



Education Reform (Pedagogy in Practice) Youth Act 2018

Youth Act No. 6 of 2018

A Youth Act to improve the current education systems through reforms in pedagogy and practice

[Assented to 26 October 2018]



Education Reform (Pedagogy in Practice) Youth Act 2018

Contents

Part 1	Preliminary	3
1	Short title.....	3
2	Commencement.....	3
3	Main purpose of Youth Act	3
4	Definitions	3
Part 2	Early Childhood Education	4
5	Play-based curriculum.....	4
6	Creative-lead practices.....	5
7	Out of classroom Activities	6
8	Emotional Intelligence	6
Part 3	Arts and Humanities Education	7
9	Commencement.....	7
10	Arts and humanities instructions.....	7
11	Role and responsibilities of QCAA in development of short course arts and humanities instruction.....	7
Part 4	Reforms to industry processes	8
12	Amendment of Education (Queensland College of Teachers) Act 2005	8
Part 5	Employment experience and training opportunities for students with disabilities	
	12	
13	School-based traineeships and apprenticeships.....	12
14	Work experience	13
15	Amendment of Child Employment Regulation 2016.....	13
16	Amendment of Education (Work Experience) Act 1996	14

17	Process to determine student suitability for work experience, school-based traineeships, or apprenticeships	14
18	State financial assistance of work experience, school-based traineeship, and/or apprenticeship providers for students with disabilities	15
19	Provisions for business owners employing a student with a disability	15
Part 6	Regional and Rural Teachers Assistance	15
20	Eligibility	15
Part 7	Life Skills Education	17
21	Eligibility	17
22	Implementation of Life Skills Classes in Primary School.....	18
23	Implementation of Life Skills Classes in High School.....	18

The Parliament of Queensland enacts—

Part 1 Preliminary

1 Short title

This Youth Act may be cited as the *Education Reform (Pedagogy in Practice) Youth Act 2018*.

2 Commencement

This Youth Act, other than part 4, commences on a day to be fixed by proclamation.

3 Main purpose of Youth Act

The main purpose of this Youth Act is to introduce learning through play for young children with a focus on creativity and emotional intelligence, encouraging high school students to study arts and humanities subjects in senior secondary and to facilitate sector reforms for teachers.

4 Definitions

In this Youth Act—

applied subject means a subject of study of which the result will not be included in the calculation of a student's Australian Tertiary Admissions Rank. Applied subjects are studied by students subject to new tertiary admission processes administered by the Queensland Curriculum and Assessment Authority. Applied subjects are currently known as Authority-Registered subjects.

ATAR means Australian Tertiary Admissions Rank.

Being Belonging Becoming Meaning the school aged care learning framework. The educational framework all educators must follow in primary school and out of school hours care.

Early Childhood means ages birth - age 8.

EALD means English as an additional language/dialect.

ELYF Meaning the Early Years learning framework. The educational framework all educators must follow in childcare and kindergarten.

general subject means a subject of study of which the result will be included in the calculation of a student's Australian Tertiary Admissions Rank. General subjects are studied by students subject to new tertiary admission processes administered by the Queensland

[s 5]

Curriculum and Assessment Authority. General subjects are currently known as Authority subjects.

HOSES means Head of Specialist Education Services.

junior secondary means years 7, 8, and 9.

QCAA means Queensland Curriculum and Assessment Authority.

QCE means Queensland Certificate of Education.

QCT means Queensland College of Teachers.

regional means all population centres of between 1000 and 99999

rural means all population centres of 999 or less, not included in Urban or Regional classification.

senior secondary means years 10, 11 and 12.

student with disability means a child enrolled in an educational establishment who has a disability within the meaning of the *Disability Services Act 2006*, section 11.

urban means all population centres with a population of 100000 or greater.

Part 2 Early Childhood Education

5 Play-based curriculum

- (1) To be implemented in to the Early Years Learning Framework—
 - (a) educators must provide a minimum of 2 unstructured play times each day
 - (b) Educators may assist children in the development of the learning process within the play but the activity and creative process must be led by the children;
 - (c) educators must provide access to both indoor and outdoor play throughout the day (weather permitting);
 - (d) educators must make every effort to foster play in children by encouraging them to do play based activities, using their imagination and ask questions to challenge their way of thinking.
- (2) To be implemented in to My Time Our Place—
 - (a) educators must provide a minimum of 2 unstructured play times each day;
 - (b) educators may assist children in the development of the learning process within the play but the activity and creative process must be led by the children;

- (c) educators must foster education through self-exploration and questioning;
- (d) prep to Year 2 educators must provide a minimum of 3 unstructured play times per week, separate to lunch breaks and Physical Education classes—
 - (i) A minimum of 1 play time per week must contain active Play
- (e) educators must provide access to both indoor and outdoor play throughout the day (weather permitting).

