

Disability Standards for Education 2020 Review Feedback from the Australian Association of Special Education (AASE)

AASE is a broad-based non-categorical association concerned with all who have special education needs.

AASE aims to ...

- Advocate on behalf of people with special education needs to ensure provision of and access to quality education services.
- Provide a range of quality services to members and the wider community.
- Any person interested in these aims may be a member of AASE. Members include parents/caregivers, teachers, therapists, community members, administrators and university lecturers.

AASE's goals are to ...

- Provide a strong and informed national and state voice for the special education community.
- Enhance access by students with special education needs to quality educational programs.
- Promote professional standards of a high order.
- Foster equitable and effective resourcing support for students with special education needs.
- Support research that informs the delivery of special education in the Australian context.

Are the rights, obligations and measures of compliance set out in the Standards (and its Guidance Notes) clear and appropriate?

- They could be clearer and more concise. Language is in a legalese style that is not easily read and/or readily translatable to practice.
- There needs to be greater clarity around *reasonable adjustments* and *unjustifiable hardship*. More case studies or examples would be helpful, perhaps showing best practice or clarifying 'grey areas'. (Schools are needing some clarity around this. For example: parents are suggesting that in-school involvement of their NDIS funded therapists might constitute a *reasonable adjustment*. AASE would argue that special educators are sufficiently qualified and able to provide necessary advice on a student's education.)
- The current definition of 'on the same basis as' does not clearly articulate the basis on which students without disability access and participate in education. Specifically, students without disability, in theory at least, have access to:
 - a curriculum that has been designed to meet their educational needs, and
 - teachers who have undergone extensive training in how to teach curriculum content to students without disabilities or special education needs.

In contrast, for some students with disability, the curriculum does not meet their educational needs and their teachers do not have extensive training in how to plan and implement effective teaching and learning programs responsive to their needs.

- It is very text heavy which could present access issues for some. Easy to read summary versions would be helpful for some educators and parents/carers. A student version might also be helpful.
- The definition of disability (p.9) would benefit from increased clarity and perhaps examples. (Social or bio-psycho-social understandings of disability may view disability as not existing within the student, but within the interaction between the student and the environment.) Is the DSE language/definition contemporary and inclusive of different cultural interpretations?

Do students, families and carers, educators, education providers and policy makers know about, understand, apply and comply with the rights, obligations and measures of compliance in the Standards?

- At a systemic level, not all staff have an awareness or understanding of the DSE and its implications. This then flows on to schools with their leaders and teachers.
- There are times when the DSE are used incorrectly as a performance management assessment/tool for educators, as opposed to communicated as responsibilities and obligations.
- There is a cohort of the population who do, but still many who are unaware or simply don't understand the DSE. This may mean that students are not receiving supports they are entitled to.
- Teachers have had an improvement in their knowledge/understanding and connecting this to their practice. This has been enhanced though the NCCD being linked to the DSE and a platform for having open discussions.
- One of the most used adjustments to support access and participation in education is a teacher assistant or aide. This is perhaps unsurprising given that NCCD and DSE case studies of supposed 'exemplary' practice promote the use of aides in most scenarios. From an education perspective, the proposed role of the aide in some of these case studies is contrary to best practice, is possibly discriminatory and lacks any educative purpose. For example, assigning an aide so that a student "can leave the classroom whenever they become disruptive".
- There seems to be a 'disconnect' between teacher awareness/knowledge of the DSE and the impact of these on teacher practice. Teachers seem to know that the DSE exists but do not necessarily apply these expectations to their practice.
- Educators would benefit from DSE training which is both annual and nationally consistent—not a 'one off'. The broader school community also needs to know more about the DSE and schools have a role to play in these discussions.
- Some concern exists regarding the chance of school/parent relationships becoming damaged through the premature 'use' of DSE ahead of foundational collaboration between stakeholders. Other parents may choose not to assert rights under the DSE because of fear of damaging school-level relationships.
- Updated videos in DSE modules would help stakeholders to know their obligations. More real-life examples are needed, perhaps clarifying how DSE articulates with special education practices such as IEP meetings/planning. This could (also) be usefully incorporated within initial teacher training.

In the 15 years since the Standards were developed, have the Standards contributed towards students with disability being able to access education and training opportunities on the same basis as students without disabilities?

