



## Public submission made to the Review to Achieve Educational Excellence in Australian Schools

Submitter: Children and Young People with Disability Australia  
Submitting as a: Peak body  
State: Vic.

### Summary

This submission is provided by Children and Young People with Disability Australia (CYDA). CYDA believes that the current education system is not adequately meeting the needs of students with disability. There is a critical and urgent need for reform.

The submission informs of the significant disadvantage experienced by students with disability. This is evidenced by the overwhelming litany of poor education experiences and outcomes of students with disability, numerous inquiries, research and available statistics. Key barriers to education and reform are briefly discussed.

CYDA is of the view that a national plan should be established in relation to education and students with disability to enable, articulate and drive the breadth of reform needed. It is imperative that this has clearly articulated aims, objects and measureable outcomes. As has been emphasised throughout this submission and in the innumerate amount of feedback provided by a range of stakeholders, funding reform alone will not allow the breadth of reform required to ensure students with disability are afforded their rights to an inclusive education in Australia. There are a number of reform areas which cannot simply be rolled into the funding loading and a separate reform agenda is clearly needed.

### Main submission

#### INTRODUCTION

Accessing and participating in education is still typically extremely problematic for students with disability in Australia. Experiences of discrimination, inadequate expertise, insufficient resourcing, systemic culture of low expectations, exclusion, bullying and poor processes for monitoring learning are all too common. There are increasing incidents of restraint and seclusion coming to public attention and reported to CYDA which are seen as a clear consequence of a system in crisis.

It is the view of CYDA that the current education system in Australia is failing to adequately meet the needs of students with disability. It is recognised that some

students with disability have positive education experiences with good academic and social outcomes but this is by far the exception.

Despite the numerous national and state inquiries over the years, there is little improvement in the great paucity of school experiences experienced by students with disability. This submission largely revisits many of the concerns CYDA has articulated over many years regarding school education and students with disability. It draws on CYDA's extensive body of work regarding education and makes a central recommendation for progressing much needed reform. CYDA would greatly welcome an opportunity to meet with the expert panel as the submission process only allows a limited discussion of key issues of relevance to students with disability.

#### CHILDREN AND YOUNG PEOPLE WITH DISABILITY AUSTRALIA

CYDA is the national representative organisation for children and young people with disability aged 0 to 25 years. The organisation is primarily funded through the Department of Social Services and is a not for profit organisation. CYDA has a national membership of 5300.

#### DIRECT EXPERIENCE OF STUDENTS WITH DISABILITY

The depth and breadth of poor educational experiences reported to CYDA is immense. Available statistics also illustrate the significant disadvantage which exists in relation to participation and outcomes of school students with disability. The impact that this denial of educational opportunities and poor experiences has on students is known to contribute greatly to negative life outcomes. Poor social, community and economic participation are frequently experienced by people with disability and inadequate school education is a key contributor to these experiences.

Available statistics illustrate the significant disadvantage experienced in educational attainment and outcomes of students with disability:

- 7.7% children and young people, aged 0 to 24, experience disability
- 45.8% people with disability aged 15 to 64 highest level of education was Year 10 or below compared to 25.7% people who do not experience disability
- 41% people with disability have completed Year 12 compared to 62.8% of people without disability
- 17% people with disability have completed a Bachelor Degree or higher compared to 30.1% of people without disability
- 38% young people with disability aged 15 to 24 years with disability either work, study or do a combination of both on a full time basis
- 56% young people without disability aged 15 to 24 years with disability either work, study or do a combination of both on a full time basis

- 53.4% Labour force participation rate of people with disability
- 83.2% Labour force participation rate of people without disability
- 10% Unemployment rate of people with disability
- 5.3% Unemployment rate of people without disability
- 45% Rate of people with disability in Australia who live in or near poverty

## KEY BARRIERS

### Systemic culture of low expectations

Even though there have been significant advances in recognising and affording people with disability rights and equal opportunities, ableist attitudes are still entrenched in the Australian community and very much shape the typical school education experiences of students with disability.

It is common for students with disability to not be afforded the status of a learner. CYDA believes there is an inherent assumption held by many, often subconsciously, that children with disability have limited or no capacity to learn. Education programs and experiences are then developed on a fundamental basis of low expectations for early education, school and assumed life outcomes for the child concerned. It is currently the sad reality that more often than not, families must fiercely advocate or 'fight' to enable basic education opportunities to be afforded to their child. Attitudinal change is therefore imperative.

