



LEGISLATIVE ASSEMBLY FOR  
THE AUSTRALIAN CAPITAL TERRITORY

**Report on the inquiry into  
the implications of the proposed restructure of the  
School without Walls (SWOW) for the alternative  
education needs of secondary students in the ACT.**

REPORT NUMBER 3  
STANDING COMMITTEE ON SOCIAL POLICY

DECEMBER 1996



## **RESOLUTION OF APPOINTMENT**

The following general purpose standing committees be established to inquire into and report on matters referred to them by the Assembly or matters that are considered by the committee to be of concern to the community ...

... a Standing Committee on Social Policy to examine matters related to health, hospitals, nursing homes, welfare, employment, housing, social security, the ageing, people with a disability, the family, Aboriginal people, youth affairs, the status of women, multicultural affairs, industrial relations, occupational health and safety, education, the arts, sport and recreation.

*Minutes of Proceedings*, No. 1, 9 March 1995, p 7.

## ***TERMS OF REFERENCE***

On 4 September 1996 the Standing Committee on Social Policy adopted the following resolution.

Inquire into and report on

1. the review process surrounding the proposed restructuring of the School without Walls (SWOW); and
2. the implications of this proposed restructure for the broader alternative education needs of secondary students in the ACT.

## ***COMMITTEE MEMBERSHIP***

Ms Kerrie Tucker (Chair)  
Ms Marion Reilly (Deputy Chair)  
Mr Harold Hird

Secretary: Ms Judith Henderson

## **PREFACE**

There are many theories about education. What is its function? How is its quality to be measured? This inquiry into the proposed 'refocus' of the School Without Walls has provided an opportunity for discussion on the important issue of alternative education models.

At the 1994 International Congress on School Effectiveness, Judith Chapman outlined generally agreed values and characteristics of a good school.

- Schools must be democratic, equitable and just.
- Schools should develop in students a sense of independence, a feeling of their own worth as human beings and confidence in their ability to contribute in social, political and moral ways to the health and stability of society and its members.
- Schools should give students access to knowledge, skills and attitudes needed in today's complex society.
- Schools should prepare our citizens to conduct their interpersonal relationships with one another in ways that contribute to the health and stability of society and the individuals who comprise it.
- Schools should engender a concern for the cultural as well as the economic enrichment of the community.<sup>1</sup>

There are no easy answers as to exactly how these outcomes can be achieved and hopefully all schools are attempting to achieve them. However, there is growing acknowledgment that our predominant school system is failing some students, particularly in the middle years. It is essential that if our education system is to be appropriate and responsive to the needs of all students there must be diversity within it. There is no one way to do things.

There is growing acknowledgment also of children's rights in education. For example, student participation in school decision making is a legal right recognised in Article 12 of the United Nations Convention on the Rights of the Child: the right to express their views freely in all matters that affect them and the right to have those views taken into account when decisions are made. The philosophy of the School Without Walls is certainly more developed in this area than mainstream schools.

For 23 years, Governments in the ACT have recognised the value of diversity by being flexible enough to support the existence of the School Without Walls. The public alternative school was seen to be valuable not only because it provided a

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<sup>1</sup>Ludbrook, R. 'Children's Rights in School Education', in Funder, K. *Citizen Child: Australian Law and Children's Rights*, Australian Institute of Family Studies, 1996, p88

place for development of an alternative education model, but also because it offered an educational opportunity for students who for whatever reason, were not succeeding in the mainstream schools.

The Department was not able to convince the majority of the Committee that this alternative model (SWOW) could exist in a mainstream setting without having the integrity of its core principles undermined. The Committee did see benefits in administrative linking of SWOW with another school but asked that these core principles be left intact. Relocating a small number of younger, often already vulnerable students within a large College campus leaves many questions to be answered. The Department did not present evidence to show that the proposed relocation was based on a sound understanding of the realities of the situation.

I would like to thank everyone who participated, often at short notice, in the inquiry. I particularly appreciated the fact that the school invited the Committee to hold a hearing on the school premises, therefore making it possible for a greater number of students to participate.

One of the three members of the Committee, Mr Harold Hird (Liberal), only participated in the final hearing of the Committee. Mr Hird's reason for not participating in the other hearings was that he considered Ms Reilly (ALP) to have a conflict of interest that would compromise her participation. However, Mr Hird did not test his allegation in the Assembly.

It is regrettable that Mr Hird did not participate fully. Nonetheless, this was a thorough inquiry and I believe that an untested allegation of conflict of interest in no way weakens the veracity and importance of its findings.

Kerrie Tucker MLA  
Chair  
December 1996

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## **SUMMARY OF RECOMMENDATIONS**

### **Recommendation 1** (Paragraph 6.16)

**During Term 1 1997 the Department of Education and Training develop a policy on community consultation relating to school reviews conducted outside the normal School Performance Review and Development cycle.**

### **Recommendation 2** (Paragraph 6.27)

**If the Department of Education and Training proceeds with administrative linking of SWOW to another school**

- **it guarantees ongoing additional resources and support to the ‘refocussed SWOW’;**
- **the ‘refocussed SWOW’ operates as a separate organisation with its own board as long as it is the wish of the ‘refocussed SWOW’ community; and**
- **the role and responsibilities of the principal of the linked school be clearly defined in a memorandum of understanding negotiated between the principal and the other parties concerned.**

### **Recommendation 3** (Paragraph 6.29)

**The ‘refocussed SWOW’ continue to operate in line with the current philosophy and key principles until such time as the Department of Education and Training is able to demonstrate through a thorough and independent review that this is no longer appropriate.**

### **Recommendation 4** (Paragraph 6.33)

**Years 11 and 12 be retained as part of the ‘refocussed SWOW’ program.**

### **Recommendation 5** (Paragraph 6.38)

**Should the Government proceed with its proposed significant changes to SWOW it does not use the name School without Walls (SWOW) without agreement of the SWOW community.**

### **Recommendation 6** (Paragraph 6.44)

**The Government not relocate SWOW to Dickson College but instead establish a twin campusing arrangement for the ‘refocussed SWOW’ from the beginning of the 1997 school year.**

### **Recommendation 7** (Paragraph 6.47)

**The Government engage an independent professional to facilitate negotiation between the parties on all outstanding matters relating to the location and refocussing of SWOW.**



# **1. INTRODUCTION**

## ***Conduct of the inquiry***

1.1. The inquiry was advertised in local newspapers in mid September 1996. In response the Committee received 27 submissions and heard from 30 witnesses at public and private hearings. Details of submissions received and hearings held are at Appendices 2 and 3.

1.2. One of the public hearings was held at the School without Walls (SWOW) to give students an opportunity to put their views to the Committee.

1.3. The Committee visited Dickson College on 13 November 1996 to inspect the areas considered as options for accommodation for SWOW in 1997.

1.4. The Committee also had some informal discussions with the Principal of Dickson College during that visit.

1.5. The Committee wishes to thank all those who provided information, participated in hearings and assisted with visits to SWOW and Dickson College. The inquiry was conducted over a short timeframe and the Committee appreciates the cooperation of people who were called at short notice.

## ***Terms of reference***

1.6. In relation to the second term of reference ‘the implications of this proposed restructure for the broader alternative education needs of secondary students in the ACT’, the Committee wishes to make it quite clear that it was never its intention to conduct a wide reaching study into the alternative education needs of secondary students in the ACT. The Committee sees that as the role of the Department of Education and Training who have the appropriate resources and expertise. This inquiry has confined its comments to a general overview of alternative education and the implications of the proposed changes to SWOW for alternative education needs of current SWOW students.



## 2. SWOW - PAST AND PRESENT

2.1. SWOW originated in 1973 when a group of students, teachers and parents voluntarily formed an alternative school because they felt that their needs were not being catered for in the mainstream public education system.<sup>2</sup> It was initially established to cater for self motivated senior secondary students whose preferred learning styles were not being provided for adequately in the years 7 to 12 secondary schools of the time.<sup>3</sup> SWOW has operated on the principles of student participation and self directed learning ever since.

2.2. SWOW was originally located in premises at Childers Street. It was subsequently relocated to a building formerly occupied by the Our Lady of Mercy School in Braddon. Since 1980 it has operated from the former Infants Building at Ainslie Primary School. The Secondary Introductory English Centre has also been located at that site for some time.

2.3. SWOW originally catered for 100 students. Over the years enrolments have fluctuated as has the mix of college and high school aged students.<sup>4</sup> At the end of 1995 enrolments reached their lowest with about 20 students. In August 1996 enrolments at SWOW totalled 66, comprising 20 college age students and 46 high school students.<sup>5</sup>

2.4. When SWOW first started in the 1970s it did not enrol students under 15, that is those of compulsory school age because it was felt that the restrictions that needed to be placed on them did not comply with the philosophy. SWOW accepted a limited number of under 15 year olds from the mid 1980s at the request of the Department. Students under 15 years of age can be enrolled at the discretion of the Director Schools. These students must comply with lawful attendance requirements. In 1996 SWOW had 8 students under 15.

