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SCHOOL choice

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Editorial: School choice

John Graham

Victorian governments have had a long love affair with school choice. In 2012 the Victorian Coalition Government initiated an inquiry into school devolution and autonomy through the Victorian Competition and Efficiency Commission. The purpose of the "inquiry" was to power charge what the Government called its "Third Wave" reforms revolving around parental choice and local decision-making. According to the Minister for Education Martin Dixon, the drive for school improvement through market mechanisms had lost its momentum after 10 years of Labor governments. The idea of the inquiry was to start the clock ticking again from where the "First Wave" reforms left off in the 1990s.

In 1992 the Kennett Coalition Government had come to power with an overwhelming parliamentary majority and Victoria became Australia's laboratory for new school choice policies. While Victoria had always been what Joel Windle (see article following) has called "the private school capital" of the country, the Kennett Government determined to extend the role of choice beyond 'public or private' deep into the public school system itself. In 1993 the then Minister for Education, Don Hayward, launched "Schools of the Future" aimed at eventually breaking up public schooling into individual competing units. The former General Motors-Holden executive regarded the *system* of public schools with ingrained hostility. In his foreword to the *Schools of the Future* policy paper he wrote: "Quality education is … not about 'the system', nor the vested interest groups to whom 'the system' was captive for so long."

Taking its cue from similar developments in the UK, America and New Zealand, *Schools of the Future* devolved a range of financial and administrative management responsibilities from the centre to schools, and required each school to develop its own distinctive vision called the "school charter". It was the first step along the path to formally marketising government schools (rather than the informal competition which had existed up until that

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time). The message was one of survival of the fittest as devolution was accompanied by a destabilisation process which saw the closure of over 300 public schools, the elimination of 8,000 government school teaching positions and huge reductions to school support services. The lesson to schools was clear: declining enrolments threatened school closure so newly "self-managing" schools needed to make themselves as attractive as possible to existing and future parents by marketing their wares.

In 1996 the Kennett Government announced the next step in its public school devolution plan using the Orwellian title "Schools of the Third Millenium". The proposal was to weaken and eventually eliminate the system of public schooling by moving public schools from being self-managing to "self-governing". In 1998 the *Education (Self-Governing Schools) Act* was passed by the Victorian Government. Schools which opted to become self-governing acquired additional funding and many of the powers exercised by private schools. They became semi-corporatised entities standing outside of various systemic regulations covering public schools. School councils, rather than the Department, became the employers of teachers and principals – they could hire and fire, set the terms and conditions of employment and develop their own staff salary packages. Self-governing schools had "education service agreements" with the Department and were able to own property, make investments and engage in commercial partnerships. Had the Kennett Government won the 1999 election, the expectation was that all public schools would eventually be brought into some form of self-government.

By the time the Bracks Labor Government came to power in 1999 and revoked the Act, there were just over 50 designated self-governing public schools in Victoria. A number of these schools had become self-governing after fierce debates at the school and in spite of the opposition of the teaching staff. During the Labor years the level of school self-management was similar to the Schools of the Future model but with an acknowledgement that schools operated within systemic guidelines and that social justice meant that resources should be concentrated on the most educationally disadvantaged students.

While the states ran school systems, the funding came from Canberra. The 1996 election of the Howard Coalition Government shifted the school choice momentum from state devolution policies to a radical restructuring of school funding. Under the Howard Government private schools received an ever-increasing proportion of federal funds, and restraints on setting up and funding new private schools were removed. By the end of the Howard Government's last term in office, funding for non-government schools had increased (from 1996) by 246.6% and for government schools by 145.8%. Data sources such as the ABS and the National Report on Schooling make it clear that the accelerating gap in Commonwealth funding between the sectors had little to do with a change in the share of

student enrolments. The proportion of Victorian school students in public schools fell more than 3 per cent to 63.8 per cent by the end of the 11 years of the Howard Government.

Between 2008 and 2013 the Rudd-Gillard Federal Labor Governments continued the funding policies of the Coalition Government and even set up new market mechanisms, such as the My School website, to facilitate school choice while, at the same time, developing needs-based funding policies through the Gonski Review. Over this period Victorian public schools, with their increasing proportion of disadvantaged and high-needs students, received on average a 2.7 per cent per annum funding increase from state and federal governments. In contrast, over the same period, government funding to non-government schools increased by around 7.5 per cent per annum. After six years of Labor federal governments, the proportion of Victorian school students in public schools had declined a further 1 per cent to 62.8 per cent.

After Victoria elected another Coalition Government in 2010 (albeit with a wafer-thin and unstable majority), school choice moved back into the centre of education policy in the state. The new government followed the Howard/Kennett path of weakening the public sector and boosting its private competitors. It removed over $600 million from the public school budget while expanding its funding support for non-government schools by an additional $104 million. In various documents and policy papers it lauded the virtues of the private school as a model the public sector needed to learn from. It supported the introduction of Independent Public Schools proposed by the Abbott Federal Government and, as part of the inquiry into further "autonomy" for public schools, asked the Victorian Competition and Efficiency Commission (VCEC) to report on charter schools in America, and academies and free schools in the UK. The VCEC's report was delivered in August 2014 and then basically disappeared, as three months later the Coalition Government fell from power. In September 2015 the VCEC itself was abolished by the new Andrews Labor State Government.

The effects of choice policies in Victoria have been analysed by researchers such as Richard Teese and Bernie Shepherd. Teese's analysis demonstrated that governments which place choice at the heart of their reform agenda will further disadvantage low SES students and undermine the viability of the public schools most of them attend. In a study of the distribution of students in selected local areas in Victoria, Teese found that choice operated to differentially distribute high and low SES students across sectors. Non-government schools had a significantly higher density of high SES students and a lower density of low SES students than government schools located in the same area. In disadvantaged urban areas public schools lost their academic "pilot" students through this process, so that their student profile comprised a disproportionate share of socially and academically disadvantaged students. This outcome undermined the academic attainment of students from low SES

backgrounds as they no longer learned in classrooms which had the broad mix of students, including those from well-educated homes, which research has shown enhances their achievement.

Bernie Shepherd using My School data and NAPLAN results found that the socio-educational standing of the school community (measured by the Index of Community Socio-Educational Advantage, or ICSEA score) between 2010 and 2014 increased its influence on student outcomes — and more in Victoria than nationally. There was a decline in enrolments in those schools with a higher proportion of disadvantaged students, paralleled by a trend of students from higher ICSEA backgrounds increasingly enrolling in more advantaged schools. The result was a greater concentration of disadvantage at the schools losing enrolments. The 2012 OECD report on equity in education concluded that such a situation "represents a double handicap for disadvantaged students, since schools do not mitigate the negative impact of the students' disadvantaged background and on the contrary amplify its negative effect on their performance".

Many of the issues relating to school choice identified above are covered by the seven articles in this edition of *Professional Voice*. Joel Windle presents findings from a study of school choice in Melbourne and looks at why school choice policies fail to democratise choice and tend to narrow the curriculum and segregate students. Windle found that only 45 per cent of the families he surveyed considered more than one secondary school in their transition from primary school. The parents who actively and successfully engaged in school choice came from high SES backgrounds with children who were considered by schools as "attractive potential students". He found that the promotion of school choice elevates top-performing schools, whose success is based on socially restricted intakes, as models for other schools to emulate.

Emma Rowe reports on her research into the present campaigns by parental groups in Melbourne to lobby the State Government to set up new government secondary schools in their suburbs. Rowe describes the parents as "middle class choosers" and contends that education has become a defining characteristic of middle class identity formation in Australia. The campaigners in the study express dissatisfaction with their potential choices (such as the private schools on offer) and represent a growing trend of middle class parents to repopulate inner-city public secondary schools – a trend also found in the USA and UK.

The articles from Guy Rundle and Luke Stickels are about the public/private self-governing school models being used in America and the UK, which are clearly influencing politicians in Australia. Rundle traces the origins and rise of charter schools in the USA and analyses the reasons for their continuing popularity in the face of evidence indicating

mediocre to poor performance. He sees this as an example of "solutionism" – the idea that complex social challenges can be solved by finding a simple, hidden solution. Stickles describes the battles being fought in the UK against the Cameron Government's attempts to change public schools into academies. He focuses on the successful campaign of resistance by Hove Park (secondary) school where the school's parents, teachers and elected governors were joined by the teacher and public sector unions and the local Green Party to defy the Government's attempts to turn the school into an academy.

Anna Hogan's article continues the ground-breaking work she and her colleagues have been doing on edu-business in Australia (featured in a previous edition of *Professional Voice*). She outlines the conflict of interest involved in edu-businesses providing the resources and services to assist NAPLAN preparation by schools and parents and also being responsible for developing the tests and analysing and reporting the results on My School through a contract with ACARA. In Victoria the edu-business giant Pearson is contracted by the VCAA to supervise the marking of the test and is responsible for recruiting, training and paying NAPLAN test markers. Hogan argues that the increased role of for-profit private providers is moving control of parts of education out of its rightful place in the public domain.

Trevor Cobbold presents a detailed plan for financing the last two years of the Gonski school funding program. His proposal would generate around $35 billion in revenue for the Government, which would be more than enough to pay the $7 billion he estimates is needed for the last two years of Gonski. The implementation of the Cobbold plan would require a willingness by the Turnbull Government to challenge the privileges of the wealthy and big business.

Each edition of *Professional Voice* normally has an interview with someone who has made a substantial contribution to education through their writing or actions. In this edition we have decided instead to include Rachel Power's article on the contribution the late Joan Kirner made to public education and feminism. Power describes how Kirner worked assiduously to chip away at the political and personal barriers for women taking on a political career. Her achievement in this area was outstanding given the level of political and media hostility she often faced. Power also outlines how Kirner, through her roles as parent activist, education minister and premier, was a champion of a quality, free, accessible and participatory public education system. As for choice, in her 2012 Social Justice Oration Joan Kirner described the idea that choice could be the basis of social justice as "a load of rubbish".

