



# SPECIAL RELIGIOUS INSTRUCTION POLICY

## PURPOSE OF THIS POLICY

To set out the requirements regarding the provision of Special Religious Instruction with which schools must comply from 14 July 2014 under Ministerial Direction MD141.

## POLICY

Principals must ensure that the Department's policy requirements and procedural advice is met. The following lists the range of advice provided about the delivery of Special Religious Instruction (SRI).

- Legislative Framework
- Scheduling
- Attendance at SRI
- Accredited Instructors
- Providers
- SRI Program and materials
- Gifts and other inducements
- Supervision
- Educational activities for students not attending SRI
- Terminology
- Location of SRI
- Religious activities outside SRI
- Concerns/Complaints

## LEGISLATIVE FRAMEWORK

### Education in government schools to be secular

The law requires that education in government schools must be secular and must not promote any particular religious practice, denomination or sect (section 2.2.10 of the Education and Training Reform Act 2006 (the Act)).

This does not prevent the delivery of *general religious education* in any government school building. *General religious education* is defined as: “education about major forms of religious thought and expression characteristic of Australian society and other societies in the world.”

### Special religious instruction (SRI)

The only exception to secular education in government schools is *special religious instruction* which may be given in a government school in accordance with section 2.2.11 of the Act. This section sets out a number of requirements regarding the delivery of SRI.

*Special religious instruction* is defined as: “instruction provided by churches and other religious groups and based on distinctive religious tenets and beliefs.”

Government school teachers must not provide religious instruction in any government school building (section 2.2.10 (3) of the Act). Delivery of *general religious education*, as opposed to religious instruction in a specific religion, by teachers as part of the curriculum is allowed under the Act.

### Ministerial Direction

On 1 May 2014 the Minister for Education issued a Ministerial Direction (MD141) to provide further direction to schools in relation to SRI. This Direction will commence on 14 July 2014. This means that all schools and principals must comply with MD141 from the start of Term 3, 2014. In accordance with this Direction:

*“If a principal receives notification from an accredited and approved instructor that the instructor is available to deliver special religious instruction at the school the principal must offer parents of children enrolled at the school the opportunity for their children to be provided with special religious instruction.”*

If a principal has received notification from an accredited and approved instructor that they are available to deliver SRI at the school they should request the volunteer provide information to enable the principal to seek informed consent from parents, including:

- the instructor’s name

- details of their accreditation and approval
- the instructor’s religious affiliations
- an overview of the program to be taught by the instructor
- any other information the principal requires in order to comply with their obligations.

Once the principal has sufficient information from the accredited and approved instructor, they must:

- provide the opportunity to parents to indicate whether they would like their child to participate in SRI in a particular religion using the prescribed CFMD141 consent form and
- then determine whether the school has sufficient resources available to ensure that duty of care obligations can be met to all students.

If a principal determines that there are insufficient teaching staff to enable adequate supervision of students, SRI cannot be provided at the school. Duty of care, and MD141, require that both the students who are participating in SRI and those who are not are each supervised by a separate teacher – it is not acceptable for a single teacher to supervise both groups of students.

Additionally, if a principal determines that there is no suitable learning space available for students undertaking SRI or those who are not undertaking SRI, then SRI does not have to be provided at the school. Students should not be placed in corridors or other spaces that are not generally used for learning.

The Department recognises that generally SRI is only offered to students of primary school age given curriculum demands in later years.

## SCHEDULING

If SRI is offered at a school, principals must ensure that it is scheduled:

- during school hours (e.g. between 9am – 3:30pm)
- as part of the school timetable
- on the basis of normal class organisation (except in specific circumstances where some other basis has been authorised as allowed under the Act – see next paragraph for more details) and
- for no more than 30 minutes per week (Note: This is not an average – sessions can be no longer than 30 minutes, and no more frequent than once per week. Schools cannot, for example, run a 120 minute session every four weeks).

The Minister (or his delegate) may give an authorisation for SRI to be given on a basis other than the normal class organisation of the school, for example in preparation or conduct of a pageant, special event or celebration of a festival in a school. This power will be formally delegated to principals with effect from 14 July 2014. Where a school wishes that an SRI volunteer conduct SRI for a pageant, special event or a celebration of a festival in a school in a grouping that is not the usual class organisation or grouping (e.g. a multi-age group of students), authorisation is required from the principal. Only SRI students (whose parents have completed, signed and returned the consent form can attend such SRI classes or events, see: [SRI Parent Consent form \(CFMD141\) \(pdf - 84.22kb\)](#)

Principals should note that the power under this delegation extends only to exceptions within the normal SRI delivery schedule – it does not provide principals with the power to schedule SRI on a basis other than normal class organisation on a regular basis, or to allow one-off religious seminars or events to occur in the school outside of the standard SRI program wherein accredited and approved instructors deliver standardised materials approved by their accrediting provider.