2.5. Until 1996 mature age students, that is those who are over 20 years of age (eg 21 or 22) on 31 January of the school year, were enrolled at SWOW. This practice was discontinued from the beginning of 1996 when SWOW was required to conform with departmental policy on mature age enrolments. The Department made special arrangements for a mature age SWOW student affected by this change to enrol at Dickson College as an interim measure.<sup>6</sup>

2.6. As a non-hierarchical community all teachers are level one officers and there is no 'executive' as in other schools. Administrative jobs are delegated by the General Meeting of teachers and students. A teacher coordinator is appointed each year to be responsible for signing cheques and for other official administrative functions required by the Department.

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<sup>2</sup> Submission 17.

<sup>3</sup> Submission 13.

<sup>4</sup> Submission 14, p 6.

<sup>5</sup> *Enrolments and Number of Schools by Level: ACT Government Schools, August 1996 and August 1995*, ACT Department of Education and Training- Information Services.

<sup>6</sup> Uncorrected Proof Transcript, 12 November 1996, p 5 and p 9.

2.7. The General Meeting is the forum where all decision making takes place and where problems are dealt with. For example problems related to student behaviour are dealt with by the General Meeting.

2.8. The SWOW 'educational program' is described as extending explicitly beyond the areas of knowledge covered in a given period of time. The program values learning systems which break down walls between students and teachers, between male and female, old and young, black and white, 'important' and 'unimportant' knowledge areas.<sup>7</sup> The SWOW Mandala, which describes the units available, is the school's accredited document.

2.9. The SWOW educational program was conceived at a time when there existed few centralised requirements for curriculum development. Since the 1980s school based curriculum development has been required to conform with curriculum frameworks and profiles around the eight key learning areas.

2.10. Students come from a range of backgrounds and have a range of abilities and needs. They come from all over Canberra. Students with severe behavioural problems requiring intervention are not enrolled at SWOW.

2.11. Many students at SWOW are vulnerable as a result of negative experiences at previous schools and enter SWOW lacking self esteem and motivation and generally hating school. Some past and present students who provided the Committee with information had had very damaging family experiences that left them with serious emotional problems and mental illness. These students attributed their recovery from these experiences to support provided by SWOW. In one instance the important role played by SWOW was confirmed in a court report provided to the Committee.

2.12. Students interviewed by the Committee cited the following reasons for seeking enrolment at SWOW:<sup>8</sup>

- harassment at previous schools;
- bullying, feeling unsafe at previous schools;
- individual conflict with teachers;
- not being challenged by the curriculum at mainstream schools;
- learning programs are not individualised at mainstream schools;
- pressure to conform at mainstream schools and no acknowledgment of individuality; and
- learning difficulties were not catered for in previous schools.

2.13. Students doing year 11 and 12 often make arrangements to 'twin campus', that is to do some subjects at SWOW and others at another college. This arrangement enables them to have access to a broader range of subjects as current staffing levels at SWOW restrict the choices available.

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<sup>7</sup> *Submission 14, Attachment 4, p10.*

<sup>8</sup> Uncorrected Proof Transcript, 5 November 1996.

## **SWOW philosophy**

2.14. The following excerpt from the SWOW Handbook outlines the school's philosophy.

*SWOW seeks to eliminate barriers between teachers, parents and students; between the school and the community outside; between the sexes; and between individuals. The environment is one of tolerance, acceptance of the individual, mutual support and mutual respect.*

*SWOW seeks to develop a genuine learning community, which is responsible both to itself and for itself, and whose members take responsibility for the consequences of their own choices and actions. With the exception of the laws of the ACT community at large and guidelines stipulated by the Department of Education, which all members of the school community must observe, all school decisions are negotiable within the community itself. Thus, there is great stress placed upon individual responsibility in the life of the school community.*

*SWOW is a self managing community run on non-hierarchical lines. The functions of administration are carried out by various school meetings. Decisions in all areas of the school are made by those who have to live with the consequences of those decisions, and by those who wish to be involved in making them.<sup>9</sup>*

## **Key foundations of SWOW**

2.15. The following principles are regarded as the key foundations underpinning the operation of SWOW.

- **Democratic**  
*Decisions are made by the whole school community in a daily general meeting in a non-hierarchical environment.*
- **Student centred learning**  
*Students are encouraged to learn at a pace which is suited to their personal needs and circumstances.*
- **Recognising different educational outcomes**  
*SWOW recognises that students require different educational outcomes; depending on the personal needs of the student. For some students this maybe just regularly attending school and maintaining contact with the community while for others it centres on certification and moving towards higher education or the workforce.*

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<sup>9</sup> SWOW Handbook.

- ***A supportive community***  
*The SWOW community is a supportive and non-threatening environment, particularly for students who are escaping harassment or victimisation at another school.*
- ***A community approach to learning***  
*SWOW encourages students to make full use of the resources of the community including libraries and community organisations.*
- ***A self-determining community***  
*SWOW currently makes all decisions regarding curriculum, time-tabling, allocation of resources and student discipline. The small size of the community allows for strong student ownership over these process, and is intrinsic to the long term success of SWOW.<sup>10</sup>*

### **Previous reviews**

2.16. During the last twenty-three years SWOW has undergone and survived a number of reviews.

#### **The Steinle Review**

2.17. The Steinle Review (1983) of high schools in the ACT noted:

*Members of the Review Committee visited the School Without Walls and shared the positive feelings and strong support for the school that were expressed by many people not connected with it. We were impressed by the students and teachers, particularly their commitment to the tasks they share and the responsibility each participant accepted for learning...*

*Although some of the achievements of SWOW are made possible because of the size of the school, we believe there are nevertheless many lessons which other schools can learn from the ways in which relationships between learners and teachers have been and are being developed.<sup>11</sup>*

2.18. The Steinle review also noted the gradual shift in the age group enrolled in SWOW. It attributed the shift to a general acceptance of colleges to meet the needs of some of the students who may have chosen SWOW in earlier years. The report goes on to caution against the use of SWOW as a residual centre for students judged to be non-conformist in their neighbourhood schools. It pointed out that

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<sup>10</sup> Submission 17, p 2.

<sup>11</sup> The Committee to review education in ACT Government High Schools, (JR Steinle Chairman), *The Challenge of Change: A review of high schools in the ACT*, ACT Schools Authority, Canberra, 1983, p158.

this would destroy the nature of SWOW as a cooperative learning environment and relieve the pressure on high schools to cater for the needs of the whole age group.<sup>12</sup>

### **1983/84 review**

2.19. In 1983 the ACT Schools Authority convened a panel to review SWOW. This panel comprised community representatives, a professional officer from the Authority and an outside expert from the Victorian Department of Education. In its report *A Review of the School Without Walls* the panel stated:

*The Committee believes that SWOW has an importance beyond simply providing an alternative education for a small number of students. It is important to the system both as a demonstration of the viability of certain educational ideas as well as a valuable laboratory for the further development of those ideas.*<sup>13</sup>

2.20. Among its recommendations were the following:

- SWOW move without delay into the development of curriculum specifically designed for the year 9 and 10 level;
- the school be provided with additional resources... mainly in the form of staffing to develop curriculum;
- positive discrimination should be accorded the school when the staffing formula is being reviewed; and
- SWOW should not be seen by officers of the Authority or by other schools as a dumping ground for unmanageable students, but it should be seen as a carefully chosen alternative for some students whose needs would be best met by the SWOW philosophy and practice.

2.21. The 1983/84 review also noted the following:

- there was a need to develop new curriculum for the less able year 11 and 12 students;
- SWOW catered for both highly motivated students as well as those whose problems of learning or social adjustment have alienated them from high schools;
- the level of physical resources was inferior to other high schools and colleges;
- a basic core of six band (level) one teachers is needed as a minimum core teaching staff for SWOW's future operation; and
- whilst there was a growing demand from years 9 and 10 students the Committee stated that it would not want to see years 11 and 12 disappear.

2.22. The 1983/84 review<sup>14</sup> noted that at the time SWOW was the only public secondary school in the ACT where a serious long-term attempt had been made to create a viable alternative to the traditional core-plus-elective curriculum and the conventional hierarchical, subject-centred organisation.

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<sup>12</sup> *ibid*

<sup>13</sup> ACT Schools Authority, *A Review of the School Without Walls*, p 8, 1984.

<sup>14</sup> ACT Schools Authority, *A Review of the School Without Walls*, p 8, 1984.

2.23. SWOW remains in this position today.

**1991 review**

2.24. In 1991 SWOW underwent a further review as part of the School Performance Review and Development process. The outcomes of this review were also positive. The review process involved students, parents, staff and an external panel working together to examine the operation of the school. The review identified areas of strength and weakness and indicated areas requiring particular attention. Areas noted where improvements could be made included:

- involvement and communication with parents;
- the running of the general meeting;
- offering both T Accredited and A Accredited units in the Mandala to meet the needs of students who do not want tertiary accreditation;
- the format of the year 9/10 program;
- more adequately addressing the needs of younger students; and
- recognition and documentation of non-unit learning.

