



Queensland

# **Indigenous Education and Economic Opportunities Youth Bill 2009**





Queensland

# Indigenous Education and Economic Opportunities Youth Bill 2009

## Contents

---

		Page
<b>Part 1</b>	<b>Preliminary</b>	
1	Short title . . . . .	4
2	Commencement . . . . .	4
3	Definitions . . . . .	4
<b>Part 2</b>	<b>Extracurricular activities contract</b>	
4	Basic requirements . . . . .	6
5	Negotiation of contract . . . . .	7
6	Consequences of breach of contract . . . . .	7
<b>Part 3</b>	<b>Indigenous studies</b>	
7	The executive board . . . . .	7
8	Composition of the board . . . . .	8
9	Subject requirements . . . . .	8
<b>Part 4</b>	<b>Cultural schools</b>	
10	Establishment . . . . .	9
11	Role . . . . .	9
12	Students . . . . .	9
13	Requirements . . . . .	9
14	Teachers . . . . .	9
<b>Part 5</b>	<b>Youth engagement officer</b>	
15	Placement . . . . .	10
16	Requirements . . . . .	10
<b>Part 6</b>	<b>Business incentives</b>	
17	Establishment . . . . .	10
18	Requirements . . . . .	10
19	Penalties . . . . .	11



**2009**

---

**A Bill**

for

**A Youth Act to encourage Indigenous students to stay in school, promote traditional culture and provide economic opportunities in Indigenous communities**

---

[s 1]

---

<b>The Youth Parliament of Queensland enacts—</b>	1
<b>Part 1 Preliminary</b>	2
<b>1 Short title</b>	3
This Youth Act may be cited as the <i>Indigenous Education and Economic Opportunities Youth Act 2009</i> .	4 5
<b>2 Commencement</b>	6
This Youth Act commences on a day to be fixed by proclamation.	7 8
<b>3 Definitions</b>	9
In this Youth Act—	10
<b><i>breach of contract</i></b> means a breach of contract where there is a failure to exercise a contract.	11 12
<b><i>DOGIT Community</i></b> means a community owned and governed under a ‘Deed of Grant in Trust’ ( <b><i>DOGIT</i></b> ), under the <i>Aboriginal and Torres Strait Islander Communities (Justice, Land and Other Matters) Act 1984</i> .	13 14 15 16
Notes—	17
1 Community councils were established to own and administer former reserves or missions.	18 19
2 There are a total of 15 registered in Queensland.	20
<b><i>parent</i></b> or <b><i>guardian</i></b> means a person who has the legal guardian rights over a child.	21 22
<b><i>school age</i></b> means a person aged between 5 and 17 or outside these ages but still attends a school recognised by the Queensland government.	23 24 25

---

<b><i>State high school</i></b> means a state governed educational institution dealing only with the educational years 8 to 12, unless otherwise stated.	1 2 3
<i>Note—</i>	4
See also definition <b><i>State school</i></b> .	5
<b><i>State region</i></b> means the regions of Queensland which include the following—	6 7
• South East Queensland	8
• Wide Bay–Burnett	9
• Darling Downs	10
• Fitzroy	11
• Mackay	12
• North West	13
• Far North.	14
<b><i>State school</i></b> means an educational institution commissioned by the State and run by educational professionals as employed by the Department of Education and offers education ranging from prep to year 12, through attendance at the relevant Primary or High School, and is offered free of charge to the community on a full time basis of 5 days per week, including an average 12 weeks holiday per annum.	15 16 17 18 19 20 21
<b><i>statutory contract</i></b> means a legal document between a government and an authority for the benefit of another party.	22 23
<i>Note—</i>	24
This can be for individuals and government.	25
<b><i>teacher</i></b> means any individual recognised by, and practising under the Department of Education or affiliated organisations, as an educational professional administering educational services within an Australian Accredited school.	26 27 28 29
<i>Note—</i>	30
The prerequisites of teaching may, or may not, include the holding of a certified Bachelor of Education, or a current blue card, depending on the	31 32

---

[s 4]

---

current standards set out in guidelines published by the Department of Education.	1 2
<b><i>Torres Strait Islands</i></b> means the group of 138 small islands, 17 of which are populated, situated along the 150km passage which forms the Torres Strait.	3 4 5
<i>Note</i> —	6
Islander ethnicity is said to be of PNG decent, however the population incorporates Islander, Aboriginal, Malay, Chinese, Japanese, Melanesian and Anglo, speaking a common language of Creole, a pidgin form of English.	7 8 9 10

<b>Part 2</b>	<b>Extracurricular activities contract</b>	11 12
<b>4</b>	<b>Basic requirements</b>	13
(1)	All school aged Queenslanders who wish to participate in extracurricular activities must sign a binding, statutory contract with their educational institution.	14 15 16
(2)	Under this Youth Act educational institutions may include the following—	17 18
(a)	state school boards;	19
(b)	tribal elders;	20
(c)	families;	21
(d)	registered training organisations.	22
(3)	Under the provisions of the contract, parties involved in the contract will have the ability to negotiate with authority the terms and conditions of the contract.	23 24 25
(4)	No school aged Queenslander may partake in extracurricular activities without negotiating and signing a statutory contract with their educational institution.	26 27 28

