the ethnic education program will be based on 1982 enrolments, allowance will be made for additional funds without the need for amending legislation. In 1982 three levels of
assistance will apply to non-government schools instead of the original six levels.

In 1980 the Schools Commission conducted a national survey of students from non-English speaking backgrounds. Amounts allocated to States for General Education in English as a Second Language have been partially adjusted for 1982 in accordance with the results of this survey. Funds for the General Education in English as a Second Language program have not been allocated on a State by State basis for non-government schools for 1982. The State Planning and Finance Committees will have the responsibility of allocating these funds to non-Catholic Schools and the allocation to Catholic Schools will be in accordance with the recommendation of the Commonwealth Schools Commission.

Main Provisions

The Bill provides for the continuation of the same programs that have operated under the State Grants (Schools Assistance) Act 1980, although not in all cases in their existing forms. A number of changes have been made to the provisions of the legislation.

The Migrant Education Program has been retitled the General Education in English as a Second Language Program (clause 3(1) Schedules 2,8). The Contingency Program for Refugee Children, at present administered by the Commonwealth Department of Education, will become part of this program from January 1982 (clause 3(1)). It will become the Education in English as a Second Language for Eligible New Arrivals program. Because of the difficulty in forecasting the number of new arrivals, no State by State allocation of funds has been made for this program (Schedule 8). However, in his second reading speech the Minister stated that up to $750 per eligible student will be made available for these courses for newly arrived immigrant or refugee children whose first language is not English. Provision has been made to allow transfers of funds between government and non-government sectors, and also from the 'new arrivals' section to the 'general education' section of the program (clauses 11, 27).

The definition of 'multicultural education' has been extended to make provision for the teaching of the Aboriginal language and culture (clause 3(1)).

The definition of 'program of ethnic education' set out in section 34A of the previous Act has been included in clause 3(1) (Interpretation) and the conditions concerning ethnic cultural instruction reworded to allow a greater degree of religious or political instruction.
The program to integrate handicapped children into schools at which education is provided for children other than handicapped children is to be incorporated in 1982 into the Special Education Program (clauses 3(1), 14, 15, 31, 32). The former Special Schools Program also now becomes part of the Special Education Program. A minimum amount is set for integration activities in each State and the Northern Territory in the funding schedule for government and non-government schools (Schedule 4). Total expenditure of up to $30,000 for minor building or equipment projects in connection with the integration element of government school Special Education programs may be approved by the Minister in terms of the recurrent expenditure for integration activities (clause 14 (3)). The provision for the education of severely handicapped children or children in residential institutions has been reworded to enable students to participate in educational activities outside the institution or private home in which they normally require constant care (clauses 45, 46, 47). Clause 71 amends section 41A(2) of the State Grants (Schools Assistance) Act 1980 to the same effect by substituting 'who need constant care, and attention in relevant institutions or in their own homes'.

The number of levels of funding assistance to non-government Schools has been reduced from six to three (clauses 20(10) and 21(10)). These levels of assistance are set out in Schedule 6. New non-systemic schools will receive supplementary establishment grants in each of their first four years of operation (clause 21 (8)(c)). These grants are set out in Schedule 7.

Non-government Schools are to be permitted to use capital funds for the leasing of land and buildings in addition to the purchase of those assets (clause 3(8)). Funding for the allocation of new places in non-government schools ($25m for 1981-1983) has been incorporated into the general building and equipment provisions (clauses 17, 18, 19; Schedule 5). Funds provided for non-government schools building and equipment projects may be transferred between the States provided that the total funding allocated for all States and the Northern Territory is not exceeded (clause 19).

The States and the Northern Territory are no longer permitted to transfer grant entitlements between building and equipment projects and general recurrent grants for government schools (clauses 6, 8).

The Disadvantaged Country Areas Program has become the "Prescribed Country Areas Program" (clause 42). Under the Government Disadvantaged Schools Program and the joint
government/non-government Country Areas Program the limit of minor capital projects is extended from $25,000 to $30,000 (clauses 12, 42).

Clause 49 replaces Section 42 of the States Grants (Schools Assistance) Act 1980 and deletes the requirement for a minimum period of attendance of the equivalent of two weeks for the Professional Development Activities program.

Part VI of the Bill (clauses 69 to 73) sets out amendments to the States Grants (Schools Assistance) Act 1980 and adjusts grants for the programs operating during 1981 (Schedule 12).

The Bill provides for the following programs in 1982:

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**Government Schools (Schedule 1 - cl. 6, 8)**

- Building and equipment projects: $124,749,000
- Recurrent expenditure: $269,174,000

Total: $393,923,000

**Government Schools (Schedule 2 - cl. 11)**

- General Education in English as a Second Language: $34,542,000

**Disadvantaged Schools and Prescribed Country Areas (Schedule 3 - cl. 13, 30, 43)**

- Disadvantaged government schools: $25,348,000
- Disadvantaged non-government schools: $4,251,000
- Prescribed country areas: $8,451,000

Total: $38,050,000

**Special Education (Including Integration) (Schedule 4 - cl. 14, 15, 31, 32)**

- Government special education (including integration): $17,768,000
- Government integration activities: $962,000
- Non-government special education (including integration): $4,752,000
Non-government integration activities 275,000

Non-Government Schools (Schedule 5, 6 - cl. 19, 20, 21)

Building and equipment projects 44,344,000

Recurrent expenditure:

<table>
<thead>
<tr>
<th>Level of assistance</th>
<th>Amount per primary school student $</th>
<th>Amount per secondary school student $</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>296</td>
<td>480</td>
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<tr>
<td>2</td>
<td>444</td>
<td>721</td>
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<tr>
<td>3</td>
<td>562</td>
<td>913</td>
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Non Systemic Schools (Schedule 7 - cl. 21)

Supplementary establishment grants:

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount per primary school student $</th>
<th>Amount per secondary school student $</th>
</tr>
</thead>
<tbody>
<tr>
<td>1979</td>
<td>37</td>
<td>60</td>
</tr>
<tr>
<td>1980</td>
<td>74</td>
<td>120</td>
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<td>1981</td>
<td>111</td>
<td>180</td>
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<tr>
<td>1982</td>
<td>148</td>
<td>240</td>
</tr>
</tbody>
</table>

Miscellaneous Grants (Schedule 8 - cl. 11, 22, 27, 52, 55)

- Government Schools - Education in English as a second language for eligible new arrivals 7,770,000
- Non-government schools - short-term emergency assistance 796,000
- Non-government schools - General Education in English as a second language 14,842,000
- Non-government schools - Education in English as a second language for eligible new arrivals 1,232,000
- Approved education centres 1,977,000
Approval special projects or approved special programs 1,403,000

**Multicultural Education (Schedule 9 - cl. 35, 38)**

- Grants to the States 3,711,000
- Approved projects of national significance 328,000

**Residential Institutions and Severely Handicapped Children (Schedule 10 - cl. 45, 48)**

- Residential Institutions 1,892,000
- Severely Handicapped Children 2,429,000

**Professional Development Activities (Schedule 11 - cl. 50)** 15,562,000

For further information, if required, contact:

22 October 1981

Education and Welfare Group

LEGISLATIVE RESEARCH SERVICE