### **3. ALTERNATIVE EDUCATION PROGRAMS FOR SECONDARY STUDENTS**

#### ***National trends***

3.1. The Department of Education and Training<sup>15</sup> advised the Committee that nationally whilst alternative on and off site programs are in place they are mainly operational within mainstream school settings. However the Committee noted that the Department's submission offered little detail or analysis on the advantages and disadvantages of the two options.

3.2. New South Wales, Northern Territory and Western Australia do not have alternative schools within the government school system.

3.3. In Tasmania whilst there is no alternative school, Distance Education is used as an alternative program with students accessing the program through a referral process.

3.4. Queensland provides an alternative school for homeless students in Brisbane funded by the Brisbane City Council with teachers provided by the Department. South Australia has two alternative schools, Bowden Brompton Community School and Warriapendi, where students under 15 are placed through an interagency referral process but students over 15 can apply for direct admission.

3.5. In Victoria the Community Schools, whilst providing less structured learning environments, operate on the same principles as other government schools with a School Charter and Global Budgets based on student enrolment numbers and students self select enrolment with no formal referral process to access the schools.

3.6. The focus across all jurisdictions is on making all school environments more inclusive. Several schools, for example, Sanderson High in the Northern Territory and Oatlands in Tasmania have achieved high accolades in meeting needs of diverse students by adopting flexible approaches with an emphasis on individual programming.

3.7. Several submissions and witnesses at public hearings discussed the middle school concept and the growing interest in this concept nationally. The middle years are usually defined as years 5 to 8. Considerable attention has been given nationally and internationally to the need for different arrangements for education particularly in the senior secondary and middle years. Research recognises that 'traditional' education patterns based on the needs of young people forty years ago are not appropriate to the needs of young people today.

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<sup>15</sup> *Submission 13*, p 3.

3.8. A national project that examined issues surrounding schooling for the emerging adolescent years was recently completed. Recommendations of the project's report *From Alienation To Engagement: Opportunities for Reform in the Middle Years of Schooling* include:

- restructuring primary and secondary schooling;
- raising the status of the middle years;
- supporting school based approaches to research; and
- targeting training and professional development for teachers in the middle years of schooling.

3.9. Nationally, alternative schools are generally not seen as the answer to alienation in the middle years. A different approach to the traditional approach is needed where the focus is on the active engagement of students in relevant and meaningful learning experiences. Learning environments need to be flexible, responsive to the interests and needs of individual students and relevant to the world of today.

### ***Need for alternative programs***

3.10. The Department of Education and Training<sup>16</sup> reported that whilst the needs of a majority of students are met within mainstream programs there is a need to provide a range of alternative options for a small cohort of students who have difficulty achieving successful learning outcomes within the mainstream settings and/or are identified as being students at risk. Within this cohort there is a range of different needs that are catered for through settings where programs are personalised, flexible and responsive to individual students.

3.11. The AEU and an alternative educator from the University of Canberra also reported a significant need for alternative settings for high school students, particularly students from years 8 to 11. The latter stated:

*I think thousands of students, many thousands of students are alienated in our so-called junior high schools at the moment.*<sup>17</sup>

3.12. The Department's 1993 review of Behaviour Management Support Services in the ACT *Catch Them Doing Something Good* recommended that two alternative high school campuses be established.<sup>18</sup>

3.13. During its inquiry into Prevention of Violence in Schools the Committee received a considerable body of evidence which indicated that the needs of many

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<sup>16</sup> Submission 13, p3.

<sup>17</sup> Uncorrected Proof Transcript, 1 November 1996, p 51.

<sup>18</sup> *Catch Them Doing Something Good- A review of Behaviour Management Support Services in the ACT*, ACT Department of Education and Training, 1993, p47.

students in the high school years were not being adequately met and which supported the need for alternative programs during the secondary years.

3.14. Both the Department and the AEU are of the view that the need for alternative programs is greater in the high school rather than the College years. Both claim that since the introduction of secondary colleges that sector has evolved with considerable flexibility to meet student needs for the year 11 and 12 cohort.

3.15. The Department claimed there is a decreasing number of secondary college students seeking alternative education at SWOW.<sup>19</sup> The Department provided enrolment data for the period 1984 to 1996, which can be found at Appendix 1. Analysis of this data shows that over the last 13 years enrolments have fluctuated both in terms of total enrolments and the proportions in high school and college. From 1984 to 1989 inclusive there was a higher proportion of high school aged students. From 1990 to 1993 inclusive and in 1995 there were more college aged students. In 1994 and 1996 there was a higher proportion of high school aged students enrolled.

3.16. The Department has announced its intention to establish an alternative high school on both the north and south sides of Canberra. It plans to relocate and 'refocus' SWOW as the northside program from 1997. A working group has been established to examine and make recommendations to the Department on the establishment of an alternative facility for years 8 to 10 on the south side of Canberra, probably to commence in 1998.

3.17. The Committee received a submission<sup>20</sup> from a private organisation that is hoping to establish an alternative non government school initially for years 6 to 10. The submission provided evidence of a demand for more alternatives in the non government sector.

### ***Alternative programs***

3.18. In its submission the Department stated that:

*alternatives to mainstream education have always been seen as having a place within the system.*<sup>21</sup>

It claims that it has programs in on-site, off-site and specialist settings to cater for the full range of students seeking alternative learning arrangements. These programs include:

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<sup>19</sup> Submission 13, p 7.

<sup>20</sup> Submission 11.

<sup>21</sup> Submission 13, p 3.

- withdrawal units for primary and secondary students who are experiencing behavioural, emotional or social problems of such a serious nature as to require intervention;
- gifted and talented programs to provide extension activities for particular students;
- junior assessment classes and learning centres for students with a borderline to mild range intellectual disability who need additional support with their learning;
- alternative programs within the mainstream such as off-line programs; and
- two site-specific programs namely SWOW and the educational program at Quamby Juvenile Justice Centre.<sup>22</sup>

3.19. The Committee was surprised to see the Department use such a broad definition of ‘alternative’ by putting SWOW and Quamby together. In the context of this inquiry SWOW is the only site-specific secondary program based on alternative educational philosophy in the ACT.

3.20. The Department identified the distinctive features that characterise its alternative programs as:

- a relevant and credible curriculum which forms the basis of the learning framework;
- the programs are for small groups of students and provide a range of short or long term options; and
- they are flexible and responsive to the individual needs of each student with an assessment of each student on entering the program followed up with regular ongoing monitoring.

3.21. In addition to school based programs home schooling and distance education provide alternative ways of accessing education.

### **Alternative Education Models within mainstream public schools**

3.22. The Department reported that several ACT government high schools have established alternative programs for those students for whom the mainstream setting is not appropriate. Such programs are resourced by the individual schools and depend on support from their respective school communities.

3.23. The Challenge Program<sup>23</sup> at Ginninderra High School operated from 1993 until the beginning of 1995. The program was designed to cater for the disaffected learners in the school, those who were rebellious, opted out of learning, never finished tasks, did not enjoy learning, saw no relevance and seldom felt a sense of achievement. The program catered for 25 students from years 8 to 10. This program was discontinued at the beginning of 1995 due to a tightening of resources brought about by declining enrolments at the school. The school has since

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<sup>22</sup> *Submission 13*, p 5.

<sup>23</sup> *Submission 13*, p 14.

established a resource centre to meet some of the needs of previous Challenge Program students.

3.24. The Kakadu Program at Calwell High School operated during 1994 and 1995 and was based in a separate portable building on the school site. The program was established as a centre for learning for students who had been identified as having a need for alternative curriculum and teaching styles. The program attempted to support mainstream teachers and students by offering the following alternatives:

- *withdrawing identified students from a class where remaining is no longer a viable option for either the teacher or student on either a permanent basis or return after negotiation; and*
- *providing a place where students who had reacted to a situation may come to calm down or seek help to work through.*<sup>24</sup>

The Department reported that the program was discontinued due to a number of factors including:

- teacher burnout;
- students ghettoed; and
- resourcing problems.

An integration program for the slower learning and disaffected students remains.

3.25. The off-line Program at Stromlo High School<sup>25</sup> has been operating successfully since 1982. It began as a response to students with educational, behavioural, social or emotional difficulties who needed alternatives to regular school programs. This program comprises two classes, an all female class and all male class. Each class is allocated one teacher with a female for the female class and a male for the male class. Some students attend the off-line for all lessons, while others attend a mix of regular and off-line classes. Each student has an individual daily program according to preference and needs. The program operates from two classrooms, one a transportable unit and the other a workshop. The aim of the program is to offer educational alternatives to students who are gaining very little from the general school program. The program is flexible in activities, timetables, rooms, staff and resources.

