



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

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Submitting as a: Other (Disability advocate)  
State: Vic.

### Summary

Until Australian departments of education are forced to use evidence based teaching approaches and programs, and measurable outcomes, the quality of teaching in Australia will remain as it is. For students with disabilities, given the number of reports on the catastrophic nature of their education, it is clear that without Commonwealth intervention, change will not occur, as there is no will to do so from the states.

### Main submission

#### INTRODUCTION

The writer is a Disability Advocate who has been working in the disability sector since 1990. Since 2000 the writer has been assisting people with disabilities through general advocacy, and by assisting them to make complaints of discrimination under the Disability Discrimination Act 1992, supporting law firms who require specialised assistance to work effectively in this area.

Her history includes working for disability service providers at a grassroots and senior management level, and involvement on numerous Boards in the disability sector, current today. The majority of her work is voluntary.

This submission is made in the context of the education of students of disabilities in Australia.

The majority of the writer's work consists of complaints against the Victorian Department of Education and Training ("DET"), due to high demand. In the last two years however, she has been approached by parents of students with disabilities in Queensland, New South Wales and South Australia to assist in making complaints in those states against government departments of education and Catholic schools.

Due to her work, the writer has a unique insight into the formal and genuine position and attitude of departments of education in relation to:

- their understanding of evidence-based practices;
- the methods they use in educating students with disabilities;
- their approach towards capacity in relation to students with disabilities and how that impacts on education;
- general teaching pedagogy competence.

Due to time restraints, this submission only represents a brief summary of the issues that need to be canvassed.

#### A. WHAT SHOULD EDUCATIONAL SUCCESS FOR AUSTRALIAN STUDENTS AND SCHOOLS LOOK LIKE?

A.1. What capabilities, skills and knowledge should students learn at school to prepare them for the future?

1. All students need to be competent in whichever areas are set out in school curriculums at any given time. The basics however, include:
  - 1.1. functional literacy and numeracy;
  - 1.2. the learning of academic skills, commensurate with their potential;
  - 1.3. socialisation;
  - 1.4. a communication method.

A.2. How should school quality and educational success be measured?

2. Functional Literacy and Numeracy. At a minimum, students should leave school and be able to function in the community through using their literacy and numeracy skills to access regular community activities. Reading timetables in order to be able to use public transport, reading menus in order to be able to order food, reading signage, counting change in a shop. Many students do not even achieve this minimum level upon leaving school.
3. Learning Academic Skills Commensurate with Potential. This phrase may be seen to be subjective, but vital when it comes to students with disabilities and the manner in which they are easily discarded on the basis of cognitive impairment, or imputed cognitive impairment. The myths around students with disabilities and their ability and capacity to learn must be addressed through structured teaching programs in every school. Teachers are not experts in students with disabilities, and need to bring such independent experts in to assist them in understanding the capacity of students with disabilities to learn and make significant progress.
4. Socialisation. Bullying, the absence of structured social activities for those who need it, and the incorrect assumption of teachers that many students simply don't want to interact with their peers, all impede the acquisition of social skills.

5. Measures. All of the above can be measured when teachers are taught how to write Plans that include measurable outcomes. Standardised literacy and numeracy tests and evidence based literacy and numeracy programs make clear exactly where students are, and the progress they make.

When Individual Education Plans have measurable outcomes, and teachers are taught how to take data, elements such as academic progress and socialisation can all be measured. These are not new ideas.

6. Data has been collected on those completing VCE. Currently the numbers of students with disabilities completing their schooling indicates they are not accessing their education successfully.
7. Data on Home Schooling and Distance Education. The numbers of students with disabilities being homeschooled or using Distance Education needs to be captured in order to understand what is anecdotally an overrepresentation of students with disabilities in these two systems.

#### B. WHAT CAN WE DO TO IMPROVE AND HOW CAN WE SUPPORT ONGOING IMPROVEMENT OVER TIME?

- B.1. How could schools funding be used more effectively and efficiently (at the classroom, school or system level) to have a significant impact on learning outcomes for all students including disadvantaged and vulnerable students and academically advanced students?
  - What actions can be taken to improve practice and outcomes?
  - What evidence is there to support taking these actions?
  - What works best for whom and in what circumstances?
8. There is no requirement to use evidence based programs or teaching approaches. There is no requirement to use evidence based interventions to address behaviours of concern. There are few directives requiring teachers to do much at all in terms of how they teach their students. Teachers and schools are in the main given the autonomy to teach in whatever manner they choose, using whatever programs they choose. This needs to be changed.
9. As the rationale for this review (being plateauing or declining results for our students) indicates, our teachers do not have the knowledge required to improve outcomes for students and therefore need strong leadership by departments of education around Australia, which they are not receiving.
10. The continued use of integration aides in the context of evidence that indicates they are of little utility unless implementing concise education plans, continues throughout the country, no doubt, because they are seen as cheap in

comparison, for example, to engaging a Speech Pathologist to write and oversee a language acquisition program.