6 Creative-lead practices

- (1) To be implemented in to EYLF—
 - (a) educators must provide spaces for imagination/creativity based exploration within educational activities;
 - (b) educators must foster the self-exploration of activities and experiences;
 - (c) educators must foster creativity through the active planning of sensory and engaging hands on activities.
- (2) To be implemented in My Time Our Place—
 - (a) educators must foster creativity through hands on activities including—
 - (i) arts and crafts; and
 - (ii) cooking; and
 - (iii) building; and
 - (iv) performance;
 - (b) activities may be used alongside curriculum teaching, used to enhance the curriculum or as separate educational experiences;
 - (c) activities must be varied in style and substance and employ differing skills, materials and purposes;
 - (d) activities should foster individual creativity, imagination and input from students
 - (e) activities should aim to include multiple disciplines including—
 - (i) Music; and
 - (ii) Science; and
 - (iii) Australian history; and
 - (iv) Art; and
 - (v) Drama; and
 - (vi) Mathematics; and

[s 7]

- (vii) Home Economics; and
- (viii) Technology.
- (f) activities should vary between collaborative and individual Tasks
- (g) educators should foster critical thinking, curiosity, by encouraging students to question and discuss activities.

7 Out of classroom Activities

- (1) Exploration and exposure should be encouraged through a minimum of one out of school excursion each term.
 - (a) excursions must happen during school hours
 - (b) out-of-school activities should aim to;
 - (i) develop connectivity between school creativities and adaptive, innovative workplaces; and
 - (ii) enhance creative learning and living within other environments.

8 Emotional Intelligence

- (1) The RULER model is to be actively implemented into Kindergarten to Grade Two classrooms. The aim of this model is to teach students to—
 - (a) recognise emotions in self and others; and
 - (b) understand the causes and consequences of emotions; and
 - (c) label emotions correctly; and
 - (d) express emotions in ways appropriate for time, place and culture; and
 - (e) regulate emotions; and
 - (f) develop empathy with peers; and
 - (g) negotiate roles.
- (2) To be implemented in to the Being Belong Becoming the Early Years Learning Framework (EYLF) for childcare - kindergarten and My Time Our Place (MTO) the Framework for School Aged Care.
 - (a) to be included as part of Outcome 3: Children have a strong sense of wellbeing.
- (3) All experiences should encourage opportunities of self-expression and thought, emotional awareness, social interaction and teamwork.

Part 3 Arts and Humanities Education

9 Commencement

- (1) This part is for implementation with year 10 students in 2019.

10 Arts and humanities instructions

- (1) State secondary schools may integrate one hour of arts and/or humanities instruction into the school week, separate from normal arts and/or humanities classes.
 - (a) this instruction may be divided over several days;
 - (i) the instruction must start and end in the same school week.
 - (b) a minimum of 10 hours instruction must include content from the Aboriginal and Torres Strait Islander Studies general subject.
- (2) Instruction may not take place outside regular school hours.
- (3) Students in senior secondary year levels are able to engage in instruction on an optional basis.
 - (a) students are assessed;
 - (b) students may be assessed on a satisfactory or unsatisfactory scale;
 - (c) upon completion of the course, students will be awarded one QCE credit and if applicable, one ATAR rank.
- (4) Students in junior secondary year levels must engage in content.
 - (a) students are not assessed.

11 Role and responsibilities of QCAA in development of short course arts and humanities instruction

- (1) The QCAA has the following functions relating to syllabuses for short courses—
 - (a) developing and revising short course syllabuses for all applied and general arts and humanities subjects;
 - (i) one syllabus must be developed per unit of study, per senior arts and humanities subject.
 - (b) purchasing and revising short course syllabuses developed by another entity;
 - (i) if the authority performs a function under this provision, it must give the Minister and the governing body of each non-State school a notice about a syllabus for a short course that it purchases, develops or revises under section 2A.