3.26. As part of its inquiry into the Prevention of Violence in Schools the Committee examined the issue of off-line programs. The Committee found resourcing for these programs to be a problem and concluded that additional resources both in terms of staff and equipment are often needed to ensure their success. It is interesting to note that lack of resources is one of the reasons cited by the Department of Education and Training for the failure of the Kakadu and

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<sup>24</sup> Submission 13, p 15.

<sup>25</sup> Submission 13, p 16.

Challenge programs. These programs did not attract sufficient resources or support to enable them to continue.

3.27. Other factors cited as contributing to the failure of Kakadu were staff stress and that the program was seen as 'ghettoed', presumably because it was housed in a building well away from the main part of the school where the students were effectively isolated from the mainstream.

## 4. THE 1996 REVIEW OF SWOW

### *Background to the review*

4.1. Evidence provided by the Department of Education and Training and the Australian Education Union (ACT Branch) indicated that both have been concerned about aspects of the operation of SWOW over the past few years.<sup>26</sup>

4.2. The Department stated the following concerns:

- unavailability of documentary evidence relating to enrolments and the programs being undertaken by students;
- the year 8 to 10 curriculum;
- duty of care;
- teacher workload;
- student welfare;
- staff conflict and how that was handled by the General Meeting; and
- staff welfare.<sup>27</sup>

4.3. The AEU reported that it had grown increasingly worried by expressions of concern from a variety of staff and parents, school board representatives, community supporters, media and departmental staff. Concerns raised with the AEU included:

- teacher workload;
- physical environment;
- student and staff welfare issues;
- personality conflicts;
- lack of resources,
- lack of departmental support; and
- legal and accountability issues.<sup>28</sup>

4.4. The Department took some steps to address these concerns. In 1994 it arranged for counsellors to facilitate a conflict resolution process to resolve the teacher conflict. This was unsuccessful and a consultant was engaged to conduct a further process, which was also unsuccessful. In 1995 the Department appointed a level 2 teacher to take on some of the administrative responsibility. This was also unsuccessful. It was strongly opposed by the SWOW community as it was done without adequate consultation and seen as imposing a hierarchy and conflicting with SWOW's philosophy.

4.5. Early in 1996 the SWOW Board and the Department of Education and Training held discussions about whether the school was meeting the needs of its

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<sup>26</sup> *Submission 3*; Uncorrected Proof Transcript, 1 November 1996 and 6 November 1996.

<sup>27</sup> Uncorrected Proof Transcript, 1 November 1996.

<sup>28</sup> *Submission 3*.

students and the necessity for a review of the school. The Board reported that at a meeting with the Department held on 6 March 1996 it was agreed that a review was necessary and that the Board was best positioned to undertake it.<sup>29</sup>

4.6. The Board heard nothing further on the review until 17 June 1996 when it was advised that the Department would be conducting an internal review of the school without a strong involvement of the school community.

4.7. On 19 June 1996 *The Canberra Times* published an article entitled *School Move on the Cards*. This article stated that the Department was conducting an internal review of SWOW; that it was considering moving SWOW to Dickson College; and quoted the Minister as saying:

*The need for an alternative system was now greater amongst high school age students, as the ACT college system has expanded over the years to offer Year 11 and 12 students a wide choice and flexibility.*<sup>30</sup>

### **Conduct of the review**

4.8. The internal review of SWOW was conducted by the Department of Education and Training during the period 11 June 1996 to 5 July 1996.<sup>31</sup> The review team comprised three officers of the Department, namely the Executive Officer to the Director Schools (Northern District) and two officers from the school review team of the Quality Assurance Branch. The Committee was advised by the Department that one member of the review panel had expertise in alternative education. In addition the Executive Officer was familiar with the SWOW philosophy and program and the other member had expertise in conducting reviews.<sup>32</sup>

4.9. The review<sup>33</sup> was undertaken to enable SWOW to better meet the educational needs of students.

4.10. The review aimed to identify ways of

- *providing a supportive administrative and professional structure which allows for the continuity of SWOW as an alternative learning environment;*
- *improving the viability of SWOW by increasing course options; and*
- *catering more effectively for the present cohort of SWOW students.*<sup>34</sup>

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<sup>29</sup> Submission 17, p 4.

<sup>30</sup> *The Canberra Times*, 19 June 1996, p 15.

<sup>31</sup> SWOW Review Report p1.

<sup>32</sup> Uncorrected Proof Transcript, 1 November 1996, p 12.

<sup>33</sup> SWOW Review Report p1.

<sup>34</sup> SWOW Review Report p1.

4.11. Data was collected during the last two weeks of Term 2 and the report drafted during the school holidays and the first two weeks of Term 3. The report was provided to the Minister for Education and Training on 2 August 1996 and to the Board Chairs of SWOW and Dickson College on 9 August 1996.<sup>35</sup>

4.12. A summary of the review consultative process provided by the Department states the following.

- *Members of the review panel visited SWOW on three occasions.*
- *The panel met the three teaching staff members as a group.*
- *All students had the opportunity to meet with the panel - 21 students were interviewed individually either in person or by phone, which represented approximately 50 % of the current student population. The panel also attended a group meeting of approximately 16 students.*
- *13 parents were interviewed by telephone. Other unsuccessful attempts were made to contact parents of less able students.*
- *Letters were received from six parents.*
- *Other people interviewed include the Board Chair (an ex student), counsellor and senior guidance officer, an ex-staff member and two ex-students.*
- *Members of the SWOW Board - the Board Chair, a student representative and a member of the SWOW community, met with the Minister and Director(Schools Northside).*

### **Review recommendations**

4.13. The following recommendations were made in the review report.<sup>36</sup>

- *That Years 11 and 12 be phased out and SWOW be designated an alternative high school to better cater for the needs of students in Years 8-10.*
- *That, as an interim measure for 1997, existing Year 11 students continue to be linked to SWOW but provision made for them to access courses at another college if they cannot be provided by SWOW. Students electing to transfer to Year 12 in a mainstream college be accorded credit for their Year 11 course work.*
- *That all teaching staff positions be spilled and the vacancies advertised to ensure that the new direction for SWOW is recognised and staffed appropriately.*
- *That the department provide counselling resources to support students/staff affected by the changes.*
- *That SWOW be administratively linked with another school/college to provide a richer learning environment, administrative support and*

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<sup>35</sup> SWOW Review Process, Paper tabled by the Department of Education and Training.

<sup>36</sup> SWOW Review Report p 7.

*improved accountability. The department to resource an appropriate line allowance at the linked school to:*

- *provide administrative support for SWOW;*
- *facilitate broadening curriculum options for SWOW students; and*
- *liaise with Northern District high schools and take responsibility for alternative provision for students in the District.*
- *That the department investigate the feasibility of establishing an alternative school with a similar administrative support structure to cater for Years 8-10 students in the Southern District.*

4.14. The letter accompanying the review report to the SWOW Board from the Director Schools (Northern District) stated:

*The recommendations of the report have been accepted and we will move towards implementation this term.*

*The report recommends a new direction for SWOW which focuses directly on the needs of high school students. This is the age group with the greatest demand for an alternative learning environment. Provision for Years 11 and 12 will be phased out and specific programs developed to cater more effectively for students in Years 8-10.*

*The report also recommends that SWOW be relocated to Dickson College to provide administrative support and to broaden curriculum options. The alternative education program will continue and new students who prefer this style of learning will be able to seek enrolment to SWOW at Dickson.*

### **Concerns about the review process**

4.15. The Committee read the review report and discussed the report and the review process with students, parents, the SWOW Board, the AEU, an independent expert and the Department of Education and Training.

4.16. Many submissions and witnesses at public hearings expressed concerns about the review process.

4.17. The Australian Education Union (ACT Branch) criticised the review process for its inadequacy and described it as a 'truncated process'.<sup>37</sup>

4.18. An academic and alternative educator from the University of Canberra<sup>38</sup> told the Committee that he was very surprised at the haste with which the inquiry

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<sup>37</sup> Submission 3, p 2.

<sup>38</sup> Uncorrected Proof Transcript, 1 November 1996, p48.

was carried out and the very limited opportunities for the school to respond before major decisions were made about its future. He and others<sup>39</sup> were also concerned that the report was neither dated nor acknowledged the names of the review panel and that the panel did not include an alternative educator.

4.19. Most importantly, however, there seemed to be a lack of a strong relationship between the information and argument in the report and the recommendations.

4.20. The SWOW community and the SWOW Board raised many concerns about the review process, namely:

- the short time frame for data collection;
- terms of reference for the review were not available until the review was well underway;
- there was no independent person on the review panel;
- the review panel was not sufficiently familiar with the educational principles and philosophies of SWOW to undertake the review;
- the inadequacy of the consultation process; not all concerned or affected persons had a chance for input and there was no opportunity to comment on the draft report;
- the SWOW community's views were not taken into account in the review report;
- the intended outcomes were published in *The Canberra Times* before the review was completed; and
- the Department did not state what research, consultation or analysis it had undertaken to identify any of the proposed changes in the focus of SWOW.

