



‘Displacement by design’: From broadbanding to disbanding English as a Second language provision in Australian school education policy

Michael Michell School of Education, University of New South Wales, Australia

Abstract

The Commonwealth-funded school English as a Second language (ESL) program used to be seen by the ESL profession as an essential educational access and equity provision responding to Australia’s migrant and humanitarian intakes and its growing linguistically diverse population. In the decades before and after the turn of the century, however, Commonwealth education ‘reforms’ involving literacy, broadbanding, federal relations and school funding progressively displaced and dismantled ESL as a tied-funded, specific-purpose program. In the first of three articles examining Australian schools policy and its impacts on English as an additional language/dialect provision, this study draws on Kingdon’s policy streams and New Public Management frameworks to explain how national education policy agendas displacing ESL got up and got done. The article offers a selective historical account how and why successive Commonwealth Governments developed specific-purpose ESL provision in the 1980s, broadbanded it in the 1990s, and finally disbanded it in the noughties. In so doing, it aims to foster policy literacy among TESOL educators and researchers.

Correspondence

Michael Michell
m.michell@unsw.edu.au

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Introduction

Australia's success as a multicultural society owes much to its national English as a Second Language (ESL) Program which supported educational access and equity for immigrants and refugees. This program was underpinned by earmarked Commonwealth funding to State and Territory Governments as Specific Purpose Payments under Section 96 of the Australian Constitution. By the 1980s, this dedicated funding enabled the development of a structured and coherent approach to ESL provision, addressing both immediate and long-term English learning needs of migrant and refugee students in schools by providing intensive and post-intensive instruction with targeted funding and program-specific accountability. This national program structure was replicated in special administrative and professional support structures in state and territory education systems and schools, which in turn, drove developments in key areas of ESL curriculum and assessment, professional practice and support, and teacher education. Crucially, it established the specialist role of the ESL teacher in schools, providing the basis for specialist staffing, assessment, pedagogy, professional development and research (Davison, 2014). The term ESL education has been used to describe the comprehensive nature of this specialist educational provision.

This article offers a selective historical account how and why this specific-purpose ESL provision was developed by successive Commonwealth Governments in the 1980s, broadbanded in the 1990s and finally disbanded in 2008. It presents an alternate account to Oliver et al.'s (2017) 'chequered history', with a focus on the key institutional contexts, policy actors and agendas that have shaped EAL/D education nationally.¹ Essential to understanding changes to ESL/EAL/D policy in Australia is an understanding of key processes beyond education such as Commonwealth-state federal relations and related institutions that provide the political arenas where national education policies were formulated and decided. In this regard, "language policy research needs to engage with other policies' central concerns, rather than treating these as mere background, and to track the processes by which these concerns play into language issues" (Moore, 2007, p. 581). The policy streams and NPM frameworks below provide key analytical perspectives in tracing the Commonwealth's policy enchantments displacing ESL provision.

Frameworks for ESL policy analysis

Moore's (1991) notion of 'policy enchantments' and 'displacements' highlights the simultaneous motivating and marginalising power of new policy agendas affecting ESL. Whereas 'enchantments' describe the imagined futures, faith and fantasies that underpin the policy directions and assumptions of policy actors, 'displacements' identify the consequential impacts of those enchantments on existing policies and programs. In other words, policy enchantments and policy displacements are two sides of the same policy coin. A recurring theme in this three-part policy history is that policy displacements affecting ESL were not

accidental but, like the policy enchantments that drove them, were intentional, planned and ‘by design’.

This three-part account of ESL/EAL/D policy therefore aims to foster a ‘policy literacy’ among TESOL educators and researchers in understanding, critiquing, and influencing policy (Lo Bianco, 2001). The following literature on policy streams and New Public Management provides key policy analysis frameworks that elucidate the dynamic interaction of national policy actors and their policy enchantment/displacement agendas and trajectories that have affected ESL/EAL/D education nationally over past decades.

Kingdon’s Multiple Policy Streams

Inspired by the ‘garbage can’ model of non-rational policy decision-making in which policy solutions and actors chase policy problems (Cohen et al, 1972), Kingdon’s field-defining work, *Agendas, Alternatives and Public Policies* (1984, 1995) outlined a multiple streams model of policy-making in which three independent but potentially intersecting flows of problems, policies and political processes converge at critical times to place a particular issue on a government’s decision agenda. The *problem stream* describes the process of problem recognition where government, media and public attention is captured by a set of issues arising from dramatic focusing events (such as crises or disasters), system indicators, or negative feedback from existing policies. Operating concurrently, the *politics stream* explains the relative prominence of issues on the official agenda. The vicissitudes of public opinion, the balance of organised political forces, and events within government itself are all processes which influence the agenda status of a particular policy issue within this stream. The *policy stream* describes the generation and specification of policy solutions drawn from a larger set of policy options being considered and debated by the policy community of specialists, academics and groups both within and outside government. Kingdon’s model describes how each stream follows its own rules and dynamics, but when they converge, the policy status quo is disrupted and a *policy window* for change briefly opens up, creating opportunities for a new policy settlement. In this account, key convergence of problem, politics and policy streams affecting developments in ESL provision are identified as *policy turning points*. A comprehensive timeline of key ESL policy events, streams and turning points is outlined in Appendix A.

New Public Management

First used by Hood (1991) to describe characteristic ‘all-purpose’ policy elements evident in public sector reforms emergent in OECD Anglophone countries during the 1980s, New Public Management (NPM) describes the constellation of management ideals and methods that applied neoliberal, ‘economic rationalist’ thinking to the sphere of public administration (e.g., Christensen & Lægreid, 2001; Dunleavy & Hood, 1994; Fusarelli & Johnson, 2004; Haque, 2004) including education (Connell, 2013; Reid, 2020; Tolofari, 2005). Valorising the

efficiencies of ‘small government’ and seeking to re-make public services after its own business image, NPM was embraced as a means of public sector reform particularly in Anglophone OECD counties, with USA, Australia and the UK being enthusiastic early adopters (McLaughlin et al., 2002).

