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FINAL RECOMMENDATIONS ON TEACHER REGISTRATION IN THE ACT



CONTENTS

Executive Summary of Recommendations.....	1
Purpose.....	3
Recommendations.....	4
Governance of Registration body	4
Criteria for registration	5
Mutual Recognition	6
Professional Standards	7
Professional Conduct	8
Teacher Education.....	9
Professional Learning	10
Composition of a Registration body.....	11

EXECUTIVE SUMMARY - RECOMMENDATIONS

This paper provides the final series of recommendations, which follows the community consultation on teacher registration in the ACT undertaken since May 2007. These recommendations take account of the feedback provided in the consultation period and also noting what processes and structures are in place in other Australian jurisdictions. The information contained in this paper is open for further comment before a final report is submitted to ACT Government by the end of 2007

Governance of the Registration Body

That the teacher registration body would reasonably sit within the portfolio of the Minister of Education and Training. The Minister would allocate the resources that the body needed to function effectively. The body would be responsible to the Minister for the effective and ethical management of these resources and would be independent from the government department.

That the registration body may involve a committee structure that supports its key functional responsibilities, i.e. accreditation of teacher education programs, registration and appeal matters, professional standards, and governance.

Criteria for Registration

That the ACT introduces three basic levels of teacher registration, as follows:

Full Registration for teachers who are fully qualified and who can demonstrate that they have achieved the required standard of professional practice. Experienced teachers who are new to the jurisdiction can apply directly for full registration, subject to demonstrating the required standard of professional practice.

Provisional Registration for teachers who are either: fully qualified, but not yet able to provide evidence that they have achieved the required standards of professional practice; or currently employed as a teacher but does not have four-year qualifications; or are in their final semester of study.

Permit to Teach enables employers to offer people with relevant skills, knowledge and experience a teaching position. This is in circumstances where a position cannot be filled by an appropriately registered teacher. The permission would normally only be granted for a fixed period.

Mutual Recognition

That a teacher registration process be introduced to comply with mutual recognition requirements.

Professional Standards

The inclusion of professional standards in the teacher registration process for the ACT based on:

- professional standards that adds value to the teaching profession and enhances public confidence in it.
- recognition of the particular educational interests of the ACT community but at the same time ensure that they are broad enough to encompass recruits from other jurisdictions and from overseas when necessary;
- an alignment with a national framework.

Professional Conduct

That the registration body establishes a set of agreed minimum standards in relation to professional conduct.

Teacher Education

That the registration body has a focus on formal accreditation of teacher education programs, which involves:

- the teacher educational institute report annually to the registration body – that includes any changes to the content of the program as well as responding to any issues raised by the body; and
- a finite time limit for the accreditation of any course.

Professional Learning

That the introduction of a teacher registration body for the ACT not include the delivery of an extensive professional learning program into its processes.

That the teacher registration body has some level of responsibility in monitoring the quality of professional learning being offered to teachers in the ACT.

Composition of Registration body

Representation on the board would include: an independent chair; a representative from each of the employers or employer groups; a representative from both teacher unions; teacher educators; teachers; parents; and community.

Terms of appointment to the board would be at least every three years while acknowledging the need for an initial staggering of some appointments to allow for handover periods.

Purpose

The purpose of establishing a teacher registration body for the ACT is to promote and support the professional status of teachers and to maintain public confidence in the profession by:

- Registering teachers
- Ensuring suitability for working with children
- Approving teacher education programs
- Establishing and maintaining professional standards.

The purpose of introducing teacher registration in the ACT is to have a compulsory registration scheme in place for all teachers.

RECOMMENDATIONS

GOVERNANCE OF A REGISTRATION BODY

Introduction

As explained in the Consultation paper, the governance of a teacher registration body concerns how the body is established, its terms of reference and function, and how it might operate.

A legal framework has been established in other jurisdictions to support the independence of the registration body in maintaining quality control over the teaching profession. This legal framework is normally in the form of an Act that covers the role and functions of the body; the body's relationship with the government; membership of the body; the types and levels of registration as well as the grounds to which teachers may apply for registration; the body's powers to renew or reject registration, to initiate disciplinary procedures and impose subsequent sanctions as well as rights of appeal; the levying of fees and collection of data as well as the body's administrative and employment powers; relationship with the Minister; selection and termination of the board; and relations with teacher employers.