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School choice:
a minority practice in Australia

Joel Windle

Australia has invested heavily in promoting school choice as a path towards greater quality and equity in education. It now has the highest proportion of schools competing against others for enrolments of any country in the OECD (OECD, 2013). In theory, a broad range of choices, supported by subsidies for private schools and diversification of public schools, allows parents to select the best and most suitable option. Poorly performing schools will either improve their performance, or close as parents "vote with their feet".

Yet my research suggests that only a minority of parents consider more than one secondary school, even in this most marketised of education systems. The purpose of this paper is to present some findings from a study of school choice in Melbourne, Australia's private school capital, and to offer an explanation for the paradox by which school choice policies fail to democratise choice, and indeed tend to narrow the curriculum and segregate students.

The rise of school choice

The origins of school choice policy in Australia pre-date international trends towards educational marketisation in the 1980s and 90s. The Federal Government began subsidising private schools in the late 1960s, when the issue was (as it is today) a political wedge for Labor. The Whitlam government systematised state aid, in the context of sharply rising costs in Catholic schools, caused by decline in the supply of relatively cheap teachers from amongst religious orders. The organisational capacity and media savvy of private schools and the churches with which they are affiliated was evident in their successful and unified campaigning. The success of this mobilisation has haunted future generations of politicians to the extent that both major parties consistently commit to policies of escalating subsidies.

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Neoliberal economics, championed by think tanks and corporate media, has provided a fresh impulse for the privatisation of schooling and promotion of school choice since the 1980s. Chile led the way, with a voucher scheme that generated a boom in private and for-profit schools while slowly killing off its public system (Schneider, Elacqua, & Buckley, 2006). Voucher schemes have been replicated in numerous US jurisdictions and in Sweden, while efforts to make public schools work more like their private counterparts are reflected in the Charter School movement and current Australian reforms. Overall, these experiments have tended to increase social and ethnic segregation while failing to show major gains in performance or innovation (Musset, 2012).

With little support from academic research, advocacy has come from a new and increasingly powerful source of policy reform. Think-tanks, bringing together wealthy backers, politicians and ideologically motivated "fellows", offered school choice as an appealing solution to what appeared to be a crisis in educational standards. Chubb and Moe (1990), economists linked to the influential Brookings Institute, argued for a market-based solution, justified by the strong educational performance of private schools in the US . They observed that private schools had greater autonomy and were not tied down by bureaucracy or democratic processes (such as elected school boards). However, both the educational "crisis" in standards that prompted their work, and the success of private schools, are connected to the same phenomenon – the mass expansion of access to secondary education across the second half of the twentieth century.

The "massification" of secondary education

In Australia, as in much of the developed world, a small secondary school system that catered to a minority of academically minded students stretched in the post-war years to accommodate a much broader range of young people – with different life experiences, expectations, and needs. Those schools that were able to remain socially selective, particularly private schools, maintained much of the unity of purpose and connection to the traditional academic curriculum that strained to the point of collapse in newer, socially exposed sites. The advantage that Chubb and Moe had attributed to private schools on the basis of their organisational qualities, was in fact largely due to their narrower social base.

Two responses to the mass expansion of secondary schooling can be identified. The first is changes to how schools operate – including pedagogy, curriculum and assessment. This kind of response is evident in some of the curriculum innovations in public schools in the 1970s – particularly in working-class neighbourhoods. A second response involves creating a two-tiered system. In such a system, schools with socially restricted access maintain and excel in traditional curriculum and examination systems, while those with unrestricted access

(socially exposed sites), struggle to imitate those at the top of the hierarchy. This logic of social restriction helps to explain why school choice remains an elusive ideal in suburban Melbourne, and in much of the rest of Australia.

Who engages in school choice and why?

A survey of 666 families with a child making the transition from primary to secondary school in culturally diverse Melbourne neighbourhoods showed that just 45 per cent considered more than one option. The preferred option for most was the closest public secondary school. Even amongst families considering multiple options, the first choice was on average twice as close as second or third choices (Windle, 2015). Distance remains a major obstacle to engagement in school choice. A second obstacle is that parents don't buy into the rhetoric that schools alone guarantee success or failure. Just under 70 percent believed that "how hard their child studies is more important than the school he or she attends". Further, almost all parents (92%) were happy with the secondary school their child was to attend. The idea that dissatisfied parents "voting with their feet" will drive system-level reform is a fantasy, according to these figures.

The kind of parent who is actively, and successfully, engaged in school choice is socially skewed. It is most likely amongst high socioeconomic status families, non-migrants, and those who speak English at home. Families gaining access to their favoured school, from a list of options, were more likely to engage paid tutoring services, and have a child with above-average academic performance. In short, the children gaining access to high demand schools were attractive potential students, or as their parents noted, they had better "selling points." This provides further clues as to how school choice works to produce social and academic segregation.

Parents' concerns about secondary schools focus on the quality of the learning environment, and the most visible symbol of this – the teachers. School-level academic results were not parents' top priority, and just one in five reported consulting the My School website. Parents most frequently rated the following as "very important" in selecting a secondary school : quality of the teachers (82.7%), a caring environment (75.4%), a good reputation (72.9%) and well-behaved students (71.4%). Administrative arrangements, school sector, and affinity with family religious or philosophical views - failed to draw parents' attention. These are the elements that formally define Australia's public-private divide in education. On the whole, there is no great love for Melbourne's private schools as institutions. In fact, in interviews parents were dismayed by what they see as snobbishness and cultural insularity in many such schools.

It is important to return to consideration of the relationship between the curriculum and changing student populations when interpreting parental concerns for quality learning environments. When curriculum, pedagogy and assessment are designed to be successful only in socially restricted environments, then quality becomes intimately linked to such restriction. The senior secondary curriculum, in particular, has shown itself to be consistently most successful in those schools founded prior to the Second World War, and restricting themselves to an enrolment profile more typical of that era than of the present day. This includes the traditional high-fee private schools founded in the Victorian era and a tiny number of academically selective public schools. By contrast, comprehensive public schools, catering to a broad range of students with varied interests and cultural baggage, have struggled to engage students with this. In the past, alternative curricula and even alternative leaving certificates have emerged, but these have either fallen by the wayside or remain marginal within the system as a whole.

The promotion of school choice tends to elevate the top-performing schools as models for the rest of the system to follow. Since their success is based on social restriction, other schools also seek to restrict their intake. Schools participating in the study reported both explicit efforts to filter students, through testing, and more subtle means, such as dropping vocational programs. Schools able to gain a strong reputation are able to cherry pick students, and to draw on a geographically wide pool to build their enrolments. Some suburban public schools can now compete with private schools, not only academically, but in the use of elaborate uniforms, elaborate student hierarchies, music programs, and sports. These tendencies appear to be far more established in secondary schools, under the pressure of competitive examination systems. Public primary schools were held up by many parents as a model for the system as a whole, and as embodying the kind of quality learning environment they were seeking in secondary schools.

The social geography of school choice

Through interviews with parents (n=40) and teachers (n=16), it became clearer that most families did not fit the cultural ideal required for school choice to work as a policy for educational improvement. Parents who were not fluent in English relied on relatives, friends, or their children to make decisions about secondary school. Many families did not know about more distant options or how to gain access to them. Some schools also valued cultural practices – such as involvement in community leadership, ballet, girl guides, choirs, and so on – that tend to be limited to an Anglo and middle-class social environment. Migrant-background parents from hierarchically organised academic school systems were more likely to rely on intensive tutoring to gain access to selective public schools than to aim for private schools, considered by some to be monocultural and racist.

Three "circuits of schooling" (Gewirtz, Ball, & Bowe, 1995, p. 53) emerge, each catering to different types of student and with different geographic reach. An inner circuit consists of high-fee private schools and a small number of academically selective public schools, mostly located in an inner band of suburbs. This inner circuit is the most socially restricted, and draws students inward to sites in affluent neighbourhoods. An intermediary circuit includes low-fee private schools, public schools with selective streams, and high-demand neighborhood public schools. This circuit acts as a temporary holding-pen for some students, who are then "poached" by inner-circuit schools. An outer circuit consists of neighbourhood, comprehensive public schools (socially exposed sites). These schools are located at increasing distances from the city centre.

On the whole, students only contemplate, and have the capacity to gain access to, schools within one circuit. The circuits also represent the historical development of secondary schooling and the location of its principal tensions. The inner circuit is not only the oldest, but the one with the closest links to examination authorities and universities. It is the model for which the syllabus is set, and the pool from which show-cases of talent are designed to be filled. Virtually no students are drawn from the lowest socioeconomic category, and virtually all aim for, and gain access to, university. The intermediary circuit must make greater efforts to adapt itself to its more mixed audience. School choice policies compel schools in this circuit to recruit widely and selectively, just as they lose their strongest students to inner-circuit schools at each point of progression through the secondary years. The outer circuit struggles to maintain stable enrolment numbers, and often fails in attempts to attract students through specialist programs or new facilities. It is easy prey for think-tank reform fads – such as Direct Instruction – or the meddling of wealthy philanthropists through strings-attached donations. This kind of hierarchy of circuits can be found in many systems internationally, however Australia is unusual in that the inner circuit operates with twice the resources of the outer circuit, thanks to a combination of public subsidies and fees.