NPM reflects core values of efficiency and frugality (parsimony of resource use, doing ‘more with less’), disaggregated cost centre structures, and cost-cutting (Hood, 1991; Laegreid, 2015). In tracing the ascendancy of NPM in public policymaking in Western countries since the 1980s, Pollitt (2003) identified key elements as:

- a focus on outputs and outcomes, rather than inputs and processes;
- use of contracts, creating ‘purchaser’/ ‘provider’ relationships;
- deployment of markets or market-type mechanisms for the delivery of public services; and
- an emphasis on measurement using ‘performance indicators’ and explicit ‘standards’.

NPM elements constitute policy dispositions, formulas and strategies that privilege private enterprise values, strategies, and agency at the expense of public ones, marking a profound revaluing of new activities and a devaluing of old ones. Applied to education, NPM policies emphasise human capital formation – developing skills and attitudes needed by a productive workforce – with outcomes measured by market and/or test performance, recasting educational processes and learning processes as educational products or commodities. In this context, NPM is characteristically suspicious of professionals, viewing them as ‘vested interests’ that promote ‘producer capture’ and sidelines them in favour of ‘objectively measured’ ‘evidence-based’ results. NPM, therefore, devalues altruistic motivations central to the educational enterprise, such as moral purpose, professional ethos, and commitment, and gives them little or no place in the educational reform process. The design of test-based accountability systems represents the systemic application of NPM nostrums to the sphere of education and reflects faith in the ‘transparent’ audit accountability as an instrument of output or quality control and ‘value for money’ efficiency. Table 1 summarises the different policy outlook between New Public Management and former ‘old’ public administration.

Table 1. New and ‘old’ public management.

Management Elements	New Public Management	‘Old’ Public Management
Management	• management, governance structures • regulation/deregulation • ‘steering not rowing’ • incentivisation, reward for results • ‘agencification’, agency accountability	• legality, obligations, bureaucracy • public values ethos • public, collective, administrative accountability
Outputs/inputs focus	• specification of outputs, outcomes, standards, KPIs • efficiency economy, productivity • human capital formation • cost containment, cost recovery • targeting of resources	• multiple, complex, conflicting goals • inputs, resources, process focus • impartiality, integrity, justice, equality values

Purchaser/ provider relationship	• purchase/provider split • principle-agent relations • contracting out, privatisation • regulations, roles, responsibilities • ‘evidence-based’ practice • ‘vested interests’, ‘provider capture’	• trust in professional knowledge, expertise, • professional preparation, accreditation, recognition
Service delivery	• market/quasi-market mechanisms • internal market, user pay charges • competition, market discipline, incentives, contestability, transparency, efficiency • consumer choice, rational self-interest • devolved service design and delivery • profit centres, non-subsidisation	• social goods, outcomes • citizen social entitlement • universal service provision • special needs provision
Evaluation	• performance measurement, monitoring and reporting, external auditing • specification of standards, targets, KPIs • agent rewards and sanctions	• system wide evaluation, planning, resourcing, implementation support

Under NPM, delivery of public services is restructured around loose-tight organisational structures. In education, this ‘steering from a distance’ means that “schools are being tied more tightly into a system of *remote* control, operated by funding mechanisms, testing systems, certification, audit and surveillance mechanisms” (Connell, 2013, p. 108, original italics). Fitzgerald and Rainnie (2012, p. 167) provide a comprehensive summary of the ‘bureau-shaping’ enchantments of NPM, worth quoting at length:

An essential prescription of NPM is that the public sector must “steer rather than row”, meaning that it should seek alternatives to direct public provision of services. This is to be facilitated by privatisation, marketisation, decentralisation and contracting out, attacking what are taken to be highly centralised bureaucratic public service organisations.

Management is thus decentralised through the use of external contracts and, within the public sector itself, through the devolution of responsibility to front line managers and the formation of executive agencies. Surveillance and control is maintained through the creation and extension of audit approaches, performance indicators and customer satisfaction surveys. That is, NPM is associated with an audit culture that stresses autonomy but distrusts professionals.

Characterised as ‘a loose assembly of globally circulating discourses and situated practices and normative commitments’ (Wilkins et al., 2019, p. 148), NPM is a ready-made, generic, discursive template for constructing policy ‘problems’ and advancing policy ‘solutions.’ It has been variously described as a policy ‘paradigm’ (Fitzgerald & Rainnie, 2012), an ‘assemblage’ (Anderson & McFarlane, 2011; Wilkins et al., 2024), or an ideology (Kapucu, 2007), all of which highlight its discursive utility as a ‘content free’ public sector policy framework ‘for all seasons’ (Hood, 1991). In terms of the multiple streams framework outlined above, NPM itself can be seen as a *policy stream* (a set of proposed solutions) addressing a *problem stream* (a putative unresponsive, inefficient bureaucracy) having gained ascendancy via a *political*

stream (i.e., a coalition of ideologies/movements such as Thatcherism, Reaganomics and Hawke's economic restructuring; neoliberalism, corporate managerialism).

Even after some forty years, NPM remains the dominant policy stream shaping Australian school education policies and structures. Key NPM elements are evident in the policy architecture of the Commonwealth's National Partnership Programs (devolved service delivery), NAPLAN (performance measurement), MySchool Website (market/quasi-market mechanisms), Commonwealth-state funding agreements (purchaser/provider), and ongoing departmental restructuring and cost-cutting. As an assemblage of loosely-coupled policy elements, NPM strategies have been flexibly implemented at different times and places, giving it a certain 're-programmability', adaptability, and resilience that continues to this day (Lapsley & Miller, 2024). As will be evident from this and later accounts, core elements of NPM – devolved decision-making, deregulation of resource inputs, performance measurement, competing self-managing schools and flexible resource management have dominated the education policy agenda over past decades and are key drivers in the displacement and dismantling of ESL as a specific-purpose access and equity program in schools.

Specific Purpose Programs: From national policy solution to national policy problem

The fate and fortunes of Australia's ESL Program can only be understood in the context of the fundamental problem of the division of Commonwealth-State powers in Australia's federal system. On the one hand, under Section 96 of the Australian Constitution, the Commonwealth can grant money to the States with or without conditions². On the other hand, States are responsible, by default, for whatever is not named in the Constitution as a Commonwealth power, notably, education. Policy and provision specifically for child migrants, including refugees, is further complicated by the fact that, under the Constitution, the Commonwealth is responsible for immigration (Section 51 xxvii). This situation allows the States to argue that the Commonwealth should bear the cost burden created in schools by immigration intakes but to resist being accountable for any additional funding or policy direction coming from the Commonwealth.

