



# ASEPA – Submission

## **2020 Review**

### Disability Standards for Education 2005

ASEPA is the peak national organisation representing school based special education principals and leaders in Australia.

**Enrolment and access:**

All children should, where possible be able to attend their local school and receive the benefits that belonging to a community brings. There is a need for greater clarification of the terms reasonable and unreasonable adjustments to support both schools and families.

Some schools are challenged to meet the needs of all students wanting to enrol and some schools 'curate' their enrolment and give up too easily on supporting a student. There are many schools who work diligently to ensure inclusion develop a reputation for this and are sought out by more families, resulting in the 1 in 5 requiring adjustment becoming 3 in 5 in a classroom. Schools that turn families away for reasonable adjustments need to be challenged and schools being asked to provide unreasonable adjustments need to be supported. Our specialist schools enrol all students regardless of complexity of need or disability.

There is also the critical importance of schools having clear enrolment guidelines and transition processes for all students. Relevant school and student information is vital. Where student needs and parent needs are articulated and considered early, this supports fair, transparent and productive outcomes in transitioning into the schooling system.

Diversity and flexibility are the key. Providing families with access to a variety of options to suit their child's needs. Many Australian special schools are at capacity and many systems cannot keep up with the establishment of new schools and specialist classes. It is incorrect to assume all parents are wanting inclusive education at their mainstream school. Parents are consistently and rightly expecting educators to understand their child, see their abilities and build upon these by programs that start with the individual needs of the child, not on assumptions or the desires of others.

ASEPA believes that there must always be a choice or suite of programs and interventions which includes both mainstream and specialised settings, whether the latter is within a mainstream school or a stand-alone school. Each family should be assisted to make an informed choice, and no one group should be allowed to dictate what that choice should look like for another group, and should not limit or deny access to a program or intervention because it does not fit their own personal beliefs or agenda. Children with disability should be funded

to access the best program and supports that their family thinks best, and all teachers should have extensive training and support to meet their needs and choices.

Often access to education is hindered by a teacher's lack of knowledge of disability and how to best support the student. Mainstream schools and teachers need a much deeper and better understanding of disability, the types of adjustments that may be needed for that student and better provision/support for schools to be able to do that i.e. resourcing.

**Participation: Regarding our obligations for making reasonable adjustments to ensure all students with disability can participate in education. This includes participating in courses and programs, the curriculum, and using facilities.**

There is a need for greater clarification of the terms reasonable and unreasonable adjustments to support both schools and families. Some schools are challenged to meet the needs of all students wanting to enrol and some schools 'curate' their enrolment and may give up too easily on supporting a student. Many schools work diligently to ensure inclusive practices and then develop a reputation for this and are subsequently sought out by more families, resulting in the 1 in 5 requiring adjustment becoming 3 in 5 in a classroom. Schools that turn families away for reasonable adjustments need to be challenged and schools being asked to provide unreasonable adjustments need to be supported. Consultation with parents and students is important.

Facilities can be a challenge – i.e. installation of ramps or specialised facilities can have long lead times. Parents can be understanding or not. Longer lead times into enrolment is preferred but not always possible. Here mutual respect and trust is important. At times there can be frustration by the recommendations of an allied health report that 'suggests' that the child should have x and y which may be unmanageable in the classroom environment. This can contribute to conflict as the parent is expecting these recommendations to be implemented. There are also experiences of similar challenges with family advocates encouraging unrealistic expectations..

Reasonable adjustments in school settings needs to be supported by quality professional learning and advice. School systems also need to develop a cyclical

upgrade program to ensure all schools are fitted out to support all students. This includes a focus on classroom design (e.g. all classrooms need enhanced hearing facilities), outdoor facilities and classroom equipment. Special schools have and their staff have extensive expertise in this area and should be actively engaged to support systems in this process.

There are times when special education reinvents the wheel in every setting as there is no clear thought given to the wide variety of needs that children with a disability have. Specialised settings tend to have more success in making reasonable adjustments because difference between learners is the core business, whereas at times less specialised settings just want the children to not cause issues, therefore few funds/resources are expended upon people with a disability as often their numbers are low in the school.

It can be difficult to accommodate reasonable adjustments without detriment to non-disabled students at times within mainstream settings. For example, access to a venue may not be disability friendly, meaning that access for the student with disability cannot be secured, potentially resulting in a whole class not being able to engage in that event/aspect of a program.

Any reasonable adjustments must be negotiated with the students and family, and made in consultation and collaboration with the all stakeholders. Reasonable adjustments do not impede access, reasonable adjustments should be fluid and able to 'adjust' the variables to allow for access according to individual need.