Conclusion

The system of school choice in Australia is based on a number of premises that are not borne out by reality: a) that parents can and will travel any distance to contemplate any kind of school; b) that all parents are able to gain access to the kind of school they would like, regardless of their cultural background and child's academic performance; c) that all schools are on an even footing financially and in managing the relationship between the curriculum and their student population. A polarised system emerged of socially restricted and socially exposed sites. The schools at the top of the examination league table select three-quarters of their enrolments from the highest socioeconomic status group and 90 per cent from the top half of the socioeconomic distribution, a situation reversed in socially exposed schools. The

best way to improve secondary education for all, and reverse the trend towards segregation, is to make socially exposed sites the engine rooms for the creation of a more democratic curriculum and assessment system, and resource them for this task.

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Rethinking school choice for the urban middle class and the dilemmas of choice

Emma Rowe

Introduction

In my research, I interview parents who are heavily involved and active in choosing their child's secondary school. I frequently describe these parents as 'middle-class choosers', not as a derogatory term, but as a way to conceptualise and research how these choosers configure their choice practices, across cultural, social and political lines. The 'middle-class chooser' is typified in the literature as savvy and strategic, a long-term planner, drawing on levels of income, university education and professional or managerial employment, to strategically manoeuvre the educational system for their children.

In countries such as England, Australia and the United States, research posits that a key commonality of the middle-classes is their relationship to education which "has become a central mechanism of white middle-class identity formation" (Reay, Crozier, & James, 2013, p. 19). The urban middle-class in Australia is increasingly defined by their "connection to schooling … and the distinctive ways in which middle-class parents manage children and their schooling" (Campbell, Proctor, & Sherington, 2009, p. 18). I utilize the middle-class and their relationship to education as a central analytical lens to study school choice patterns and correlations in cross-national contexts.

Campaigning for choice

This paper draws on ethnographic data collected from 2011 to 2014, using statistical, visual, website, field notes and interview data for the "new schools" campaigns located in Melbourne[1]. There are multiple campaigns located in the inner-city suburbs of Melbourne which share the same, exclusive goal—to lobby the State Government in order to acquire a brand-new and government funded high school, which is located within their immediate

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suburb. A map (see Figure 1) demonstrates these campaigns, in relation to the proximity of surrounding schools (both public and private) and the city[2]. The name of the suburb also represents the location of campaigns for a new government secondary school:

Figure 1 A map of the campaigns (2013).

Emerging in 2003 and currently ongoing, the "New School for Lawson" campaign is relatively active within the public landscape in Melbourne. With 1200 members reportedly, this lobby group holds hold bi-monthly meetings that are open to the public; annual protest events—such as walking through their suburb, holding signs and calling for a new school; once a month they meet with representatives from the Department of Education; they also meet with politicians and local journalists. The local papers print articles regarding their campaign. They attract donations from businesses, such as banks, real-estate agents and property

developers. Politicians align themselves with the campaign, even though the campaign firmly and consistently announces its "bipartisanship" status.

The "Smith High Campaign" reportedly has 1500 members, and it retains many similarities with Lawson—in terms of their purpose and the strategies they use to lobby. Like the Lawson campaign participants, the majority of activists own their home in the suburb of Smith; are university educated and predominantly white. The campaigns provoke attention from bureaucratic agencies, such as the Department of Education. Feasibility studies are regularly commissioned, to inquire into whether these suburbs require a new school or not. Like the Lawson collective, this group generates relatively significant funding for their cause, by initiating relationships with private interests, such as property developers, real estate agents, even local chemists. In one year alone, they raised over $28,000, which also includes personal donations made from the campaigners. In developing mutual interest relationships with local private enterprises to raise funds, these suggest quite savvy campaign strategies.

Over the three-year period, I generated the bulk of data for the campaigns located in the suburbs of Lawson, Smith and Thompson. I regularly attended 'New School for Lawson' meetings and recorded field notes (with their gracious permission) for over a year, in addition to interviewing the campaigners. The final study focuses only on these three suburbs and campaigns located in these suburbs. I collected additional data in relation to the Klein, Melville and Dodson campaigns which is not included in the final study, due to methodological reasons. Each of the campaigns maintains the same, exclusive goal and also utilize many similar strategies, by attempting to exert collective political pressure on state governments. Despite the shared goals and parallel strategies, the campaigns operated independently until 2014, the year in which they formed a coalition. It is evident that multiple campaigns are emerging on an annual basis.

There are tensions surrounding the campaigners' inability to choose the surrounding schools, considering the relative proximity (see Figure 1). Indeed, the campaigners are well aware of this tension, and maintain an emphasis on parental involvement and community schooling. Drawing on these campaigns in relation to middle-class school choice, and publishing this data, has proved to be highly contentious over the years. Some may see it as an attack on the campaigns; or, an overall attack on public education. I have been positioned in a range of different ways by the media, but also think-tanks. One well-known Australian academic advised me to remove the pseudonyms for each campaign, otherwise my study would have little purpose or meaning. Meanwhile, another US-based academic argued that the level of anonymity afforded to the campaigns needed to be significantly extended[3].

Indeed, there are many different ways to interpret or read this data and diverse methods of framing the campaigns and campaigners; as public education activists and social justice campaigners; as middle-class school choosers. It is not my purpose to ascertain whether these suburbs require a new school or not, and I draw on these campaigns as a sociological lens to study school choice patterns and statistical choice correlations, specifically in urban spaces. It is my argument that these campaigns contain meaningful implications for thinking about educational policy and reform. Whilst this paper may not have the scope to delve deeply into these implications, I touch on them briefly here.

Competition, decentralization and marketization

Far from a vacuum, these campaigns occur within a rich and temporal policy space. Each of these suburbs had a public high school which was closed during the privatization reforms in the 1990s, under the leadership of Brian Caldwell, the author of a series of books relating to 'Self-Managing Schools' (see, Caldwell & Hayward, 1998; Caldwell & Spinks, 1992, 1998). Caldwell has a history of leadership in policy machinations, pushing for the self-managing or the autonomous public high school, in New Zealand, Australia and England (amongst others).

The 'self-managing' public school was legislated in the 1990s in the state of Victoria. The 'self-managing' public school model is a critical cornerstone of choice policy, played out not only in the relatively small state of Victoria, but in many different global contexts. Particularly resonant in the 1990s, it became forefront and centre in the education reform agenda in countries as diverse as New Zealand, Sweden, Chile, the United States, Canada, England and Wales. Many different 'varieties' of public schooling emerged during this period (albeit far earlier in Chile), such as free schools or the friskolor, charter schools (profit and not-for-profit), mini schools, the Independent Public School and so forth.

The reforms aim to equip parents with greater choice and decentralize the management of public schools, enabling these schools to operate independently and autonomously from the government. Paradoxically, government schools came under far more scrutiny and surveillance measures than ever before, with the introduction of high-stakes testing and the publication of results via league tables. In New Zealand and the United Kingdom, schools were regulated by private inspection teams (Whitty, Power, & Halpin, 1998). Reforms such as these increase the threat of school closure, in addition to intensifying demands for school principals surrounding financial management, and the achievement of competitive standardized test results. The core argument from choice advocates for 'self-managing schools' is that these reforms will theoretically enable schools to improve cost-efficiency, operate freely from constraining regulations, and be more responsive to parents and

stakeholders. Decentralisation should theoretically offer a more satisfied experience for parents and students.

Concluding discussion

The macro interacts with the micro when it comes to educational policy reform. Large-scale policies such as these effectively shape and facilitate the educational landscape in which parents (or consumers) are forced to interact, engage and respond. Herein, the campaigns represent two important points: first, within an environment committed to demand-driven and consumer-driven choice, they represent dissatisfied choice and unmet demand. Choice policy theoretically enables freedom—parents are free to send their child to their school-of-choice. Choice is allegedly unfettered by regulations, and tax-payer dollars are provided for religious oriented or fee-paying private schools, in order to support this freedom of choice. However, the participants in this study express dissatisfaction with their potential choices and feelings of disempowerment.

Second, for parents who—according to my data—maintain and assert the ability to choose a private school, they are turning their back on private providers and articulating a commitment to public education. Indeed, this can be for a range of complex reasons (which I explore elsewhere), however the significant point here is that there is a growing trend of middle-class parents repopulating the inner-city public secondary school, a trend that is noted in US and UK-based research also (see, Cucchiara & Horvat, 2009; Posey-Maddox, 2014; Reay et al., 2013). Rather than 'white flight' away from inner-city schools, which was a theme evident in the 1990s and early 2000s, there is a growing constituent of middle-class parents electing public schooling, for diverse political, moral and economic reasons. It is pivotal, in thinking about schooling, within a post-neoliberal and post-fordist economy, that we engage with these campaigns, in order to understand how the consumer is taking up choice.

It is necessary to scrutinize how the middle-class school chooser is responding strategically in a hyper-competitive environment, and in particular, a policy environment that actively pushes, promotes and supports inequalities and disparities between schools. When schools are intrinsically involved in leveraging segregation and social advantage, on the grounds of income, race and (also gender), school enrolment in the 'right' school becomes a matter of long-term commitment to collective and individual political strategies, and excessive time commitment to finding the 'right' school. School choices become evocative ethical and social dilemmas, as parents navigate their conflicted commitments to social justice in between their stringent navigation of advantage and disadvantage.

End notes

1 Pseudonyms are used for all identifying features, including the names of schools, suburbs and people.

2 The map (see Figure 1) indicates a government secondary school located in the suburbs of Smith, Klein and Thompson. However, the government funded secondary schools within these locales practise restrictive and selective enrolment practices.

3 The data is completely anonymised within this paper, and all forthcoming publications.

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Myths and Illusions:
the American charter school movement

Guy Rundle

For more than a century, the state-run public school has stood at the centre of American communities, an anchor of a society borne of a secular revolution and the lack of an established religion. The position has been anomalous in a society that has seen so many other state functions accepted by every other society – healthcare, for example – as an expression of socialism and big government.