Since the second World War, the Commonwealth has increasingly attempted to use its grant powers to exert pressure on States in pursuit of various policy agendas in the domains where the States hold residual powers. In the late 1960s in the face of the pressure of immigration on schools (and other services), tied grant, Specific Purpose Payments (SPPs) were made under Section 96 of the Constitution to work around the problem of the Commonwealth's constrained powers to intervene in schooling. Starting with the Menzies Government's direct SPP funding to non-government schools for science laboratories and technical training equipment in 1964, the Commonwealth Government used SPPs to implement particular national initiatives in school education. SPPs thus began as a *policy solution* addressing the *underlying federal problem* of the Commonwealth's constrained powers in state educational provision.

National earmarked SPP funding for migrant-background English language learners began within the Child Migrant Education Program (CMEP) in 1970 under the Gorton Coalition Government. In response to a growing *political stream* of community concern about the increasing disruption to schools caused by large numbers of non-English speaking background migrant students (Martin, 2020/1978), the Commonwealth ESL program was established to provide direct funding for above-establishment ESL teachers in state government schools³. The Whitlam Government expanded Commonwealth involvement in school education through SPPs, including increasing ESL provision. In 1977, in response to large intakes of Indo-Chinese refugees, the Fraser Government established the Refugee Contingency Program. A major *turning point* for the ESL program (among other multicultural initiatives) was the *Review of Post-arrival Programs and Services for Migrants* (Galbally, 1978) in that it acknowledged for the first time that migration was and would be a permanent feature of Australia's growing population so an ongoing, stable funding response was needed. The review transformed the CMEP into New Arrivals and General Support Element Programs, legitimated stable ESL provision within state teacher employment structures and enabled development of the ESL teaching profession. In 1982, the Refugee Contingency Program was put on a permanent footing as the New Arrivals Program (AIMA, 1982).

By the time the Hawke Government took office in 1983, SPPs that underpinned ESL had become a *policy problem*. In a context of high inflation, rising unemployment and global recession, a *NPM policy stream* was adopted as a new policy solution to reform the public service, consolidate and focus SPPs, constrain spending, and redirect financial responsibility back to the States. In this context, the 1985 review of specific purpose programs ('Quality and Equity' Report, 1985) was a further major *turning point* for ESL policy. The Report established a 'value for money' efficiency, effectiveness and accountability agenda for specific purpose programs, including ESL, and emphasised the need to shift from resource inputs to education outcomes. It recommended the reduction and mainstreaming of many existing specific purpose program funds with the key objective of these former programs becoming part of formal negotiated agreements. The review thus marked the ascendancy of a *NPM policy stream* to wind back SPPs, including that underpinning ESL provision.

In 1986, in line with the Quality and Equity Report and its retreat from SPPs, the Hawke Government cut funding to the General Support Element by 47 per cent, shifting responsibility for child migrant English language learners to the States. This policy decision was strongly contested by a concerted national campaign by ethnic communities, teachers and teacher unions. In response to this *counter political stream*, ESL funding was subsequently restored in 1988 by increased (doubled) funding for the ESL New Arrivals Program component, which enabled extended intensive English language support and allowed the General Support funding to be used for ongoing ESL support (Harrison-Mattley, 1987; Lo Bianco, 1990). This major policy *about-turn* established a comprehensive national specific-purpose ESL provision, underpinned by a national policy settlement under the 1987 *National Agenda for Multiculturalism* (OMA, 1987) and 1987 *National Policy on Languages* (Lo Bianco, 1987a, 1987b) until its displacement by a renewed and intensified NPM broadbanding agenda in the 1990s.

Over this decade then, SPPs changed from being a *policy stream solution* which enabled the Commonwealth to overcome the problem of its constrained powers under the Constitution to intervene in schooling, to a *policy stream problem* requiring the adoption of *new NPM policy stream solutions* to wind back ‘costly’ SPP interventions within the underlying constraints of the division of Commonwealth-State powers. A strong community *political stream* was crucial in starting this SPP policy trajectory and later countering its reversal under the new *NPM policy stream*.

ESL as a specific-purpose program: Broad-banded literacy as policy solution

During the 1990s, successive Australian Governments resumed the *NPM policy stream* agenda and pursued program broad-banding policies aimed at limiting SPP tied grant ESL funding and expanding flexibility in the use of this funding. The ESL General Support Element of the ESL Program was a conspicuous target for broadbanding as its substantial tied funds represented a long-term resourcing commitment linked to the Commonwealth’s immigration responsibility (see Michell, 1999, for a detailed account of ESL broadbanding during this period). As shown in Figure 1 below, program broadbanding enacted NPM policy stream tenets of increased specification of educational ‘outputs’ and reduced specification of tied resource ‘inputs’.

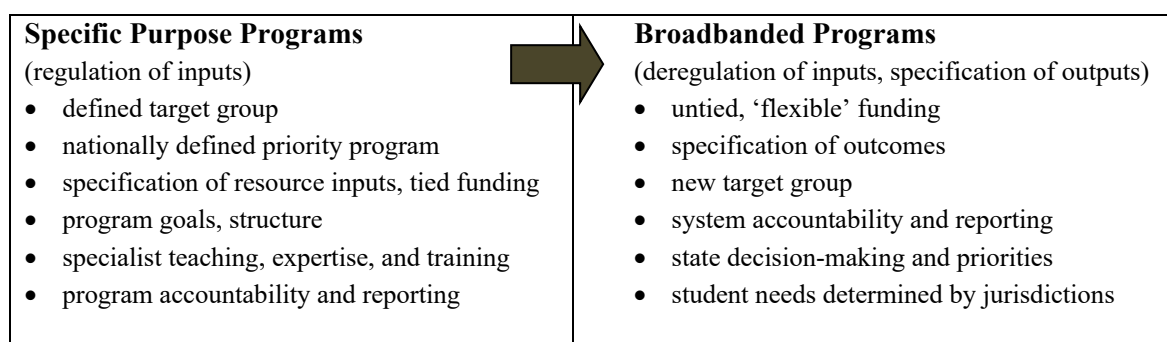


Figure 1. The new paradigm – untied, broad-banded programs.