Celebrations and cultural events which do not involve instruction in the tenets and beliefs of a particular religion do not require the authorisation of the Minister (or his delegate) and should not be conducted by SRI volunteers. Students may be taught about a religious celebration, festival, special event etc., as part of the *general religious education* curriculum at a school by government school teachers. This may include recognition of and educational activities relating to key religious celebrations such as Christmas, Eid, Hanukkah and others. The conduct of *general religious education* classes or events may or may not include on occasion, guest speakers who are representatives of a particular faith to explain the workings and belief structure of their religion but those speakers must not provide instruction in their religion and must not promote the religion. They must be supervised by a teacher at all times.

Consistent with the Act, any event which promotes any particular religion is not allowed in government schools unless it is SRI, delivered in accordance with the requirements in this policy (and under MD141), see: Religious Activities other than SRI.

## ATTENDANCE AT SRI

SRI is not compulsory for any student. Principals must obtain written parental advice via the prescribed form – CFMD141 – for their child to participate in SRI. No other consent form can be used for this purpose. New forms must be issued for any SRI proposed to occur in Terms 3 and 4, 2014, again for the beginning of the 2015 school year, and following this, forms must be issued whenever a school is approached by an SRI volunteer seeking to deliver SRI and at least annually in a school that offers SRI, see: [SRI Parent Consent Form \(CFMD141\) \(pdf - 84.22kb\)](#)

CFMD141 must be used because it contains all the information required by MD141 to be provided to parents to obtain informed consent. If a parent does not provide written notification of a child's participation in SRI, including ticking both boxes on the consent form, within the timeframe requested by the principal or specified in the form, the child must not participate in SRI.

Principals must seek written advice from parents as to whether their child will participate in SRI:

- at least once per calendar year in a school that offers SRI
- when SRI in a particular religion is introduced into a school for the first time and
- if a different religion is to be offered at the school to the religion/s currently being offered.

Note: That the school enrolment form does not provide any opportunity for parents to provide consent for their child's participation in SRI – the prescribed CFMD141 consent form must be used for this purpose.

Principals must ensure that parents give informed consent and are provided with the following information in relation to the provision of SRI in a school:

- what type of SRI is offered or provided at the school
- how long SRI sessions run for and whether they run all year, for one term only or for some other specified period
- an overview of the program to be provided by the accredited instructor on an annual basis
- how a parent may access the full SRI program overview online
- the name of the accredited and approved instructor who will deliver SRI, which provider they have been accredited through, and his or her auspicing church and
- that they may withdraw their child from SRI at any time by notifying the school in writing.

## ACCREDITED INSTRUCTORS

Principals must ensure, by consulting with the Department, that only accredited instructors, approved by the Minister, provide SRI at a Government school.

Accredited SRI instructors are volunteers with a religious affiliation, who have received training from an approved provider and are auspiced by a specific church. Accredited instructors have undertaken training through their accredited provider which includes how to undertake their role in Government schools, focusing on the code of conduct that instructors are required to sign up to prior to receiving accreditation. This Code of Conduct requires volunteers to follow certain Departmental policy.

SRI instructors must not, in their capacity as SRI instructors, participate in any school activity except for the delivery of SRI. This means that SRI instructors must not attend any other school functions, excursions or activities. The exception to this is if a person who is a SRI instructor at a particular school is attending in their capacity as a parent, school councillor or in any other capacity in which he or she would ordinarily be allowed to participate. Providers approved to accredit instructors must ensure that instructors:

- are registered with the Provider
- obtain a Working With Children Check (WWCC) and maintain a valid WWCC
- undertake regular training

- comply with minimum suitability standards for persons who work or volunteer with children
- sign up to a Code of Conduct established by the Department and
- receive Ministerial approval.

Instructors cannot commence instruction until they have received a WWCC card (an application is not sufficient).

A copy of the instructor's formal accreditation must be retained on the school's records. This accreditation includes a WWCC and principals must retain a copy of the instructor's Working WWCC details on the school's records.

Principals must ensure that each accredited instructor delivering SRI in a school complies with the school's volunteer and visitors to schools policies, see: [Volunteer Checks](#)

Instructors must be supervised by a teacher at all times. The principal is responsible for reporting any instructor behaviour that does not meet the requirements under the Code of Conduct.

