

SPECIAL RELIGIOUS INSTRUCTION POLICY

PURPOSE

To ensure Victorian government schools are aware of how Special Religious Instruction (SRI) may be offered and the requirements that apply to its provision, under Ministerial Direction 145 (MD 145) - from 27 January 2016 (the start of Term 1 2016).

IMPLEMENTATION

Legislative Framework

Government Education to be Secular

The Education and Training Reform Act 2006 (the Act) provides that government school education must be secular. Government schools must not promote any particular religious practice, denomination or sect, and must be open to adherents of any philosophy, religion or faith. Every person employed or engaged in a government school must have regard to this overriding principle of secularity.

General Religious Education

A secular education still includes education about world faiths and secular belief structures, as this knowledge assists students to understand the world around them and act with tolerance and respect towards people from all cultures. The Act provides for the inclusion of this general religious education in the curriculum of a government school; allowing “education about major forms of religious thought and expression characteristic of Australian society and other societies in the world.”

The Victorian Curriculum recognises the importance of world histories, global cultures, ethics and traditions. The curriculum will help ensure Victoria remains a successful multicultural society and strengthen our diversity and the capacity of our young people to understand others, including other world views, and to act with tolerance and respect.

As part of the general religious education curriculum provided by government school teachers, students may be taught about, and acknowledge, religious celebrations or festivals. This may include recognition of, and educational activities relating to, key religious celebrations such as Christmas, Eid al-Adha, or Hanukkah. General religious education classes or events may include one-off guest speakers who are representatives of a particular faith to explain the workings and belief structures of their religion. However, the guest speakers must not provide instruction in their religion or promote the religion.

All education providers must ensure that their programs and teachings are delivered in a manner that supports and promotes the principles and practice of Australian democracy, including a commitment to freedom of religion, speech and association. Government school teachers must not provide teaching in religion other than general religious education.

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The principle of secularity does not prevent school councils from hiring and licensing school facilities where they are not required for ordinary school purposes and are to be used for recreational, sporting or cultural activities outside of school hours which are not part of the school program. The [Hiring, Licensing and Shared Use of School Facilities](#) policy provides further information on the use of school facilities.

SPECIAL RELIGIOUS INSTRUCTION

The only exception to students receiving a secular education in government schools is non-compulsory special religious instruction (SRI) (section 2.2.11 of the Act). SRI is “instruction provided by churches and other religious groups and based on distinctive religious tenets and beliefs.”

Any group seeking to facilitate, lead or provide instruction in programs that are based on distinctive religious tenets and beliefs either during lunch time or out-of-school hours (where this is provided by the school and supervised by school staff), must satisfy the requirements for SRI set out in MD 145 and this policy.

The content of any program proposed to be delivered by visitors to schools must be examined by principals to ascertain whether the content is based in the religious tenets and beliefs of a particular religion and thus falls within the SRI policy framework. Examples would include prayer groups, scripture study groups and lunchtime praise groups, where these are facilitated, lead or instructed by a visitor or an external group. It does not include before or after school groups hiring school facilities to operate their own cultural groups independent of the school. For further information on determining whether a proposed program is SRI, see: [Fact Sheet for Principals in Department Resources](#)

School celebrations and cultural events that are part of general religious education rather than SRI should not be led by SRI instructors but by teaching staff. SRI instructors may be guests or guest speakers at general religious education events; however, the instructor should not lead the event and must understand that as guests or guest speakers they must not provide instruction in (as opposed to general information about) their religion and must not promote the religion. They must comply with the Department’s policies on [Volunteer Workers](#) and [Visitors in Schools](#).

The only exception to secular education in government schools is special religious instruction which may be given in a government school during the hours of instruction 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.”

MINISTERIAL DIRECTION 145

Students and teachers have the rights to freedom of religion and belief, freedom of expression and freedom of association under the Charter of Human Rights and Responsibilities Act 2006. Students can organise and participate in voluntary religious activities outside of the school program as they are not part of the curriculum provided by the State in government schools. Such activities cannot be promoted by the school.