Key Issues

Preserving the independence, effectiveness and professional objectivity balanced with the interests of the ACT government in terms of teacher quality.

Accountability and effective reporting to ACT government/legislature through Minister for Education. Reporting expectations- meet the needs of stakeholders without creating unnecessary administrative burden on registration body.

Legal framework- what would be the most appropriate powers and responsibilities that ought to be covered.

The Education Act 2004 requires the Education Minister to have certain responsibilities in relation to the quality of education in all sectors; independence of board to be ensured while not compromising requirements of this Act.

Assessing professional competence- adequate inquiry powers and processes that address the competence of teachers.

Ensuring that there is the application of natural justice applied to the decision making processes of the board, including having in place an appeals mechanism.

Main themes from consultation

Ensuring ongoing independence from political interference was a main theme of the consultation process. Comments indicated the need for an authentic 'stand alone' teacher registration body that could independently address registration and professional needs of teachers and employers.

However, there was concern that the registration body would need to have strong accountability to major stakeholders, such as teachers, employers and the community as represented by the government of the day.

Membership of the board was of interest to a number of respondents. Most felt it critical to ensure membership did not create undue pressure for the board to pursue political or non-professional avenues of work, rather that the membership contributed to professional strength of the registration body and its work.

Recommendations

That the teacher registration body would reasonably sit within the portfolio of the Minister of Education and Training. The Minister would allocate the resources that the body needed to function effectively. The body would be responsible to the Minister for the effective and ethical management of these resources and would be independent from the government department.

That the registration body may involve a committee structure that supports its key functional responsibilities, i.e. accreditation of teacher education programs, registration and appeal matters, professional standards, and governance.

CRITERIA FOR REGISTRATION

As the Consultation Paper points out, education systems employ teachers with a wide range of qualifications in both generalist and specialist fields. There are also part time and casual teachers as well as policy and program development staff with teacher qualifications. Education systems also encompass teachers with different levels of experience and seniority with responsibilities that may involve management, mentoring and representing the profession to the community. A simple “one size fits all” teacher registration scheme may not necessarily recognise or encompass this variety.

Key Issues

A key issue is establishing criteria and processes for full registration and renewal of registration that are rigorous and open enough to ensure ongoing public confidence in teaching standards.

That there is an interrelationship between criteria and processes for the renewal of registration and other benchmarks of professional ability and experience.

Whether there is any need for amended membership arrangements for specialist, part time/casual and “associate” teachers. The consensus in other jurisdictions seems to be that registration should provide a standard professional imprimatur, irrespective of the nature or type of employment as a teacher.

Flowing on from the governance issues, it is important having an appeals process in place for decisions regarding de-registration and re-registration of teachers.

Main theme from consultation

Key theme from consultation: The primary purpose of registration is to establish and maintain an appropriate set of standards that is balanced with the need for flexibility to ensure that short term teaching needs can be reasonably met.

Recommendations

That the ACT introduces three basic levels of teacher registration, as follows:

Full Registration for teachers who are fully qualified and who can demonstrate that they have achieved the required standard of professional practice.

Experienced teachers who are new to the jurisdiction can apply directly for full registration, subject to demonstrating the required standard of professional practice.

Provisional Registration for teachers who are either: fully qualified, but not yet able to provide evidence that they have achieved the required standards of professional practice; or currently employed as a teacher but does not have four-year qualifications; or are in their final semester of study.

Permit to Teach for a person with relevant skills, knowledge and experience a teaching position. The permission would normally only be granted for a fixed period. This permit is issued in special circumstances where an employer is unable to fill a teaching role with an appropriately registered teacher.

MUTUAL RECOGNITION

The legislative basis for the mutual recognition of professional status in Australia is the Commonwealth Mutual Recognition Act 1992. Section 17 of this Act sets out the Mutual Recognition Principle in relation to professional occupations:

-a person who is registered in the first State for an occupation is, by this Act, entitled after notifying the local registration authority of the second State for the equivalent occupation:
- (a) to be registered in the second State for the equivalent occupation; and
 - (b) pending such registration, to carry on the equivalent occupation in the second State.