Yet, aside from a relatively small number of elite private schools, American communities have never developed parallel systems of religious education systems and networks of schools with affordable fees. Indeed, in places where resistance to the state was at its utmost, the option was to reject schooling altogether. Home schooling, especially in the South, has become a major practice in some states, with whole networks of home school support springing up.

For the most part, Americans accepted that their school years, and those of their children, would be run by local school districts imposing a uniform approach across a range of schools, with a split between administrators and teachers. As the educational needs of students changed, with the rise of an information-oriented, consumer society, the schools didn't. Nor did they respond, by and large, to the critiques of the school as an institution arising from the New Left, identifying the state school as a mirror of the factory system and tailored to its needs.

It was one strand of this critique that lay at the beginnings of the charter school movement in 1974, when Ray Budde, an educationist, began applying systems theory to the problems of school management thrown up by the social upheavals of the 60s. Budde argued for teacher-centred schools, not beholden to school boards or district administrators. Groups of teachers would get together, devise an education and action plan, and receive a

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charter of operation from the local district administration and a block grant for establishment and running costs. The idea was that schools run on different principles would provide a series of 'educational laboratories', whereby different ideas could be tested. Bad ideas would yield to good, the latter spreading from one school to the whole system.

It was only in the 1980s, following the release of the Reagan administration's 'Nation at Risk' report on education, that interest in new models of schooling developed. The report suggested US public education was falling behind disastrously. Its findings were all but debunked by a re-examination of its raw data later – too late to stay its influence, which was huge. In 1988, Minnesota inaugurated the first charter school program, followed by California in 1992, and a dozen more states by the late 1990s.

By the time the charter principle was spreading to numerous states, the political and cultural ground had shifted beneath it. The failures and defeats of the 1970s had ushered in the Reagan era, defined by its namesake's statement that the most frightening sentence in the language was: "I'm from the government, and I'm here to help". The notion of the 'new deal' – government in partnership with civil society – went out the window. By the late 1980s, key figures in the Democratic Party had taken much of this into their policies, creating the Democratic Leadership Council to push left-wing liberals to the margins, and elevate 'centrists', such as Bill Clinton.

It was under Clinton that charter schools began to take off, and with an added twist: they could be run by an ever-wider array of groups. In most states – 43 US states now permit charter schools – charter school groups are non-profit organisations. Four states – the largest being California – allow for-profit groups to run charter schools. Among educational and anti-poverty campaigners in the US, the concept rapidly became a contested strategy with some. The African-American community leaders behind the Achievement First group around Connecticut, for example, argued that such autonomy would allow for better results and content tailored to the needs of specific communities. Others have argued that such schools – even in their non-profit mode – inevitably drain resources from the system as a whole, and have a double effect: the wider system is landed with the bulk of high-cost, low-'reward' (in terms of test results) students, such as those with behavioural problems.

But in the emerging neoliberal, and then neoconservative period, of the Clinton then Bush years, many found it difficult to get a hearing with any criticism of charter schools. There are now more than 7000 of them across the US, and their cause was taken up by the political right from the late 90s onward, as part of a wider notion of the 'reinvention of government'. Approval of charter schools became a political litmus test, on both right and left, for one's willingness to make bold policy leaps, and orient oneself to outcomes. Who could possibly

be opposed, other than those with vested interests? Charters worked … as long as you didn't go looking too closely at the evidence.

Stanford's *Centre for Research on Education Outcomes* 2013 study suggests that, as a whole, the performance of charter schools is no better or worse than the non-charter public system. For Paul Buchheit, the most wide-ranging critic of the current charter system, there is a prevailing myth that any charter school is better than a non-charter school, and it's held by parents widely. Individual charter schools that perform better than the public schools around them do so by soft forms of exclusion and expulsion. Prohibited by law from selecting students, they have developed a practice of 'counselling out' those likely to bring aggregate results down.

This process has been exacerbated over the past decade by the imposition of standardised testing regimes in the US – first with the *No Child Left Behind* Act of 2002, and more recently with the Common Core attempt to create national curriculum standards. Both initiatives have many valuable features, but in a context of systemic underfunding – about $60 billion was taken out of overall US education funding in the four years following the 2008 recession – and the rising inequality between the charter and non-charter system, they have become straitjacketed 'teach-to-the-test' systems.

Despite the underwhelming performance of charter schools, given their de facto selectivity, they should be clearly outperforming the wider public system. And yet the myth of the charter school has not merely remained, but is gaining momentum. The idea that was created in a social democratic era – as a way of doing public activity *better* – and reinvented as a force for competition and inequality in the neoliberal one, is now getting a third makeover, courtesy of the shift in Western economies to digital/information/knowledge societies.

Thus, as a hollowed-out public system becomes less capable of dealing with the demands of a changing economy and society, starved of funds to innovate and, in some places, teetering on the edge of collapse (the Chicago school system has closed almost 150 schools in the past four years), existing and would-be charter groups have been offering themselves as agents for the schools of the 21st century. Their model? To use the positive aim of tech literacy and digital competence as a way of restructuring teaching altogether. That way, mass supervision of digital learning students, combined with sporadic personal attention and teaching, can be presented as an educational advance.

In many cases – such as the involvement of Bill Gates in the development of Common Core, or Facebook's Mark Zuckerburg in a ring-fenced $100 million program for the schools

of Newark New Jersey – this has less to do with generating profits for already fantastically wealthy people, and more to do with enforcing a worldview they have drawn from the digital world, strongly emphasising IT expertise as a way into a world of boundless innovation and self-development.

This, in turn, has been rolled over into the charter school movement, for obvious reasons. The new 'Rocketship' charter school management group employs entry-level teachers, and even non-teachers at $15/hour, to 'supervise' up to 150 'pupils' at a time via networked tablets.

An equal but opposite approach is the pseudo-military intellectual academy approach, in which low-paid, often underqualified teachers put in 12 to 14-hour days applying scripted learning models to regimented students. This has been brought to a head in New Orleans, where the devastation of hurricane Katrina gave the city a chance to turn whole districts over to a charter model, flagshipped by schools called 'Sci Academies', launched, inevitably, by Oprah Winfrey – and staffed by 'Teach For America' foot soldiers, after the city made its unionised teachers redundant. Despite great claims for what is now dubbed 'the Louisiana approach', 80 per cent of the schools in the all-charter 'Recovery School District' are rated at D or F grades by the state's education department. None get an A grade.

But if we've learnt anything from two decades of corporatised, neoliberalised charter education, it's that contrary evidence makes little difference to its march forward. Its new wave of success has occurred because society is in the grip of what Evgeny Morosov calls 'solutionism' – the idea that complex social challenges can be solved by finding a simple, hidden solution. Essentially, it's the idea that society is just a program to be 'debugged'.

Not only is this a disaster for the prospects of a better public education system, the current charter movement discredits the original aim: of *improving* public education through feedback-generating innovation. When the social failure of the corporatised digi-machine charter franchise system becomes widely understood – and eventually it will be – the US will be able to focus on system-wide improvement once again.

Closer to home, former Federal Education Minister Christopher Pyne shared his goal of turning 25 per cent of Australia's public schools into Independent Public Schools (IPS) by 2017, despite the lack of any evidence that the IPS model improves student outcomes. The writing is on the wall – unless we take the time to understand how and why this system has failed elsewhere.

Merit and money:
confusion in the Anglosphere

Luke Stickels

At a recent AEU event in Canberra, Mem Fox demolished the idea that Australian private schools deliver better education outcomes than public schools. Taking on the loaded branding myths of private school "choice", "edge" and "discipline", Fox exposed a national confusion between merit and money.

The past few years have seen a nationwide push by conservative governments and global corporations for the market to play an expanding role in the delivery of education, despite the frequent budget blowouts and the proven risk to quality posed by privatisation, here and overseas. Markets are in no position to sell Australia the answer to quality education; instead of equity they offer an asymmetrical educational policy that picks winners and losers.

We can learn much by revisiting four frenetic months in 2014 for a small but passionate UK community which successfully resisted their government's attempts to turn Hove Park School into an 'academy'. Academy conversion essentially re-launches a state school as a state-funded independent school, with overhauled standards deregulating curriculum, governance, funding and industrial relations. Weakened democracy and employment conditions, privatised services and unrepresentative private influence have outraged British families and grassroots organisations across the country. The UK's National Union of Teachers (NUT), public services trade union UNISON, and the Brighton and Hove Green Party (leading a minority local council at the time) joined a team of concerned parents, teachers and elected governors to oppose the conversion.

Senior campaigner and school mum Natasha Steel already viewed academies as "a thin edge of the wedge" for privatisation, but says she was "galvanised" into action when she discovered what the proposed conversion would mean for her children's own school.

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"I looked into it, only to find there was just no objective case, no statistical evidence that privatised education delivers better results," she says.

Academy status renders a school a self-governing or multi-academy charitable trust, under direct control of the education secretary. The head teacher's executive functions are strengthened, disempowering the locally elected governing board, and local governance more broadly. This further centralises power in Westminster, in a country without a state government tier. From 2010, the incoming Conservative Coalition ramped up Labour's 2007 niche intervention program for broken schools. In May 2010 there were 203 such schools; by June, 2015 there were 4,676.

UK academies may be sponsored by a private entity – "a new partner [to] raise their game," according to PM David Cameron – which can oversee deregulated curriculum, staff wages, conditions and qualifications, with services outsourced to private contractors. These "freedoms" supposedly deliver leaner, meaner academic results, but have been recognised as privatisation-by-stealth in a wider national ideological dispute that parallels similar equity contests over health and rail.