## PROVIDERS

The following provider are able to accredit instructors to deliver SRI:

Religion	Accrediting Provider
Christianity	ACCESS Ministries, see: <a href="#">ACCESS Ministries</a>
Catholicism	<a href="#">Catholic Education Office</a>
Islam	<a href="#">Arkan Toledo/Islamic Council of Victoria</a>
Judaism	<a href="#">United Jewish Education Board</a>
Buddhism, Sikhism, Hinduism, Orthodox Christianity, Bahá'í faith and others	<a href="#">Religions for Peace Australia (RfP)</a>

Principals must ensure that SRI instructors are accredited by one of these agencies. Representatives of churches or other religious organisations who are not accredited by one of these agencies must not deliver SRI in schools.

Should a parent request SRI in a religion that is not available at the school, the principal should advise that such instruction can only be scheduled if an accredited instructor from an accredited provider approved by the Minister becomes available, and if the school has sufficient resources to ensure supervision/duty of care obligations can be met.

Procedures for accredited providers and processes through which providers can apply to accredit SRI instructors will be available from 1 January 2015.

## SRI PROGRAM AND MATERIALS

### Content of programs

SRI is instruction in the specific religious beliefs and tenets of a religion, and is not to be confused with *general religious education* (GRE). GRE is education about religions (which may or may not include utilising representatives of a particular faith to explain the workings and belief structure of their religion), whereas SRI programs are instruction in a particular religion and may include scriptural studies, and instruction in how to live and behave according to the tenets of the particular faith.

Each accredited provider prepares its own program materials for use during SRI. Given the religious nature of the content, the Department does not endorse such materials.

Note: The Department will play a role in determining minimum standards for program content that SRI providers will be required to comply with, to ensure program content does not conflict with department policy and guidelines, human rights and anti-discrimination laws, or principles in the Act. This policy will be updated and principals and parents advised when this process is implemented following further discussions with SRI providers.

Parents or school staff wishing to view the material used by agencies should view the materials online or contact the school or the provider providing SRI.

Principals must ensure that the SRI volunteers in their school delivers the program materials that are approved by the instructor's provider and that are available for parents to access in an online format. Any concerns about the content of the provider-approved material delivered at a particular school should be directed to the principal. The principal will contact the provider who has accredited the SRI volunteer in the school, or the Department's central Student Inclusion and Engagement Division to address the complaint, see:

[Concerns/Complaints](#).

Principals must ensure that any information, ideas, opinions or beliefs communicated to students or any written material distributed to students by an SRI provider or instructor does not contradict the school's values, school curriculum or any other applicable law, department policies or guidelines. The Act (s 1.2.1(a)) contains guidance in relation to overarching principles for all schools:

*(1) all providers of education and training, both Government and non-Government, must ensure that their programs and teaching are delivered in a manner that supports and promotes the principles and practice of*

*Australian democracy, including a commitment to—*

*(i) elected Government;*

*(ii) the rule of law;*

*(iii) equal rights for all before the law;(iv) freedom of religion;*

*(v) freedom of speech and association;*

*(vi) the values of openness and tolerance.*

SRI program materials must not be referred to as ‘curriculum’, as SRI is an extra-curricular activity. For further information, see: Terminology

### **Charging for materials**

Instructors may charge a fee to provide materials to students participating in SRI. This fee cannot be charged by the school prior to having sought consent from parents using CFMD141, and then determining whether SRI will be offered based on resourcing factors. Any fee for SRI materials cannot be listed alongside other subject fees or collected with student booklist payments.

## **GIFTS AND OTHER INDUCEMENTS**

Principals must ensure that an accredited instructor does not:

- provide or offer to students who attend SRI any enticement, reward or other benefit of a tangible nature, eg: gifts (including religious texts such as bibles), sweets or stickers
- induce or attempt to induce any student to convert to a particular religion
- invite or encourage any student to attend religious events held outside of school.

## **SUPERVISION**

Teachers are required to supervise SRI sessions and fulfil their duty of care obligations. Teachers should be made aware of guidelines and policy relating to SRI, and the distinct difference between SRI and *general religious education*.

A teacher who is responsible for the supervision of SRI must report any concern he or she has about the delivery, provision or content of SRI to the principal, as soon as it is practicable. For example, if a teacher believes that the content of SRI conflicts in some way with a Department policy (for example, regarding diversity) they must report that concern to the principal. Similarly, if a supervising teacher believes that the content or nature of any SRI class raises concerns from a duty of care perspective, the teacher must report that to the principal.