The term “occupation” for the purposes of the Act is defined as:

an occupation, trade, profession or calling of any kind that may be carried on only by registered persons, where registration is wholly or partly dependent on the attainment or possession of some qualification.

This is understood to mean that any teacher registration system in the ACT would be subject to the Mutual Recognition Principle.

As the Act makes clear, the entitlement is not automatic, but is subject to the need to satisfactorily demonstrate to the registration authority in the second state that the applicant is a registered teacher.

Key Issues

The entitlements of the Mutual Registration Principle do not come into effect automatically. Teacher registration bodies need to have processes in place to verify applications for registration under the Principle. These vary from jurisdiction to jurisdiction, and may also depend on the level of registration that is to be recognised.

Mutual recognition would be a part of any professional recognition arrangement covered in the definition of “occupation” under mutual recognition legislation. It therefore needs to be considered as an integral element in the overall argument for or against registration. As New South Wales does not have a teacher registration system, the Mutual Recognition Principle does not cover it.

It needs to be considered that there is likely to be necessary for arrangements be put in place with New South Wales that would give it access to some form of mutual recognition scheme with the ACT jurisdiction. This would include having reciprocal arrangements for teacher education accreditation.

Main theme from consultation

Mutual recognition is considered one of the benefits with the introduction of a teacher registration process.

Recommendations

That a teacher registration process be introduced to comply with mutual recognition requirements.

That arrangements be put in place with New South Wales that would give it access to some form of mutual recognition scheme with the ACT jurisdiction.

PROFESSIONAL STANDARDS

The purpose of professional standards is to ensure that there is a coherent framework that outlines the skills and attributes of effective teaching, taking account of the views and interests of the community, employers, educators and teacher professionals. Professional standards cover entry-level attributes and provide the basis for professional development, advancement, support and performance management. As the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) publication A National Framework for Professional Standards for Teachers points out “Standards make explicit the intuitive understandings and knowledge that characterise good teaching and enable it to be widely shared within the profession.”

The purpose of professional standards being maintained by the jurisdiction’s teacher registration body is to ensure that the standards are objective and are not unnecessarily weighted in favour of the interests of particular stakeholders.

Main theme of consultation

That professional standards be in place to: enhance the status of the profession; ensure the quality of beginning teachers; help maintain the quality of experienced teachers.

Recommendation

The inclusion of professional standards in the teacher registration process for the ACT based on:

- **a formal set of professional standards adding value to the teaching profession in the ACT and to public confidence in it.**
- **recognition of the particular educational interests of the ACT community but at the same time ensure that they are broad enough to encompass recruits from other jurisdictions and from overseas when necessary;**
- **an alignment with a national framework.**

PROFESSIONAL CONDUCT

Clear and ultimately enforceable codes of professional conduct are important for teachers, particularly given their relationships with and responsibilities for students and their standing in the community. A key issue in considering the role of an independent teacher registration body for the ACT is whether it should have any role in establishing and enforcing professional ethics and conduct.

Key Issues

A threshold issue is the relationship between professional standards and professional ethics. A provisional differentiation could be made along the following lines:

- professional standards describe the skills and abilities a teacher needs to be effective. Dealing with teachers who cannot meet professional standards is primarily a performance management issue;
- professional ethics describe the behaviour expected from teachers in dealing with students and parents, in managing their employer's resources and interests and in interacting with the community. Dealing with teachers who breach a code of professional ethics is primarily a misconduct issue.

Another issue for consideration with codes of professional conduct is the need to understand the difference between statements of ethics that are aspirational, that describe professional and behavioural best practice, and those that describe the core standards of behaviour that must be met and that can be enforced through legal sanctions.

Main theme from consultation

That compliance with professional standards and codes of conduct are an important element of the professional registration process for teachers.

Recommendation

That the registration body set broad aspirational and good practice goals in relation to conduct.