[s 12]

- (2) The QCAA also has the following responsibilities for each short course, in each year level—
 - (a) writing and distributing items of assessment;
 - (b) developing and distributing lesson plans;
 - (c) writing and/or developing and distributing accompanying materials and resources for the purposes of teaching.
- (3) syllabuses developed under section 10A(1) must include the following senior subjects—
 - (a) Aboriginal and Torres Strait Islander Studies; and
 - (b) arts in practice; and
 - (c) business studies; and
 - (d) dance in practice; and
 - (e) geography; and
 - (f) legal studies; and
 - (g) media arts in practice; and
 - (h) music in practice; and
 - (i) philosophy and reason; and
 - (j) modern history; and
 - (k) ancient history.

Part 4 Reforms to industry processes

12 Amendment of Education (Queensland College of Teachers) Act 2005

- (1) Act amended
 - (a) This part amends the *Education (Queensland College of Teachers) Act 2005*.
- (2) Insertion of new chapter 11, and thereafter renumbered
 - (a) Insert—

Chapter 11 Queensland Teacher Advocacy Body

Part 1 Establishment, functions and powers of Body

282 Amendment of Education (Queensland College of Teachers) Act 2005

- (1) The Queensland Teachers Advocacy Body is established under the administration of the Queensland College of Teachers.
- (2) The body—
 - (a) is a body corporate; and
 - (b) has a seal; and
 - (c) may sue and be sued in its corporate name.

283 Primary considerations of body in performing its functions

- (1) In performing its functions under this Bill, the professional treatment and conduct of teachers as employees are to be the primary considerations of the body.

284 Professional Standards

- (1) The body must—
 - (a) adopt the national professional standards; or
 - (b) with the approval of the Minister, adopt or develop standards other than the national professional standards.
 - (c) The body may amend standards it has adopted or developed under subsection 1(b).

Part 2 Director of the Body

285 The director

- (1) The body has a director.
- (2) The director is to be appointed by, upon the recommendation by the board of the Queensland College of Teachers, the Chair of the college.

286 Role of the director

- (1) The director is the chief executive of the body.
- (2) The director—
 - (a) oversees the daily operations of the body; and
 - (b) liaises with the Queensland College of Teachers; and
 - (c) provides an annual report to the Governor in Chief of the Queensland College of Teachers.

287 Deputy Director/s of the body

- (1) The director may establish no more than four deputies to assist with the operations of the body.
- (2) The role of a deputy director may include—
 - (a) overseeing the operations of any of the following areas—
 - (i) teacher payroll; and
 - (ii) teacher grievances; and
 - (iii) career progression; and
 - (iv) industry equity; and
 - (v) other areas the director deems suitable to establish.
 - (vi) any other duties the director deems appropriate.

Part 3 Accountability structure

288 Representation

- (1) The body does not represent the State.
- (2) The body acts as a standalone entity reportable to the Queensland College of Teachers.

Part 4 Register of approved Teachers

289 Register of approved teachers to be kept

- (1) The body has access to the register of approved teachers managed by the Queensland College of Teachers, subject to the *Education (Queensland College of Teachers) Act 2005* section 288.

Part 5 Teacher memberships

290 Eligibility for full membership

- (1) A person is eligible for full membership if the body satisfied the individual meets criteria found in the *Education (Queensland College of Teachers) Act 2005* section 8.

291 Eligibility for provisional membership

- (1) A person is eligible for provisional membership if the body satisfied the individual meets criteria found in the *Education (Queensland College of Teachers) Act 2005* section 9.

292 Other provisions

- (1) A person is subject to all other relevant provisions in the *Education (Queensland College of Teachers) Act 2005*.

Division 1 Suspension or cancellation of membership

293 Application of division 1

- (1) This division applies in relation to a person who holds one of the following—
 - (a) full registration;
 - (b) provisional registration.

294 Body's power to suspend or cancel membership

- (1) The body can suspend or cancel a person's membership.

[s 295]

- (2) Action taken by the body under section 294(1) must follow recommendation from QCT.
- (3) The person's membership can be suspended in the following ways—
 - (a) immediate suspension; or
 - (b) suspension on a date to be confirmed.
 - (i) In such a circumstance, the person must be notified immediately.
- (4) The person's membership can be cancelled in the following ways—
 - (a) immediate cancellation; or
 - (b) cancellation on a date to be confirmed.
 - (i) in such a circumstance, the person must be notified immediately.

295 Reinstatement of membership

- (1) Following a suspension or cancellation of membership under 294(1), the body may reinstate the membership of the person.
- (2) Action taken by the body under section 295(1) must follow recommendation from QCT.
- (3) The person must be notified of the reinstatement of membership immediately.

