

## 2020 Review- Disability Standards for education 2005

### Visionary Design Development responds:

[Via email]

This document, provided by Visionary Design Development Pty Ltd, responds to the Australian Governments' Department of Education, Skills and Employment call for public input to the 2020 Review of the **Disability Standards for Education 2005 (the Standards)**. As built environment accessibility specialists our contribution revolves around the importance of the built educational environment for students with disability. The Standards have been reviewed twice previously, once in 2010 and again in 2015. Research suggests that accessible and inclusive learning environments engender better education and participation outcomes. Therefore, it is imperative that the Standards support this endeavour. Our response to the Consultation for **Disability Standards for Education 2005 (the Standards)** is as follows:

#### 1. Universal design required

Under the Disability Discrimination Act (1992) it is unlawful for an educational authority to discriminate against a person on the ground of the person's disability or a disability of any associates of the person. The Standards further reinforce these requirements, particularly for students with disability.<sup>1</sup> However there is neither mention of universal design principles nor their implementation as applied to the built educational environment. The Principles of Universal Design address sensory, physical, and cognitive needs, facilitating environments which are flexible, adaptable, and responsive. The 1990 UN Convention on the Rights of the Child and the 2008 UN Convention on the Rights of Persons with Disabilities (UNCRPD) both require accessible and inclusive educational environments; the UNCRPD specifically references universal design. Therefore, we recommend that reference to Universal Design (as applicable to built environment design and modification) is specifically included in the Standards.

#### 2. Specific reference to UNCRPD

The UNCRPD, the paramount disability rights instrument internationally, identifies the rights of people with disability, including students with disability, as well as the obligations of Parliaments to ensure these rights are met. The UNCRPD, specifically Article 24, also embraces equal education rights, opportunities, respect, access, and prevention of discrimination. Accordingly, we recommend that the Standards specifically acknowledge the UNCRPD, and its fundamental importance to achieving accessible and inclusive educational environments.

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<sup>1</sup> Students with disability includes all age groups, from early childhood through to tertiary education

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### 3. Making Reasonable Adjustments: relationship to Premises Standards

As built environment accessibility specialists our intimate knowledge of the Disability (Access to Premises – Buildings) Standards 2010, ie, the Premises Standards, and subsequent less-than-optimal outcomes suggests that the limited reach, and poor application, of the Premises Standards is not conducive to achieving exemplary accessible and inclusive educational environments. We do not believe that the current brief reference to the Premises Standards is sufficiently satisfying the Objects of the (Education) Standards. We therefore recommend that more detailed consideration is given to this aspect of 'making reasonable adjustments'.

### 4. Making Reasonable Adjustments: relationship to Accessible Transport Standards

Following on from the previous point, we believe that the Standards should also specifically set out a relationship to the Disability Standards for Accessible Public Transport, given that many schools provide and/or coordinate transportation for students with disability. Again, more than cursory reference is required.

### 5. Assistance animals, care givers, associates, and Assistive technology

Deviation from construction industry 'business as usual' does tend to increase cost, but this must not be used as an excuse to do nothing at all. Therefore, in regard to assistance animals, care givers, associates, and assistive technology, we believe that the Standards should be more explicit that resultant built environment spatial/ technology requirements will not result in discrimination on cost grounds.

### 6. Special Measures (Goods, services, and facilities)

The Disability Discrimination Act (1992) requires that the provision of goods, services, and facilities is non-discriminatory. To facilitate students with disabilities' full enjoyment of rights, the provision of special measures, ie, of enhanced goods, services, and facilities is, in fact, essential. We therefore recommend that the provision of Special Measures be encouraged, rather than couched in negative language.

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