Academy conversion requires a school to hand over its lands and buildings to the trust on 125-year leases; an expensive experiment that further erodes public assets. Hove Park's academy proposal emerged in a demand vacuum: there was no coalition of schools to form a multi-academy trust, and no proposed sponsor. Financial sweeteners only muddy the waters for parents, local politicians and voting governors trying to make the right decision. "The initial pitch presentations showed these pornographic new buildings for art rooms and so on," recalls Natasha Steel. Some thought a "pot of money" would come with the conversion, but the campaigners' committed economic analysis and effective messaging powerfully refuted this misconception.

Accidental or planned, these misconceptions appear widespread: 75 per cent of 1,471 head teachers polled in a 2011 rush for academy status cited financial benefits that the government insists were never part of the deal. Initial boosts in per pupil funding were scrapped in a 2013 reshuffle, to address criticism that schools opting for academy status were effectively being "bribed." Meanwhile, multi-million pound bailouts of struggling academies were happening on the quiet. In 2012, the *Financial Times* reported eight examples over the previous 18 months, at a cost to the taxpayer of almost £11 million. When the government overspent £1 billion on academies in 2011-12, it simultaneously cut £350 million in funding from other education services. In a perverse attempt to mollify an outraged community, senior department leaders insisted none of that overspend was on teaching or learning in actual schools, but on academy legal and administrative costs.

Today, academy conversion functions as part-carrot, part-stick to underperforming and "coasting" schools and to high-performing elite schools, fast-tracked through the process. This boost in performance results is crucial for the program since the Department for Education's statistical evidence endorsing academy conversion is controversial at best. Academic and editor of *Improving Schools* Terry Wrigley showed how 68 per cent of academies were "inflating" their results with "excessive" use of vocational equivalents. The centre-right think tank Civitas acknowledged that academies were "inadequately academic". The cross-party Commons Select Education Committee at Westminster was likewise unconvinced that academies raise standards, despite Cameron's August 2015 claim that "the evidence is clear".

Facing down widespread criticism of his flagship policy, Cameron has tied himself to the mast, recently telling the BBC: "I would like every school to aim to be an academy, because I want the power to be in the hands of the head teacher and the teachers." The consultation process at Hove Park, however, challenges that rationale. Natasha Steel recalled how teachers felt distinctly disempowered. "They felt threatened and bullied by the head teacher throughout the consultation," she says. "Their views were marginalised and misrepresented."

"Unions were a massive factor," says Steel. "NUT and UNISON helped from the start providing financial support, resourcing us with campaigning material. … NUT went on strike for a day, which happened to follow a national day of action."

The local Green-led council funded a mailed ballot to parents, whose 71 per cent 'against' vote was released just as three crucial anti-academy candidates were elected to the local board. That same day, the face of the controversial reforms, Secretary of State for Education Michael Gove, resigned. Steel suggests the "Gove versus Hove" catchcry emerged from his "peculiarly aggressive … uncompromising and insulting [attitude] to teachers and the teaching profession." A perfect storm of factors delivered a sudden victory for the Hove Park community's campaign. In a triumph for the union, educators and community activists, the new governing board voted to reject conversion.

However, the outcome could have been entirely different. Tottenham's Downhills Primary School was making "satisfactory progress" in a 2011 review. But despite this assessment, and 94 per cent of parents being against the conversion, Downhills was compulsorily privatised – with sponsor – and transformed into the contentiously touted 'Harris Primary Academy Phillip Lane'. This 2012 landmark is an example of the program converting already-improving schools to boost results and provide marketable flagships. Downhills carried a chill, too, as campaigners were ordered to pay legal costs for their appeal by judicial review. Hove Park's 2014 success seems even more stunning in that context.

While good timing helped Hove Park, campaigners like Natasha Steel also created their own luck. She tells us to be positive, precise and skilled, and reminds us that mainstream media always wants good content – which means taking photographs, building relationships with journalists and local politicians, and using social media to disseminate the facts. She also recommends mustering the skills of stakeholders: from economics experts and policy analysts, to PR specialists, event managers, stand-up comedians, musicians and artists. "Communities are rich with talent and the campaigner's job is to draw it out and encourage people to get on with it," she says. "As every teacher knows, a little praise goes a long way."

The AEU has been closely monitoring the impacts of Cameron's regressive, top-down policies, standing in solidarity with British public educator colleagues. Last year, AEU Victoria president Meredith Peace joined an AEU delegation to visit the campaign for Warren School in London. Like Downhills, despite acknowledged improvements by the Department for Education, 85 per cent of parents voting against conversion, and even a High Court injunction, the government still succeeded in converting Warren School into an academy, touting the now-familiar myths about competition, privatisation and performance.

The same "thin edge of the wedge" that initially troubled Natasha Steel is rife in Australia, with former Federal Education Minister Christopher Pyne's stated desire to turn 25 per cent of Australia's public schools into Independent Public Schools (IPS) by 2017. Principals would be empowered to direct the budget, set pay grades, and hire and fire staff. The myth that independent executive powers alone somehow lead to better learning outcomes is nascent. The IPS model has spread from Western Australia to Queensland and the Northern Territory, even as the only report about the Western Australian IPS, by the University of Melbourne, declared "little evidence of changes to student outcomes".

While Pyne told ABC's *Lateline* in 2013 that Australian education has no equity problem, Mem Fox told her AEU audience about a school she had visited that had been forced to choose between hiring a counsellor or a librarian. Senate Estimates heard recently that between 2009 and 2013, overall funding decreased $224 per public school student, while increasing by $716 and $574 for independent and Catholic schools, respectively. This resulted from severe cuts in state funding, offset by selective and disproportionate federal funding increases – another familiar pattern that renders British academies fair warning.

If AEU members, parents and the wider community do not stand up for needs-based funding, then further selective funding, competition and organisational deregulation will split education apart. IPS further entrenches a two-tiered education model, while the essential element of Gonski funding – needs-based allocation – has gone missing from an argument narrowed solely to funding duration and the gross bottom line. Between now and the federal

election, the debate about funding equity – state and federal, public and private – must remain focused on what delivers quality education for all.

The Hove Park School campaign sets a great example of what can be achieved when an activated community works with unions, local council and other activists to fight unwanted private involvement in their children's education. But in being the exception to the rule, it also offers a timely warning about the increasing appetite for privatisation set to shape the future of public education in Australia if we allow our governments to follow the example of privatisation models from overseas.

NAPLAN and the commercialisation of testing in Australia

Anna Hogan

Literacy and numeracy have become a significant focus in Australian schools and many teachers now feel immense pressure to adequately prepare their students for NAPLAN testing. The effects of this are well documented in research. For example, teacher's often feel they are constrained by a narrow focus on literacy and numeracy and do not have the necessary time to address the breadth of the new Australian curriculum (Lingard, Thompson & Sellar, 2015). Moreover, important work done by the likes of Howell (2015) characterises the negative emotional and physical effects school children experience in their desire to perform well on NAPLAN. Despite the weight of evidence that documents the stressful nature of the process on teachers and students, NAPLAN is still seen by the Australian government as a key way to improve student achievement and drive up education standards.

In fact, standardised testing regimes are implemented globally on the basis of a new 'data logic'. The data produced by testing students' functions are used to audit schools and teachers and to manage these institutions and their practices in a 'hands off' way. Schools and teachers are constantly analysing their students' NAPLAN data for ways in which they might reform school policies and change classroom practices to improve their NAPLAN results. Thus, NAPLAN testing is orchestrating a high-stakes environment in which schools, teachers, students and even parents feel the pressure to perform and do well.

Edu-businesses are capitalising on this high-stakes environment for commercial advantage. Burch (2009) argues that the global increase in the use of standardised testing has resulted in the reinvention of particular segments of the education market. She observes that schools and governments now purchase products and services from the private sector that are explicitly tied to test development and preparation, data analysis and management, remedial services and online content. In fact, Burch claims that the test industry in the USA alone is worth $48 billion per year. While it is difficult at this stage to put a precise figure on

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Australia's test industry, it is increasingly obvious that NAPLAN and related accountability infrastructures have also facilitated the rapid growth of a market for assessment resources and related services in Australia.

The NAPLAN market

The NAPLAN market includes practice tests, student workbooks, online programs, tutoring, teacher professional development, data analysis services for schools and so on. For example, the Australian Council for Educational Research (ACER) offers a number of progressive achievement tests (PAT) to provide norm-referenced information to teachers about their students. Schools often purchase a PAT test in Mathematics or English at a cost of $7.50 per student, and subsequently utilise these data to identify their students' strengths and weakness in preparation for NAPLAN. Similarly, there are online resources like 'StudyLadder' or 'Excel Test Zone' that offer sample style NAPLAN questions to help students prepare for the test. There are also companies that target the insecurities of parents. Services such as 'NAPLAN tutor' offer a membership for $79 that will allow parents to access a range of NAPLAN tutorials. Private tutors also offer NAPLAN specific services.

Further to these resources, some edu-businesses offer professional development and data analysis services to schools and teachers. For example, 'Mighty Minds', 'Seven Steps' and 'Count on Numeracy' all offer NAPLAN specific workshops. Seven Steps displays the following testimonial on its website: 'Two of our teachers attended your seven steps seminar last year. They used the program in the Grade 3 cohort. Our NAPLAN results in those two grades were outstanding'. Similarly, Mind Matters suggests that its NAPLAN workshop will 'focus on revising fundamental skills that are essential for students' school careers and will prepare them for the NAPLAN test'. These types of branding work to capitalise on the anxieties of schools and teachers and position these services as a good way to ensure the improved performance of students on NAPLAN.

