



Queensland Association of Special Education Leaders
PO Box 16079 City East QLD 4002

QUEENSLAND ASSOCIATION OF SPECIAL EDUCATION LEADERS (Inc)

QASEL Submission

Disability Standards for Education (2005)

Introduction and Context

This submission has been prepared on behalf of the Queensland Association of Special Education Leaders (QASEL). As a professional organisation, QASEL advocates for, represents and supports Principals of Special Schools along with Associate Principals, Deputy Principals, Heads of Special Education Services (HOSES), Heads of Department -Curriculum (HOD-C) and aspirant leaders across the three sectors of Queensland state education. QASEL works on behalf of, and with its members to ensure that quality learning environments and the well-being of school leadership teams are key objectives on the educational agenda, and are state wide priorities. QASEL is represented on the Australian Special Education Principals Association (ASEPA) at national level both on the board and national council. ASEPA provides a voice at the highest levels within the Federal and State Governments and the Queensland Department of Education (DoE), on behalf of its members.

The purpose of this submission is to respond to the Australian Government's consultative processes related to the 2020 Review of the Disability Standards for Education (DSE) Review and to also respond to the proposed question "Are the Standards doing their job?" The submission responds to and presents the collective experiences of QASEL member special educators and has been structured under the headings offered in the 2020 Review of the Disability Standards for Education 2005 Discussion Questionnaire including; enrolment and access, participation, support, harassment and victimisation, transition, Aboriginal and Torres Strait Islander students with disability, and the impact of COVID-19.

Annually in August, the Nationally Consistent Collection of Data on School Students with Disability (NCCD_SWD), as defined by the Disability Discrimination Act (DDA) is recorded. It is intended to collect data pertaining to the number of students in Australian schools receiving adjustments, due to a disability, in a



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reliable, consistent and systematic manner. In 2019, the number of students with disability enrolled across Queensland state schools totalled 103,542 equating to 18.3% of the total Queensland student population.

Of these students, 98,380 (95%) are enrolled at one of the 1,205 state Primary or Secondary schools while the remaining 5,162 (5%) are enrolled at one of the 44 Queensland Special Schools (Department of Education-Queensland- Disability and Inclusion Branch, 2020)

The following content, reflective of both the Queensland and interstate contexts, under the headings provided for this review represent the research of the two QASEL members who voluntarily undertook this research and the formulation of these responses in their own time, over a period of six weeks.

Enrolment and access

While it is a legal requirement to enrol and accommodate all students at their local school or education facility, QASEL members have reported that there are still schools where it is considered satisfactory practice to 'suggest' to an enrolling student's family that another educational facility may be able to provide a 'better service'. This unacceptable and discriminatory practice is often referred to as "gatekeeping." Gatekeeping by schools and educational facilities continues to occur to some extent despite the existence of the DSE (Poed, Cologon, & Jackson, 2020).

The majority of QASEL members believe that the successful implementation of the DSE in schools is greatly influenced by the school leadership team, their knowledge and understanding of inclusive practices, and the value they place on inclusion. Inclusive practices need to be upheld, modelled and valued by school leaders to ensure that all staff understand their obligations and have the support and knowledge to support the implementation of fully inclusive classrooms.

Unfortunately, there appears to be a high level of disparity across schools, regions and sectors of education with some facilities more capable, accommodating and influential than others. Additionally, members report that some educators still have an opinion/attitude that the responsibility of formally educating students with disability (SWD) sits predominantly with the teachers attached to the Special Education Program, located within a mainstream school, not with the collective teaching body.

It is reported that on occasions, when a student with significant needs presents at a school, there are still instances occurring when parents/carers are informed that the school up the road can provide superior



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support (Poed, Cologon, & Jackson, 2020). All schools need to take responsibility for their accountabilities under the DSE. The fact that a recent national survey around gatekeeping stated that 70% of participating families experienced gatekeeping practices, reinforces concerns about the urgent need to address this issue (Lacono, Keeffe, Kenny, & McKinstry, 2019).

