



The policy infrastructure for Learning Choices programs: An update 2014

For the Dusseldorp Forum
Compiled by Ann Deslandes, September 2014
Building on the work of Kitty te Riele, 2012

In 2012 Dusseldorp Forum¹ published Learning Choices: A map for the future. This report by Kitty te Riele analyses over 400 learning programs, with 33,000 young people enrolled in 1200 locations across Australia. The report draws on an in-depth analysis of reports and information from 33 specific programs as well as existing research publications about enabling all young people to complete their education.²

In Section 2, 'Policy', te Riele provides an overview of national and state policies that support or otherwise impact upon the provision of Learning Choices programs. Here in this document, the details in that policy section have been updated by Ann Deslandes to provide a current overview of these policies.

Dusseldorp Forum defines flexible and inclusive learning to include programs and initiatives that seek to increase engagement in learning, that take a whole of person approach to learning and focus on creating socially inclusive educational pathways for all young people. This intersects with activity that is widely referred to, in the learning sector and in education policy, as alternative education.

Narrowing the focus within this sphere of activity, Learning Choices programs³ are programs and initiatives, both outside school and in schools, designed to meet the diversity of needs for young people to be actively and positively engaged with their learning, achieving better life and learning outcomes and building pathways to further learning beyond school. Although there is much variety, what Learning Choices programs have in common is that:

- young people can attend by choice,
- they offer general education at secondary school level, enabling young people to achieve recognised credentials,
- they aim to adapt the offer of education to suit the young people who attend⁴.

This document is specifically about policy that affects Learning Choices programs.

¹ Previously known as Dusseldorp Skills Forum.

² Te Riele, K. 2012. Learning Choices: a map for the future, Dusseldorp Skills Forum, Sydney.

³ Dusseldorp Forum, 'Learning Choices programs'. 2014. Available at <http://dusseldorp.org.au/priorities/alternative-learning/program-database/>

⁴ Te Riele, K. 2012, p.6

The current policy environment

Since the Riele's Map for the Future report was published in 2012, there has been a change of government in Queensland, the Northern Territory, and Western Australia. A new Australian federal government has also been elected in 2013. 2014 sees a new government in Tasmania and a re-formed government in South Australia. A state election will take place for Victoria in November 2014.

As at September 2014 there are several areas of policy relevant to Learning Choices that are pending decision, under review and/or likely to change, particularly in light of changes announced in the 2014 Federal Budget. Flexible learning programs will continue to be significant in attaining policy targets and meeting the needs of young people who are disengaged or at risk of becoming disengaged from learning.⁵ In this context, state governments are considering the extent to which they will provide funding for programming elements which may otherwise be de-funded.

National policy

Broadly speaking, since 2010, Australian governments have pursued policies for young people under the rubric of '**learn or earn**'; where young people 12-24 are required to undertake prescribed education, training and/or employment activities in exchange for government support. The **National Partnership on Youth Attainment and Transitions**, agreed by the Council of Australian Governments in 2009, was a substantial effort towards this goal. The Partnership ended in 2013, though the Departments of Education and Human Services received funding in the 2013-14 Budget to extend the programs funded under the Partnership until the end of 2014.⁶ The National Partnership was intended to bring the Year 12 (or equivalent) attainment rate to 90% by 2015 – to have 90% of young people aged 20-24 attain Year 12 or its approved equivalent, Certificate II. To achieve this target three related policies were agreed:

1. Young people must complete junior secondary school – they must attain Year 10 level of schooling.
2. Young people must be in full-time schooling, recognised training or paid employment, or a mix of these, until they turn 17. This is known as 'learn or earn'.
3. Access to welfare benefits are restricted for young people under 21 who have not attained Year 12 or equivalent.

At the same time, a series of programming elements and partnerships were put in place. These include the Compact with Young Australians; the Youth Connections Program; the School Business Community Partnership Brokers Program; the Special Assistance Schools Legislation; and Smarter Schools. The significance of each is highlighted briefly below.

The '**Compact with Young Australians**' was entered into on the premise that, if young people were to attain Year 10 and to 'learn or earn' until the age of 17, the Government would provide an entitlement to an education or training place. The common public perception is that a young person must remain in school until age 17. In practice, this means the Compact promises young people a government-subsidised study or training place as long as a place is available, and as long as the young person meets the admission requirements of that place.