Broadbanding ESL under “literacy” was foreshadowed in Dawkin’s 1990 Literacy Green Paper (DEET, 1990) and Australian Language and Literacy Policy (DEET, 1991). This rhetorical rather than administrative change was a major *turning point* which effectively negated the language pluralism of the 1987 *National Policy on Languages* and, within it, the distinct role of ESL provision and instruction (Moore, 1995). At this time, recognition of the special nature of ESL learning and teaching was a key driving force behind professional advocacy and development of an ESL proficiency measure flagged in the Australian Language and Literacy policy. By 1994, this *policy window* resulted in the development of two national ESL proficiency scales, each reflecting different constructs of ESL difference in schooling: the ESL Bandscales (NLLIA, 1994) describing English second language development in school in terms of *need*, and the ESL Scales (AEC, 1994), supplementing national curriculum profiles, describing school English second language development in terms of outcome *achievement*.⁴

In 1993, the Labor Government attempted to broadband the ESL General Support element as a socioeconomic disadvantaged equity program. The result was the retention of the ESL New Arrivals and General Support programs under a loose administrative umbrella of the National Equity Program (NEPS) that recognised ESL as a national equity and access program (Cahill, 1996). In 1997, however, the newly elected Howard Government intensified and extended Labor's 1991 literacy policy by broadbanding over 40 specific-purpose programs, including subsuming the General Support element into a consolidated literacy grants program under its 1997–2000 Commonwealth Programs for Schools (DEET, 1997). The program streamlined forty Commonwealth programs into five priority areas to give education authorities greater flexibility to 'direct Commonwealth funds to meet emerging priorities and areas of greatest need' (DEET, 1997). Under the new Literacy program, the ESL and DSP funding indices on which the former programs were resourced were to be replaced by a single allocative mechanism based on literacy outcomes data.

This *policy turn* was intensified by a national standards agenda focused on national benchmark testing of students' literacy and numeracy in years 3, 5, 7, and 9. In 1998, amid a confected media crisis around basic literacy skills, the Commonwealth Education Minister released *Literacy for All* Policy (DEETYA, 1998). Central to the policy was a National Literacy and Numeracy Plan with a national goal agreed by all State and Territory education Ministers which included that every child commencing school from 1998 would achieve a minimum acceptable literacy and numeracy standard within four years. Student achievement would be reported against these benchmarks in years 3, 5, 7, and 9.⁵

The move toward national literacy and numeracy benchmarking sidelined ESL as a specific-purpose equity and access program. The new literacy rhetoric promoted a displacement discourse whereby equity = literacy, disadvantage = low literacy outcomes, disadvantaged target group = students assessed as underperforming, new target group = new priority for literacy intervention (Hammond, 1999). By their nature, generic literacy benchmarks rendered ESL needs invisible and ESL pedagogy indistinct (Cross, 2009; Davison, 1999; Hammond & Derewianka, 1999). Literacy benchmark reporting positioned ESL students as failing literacy learners rather than developing learners of English and threatened to reframe ESL teaching as remedial literacy (Cross, 2012; Lo Bianco, 1998, 2002; Michell, 1999). The broad Language Backgrounds other than English (LBOTE) category introduced to report non-English speaking background students' test results effectively made the ESL student target group invisible. This target group displacement, erasure and misrepresentation would continue in subsequent NAPLAN reporting (ACTA, 2016; Creagh, 2014a, 2016), and foster eroded ESL provision in schools (Creagh, 2014b; Lingard et al, 2012). From this point on, the ESL student cohort disappeared in national education policy, planning, programs, and reporting.⁶

With the introduction of the national literacy and benchmarking program, the Commonwealth accomplished an effective 'exit strategy' from all responsibility for post intensive ESL and avoided a *political stream* backlash from direct program cuts faced by the Hawke Government in 1986. By amalgamating ESL within the broadbanded literacy program, it managed to restrict its commitment to 'one off' per capita funding for intensive ESL provision, while at the same

time effectively devolving responsibility for ongoing ESL provision to the States and Territories, allowing it to ‘wither on the literacy vine’ (Michell, 1999). The only obstacle preventing States and Territories from redirecting their funding away from the ‘sunset’ ESL General Support Program was either the strength of their own commitment to the program or the strength of the state-based constituency supporting retention of the provision. Table 2 provides an overview of the serial broadbanding of the ESL General Support Program throughout the 1990s and the final disbanding of the remnant ESL New Arrivals Program under the Rudd Labor Government. As outlined in the next section, the government built on the Coalition’s NPM broadbanding agenda but extended it by broadbanding the SPPs themselves.

Table 2. ESL in Australia - from broadbanding to disbanding.

Program design elements	National Equity Program (NEP) 1994 - 1996	Targeted and National Priority Programs 1997 - 2007	Schools SPP, National Partnerships 2008 – 2013
Focus	English skills for full participation in the English medium curriculum	improving the literacy outcomes of disadvantaged students	improving the literacy outcomes of disadvantaged students
Target Group	ESL students	schools with concentrations of disadvantaged students	schools with concentrations of disadvantaged students
Program Structure	ESL NAP & GS components linked	ESL NAP component separated. ESL GS amalgamated with Disadvantaged & Early Learning components	ESL NAP separated Gov/non-Gov. ESL NAP Gov amalgamated with Schools SSPs (low SES, Literacy & Numeracy NPs)
Funding Mechanism	tied grants, NAP per capita grant, ESL GS index	new single formula based on literacy performance data, broad-banded ESL GS funding	ESL NAP funding disbanded
Program Delivery	ongoing targeted in-school support	whole school intervention	whole-school intervention
Reporting And Accountability Requirements	NEP Agreements, ESL student reporting ESL financial acquittals	no ESL specific reporting, state/national literacy testing, literacy benchmarks	no ESL specific reporting, student literacy performance, NAPLAN, MySchool

Disbanding ESL: Broadbanded specific-purpose programs

Concurrent with the broadbanding agenda outlined above, Commonwealth funding to State and Territory Governments and associated intergovernmental relations reflected a dominant *political stream* in Australia’s federal system. SPPs were a long-standing issue of contention between Commonwealth and State and Territory Governments at the Coalition of Australian Governments (COAG).⁷ State and Territory Governments considered the conditionality of the SPPs as an infringement of ‘states’ rights’ as they restricted jurisdictions’ autonomy and

flexibility in the use of Commonwealth funds (Anderson, 2010; Rimmer, 2010). COAG's critique of SPPs thus fed into the national *problem stream* and boosted the NPM *policy stream* move away from input-controlled policy towards outcome-focused policy (Duckett & Swerissen, 1996):