Participation

When reviewing the DSE with educators, one of the greatest inconsistencies is their understanding of what is required of them and to whom the DSE applies. Philosophically, most agree that all students should be able to attend their local schools however juxtaposed to this, for some, is their belief that not all students are best catered for in mainstream settings. The research states that 65.9% of Students With Disability (SWD) in Australia participate in mainstream classrooms while an additional 24.3% participate in parallel supported or alternate classes in mainstream schools (Australian Bureau of Statistics, 2013).

Inclusive practices within schools are mandated in Australia across all sectors of education and policies including the DSE and the Australian Curriculum, Assessment and Reporting Authority (ACARA 2013). Both documents support SWD having the right to access learning and curriculum alongside their peers. In a recent study it was revealed that the surveyed parents strongly agreed that SWD have the right to be educated in inclusive settings. However the same study revealed that parent satisfaction of teacher understanding of their obligations to make reasonable adjustments was varied. When discussing the ability of mainstream teachers to support inclusion many parents expressed concerns around teachers' knowledge and ability to implement instruction that was individualised. They also raised concerns around the limited specialised supports for SWD within the mainstream settings (Stevens & Wurf 2018).

It is commonly understood that reasonable adjustments need to be made to ensure SWD can participate 'on the same basis' as their peers in quality educational experiences. What constitutes 'reasonable' in the case of adjustments and how time for planning such investments is calculated, are often misunderstood elements. Members have stated that there are gaps between a lack of teacher capacity to differentiate and the time and training made available to educators, to consider the individual needs of each and every learner. Members reported that increased parent/carers expectations with regard to differentiation expectations has increased pressure on educators.



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Members surveyed believe that there are significantly different levels of understanding across school leadership teams, with regard to the needs of SWD, leading to a lack of effective information dissemination within schools, which further leads to misinformation in some sectors in defining best inclusive practice. Individual Curriculum Plans (ICP) are generally supported, however time to complete, misunderstanding around accountabilities and a lack of training are listed as major hurdles by teachers in effectively developing and maintaining ICPs. There are also concerns from members that ICPs are under-utilised in some schools, and over-utilised in others.

Responses from members indicate that there are varying interpretations of inclusion present in school communities, leading to differing “inclusive educational” experiences for students, and this is concerning. Due to these misunderstandings, some of the perceived inclusive experiences being offered in schools are actually exclusive by nature.

Problematically, the terms integration and inclusion are still being used interchangeably in some geographical areas. While some teachers feel confident working with SWD, many continue to feel unable to successfully support a student with high support needs (Able, Sreckovic, Schultz, Garwood, & Sherman, 2015). Additionally, a number of studies have revealed that teachers working in mainstream classes do not feel they have the skills nor the training to support an inclusive teaching model for SWD. Educators have also stated that they feel ill prepared to implement specialised programs (Lilley, 2014; Ross-Hill, 2009). As a result, it is important to note that a number of studies have revealed that teachers and teacher aides tended to default to reactive strategies due to a limited knowledge of proactive support approaches for SWD (Able, Sreckovic, Schultz, Garwood, & Sherman, 2015; Iadarola, et al., 2015).

This perceived lack of educator skills to support SWD is supported by the ongoing and long-standing concerns within school communities regarding the overrepresentation of SWD being subjected to school disciplinary absences (SDAs) e.g. suspensions, exclusions and cancellations of enrolment. Many school staff feel that alternatives to SDAs are limited, despite the development of supports such as restrictive practices guidelines. It must be stated however, that there continues to be a lack of clarity related to the definition and use of restrictive practices in Queensland schools. A significant number of educators are unsure of circumstances that allow for the reasonable and lawful use of restrictive practices within schools, acknowledging the



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complexities that may exist in the school environment with regard to extreme student behaviours on occasions.

It is felt that the Educational Adjustment Program (EAP) processes are becoming more clearly understood by school staff, due in part to Queensland Department of Education prioritisation with regard to student reviews and staff training. EAP record keeping storage practices that frequently differ between schools remains problematic, especially when students enrol in a different school.

