



Disability Standards for Education Review Team
Disability Strategy Taskforce
Canberra City ACT 2601

25 September 2020

Submission for the 2020 Review of the Disability Standards for Education 2005.

Inclusive Schools Australia is an educational consultancy service for schools and school systems across the country, and an advocate for young people with disability and their families. Our mission is to support every child to access and achieve from the same curriculum and to uphold their rights to an inclusive education under UNESCO's Article 24 and the Disability Standards for Education, 2005. We welcome this opportunity to contribute to the Review of the Standards.

Our response draws directly from our experiences of working with schools and school systems across different states and territories and emphasises the importance of addressing the recurring theme of '*clarity, understanding and capability*' identified in previous reviews.¹

The Review asks whether the Standards are doing their job and, if not, how they could be improved.

From the perspective of an inclusion consultant:

In our consultancy and advocacy roles the Standards play a positive role in supporting the rights and obligations of young people with disability and in guiding more inclusive practices. *Inclusive Schools Australia* receive requests for whole-school professional learning on the Standards to meet compliance needs; or consultancy support to address the specific needs of individual students with disability. The Standards support us to shift mindset as well as practice by responding directly to need as well as more proactive strategies that involve whole school or district improvement plans.

From the perspective of a parent or carer:

The experience for our families is less positive. We have first-hand experience of working with parents who know what they want for their child (e.g. access to an inclusive classroom; access to the regular curriculum) but who are persuaded by schools or schools systems that an alternative is a better option (e.g. support class; Life Skills curriculum in NSW). Even when parent knowledge of the Standards is strong, they can be literally be outnumbered by the school system. This lack of understanding in relation to inclusive education and the rights of the child '*on the same basis*' has also been highlighted as part of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.²

¹ Australian Government Department of Education, Skills and Employment (2020). *Review of the Disability Standards for Education 2005 – Discussion paper*. Retrieved from https://disabilitystandardsreview.education.gov.au/discussion_paper/

² Royal Commission (2020). *Issues paper – Overview of responses to the first Education and learning Issues paper*. Retrieved from <https://disability.royalcommission.gov.au/system/files/2020-08/Overview%20of%20responses%20to%20the%20first%20Education%20and%20learning%20Issues%20paper.pdf>

From the perspective of schools:

When working with individual teachers and schools to support inclusive access to curriculum and assessment, a frequent barrier is the lack of consistency in how *'on the same basis'* is interpreted. The Guidance Notes³ offer a definition for *'on the same basis'*, yet this is wordy and unclear and rarely referred to by the regular class teacher or parent.

What we consistently find is that schools refer to the advice of their curriculum authority rather than to the Standards directly. Working at a national level we are very aware that states and territories have interpreted *'on the same basis'* differently when it comes to curriculum development, accreditation and delivery. At a national level the Australian Curriculum, Assessment and Reporting Authority (ACARA) provides a definition for *'on the same basis'* that emphasises the right of the child to access content that aligns with their chronological age:

*'ACARA responds to 'on the same basis' through a curriculum that provides...age and/or year level content to identify key concepts that align with students' interests and abilities.'*⁴

However this has been interpreted differently across the country. In some states the advice regarding students with disability is to program and report on content and achievement standards from a lower year level, such as in Queensland:

*A different year level (DYL) of the Australian Curriculum is provided for most students requiring an ICP for one or more learning areas and/or subjects.*⁵

In other states alternative curriculum has been developed for students with disability, such as in New South Wales (Life Skills) Victoria and Western Australia (Towards Foundation Level)⁶.

This highlights the challenge for schools and teachers to implement the Standards and support the rights of the child, when *'on the same basis'* is interpreted so differently from one state to another by their curriculum authorities.

³ Australian Government Department of Education, Skills and Employment (2005). *Disability Standards for Education 2005 plus Guidance Notes*. Retrieved from <https://docs.education.gov.au/node/16354>

⁴ ACARA. Student Diversity – Meeting the needs of students with disability. Retrieved from <https://www.australiancurriculum.edu.au/resources/student-diversity/meeting-the-needs-of-students-with-a-disability/>

⁵ Queensland Government (2020). *Individual Curriculum Plan*. (Retrieved from <https://education.qld.gov.au/curriculums/Documents/individual-curriculum-plan.pdf>)

⁶ Humphreys, S., Jimenez, B. (2018) *The Evolution of Personalised Learning – from Different, to Differentiated and Now to Universally Designed*. Global Journal of Intellectual and Developmental Disabilities. Retrieved from <https://inclusiveschools.com.au/the-evolution-of-personalised-learning/>

Recommendations for improvement

1. The accessibility and relevance of the Standards to all students, families and carers, educators, education providers and policy makers could be improved through the development of quality resources (such as video vignettes) that illustrate how they translate into practice and thus promote a consistent message.
2. Additional *Compliance Measures* within the Standards that make explicit that '*on the basis*' applies to all students with disability without exception and support this with examples and non-examples of curriculum access '*on the same basis*'.
3. A revised explanation of '*on the same basis*' in the Guidance notes that is simply put and reduces opportunities for broad interpretation.

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