The COAG reform agenda emphasises the achievement of outcomes and outputs in areas of policy collaboration, *rather than detailed prescriptions* by the Commonwealth on how the States will deliver services. Prior to the COAG reform agenda and the accompanying institutional reforms, the *States had expressed frustration at the large number of highly prescriptive Commonwealth Specific Purpose Payments to the States. These payments often attached detailed conditions in return for funding, which could hinder States from setting their own priorities in policy and service delivery.* (Rimmer, 2010, p. 232, author italics)

Rudd's 2007 federal election policies addressed COAG's *political, problem and policy streams* by promising to bring in a new era in federal financial relations and end the Howard Government's 'coercive federalism' and 'blame game' (Anderson & Parkin, 2010; O'Loughlin, 2011; Reid, 2009) with a 'cooperative federalism' (Anderson, 2010) in the areas of Schools, Healthcare, Skills and Workforce Development Disability Services and Affordable Housing.⁸ Broadbanding these areas as SPPs would be central to reforming Commonwealth state relations and addressing COAG's problem stream:

The core part of the reform program will be the *reform of Special Purpose Payments....they are the source of frustration at multiple levels, given the multiplicity of them and the way in which they have been designed.* Now we intend to take a different view. We want to see our SPPs rationalised in the future. We want to see that SPPs... increasingly reflect a combination of outcomes and outputs so that people can measure whether the money which is being invested is actually delivering real and improved service for the Australian community. (Rudd, 2007, author italics)

The subsequent COAG Meeting Communique of 26/03/2008 marked a significant *policy turning point* with renewed national commitment to NPM-inspired reform of Commonwealth-State financial relations through rationalised broadbanded SPPs.

A New Reform Framework

Critical to the partnership approach is the reform of the architecture of Commonwealth-State financial relations.....

The new financial framework will result in a significant rationalisation of SPPs, primarily through combining many into a smaller number of new national SPP agreements, without a reduction in total Commonwealth funding for these activities. This reform will see a reduction from the current 92 SPPs to five or six new national agreements for delivery of core government services – health, affordable housing, early childhood and schools, vocational education and training, and disability services.

The new agreements will focus on agreed outputs and outcomes, providing greater flexibility for jurisdictions to allocate resources to areas where they will produce the best outcomes for the community. (COAG, 2008a)

The collaborative COAG agenda extended to national education policy through support for Rudd's National Education Agreement (NEA) within a new, reconceptualised Schools SPP. The NEA incorporated detailed bilateral agreements, with NPM type plans, performance indicators and benchmarks around National Partnerships which addressed national educational priorities of low SES school communities, literacy and numeracy, quality teaching, early childhood education, and Indigenous early childhood development and youth attainment and transitions (COAG, 2008b). The COAG Fact Sheet on the National Education Agreement (COAG, 2008c) emphasises familiar NPM outcome enchantments of this 'new deal':

What will change?

Under the NEA, the focus in school education has moved away from the input controls which characterised previous funding arrangements towards an emphasis on delivering high quality outcomes. The NEA includes a greater focus on accountability and reporting for three key reasons: to increase accountability to students, parents, carers and community; to provide public accountability in support of COAG outcomes; and to improve the evidence base to support future policy reforms and system improvements including the aim of better directed resources. (p. 2)

Rudd's 'education revolution': Policy design and dismantling

Understanding the final demise of the national ESL program requires examination of how the COAG *political stream* informed the overall design of Rudd's education reform within which it was located and finally disbanded. Badged as Australia's 'education revolution', the Schools SPP reform was carefully designed as a national policy 'package deal' (Howlett & Rayner, 2013) to win state and territory government support by offering an optimal balance between appeal to jurisdictional interests and their Commonwealth obligations. As shown in Figure 2, three 'carrots' of increased education funding were offered: a) direct 'inducements', b) National Partnership 'co-investments' and c) increased discretionary control over Commonwealth funds through new 'flexibility' in use of former SPP program funding. New funding, provided to resolve outstanding issues of infrastructure costs associated with the national computer roll-out in secondary schools, and rectify historical disparities between the primary and secondary school funding levels, acted as 'sweeteners' or inducements to state and territory government support for the National Education Agreement (NEA). The NEA was therefore crafted as a *policy bargain*, whereby states and territories would agree to implement a national service reform agenda, with increased accountability for broad measurable improvements in service delivery, in return for a) a major reduction of SPPs (Anderson, 2010; Reid, 2009), b) "greater freedom in how they spent the funds received as Specific Purpose Payments under Section 96 of the Constitution" (Anderson, 2010, p. 2), and c) additional, incentive and matched partnership funding.

