

# School and Community Micro-Treaties and Aboriginal Education

## Note on this Document

This is a discussion paper to be used to brief Aboriginal Education Organisations on the work that CNS is doing on Micro-Treaty and scope areas for potential collaboration and mutual support. The document explores:

- The rationale for developing a community-level treaty process now, placing the treaty proposal within the current Australian political and cultural context
- How it fits into CNS
- How CNS and Aboriginal Education Organisations objectives might align around Micro-Treaty.

## Introduction

Culturally Nourishing Schooling (CNS) is a **whole-of-school reform project** aimed at lifting the academic learning outcomes and school experiences of Aboriginal and Torres Strait Islander students in Australia. To achieve this, CNS developed an interconnected framework that includes a tight focus on building stronger relationships between schools and local Aboriginal Communities and providing professional learning opportunities for educators that are informed by, and delivered in partnership with, local Aboriginal community members.

Involving Aboriginal Community members in the life of the school, for example through participation in decision making and the delivery of cultural programs for student and teachers, is a pre-requisite for the fostering of a school environment that is safe and nourishes the **identity, language, and cultural needs** of Aboriginal students and their communities.

Creating a school culture that values and embraces Aboriginal Community leadership requires a fundamental **changing of relations**. This requires truth telling, listening and a formal process for rebuilding trust and setting expectations through treaty agreements between schools and local Aboriginal Communities.

CNS recognises that building trust between schools and communities is challenging and slow-moving. It is also a collective challenge that involved a range of stakeholders and pre-existing agreements and histories.

**This document provides an overview of CNS work on Micro-Treaty in the hope of findings areas of collaboration and mutual support.**

# School and Community Micro-Treaties and Aboriginal Education

## Micro-Treaty and Aboriginal Education

CNS recognises that the system is not going in the right direction - *the NSW public education system is still failing Aboriginal students*. The Productivity Commission's review of the Closing the Gap National Agreement<sup>1</sup> painted a bleak picture of Australia's lack of adequate progress across the targets, including education.

While the government response was underwhelming, mimicking comments made by their predecessors' responses in previous years,<sup>2</sup> it also reflected what Aboriginal and Torres Strait Islander communities have consistently labeled as a prerequisite for impact. "Closing the Gap policies have the best outcomes" argued NSW Minister for Aboriginal Affairs and Treaty David Harris "when they are co-designed and implemented with Aboriginal communities"<sup>3</sup>

One way to do this is micro-treaties between Aboriginal Communities and individual schools.

- By *Micro* we mean - an agreement that mirrors the state and federal demands for a refashioned agreement between Aboriginal people and government, but this is localised in its focus and outcomes.
- By *Treaty* we mean - a process to make an agreement, that recognises sovereignty of Aboriginal Peoples, truth of history and their right to education that includes their languages and culture and outlines shared responsibilities for progress.

Ambitious, micro-treaties between Aboriginal Communities and local state schools are agreements that can have a significant impact on the experience of Indigenous students at school now and do not rely on broader political goodwill. The proposed agreements are a *Treaty* in the spirit of Makarrata, 'a coming together after a struggle',<sup>4</sup> where the history between the two parties is faced head-on in order to find common ground and a shared sense of the future.<sup>5</sup>

Micro-treaties, negotiated between schools and local Aboriginal Community can set agreements and expectations that are much less vulnerable to the many changes that inevitable happen in a school. Formalised community participation that outlives current school leadership is at the heart of the Culturally Nourishing Schooling approach.

## Micro-treaties and CNS

Building relationships between schools and local Indigenous communities is at the heart of the Culturally Nourishing Schools program. The CNS approach to schooling begins with the understanding that Aboriginal students are to be embraced as already 'pluricultural'<sup>6</sup>, bringing their indigeneity with them to the classroom. When schools and teachers recognise Indigenous sovereignty, knowledges, ways of being and understanding it enables students to turn up at school as their authentic selves.<sup>7</sup> Global research indicates that Aboriginal students that are highly responsive to Aboriginal community are likely to be academically successful, connected to their communities, and knowledgeable about both the Western and Indigenous cultures.<sup>8</sup>

For a school to be highly responsive to Aboriginal community requires it to go further than providing cultural training and programs<sup>9</sup>. Too often progress in schools is curtailed by changes in school leadership and the cycle of funding allocation. CNS strategies begin with listening and learning from local Indigenous community members through learning on Country. Schools need to develop not only cultural understanding, but strong relationships with the local community so that decision-making is shared, needs and aspirations are heard and included in the micro-treaty.