### Inadequate resources and funding

It needs to be recognised that the difficulty of obtaining adequate funding to support students with disability plays a major role in the prolific incidence of poor education experiences. Funding inadequacies are a major barrier to the provision of essential resources and equipment, individual support, training and access to other professional expertise. These are all essential components in the provision of an adequate and quality education to students with disability.

### Limited opportunities to enrol or access schools

Schools and families must contend with a broad range of discrimination relating to school attendance and access. These include:

Some schools only offering conditional enrolment to students with disability with it being contingent on conditions such as families paying extra fees or students being excluded from certain activities;

Discriminatory gatekeeping practices where students with disability and families are made to feel so unwelcome or that their child would be such an 'inordinate burden' that they are deterred from pursuing enrolment;

Families feel they need to change schools as their child has had such a poor experience. In these cases, there is little choice but to leave a school, despite students not being formally denied enrolment;

Students with disability are only “allowed” to attend school part time with schools often citing limited resources or ‘capacity’ to educate students full time as the reason;

Increasingly, students with disability are being home schooled or enrolling in distance education due to the sustained failure of the education system to meet their needs. The lack of national data on both these issues prevents an accurate picture of this issue. For many this places a significant strain on finances and caring duties; and

Physical inaccessibility of school premises.

#### Workforce capacity

Workforce capacity is of critical importance in ensuring access to a quality education for all students. Educational staff, particularly teachers and leadership positions within schools, are key gatekeepers in terms of access to education. However, a lack of understanding and expertise regarding inclusive education, including valuing difference as a positive, is frequently reported to CYDA. This informs negative attitudes that position disability as inability and perpetuate a systemic culture of low expectations.

Further, CYDA is frequently informed of educational staff lacking the required expertise to meet the specific educational needs of each student. In many cases, this involves inadequate knowledge of the individual student and developing supports and adjustments to ensure opportunities for learning. This represents a key barrier to students with disability accessing education.

A lack of expertise can also mean that interventions or supports provided to students with disability are often not evidence based. A common example of this is the use of individual support workers or aides. This is frequently the default position of schools, regardless of whether this support is best suited to the specific student, with it being assumed that one-on-one support is always beneficial to students with disability. However, research suggests that individual support workers can contribute to the isolation of students within the classroom, for example sitting apart from the class with an aide to do separate work can inhibit opportunities for social interaction with classmates and inclusion in classwork.

A further issue is when external expertise is ignored or not effectively utilised. This is known to occur presently in relation to obtaining expertise from allied health professionals. The expertise of these professionals is often not used or consulted in

the development of students' educational programs or students are unable to access allied health supports at all.

#### Accountability

The present education system provides limited accountability for students with disability in relation to academic and other learning outcomes. Many existing measures of student attainment in the school system, including the National Assessment Program – Literacy and Numeracy (NAPLAN) and the Australian Tertiary Admission Rank (ATAR) or the Australian Early Development Index (AEDI) allow exclusions, with students with disability often not being included.

Some students have individual education programs but these contain goals that are established, implemented and evaluated by schools. There is a prevailing concern that there is no objective input into this process or that collaboration with students and families regarding the development of Individual Education Plans (IEPs) is limited.

#### Family School Engagement

Many families are required to expend significant time and energy to ensure their children can access basic education entitlements. This constant need for vigilant advocacy combined with cultural and attitudinal resistance from school staff often leads to relationships between families and schools being conflictual. This creates an additional barrier to having issues resolved and families and schools developing collaborative relationships.

Of further concern is the lack of communication from schools regarding education provision for students with disability. Key examples include a lack of consultation and communication around the development of IEPs or access to resources.

#### Post-School Transition

An inadequate post school transition greatly disadvantages any student. It is reported to CYDA that post school transition is typically a variable and ad hoc process for students with disability. This time is fraught with limited information and negative attitudes from schools, employment programs and further education providers. Valuable opportunities such as work experience or part time employment are also frequently denied. A comprehensive overview of issues relating to post school transition for students with disability is available in CYDA's issues paper, Post School Transition: The Experiences of Students with Disability It is critical that reform occurs in this area if we are to see any meaningful improvement in social, community and economic participation for young people with disability in this post-school period.

THE NATIONALLY CONSISTENT COLLECTION OF DATA ON SCHOOL STUDENTS WITH DISABILITY (NCCD)

In recent years a significant amount of work has gone into improving available data about students with disability in Australian schools, primarily through the NCCD. While this focus on improving data collected regarding students with disability is welcomed, CYDA has significant concerns about the process and quality of the data collected.