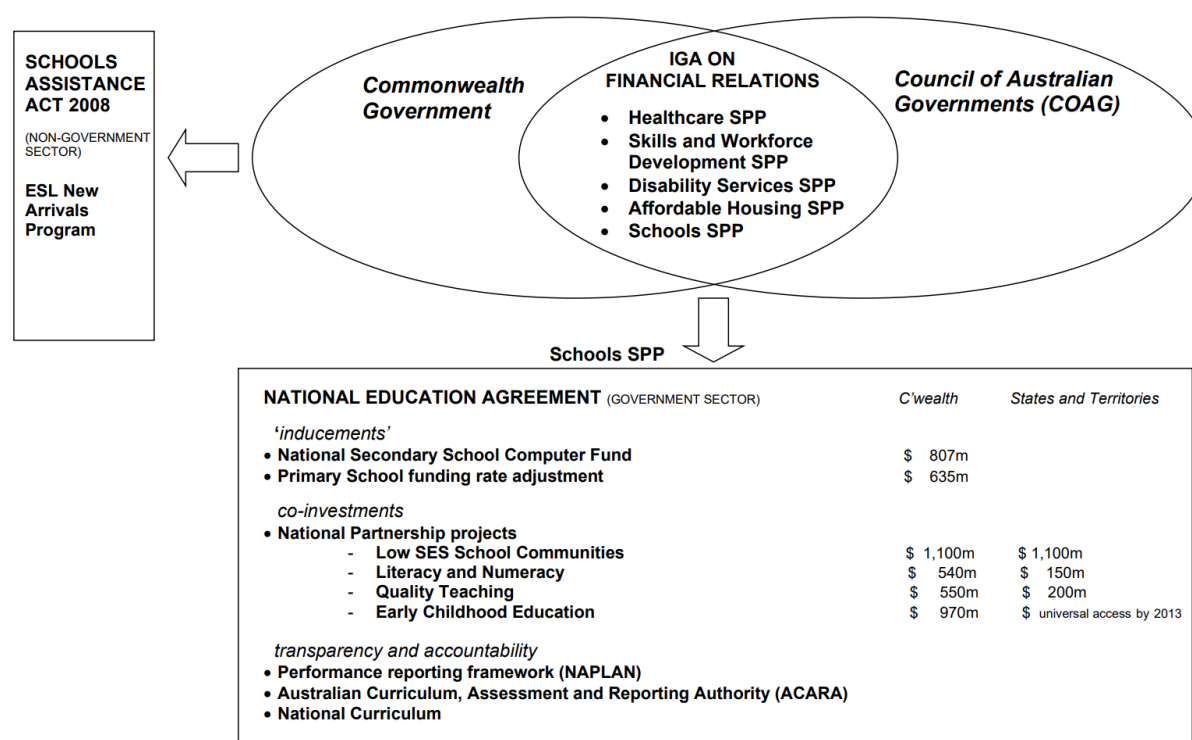


Figure 2. Australia's 'Education Revolution' – Policy architecture.

In essence, the NEA was a broad accountability-driven service reform contract embodying and operationalising NPM strategies and values. NPM principles of “steering not rowing”, human capital productivity and national comparative performance benchmarking (Dawkins, 2010; O’Loughlin, 2010; Rimmer, 2010) moved to the centre stage of national policymaking. Commonwealth state relations were effectively reconfigured into ‘purchaser/provider’ contract relations (Brennan, 2011; Yeatman, 1996). Under the NEA, contract-type agreements became the key policy instrument governing intergovernmental activity in education. The COAG agenda comprised a series of ‘cascading contracts’ (Yeatmen, 1996, p. 285), encompassing the Intergovernmental Agreement (IGA), the National Education Agreement (NEA), detailed bilateral agreements and plans around National Partnership Programs. Schools, in turn, were embedded in state/Commonwealth contract relations and obligations as ‘end providers’ and were therefore subject to the logic of market contract accountability. If ‘corporate federalism’ (Lingard, 1991) characterised the Hawke-Keating Labor Government’s NPM approach to Commonwealth policymaking for schools in the early 1990s, the Rudd Labor Government’s NPM approach in the first decade of the twenty first century is aptly described as ‘contract federalism’ (Brennan, 2011; Spahn, 2015).

Rudd’s ‘education revolution’ was framed and sold as an economic and intergovernmental rather than an educational reform designed to address the COAG *problem and political streams* around state service delivery and Commonwealth state financial relations in school education. Consequently, COAG rather than education ministers formed the prime collaborative decision-making forum for the reforms. The reform architecture institutionalised state and territory backing for a national curriculum together with a transparency and accountability system of

NAPLAN and MySchool website reporting, supported by a new national educational accountability coordination body, the Australian Curriculum, Assessment and Reporting Authority (ACARA). The design of the Low SES School Communities and Literacy and Numeracy National Partnerships reflected ‘policy borrowing’ (Lingard, 2010) from the Blair Labor Government’s ‘Third Way’ education reforms of Action Zones (Power et al., 2004; Reid & Brain, 2003) and National Literacy Strategy (Kayrooz & Parker, 2010; Savage, 2020). While the revolutionary nature of the ‘education revolution’s’ curriculum and assessment structures is questionable (Brenan, 2011; Reid, 2009), the real revolution of the reform lay in the total assemblage or “architecture of the whole” (Reid, 2009, p. 4) of its NPM structures which established a transformed national education policy ecosystem that endures to this day (Savage, 2020).

The major casualty of the reform was the ‘orphaned’ Commonwealth ESL New Arrivals Program which had no place in the new national policy framework. The New Arrivals Program SPP within the government school sector was disbanded along with other tied programs, bringing to an end Australia’s frontline school education response to its immigration program since its inception in 1982. At the same time, however, a ‘special deal’ on ESL New Arrivals Program was made with the non-government school sector to honour Rudd’s promise that the sector would be ‘no worse off’ as result of any policy change. To preserve continuation of tied ESL New Arrivals funding and allay the non-government sector’s concerns that it would not suffer with the move to the anticipated school funding reforms, Rudd enacted special legislation to maintain tied ESL New Arrivals Program funding arrangements, along with recently enhanced and differentiated per capita funding for regular and humanitarian students.⁹ Learning from Labor’s electorally disastrous attempts to cut funding to non-government schools in 1984 and 2004, this policy carve-out for Catholic and Independent schools, negotiated and legislated in 2008 and implemented in 2009, reflected the reemergence of a *political stream* solution to the historic problem of Commonwealth funding to non-government schools.

The design of Rudd’s ‘education revolution’ as a broadbanded school SPP national agreement finally ended the long period of the Commonwealth Government using SPPs as a *policy stream* solution to deal with the underlying problem of divided Commonwealth-State powers over schooling. This policy solution involved the reassertion of the *NPM policy stream*, enacted as Agreements, to establish the national policy framework that currently erodes EAL/D provision. The reform’s termination of the ‘orphaned’ ESL New Arrivals Program was historic as it marked a clear *policy turning point* in the Commonwealth’s abandonment of any obligation for English language provision arising from its national responsibility for immigration.

Conclusion

This policy history of ESL in Australia in the decades before and the decade after the turn of the century highlights how changes to the nation’s ESL program were caused by convergence

of *problem, politics, and policy streams* around Commonwealth Specific Purpose Payments. With one notable exception, these policy stream convergences involved adoption of NPM and broadbanding as ‘enchanted’ policy solutions to the underlying constitutional problem of the Commonwealth’s constrained powers in education within the federal system and marked *policy turning points* in the progressive displacement of ESL as a tied, specific-purpose funding program. This account also draws attention to the nature of such policy change as one which could be characterised as ‘punctuated disequilibrium’ where periods of policy settlement or inertia are followed by rapid policy change resulting in a new policy status quo.