⁵ See e.g. Queensland Government, Minister for Education, Training and Employment, 'Green light for tougher school discipline powers', Media release, Thursday October 31, 2013. Available at <http://apo.org.au/content/intranets2014-essential-intranet-conference>

⁶ Department of Education, Employment and Workplace Relations (DEEWR), Portfolio Budget Statement 2013-2014, 2013. p.61. Available at http://docs.employment.gov.au/system/files/doc/other/201314_deewr_portfolio_budget_statements.pdf

The **Youth Connections** program was developed and funded under the National Partnership, with funding to cease in December 2014. Youth Connections programs are aimed at re-engaging young people who have disengaged or are at risk of disengagement from school. In 2013, some of the guidelines for delivery of Youth Connections were altered to ensure the programs focussed on “severely disengaged young people (those disconnected from school/education/training for three months or more); and connecting these young people with activities to support their re-engagement with learning, family and community”, and could deliver greater regional co-ordination of these activities.⁷

The Youth Connections Final Outcome Indicators are: strengthened engagement; re-engaged in education; engaged in employment; claiming employment outcome indicators; and commenced in education. There is a strong interface between Youth Connections and Learning Choices programs and any changes to Youth Connections will have consequences for Learning Choices.

The **School Business Community Partnership Brokers** program was also funded under the National Partnership and supports community involvement in re-engaging young people in education and training⁸. Partnership Brokers support schools, business and industry, parents and families and community groups to work together on programs that support student engagement and improve education and transition outcomes. It comprises a national network located in 113 regions. Funding for Partnership Brokers will cease in December 2014.

The **Special Assistance Schools (SAS)** legislation remains whereby State and Territory Education ministers must recognise a non-government flexible learning program as a special assistance school and provide SAS funding.

There are also three other National Partnerships, operating under the rubric of Smarter Schools, that impact on Learning Choices: aimed at addressing disadvantage, supporting teachers and school leaders and improving literacy and numeracy.

State and Territory Policy

All Australian states and territories are agreed to the 90% target and to the three attendant policies highlighted above. There remain some minor differences between states and territories, especially in relation to procedures for implementing the policies and in relation to alternative education provision. Some of these differences and procedures have changed since 2012 and are updated here.

ACT Snapshot

The ACT Youth Commitment requires all agencies that serve young people to the age of 17 to commit to ensuring that no young person is lost from education, training or employment.⁹ To advance the Commitment, four Re-engaging Youth Network Boards were established in the four regions of the Territory to keep young people engaged in education, training or work.¹⁰

- A young person under age 17 who has not yet completed Year 10: For youth who indicate an intention to leave school, responsibility rests with schools to complete a ‘High School student Re-engagement/transition checklist’ and to assist the young person with the transition to another school, college or approved education provider. Approved education

⁷ Department of Education, Youth Connections Program Guidelines – Update May 2013, Australian Government. 2013. Available at

http://docs.education.gov.au/system/files/doc/other/youth_connections_program_guidelines_update_may_2013_0.pdf

⁸ Department of Education, ‘School Business Community Partnership Brokers Programme reports and research’, <https://education.gov.au/school-business-community-partnership-brokers-programme-reports-and-research>

⁹ Education and Training Directorate (DET), ‘ACT Youth Commitment’, ACT Government. Available at <http://www.det.act.gov.au/actyc>

¹⁰ DET, Annual Report 2012-2013, December 2013. Available at http://www.det.act.gov.au/publications_and_policies/publications_a-z/annual_report/annual-report-2012-2013/section-b/b1-community-engagement

providers are Registered Training Organisations that enable a young person to complete year 10 or 12 or undertake a vocational education and training course.

- A young person under age 17 who has completed Year 10: For this group the default expectation is to remain in education, however, the young person or their parent may apply for an Approval Statement (to undertake work related training, join the workforce or a combination of work /training/education) or even an Exemption Certificate for full or partial exemption from the participation requirement.