Edu-businesses not only provide resources and services to assist with NAPLAN preparation, but they are also contracted by the Australian Curriculum, Assessment and Reporting Authority (ACARA) in the development of the test and the analysis and reporting of the results on My School. The development and management of NAPLAN is a key responsibility of ACARA. On this point ACARA (2011) states: 'To ensure the delivery of a high quality and robust assessment program ACARA draws on both internal expertise and experts across Australia, all highly regarded in their relevant professional fields'. ACARA mentions that these experts include the likes of teachers, state and territory education authorities, the Australian government and other members of the non-government school sector. However, with no further information available on their website about who these experts are, or the

role they play in the delivery of NAPLAN, it is difficult to ascertain exactly how NAPLAN is developed and managed. Thus through both Internet searches and a Freedom of Information request, I sought to unveil who these experts are.

From this investigation it became apparent that ACARA and state educational authorities contract edu-businesses in processes of developing, implementing and reporting on NAPLAN (Figure 1). There are nine lifecycle stages in the development of NAPLAN, including:

1. Guidelines for test development
2. Item development
3. Consultation of expert advice
4. Trialling of test items
5. Equating of test items
6. Special printing of the test
7. Testing of students
8. Marking of the tests
9. Analysis and reporting of results

Out of these nine stages, ACARA is responsible for overseeing seven of them, and excluding the first stage undertaken by ACARA in consultation with the Standing Council (the intergovernmental council in education, consisting of all the education ministers in the country, which oversees the work of ACARA), contractors are used for the provision of all other relevant services. In 2012, the cost of these contracted services totalled $4,266,341. While ACARA did not disclose the cost of individual contracts due to concerns about their ability to achieve value for money for future NAPLAN contracts, it did provide an aggregate dollar figure for each lifecycle stage. Thus, item development cost $2,075,717; trialling of the test items cost $681,253; equating of the test items cost $527,848; and the analysis and reporting of results cost $610,247.

It is clear from the network diagram that there are four significant edu-businesses utilised by ACARA, which include the Australian Council for Educational Research (ACER), Educational Measurement Solutions (EMS), Educational Assessment Australia (EAA) and Pearson. Also included here is the Department of Education and Communities from the State of New South Wales which was contracted specifically for the desktop publishing of final papers, trial papers and special printing of tests for students with disability.

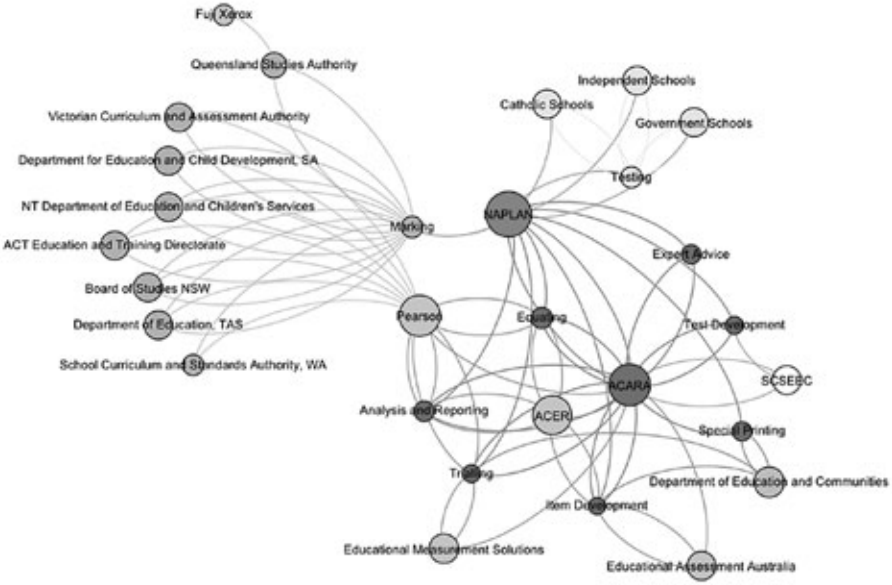

Figure 1 NAPLAN contract network

Those stages not overseen by ACARA include the testing and marking of NAPLAN, which is the responsibility of the states and territories. The relevant state authority was contacted to ascertain how these processes were undertaken in their relevant jurisdiction. In every state the printing and distribution of NAPLAN materials was contracted to Pearson, with the exception of Queensland which contracted Fuji Xerox for this process. The actual testing of students occurs in schools under the direction of school staff and the subsequent marking of the test is a process overseen by most of the relevant educational authorities in the states and Territories. However, in New South Wales, Victoria and the Australian Capital Territory, this process was also contracted to Pearson, and it became responsible for the recruiting, training and paying NAPLAN test markers. This presents Pearson as a central agent in the NAPLAN policy network, and moreover, suggests it has significant contractual obligations with Commonwealth, State and Territory governments.

Indeed, this NAPLAN network quite clearly represents the reconstitution of Australian educational governance, where the state has relinquished its monopoly over education policy processes in favour of private sector involvement in matters of public service delivery (Ball 2007). This has led to what Osborne and Gaebler (1992) call the 'reinvention of government' which has enabled the state to understand that what it does best is the 'leading'

or 'steering' of the education system through the setting of policy frameworks, not the 'doing' or 'rowing' of the system through the provision of services.

These increasing amounts of private activity have caused concern amongst a number of social commentators who believe that education as a public activity, serving the public interest, must remain within the control of the public domain. Yet, the rise of neo-liberalism and New Public Management, means that the increased role of the private sector is envisioned in the national interest (Ball, 2007). The primary aim here is to modernise the public sector and render it more effective, which is based on the assumption that market-oriented management will lead to greater cost efficiency and improved success for governments[1].

Problematising the commercialisation of NAPLAN

NAPLAN clearly represents the emergence of new 'business opportunities' in Australian education policy. Edu-business, from multinational corporations like Pearson to smaller national providers such as ACER, now contributes to education policy and practice in various ways. In this environment 'contractualism' or partnerships between the public and the private sector have become the new normal. ACARA argues edu-businesses are an important and necessary component of developing NAPLAN and similarly, schools and teachers embed products and services from the private sector across all aspects of teaching and learning, particularly in regards to NAPLAN preparation. As Robertson and Verger (2012, p.37) contend, 'the private sector is now deeply embedded in the heart of the state's education services at all levels, from policy and research work to delivering learning in classrooms'.

The increasing influence of the private sector could be interpreted as a natural move from government to governance. As ACARA made clear in interviews, they set the NAPLAN contracts and select the best applicant for the job. However, Burch (2009) observes that under this system, 'the district's role becomes highly technical, organized around the management of contracts and the need for greater efficiency, while substance is shaped by the contracting private entity' (p.34). Thus, it seems possible that private providers may have an increasing ideological influence over matters of public education. What we can already observe with the opening up of public policy processes to private sector participation is a blurring about 'who does what' in matters of education policy.

There is a final concern that I want to raise briefly here. Edu-businesses are increasingly contributing to policy development and teaching and learning practices in ways that have displaced traditional experts. To recall ACARA's statement from above, NAPLAN is delivered by 'experts' across the field. It seems problematic that experts in this case are not teachers,

curriculum developers or even university researchers. Instead, experts are constituted by their ability to offer 'value-for-money' on competitive tender applications. There is a problem here about what groups are becoming excluded from, and included in, processes of public policy, where it is increasingly perceptible that edu-businesses are now closely associated with the role of policymaking and the state. Similarly, the products and services schools and teachers are engaging with in preparation for NAPLAN are often shaped by 'generalists' with little classroom experience or formal research background in education. Many of these products are underpinned by agendas of profit-making, not evidence.

Of course, some of the work the private sector does is legitimate and important to how we deliver public education effectively. However, if edu-businesses continue to proliferate like they have in recent years, education has the potential to be monopolised by for-profit agendas. We must move beyond the rhetoric of edu-businesses in their promises to transform education, offering solutions to our problems. Instead, we have a responsibility to engage with the private sector more critically and make sure we protect public education and our expertise as deliverers of it.

End notes

1 A comprehensive analysis of the NAPLAN policy network, as well as interview data from ACARA and edu-business representatives is provided in a paper published in the *Australian Educational Researcher*, which this piece is derived from: 'NAPLAN and the role of edu-business: New governance, new privatisations and new partnerships in Australian education policy'.

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The funding of Gonski

Trevor Cobbold

The $7 billion needed for the Federal Government to fund the last two years of the Gonski plan can be easily financed. The Government has a potential revenue pool of at least $35 billion a year by reducing several tax concessions to high income earners and by clamping down on rampant tax evasion by high income earners and large Australian and multinational corporations.

The only thing stopping this is the unwillingness of the Government to challenge the privileges of the wealthy and big business.

Personal income tax concessions

High income earners in Australia benefit enormously from several tax shelters, the most significant of which are tax concessions for superannuation, capital gains, negative gearing and family trusts. Many high income earners also salt money away in overseas tax havens.

Superannuation contributions, and earnings on investment in super, receive concessional tax treatment compared to tax imposed at personal marginal tax rates. A flat 15% tax rate applies to employer and deductible personal contributions to superannuation, except for those earning over $300,000 per annum. This encourages high income earners to divert income into superannuation. For example, the marginal tax rate of 45% for those who earn $180,000 or more is reduced to 15% on contributions to superannuation up to a limit of $30,000. Superannuation benefits paid as an income stream in retirement are generally exempt from income tax for those over 60.

Trevor Cobbold has been convenor of Save Our Schools since it was established in 2006. He has been active in advocating for public education and equity in education for 30 years. He was a delegate to the ACT Council of P&C Associations for 20 years and is a life member of the Council. He was a member of the Council Executive from 1987 to 2005 and was honorary Secretary from 1988 to 2000. He worked as an economist for the Productivity Commission and its predecessors for over 30 years and has wide-ranging experience in economic research and policy analysis.