---

<b>5</b>	<b>Negotiation of contract</b>	1
	Negotiation of extracurricular contracts must be conducted between all school aged Queenslanders and their educational institution—	2 3 4
	(a) prior to the commencement of each school semester; or	5
	(b) within one week of the commencement of each school semester.	6 7
<b>6</b>	<b>Consequences of breach of contract</b>	8
	Students who do not sign and abide by the rules of the contract will—	9 10
	(a) not be allowed to start extracurricular activities; or	11
	(b) be removed from their extracurricular activities.	12
<b>Part 3</b>	<b>Indigenous studies</b>	13
<b>7</b>	<b>The executive board</b>	14
(1)	The Executive Board of Queensland Indigenous Studies is to be set up within the Queensland Studies Authority.	15 16
(2)	The Executive Board of Queensland Indigenous Studies is required to—	17 18
	(a) develop a compulsory Indigenous Studies subject in accordance with section 9; and	19 20
	(b) regulate all additional components that an individual state school may include in the indigenous studies subject; and	21 22 23
	(c) monitor and review the Indigenous Studies subject to further meet the subject requirements in section 9.	24 25

[s 8]

---

<b>8</b>	<b>Composition of the board</b>	1
(1)	Membership of the board is to be appointed by Education Queensland and must include—	2 3
(a)	members of the Indigenous community of Queensland; and	4 5
(b)	representatives from Education Queensland; and	6
(c)	representatives of the Queensland Teachers Union.	7
(2)	The Indigenous representatives must include—	8
(a)	an Indigenous representative from each state region; and	9
(b)	a respected elder; and	10
(c)	two Indigenous people from the education profession.	11
(3)	Each board member will be obliged to serve a single term of three years, however they may re-nominate at the end of each three year term, with no set limits on the amount of terms one can serve.	12 13 14 15
<b>9</b>	<b>Subject requirements</b>	16
(1)	The Indigenous Studies subject is compulsory for all students from grade 8 to 12 in all state high schools in Queensland.	17 18
(2)	The following list of study units must be taught in the subject—	19 20
(a)	the stolen generation;	21
(b)	the 1967 referendum;	22
(c)	Mabo land rights case;	23
(d)	terra nullius;	24
(e)	Dreamtime stories;	25
(f)	cultural tools used and way of living;	26
(g)	the current state of Indigenous affairs across Australia.	27
(3)	Further studies deemed appropriate by the school and approved by the board will be taught in schools.	28 29

---

<b>Part 4</b>	<b>Cultural schools</b>	1
<b>10</b>	<b>Establishment</b>	2
	Cultural schools are to be established in all DOGIT communities and communities of the Torres Strait Islands.	3 4
<b>11</b>	<b>Role</b>	5
	The role of the cultural schools is to teach and educate Indigenous youth on the heritage of their culture.	6 7
<b>12</b>	<b>Students</b>	8
	(1) Cultural schools are not compulsory for all students.	9
	(2) Students of all ages are allowed to attend the cultural school.	10
<b>13</b>	<b>Requirements</b>	11
	(1) The requirements set out are compulsory for every cultural school but can be changed and adapted to suit the community and traditional culture of the area.	12 13 14
	(2) In the cultural schools the following must be taught—	15
	(a) traditional stories;	16
	(b) oral history;	17
	(c) food and cooking;	18
	(d) dancing;	19
	(e) art;	20
	(f) further subjects deemed appropriate by a teacher.	21
<b>14</b>	<b>Teachers</b>	22
	(1) All teachers in cultural schools must be elders whose ancestors traditionally owned the land.	23 24
	(2) The teachers do not need formal qualifications.	25

[s 15]

---

<b>Part 5</b>	<b>Youth engagement officer</b>	1
<b>15</b>	<b>Placement</b>	2
	There must be one youth engagement officer in every state school in Queensland with over 1% of students identified as Indigenous.	3 4 5
<b>16</b>	<b>Requirements</b>	6
	The youth engagement officer must follow the following requirements—	7 8
	(a) be a qualified teacher;	9
	(b) give support to all students that request help;	10
	(c) give support to students identified by teachers as needing help.	11 12
<b>Part 6</b>	<b>Business incentives</b>	13
<b>17</b>	<b>Establishment</b>	14
	Tax breaks will be applicable to all businesses that are established in Indigenous communities.	15 16
<b>18</b>	<b>Requirements</b>	17
	The following requirements will apply to the businesses—	18
	(a) 60% of the employees for the company must be from the community in which it is open;	19 20
	(b) the business will receive a 25% tax break in its first 3 years;	21 22
	(c) after the first 3 years the tax break will be lowered to 10% for the following 2 years;	23 24

- (d) for the following 2 years the tax break will be lowered to 5%; 1  
2
  - (e) after the initial 7 years the tax break will be removed. 3
- 19 Penalties** 4
- Any business that does not apply section 18 of this Act 3  
months after opening will lose any tax benefits. 5  
6