- Yes, there has been a shift in mindset and practice for educators working with students with disability. This has been *slow growth*, however, for 15 years of usage. In many cases, the DSE are still not considered as a decision-making resource by teachers/administrators in schools. As a result, some 'solutions' to issues run contrary to the DSE.
- There still needs to be a much greater emphasis on supporting teachers in schools to understand their responsibilities and obligations relating to the DSE, and to provide the reasonable adjustments required to allow all students to participate on the same basis. A wide divide is still evident in the expectations, research, and practice aspects of inclusive education.
- There is a developing awareness across teachers as well as in ITE programs (as compared to 15 years ago) so early career teachers are resultantly more aware of their responsibilities and obligations to the DSE than some of their more experienced colleagues.
- There are still limited school to work pathways for students with disability (e.g. lack of work experience). Some post-school services are unprepared or unaware of how to support students with disabilities, particularly those with complex disabilities (i.e. those more likely taught in specialised settings).
- All pre-service teachers should be required to complete national profession learning on the DSE before graduating.
- Nationally consistent training packages should be provided to each state and territory to help inform families about DSE. These could include resources such as videos, posters, podcasts and infographics.
- All education providers should have links on their websites straight to the DSE.
- The Australian Government DSE website should be more user friendly and include more visual information- currently the text is off putting, the site requires you to have a level of English to be able to find and engage with information in the current site.
- Enrolling in education is still not equitable for students with disability. There is no question that while many schools do not actively reject enrolments, there is a well-established process (soft-shoe discrimination) for encouraging parents to enrol their child in a school that is more 'suitable', or better able to 'meet their needs'. This is not only evident on initial enrolment, but also affects continued enrolment. That is, schools may enrol a student, but then start the process of 'convincing' the child's parents that they would be better supported in an alternative environment.
- Schools are better aware that they can support students to advocate for themselves and to have a voice. This practice now needs to be more consistent.
- The underrepresentation of students with disabilities in national initiatives, such as NAPLAN, might suggest contrived tensions – e.g. schools wanting to include all students, but perhaps being worried that some results may impact their school's rating on *My School*. There is therefore systemic mechanisms which can challenge educators' obligations and responsibilities under the DSE.
- Currently the DSE and associated Guidelines are silent on the need for documentation that records collaborative planning, agreed adjustments and the measurement and/or monitoring of student learning. Educators would benefit from stated minimum requirements for the documentation of personalised planning that includes the adjustments provided and measures of student progress.

How have the Standards impacted the experiences of Aboriginal and Torres Strait Islander students with disabilities?

- Representative bodies such as the FPDN would be best placed to respond to this.
- *Do we ask how the experiences of Aboriginal and Torres Strait Islanders help to shape the DSE?* Indigenous cultures have a very different lens and interpretation of 'disability', which is generally more inclusive and not deficit based.
- The DSE standards would benefit from being translated into Aboriginal languages through multiple modes e.g. video, audio files, posters, podcasts, infographics.
- Remoteness may mean less access to resources (including those leading to diagnosis) and information. English is also an additional language.

Overall, we wondered who monitors and governs the 5-year review cycles of the DSE to check progress is being made and systems are held accountable?

While the Standards and the NCCD have provided the opportunity for systems and schools to clarify their processes and become more systematic and consistent in terminology, further work is required to establish if the adjustments implemented by schools are effective. Neither the DSE nor the NCCD require schools to provide detail of the effectiveness of adjustments provided for students, or the reporting of learning outcomes.

We would like to see an increase in all teachers' knowledge and skills regarding teaching students with disabilities. Education providers should ensure that teachers have access to specialist advice relevant to students with disability in their classes and that students with disability have access to specialist teachers as needed. This is consistent with 7.3 of the Standards but is not yet a reality. It is something that needs to be addressed at both a systemic and school level.

As has already been noted, the provision/availability of appropriately qualified specialist support teachers is essential to enhance the learning outcomes for student with disabilities. While 'specialised services' are referenced throughout the Standards, 'specialist teachers' are referenced only once (7.3 (d)). The Standards should more explicitly reference the role of specialist teachers, specifically special education teachers, and include a requirement that systems and sectors employ such teachers as a source of support to students with disability and their teachers.

Finally, AASE has some concerns about many of the 'exemplars of good practice' available on both the DSE and NCCD websites. AASE would welcome the opportunity to provide input to how these could be improved.

We thank the Australian Government for this opportunity to contribute towards the improvement of the Disability Standards.