

Submission to the Disability Standards in Education (DSE) Review 2020

Response to the Terms of reference of the 2020 review given as:

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?

In response to requests for submissions, I would like to contribute the following personal observations. The views expressed in this submission are based on what I have found during my work in Tasmania and since the last review of the Disability Standards in Education in 2015.

I work as a volunteer in the capacity of; family support and advocacy, education researcher, provider of professional development programmes, senior lecturer-post graduate teaching students (University of Tasmania) and whole school community workshops, and, that predominantly have a regard to raising awareness about dyslexia and associated specific learning difficulties.

My interest regarding the 2020 review of the *Disability Standards in Education (DSE)* and in this submission, focus on the following three aspects and from the perspective of both parents/carers and teachers:

Focus 1: How familiar are parents and teachers with the '*standards*' and what they are designed to do? (*Parents and Teachers*); and, have the Standards helped you to understand you or your child's rights? (*Parents*)

Focus 2: What tensions are identified between the parents and teachers regarding the DSE? (*Parents & Teachers*)
and

Focus 3: Regarding Section 3.5 of the DSE that states that:

Before the education provider makes an adjustment for the student, the education provider must consult the student, or an associate of the student (*Parents*)

Here some of the parent comments regarding their understanding, and experience of 'reasonable adjustment's' are summarised.

Focus 1: How familiar are parents and teachers with the '*standards*' and what they are designed to do? (*Parents and Teachers*) *and* have the Standards helped you to understand you or your child's rights?

Parent views:

I have found that; a) many parents are unaware of the '*standards*'; b) some are aware of them but did not see how they were relevant to their circumstances, or, c) how they could help their particular child, often not seeing '*disability*' and '*dyslexia*' as two sides of the same coin. Sadly, too many parents have reported that their child's needs are not being met in school, neither have any adjustments, reasonable or otherwise, been made, that would address their child's specific learning difficulties. This is particularly so where a child does

not have a formal diagnosis of a learning difficulty, but for some parents whose child *does* have a diagnosis, the response is often the same. This should change as the NCCD process becomes better understood.

Added to this, many parents report not knowing who to ask for help, or who to go to in the school to get some answers to the questions they are asking. Many also felt that they were viewed by their child's school as a 'nuisance parent' or 'trouble-maker'.

Conversely though, some parents worry about their child being 'stigmatised' or even singled out for teacher attention, and viewed *by the child* as a negative thing, if they do pursue support for their child. This being mostly reported by parents of adolescent age students. This in turn, made them reluctant to ask for support, or to draw on their rights as laid down in the DSE.

This is particularly so with conditions such as dyslexia and associated specific learning difficulties that include; trouble with maths, or dyscalculia, or acquiring sub skills of literacy, in reading, writing and spelling or competent literacy skills.

In my experience it can be unusual to encounter a parent that *was* aware of the rights and obligations that are their entitlement, and with a regard to getting the support needs of their child recognised in school. There appears to be insufficient guidance or direction as to where to go to find out information that the DSE can lead a parent to. Many parents were unaware of the wider implications of the *standards'* and policies. Some schools are doing better than others, but broadly across the state, experience can geographically vary widely.

When comparing the key messages with the 2015 review, many parents, in my experience, still remain both unclear about the standards, or that they are even stakeholders in such a process. Even fewer know that the DSE could inform them of rights of children with disability, or of the obligations of their child's education providers.

Having said that however, in more recent years (e.g. 2017-2019) and due in part to parents' greater awareness of the implementation of the National Consistent Collection of Data (NCCD) in 2015, parents have reported a change in school action regarding their child -but not necessarily referring specifically to, or naming, the *DSE*.

One function of a parent advocacy and support group is to assist the parents and family about what support their child is entitled to, and where to go if they think that their child has been discriminated against. We are therefore more likely to meet families that are unfamiliar with the *standards* or are even aware that they exist. At schools where parent engagement was high and parent partnerships were well established, parents knew about such matters. This was not the case in all schools or across the state.

Many parents are unaware, or uninformed, of school policies regarding the support of children with learning difficulties or disabilities. Some parents have expressed fears about going into school-and even meeting with teachers, particularly where they had negative experiences themselves; this can be an obstacle or real stumbling block for some parents.

How the school deals with this can vary widely and depends very much on the individual institution and the leadership.

Teacher views:

The majority of teachers that I have worked with since 2015 have been familiar with documented *DSE*, but in many circumstances, there was often a separation between the school policy, wherein they were employed, and the information contained in the *standards* and with which they are familiar.

Some teachers' express the view that the 'standards' are a school responsibility and not the individual teacher. This is particularly with regards to *actions* that the *standards* lay out.

Without exception the term 'reasonable adjustments' was fully understood by teachers however, detail was variable when teachers were asked to give an example of what they thought a "reasonable adjustment" could entail.