Part 5 Employment experience and training opportunities for students with disabilities

13 School-based traineeships and apprenticeships

- (1) Students with verified disability may undertake a school-based traineeship or apprenticeship in addition to school commitments.
- (2) A student with disability may only undertake a school-based traineeship or apprenticeship if deemed fit for work by all of the following stakeholders—
 - (a) student's legal guardian;
 - (b) head of Specialist Education Services;
 - (c) the student's medical practitioner.

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- (3) Applications for school-based traineeships and apprenticeships for a student with disability must be co-signed by—
 - (a) head of Specialist Education Services; and
 - (b) the student’s medical practitioner.

14 Work experience

- (1) A student with disability may undertake unpaid work experience in addition to school commitments.
- (2) A student with disability may only undertake a school-based traineeship or apprenticeship if deemed fit for work by all of the following stakeholders—
 - (a) the student’s legal guardian; and
 - (b) head of Specialist Education Services; and
 - (c) the student’s medical practitioner.
- (3) Applications for work experience for a student with disability must be co-signed by—
 - (a) head of Specialist Education Services; and
 - (b) the student’s medical practitioner.

15 Amendment of Child Employment Regulation 2016

- (1) Regulation amended
 - (a) This clause amends the *Child Employment Regulation 2016*.
- (2) After clause 9
Page 7, after subsection (3)—
insert—

9A Working hours for school-aged children with disabilities

- (1) A school-aged child with disability may not work if—
 - (a) it is a school week and the child has already worked hours during the 25 week; or
 - (b) it is a week that is not a school week and the child has already worked 25 hours during the week; or
 - (c) it is a school day and the child had already worked 3 hours on the day; or

[s 16]

- (d) it is a day that is not a school day and the child has already worked 5 hours on the day; or
 - (e) the child has already worked for the same employer for a period of time that ended within the previous 12 hours.
- (2) Unless a relevant industrial instrument provides otherwise, a school-aged child with disability may not continue to work on a particular day if—
- (a) the child has worked 3 consecutive hours on the day and not had at least 15 minutes rest at the end of the third hour; or
 - (b) the child has already worked for a period of time on the day.

16 **Amendment of Education (Work Experience) Act 1996**

- (1) Act amended
 - (a) This clause amends the *Education (Work Experience) Act 1996*.
- (2) Page 7, s 10(3) after ‘laws’—
insert—
and regulation
- (3) Page 7, s 10(3)(b)—
insert, and renumber thereafter—
 - (c) the *Disability Discrimination Act 1992* (Cwth);
 - (d) the *Child Employment Regulation 2016*.
- (4) Page 7, after s 12(1)(b)—
insert—
 - (i) if the student has a verified disability—the HOSES;

17 **Process to determine student suitability for work experience, school-based traineeships, or apprenticeships**

- (1) Work-experience providers may engage in a work experience arrangement, school-based traineeship, or apprenticeship with a student with disability.
- (2) At the end of the work experience period, with written permission from the student’s parent or guardian, the student’s medical practitioner, and the HOSES, the student may engage in casual employment with the work experience provider.
 - (a) This agreement must be revised every six-month period.

18 State financial assistance of work experience, school-based traineeship, and/or apprenticeship providers for students with disabilities

- (1) Work experience providers, school-based traineeship providers, and apprenticeship providers may offer a student with disability casual employment at the completion of their work experience, school-based traineeship, or apprenticeship.
- (2) The State will support the cost of the child's employment for a period of 12 months up to 60 percent of the yearly cost.
 - (a) the following conditions apply—
 - (i) the State will support the cost of employing one child with disability for a period of 12 months;
 - (ii) the State will reimburse the employee's wage at award rate;
 - (iii) businesses may employ the child on days which attract penalty rates; the cost of employment on days when wages are more than 100 per cent the normal rate, is to be paid by the business and not reimbursed by the State.
 - (iv) business owners/managers must submit a statutory declaration to the State upon completion of the 12 month period;
 - (v) the State will reimburse business owners/managers upon assessment and acceptance of the statutory declaration.

19 Provisions for business owners employing a student with a disability

- (1) business owners may retain an employed child with disability for further employment following the 12-month period.
- (2) following the 12-month period, businesses accept full responsibility for payment of the employee's wage.