The 2014 Tax Expenditure Statement issued by the Treasury estimates the cost of superannuation taxation concessions in 2014-15 at $29.7 billion or $27.3 billion depending on which method is used to estimate the cost [Table 1.1, p.7]. The latest Mid-Year Economic and Fiscal Outlook (MYEFO) report estimates that the cost of these concessions will blow out to over $50 billion by 2018-19.

The large part of these tax benefits goes to the top income earners. The Financial System Inquiry (Murray) report published in December 2014 estimates that about 55% of superannuation tax concessions went to the top 20% of income earners [p.138]. That is, the top 20% of income earners received $16.3 billion in superannuation tax concessions a year based on the upper estimate from the tax expenditure statement or $15 billion using the lower estimate. The report further showed that the top 30% of income earners received about 68% of the total tax concessions – that is, $20.2 billion or $18.6 billion depending on which cost estimate is used.

Even if only a part of superannuation tax concessions was reduced it would still deliver a large amount of revenue to the government annually.

Capital gains from the disposal of assets are taxed as income. However, Australian residents and trusts can discount any capital gain from an asset by 50% if the asset has been owned for at least 12 months. The discount means that only half the capital gain made on an investment is subject to tax. The Tax Expenditure Statement shows that the revenue forgone from the capital gains tax discount in 2014-15 was $5.8 billion [Table 1.1, p.7]. The MYEFO report estimates this will grow to $8.6 billion by 2018-19.

The discount goes mostly to the very wealthy. The National Centre for Social and Economic Modelling (NATSEM) has estimated that the top 20% of income earners account for 81% of the benefit flowing from the capital gains discount, or $4.7 billion, while the top 30% of income earners account for 86% of the benefit.

Negative gearing allows losses made on investments to be deducted from taxable income derived from all sources. In Australia, negative gearing is mostly associated with investments in real estate. An investor borrows money to buy an investment property which is rented out. If the rent being received is less than expenses relating to the property – which include interest on money borrowed to make the investment, depreciation and maintenance - this loss can be deducted from all other taxable income. The investor usually records a tax loss on their income from the property, but can achieve a significant reduction in tax they pay from their total income. This is very valuable to high income earners on the top marginal rate, and they get a capital gains concession when they sell the property.

NATSEM has estimated that the negative gearing of residential investment property is currently reducing tax revenue by $3.7 billion per year. Half of this benefit flows to the top 20% of income earners. The Grattan Institute has estimated the cost of tax concessions for negative gearing is $4 billion a year.

High income earners can also reduce taxation through family trusts. The trust earnings can be allocated to family members who have low income from other sources so that the taxable income attracts the lowest rate of tax possible. For example, a high proportion of the trust income can be allocated to adult family members who work part-time so as to take advantage of the tax-free threshold applying to them. In some circumstances it is possible to reduce the tax bill to almost zero. Estimates of the tax revenue lost through this rort are difficult to come by, but certainly high income earners can reduce their tax payments by tens of thousands of dollars a year.

These tax concessions are key forms of what are called "tax expenditures". They include tax exemptions, tax deductions, tax offsets, concessional tax rates and deferrals of tax liability. They have the effect of reducing budget revenue. Because Australia has a progressive tax system — the marginal rate of tax gets higher as income goes up — most tax expenditures deliver a higher rate of subsidy to the more affluent.

According to the International Monetary Fund, Australia has one of the highest tax expenditures in the world. It tops the list of 16 OECD countries with tax expenditures amounting to 8.5% of GDP.

Apart from benefitting from a myriad of special tax concessions, many of the wealthy avoid tax by transferring funds to bank accounts in overseas tax havens. The revenue loss to government is difficult to estimate.

The Australian Tax Office (ATO) has made some progress in getting some of the income and assets in hidden tax havens returned to Australia to meet their taxation obligations. For example, a tax amnesty by the ATO last year to encourage disclosure of offshore income resulted in more than 5,800 Australians disclosing $5.4 billion in assets and $600 million in income held overseas. It resulted in $240 million in additional tax liabilities

Last December, the ATO announced that that it is investigating more than 100 Australian parents with children at 60 elite private schools who paid school fees of $100,000 a year from overseas bank accounts. The ATO is concerned that the offshore accounts that are being used to pay the private school fees may be concealing much larger amounts of money amounting to millions of dollars.

Corporate tax evasion

In addition to reducing tax concessions for the wealthy, much more tax revenue could be raised by clamping down on tax avoidance by big business. The first tax transparency report published by the ATO in December 2015 shows that 38% of the largest Australian and foreign-owned corporate entities did not pay any tax in 2013-14. The 579 companies that paid no tax had a combined turnover of over $400 billion and a taxable income of $4 billion. It also showed that 101 companies had a turnover over $1 billion but paid no tax. Two companies with a turnover of over $10 billion paid no tax.

A report published last September by the Tax Justice Network found that the 200 largest publicly listed companies in Australia avoid up to $8.4 billion a year in corporate tax. Nearly one third have an average effective tax rate of 10% or less compared to the statutory corporate tax rate of 30%.

The companies have hundreds of subsidiaries in tax havens such as Singapore, Hong Kong, British Virgin Islands, Cayman Islands, Mauritius, Luxembourg, Switzerland and the Channel Islands of Jersey and Guernsey. The report shows that 113 of the top 200 companies have over 1000 subsidiaries in tax havens.

Many subsidiaries of large multinational corporations in Australia pay little tax on their operations by shifting profits offshore through inflated interest payments to head office and transfer pricing. A research study published last November by the International Centre for Tax and Development found that US corporations avoid an estimated US$1.45 billion (A$2.1 billion) of tax in Australia each year by shifting their profits to low or no tax countries.

An investigation by the *Australian Financial Review* found that Australian companies sent almost $60 billion to tax havens in 2012. For example, it found that Apple shifted an estimated $8.9 billion in untaxed profits from its Australian operations to a tax haven structure in Ireland in the last decade.

Other reports have revealed massive tax avoidance by large Australian companies. For example, an academic analysis found that Westfield paid an "effective corporate tax rate" of just eight cents in the dollar over nine years between 2005 and 2013, far below the official 30% rate. It paid an average annual tax of just $140 million on pre-tax profits of $1.7 billion. The report estimated that the tax forgone amounted to $2.6 billion over the nine years. Westfield has more than 50 entities registered in tax havens such as Jersey, Luxembourg and Singapore.

Australia's largest coalminer, Glencore, paid almost zero tax on an income of $15 billion over three years to 2014. The oil giant Chevron had an operating income of $3.2 billion in 2014 but paid no tax. Another academic analysis showed that News Corp paid a rate of just 4.8 per cent in income tax on its $6.8 billion in operating cash flows over ten years to 2014.

Other tax shelters

High income earners and companies also benefit from numerous other tax loopholes. One particularly generous measure is refunding unused dividend imputation credits.

Under Australia's dividend imputation system, shareholders receive a credit (called a franking credit) against their tax liability for the taxes paid by the company in which they have shares.

Dividend recipients who have no income tax liability, due to either their other deductions or retirement status are given a 'refund' by the government for the company's profits tax that has already been paid on their dividends. Australia is one of only a small group of OECD countries that operate a full dividend imputation system and it is the only country in the world that refunds unused franking credits.

The tax discussion paper published by the Treasury in March last year estimates the total value of imputation credits at nearly $30 billion a year, with about $19 billion claimed by individuals, superannuation funds and charities and about $10 billion claimed by other Australian companies. Refunding unused franking credits cost taxpayers $4.6 billion a year.

NATSEM has estimated that franking credits to households were worth $9.9 billion in 2014-15 and that they flowed overwhelmingly to high income households. The top 10% of income earners received $7.4 billion, or 75% of the total credits to households, and the top 20% of income earners got 84%. Clearly then, the very large part of the tax refund for unused franking credits is paid to high income earners. The Chanticleer financial columnist for the *Australian Financial Review* has described it as "a rort that needs to be skewered in the interests of equity".

There are also numerous other tax shelters not covered here that provide significant benefits to high income earners and corporations. The revenue forgone for a large proportion of these is not quantifiable. The 2013 Tax Expenditure Statement said that estimates are not available for around 43 per cent of tax expenditures (p. 9).

Australia has a revenue problem

Contrary to the claims of the Treasurer, Scott Morrison, Australia has a revenue problem not an expenditure problem. The Government is not raising enough revenue to cover necessary social expenditure. It is possible to raise billions more revenue by reducing tax concessions to the wealthy and stamping out corporate tax avoidance.

Australia is a low tax country. Taxation statistics published in December by the OECD show that Australia is ranked 29th out of 34 OECD countries in terms of the tax to GDP ratio in 2013 (the latest year for which tax revenue data is available for all OECD countries). Australia had a tax to GDP ratio of 27.5% compared with the OECD average of 34.2%. The Government's own Tax White Paper discussion paper concedes that Australia is a low tax country (p. 16).

Reducing tax concessions to high income earners (the top 20%) alone could deliver an extra $27.6 billion a year (including the refund for unused franking credits) even ignoring the tax loss associated with the use of tax havens by the wealthy. Clamping down on corporate and multinational tax avoidance could deliver several more billions. It could amount to over $6 billion a year, based on half the tax avoided by Australian publicly listed companies estimated by the Tax Justice Network ($4.2 billion) and scaling up the loss incurred by US corporations to include other multinational companies (say $2 billion).