11. Aides often adopt a “babysitting” approach where their very existence is fundamentally to free up the teacher to educate the majority, when in fact it is the student with a disability who needs the attention of the most skilled person in the classroom
  12. There are a range, for example, of evidence-based literacy and numeracy programs. If a student has significant literacy or numeracy gaps, such evidence-based literacy and numeracy programs should be put into place. A list of such programs should be stipulated.
  13. Individual Education Plans. Currently, across Australia and even within states, there could be 20 or more different Individual Education Plan templates being used at any given time. Teachers need to be taught the basics of what is a goal, what is a strategy, and what is a measurable outcome.
  14. Without measurable outcomes, the approaches teachers take to ensure learning outcomes for students can never be tested. Money spent on different staff members, different programs, different approaches will never be tested for evidence to ensure that money is not being wasted.
- B.2. What institutional or governance arrangements could be put in place to ensure ongoing identification, sharing and implementation of evidence-based good practice to grow and sustain improved student outcomes over time?
15. Identification of evidence-based practice needs to be done at the highest level. There is not much ambiguity in science, in relation to what is or is not evidence-based. The mistake is expecting that each school will go about that identification. The list of appropriate evidence based programs needs to be imposed on schools by departments of education in each state. Schools need to be resourced to undertake whatever training is required to implement evidence based programs and approaches.
  16. Schools should be required to provide evidence (rather than anecdote) that their teaching methods are evidence-based, and their outcomes are able to be, and have been, measured.
- B.3. How can system enablers such as targets and standards, qualifications and accreditation, regulation and registration, quality assurance measures and transparency and accountability provisions be improved to help drive educational achievement and success and support effective monitoring, reporting and application of investment?
17. The above are largely completely absent in most schools. Therefore the initial and simple response to this question, is to mandate they occur.

18. Private organisations that receive government funding, and corporate organisations, have been required to prove themselves from many years by obtaining external accreditation, and providing evidence that measurable outcomes are being met. Schools operate in a completely different manner, being provided significant autonomy, and not being accountable for the academic achievements of students, the behavioural achievements of students, the expulsion and suspension (in the context of there being no evidence behind such actions) of students, or for how many students leave the school system while enrolled at their school.
19. Given how vital it is for children to be educated, this is inexplicable.
20. Funding provided to schools for the teaching of students with disabilities must be provided with the expectation that there is actual evidence of such funding being used for evidence-based programs, and of significant academic achievement. Broken up into elements, teachers need to be taught:
  - 20.1. how to write an Individual Education Plan;
  - 20.2. what is a measurable outcome and how is it recorded;
  - 20.3. what is data, how is it analysed, and by whom;
  - 20.4. what does the term “evidence-based” actually mean;
  - 20.5. how to use the evidence based programs and approaches that hopefully, departments of education will demand;
  - 20.6. what is a remedial program;
  - 20.7. how to teach students who require mild to complex communication support;
  - 20.8. which professionals need to be engaged when disabilities pose barriers that teachers do not know how to address;
  - 20.9. why monitoring and evaluating plans is important, and how to do so.
- B.4. Are there any new or emerging areas for action which could lead to large gains in student improvement that need further development or testing?
  - What are they and how could they be further developed?
21. At this stage, it is clear that departments of education and teachers in the main do not use current evidence-based programs and methods to teach students. Therefore it is unlikely they will be using any new or emerging evidence based methods.
22. One area that Victoria is slightly ahead in, on paper in any event, is the use of correct psychological testing for students with language disorders. Departments of education are used to applying, or directing others to apply, psychological

tests such as the WISC . When this test is applied to students with complex communication needs, or severe language disorders, it provides a false result as the test relies on language. Thousands of students across Australia are likely languishing in special schools due to the fact that they have been misdiagnosed. In Victoria, some students have been retested using more appropriate psychological tests (e.g. Peabody, Ravens, CTONI) and no longer have an intellectual disability. This misdiagnosis is a tragedy, and can easily be addressed.