The principal is required to ensure that students not participating in SRI are adequately supervised by a teacher. For detail on what constitutes adequate supervision, see: Legislative Framework

## EDUCATIONAL ACTIVITIES FOR STUDENTS NOT ATTENDING SRI

Students who do not attend SRI must be adequately supervised by a teacher (see Legislative Framework section above) and engaged in educationally valuable activities at the time that SRI is being provided to the students who are opted-in. This may include self-study, revision, reading, community service, peer mentoring and participation in clubs.

A principal must ensure that students who do not attend SRI must not be provided with instruction in areas within the Australian Curriculum in Victoria (AusVELS) while other students are participating in SRI.

## TERMINOLOGY

Principals must not allow SRI to be called by any other name due to the potential for it to be confused with *general religious education* which has a specific definition in the Act. The law provides a clear distinction between the concepts of ‘education’ and ‘instruction’. Where volunteers from churches and other religious groups deliver instruction in the tenets and beliefs of a particular religion, this must be referred to as ‘instruction’ and not ‘education’.

Principals and SRI providers must ensure that SRI volunteers are not referred to as ‘teachers’ but as ‘instructors’ in order to ensure no confusion as to their role. Note: the Department acknowledges that some instructors may have teaching qualifications and/or VIT registration, however in their role as an SRI instructor volunteers may not be referred to as ‘teachers’.

Materials used for the delivery of SRI must not be referred to as ‘curriculum’ (or any derivation thereof). SRI is an extra-curricular activity, and materials used in SRI sessions may only be referred to as ‘materials’, ‘program materials’, or any term other than ‘curriculum’ which makes clear to parents that the activity is not part of the school’s curriculum.

Additionally, SRI is not to be referred to as a ‘youth group’, ‘prayer group’, ‘information session’ or ‘workshop’. SRI cannot and does not take the form of these activities, and in being delivered in line with the Act, MD141 and this policy may only be referred to as SRI, see: Religious Activities outside SRI

## LOCATION OF SRI

Principals must ensure that students do not leave the school premises for SRI or any other religious event held outside of school grounds. This includes any type of excursion for students participating in SRI. Anti-discrimination laws require that students are not treated unfavourably because of their religious beliefs or religious activity (including not holding particular religious beliefs). Taking SRI students on an excursion outside of school grounds may, in some circumstances, have the effect of discriminating against students on the basis of their religious beliefs.

## RELIGIOUS ACTIVITIES OUTSIDE SRI

SRI cannot and does not take the form of prayer groups, youth groups, clubs, information sessions, or workshops. Legislation requires that Government schools are secular, and the only exception to secular education in government schools is SRI delivered in accordance with the Act, MD141 and this policy. Any other forums or activities as noted above, would constitute promotion of specific religions in schools outside SRI, and are not permitted. For the avoidance of doubt, students engaging in prayer in observation of their religion at lunchtimes is not SRI as there is no element of 'instruction'. Such prayer cannot be led, conducted by or at the instruction of staff or parents/visitors/volunteers. For further advice please contact the Legal Division.

Principals must ensure that no religious programs, plays, events or activities run or conducted by any external religious organisations or individuals are offered or provided in government schools during school hours. Principals must not permit material, whether associated with SRI or not, to be distributed or displayed at a Government school if that material has the effect of promoting any particular religious practice, denomination or sect. This includes the distribution of religious texts (eg bibles) by any person or organisation whether accredited SRI providers or not. When advertising events or activities in school newsletters or on school premises, principals should be mindful of the requirement in the Act that government schools must not promote any particular religious practice, denomination or sect.

Note: This section of the policy is not to impact on the ability of persons within schools to dress according to the requirements of their faith. Principals should refer to the Department's policies on Developing and Reviewing Dress Codes and Dress Code Exemptions, which promote an inclusive approach to religious diversity, for guidance on how to accommodate religious requirements within a school's dress code, see: [Developing and Reviewing Dress Codes](#), [Dress Code Exemptions](#) on DEECD.

## CONCERNS/COMPLAINTS

Parents who want to raise a concern or make a complaint related to the provision of SRI should discuss the matter with the principal in the first instance in accordance with the Department's Parent Complaints policy. The Principal will contact the provider who has accredited the SRI volunteer in the school, or the Department's central Student Inclusion and Engagement Division to address the concern or complaint.

## RELEVANT DOCUMENTS & RESOURCES

- [SRI Parent Consent form \(CFMD141\) \(pdf - 84.22kb\)](#) (this form is updated and uploaded at 2.00 pm - 19/6/14)
- For more information [Ministerial Direction 141 – Special Religious Instruction in Government Schools](#) or contact: Student Inclusion and Engagement Division (03) 9637 3179