4.21. The Friends of SWOW and the Board contested a number of issues raised in the report for example:

- contradictions and errors related to the school environment, peer support, the curriculum, assessment and reporting;
- the phasing out of years 11 and 12;
- the spilling of teacher positions; and
- the perceived defamatory nature of the report; (comments from the Board stated that readers could conclude that students never achieve their goals, are in need of counselling, remedial teaching and better supervision).<sup>40</sup>

4.22. The Committee's attention has been drawn to a number of 'bungles' which occurred during the review process.

- There were no review terms of reference available until the review was well underway.
- The report was made available to the Chair of Dickson College Board before it was given to the SWOW Board.

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<sup>39</sup> For example *Submission 25*.

<sup>40</sup> *Submission 14*, Attachment 2.

- The covering letter accompanying the report stated that the report recommended SWOW move to Dickson College. The report did not recommend this. It recommended that SWOW be administratively linked with another school/college.

4.23. The review process has left the SWOW community feeling angry and betrayed. The uncertainty about the school's future has left students feeling disillusioned and unsure about their educational future. Several students told the Committee that they would probably drop out of school if they were unable to complete years 11 and 12 at SWOW.

4.24. There is a great deal of distrust and cooperation between the existing SWOW community and the Department of Education and Training will be difficult to achieve.

4.25. The level of distrust and antagonism towards the Department lead the Committee to suggest to the Department that an independent mediator be engaged to assist in resolving the conflict and finding a constructive way forward.

## 5. PROPOSED CHANGES TO SWOW

5.1. The Department of Education and Training stated that it planned to implement the recommendations of the review and that this would mean SWOW would be relocated to Dickson College and the program 'refocussed'.

5.2. At the time that the Department announced its proposed changes to SWOW according to the SWOW community and the AEU<sup>41</sup> the intention was to implement the changes within a few weeks. This did not occur reportedly as a result community and union pressure.

5.3. In September 1996 a Steering Committee was established to oversight the development of an educational framework to guide the future program of SWOW. Membership of the Steering Committee includes the Director Schools (Northern District) as Chair, an experienced alternative educator, the SWOW Board Chair, a student and a teacher from SWOW, the Principal of Dickson College, a School Board nominee from Dickson College and a student from Dickson College.

5.4. Several meetings of the Steering Committee had been held prior to the finalisation of this inquiry. The work of the Steering Committee has been difficult due to strongly opposing views about the need for change at SWOW and the level of antagonism and distrust between some of the parties involved.

### ***Re-location***

5.5. The SWOW community contested the planned relocation to Dickson College. As the SWOW community pointed out the review report lists many reasons for the school to be independently located yet still comes to the conclusion to co-locate.

5.6. On 22 October 1996, the Minister informed the SWOW Board that the decision to relocate to Dickson College from the beginning of 1997 had been made and 'therefore will not be an issue for re-examination'.<sup>42</sup> The Department stated that SWOW will have a separate identifiable space and be viewed as a separate feature of the Dickson College campus.<sup>43</sup>

5.7. During the transition period the Department has offered to provide free bus passes to students incurring any extra travel to reach Dickson College.

5.8. SWOW comprises a small number of predominantly years 8 to 10 students. The plan is to place this small group of younger students, who have demonstrated that they do not 'fit in' at large mainstream high schools with a large group of over 600 college age students.

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<sup>41</sup> *Submission 3*, p 2.

<sup>42</sup> Correspondence from Minister for Education and Training to SWOW Board dated 22 October 1996.

<sup>43</sup> Correspondence from Chief Executive to SWOW Board Chair, dated 12 September 1996.

5.9. The Department of Education and Training is of the view that the concept of re-location of SWOW with a college is a sound one because the environment and culture of a college is more suited to the type of student who is attracted to SWOW and SWOW students tend to be more mature for their age. However the Department also claimed that some had learning problems and lacked the skills for independent learning.<sup>44</sup>

5.10. Current students at SWOW told the Committee that they were opposed to re-location to Dickson College for a number of reasons including:

- safety issues such as fear of harassment, bullying and violence;
- it is not in a central location and will require additional travel;
- it is too big and too impersonal;
- the area proposed is not separate and will result in a ‘SWOW with walls’; and
- loss of a separate identity for SWOW.

5.11. Students indicated that in mainstream settings harassment and bullying was a big problem for them, occurring in the playground, canteen, corridors and toilets. They cited the fact that harassment and bullying were not dealt with effectively in mainstream schools as one of the main reasons for seeking enrolment at SWOW. It was reported that harassment does sometimes occur at SWOW however when it occurs it is usually effectively dealt with by the General Meeting.

5.12. The Friends of SWOW and the SWOW Board also indicated strong opposition to re-location to Dickson College for similar reasons.

5.13. All SWOW students who met with the Committee indicated that they would not stay at SWOW if it moved to Dickson College.

5.14. Of particular concern to the Committee is whether emotionally scarred students who tend to seek enrolment at SWOW can be adequately catered for in a large, impersonal college environment. The Committee heard from a number of such students, both past and present. An extract from a Court Report sums up how the safe environment of SWOW assisted one past student to recover from abuse.

*She loved it at SWOW. She describes the teachers and the students as the nicest people she had ever met in her life. They were fair, democratic and had no onerous rules or harsh discipline. It was like belonging to a normal family, something she had never experienced in her life. She would stay at school from 8.30 am to 6 pm. It became the centre of her life. She went to school every day whether she felt sick or well. She worked hard and did well.*<sup>45</sup>

5.15. Dickson College has identified two areas as possible locations for SWOW in 1997. The Committee was shown these areas on 13 November 1996. The Principal told the Committee that due to the great uncertainty about the number of

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<sup>44</sup> Submission 13, p 11.

<sup>45</sup> Submission 27.

students who would be seeking enrolment at the relocated SWOW in 1997 it was difficult to plan for accommodation.

5.16. One area is located on the ground floor. The Principal indicated that two rooms were immediately available, another could be available quickly if needed with the possibility of additional rooms in that corridor being made available if required. Of the two rooms immediately available neither is normal classroom size. One is a small classroom and the other is a very narrow room, not currently being used as a classroom. Only the room that could be available quickly if needed is normal classroom size. All these rooms are accessed from a corridor that also provides access to the Talented Sports Development Program, the Foundations for Independence Program and the Counselling Service.

5.17. The other area comprises two upstairs classrooms with a store room. The two rooms are separated by a stair well and share a corridor and stairs with the computer studies students. The Principal did indicate that alternative arrangements could possibly be made for the stair case and an entrance to be designated for use of SWOW students only.

5.18. Neither of the accommodation options could offer SWOW a separately identifiable space with its own access, toilets and outdoor area.

5.19. The Committee discussed with departmental officials the possibility of younger students feeling intimidated or being subjected to harassment in a large college environment. The Department argued that this problem could be alleviated by putting in place special timetabling arrangement to ensure that SWOW students had different start, finishing, class and break times from the college. The Committee finds it difficult to accept Dickson College as a suitable location if such measures are needed.

### ***Re focussing***

5.20. The need for alternative approaches to high school education has been well documented. The SWOW community supports the expansion of alternative high school programs but not at the expense of the current SWOW. At present in the ACT public system alternative programs are extremely limited and SWOW is the only site specific alternative secondary school in the public system.

5.21. The Department of Education and Training has indicated that it is moving to 'refocus' SWOW. From 1997 SWOW is planned to be primarily a year 8-10 alternative school. The Department has stated that it will be administratively linked to Dickson College, but will retain a separate identity and not be incorporated within the mainstream program of Dickson College.<sup>46</sup>

5.22. The Department has also indicated that it intends to develop an alternative high school program on the south side of Canberra in 1998.

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<sup>46</sup> Correspondence from Chief Executive to SWOW Board Chair, dated 12 September 1996.

5.23. The Department stated that administrative linking with the College would have advantages in terms of widening course options for SWOW students and providing administrative support.<sup>47</sup>

5.24. The high school curriculum at SWOW has been an issue for many years and was noted in the review report. The Department of Education and Training maintains that the current SWOW curriculum does not cater for the high school age cohort of students.

5.25. The Department<sup>48</sup> reported that while there is still a core of self motivated senior students, the majority of SWOW enrolments are high school aged students who have a range of social, behavioural and learning needs quite different from earlier SWOW cohorts. A significant number of these students are at risk and/or have learning problems and lack the skills necessary for independent learning. In addition the department's specific duty of care for under age students differs from that for students over 15 years and needs to be addressed in the operational structure of the school.

5.26. The Mandala is currently designed to meet Year 12 Certificate accreditation standards and all units are designated either Tertiary Accredited or Accredited. While many of these units may be appropriate in an alternative learning environment for younger students, the Department is of the view that the total curriculum provision must be reassessed to meet the needs of the younger students. To this end an analysis of the needs of the students in the year 8-10 age group must be undertaken.

