

SECOND READING SPEECH  
THE HON DAVID JOHN BARTLETT MP

*EDUCATION AMENDMENT BILL 2009*

This Bill is an amendment Bill which amends the *Education Act 1994*. The Bill will provide for a new Act which will be cited as the *Education Amendment Act 2009* to commence on the day the Act receives Royal Assent.

Mr Speaker,

I move that the Bill now be read a second time.

Mr Speaker, today I bring to the house this Bill that will clarify the intent of the *Education Act 1994* in relation to the enrolment of children under the age of four in kindergarten.

Advice from the Solicitor-General received by the Department of Education earlier this year, was that the current Act does not allow for any discretion by the Secretary in this regard.

However, prior to and since the proclamation of the Education Act in year 1994, a small number of children under the age of four have been enrolled every year in both government and non-government schools in two specific circumstances.

Mr Speaker, one of these circumstances relates to the agreement by Education Ministers nationally to ensure that no child moving interstate will be disadvantaged in his or her progress through the school system by the different school starting ages across Australia.

As recently as 2007, the then Ministerial Council for Education, Employment, Training and Youth Affairs reaffirmed this agreement. The amendment will enable compliance with that agreement.

Mr Speaker, the other circumstance relates to children who will be at least three and a half years old by 1 January in the year they are entering kindergarten and who have been assessed by a registered psychologist as being gifted under a set of guidelines which have been agreed by all three education systems in Tasmania.

Numbers of children enrolled under these guidelines remain relatively constant each year. In 2009 24 children were enrolled from 37 applications in both government and non-government schools. This is out of a total of about 5900 enrolments.

Mr Speaker, once it was found that these two long standing practices were not in line with the current Act, it was determined to amend Section 46 of the Act to enable them to continue in the best interests of the children involved.

To avoid any doubt, the amendment also includes a provision that ensures that any enrolment of a child younger than four years in a state school prior to the commencement of this Bill, is taken to be valid.

You will note that the amendment contained in this Bill will only apply to state schools as this is how the Education Act is framed. As Honourable Members may be aware, enrolment requirements in non-government schools are administered by the Schools Registration Board as part of standards approved by the Minister for Education under the Education Act. The Catholic Education Office and Association of Independent Schools of Tasmania have indicated their support for this amendment and I will ensure that the relevant standard will also be amended to mirror the new provision of the Act.

Mr Speaker, the Government fully supports the introduction of this Bill.

I commend the Bill to the House.