The total revenue pool available from reducing these concessions considered above amounts to about $35 billion a year. It would easily fund the last two years of the Gonski funding plan, as well as other social and community needs, and still reduce the Federal budget deficit. Even a partial reduction of these concessions would fund Gonski

The fundamental question is whether the Turnbull Government is willing to make the rich and big business pay their fair share of tax and invest it in reducing disadvantage in education to improve the lives of the low income students, improve workforce skills and participation and increase productivity. If the Prime Minister really believes in the need to develop an innovative, agile, knowledge-based economy it should be a straightforward choice. A high performing education system with minimum levels of disadvantage means a high performing economy.

Feminist icon and public education champion:
the legacy of Joan Kirner

Rachel Power

When Joan Kirner was Premier, I was in year 12 and more focused on passing my exams than what was going on in Victorian state politics. If anything, I was more compelled by the leadership battle between Hawke and Keating than the plight of Victoria's first female premier, handed a state in acute financial crisis and expected to steer the sinking ship.

I can only look back now and imagine what it must have been like for Kirner to be forced into making the toughest kind of decisions – including the sell-off of the state bank: in her own words "an icon of Victoria" – all the while dealing with a media and Opposition determined to paint her as nothing more than an incompetent housewife.

Until this week, when I thought of Kirner, I mostly thought of sexism and spotted frocks. The legacy of Victoria's first – and still only – female premier for many women who came of age after her parliamentary career was over has always seemed more symbolic than transformative.

When it came to my feminist heroes, they tended to be a lot more vocal and bohemian than Kirner – even if she did love rock'n'roll (who could forget her good-natured turn as Joan Jett on ABC TV's *The Late Show*?). Young activists determined to smash the system don't always appreciate the kind of painstaking reforms enacted by those working to create change from within.

I grew up virtually on a picket line. My mother was the secretary of the nurses' union in Canberra and so I was familiar with the issues for those working in female-dominated industries and with the ongoing battle for equal pay. I don't remember a time when I didn't consider myself a feminist.

Rachel Power is a writer, editor and artist. She has contributed to many publications, including *Mamamia*, *The Big Issue*, *Kill Your Darlings* and *The Age*. She has worked as a court illustrator for Channel 9, production editor of *Arena Magazine*, and is currently Communications Manager for the Australian Education Union (Victoria). Rachel is the author of *Alison Rehfisch: A Life for Art*, *The Divided Heart: Art and Motherhood*, and *Motherhood & Creativity*.

I spent my university years wading through the writings of feminist intellectuals like Helene Cixous and Julia Kristeva, discovering the gritty novels of Helen Garner, and debating the merits of "girl power" and "raunch culture". While I was trying to connect how these theories related to my lived experience and the inequalities around me, Joan Kirner was quietly and methodically chipping away at the political and personal barriers for women entering parliament.

My father, a Canberra public servant, was present at a committee meeting chaired by Paul Keating in the late 1980s that was considering the seed funding for the Affirmative Action Agency. Before the key women entered the room, the finance minister's opening words were: "What do the boilers want now?" This, my father recalls, is the attitude women still had to overcome.

Kirner had worked at changing such attitudes since childhood. When 10-year-old Joan got a thumping from her teacher for taking her bike through the "boys' gate" at school – because, as young Joan recognised, it was closer and the rule was "stupid" – she was set on a path fuelled not by rabid rebellion but by pragmatic commonsense. Recalling this anecdote to the ABC's Peter Thompson in 2002, she said she'd been going through the boys' gates ever since. "And what's more, holding them open for other people."

Although the media was merciless in its portrayal of Kirner as a housewife in a polka-dot dress, she herself understood the genuinely galvanising force that motherhood can present, giving women a passionate stake in the future. As writer Anna Maria Dell'Oso once said to me: "There's no greater power than a bunch of pissed-off parents confronting a community."

It is now well known that when Kirner took her first child to the local kindergarten in the Melbourne suburb of Croydon, she was shocked to find a classroom of 54 pupils with one teacher. "Not my child," she famously told the principal – but rather than take her own child elsewhere, Kirner had a mind to improve the system for all children.

Recognising the potential of parents to bring about change, Kirner became president of her children's Kindergarten Association, going on to head up the Victorian Federation of States School Parents' Clubs and, in 1975, becoming the first woman elected President of the Australian Council of State School Organisations. While most parents' clubs remained focused on local matters, Joan always saw the bigger picture, agitating for reduced class sizes and better conditions for disadvantaged students, particularly those with disabilities. She turned her organisations into formidable lobby groups, confronting ministers and the state education bureaucracy to get a better deal for Victoria's public education system. In

what became a lifelong catchcry, when people complained about a situation, Kirner always asked: "Well, what are you going to do about it?"

The 1970s was a period of major education reform, with significant changes to teaching and learning pedagogy, school design and the way education was managed by the Department. Kirner joined the Labor Party in 1978, was elected to Parliament in 1982 and in 1988 was appointed Minister for Education. She was a unique leader in the area of education governance, determined to include the community in collaborative decision-making.

During this time she established the new Victorian Certificate of Education (VCE), and oversaw the implementation of new post-primary schools, changing their name to Secondary Colleges. She also played a key role in reaching a Partnership in Education agreement with the Victorian Aboriginal Education Association Incorporated, establishing a commitment to assisting Koorie education at all school levels. Under Kirner, there was a reduction in class sizes and a surge in school retention rates.

More recently, in her Social Justice Oration of 2012, Kirner reiterated the basis of her beliefs: that a quality, free, accessible and participatory public education system is the key to fairness and social justice. The concept of choice as a basis for social justice is, she said, "a load of rubbish".

As a girl growing up in the western suburbs, her fitter and turner father was out of work during the 1930s Depression, she said, having to ask his dad for a loan to maintain the house payments.

> *He and others like him could have gone on choosing until they was blue in the face – but their children were never going to go to the top private schools. Sure, he had the right to choose – a right almost deified by Conservatives – but never would he have the money to back up that choice for my education.*
>
> *My parents and their friends knew that the only way their children would succeed in education and benefit from climbing the meritocracy ladder and, in my case, become a teacher, was through our parents advocating, working for, and shaping and insisting on governments providing a quality public education and health system.*

She had lost count of the number of raffle tickets she'd sold to help build the Essendon Public Hospital and to equip the Aberfeldie Primary School, Kirner said. "Increasingly in Australia, as the Gonski Report demonstrated, we are creating a divided education (and health) system – public versus private."

Just look at the yawning gap between higher and lower school retention rates and VCE scores in well-resourced private schools compared with the state or Catholic schools in lower socio-economic areas.

For the future good of our society we desperately need to invest big bikkies in our education system in ways which ensure that no child's educational opportunity, from child care to tertiary placement, is inhibited by their parents' income or the school's location.

In the week that Kirner died, ACTU president Ged Kearney recalled her friend and colleague declaring, with such intensity that her fists were clenched: "Why do anything if not for your children? Don't give up. We do it for them."

For Kirner, the personal was political – and it set her agenda: women, the environment and education. She understood that what people care about is what connects them, and she dedicated herself to giving other women the confidence to recognise that they had what it takes to be leaders.

She was never going to be satisfied merely to influence; she wanted to be at the centre of power – but more than that, she wanted to make sure other women joined her there. She had a profound belief that people who are affected by decisions should be part of making them. At a strategic level, that meant affirmative action and Emily's List, which by supporting female political candidates has assisted more than 200 women to enter Australian parliaments.

But in her tireless mentoring, she was performing a far more subtle and yet profound role in enabling women to take on a political career. She knew full well what they faced in a climate where women in power were still, in her words, "objects of interest" and she believed in the fundamental importance of "women supporting women".

Ged Kearney recalls a time she felt "beaten down" by a colleague over the question of merit versus affirmative action, so she rang Joan Kirner for guidance. "I have never forgotten Joan's response, which put the issue into perspective at once. She said, 'Oh, for goodness sake, Ged! Do you think that every man in every senior position or on every board got there on merit?'"

In 2000, when former ACT chief minister Katy Gallagher was being encouraged to run for the Assembly, she was filled with self-doubt and worry about the impact on her family. "I agonised over these things," Gallagher recalled. "I went to an Emily's List training session. To my horror I found myself in a room alone with Joan Kirner, like an interview! I explained my

situation: at the time I was a single mother, my daughter, Abby, was only three years old and I was finding life a struggle.

"Joan said: 'That, my dear, is why you will be a brilliant politician'. This was my defining moment. I knew then that Joan Kirner believed in me."

Kirner never put herself forward as a feminist leader, and so perhaps it is not surprising that I was not more aware of her legacy until recently, when her illness and passing has exposed the astonishing scope, not only of her reforms — from the establishment of Landcare to the introduction of the VCE — but also of her immeasurable impact on the political careers of women on the Left.

In July 2015, Emily's List and the National Labor Women's Network succeeded in campaigning to change the ALP's affirmative action policy to ensure that women were preselected for 50 per cent of seats around the country by 2025.

Move aside, Joan Jett. The reforms would be known as "Joan's Law".

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The autumn 2012 edition takes a broad look at equity issues. Alan Reid argues that governments have fallen in love with quick fixes and easy answers. Alan Smithers notes that choice and standards policies in England failed to increase equity because they were not part of a well-designed system. Tony Vinson says that investment in early years is not only the best investment we can make in society, it is a moral imperative.

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This edition of PV casts a critical eye at the national schools agenda, from funding to curriculum to the new teacher standards. A strong line-up of writers includes Chris Bonnor, Alan Reid, and Lyndsey Connors. Also in this issue, part one of a major interview with leading US academic Linda Darling-Hammond.

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This edition of Professional Voice examines the relationship between schools and families - the ways and reasons why parents and carers are involved in schools and their role in teaching and learning.

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