In implementing the National Partnership, the ACT Government also developed the Youth Attainment and Transitions (YAT) Strategic Funding Pool program. The program awarded funding for “innovative, catalytic, sustainable projects that support or enhance the youth attainment and transition programs and activities in the ACT”, and to support the achievement of the ACT’s targets under the National Partnership.¹¹ In January 2014 the Funding Pool program was replaced by the Re-engaging Youth Network Boards Funding and is now managed by the ACT and Regions Chamber of Commerce and Industry. The Chamber is the Partnership Broker for the ACT region.¹²

NSW Snapshot

- A young person under age 17 who has not yet completed Year 10: Leaving school is a collaborative process between the student, the parent/caregiver, the school and the local TAFE whereby it is determined if it is in the student’s best interest to transfer to TAFE for a Year 10 equivalent program. If all parties agree, then an approval form is completed by the school principal and the TAFE Institute director. It is also possible for the young person to take up an apprenticeship (or traineeship). This requires the principal to issue a Certificate of Exemption from Enrolment.
- A young person under age 17 who has completed Year 10: The school principal needs to ensure there are appropriate systems and procedures in place for supporting students in deciding which participation pathway to follow if they decide to leave school. Students who choose full-time work may be asked to provide a letter from their employer to the principal that confirms their employment.¹³

The Links to Learning program has provided fixed-term grants to non-government community organisations to assist them in working with young people aged 12-24 who have left or are at risk of leaving school. Learning Choices programs have been able to get recognition as special assistance schools. The NSW Board of Studies added the option for schools to register as a “Board Endorsed Alternative Education Program”. This provision has enabled a minority of young people to meet the new completion and participation requirements through an alternative program.¹⁴ The new Links to Learning program was released on September 1, 2014. This program places an increased emphasis on schools keeping students who are at risk of disengagement, delivery according to curriculum, and on enhancing schools’ provision through local advisory groups, supported by strengthened links to non-government organisations. In this new program, provision is for young people until year 12.

¹¹ Standing Council on Federal Financial Relations, ‘Implementation Plan for the National Partnership Agreement on Youth Attainment and Transitions’, Government of Australia, Australian Capital Territory, nd. Available at http://www.federalfinancialrelations.gov.au/content/npa/skills/youth_attainment_transitions/ACT_IP.pdf

¹² Department of Education, Schools-Business Community Partnership Brokers programme, Government of Australia, 2014. Available at <https://education.gov.au/schools-business-community-partnership-brokers-programme>

¹³ Department of Education, ‘The new school leaving age. Guidelines for principals in government schools’, Government of NSW, 2009.

¹⁴ NSW Board of Studies, ‘Guidelines for Equivalent and Alternative Courses of Study’, 2011. Available at http://www.boardofstudies.nsw.edu.au/manuals/pdf_doc/equivalent-alternative-courses-guidelines.pdf

NT Snapshot

- A young person under age 17 who has not yet completed Year 10: In the Northern Territory, there is no clear procedure for students under the age of 17 who wish to leave school before completing Year 10, except parents obtaining approval to provide home education.
- A young person under age 17 who has completed Year 10: After completing Year 10, young people must complete a Notification of Arrangements form. The responsibility lies with the parent/guardian to ensure the form is completed and sent to the school or local Division. This requires provider or employer to complete their details and indicate the hours per week the young person will be engaged in work or training. The Northern Territory also offers a 'Beyond School Guarantee Referral Service' for young people who need "assistance with pathways to employment, education or training choices in the first two years after leaving school". Providers of approved training programs and employers are expected to ensure the young person has completed Year 10 before accepting them for training or employment.

The following arrangements are still in place:

1. Personal Learning Plan as part of the Northern Territory Certificate of Education and Training (NTCET) to assist student in planning for their future
2. Training for Remote Youth provides structured training and learning experiences that prepares youth for employment in the community or re-engages them in future learning
3. The Northern Territory Open Education Centre (NTOEC) may act as a 'de facto' Learning Choices program for some students
4. The Indigenous Response Program (NT DET, 2011c) provides access to Vocational Education and Training (VET) that meets the specific needs of Indigenous clients and is delivered on site in communities. This is not an alternative to meet the participation requirements, as it is offered only to Indigenous people who are at least 17 years of age.
5. The NT Government is currently conducting consultation with a view to reform of the Education Act. A Discussion Paper fields a number of possible options for reform that may affect Learning Choices programs. These include: cancellation of enrolment (for students post the compulsory school age) by the principal if a young person "is not attending school regularly" or "is not participating in the program of instruction". The Paper also notes that punitive responses (including infringement notices and compulsory conferencing) to non-school attendance introduced in 2011 might be complemented with "provisions to accommodate different models and places of education delivery and the specific needs of some groups of students".¹⁵