Principals must read MD 145 to ensure they understand their responsibilities and the requirements for SRI, which include the following:

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- Students in government schools may only attend SRI for a maximum of 30 minutes per week, during lunchtime, or in the hour before or after school.
- Attendance must not be compulsory for any student.
- The program must operate as an 'opt-in' extra-curricular activity that students may only attend with their parents' informed consent obtained using the prescribed consent form - CFMD145, see [Department Resources](#).
- Parental consent may be withdrawn at any time.
- All program activities must be supervised by at least one school teacher.
- SRI can only be provided by accredited instructors who are approved by the Minister for Education.
- The only program materials that can be used as part of SRI are those that are approved by the instructor's accredited provider and that are available for parents to access online
- SRI instructors are visitors to schools and must comply with the Department's policies on Volunteer Workers and Visitors in Schools
- Students who attend SRI must not be offered any enticement or other benefit of a tangible nature.
- SRI instructors must not attempt to convert students to a particular religion or invite students to attend activities outside of SRI.

OFFERING SRI

Ministerial Direction 145 gives the Principal the decision-making responsibilities around SRI in their schools. Principals may decide to offer, or not to offer, to change the time, or to cease offering SRI, based on the circumstances of their particular school. In making the decision principals should have regard to relevant considerations such as the:

- (a) level of demand by parents for SRI to be delivered at the school
- (b) availability of teaching staff to appropriately supervise the delivery of the program
- (c) availability of an accredited and approved instructor to deliver the program
- (d) availability of school funds to employ casual relief teachers, if required, to provide supervision
- (e) availability of an appropriate space in which SRI may be delivered at the times an instructor is available
- (f) timetabling of any other extra-curricular activities
- (g) views of the School Council
- (h) views of the school community, and
- (i) any other matters the Principal considers relevant in the particular circumstances.

Principals may consider some or all of the considerations listed, depending on the circumstances of their school. Principals must not have regard to their own personal views about religion or their personal religious beliefs or practices in making a decision to offer, or not to offer, or to cease offering SRI.

In a school where SRI is currently offered, the Principal may consider publishing a notice in the school newsletter to provide an opportunity for feedback prior to making a decision about the provision or not of the program. A record should be kept of the process taken and the reasons for making such a decision.

SCHEDULING

If SRI is offered at a school, the Principal must ensure that students do not attend for more than 30 minutes per week and that SRI is offered either at lunchtime or in the hour before or the hour after school.

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The 30-minute maximum applies to a student's attendance at SRI, rather than the total amount of SRI that a school may offer. Not all instruction offered at the school must occur during the same 30-minute interval. For example, large schools with a high number of parents wanting their children to attend may choose to offer SRI for different year levels at lunchtime on different days, while a school with smaller numbers may choose one multi-age group, at lunchtime once a week. Schools offering SRI in more than one faith may also choose to schedule those on different days and at different times.

Where an instructor is willing, SRI may be delivered to multi-age groupings of students. As the sessions are no longer offered during class time, there is no longer a requirement that they be delivered on the basis of "normal class organisation". Principals should ensure they understand what age-groups form part of a particular session being offered to the school by the instructor.

ATTENDANCE

SRI is not compulsory for any student.

Before a child can participate the Principal must obtain a parent's written consent. Principals must use the prescribed form – CFMD145 – for this purpose. If a parent does not provide the consent form within the timeframe specified in the form, the child must not participate in SRI.

Note: The school enrolment form does not provide an opportunity for parents to provide consent for their child's participation. Principals must ensure parents give appropriate informed consent and are provided with the following information in relation to the provision of SRI in the school:

- the religion(s) in which SRI is being offered at the school
- the session times, and whether they run all year, for one term only or for some other specified period
- the age grouping for the session(s)
- an overview of the program (provided by the accredited instructor)
- how a parent may access the program materials online
- the name of the accredited and approved instructor who will deliver the session/s, and the name of the provider they have been accredited through;
- that they may withdraw their child from SRI at any time by notifying the school.

INSTRUCTORS

Principals must ensure, by consulting with the Department, that only accredited and approved instructors provide SRI at a government school as accredited instructors have undertaken training through their accredited provider and have signed a Code of Conduct which outlines how they are required to conduct themselves.

Principals and SRI providers must ensure SRI instructors are not referred to as 'teachers' but as 'instructors' to avoid confusion as to their role. This includes instructors who may have a teaching qualification and/or VIT registration, as they are at the school in their role as an SRI volunteer, not as a 'teacher'.