C. ARE THERE BARRIERS TO IMPLEMENTING THESE IMPROVEMENTS?

- If yes, what are they and how could these be overcome?
23. Culture. In relation to the teaching of students of disabilities, it is hard to know how many reviews, inquiries, and reports, both on a state by state basis and federally, need to be published before the quality of teaching improves - the latest coming out only a few days ago and presenting yet another damning picture of a department of education's treatment of students with disabilities .
  24. There is no genuine appetite for addressing the long-standing teaching and governance failures that surround this area. There is certainly no genuine appetite for addressing the brutality that many students with disabilities around Australia are subjected to, euphemistically referred to as restraint and seclusion.
  25. Until departments of education around Australia are headed by Ministers for Education who have an interest in appointing departmental heads who are genuinely interested in reform, it is hard to know what can be done.
  26. The preference for litigation over improving the system, and spending money on law firms and settlements in preference to resourcing schools, is a cultural problem that indicates unprofessional leadership, but worse, leadership that is not even engaged with the *raison d'être* of education.
  27. Silos. Assuming that teachers and principals in schools "know best" has failed. It is hard to understand why evidence-based teaching decisions are left to individuals given the numerous reports about the education of teachers (putting aside the education of students). There needs to be acknowledgement that there is no evidence this approach has worked, and departments of education need to take back the reins. Who educates them is the next problem.
  28. What does the term evidence-based mean? It is clear that most departments of education do not understand the term. This is not only clear because there are examples of them admitting it, but by their practices.
  29. Some teachers, when questioned, think that the term "evidence-based" means that if they did something and it worked for one student, that is the evidence that it will work for others.

30. For example a number of departments of education in Australia still use Reading Recovery, despite all the research about its lack of evidence. Not only have they continued to use it in the face of such evidence, but they cannot even understand the manufacturer's instructions about its use.

Case Study. The Victorian Department of Education used Reading Recovery to address significant academic delays in a student with a severe language disorder (but did not provide her with any speech pathology assistance). They used it repeatedly over the years, up until Year 7. At no time did they have regard for the fact that it is a short-term program to be used in Grade 1. At no time did a teacher wonder if the program should continue to be used in the context of the student making no progress at all, and in fact leaving school illiterate.

31. The Victorian Department of Education endorses the use of Individual Education Plans and Behaviour Plans that do not physically exist. This is their formal position, in addition to the position of many teaching staff. In other words, they believe it is appropriate to have such plans in the "heads" of all staff. They believe that the goals, strategies, measurable outcomes, data collection on such outcomes, can all be decided upon, monitored and evaluated without anything written down.

32. Their position that this is acceptable teaching, has been on record for a number of years, and has not changed. When one cannot even grasp these basics, it is clear that the more sophisticated evidence-based requirements of teaching have no chance of being understood or implemented.

33. Negligence. Behaviours of concern continue to be treated with restraint and seclusion, despite the fact that not only is there no evidence that restraint and seclusion are effective, but they can cause injury and death and have done to students with disabilities in other first world countries.

Case Study. Children with disabilities in a Queensland school were repeatedly secluded and restrained. Documents indicate one child was restrained repeatedly until he vomited, and immediately after the restraint continued. At no time has there been an admission that the treatment of these students was wrong or put them at risk. There has never been an enquiry into their welfare since they had to leave the school. There has never been an apology, and one can properly infer that the Queensland Department of Education sees such approaches as proper and acceptable.

34. There are no department of education behavioural documents in any state that adequately direct teachers as to what needs to be done to competently and effectively address behaviours of concern. Heavy reliance on restrictive practices continues. When documents are occasionally written that provide better guidance on the topic, they are optional, and not even required to be read.

35. The Victorian Department of Education continues to rely on martial arts trained staff to undertake behaviour analytical tasks such as Functional Behaviour Assessments, and do not require any individual to have any particular qualification at all to work in Victorian schools as a “Behaviour Analyst”, “Positive Behaviour Therapist” and so on. Given the lack of understanding about what a measurable outcome is, and how to measure effectiveness, if such workers completely fail to achieve what they have been engaged to do, it is of no consequence, and they continue to be used in Victorian government schools.
36. Direction/Accountability. Until there are evidence-based expectations from departments of education, and demands for accountability, little will change, and at the end of this particular review we will just have one more report to add to all the other reports that discuss the problems with our education system.
37. A whole of government approach is required to address this problem. Many of the decisions by departments of education, or lack thereof, seem driven by money. The failures on so many fronts results in in huge costs to other government departments, mostly Commonwealth. The Commonwealth Department of Education and Training has the power through funding to require departments of education to be accountable. The cost to society of uneducated citizens is well documented. The financial ramifications for departments of Justice and the Department of Social Services in terms of the links between disability, illiteracy and the criminal justice system; lack of education and reliance on benefits; is axiomatic.
38. Despite multiple reports, there is no movement.

#### SUMMARY

It is clear that only leadership from the Federal Department of Education and Training can change the trajectory of our failing education system. In fact leadership will not be enough. If departments of education have not shown the will to direct their staff to use evidence based teaching techniques and learn about measuring outcomes over the decades, it is unlikely they will do so now. This leaves the Department of Education and Training to decide upon what leverage they must use to obtain the results they decide upon.