Part 6 Regional and Rural Teachers Assistance

20 Eligibility

- (1) Eligibility for assistance will be limited to those who meet the following criteria:
 - (a) the following conditions apply—

[s 20]

- (b) be a registered teacher with the Queensland College of Teachers.
 - (c) live and teach in a regional or rural Queensland state school.
 - (i) the teacher must be relocating to teach at a regional or remote Queensland state school.
- (2) Incentives Benefits
- (a) the State will provide a payment to teachers in regional and remote schools to incentivise permanency;
 - (b) payments will cease after 5 years with the same regional or remote school community;
 - (c) payment amounts will be determined in conjunction with the Queensland Government's school transfer rating;
 - (d) to be approved for payment the following criteria must be met
 - (i) the teacher must be working or have applied to work in a regional or remote school; and
 - (ii) the teacher must remain in the same regional or remote school for a minimum of 5 years
 - (e) The employer will pay an extra 5% in superannuation for the duration of time served in rural or remote school;
 - (f) Rent or housing to be provided by the employer at a fully subsidised or reduced rate;
 - (g) Priority placement in a metropolitan school after a service in remote areas of 10 years;
- (3) Experienced Teacher Incentives
- (a) Further benefits are offered to teachers based on their experience, to be eligible for these higher benefits, the teacher must:
 - (b) Have had full time continuing status for at least 10 years.
- (4) Benefits for experiences teachers
- (a) experienced teachers will receive the same benefits outlined in 2(1), except:
 - (b) an additional 5% is added to the teachers superannuation;
 - (c) an additional week of long service per year.
- (5) Specialised Induction Programs
- (a) the State may provide specialised induction programs relevant to regional or rural state schools with unique social or cultural contexts.
 - (i) social awareness;
 - (ii) cultural awareness;
 - (iii) linguistic awareness;

- (6) teacher Support network
 - (a) the State may provide an area coordinator for each regional or rural community to assist teachers to integrate into the local community
 - (b) the area coordinator shall be an applied position through Education Queensland
 - (c) services may include
 - (i) introduction to area
 - (ii) establishment of connections with existing teachers in rural and regional schools
 - (iii) counselling
- (7) Access to additional resources for regional and rural schools
 - (a) physical resources including—
 - (i) games, puzzles and toys;
 - (b) resources for children with special needs and EALD students;
 - (c) reliable internet services;
 - (d) personnel and specialist services including—
 - (i) physiotherapists;
 - (ii) occupational therapists;
 - (iii) guidance officers;
 - (e) specialised teachers including;
 - (i) instrumental music teachers
 - (ii) EALD teachers
 - (iii) STEAM teachers
 - (iv) Teachers aides

Part 7

Life Skills Education

21 Eligibility

- (1) All students in Queensland schools must take part in Life Skills classes.
- (2) Each student will undergo a minimum of 1 hour of Life Skills education per week

[s 22]

- (3) Schools are permitted the flexibility to reschedule any Life Skills education time missed during a week for an alternative time during the school term should it clash with another educational activity.

22 Implementation of Life Skills Classes in Primary School

- (1) Life Skills classes will include topics under the following structures for students in Years 2–6. All information taught will be appropriate to age groups.
 - (a) civic education including—
 - (i) Australian Institutions; and
 - (ii) Australian Civic History
 - (b) Emotional social education including—
 - (i) Sensitivity training; and
 - (ii) General self-consent training; and
 - (iii) Basic media safety and responsibility education; and
 - (iv) Emotional awareness education; and
 - (v) Basic cultural education.
 - (c) Independence including—
 - (i) sewing; and
 - (ii) horticulture; and
 - (iii) basic financial literacy; and
 - (iv) basic healthy eating.
- (2) These classes must be non-assessable.
- (3) The classes must be presented by properly trained professionals who have:
 - (a) passed a course relevant to the topic
 - (b) have relevant education training

23 Implementation of Life Skills Classes in High School

- (1) Life Skills classes will include topics under the following structures for students in Years 7–12
 - (a) Civic Education including—
 - (i) Political participation; and
 - (ii) Voting; and
 - (iii) Taxation
 - (b) Emotional social education including—

- (i) Sensitivity training; and
 - (ii) General self-consent training; and
 - (iii) Media safety and responsibility education; and
 - (iv) Cultural sensitivity; and
 - (v) Consent education
 - (vi) Personal hygiene and sexual education; and
 - (vii) Emotional awareness education.
- (c) Independence including—
- (i) multicultural cuisine; and
 - (ii) monetary education; and
 - (iii) home skills; and
 - (iv) basic self-defence; and
 - (v) first Aid; and
 - (vi) CPR
- (d) Professional and Employment training/guidance
- (i) networking skills; and
 - (ii) job interview training; and
 - (iii) resume writing