

# SPECIAL EDUCATION IN ETHICS PROCEDURES

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Implementation document for the Special Education in Ethics policy

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## Document history

Version	Date	Description	Approved by
1.0.0	17/05/2013	<p>First publication</p> <p>Special Education in Ethics Implementation Procedures.</p> <p>The implementation procedures consider recommendations 1-5 of the NSW Ethics Course Trial Final Report (2010), Section 33A of the Education Act 1990 and the Final Report from the Inquiry into Education Amendment (Ethics Classes Repeal) Bill 2011.</p> <p>These procedures superseded the Special Ethics Education Information for Principals</p>	Deputy Director-General Schools
	07/06/2013	Minor update to wording	
	14/12/2016	Change of template to meet Web Content Accessibility Guidelines (WCAG) 2.0	
	20/12/2017	Considers the recommendations of the 2015 Review of Special Religious Education and Special Education in Ethics in NSW government schools	Deputy Secretary, Educational Services
	10/01/2019	Update of website links	
1.2.1	08/05/2020	Update of contact details	
1.2.2	14/07/2021	Update of website links	Special Religious Education and Special Education in Ethics Officer
1.3.0	25/07/2022	Updated website links. Updated section 4.2 to reflect current Working with Children Check procedures	A/Executive Director, Curriculum and Reform

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## 1 Definitions

Special Education in Ethics (SEE) is education in ethical decision making, action and reflection within a secular framework, based on a branch of philosophy.

Special Religious Education (SRE) is the beliefs and practices of an approved religious persuasion delivered by authorised representatives of that persuasion. It is the distinctive religious tenets and beliefs of the home and family, provided by the churches and other religious groups for children of parents expressing the desire that they receive such teaching. The [Religious Education policy](#) and procedures are available on the [religion and ethics](#) website.

## 2 Context

[Section 32](#) of the [Education Act 1990](#) requires that 'in every government school, time is to be allowed for the religious education of children of any religious persuasion'.

[Section 33A](#) of the [Education Act 1990](#) allows SEE as an option for children whose parents have withdrawn them from special religious education.

The procedures for SEE in public schools consider:

- recommendations 1 – 5 of the report, NSW Ethics Course Trial, Final Report (2010), which were adopted by the government in November 2010
- Section 33A of the Education Act 1990
- recommendations of the Final Report from the Inquiry into Education Amendment (Ethics Classes Repeal) Bill 2011
- the recommendations of the 2015 Review of Special Religious Education and Special Education in Ethics in NSW government schools.

[Primary Ethics](#) is currently the only approved provider of special education in ethics. The provision of SEE is not government funded.

These procedures should be read in conjunction with the [Special Education in Ethics policy](#) and [Religious Education policy](#) and procedures, to which they are related.

## 3 Responsibilities of schools

### 3.1 Communication about SEE

Parents/caregivers have the right to know how SEE will be organised each school year and which organisations will be available to deliver it.

Support documents for schools, including the SRE and SEE participation letter, can be found on the religion and ethics website.

Parents/caregivers can choose to enrol their child into SRE from the school's available approved provider(s) or to withdraw their child from SRE. Students withdrawn from SRE can elect to engage in SEE where available, or in alternative meaningful activities.

A parent/caregiver may at any time notify the school in writing that they do not wish their child to attend SRE/SEE or to change their nomination. Students are to continue in the same arrangement as the previous year, unless a parent/caregiver has requested a change.

### 3.2 Provision of SEE

Principals must allow time for SEE where authorised representatives of approved providers are available. SEE is an integral part of school activities, taking place during school hours and under the jurisdiction of the school. If no SRE providers are available, SEE may still be delivered.

Principals must ensure that no academic instruction or formal school activities occur during time set aside for SEE.

SEE is organised by negotiation and agreement between the principal and the approved providers. Principals need to be sensitive to the fact that SEE teachers are volunteers and that they may have other commitments.

On average, not less than 30 minutes and not more than one hour of meaningful teaching time per week should be allocated for SEE. The lessons or period length for SEE should be consistent with the age and attention span of the students.

A flexible time schedule may be used depending on the length of the school's standard period. For example, schools may hold SEE fortnightly for a minimum of one hour or schools may hold an assembly once per month for a minimum of two hours. These variations can be made if the principal and the approved providers agree and provided that the time allocated does not exceed an average of one hour per school week. Arrangements are reviewed regularly by the principal.

Principals must ensure that adequate learning facilities are provided for the delivery of SEE/SRE, including adequate accommodation and access to classrooms. If available, the principal may consider providing access for the use of school technology for the purposes of delivery of SEE. Providers should negotiate this with the principal of individual schools.

Principals are required to notify representatives of approved providers and their teachers of any changes to school routines that may impact on the scheduled time of SEE classes. This advice should occur well in advance if known.

Schools must adhere to privacy legislation and make sure that confidential information, in any form, cannot be accessed by unauthorised persons. This includes details about students and SEE teachers.