From this account, it is evident that ESL is seldom the subject of policy deliberation but is commonly an addendum and casualty of larger national policy streams and agendas. Critical ESL policy studies therefore require TESOL educators and researchers to go beyond TESOL and educational fields in applying relevant policy analytical tools to understand the broader institutional contexts, policy actors, agendas, and trajectories that crucially shape ESL provision and instruction.

Glossary

AEC – Australian Education Council

ACARA - Australian Curriculum and Assessment Reporting Authority

ACTA - Australian Council of TESOL Associations

COAG - Council of Australian Governments

DEET – Department of Employment, Education and Training

DEETYA - Department of Employment Education, Training and Youth Affairs

DSP – Disadvantaged Schools Program

EAL/D or **EALD** – English as an Additional Language or Dialect

ESL - English as a Second Language

IGA - Intergovernmental Agreement

LBOTE - Language Backgrounds Other Than English

MCEETYA – Ministerial Council on Education, Employment, Training and Youth Affairs

NAPLAN - National Assessment Program – Literacy and Numeracy

NEA – National Education Agreement

NLLIA – National Languages and Literacy Institute of Australia

NPM - New Public Management

NSRA - National Schools Reform Agreement

SPP – Specific Purpose Payments, Specific Purpose Program

TESOL - Teaching English to Speakers of Other Languages

Appendix A: ESL/EAL/D education – National policy timeline

Note: **Bold text** indicates an EAL/D policy turning point.

Year	Policy Event	Significance
1970	The Commonwealth funds ESL teachers as an SPP under the Child Migrant Education Program,	Response to community concerns about the increasing disruption to schools caused by large numbers of migrant students due to Commonwealth immigration policies.
1972-82	Expansion of SPPs under Whitlam and Fraser	
1977	Refugee Contingency Program established.	Program established in response to substantial Indo-Chinese refugee intakes.
1978	Review of Post-arrival Programs and Services for Migrants (Galbally Review)	Migration recognised was a permanent feature of Australia's population, so an ongoing, stable funding response needed. Assurance of stability through the SPPs of the New Arrivals Program and General Support Element, which allowed the establishment of the ESL profession.
1982	New Arrivals Program replaces Refugee Contingency Program.	Recognition of the Commonwealth's role in child migrant education and resettlement and the need to put on-arrival ESL support on a permanent footing.
1984–85	Review of Commonwealth Schools Programs (Quality of Education Review)	The beginning of NPM reforms in the Australian Public Service and policy. The first attempt to wind back SPPs.
1986	The Hawke Government's 47 per cent budget cuts to the ESL General Support Program component.	Implementation of NPM and QERC review agenda
1987	National Agenda for Multiculturalism.	Recognised ESL education as an essential equity provision in and for a multicultural society after ESL program cuts
1987	The National Languages Policy.	Recognised ESL education as a necessary specific-purpose language program within a linguistically diverse society.
1988	Funding for the ESL New Arrivals Program restored (doubled) in the 1988 budget.	A major policy about-turn ESL after national campaign by ethnic communities, teachers and teacher unions. Extended intensive English language support allowed General Support Element funding to be used for ongoing ESL support.
1990 - 1991	Dawkin's Literacy Green Paper and White Paper, Australia's language: the Australian language and literacy policy.	A major turning point negating the language pluralism of the 1989 National Policy on Languages and the distinct role of ESL provision and instruction.
1993	Labor Government attempts to broadband the ESL General Support component of the ESL program as an equity program.	Interest group consultation rejected this broadbanding.
1994	NLLIA ESL Bandscales published. AEC ESL Scales published	These ESL assessment frameworks underpinned distinct focus of ESL teaching. Different states and territory education systems adopted different tools for use in schools.
1997	Broadbanding of the ESL General Support Element within literacy.	Howard Coalition Government carried forward Labor policy literacy broadbanding agenda.
1997-2000	National literacy and numeracy benchmark testing.	National testing system developed. Language Background Other than English (LBOTE) category used in national reporting.
2003 - 2007	National literacy and numeracy benchmark testing mandated.	Implementation of national testing system. A forerunner of NAPLAN.
Dec, 2007	Rudd wins the federal election on an education reform agenda.	COAG engaged in reforming Commonwealth-State financial relations through an IGA on Federal Financial Relations with a focus on broadbanding SPPs.
2008	MCEETYA Schools Resourcing Taskforce Discussion Paper Funding for English Second Language (ESL) New Arrivals Students	Modelled and proposed enhanced and differentiated ESL New Arrivals per capita grants for refugee and non-refugee students.
2008	Bilateral agreements and plans under the National Education Agreements (NEA), 'Education Revolution'	Rudd Government carried forward Labor NPM and SPP broadbanding policy agenda. Broadbanded School SPP displaced ESL as a SPP.
2008	New Arrivals Program SPP disbanded in the government school sector.	The rolling of New Arrivals funding into other funding categories brought an end to Australia's frontline school