The Nationally Consistent Collection of Data (NCCD) process has strong support in school communities. The collection of NCCD data within schools however lacks alignment between campuses. Definitions of disability used within NCCD processes continue to prove challenging in relation to the application of these definitions to individual student circumstances in Queensland school contexts and across jurisdictions in Australia. The official use of NCCD and subsequent funding implications both now and into the future remains unclear.

Supporting Students

Confidence in providing inclusive education for students can be truly demonstrated when four key and critical aspects are met. These include:

- Presence - SWD are enrolled and welcomed and demonstrate regular attendance.
- Participation - SWD participate in a full range of school activities.
- Achievement- strong value is placed on SWD achievement academically, socially and in extra curricula areas.
- Acceptance - all SWD are fully accepted into the school community (Farrel, 2004).

The above aspects suggest that the inclusion of SWD is far greater than the physical placement of a SWD in a classroom or school. It means school stakeholders spending considerable time and effort in ensuring that SWD and their families are valued and respected members of the school community (Engevik, Næss, & Berntsen, 2018).

The majority of our members report that there is a lack of consistency in the types of student support, reporting available, recording expectations, and record storage processes across schools. Educators can find it difficult, or impossible to access student support information when students move schools, due to information being saved in ineffective and/or on a non-aligned system. The challenges with accessing SWD



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support information are exacerbated when students enrol from government to non-government schools (or vice versa) and/or from interstate.

It is noted that there are an increasing number of requests from third party providers (including NDIS providers) to facilitate services on and/or off school sites during school hours. Some confusion exists in schools about Queensland Department of Education endorsed use of third-party specialists on site and/or offsite during school hours, to support SWD.

Harassment or victimisation

The *Held Back Report* (Victorian Equal Opportunity and Human Rights Commission, 2017) made specific recommendations to address the bullying of SWD. These recommendations included the development of specialised programs, data collection on the incidence or witnessing of disability-based bullying, professional development for educators and improved processes for addressing bullying, which include proactive strategies. Recommendations from this report have yet to be implemented in their entirety.

Our members believe that there is potential to increase the focus on eliminating harassment and victimisation of persons with disabilities within annual staff mandatory training processes. It is reported that identification of harassment and victimisation can be unclear at times, leading to some breaches going unreported. A clear understanding of what harassment and victimisation looks like and clarity around reporting processes for harassment and/or victimisation incidents are inconsistent in some geographical areas.

Transition

Many schools offer transition programs for students from early childhood settings including (in Queensland) Early Childhood Education Centres (ECEC) and Early Childhood Development Programs (ECDP) settings into Prep, Year 6 into Year 7, and then from secondary school beyond to post school options, while other schools offer additional programs that also support parents and carers. Improving cross sector professional relationships eg prep, primary and secondary schools that support positive student transitions remains an educational priority. Some members report innovative programs being developed in some centres that extend beyond generic and traditional transitional support offerings. However the sharing of innovative practices across campuses remains problematic. Site visits and educator collaborations across campuses are



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seen as core ingredients of a successful transition program. Customised transition arrangements for SWD are in place in most centres, with members reporting varying levels of success.

Aboriginal and Torres Strait Islander students with disability

The principles contained within the Australian Government's National Aboriginal and Torres Strait Islander Education Strategy (2015) have widespread support in educational circles.

Also recently, the Queensland Department of Education has released the [Every Aboriginal and Torres Strait Islander student succeeding strategy \(PDF, 1.7MB\)](#) .

Following an extensive consultation process, the strategy sets the direction on how to improve outcomes for our Aboriginal and Torres Strait Islander students in state schools through:

- connection to culture
- high expectations
- meaningful pathways.

In line with the Queensland Department's Advancing Aboriginal and Torres Strait Islander education action plan and State Schools Strategy, these priorities recognise the importance of acknowledging and promoting culture, and supporting students to achieve through to Year 12.

Moving forward, cooperative interagency and community networking and professional sharing processes need to be strengthened to best support Aboriginal and Torres Strait Islander SWD.

