

EXPLANATORY STATEMENT

Guidelines issued under section 238-10 of the Higher Education Support Act 2003

Amendment No 1 to the *Other Grants Guidelines (Education) 2012*

Issued by the authority of the Minister for Tertiary Education, Skills, Science and Research.

Subject: *Higher Education Support Act 2003*
Amendment No. 1 to the *Other Grants Guidelines (Education)*
2012

Authority

Section 238-10 of the *Higher Education Support Act 2003* (the Act) provides that the Minister may make guidelines providing for matters required or permitted by the Act necessary or convenient to be provided in order to carry out or give effect to the Act. In particular item 8 of section 238-10 specifies the Minister may make *Other Grants Guidelines* to give effect to matters under Part 2-3 of the Act.

Section 41-15 of the Act provides that the *Other Grants Guidelines* may specify one or more programs under which grants for particular purposes specified in the table in subsection 41-10(1) are to be paid.

Purpose and operation

This legislative instrument amends the *Other Grants Guidelines (Education) 2012* which was registered on the Federal Register of Legislative Instruments on 13 February 2012 and commenced on 14 February 2012 (see F2012L00281).

Background

The amendments to the *Other Grants Guidelines (Education) 2012* are necessary for the administration of the Australian Maths and Science Partnership Program (AMSPP) and the Enhancing the Training of Mathematics and Science Teachers Program (ETMST Program), new programs which were announced in 2012-13 Budget.

The purpose of the AMSPP is to address the decline in the proportion of Australian students studying science, technology, engineering and mathematics-related subjects at Year 12 and tertiary levels, and improve Australia's capacity to develop into a high technology, high productivity economy.

The AMSPP will achieve this by supporting partnerships between higher education providers and schools to increase the number of school students undertaking maths and science subjects to Year 12; improve outcomes for these students; and

encourage more students to study science technology, engineering and maths (STEM) courses at university.

The purpose of the ETMST Program is to drive a major improvement in the quality of mathematics and science teachers.

The ETMST Program will achieve this by supporting new teacher training programs which combine content and pedagogy so that mathematics and science are taught as dynamic, forward-looking, and collaborative human endeavours.

The ETMST Program can be used to develop undergraduate or postgraduate programs. Institutions should be aware that a successful application does not guarantee additional Commonwealth supported places for students enrolled in courses funded by the ETMST Program.

Commencement

This legislative instrument shall come into effect on the day after it is registered on the Federal Register of Legislative Instruments.

Consultation

In May 2012, following extensive consultation with universities, deans' councils, schools representatives, advisory councils, professional associations, research bodies, state and territory education and training departments, and other key stakeholders from the public and private sectors, the Chief Scientist Professor Ian Chubb AC released the report titled *Mathematics, Engineering, and Science in the National Interest*. The findings of this report gave effect to the 2012-13 AMSPP and ETMST Program budget measures. Further consultation with the Chief Scientist, representatives from the Department of Industry, Innovation Science, Research and Tertiary Education and the Department of Education Employment and Workplace Relations, and numerous Deans of Education Deans of Science and leading discipline experts in mathematics, science and education occurred throughout July-August 2012 to inform the development of the programs' legislative guidelines and Administrative Information for Providers.

Detail of provisions

Item 1 - Enhancing the Training of Mathematics and Science Teachers Program

A new program, the Enhancing the Training of Mathematics and Science Teachers (ETMST) Program will be inserted in the *Other Grants Guidelines (Education) 2012* after clause 7.105.5 of Chapter 7. The new clauses will operate as follows:

- 7.110.1 States that the purpose of the new section in Chapter 7 is to establish the ETMST Program for the purposes of assuring and enhancing the quality of Australia's higher education sector in accordance with the Act.