QLD Snapshot

- A young person under 16, with or without Year 10: Queensland refers to a compulsory school age until the young person turns 16 or completes Year 10, whichever comes first. Exemptions and Learning Choices options are not usually available to youth under 16 years, although there are some registered schools that deliver alternative programs and have learners in Year 8 and 9. Otherwise, youth under 16 years must remain in school during the compulsory school age. In Queensland, the Senior Phase Education and Training Reforms for the Future (ETRF) preceded the CoAG agreement by several years and as a result there are some differences with other states.

¹⁵ Department of Education, 'Reform of the Education Act (NT) Discussion paper for consultation', Northern Territory Government, 2014. Available at <http://www.education.nt.gov.au/about-us/legislation/education-act>

- A young person between 16 -17, with or without year 10: enters the compulsory participation age whereby they must remain in a full-time combination of education/training/employment (25 hrs week) until 17 years; unless full-time employment or an apprenticeship is obtained. Senior Education and Training (SET) Planning is used to assist students to identify appropriate education and training pathways. The Principal is required to open a learning account for students with the Queensland Studies Authority so that a young person can work towards a Certificate of Education if he/she wants to. The compulsory participation age ends when the young person gains a Senior Certificate, Certificate III or Certificate IV; or has participated in eligible options for 2 years; or turns 17.

In relation to recognising Learning Choices programs as special assistance schools, the Queensland government uses these criteria for an accredited non-state school:

1. has been established specifically and solely for the purpose of catering for young people who are not engaged in education, VET or work;
2. has facilities, staffing structures and operational models that support education services for young people to re-engage in sustainable educational pathways;
3. enrolls only students who are not engaged in education, VET or work;
4. enrolls students mainly through a referral process (e.g. other schools, juvenile justice system, child protection agency, community agencies, etc.);
5. has a flexible and specific educational program designed to re-engage and maintain students in an accredited education pathway;
6. has active links with community agencies and educational providers which assist 'at risk' youth; does not charge tuition fees.

Learning Choices programs funded by the government to support young people who are at risk of disengaging or have disengaged include Youth Support Co-ordinators¹⁶ and Positive Learning Centres.¹⁷

The 'Strengthening Discipline in Queensland State Schools strategy' includes "an enhanced commitment to alternative learning centres that provide specialised support to students with complex needs."¹⁸

SA Snapshot

A young person under 16, with or without Year 10: In South Australia, the compulsory school age is until age 16. The parent/guardian of a young person under age 16 can complete a request for 'Exemption from school enrolment/attendance and education enrolment/participation' that the school can approve.¹⁹

- A young person between 16 -17, with or without Year 10: Between the ages of 16-17, young people must participate in an approved learning program or apply for an exemption to

¹⁶ In 2013 the Department announced that "from January 2014, the Department of Education, Training and Employment will direct its investment in the Youth Support Coordinator Initiative to schools to fund locally determined responses for vulnerable young people in senior levels of schooling" In effect this means that schools now have autonomy over how they spend their allocated funding for these positions and many are joining together to share one position across 2 schools - they have the flexibility to recruit themselves. See Department of Education, Training and Employment, 'Youth Support Co-ordinators', Government of Queensland, 2014. Available at <http://www.communities.qld.gov.au/communityservices/youth/youth-support-coordinators-yssc>

¹⁷ Department of Education, Training and Employment, 'Positive Learning Centres', Government of Queensland, 2014. Available at <http://education.qld.gov.au/student-services/behaviour/plc/locations.html>

¹⁸ Minister for Education, Training and Employment, 'Tougher school disciplinary powers in 2014', Media release, January 21 2014. Available at <http://statements.qld.gov.au/Statement/2014/1/21/tougher-school-disciplinary-powers-in-2014>

¹⁹ SA DECD 2011a. Compulsory school age. Available:

<http://www.decd.sa.gov.au/speced2/pages/attendance/attendanceInfo/Compulsory>

SA DECD 2011b. Exemption from School Enrolment/Attendance and Education Enrolment/Participation. Available: <http://www.decd.sa.gov.au/portal/community.asp?group=mattersandid=exemptions>

participate in full time employment, unless they have already completed the Year 12 SACE or an equivalent qualification. Responsibility lies with the student's school to negotiate an approved learning program using the EDSAS (reporting system) to create a Compulsory Education Age (CEA) record. For an exemption, the school initiates a counselling process to discuss the student's circumstances and the quality of the employment opportunity in terms of any training component and its relevance to the student's future career aspirations. The school principal must endorse the exemption form and forward it to the Director, School and District Operations.

- In relation to Learning Choices programs, in 2005 South Australia set up Innovative Community Action Networks (ICANs) which from 2007 onwards also included Flexible Learning Options (FLO). This is the most systematic, state-wide approach to Learning Choices provision in Australia so far. ICANs are supported at state level but operate locally through a management committee that "collaborates to develop local solutions to meet the particular needs of identified disengaged young people in their region".²⁰ Flexible Learning Options is an enrolment strategy whereby the activities undertaken by the young person may include "part-time schooling; learning at an independent centre located off a school campus; a TAFE course, a course provided by a non-government organisation and structured workplace learning".²¹ Responsibility for students remains with the local government school, even when they leave to attend FLO activities elsewhere, but practical support for the young person is provided through a case manager.

The Youth Connections Specialised Services program is delivered only in South Australia. It provides support under the same principles as the Youth Connections programme but is targeted towards young people who are at risk of becoming involved with, or who are already involved with the youth justice system.²²

The Innovative Community Action Networks strategy was developed by the Department for Education & Child Development as a unique and systemic response to vulnerable young people from Year 6 to the age of 20, who have significant personal barriers to engagement in learning at school. Using school and community partnerships, flexible learning option (FLO) enrolments and a targeted case management services, disengaged children and young people are successfully re-engaged in accredited learning programs. ICAN aims to help these young people successfully return to school and/or begin on a path to further education, training and employment.

Victoria Snapshot

- A young person under age 17 who has not yet completed Year 10: An exemption authorised by the Regional Director is required. This is done through completing a 'School Exit Form'. Permission may be granted for undertaking an apprenticeship or to complete Year 10 or equivalent in a non-school setting. These young people should also have a formal exit interview with a careers practitioner and complete the Managed Individual Pathways (MIPs) information and individual Career Action Plans (pathway plans) documentation.
- A young person under age 17 who has completed Year 10: Exit interviews and the 'School Exit Form' also apply to young people under age 17 who have completed Year 10. Schools are required to record destinations of Year 10-12 exit students through CASES 21 (the integrated school administration and finance software system used in Victorian Government Schools) for transmission to DEECD following the February Census.

²⁰ SA DECS 2011: p4. Innovative Community Action Networks. ICAN guidelines Primary and Secondary Schools 2011. Adelaide: Department of Education and Children's Services

²¹ SA DECS 2011: p4.

²² Department of Education, 'School to work transitions: Research, reporting and evaluation', Government of Australia, January 2014. Available at <http://www.education.gov.au/school-work-transitions-research-reporting-and-evaluation>

The Victorian government has been working towards a policy framework that is intended to provide holistic support to address young people's disengagement from school. An Action Plan, 'Victoria as a Learning Community' was released in November 2012. Under the heading 'Maximising Access and Inclusion', the Government provides Student Resource Package funding intended to follow students who are disengaged from school into nominated re-engagement programs.²³ Entry to a re-engagement program includes individual assessment, a strengths-based plan, case management where appropriate, and mentoring.²⁴

Youth Partnerships is a pilot program intended to "test new ways for services across all youth sectors to work together more collaboratively to support vulnerable young people aged 10 to 18 years. The key goals of Youth Partnerships are to improve engagement in education and training; and to reduce the escalation of problems for individual young people."²⁵ The pilot is funded until mid-2014 and will inform government on future action on improving young peoples' engagement in learning, possibly through the Vulnerable Children's Strategy 2013-2022.