5.27. In addition the Department stated that the current range of curriculum options does not cover the eight key learning areas. Whilst it is important for high school students to have access to a balanced curriculum this is not so much of an issue for college students who can specialise or who can access courses at other colleges.

5.28. The Department stated that monitoring and reporting on student progress also needs to be built into the Mandala as an integral component of the learning process. A Mandala based on the needs of the Year 8-10 age group will:

- *focus on students rather than subject disciplines;*
- *continue to have the emphasis on holistic approaches;*
- *address individual needs;*
- *accommodate ability range and different learning styles;*
- *provide structure and balance; ·*
- *link academic and life skills;*
- *include a descriptive and supportive assessment and reporting system; and*

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<sup>47</sup> SWOW Review Report, p 7.

<sup>48</sup> Submission 13, p 11.

- *incorporate the ACT curriculum frameworks and profiles.*<sup>49</sup>

5.29. The Department has pursued the development of the educational program for years 8 to 10 in accordance with the above principles. A level 2 teacher has been engaged for term 4 to undertake this task in consultation with the school in readiness for the 1997 school year.

5.30. The Department advised the Board that the 'refocussed' SWOW would have a joint board, a separately approved curriculum, an identified budget, identified staff and student focussed decision making.<sup>50</sup>

5.31. The matter of the future of the board is unclear. When asked about whether the SWOW Board would remain, officers of the Department told the Committee that it was their understanding that it would, yet in a letter to the Board it stated there would be a joint board.<sup>51</sup>

5.32. The Department in accepting the recommendations of the review report is also committed to providing a line allowance at Dickson College. This position (a teaching position) will provide administrative support for SWOW, facilitate broadening curriculum options for SWOW students and take responsibility for alternative provision for high school students in the Northern District.

5.33. The position of bursar at SWOW will not be filled in 1997. Administrative work formerly undertaken by the bursar at SWOW will be incorporated in the work of the Dickson College administrative staff. SWOW students will generate points for administrative staff in the same way as at other colleges.

5.34. The Committee asked about the role of the principal of Dickson College in relation to the 'refocussed' SWOW. The Department stated that because SWOW is to be co-located with Dickson College it would be appropriate for the Principal to sign off leave forms etc and that the Principal will have a role in staff selection.<sup>52</sup> When the Committee explored this issue further it was apparent that there is much to be worked out and the Principal's role is unclear.

5.35. The SWOW community asserts that the 'refocussed' SWOW will not be SWOW because many of its important features will be lost such as its non-hierarchical structure, student empowerment and involvement in decision making, student directed learning and the supporting and non threatening environment.

5.36. In addition the SWOW community believes a key feature of SWOW will be lost with the elimination of years 11 and 12 from the program. SWOW has offered an alternative for year 11 and 12 students since its inception and that part of the program has been considered to be of great value to those students as well as providing important role models, support and leadership for the younger students.

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<sup>49</sup> *Submission 13, p11*

<sup>50</sup> Correspondence from Chief Executive to SWOW Board Chair, dated 12 September 1996

<sup>51</sup> Uncorrected Proof transcript, 12 November 1996, p 25.

<sup>52</sup> Uncorrected Proof Transcript, 12 November 1996, p26.

5.37. SWOW students stated that the inability of students to complete their college years at SWOW will have the following adverse effects:

- *reduced student control over learning and assessment;*
- *bell curve marking - reduced emphasis on learning achievements and personal improvement;*
- *reduced flexibility in approaches to learning;*
- *reduced safety for students who do not 'fit in' to mainstream schooling due to various and diverse reasons (eg physical appearance, backgrounds, emotional problems, learning difficulties);*
- *reduced level of tolerance between student peers - tolerance is an important part of the SWOW community; and*
- *reduced support networks.*<sup>53</sup>

5.38. Students were also concerned that the support received by students with young children will not be possible under the new arrangements. The Department assured the Committee that this concern was unfounded.

5.39. Enrolments in years 11 and 12 have fluctuated, however years 11 and 12 have always comprised a considerable proportion of total enrolments and for five of the last seven years comprised more than half of the total number of students identified by year in the statistics provided at Appendix 1.

5.40. In response to community concern the Department indicated that the Minister had asked the Steering Committee to re-examine the matter of years 11 and 12 enrolments at the 'refocussed' SWOW.

5.41. The Department is also proceeding with the recommendation of the review report to spill all teaching positions. The SWOW community as well as the AEU is opposed to this action. The AEU maintains that the current staff should have the opportunity to transfer to the 'refocussed' SWOW. The SWOW community believes it is essential to retain some of the existing staff to maintain continuity for students and the program's philosophy.

5.42. When asked for the reasons for spilling the teaching positions, departmental officers told the Committee that because the program would be taking on significant changes, in that it would focus on years 8 to 10, it would not be sound personnel practice to require staff to move into a job that is fundamentally quite different without choice. In addition the Department needed to open up opportunities in more specialised areas for other teachers. Permanent staff employed at SWOW in 1996 would be eligible to apply for a position at the 'refocussed' SWOW.<sup>54</sup>

5.43. The proposed changes to SWOW have been perceived by the SWOW community as being so drastic as to spell the end of SWOW. The terminology

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<sup>53</sup> Submission 18, p 2.

<sup>54</sup> Uncorrected Proof Transcript, 12 November 1996, p11, p12.

'refocussing' has offended and confused the community who believe the proposed changes are closer to 'closure' than 'refocussing'. The proposed changes are seen by the SWOW community to have been imposed by the Department without adequate explanation of the reasons or sufficient opportunity for Board input.



## **6. FINDINGS AND RECOMMENDATIONS**

6.1. SWOW has played an important role in the ACT public school system for 23 years. Alternative education has been very vulnerable over the years and SWOW has managed to weather the storm. It has a unique philosophy and way of operating, which has benefited hundreds of students.

6.2. SWOW has catered for students who have difficulty in achieving successful learning outcomes in mainstream secondary schools. It has offered a safe environment where many young people at risk of dropping out of school have renewed their love of learning, become self motivated and been able to complete their secondary education.

### ***Concerns about SWOW***

6.3. While the previous reviews have generally been positive and have affirmed the necessity of having an alternative program, the Committee notes that some of the concerns which have been raised in previous reviews of SWOW were raised again either in the review report or as part of the Committee's inquiry. For example:

- concerns about the appropriateness of the curriculum for the younger students;
- the needs of students with learning problems;
- adequate resourcing and support including the need for additional staff resources for curriculum development;
- that SWOW not be seen as a dumping ground for unmanageable students;
- the role of the general meeting;
- recognition and documentation on non-unit learning; and
- accountability to parents.

6.4. In the last two years a number of other concerns have been raised about SWOW's operation. These concerns relate to duty of care, legal and accountability issues, staff and student welfare, and the unavailability of documentary evidence relating to enrolments and programs being undertaken by students.

6.5. The Committee discussed these issues with the SWOW Board, the Friends of SWOW, parents, the Department of Education and Training and the AEU.

6.6. It is clear to the Committee that the insufficient level of support and resourcing available to SWOW from the Department has contributed to these problems.

6.7. Discussions with the Department and the SWOW community indicated that there is considerable difference of opinion about whether or not the SWOW community was given sufficient information about the Department's concerns.

6.8. Duty of care issues are the responsibility of professional staff at the school and the Department. The Committee notes that some duty of care issues at SWOW needed to be addressed by the Department and the school and that some attempts were made. How well duty of care responsibilities have been met has been a matter of dispute for some time.

6.9. The SWOW experience has demonstrated that for particular students there may be times when strict adherence to attendance policies may be inappropriate and there should be the capacity for special arrangements to be made.

6.10. Similarly it is the responsibility of the professional staff and the Department to address legal and accountability issues including the existence of satisfactory documentary evidence relating to student enrolment and learning programs and to ensure staff and student welfare. Evidence presented to the Committee on these matters indicates that for some time attempts to resolve the differences between the Department and the school have been unsatisfactory.

### ***Review process***

6.11. The Committee is of the view that the review process was very poor. The terms of reference were not available at the beginning of the review; the terms of reference were pre-emptive; the timeframe was too short; the consultation process was inadequate; the outcomes of the review were preempted in an article in *The Canberra Times*; the review team was anonymous; and the report's recommendations are not supported by convincing arguments.

6.12. The Committee believes that the poor process has been a major contributing factor to the division between the SWOW community and the Department of Education and Training. This has resulted in great uncertainty and unnecessary pressure and emotional stress for students, some of whom are very vulnerable.

6.13. The changes proposed have been imposed on the SWOW community without adequate opportunity for consultation or negotiation. In order to satisfy the Department's obligations and at the same time sustain a true alternative education program the Committee asserts negotiation should have been part of the process from the beginning.

6.14. The review process highlighted serious deficiencies in the Department of Education and Training's consultative processes. In its response to the Select Committee on Estimates' recommendation relating to consultation by the Department of Education and Training, the Government stated the following:

*Prior to making significant decisions the Department of Education and Training is committed to extensive consultation processes involving school communities.*<sup>55</sup>

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<sup>55</sup> Government Response to the Report of the Select Committee on Estimates, November 1996, p14.

