

25 September 2020

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## 2020 Review - Disability Standards for Education 2005 Submission

This eleventh hour submission is supplementary to the questionnaire, and is a free flowing narrative for publication purposes.

My son [REDACTED], now 14 in year 8 at [REDACTED] was Diagnosed with what is now translated as Autistic Spectrum Disorder Level 2 at the age of 3. He is a participant of the NDIS, and will be for life.

Since diagnosis his mother and I have worked with the various Allied Health Professions to assist [REDACTED] to have a full and productive life, to become a contributing member of society. This journey has been rewarding but at the same time extremely frustrating, particularly within the Education System, a system that requires Schools to abide by the law as it stands within the Disability Acts and standards. Our Experience has been that Schools do not abide by the law. In fact we have been told on many occasions by teachers that compliance is discretionary. This is the biggest impediment to [REDACTED] having the opportunity of living a full and productive life. This is the norm, the disability standards for education rarely applied, even then only with reluctance and only for short bursts, until we once again have to be 'those nuisance parents'.

Events of this year have culminated in [REDACTED] putting a Complaint to the NSW Anti Discrimination board, against the school and department. His mother and I also considering complaints under section 50 of the Act, Victimisation. This follows from our application last year that [REDACTED] be transferred to Distance Education under Section 2:10, Students in extraordinary circumstances. Our contention being that the school had not attempted, let alone exhausted all other departmental provisions before seeking enrolment in distance education under Section 2:8. The school and regional director refusing the Distance application under section 2:10, and stating transfer can only be under 2:8. We took the matter to the department who agreed with our contention, and instructed the School and region to enter into negotiations, recognising that as parents we were the

experts, to arrive at a means of enabling [REDACTED] to remain at [REDACTED] in mainstream year 8. An Agreement was reached in March of this year, but the School has failed to abide with the agreement. The matters have now been accepted by the NSW Anti Discrimination Board for Investigation.

This has been a very difficult year for all of us. We lost our home in the Bushfires, moved into a new home on the weekend lock down due to COVID commenced. We had minimal furniture, Manchester, clothing any of the basics of life taken for granted in this country. We had to try and navigate without any assistance from the school home schooling without technology. In fact the school refused our requests for assistance in borrowing a laptop. We purchased an IPAD via the NDIS when stock became available, but again the school refused to acknowledge that the format in which work was being distributed was largely incomparable with an IPAD. Work that was sent in hard format from the school was next to useless, arriving at the end of the two week window rather than the beginning, and then lost by the school when returned.

As I stated detail is in the response I provided to the questionnaire. The Standards by themselves are adequate, but entirely useless when schools do not abide by them. The complaint process is too lengthy and complicated. The process of going to the Discrimination Board or AHRC too legalistic and costly, weighted in favour of the Department and schools who have the funds and resources that students and parents lack. This would be remedied by providing litigants with the same legal resources and funds that the schools have,. This would have the added advantage of placing the onus on schools to ensure that matters did not reach this level.

To quote Socrates; "There are no solutions, pursue them lovingly"

Sincerely

Greg Franklin