Feedback from Aboriginal Community members and Cultural Mentors, engaged in CNS strategies in schools over the initial four years of CNS, indicated that building new relationships between schools and Community would require direct, sustained investment and focus. Since 2023, CNS has been directly supporting Aboriginal communities in the CNS Blak Caucus and school leaders to further develop school-community micro-treaties how they may be actualised in different contexts, including different approaches to developing micro-treaties, the type of language used, and strategies for future accountability.

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## Micro-treaties and NSW Aboriginal Education Consultative Group

The NSW AECG Inc and NSW Department of Education Partnership Agreement 10 represents a robust commitment to a schooling system that celebrates Aboriginal culture, gives priority to the educational outcomes and experiences for Aboriginal students, and establishes pathways for meaningful community involvement in decision-making. The active participation of Aboriginal parents, caregivers, students, and other community members in negotiating the agreement sets a powerful example of robust Aboriginal community engagement, which ideally will inform similar agreements at the local community level.

There are multiple ways that a micro-treaty process can support this Partnership Agreement and the mission of the NSW AECG:

- Giving local communities the opportunities to deepen the process of shared decision-making to address the needs and aspirations specific to their community. This includes identifying and working to move through local points of conflict and hurt that are barriers to community participation and collaboration. Despite the ambition for Aboriginal students captured in the Partnership Agreement, Aboriginal students and their families are often let down by decisions that are made at a school level, regardless of decisions made 'upstream'.
- Supporting the negotiation of practical and timely initiatives to support better outcomes for Aboriginal students.
- Developing dispute resolution processes to solve problems and conflicts as they arise.
- Providing valuable feedback and information for the AECG for ongoing negotiations with the Department of Education.

### What could it include?

School and Community Micro-treaties should be contextual documents reflecting the context and relationships of participating groups. The language and ambition of any agreement negotiated at a community level should reflect local histories, relationships and how advanced participating parties are on a joint path of truth telling and reconciliation.

### An example of what a School / Community Micro-Treaty and Guidance Document could look like:

#### School / Community Micro-Treaty

Overarching principles that define the agreement between a school and local Aboriginal Community.

- A purpose statement: Outline the purpose of the agreement and context relevant to all parties across all schools and a shared vision and objective.
- Truth telling: The document would highlight the experiences of Aboriginal Community over multiple generations in school. In particular highlighting the experiences of families the disproportionate allocation of power and often unacknowledged discrimination that drives the gap between Indigenous and non-Indigenous students. The document could address both structural issues, but also map the actual experiences of Community in the school as a pre-requisite for building a constructive and collaborative relationship.
- Structure: Importantly, this agreement would not exist in isolation but would be placed appropriately in the broader legislative and policy framework. For public schools this would be the Department of Education agreement with the AECG.
- Participation and Consultation: The principles will outline the commitment to and the process for Community engagement and participation and the commitment to robust dispute resolution processes.

#### Guidance Document

An operational document that details the specific programs, logistics and schedule negotiated by parties. This document will reflect the concerns and priorities of the current parties to the agreement. Things a process document could include.

- Key stakeholders, roles and responsibilities: Include discussion of participation, and method/format and schedule for the agreement's coordination. I.e. Number of meetings, facilitation, delivery of review.
- Dispute Resolution Mechanism: This document could map a process for resolving disputes and providing access to remedy for impacted stakeholders.
- Agreement initiatives: These initiatives would be agreed upon and implemented as part of the agreement. It could be new programs or a commitment to resourcing/support/approach for existing initiatives not meeting Community expectations. I.e. Commitment to language classes from year 7 until the school certificate, Employment streams and training opportunities, Access to cultural learning opportunities, commitment not to use cultural excursions as punitive tool.