6.15. In the case of the SWOW review the Department of Education and Training did not follow this stated practice.

6.16. The Committee reiterates the call by the Select Committee on Estimates and recommends that:

**during Term 1 1997 the Department of Education and Training develop a policy on community consultation relating to school reviews conducted outside the normal School Performance Review and Development cycle.**

### ***Proposed changes to SWOW***

6.17. The proposed changes to SWOW can be divided into two groups. They are issues to do with 'refocussing' the program including administrative linking with another school and relocation.

#### **'Refocussing'**

6.18. The terminology 'refocussing' has not in the SWOW community's view reflected the significance of the changes. The SWOW community perceives it as another term for 'closure'. The hurried and restricted review process created a great deal of distrust between the SWOW community and the Department and has resulted in lack of cooperation in considering the changes proposed by the review.

6.19. In considering the proposed 'refocussing' it is necessary to consider the main elements of the SWOW program, namely its administration and management; its philosophy and key principles; its enrolment composition; its curriculum; and the effects of the changes on the school community.

#### Administration and management

6.20. One of the review's recommendations is that SWOW be administratively linked with another school or college. The rationale for this recommendation is to provide SWOW with a richer learning environment, greater administrative support and better accountability.

6.21. Inadequate resourcing, in terms of both staff and physical resources has been an issue for SWOW and other alternative programs such as off-line programs for many years. Teacher burnout and lack of resources were attributed to the closure of two of the three off-line programs in Canberra high schools in recent years. Inadequate support for SWOW is seen to be a contributing factor to some of the concerns about its lack of accountability.

6.22. Administrative linking on its own has not provided the required necessary, broader support for off-line programs at Calwell and Ginninderra High Schools and it is therefore not clear that it would do this for SWOW. Additional support needs to be built in to the staffing allocation and needs to be ongoing.

6.23. The Department of Education and Training recommended a line allowance be provided to give additional support to the ‘refocussed’ SWOW. The Committee understands that the Department intends to implement this recommendation, however unless it is guaranteed as an ongoing additional resource to SWOW, resourcing problems will continue. The Committee is concerned that if the additional resource is part of the linked school’s resource base the continuing existence of this alternative education program is at risk.

6.24. In theory administrative linking could provide SWOW students with wider course options, better amenities and greater access to specialised facilities such as science laboratories, food science equipment and a full range of art equipment. However in reality there will be restrictions on the use of the facilities due to timetabling and availability of staff. While there may be some high school students and the year 11 and 12 students (if retained) who will benefit from these opportunities, options for years 8 to 10 will not necessarily be broadened by the availability of college level courses particularly as according to the Department of Education and Training there is now at SWOW a high proportion of students who have learning difficulties.

6.25. Officers of the Department of Education and Training were unclear about the proposed roles of the current SWOW Board and the principal of the linked school in the planned new arrangements.

6.26. The Committee acknowledges that administrative linking can bring about certain advantages and supports it in principle. However the issues of additional resources and support that the Committee considers are critical for the success of this proposal have not been clearly addressed. Neither have the roles of the SWOW board and the principal of the linked school.

6.27. The Committee recommends that:

**if the Department of Education and Training proceeds with administrative linking of SWOW to another school**

- **it guarantees ongoing additional resources and support to the ‘refocussed SWOW’;**
- **the ‘refocussed SWOW’ operates as a separate organisation with its own board as long as it is the wish of the ‘refocussed SWOW’ community; and**
- **the role and responsibilities of the principal of the linked school be clearly defined in a memorandum of understanding negotiated between the principal and the other parties concerned.**

SWOW philosophy and key principles

6.28. The SWOW philosophy and key principles underpin the whole operation of SWOW and are what over time have made SWOW unique. Evidence from a wide range of people indicated strong support for the SWOW philosophy and principles which were developed by the SWOW community. The Committee cannot see any

reason why the philosophy and key principles cannot be retained. If the Department of Education and Training believes that the philosophy and principles are no longer appropriate it should have a full and open review of alternative education philosophies and principles.

6.29. The Committee recommends that:

**the ‘refocussed SWOW’ continue to operate in line with the current philosophy and key principles until such time as the Department of Education and Training is able to demonstrate through a thorough and independent review that this is no longer appropriate.**

#### Enrolment composition

6.30. The Department’s review report recommends that SWOW become a year 8 to 10 school and years 11 and 12 no longer be accepted. Interim arrangements were proposed to enable existing year 11 students to continue to be linked to SWOW if they wished.

6.31. The Committee acknowledges that the college system offers flexibility and a range of courses to suit the needs of most college age students. The Committee is however concerned about a small group of students whose needs are not met by the mainstream college system and for whom SWOW can offer a safe and stimulating environment.

6.32. Further the proportion of enrolments in the college years at SWOW has fluctuated and in many recent years has comprised more than half the total, which indicates that mainstream college has not met the needs of those students. The Committee is not convinced that the evidence available supports the phasing out of year 11 and 12 at SWOW.

6.33. The Committee recommends that:

**years 11 and 12 be retained as part of the ‘refocussed SWOW’ program.**

#### Year 8 to 10 curriculum

6.34. The inadequacies with the curriculum for high school age students attending SWOW have been raised since the 1983/84 review of SWOW. The Committee is concerned that this is still an issue particularly as the Department of Education and Training has continued to refer younger students to SWOW as recently as Term 1 1996.

6.35. The Committee supports the development of a curriculum specifically for years 8 to 10 preferably to be done in consultation with the current SWOW students and staff.

### Staffing

6.36. Another aspect of the 'refocussing' program has been the spilling of all staff positions. The SWOW community and the AEU opposed this move. Among the reasons given by the Department for the spill were that the program will be significantly changed and that there was a need to open up opportunities for other staff to work in specialist settings. This is not consistent with the claim by the Department that it wishes to maintain the essence of SWOW's identity. Neither is it consistent with the obvious need for continuity in an already stressful time for the current students. The Committee questions the efficacy of this approach in the 'refocussing' of SWOW.

### Name of the 'refocussed SWOW'

6.37. The name School without Walls (SWOW) has been associated with a school with a particular philosophy and set of key principles for 23 years. Should the Government proceed with significant changes to SWOW against the wishes of the current SWOW community the Committee believes it would not be appropriate for the name SWOW to continue to be used unless agreed by the SWOW community.

6.38. The Committee recommends that:

**should the Government proceed with its proposed significant changes to SWOW it does not use the name School without Walls (SWOW) without agreement of the SWOW community.**

### **Relocation to Dickson College**

6.39. The Minister for Education and Training has stated that he has decided to relocate SWOW to Dickson College from 1997. The Committee received little information about the reasons for this decision or the other options considered. Neither was there any supportive information for this decision in the review report. The SWOW community also felt excluded from this decision.

6.40. The Committee is most concerned about the proposed accommodation for the 'refocussed SWOW' at Dickson College particularly as enrolments will be predominantly years 8 to 10 students. The Committee inspected the two options and noted:

- neither of the proposed areas as they are at present will provide the 'refocussed SWOW' with a separate identifiable space with its own access, toilets and outdoor area; and
- neither will provide the same sense of security as a totally separate location has done for many of the students who have been traumatised or emotionally scarred by previous experiences.

6.41. In addition evidence provided by the Department of Education and Training has not convinced the Committee that many critical issues related to co-location have been adequately thought through. The Department indicated that it

was prepared to make very flexible arrangements, however the Committee is concerned that the decision making process has been very rushed and details are sketchy. Moreover, there has been no detailed research or analysis on:

- the impact of placing a small group of younger students, some who may be very vulnerable, in a large group of older, more mature students;
- the best ways to manage co-location for example total integration, total segregation or somewhere in between; and
- whether total segregation can create greater targeting of the minority group or ‘ghettoing’ at the site.

6.42. The Committee does not agree with the relocation of SWOW to Dickson College as proposed and asks the Government to reconsider its decision.

6.43. In view of the Committee’s major concerns about relocating SWOW to Dickson College and acknowledging the advantages of administrative linking, the Committee believes that there would be considerable benefits to leaving the school in a separate facility and establishing a twin camping arrangement.

6.44. The Committee recommends that:

**the Government not relocate SWOW to Dickson College but instead establish a twin camping arrangement for the ‘refocussed SWOW’ from the beginning of the 1997 school year.**

### **Progressing change**

6.45. There have been serious differences of opinion and considerable distrust between members of the Steering Committee. There are still many issues to resolve about the future direction of SWOW. These include the role of the Board, the role of the principal of the linked school, resourcing, accommodation, finalisation of the year 8 to 10 curriculum and the name of the school.

6.46. These issues have been difficult to progress because of the antagonism resulting from previous unsatisfactory attempts to resolve the problems and the more recent review process. The Committee is of the opinion that the engagement of an independent professional to facilitate negotiation between the parties would be of great benefit in progressing the changes.