Tasmania Snapshot

- A young person under 16, with or without Year 10: In Tasmania, all young people are required to be enrolled in a school or home-educated until the end of the year in which they turn 16 with or without completing Year 10. Parents can apply for 'dispensation' to the Secretary of the Department of Education through their local school for medical reasons.
- A young person between 16 -17, with or without Year 10: For Year 10 students the responsibility lies with the school principal who must lodge a participation record with the Tasmanian Qualifications Authority (TQA) identifying the student's intended destination for the following year. Leading up to this, government schools use a pathway planning process for each student, supported by Pathway Planning Officers. However, the responsibility for ensuring the plan is implemented lies with the parent/guardian.

In terms of Learning Choices programs, Innovative Flexible Education Grants are used to provide initiatives that support flexible learning for secondary students. Grants are made to partnerships of non-government organisations with government schools for three years to "encourage, facilitate and enhance innovative flexible delivery approaches to improve attendance and retention in Tasmanian schools".²⁶

The Agenda for Children and Young People, launched in 2011, includes action areas such as "review the evidence base and current practice of schools working in partnership with their communities to identify opportunities to promote effective home, school and community partnerships" and to "support young people to attain a year 12 qualification or equivalent".²⁷

WA Snapshot

²³ Department of Education and Early Childhood Development (DEECD), 'Student Support Funding Follows the Student', Government of Victoria, 2013. Available at

<http://www.education.vic.gov.au/about/department/vlc/Pages/supportfunding.aspx>

²⁴ DEECD, 'Engagement and Wellbeing', Government of Victoria, 2014. Available at

<http://www.education.vic.gov.au/school/principals/participation/Pages/reengagewellbeing.aspx#3>

²⁵ DEECD, 'Youth Partnerships', Government of Victoria, 2012. Available at

<http://www.youthpartnerships.vic.gov.au/About-Youth-Partnerships/Pages/AboutYP-Home.aspx>

²⁶ Department of Education, 'Innovative Flexible Education Grants', Government of Tasmania, 2014.

http://www.education.tas.gov.au/parents_carers/schools-colleges/Programs-Initiatives/Pages/Innovative-Flexible-Education-Grants.aspx

²⁷ Office for Children, Our Children Our Young People Our Future, Department of Premier and Cabinet, Government of Tasmania 2011. Available at http://www.dpac.tas.gov.au/divisions/cdd/policy/agenda_for_children_and_young_people

- A young person under 16, with or without Year 10: Western Australia, like Queensland, created youth participation legislation some years before the CoAG agreement. As such any young person under 16 years is within the compulsory school age and is expected to stay at school or be registered for home schooling until they turn 16.
- A young person between 16 -17, with or without Year 10: Young people under age 17, whether they have completed Year 10 or not, should have an individual pathway plan A pathway refers to a course or combination of courses to be accessed by a student in fulfilling the legal requirement of full-time participation. A 'Notice of Arrangements' form as well as either an 'Application to Participate in a Combination of Options' form or 'Application to Participate in Full-time Employment' form needs to be completed by the parent/carer. The Participation Manager in the local district education office has authority to approve this. Unique to WA, responsibility is placed on employers, who are not allowed to employ compulsory-aged students in the year in which they turn 16 or 17 years of age on a full-time or part-time basis without prior approval, if the employment forms part of a pathway option other than full-time school.

Learning Choices programs in WA are organised in two ways:

1. Engagement programs are for young people in Year 11 and 12, and aim to enable them to better access further education, training and / or employment by developing “awareness, skills, knowledge and personal attributes”
2. Community based courses are for young people of compulsory school age who have disengaged from schooling and need an alternative opportunity “to develop their literacy, numeracy, social and life skills in a safe and secure environment that is comfortable for them and conducive to learning”

WA also has Curriculum and Re-Engagement (CARE) schools that specifically cater for young people disenfranchised from mainstream schools.

In 2013 the WA Alternative Forum was established with support from the Department of Education to co-ordinate and advance the provision of alternative education in WA.

Learning Choices programs work in a dynamic field, amidst ongoing changes to policies and programming. Across all states and territories, further research is needed to document the enactment and effects of these policies. Such work contributes to a growing body of understanding and evidence about how these various procedures work ‘on the ground’ and ultimately, the impact they have on supporting young people’s successful transitions.