The definition of reasonable adjust means is very different in diverse contexts. Some parents report that the school's response to a child with ASD when they become disregulated is to phone the parents and send the child home or ask the parent to come and sit in the class. The only reasonable adjustment for this school in this example is that they had allowed the child to enrol there. There is often a token offering to allowing students with disability to participate in activities or use facilities. It is too easy to say 'reasonable adjustment' without demonstrating a genuine commitment to inclusive practices.

ASEPA understands that specialist schools allow full and inclusive participation and that many mainstream schools and teachers struggle due to lack of time, training and resourcing and sometimes due to lack of will or strength of leadership. Some mainstream schools answer to parents seeking to enrol is to

recommend the specialist school down the road because it is too hard for them to provide the necessary supports for their child in a class on 30 other students with a part time Education Assistant.

ASEPA believes all students should be provided with a reasonable adjustment. This may be in a different setting/space than what a mainstream setting can provide. An adjustment should be made where all parties agree that it is reasonable and practicable for it to occur. All parties should be consulted as appropriate.

**Supporting students: How do we appropriately support students with disability during their education? This includes the student being able to access supports, including specialist resources.**

A child's plan that is cognisant of the context is important as is the child and the teacher having access to the specialist support that enables strategies for growth. Rural and remote locations can be hindered by lack of specialists or by high turnover of staff, especially in allied health services. COVID has increased access to support via online means and this could still be enhanced and embedded as an ongoing program to support students in all schools and regions.

ASEPA recommends more accountability for governments to fund school minimum facility standards in line with the Disability Discrimination Act, and a continued government and school system commitment to pedagogy development and a curriculum fit for purpose and inclusive of all students with disability.

Special schools offer a differentiated and flexible education that has been designed to meet the specific needs of the student. This means our schools are always support students having full access to a variety of supports as needed. ASEPA supports a variety of schooling options and students are not locked into one solution. Having the right to access an education and have the same opportunities as all children could mean we need to look quite differently at how an enrolment looks.

Specialised support is needed in mainstream as well as specialist settings to meet the needs of the most complex learners in each setting. Our schools need to have staff specifically trained, practically experience as well as university qualifications

in best practice teaching pedagogy. We must ensure equity if students are to have access to the resources and programs they need to have on the same basis as others. Students need choice and schools need to focus and work with the student and stakeholders to allow for the greatest access at each stage of a student's life and ability level.

Every child needs options, not all students with complex need can have their educational needs fully met in their local school. Students with disability should be able to access specialist facilities such as hydrotherapy pools and sensory rooms as well as having staff who understand and support their educational needs.

Supports and specialist resources are provided within the limitations of the context of the school in which the child is enrolled. Denying students access to specialised facilities that provide them with the greatest access to education is discriminatory.

**Harassment or victimisation: Have you had a situation where one of your students with disability experienced harassment or victimisation?**

ASEPA believes that systems must ensure educators have access to the professional learning or the resources that support them to build student and adult understanding and this must build understanding across whole of community. Resources need to be developed for how to engage school boards and parent and citizen groups in this work, we need to build peer mentors and resources to support how to talk to a colleague about inappropriate behaviour or discriminatory actions. We have come a long way in this space, but more work is yet to be done and it takes persistence and bravery. The load of this work must be shared across the system and reinforce high expectations of all.

ASEPA believes that systems and governments must continue to include professional learning in this area in the teacher registration process, including the annual renewal and certification/registration processes. Professional development must focus on all staff in schools, including teachers, support staff, administration and facility teams.

Adhering to each state and territory policy also informs practice so that harassment and victimisation are acted on. All schools, departments of education

and states have very stringent processes in this regard. These involve listening to the concern/issue and then working with key stakeholders to support success. Then applying a review or inquiry cycle.

Bullying in mainstream settings is still a major issue. Students are not given enough opportunity to embrace and learn about difference. The culture of many schools highlights difference as a negative and feeds the bullying culture with a continued focus on "us" and "them". Schools need to change the culture of their environments to start this change. Schools must be open to children of many differences and abilities. They must be open and collaborative with their communities and celebrate the different students, cultures etc. of their school.

**Compliance: Have any of your students or parents / carers said that you were not meeting your obligations?**

The compliance issue is mostly due to facilities not meeting needs or not being able to be adapted. Also, unreasonable demands (such as additional support hours above what was allocated being needed to support the child's needs). Where there is respect and trust, these issues can usually be worked through.

For parents enrolling for the first time or transitioning into a new school or setting, this can be a very fraught time and they need to feel that they are being listened to. Often compromise can be reached and the child has a successful school experience. A parent should feel that their child belongs to the 'system' and be supported in the journey to a successful school placement. Sometimes they are left to do this alone and that is not acceptable.

There are many unreasonable expectations thrown at schools. Many parents do not understand that the majority of teachers are not trained specifically for children with disabilities. Schools are floundering and struggling with the imbalance of their resources that they may not have been provided. Many schools do not have access to quality training or realistic support to put obligations or compliance in place and are often left to drown in the sheer work load and emotional drain that is placed on them.