6.47. The Committee recommends that:

**the Government engage an independent professional to facilitate negotiation between the parties on all outstanding matters relating to the location and refocussing of SWOW.**

Kerrie Tucker MLA  
Chair



## **DISSENTING REPORT - MR HAROLD HIRD MLA**

I am lodging a dissenting report to the *Report on the Inquiry into the implications of the proposed restructure of the School Without Walls (SWOW) for the alternative education needs of secondary students in the ACT*. In the initial stages of the inquiry I raised serious concerns about the potential conflict of interest within the committee. These concerns were not addressed to my satisfaction.

I do not agree that that the report has in fact addressed the Terms of Reference of the Inquiry. In particular the report has an interventionist focus on administrative decisions of the Department of Education and Training apparently designed to maintain the status quo and support the vocal SWOW community.

Further the report fails to reflect the persuasive and detailed arguments put to the committee by the department and the Australian Education Union in relation to ongoing concerns regarding the present functioning of SWOW that support the recommendations being implemented by the department.

In particular I am dissenting from the following recommendations and providing supporting reasons.

### **Recommendation 6.16**

**The Committee reiterates the call by the Select Committee on Estimates and recommends that:**

**during Term 1 1997 the Department of Education & Training develops a policy on community consultation relating to school reviews conducted outside the normal School Performance Review and Development cycle.**

Disagree with this recommendation as the management of a department must preserve the right to review units such as schools in a flexible manner that responds to the specific and varying issues. However strongly support the principle of community consultation that is a feature this government.

### **Recommendation 6.27**

**The Committee recommends that:**

- if the Department of Education and Training proceeds with administrative linking of SWOW to another school**
- **it guarantees ongoing additional resources and support to the 'refocussed SWOW'**
  - **the 'refocussed SWOW' operates as a separate organisation with its own Board as long as it is the wish of the 'refocussed SWOW' community, and**

- **the role and responsibilities of the principal of the linked school be clearly defined in a memorandum of understanding negotiated between the principal and the other parties concerned.**

Disagree with this recommendation. When the Department of Education and Training proceeds with the administrative linking of SWOW to Dickson College resources and support should be provided consistent with the funding and support arrangements for ACT schools. The Steering Committee, which includes representatives of the SWOW community, should recommend on the operations and composition of the Board and appropriate administrative links within Dickson College.

**Recommendation 6.29**

**The Committee recommends that:**

**the “refocussed SWOW” continues to operate in line with the current philosophy and key principles until such time as the Department of Education and Training is able to demonstrate through a thorough and independent review that this is no longer appropriate.**

Disagree with this recommendation as it is up to a school community to decide its philosophy and key principles within departmental guidelines. However, the philosophy and key principles must be supported by good educational management. It is the administrative and management arrangements not the SWOW philosophy and key principles which will be addressed by the relocation of SWOW to the Dickson College site.

**Recommendation 6.50**

**The Committee recommends that:**

**should the Government proceed with it’s proposed significant changes to SWOW it should does not use the name without the agreement of the School Without Walls (SWOW) community.**

Disagree with this recommendation. School Without Walls is a government school which is being relocated. The name should move with the school as it did when the school moved locations in 1974 and 1981.

**Recommendation 6.44**

**The Committee recommends that:**

**the Government not relocate SWOW to Dickson College but instead establish a twin campus arrangement for the “refocussed “ from the beginning of the 1997 school year.**

Disagree with this recommendation and para 6.43. The Government should not reconsider the decision to relocate SWOW to Dickson College. Dickson College is the appropriate location for SWOW as students will have access to the Dickson College resources and courses to provide a wider curriculum. SWOW staff will be supported administratively by Dickson College which is necessary to overcome problems identified at the Committee hearings by the Union and the department.

**Recommendation 6.47**

**The Committee recommends that:**

**the Government engages an independent professional to facilitate negotiation between the parties on all outstanding matters relating to the relocation and refocussing of SWOW.**

Disagree with this recommendation. All matters should be addressed by the Steering Committee which has wide representation.

Harold Hird MLA  
Committee Member  
6 December 1996



## **ADDITIONAL COMMENTS - MS MARION REILLY MLA**

At the outset of this *Inquiry into the implications of the proposed restructure of the School without Walls (SWOW) for the alternative education needs of secondary students in the ACT* I stated at Meeting No 62 of the Social Policy Committee that I refuted the allegation of interest in relation to matters under examination for this inquiry.

Despite one member stating that he would withdraw from participation in this inquiry if I continued as a member of this inquiry, the member chose to return at a later date and participate in a hearing and the private deliberations of the Social Policy Committee on this matter although he continued to allege conflict of interest. These allegations were not tested in the Legislative Assembly and the inquiry has now been completed for presentation to the Legislative Assembly.

Marion Reilly MLA  
Committee Member  
6 December 1996



## APPENDIX 1 STATISTICAL DATA

### Students enrolled at SWOW gaining TER 1984-1995

**Note:** 1984-1995 enrolment numbers taken from the annual July census. The 1996 enrolment figure is taken from SRKS during last week of Term 2.

Year	Total F/T Students	Year 12	Other*	Year 12 Certificate	TER
1996	57	6	0		
1995	41	10	14	5	2
1994	86	20	8	13	5
1993	74	10	7	6	3
1992	129	33	15	11	7
1991	112	36	9	15	8
1990	101	15	4	9	3
1989	88	14	4	9	6
1988	77	12	6	8	4
1987	78	18	0	9	7
1986	62	17	2	10	8
1985	56	4	12	3	3
1984	34	3	3	3	3

\* Other includes mature and part time students.

### SWOW ENROLMENT 1984-1995

Year	Yr(8)/9	Yr10	Yr11	Yr12	Other	Total
<b>June 1996</b>	1/11	26	13	6		57
<b>1995</b>	2	18	11	10	14	55
<b>1994</b>	17	40	9	20	8	94
<b>1993</b>	1/16	20	28	10	7	82
<b>1992</b>	32	32	32	33	15	144
<b>1991</b>	26	20	30	36	9	131
<b>1990</b>	19	31	36	15	4	105
<b>1989</b>	15	38	21	18	1	93
<b>1988</b>	14	31	20	12	6	83
<b>1987</b>	13	38	9	18		78
<b>1986</b>	18	16	11	17	2	64
<b>1985</b>	7	25	20	4	12	68
<b>1984</b>	11	21	9	3	3	47

## **APPENDIX 2      SUBMISSIONS RECEIVED**

1. Jai Shaw
2. Ms K Connor
3. Australian Education Union - ACT Branch
4. Mr James Bennett
5. Good Ol' Toys
6. Ms A Spencer
7. Ms C MacDonald
8. Mrs Di Chambers
9. Ms Rae Chambers
10. Mr Tate Chambers
11. Oakey Ridge School
12. Ms H B Weir
13. Dept. of Education & Training
14. The Friends of School Without Walls
15. Mr and Mrs Huber
16. Jan Sinclair
17. SWOW School Board
18. Students - SWOW
19. Mr Samuel David Hannan-Morrow
20. Vanessa Jane Marshall
21. Ms A.K. Higginbottom
22. Ms Gisela Meyer
23. Ms Felicity Fahey
24. Mr Daniel Hoyles
25. Ms Lesley Shannon
26. Ms Kirrallee Grace
27. Confidential

## **APPENDIX 3 WITNESSES AT PUBLIC HEARINGS**

### **Friday 1 November 1996**

#### Department of Education and Training

Ms Narelle Hargreaves, Director Schools, Northern District  
Mr Peter Weddell, Executive Officer, Northern District

#### Friends of SWOW

Ms Kelly Connor, President  
Mr Toby Chamberlain  
Ms Di Chambers  
Ms Lesley Shannon

#### Alternative educator from the University of Canberra

Dr Tim Hardy

### **Tuesday 5 November 1996**

#### Students of SWOW

Rhiannon Davis  
Felicity Fahey  
Brooke Shannon  
Rae Chambers  
Genevieve Swifte  
Maria-Karellan (Ria) Weir  
Raimee Weir  
Cleo MacDonald  
Meegan Connor  
Vanessa Marshall  
Michelle Huber  
Jessica Nelson  
Justine Kamprad  
Alexis Piekals

#### Former student of SWOW

Samuel Hannan-Morrow

**Wednesday 6 November 1996**

Parents of a SWOW student

Mr Bert Huber

Dr Adrienne Huber

Australian Education Union (ACT Branch)

Mr Clive Haggard, President

Ms Fiona Macgregor, Professional Officer

SWOW Board

Ms Emma Ralph, Chair

Mr David Matthews

One witness was heard in camera

**Tuesday 11 November**

Department of Education and Training

Ms Narelle Hargreaves, Director Schools, Northern District

Ms Vickie Busted, Executive Director, Education, Training and Corporate Services

## **APPENDIX 4    ACRONYMS**

AEU    Australian Education Union

SWOW        School without Walls