COVID-19

During periods of lock down, and in different states and territories, a combination of digital and hard copy platforms to enable access to learning for SWD have been utilised, with varying levels of success. Members have witnessed increased levels of anxiety in many SWD and also in their families during the COVID 19 pandemic. Use of ICT has played a significant part in supporting effective learning for students. Access to home ICT usage and increased parental/caregiver responsibilities related to supporting home learning have presented challenges to members. This situation continues to unfold across the country.

Conclusion and Recommendations

It is recognised that SWD (and all persons with disability) are among the most vulnerable of persons within Australian society. The DSE provides valuable direction for decision makers to best support these persons



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within educational contexts. While the DSE have provided overdue improvements in the support of SWD since their inception, many members believe that areas within the DSE have not been implemented either effectively, or at all in some areas.

The QASEL DSE respondents have consulted with peers and collated the following list of recommendations for consideration to further ensure that the DSEs are indeed, “doing their job,” to guide educators and systems across Australia.

1. Clarity is required at school level on information provided to families regarding the right to enrol.

The effective use of the DSEs to guide school leadership practices should be encouraged. Gatekeeping practices are occurring in some schools fuelled by a belief in some mainstream school administration teams, that sufficient resources are not present within the respective schools to support certain SWD in their mainstream school settings.

2. A review of wording used on standardised school enrolment documentation is required.

Development of more inclusive friendly language within centralised school enrolment documentation in the context of the DDA and DSEs is necessary.

3. Prioritise educator training around differentiation of practice, in the support of SWD, in the context of the DSEs.

Clarity around what effective differentiation looks like in the classroom is sought; and through development of teacher capability, subsequently recognition that every single learner has unique learning needs.

4. A strengthening around the sharing of professional practices (supporting SWD) between government and non-government schools.

Educational institutions working in isolation must cease. The “us” and “them” mentality between state school and private educational institutions hinders the sharing of best practice for the effective teaching and learning of SWD. The effective use of the DSEs around equality of access and participation across sectors will support this to occur.



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- 5. Review supports that are available for complex case management, including in regional, rural and remote locations. Encourage school leaders to adhere to the DSEs in decision-making to ensure access to these support across all locations.**

It is acknowledged, nationally that departmental support for very complex student support cases requires review, especially in areas of high need and in geographical locations where sourcing such expertise presents challenges.

- 6. SWD funding model reviews required nationally. Local context must be further acknowledged, and should adhere to the fundamentals of the DSEs.**

SWD funding arrangements do not on occasions capture unusual school community circumstances e.g. new school in fast growing community. While a level of departmental adjustments are made in such situations, these adjustments are often seen as inadequate. For Special Schools, in a similar manner to primary and secondary schools, ongoing and forward focussed workforce planning is beginning to occur from 2021 in Queensland.

- 7. Clarification required nationally from employers at all levels and across sectors on official use of NCCD-SWD and the nexus with the DSEs be paramount particularly funding implications, now and into the future.**

There is uncertainty about how NCCD data is used presently and how it will be used in the future.

- 8. Encourage a national sharing of cross sector transition models through targeted networks.**

Sharing professional practice across school sectors and between government and non-government schools is generally poor. Focus on developing professional practice sharing processes across sectors, and across government and non-government schools, that will benefit all school stakeholders.

- 9. Targeted department COVID19 and future needs/supports to be developed and/or maintained.**

Recognition of the unprecedented times school communities are facing presently due to COVID. An increase in focused supports for SWD to ensure all SWD are able to access the Australian Curriculum at a satisfactory level, not only during this crisis but for all possible eventualities in the future.



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On behalf of QASEL, thank you for the opportunity to provide feedback in relation to the 2020 Review of Disability Standards for Education 2005.

Yours sincerely

Mr Sheldon Boland
Submission Author,
QASEL Member and
Deputy Principal
(Baringa State Primary School)

Mrs Sandra Kinsella
Submission Author,
QASEL Member and
Deputy Principal
(Stretton State College)

Mrs Roselynn Anderson
Submission Coordinator/
Editor QASEL President

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