TEACHER EDUCATION

One of the core functions of a registration system is to ensure and certify that new teachers have the necessary professional qualifications and skills. As noted in the consultation paper, it is important “to align professional entry-level requirements to teach in ACT schools with teacher education courses conducted by tertiary education institutions.” This means that the body would need to establish some form of quality assurance system in relation to those institutions that supply its teachers.

The accreditation or endorsement of teacher education courses can be undertaken in a collaborative manner.

Key Issues

Key issues in considering the need for and the shape of a teacher educator accreditation system for the ACT include:

- the need to ensure that a quality assurance process is, and is perceived to be, objective, independent; and relevant to the education needs of the ACT;
- monitoring the work of Teaching Australia and the Australasian Forum for Teacher Registration and Accreditation Authorities with the development of a national system of accreditation for pre-service teacher education programs;
- the need to take into account the particular nature of the ACT as an educational jurisdiction: small, compact and with an already close working relationship between teacher employers and teacher educators;
- the need to recognise the professional independence of teacher education institutions in developing their own curriculum and assessment methods; and
- the need to balance any local requirements with an accreditation system that is flexible enough to be able to accommodate the recruitment of high quality teachers from across Australia and outside as general practice.

Main theme from consultation

That accreditation of teacher education programs is a key component of teacher registration in the ACT.

Recommendation

That the registration body has a focus on formal accreditation of teacher education programs, which involves:

- **the teacher educational institute report annually to the registration body – that includes any changes to the content of the program as well as responding to any issues raised by the body; and**
- **a finite time limit for the accreditation of any course.**

PROFESSIONAL LEARNING

A core element in the effectiveness of any profession is the ability of its members to keep up with new developments in theory and practice. Teachers are expected to take responsibility for their professional learning and for contributing to the knowledge of the profession, within the context of their employer expectations and industrial agreements.

Key Issue

The issue is whether it should have any role in the professional learning for teachers, including the delivery of professional training.

Given the size of the ACT and its teaching workforce, the capacity for an independent teacher registration body the resourcing implications for a professional learning role would be a key consideration – in light of learning opportunities provided by employers.

Main theme from consultation

Given that the preferred model was for a registration body with limited functions, this would preclude professional learning as a component to a registration process. Nonetheless high quality professional learning was widely considered as an integral component to enhancing the quality of teaching and a career in teaching.

Recommendation

That the introduction of a teacher registration body for the ACT not include the delivery of an extensive professional learning program into its processes.

That the teacher registration body have some level of responsibility in monitoring the quality of professional learning being offered to teachers in the ACT.

COMPOSITION OF A REGISTRATION BODY

Introduction

The Consultation paper outlined the need for a registration body to be independent from government and groups that may be perceived to have special interests in aspects of teacher registration.

Key Issues

Important considerations in deciding the final composition of the registration body include how to enhance and safeguard public confidence in the professionalism and integrity of the ACT teaching profession; acknowledge the various stakeholders who hold an interest in teaching standards; access to expert opinion across a range of specialist areas of employment and quality assurance; appropriate size for the ACT education sector, and likelihood of available resources to support the operations of the body.

Five models were suggested for discussion purposes, ranging from retaining the status quo to outsourcing registration to another jurisdiction, to a fully independent body with a wide range of functions.

The following issues were raised during the consultation period and attracted interest from stakeholders: chairperson, employer representatives, union representatives, teachers, teacher educators, parent representation, other groups (principals, community representatives), size of the body, specialist committees, and term of appointment.

In looking at teacher registration body compositions in other jurisdictions, the key issues have all been addressed in a variety of ways.

Main themes from consultation

The need for independence was a strong theme, while acknowledging the need for ongoing support structures and government resourcing.

Teacher Registration would need to add value to existing procedures and aspects of teacher employment.

Chairperson needs to be independent from the Minister and government of the day.

An overarching governance body similar to NSW was attractive, as was the option of establishing specialist committees that could seek outside expertise on an as needs basis.

Recommendations

Representation on the board would include: an independent chair; a representative from each of the employers or employer groups; a representative from both teacher unions; teacher educators; teachers; parents; and community.

Terms of appointment to the board would be at least every three years while acknowledging the need for an initial staggering of some appointments to allow for handover periods.