Parents have on occasion expressed concerns that the school has not met the needs of their child, however this is often in response to requests for levels of

support, e.g. 1:1 at all times, that systems have not funded schools to be able to provide.

Obligations are also met via least restrictive practice and collaboration and consultation based on individual needs. Many parents enrolling their child into a specialist setting are negative about their previous mainstream experiences.

**Transition: How do we assist a student with disability to transition from one education sector to another; for example, from school to further education.**

Child and family need support to do this well and to establish positive relationships at a new program - a transition 'coach' would ensure that voices are heard, needs are addressed and that data is shared. Connecting parents through a buddy system and kids through a buddy system. It's not so much where a child is going to, but 'who' they are going to, that makes a difference in feelings of comfort and belonging.

It is important that the next education space or program take the time to be in contact with staff at the school the child is leaving and see and understand first-hand how that child's needs have been met, what strategies have worked and what progress they have made.

Early connection in the transition process to allow time for small steps for both the student, families and educational settings is vital, including relationships with local specialist schools and connections with community groups.

These processes usually requires a structured and gradual transition, where independence is the desired outcome. Support from an agency provider or disability worker to assist in the transition from school to higher education, or dedicated disability workers in high education who actively support in the University/TAFE organisation are essential to a successful transition.

Recognition of the student's disability without having to reprove that the student has a disability is an ongoing concern especially in regard to diagnosis and assessment. Support with transition is important so that it is not reliant on the feeder school solely to support the transition.

Individualised transition planning where the students have comorbidity with communication and intellectual disability is a challenge. With the advent of the

NDIS it has been noticed that there are more individual care models post school and a reduction in disability ready work programs. This is due to lower overheads and therefore more profit. NDIS has unfortunately led to significant price increases for therapists and care providers with parents now only able to access a fraction of what they were able to before its introduction. The costs have risen and access and quality of care has decreased.

Most special schools cater for K-12, thereby reducing transition to another education sector. However, on occasion when students have transitioned to a mainstream setting, the educational outcomes for the student haven't always been successful generally because of limited staff expertise and understanding.

**Aboriginal and Torres Strait Islander students with disability: What are our experiences supporting Aboriginal and Torres Strait Islander students with disability. How do we help them to access and participate in education? How do we consult with them and their families and carers?**

With regard to Aboriginal and Torres Strait Islander students with disability it is all about relationships, cultural sensitivity and belonging. Access to ATSI staff or community members and elders is vital to build connections and advocate. The cultural competency of staff is an essential component as is how student voice and agency actioned. Parents need support and information to know the questions to ask of specialists and educators.

Readily available support material is required in this area, Schools need to be supported with placed indigenous teachers in the school community.

Attendance is the biggest issue for our at risk ATSI students. Schools must connect to their community and work on ways to engage families and the student in programs. Schools must be culturally sensitive and put effort into knowing what they want and what they may expect. Schools and leaders must not assume that a child with a disability does not still need a connection to their community and culture.

Schools must to be welcoming and understand that school may not have been a good place for our ATSI families and students in the past. Support and respect is vital.

High levels of consultation and collaboration required and as per cultural relevance. It can be difficult engaging families to attend appointments and build trust with and between agencies. Often without significant support from school this does not happen which can mean that a child does not receive a diagnosis and the subsequent funding to support the student's educational needs is not accessible. In a perfect world, establishing an organisation or a process which would streamline support and interventions for ATSI families would be beneficial. A coordinated one-stop-shop of ancillary services that could maintain and follow up with families and carers to continue to build an ongoing relationship with of trust.

**Specific experiences: Access and participation in education for students with disability may be affected by other circumstances such as age, sex, gender, gender identity, sexual orientation, intersex status, ethnic origin or race, and culturally and linguistically diverse background. How do we support students with disability who were affected by other circumstances, how have we helped them to access and participate in education.**

We need to understand how culturally diverse the teaching workforce actually is. What is the knowledge and understanding we believe staff should have? Access to professional learning is important as is key contacts in each site to build capacity. We need to ensure that in developing a child's plan, there is an effective conversation which can build the full picture of who the child is.

Diversity training and development for staff is essential and should be mandatory across all education sectors. There also needs to be classroom based student diversity education programs and relationship building programs. This needs to focus on both academic learning and personal development learning.

There must be qualified or trained, specialist support workers in schools or within areas to support diverse student need. As educators we must respond to a students identified circumstances. We must advocate for the rights and safety of all of our students. All schools and educators must see the student as an individual and put his or her needs first. Making that the priority is essential.

Building resilience and strategies within all students, with specific emphasis on differentiated supports as required. As educators we must respond to students'

identified circumstances. We must advocate for the rights and safety of all of our students.