Key concerns relating to the reliability and validity of the NCCD data have been highlighted in two evaluations of the trials conducted by PricewaterhouseCoopers:

- The data collection model ostensibly relies on teachers to make assessments regarding the level and types of adjustments students may require despite widespread acknowledgement of the limited expertise held and training available;
- The model attempts to collect data about individual adjustments in special schools where the whole setting is itself adjusted;
- Adjustments of typical teaching practices that accommodate variability in the needs of all students were not included in assessments of level of adjustment required;
- Time invested by volunteers and parents or carers to support students with disability was not included in assessments of levels of adjustment; and
- There are inconsistencies with identifying students with disability due to short time frames, difficulty obtaining consent and schools misunderstanding guidance materials.

It is CYDA's view that these issues are still unresolved areas of concern in the current data collection process. These include:

- Documentation regarding the NCCD indicates that the data collection is measuring the present level of adjustment provision not the actual level of need;
- Presently there is limited capacity for families or allied health professionals with extensive knowledge of the student to directly input into the NCCD process; and
- It is unclear what the strategy will be regarding the use or analysis of the data, how it will guide the design and implementation of the funding loading for students with disability and what specific outcomes it will achieve in education systems.

While the NCCD has been a valuable initiative, it is critical that the process is refined to ensure a targeted, reliable and valid data collection process through their mechanisms.

## WHAT SHOULD BE DONE TO BETTER SUPPORT STUDENTS WITH DISABILITY IN OUR SCHOOLS?

CYDA is of the view that a national plan should be established in relation to education and students with disability. It is imperative that this has clearly articulated aims, objects and measurable outcomes. As has been emphasised throughout this submission, funding reform alone will not allow the breadth of reform required to ensure students with disability are afforded their rights to an inclusive education in Australia. There are a number of reform areas which cannot simply be rolled into the funding loading and a separate reform agenda is clearly needed.

CYDA believes that the program and progress for reform regarding the education of students with disability has been significantly impeded by a lack of clear goals and outcomes for the reform. Throughout the course of the recent reform process, a clear picture regarding what the desired outcome is has been lost. At this point, it is critical that there is a re-evaluation of what we want to achieve through education reform for students with disability.

The overarching vision of the reform needs to align with Australia's human rights obligations pertaining to the education of students with disability, articulated in the Convention on the Rights of the Child, Convention on the Rights of People with Disabilities and the National Disability Strategy. Any national education plan must therefore be oriented towards ensuring students with disability can access a quality, inclusive education that will support opportunities and participation in the community.

Further, the plan needs to be guided by evidence regarding inclusive education. Inclusive education is a fundamental right of all students and it is therefore imperative to ensure that this option is available for every child. Creating an inclusive education system will not happen overnight. Recognition that this is not a choice afforded to every student with disability needs to occur. A detailed national plan, again informed by evidence based best practice, needs to be developed and implemented to ensure that a fundamental cultural shift occurs that ensures students with disability are welcome and valued members of all school communities. A national plan needs to ensure that equal rights to participation are afforded and a lived reality for every student with disability.

A national plan for students with disability should include:

- A blueprint for embedded and systemic reform;
- Clearly articulated vision and aims;
- Measurable outcomes;

- A program for reform which is grounded in a strong evidence base and research regarding best practice;
- A timeline and objectives that would ensure commitment from governments and education systems to the ongoing reform with built in and clearly articulated roles for education sectors, students and families;
- The disability loading and funding arrangements;
- Actions to support the development of a nationally consistent framework for funding which includes conditions for how the student loading for students with disability could be utilised;
- Actions to embed the capacity building efforts of the More Support for Students with a Disability National Partnership as a permanent feature of education reform;
- Actions to support the creation of robust accountability measures including a monitoring, evaluation and reporting and improvement framework with commitments to regularly release information about implementation; and
- Specific and focused actions to address current seclusion and restraint of students with disability within schools settings.

The development of the strategy must include open, accessible and transparent consultation with a wide range of stakeholders. It is paramount that current and former students with disability and families and CYDA as the national representative body, have ample opportunities to contribute.

The direct experiences of students with disability clearly demonstrate that reform cannot be restricted to bolt-on programs or short-term initiatives. The ultimate reform that occurs therefore needs to be system wide and embedded, so it can affect meaningful change in the education experiences of students with disability. A clear timeline for reform should also be developed to ensure there is no further slippage in this much needed reform.

Finally, given that the provision of education is divided between multiple jurisdictions in Australia, it will be necessary to engage the various parties. A partnership approach between the states, territories, Commonwealth, and non-government education providers is seen as an effective approach to ensure that all relevant stakeholders are involved and invested in improving the education experiences of students with disability.