Schools are responsible for:

- cross-referencing SEE teachers on the department's Not to be Employed (NTBE) database in Electronic Casual Pay Claims (eCPC) each term or when a new SEE teacher commences
- providing access to current information about approved providers working in their school, including links to the approved providers' authorised curriculum scope and sequence(s) and information on alternative meaningful activities. This information needs to be provided at enrolment, on the school's website, and in the school newsletter
- student behaviour management and retain duty of care, including for student supervision, health, safety and wellbeing, during SEE. Schools intervene in cases where it is necessary to maintain good order and conduct. It is the responsibility of the principal to manage such cases with the representative of the approved provider
- Where a parent/caregiver requests SEE, and it is not currently available in the school, the school will provide the parent/caregiver with the names and contact details of the approved provider of SEE.

Class teachers are not required to attend classes in SEE, but may, with the agreement of the teacher of SEE or at the request of the principal, remain in the classroom to assist with and monitor student behaviour. This is at the discretion of the principal and should be negotiated with the SEE provider.

In line with the department's Code of Conduct, employees of the department are not to teach SEE whilst on duty.

### **3.3 Students not attending SEE**

In the allocated time/s set aside for SEE, students not attending are to be provided with supervised alternative meaningful activities. This could include reading, private study or completing homework. They must be in a separate physical space from SEE classes and be supervised by a member of the school staff.

Supervision of students is to be consistent with the department's duty of care requirements outlined in the Code of Conduct. Students are not to be participating in lessons in the school curriculum or other extra-curricular activities during this time.

### **3.4 School SEE coordinator**

Where appropriate, a member of staff may be appointed as the school's SEE coordinator. Duties of the coordinator include:

- arranging meetings early in term 4 of each year between the school and representatives of the approved providers to discuss SEE organisation for the following year, including estimated numbers
- liaising with SEE teachers to:
  - provide a site induction and familiarise them with the procedures and operations of the school
  - advise of any variations of school routine affecting SEE
  - provide a class list and any special information, such as disability or special needs, which might affect the health, behaviour or performance of particular students.
- maintaining SEE records, including:
  - an up-to-date list of the authorised SEE teachers from the approved religious providers
  - a list of the names of students in each class for SEE.
- advising parents/caregivers of arrangements for SEE classes for the next year and ongoing information about any changes as they occur.

### 3.5 School managed complaints

Principals determine whether complaints are to be managed by the school or by the provider. Principals make clear to complainants what issues are the responsibility of the school to resolve and what are the responsibility of the provider to resolve. For example, alleged teaching inefficiency or inappropriate lesson content are managed by the provider.

School managed complaints follow the department's Complaints Handling policy. If a principal receives allegations of improper behaviour or other complaints of a serious nature, it must be managed in accordance with the department's policies and procedures. Any allegations of a child protection nature must be referred to the department's Professional and Ethical Standards (PES) Directorate which will determine how the matter should proceed.

## 4 Responsibilities of providers

### 4.1 Approval to deliver SEE

Providers must have the approval of the Minister for Education to deliver SEE.

Organisations wishing to obtain approval to deliver SEE should contact the SRE/SEE Officer at [SEEcontact@det.nsw.edu.au](mailto:SEEcontact@det.nsw.edu.au).

To maintain approval to deliver SEE, approved providers must return to the department the annual assurance which requires that they have procedures in place to ensure compliance with the requirements of the Child Protection (Working with Children) Act 2012 including verification of the Working with Children Check (WWCC) clearance.

The department's SRE and SEE Officer will send to approved providers the annual assurance via email in term 4. This must be returned before the start of term 1 of the following school year.

Approved providers will lose their approved provider status if the responsibilities outlined in the annual assurance are not addressed.

### 4.2 Recruitment, training and support

It is the responsibility of an approved provider to recruit, train and authorise sufficient teachers of SEE, and to inform the school of the names, contact details and date of birth of SEE teachers. The approved provider should inform the principal when there are insufficient authorised teachers available.

Approved providers must ensure that all personnel over the age of 18 years have had a Working with Children Check (WWCC) clearance. A volunteer under the age of 18 is exempt from needing a WWCC and is required to complete the department's Declaration for child related workers.

The provider must ensure that all SEE teachers are provided with a name badge that must always be worn on a school site. The badge must include the name of the approved provider.

Approved providers are required to have in place a system of authorised initial training, regular ongoing training and support, including mentoring for their SEE teachers. The training is to include child protection, classroom management, and how to implement the approved provider's authorised curriculum sensitively and in an age-appropriate manner. This information is to be published on the approved provider's website.

Approved providers should conduct regular reviews of SEE teaching and use of approved curriculum. Approved providers are required to report the results of the review through the annual assurance process including efforts to address any identified issues.

### **4.3 Lesson content**

It is the responsibility of an approved provider to:

- authorise the materials and pedagogy used by SEE teachers, have a process in place to manage other materials, including internet resources, identified by the SEE teacher and return the annual assurance to the department as outlined in [section 4.1](#)
- make their curriculum scope and sequence(s) accessible on their website in sufficient detail for parents/caregivers and schools to be able to understand what is covered in SEE lessons
- provide the link to their website to the school so it can be placed on the school's website to be easily accessible to parents/caregivers
- provide information about the content of lessons when requested by parents/caregivers/principals
- organise any excursion with the consent of the principal and in accordance with the department's [Excursions policy](#).

### **4.4 Provider-managed complaints**

Approved providers must make publicly available on their website their complaints procedures. Complaints must be resolved within a reasonable timeframe.