- 7.115.1 Provides that the objective of the ETMST Program is to drive a major improvement in the quality of mathematics and science teachers by supporting teaching training programs where faculties, schools or departments of science, mathematics and education collaborate on course design and delivery and focus on combining content and pedagogy so that mathematics and science are taught as dynamic, forward-looking and collaborative human endeavours.
- 7.120.1 Identifies those higher education providers which are eligible to apply for grants under the ETMST Program.
- 7.125.1 Provides that the total amount of funds available for allocation under the ETMST Program in any given year is referred to as the “ETMST Allocation.”
- 7.125.5 States that the total ETMST Allocation will be \$12,408,620 for the period 2014-2016.
- 7.125.10 States the method by which indexation will be applied to the Allocation
- 7.130.1 States that the grant, the amount of the grant, as well as any conditions on which the grant is made, are subject to the Minister’s approval.

Item 2 - Australian Maths and Science Partnerships Program

Item 2 inserts a new program, the Australian Maths and Science Partnership Program (AMSPP), as new Chapter 7B, which provides as follows:

- 7B.1.1 States that the purpose of new Chapter 7B is to establish the AMSPP in order to foster an understanding of the importance of, and promoting the research and scholarship in science, social science and humanities in Australia in accordance with Act.
- 7B.5.1 States that the objective of the AMSPP is to provide funding to support innovative partnerships between universities, schools and other organisations to improve secondary students’ engagement in maths and science and increase the number of students participating in mathematics and science undergraduate courses.
- 7B.10.1 Identifies those higher education providers which are eligible to receive AMSPP funding.
- 7B.15.1 States that the total amount of funds available for allocation under the AMSPP in any given year is referred to as the “AMSPP Allocation.”
- 7B.15.5 States that the total AMSPP Allocation will be \$22.3 million for the period 2013-2016.

7B.15.10 States the method by which indexation will be applied to the AMSPP Allocation.

7B.20.1 States that an AMSPP grant, the amount of the grant, as well as any conditions on which the grant is made, is subject to the Minister's approval in accordance with the Act.

Statement of Compatibility with Human Rights

Prepared in accordance with Part 3 of the Human Rights (Parliamentary Scrutiny) Act 2011

Amendment No 1 to the Other Grants Guidelines (Education) 2012

This Bill/Legislative Instrument is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*.

Overview of the Bill/Legislative Instrument

This legislative instrument amends the *Other Grants Guidelines (Education) 2012 (DIISRTE)* to provide funding under Division 2-3 of the Act for the Australian Maths and Science Partnership Program (AMSPP) and the Enhancing the Training of Maths and Science Teachers program (the ETMST Program.)

The purpose of the AMSPP is to address the decline in the proportion of Australian students studying science, technology, engineering and mathematics-related subjects at Year 12 and tertiary levels, and improve Australia's capacity to develop into a high technology, high productivity economy.

The purpose of the ETMST Program is to fund new pre-service programs for school teachers which combine content and pedagogy so that mathematics and science are taught as dynamic, forward-looking, and collaborative human endeavours, to drive a major improvement in the quality of secondary mathematics and science teachers.

Human rights implications

The Legislative Instrument engages the following human right:

Right to education

This instrument positively engages the right to education contained in Article 13 of the International Covenant on Economic, Social and Cultural Rights.

The UN Committee on Economic Social and Cultural Rights has stated that the right to education requires that functioning educational institutions and programs have to be available in sufficient quantity within a country.

The AMSPP and ETMST Program will contribute to this requirement and help advance the right to education by:

- improving secondary students' engagement in maths and science;
- increasing the number of students participating in mathematics and science undergraduate courses;
- increasing the supply and retention of maths and science graduates and teachers; and
- providing pre-service and in-service training for maths and science teachers.

The AMSPP and ETMST Program will also improve education access and outcomes for disadvantaged groups, including students from low socioeconomic backgrounds, Indigenous

students, females in non-traditional fields of study; and people in regional, remote and Indigenous communities. The AMSPP and ETMST Program will advance Australians' rights to education.

Conclusion

This Legislative Instrument is compatible with human rights because advances the right to education.