I feel there is still more effort needed for teachers to develop the skills to interpret and apply the DSE in practise, a point that was commented upon in the 2015 review. While teacher awareness of the standards is relatively high, how they are implemented within their schools is less well understood. So too was the need for them, as individuals, to make a more significant contribution towards upholding the values and implementation of the DSE within their school or institution.

There is still too much uncertainty around the responsibility for providing adjustments for the child that has learning difficulties, imputed or formally diagnosed.

Focus 2: What tensions are identified between the parents and teachers regarding the DSE? (*Parents & Teachers*)

Still too many parents express the view that they are not being consulted, others feel they didn't feel 'listened to'. There is, in my experience, a wide degree of scepticism that exists as to whether the *standards* actually made any difference, or even *could* make a difference. Many schools still tell parents they cannot do anything for their child because they are *not funded*, their child does not have a 'diagnosis' or they have insufficient funds to offer any special support, which is in conflict with the DSE. Having said that, the caveat of 'unjustifiable hardship' can be seen as a school's protective 'get out' clause that can safeguard this position.

There remains a lack of knowledge of the *standards* in more rural areas, and, in areas where the population is; predominantly lower social economic groups, high unemployment and of intergenerational low literacy levels.

Again, in such areas, some parents feel an alienation with the education system, possibly related to their own disaffection and disengagement with education at an early age and stage. (e.g. End of Grade 9 or before end of Grade 10).

In the 2015 review, many submissions made reference to school-based practices that on face value breach the *standards* and that as such, the *standards* had resulted in a

significantly negative impact on children with additional needs. This I have found still is the case in Tasmania for too many students in the current system in 2020.

Too many parents are still unaware of what they can expect from the legislative requirements that the DSE asserts. The amount of collaboration between parents and schools needs to improve if the outcomes for some of our vulnerable students are to be met, and, met at an age where some form of intervention will effectively change learning outcomes positively for the child.

In the defence of teachers, more teacher development or professional development to raise awareness about the *DSE* should be made available through the schools own programme of professional learning/development at least annually!

Focus 3: Regarding Section 3.5 of the DSE that states that:

Before the education provider makes an adjustment for the student, the education provider must consult the student, or an associate of the student (Parents)

Parent comments are summarised here, regarding understanding, and/or experience of being consulted, or their child being consulted by the school at any point, with regard to the development of a programme of intervention to support the child's learning needs or disability.

In my experience,

- the number of children who have been consulted, or, made a contribution towards their Individual Learning Plans (ILP) is minimal. This is *not* normal or widespread practice around the state.
- Many parents reported never having seen an ILP; others that they have been sent a copy of their child's ILP in order to inform the parent of the school's action, but not to ask their opinion. Only for them to sign *not* to consult with them regarding the documentation or its proposed action.
- Too few parents were actually involved in the process of review. Any documents sent home that refer to actions by the school were generally sent as an obligatory procedure, or out of courtesy, but rarely to seek parental input into the process of reviewing the child's needs.
- A few positive examples have been found, where the parents and the child make known their views and these being incorporated in the ILP, but they are the exception rather than the norm.
- Too few parents understood the nature of the DSE or that they could fall back on these to get some support for, or recognition of, additional measures in order to meet the needs of their child who had/has specific learning difficulties.
- Parents understanding of what is fair and what is reasonable under the *standards* is generally low, and in too many cases non-existent.

In summary, the rights of students of all ages but with a disability, are made clear in the DSE, and expressly laid out to help people to understand what is fair, what supports equity

of learning opportunity, and what reasonable adjustments can be expected in order to address the obligatory specified tenets contained within them.

What is less clear is how they are interpreted by schools and institutions, and how policy of the school accommodated the statutory guidance of the DSE. Across the state of Tasmania, there are places that are poles apart in terms of how the DSE is implemented, understood or making an impact on either policy or practice.

Too many parents are still unaware of the nature of the DSE or have been informed about them *by the school*. Too many find out via advocacy support groups or by pursuing their own lines of enquiry.

Schools could inform parents and families about the DSE by incorporating them into the school's policy of equal opportunity or framework for identifying and meeting the needs of the child with special educational or learning needs.

Suggestion: Put a summary of the DSE main points in some form and include them on every schools' webpage. This would be a direct line for parents to access this information.

The *standards* are a legislative requirement that is in place to connect through collaboration, an integrated framework for identifying, and assessing social, behavioural and learning difficulties, learning needs or disability.

They can, and do, provide an integrated functional framework to guide school allocation and provision of resources, while also making clear the rights and obligations of all parties.

However, in my experience, they are still too poorly understood by too many families, and as such, offer little to facilitate change for the majority of individuals and families.

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