		education response to its immigration program since its inception in 1982.
2009	Special legislation enacted to maintain tied ESL New Arrivals Program funding for Catholic and Independent school sectors.	Included enhanced and differentiated per capita funding for regular and humanitarian students recommended by MCEETYA Schools Resourcing Taskforce Discussion Paper.
2010	MCEETYA endorses AITSL <i>Australian Professional Standards for Teachers</i>	Specialist EAL/D teaching not recognised. Instead, teachers required to demonstrate knowledge and strategies to support students from diverse linguistic and cultural backgrounds.
2011	ACARA English as an Additional Language or Dialect: Learning Progression and teacher resource published.	Recognised EAL/D learners as a specific group needing differentiated teaching and assessment. Supported inclusive implementation of the Australian Curriculum.
Dec, 2011	Review of Funding for Schooling Final (Gonski) Report handed to government.	Proposed Resource Allocation Model (RAM) consisted of a per student base amount (the School Resource Standard – SRS) and six additional ‘disadvantage’ loadings, one of which was the low English language proficiency loading for students with limited English.
2012 - 2014	The Gillard Labor Government implements nationally funded seeding project, Empowering Local Schools. Roll-out of school autonomy programs in states and territories.	Focus on devolved school-based flexible resource management through one-line school budgets, and management of the school staffing profile, including support staff, to determine the right mix of staff, recruitment and staff selection.
June, 2013	Gonski funding reforms legislated.	ESL New Arrivals funding incorporated into the new School Resourcing Standard.
2014	National Plan for School Improvement.	Commitments to quality teaching, quality learning, empowered school leadership, meeting student needs, and greater transparency and accountability. No reference to EAL/D learning needs or learners.
2015	ACTA’s EAL/D Elaborations of the Australian Professional Standards for Teachers.	Developed as a supplementary framework to the AITSL professional teaching standards. See ACTA website for document.
2016	ACTA’s State of EAL/D Education in Australia survey.	Widespread erosion of EAL/D programs due to school autonomy policies reported by ESL teachers
2016	Productivity Commission Review of National Education evidence Base	Presented a possible policy window for improving national ESL data systems. See ACTA website for submission
2018	Through Growth to Achievement (Gonski 2.0 Report).	Presented a possible policy window for responsive education to EAL/D learning needs. No reference to EAL/D learning needs or learners. See ACTA website for submission.
Oct, 2021	ACTA report on the number of EAL/D students enrolled in Government and Catholic schools across Australia in 2018-19	ACTA investigation to fill this major gap in publicly available information. See ACTA website for report.
May, 2022	ACTA National Roadmap for EAL/D Education in Schools.	Proposed repair and reform strategies for EAL/D education in the context of the National School Reform Agreement. See ACTA website for document.
June, 2022	Productivity Commission’s review of the National School Reform Agreement	Presented a possible policy window for making recommendations on National School Reform Agreement. See ACTA website for submission.
Nov, 2022	Productivity Commission’s Interim Report on the Review of The National School Reform Agreement	Presented a possible policy window for making recommendations on National School Reform Agreement. See ACTA website for submission.
July, 2023	Review to inform a better and fairer education system consultation paper	Presented a possible policy window for making recommendations on a better and fairer education system. No reference to EAL/D learning needs or learners. Further advice provided. See ACTA website for submission.
Dec, 2023	Review to Inform a Better and Fairer Education System, ‘Improving Outcomes for All’ Report.	Recommended that EAL/D be made a priority cohort for data collection and measurement under the National Schools Reform Agreement (NSRA). See ACTA website for submission.
Nov, 2024	Senate Education Inquiry into the Better and Fairer Schools Bill	No reference to EAL/D learning needs or learners. Further advice provided. See ACTA website for submission.

2025	Better and Fairer Schools Agreements signed between the Commonwealth and State and Territory Governments 2025-2034	Includes review of how governments measure and report nationally on student achievement. Currently, no reference to EAL/D learning needs or learners.
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Dr Michael Michell is an honorary lecturer in language and literacy education at the UNSW School of Education. His research interests include Vygotskian and sociocultural perspectives on second language learning, scaffolding, pedagogy and assessment, and historical and discursive perspectives on education policy. Previously, he worked as an ESL teacher and consultant in the NSW Department of Education in Australia, leading ESL assessment, curriculum, research and professional learning projects and policy development. Michael was ACTA President, 2015-2020 and is currently President of ATESOL NSW in Australia.

Notes

¹ The term ‘English as a Second language (ESL)’ was replaced by ‘English as an Additional Language or Dialect’ (EAL/D) after the publication of the *ACARA EAL/D Learning Progression* in 2011 to include Aboriginal language or dialect speakers learning English as an additional language. This article refers to ESL before 2011 and EAL/D afterwards. The article focuses on policy affecting migrant and refugee English language learners as it has always targeted those from migrant backgrounds and has been kept entirely separate from policy for First Nations students.

² Section 96 of the Australian Constitution states that ‘the Parliament may grant financial assistance to any State on such terms and conditions as the Parliament thinks fit’.

³ Thus began the “broom cupboard” era of ESL provision whereby unqualified, retired or underperforming classroom teachers worked in makeshift teaching settings teaching children withdrawn from mainstream classes.

⁴ It is arguable that these ESL assessment frameworks, and their state-based derivatives, played a major role in differentiating and maintaining ESL teaching and learning in the context of a hegemonic literacy agenda in the 1990s and beyond. For example, as part of its state literacy strategy, the NSW Department of Education produced a series of ESL follow-up teaching resources to Year 3, 5, 7 and 9 literacy tests identifying the ESL difficulty of test items against the ESL Scales and illustrating appropriate teaching strategies.

⁵ Concerned at the Commonwealth Government’s coercive, ‘zero tolerance’ approach to state and territory implementation of literacy policy and its impact on ESL provision, MCEETYA established a national ESL taskforce of Chief Education Officers to develop a national ESL policy framework aimed at reaffirming ESL as a national priority within literacy by the end of the Commonwealth Programs for Schools quadrennium (1997–2000). The objective afforded by this policy window was not achieved, however, due to lack of state and territory agreement around a measureable national ESL goal.

⁶ The 1989 Hobart, 1999 Adelaide, 2008 Melbourne and 2019 Alice Springs Declarations on National Goals for Schooling make no reference to EAL/D learners or learning needs.

⁷ In 1992 the Labor Government established the Council of Australian Governments (COAG) as Australia’s peak intergovernmental body comprising all State and Territory Premiers and the Prime Minister to manage governmental relations within Australia’s federal system and coordinate federal and state/territorial government activities around matters of national importance. COAG was replaced by National Cabinet in May 2020.

⁸ Between 2003 and 2007, the Howard Coalition Government mandated state and territory implementation of disparate curriculum initiatives such as literacy and numeracy benchmark testing, that all schools have a functioning flagpole and a values statement in the school foyer, A-E reporting, performance pay for teachers, and compulsory Australian history in years 9 and 10. See Reid (2009).

⁹ Although enrolling only 5 per cent of newly arrived students, non-government schools received the full benefit of enhanced and differentiated ESL New Arrivals per capita grants for regular and refugee students announced before the 2008 election by the then Education Minister, Julie Bishop. The enhanced ESL New Arrivals per capita funding was based on the *MCEETYA Schools Resourcing Taskforce Discussion Paper Funding for English Second Language (ESL) New Arrivals Students*. See MCEETYA (2006).