**COVID 19: Has COVID-19 impacted the experience of your students with disability in participating in education? Have their experiences ever been impacted by other major events, such as natural disasters.**

Educators have struggled with how to keep students with a disability safe, engaged and learning in these challenging times. They have adapted as best as they can, but any success has been due to teacher innovation and agility rather than an effective system response. Use of technology has great possibilities but needs to be inclusive of all student need. Teacher knowledge should be shared widely across the nation, so how can we capture this great work and share it.

Our ability to care for our students and to provide safety for them at school and in the home has been greatly compromised due to Covid. Some schools temporarily lost a line-of-sight on student individual needs and wellbeing. This is a concern and schools have had to re-engage and ensure that student attendance remains a key focus, especially for students' with disability or complex health concerns.

COVID-19 impacted on students with disability participating in education. Their understanding of what was happening, their ability to access online learning (depending on their level of disability) and the capacity of their carers to support their learning at home meant that many students did not have the same level of participation in online education as their peers.

COVID-19 also impacted the experience of all students participating in education. There has been a definite impact for those with disability, particularly relating to changes in how they could engage with others i.e. no hand shaking; changes in programs, i.e. no assemblies, aquatics; access to school due to potential health vulnerabilities.

The ongoing healthcare requirements (ie Covid testing) is leading to lots of absences daily as children are kept home. Not to mention the family where the children were kept off for 16 weeks and are struggling with the school routines now.

**How do you think the Standards could be improved to help overcome barriers for students with disability in accessing or participating in education?**

The biggest barrier for our students is adults (educators and other parent's) attitudes. There needs to be a societal change.

Specific pools of funding for schools are required to access that address student engagement (equipment, staff training, school based experts). Improved coordination of support services between NCCD funding and NDIS funding. Classroom support is also required for record keeping, school adjustments and learning differentiations.

Special schools report that it would be much better if funding was directly linked in to them. An integration between NDIA and education would be beneficial as funding therapists at the school level to embed personnel and practice so that the school could schedule and employ therapists rather than witness the constant flow of therapists of various quality in and out of the school.

The Standards overall support schools to overcome barriers for students with disability in accessing/participating in education. Improvement may come from clearer examples as to what constitutes 'reasonable adjustments'. Also, training for staff in disability and how/what adjustments can be made to ensure participation. E.g. if a teacher is unaware of AAC, or isn't able to access training/support in its use, then the student will experience a communication barrier.

There needs to be mandated professional learning for all who are supporting students with disability across all systems and sectors in education.

### **What should be done to improve awareness of the Standards?**

Not so much changing or improving as aligning – i.e. facilities play a big part in how we can support students with a range of needs. In many schools, the existing facilities do not allow for quiet spaces or nurture spaces and so some of the contemporary theory that can support students is not able to be actioned due to these historic and physical constraints. If we think something is good practice, systems need to invest to create the environments for it to happen.

Mandated professional learning about the Standards and how to improve access to education for those who have a disability in mainstream schools. Making it a mandated course for all educational staff and making all educational establishments have clear accountability Increased accountability measures. The

standards could include more of an obvious connection in the ATSIL standards and include updated, accessible learning modules, with short, one-pagers on what they are.

Annual education/training. As mentioned previously, possibly a system of accreditation particularly for staff required to work with/educated students with disability.

**Do we need more or different support to help you to understand and apply the Standards? What kind of support would be useful?**

It would be beneficial to make all pre service teachers do a practicum in special education, and all other teachers to spend a week on a support class/SSP to get an idea of what teaching students with disabilities is all about

Schools continue to report that systems and departments of education continue to deliver initiatives which are not in the spirit of the standards or include students with complex needs. Often schools and leaders are required to engage students in surveys, programs etc., that have not been differentiated or presented in a format that enables participation by students with disability. System-wide changes need to occur.

**Do you find the Guidance Notes for the Standards useful? If not, why not?**

The notes are sufficient – again it's about the capacity of the school to meet them, the funding and timelines can be barriers and some mainstream sites will never be able to meet the needs of all students, especially those with complex needs.

**What would you change to make the Standards work better for Aboriginal and Torres Strait Islander students with disability and their families and carers?**

What do the ATSI community say about this? Who is available to support a family navigate the system? How accessible is the info – in language? There is a need to build in cultural awareness training for all staff, consider the physical environment and how it reflects the community and the learner. Sometimes community wants

a space or strategy that doesn't align with the standard – if it builds belonging is that acceptable?

There is also a desperate need to have trained diversity advocates for families to help navigate services available to ensure each child has access to what is available.

Matthew Johnson

A handwritten signature in black ink, appearing to read "Matthew Johnson". The signature is written in a cursive, flowing style with a prominent initial "M".

National President / CEO ASEPA

September 2020