Approved providers must ensure that the instructors they accredit:

- have a valid Working With Children Check (WWCC)
- undertake regular training
- meet minimum suitability standards for persons who work or volunteer with children

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- sign up to a Code of Conduct established by the Department
- understand relevant Victorian legislation, Department and school policies
- receive Ministerial approval to provide SRI in a government school.

Principals must ensure:

- the instructor is not a government school teacher
- instructors are accredited by an approved provider
- a copy of the instructor's formal accreditation (including WWCC details) is retained on the school's records
- instructors do not continue to instruct if their WWCC card has expired
- instructors comply with the school's volunteer and visitors to schools policies
- instructors are supervised by a school teacher at all times
- any instructor conduct that does not meet the requirements of the Code of Conduct or this policy is reported to the Department's central Wellbeing, Health and Engagement Division as soon as practicable upon discovery of failure to meet these requirements.

PROVIDERS

Christianity – Access Ministries

Islam – Arkan Toledo/Islamic Council of Victoria

Judaism – United Jewish Education Board

Buddhism, Sikhism, Hinduism, Orthodox Christianity, Bahá'í faith – Religions for Peace Australia

PROGRAM AND MATERIALS

Each accredited provider prepares its own program materials for use during SRI. Materials must not be referred to as 'curriculum' and may only be referred to as 'materials' or 'program materials' as SRI is an extra-curricular activity.

Given the religious nature of the content, the Department does not endorse the program materials that providers may use. However, the Department does play a role in determining minimum standards for content of the program materials to ensure it does not conflict with human rights and anti-discrimination laws, or principles of law.

Parents or school staff wishing to view the materials used by agencies should view them online or contact the school or the accredited instructor's provider.

Principals must ensure that the SRI instructors in their school deliver only the program materials that are approved by the instructor's provider and are available for parents to access online.

Principals must also ensure SRI programs support schools to be safe places for all students, irrespective of their family and cultural background, sexual orientation, gender identity and intersex status.

Any concerns about the content of the provider-approved material delivered at a particular school should be directed to the Principal. The Principal must contact the Department's central Wellbeing, Health and Engagement Division to report the complaint.

Principals must ensure that any SRI program is delivered in a manner that supports and promotes the principles and practices of Australian democracy including a commitment to:

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- elected Government
- the rule of law
- equal rights for all before the law
- freedom of religion
- freedom of speech and association
- the values of openness and tolerance.

CHARGING FOR SRI

Instructors may charge a fee to participating students. This fee can include the cost of materials or program. This fee cannot be charged prior to consent to participate having been sought from parents. Schools may assist instructors in collecting this fee, but schools should not meet the costs of SRI materials and recoup the cost from parents.

SUPERVISION

Principals must ensure that SRI is adequately supervised by at least one teacher and must ensure that students are not removed from school ground by SRI instructors during SRI.

School teachers are required to supervise SRI 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 must report any concern he or she has about the delivery, provision or content of the program to the Principal, as soon as it is practicable. For example, if a teacher believes that the content of the program conflicts in some way with a Department policy (such as the policy regarding diversity), he/she 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 also required to ensure that students not participating in SRI are supervised by a teacher in line with school policy regarding yard duty supervision.

FREEDOM OF RELIGION

Students and teachers have the right to hold their own spiritual beliefs and to practice their religion. These rights to freedom of religion and belief, freedom of expression and freedom of association are protected under the Charter of Human Rights and Responsibilities Act 2006. Students and teachers also have responsibilities under the Racial and Religious Tolerance Act 2001 which prohibits behaviour that incites or encourages hatred, serious contempt, revulsion or severe ridicule against another person or group of people because of their religion or belief. Further information about religious rights and responsibilities can be found on the [Victorian Equal Opportunity & Human Rights Commission](#) website or by calling 1300 292 153.

Ministerial Direction 145 does not stop students from expressing their faith. For example, students may engage in individual or group prayer during school hours where this is in accordance with the requirements of their religion, or during break times. However, student prayer, religious study groups or religious youth groups cannot be led, conducted or instructed by a teacher, staff member or

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visitors/volunteers outside of SRI. Students may also dress in accordance with the requirements of their faith and their school dress code. The Department's policies promote an inclusive approach to religious diversity, provide further information. See: [Developing and Reviewing Dress Codes](#), [Dress Code Exemptions](#)

PARENT CONCERNS AND 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, see: [Parent Complaints](#).

EVALUATION

This policy will be reviewed in line with the school's Evaluation of Policies Timetable.

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