

DRAFT RESPONSE TO EDUCATION STANDARDS SUBMISSION

Questions for users of education and training

Question 1.

Providing Clarity

The standards are easy to understand of themselves.

- It would be helpful if each of the standards could be further explained with a practical example in an education context.
- As parentadvocates, we have the opportunity of working in a number of schools. We have not seen any large posters (similar to the DHS posters in organisations providing services that need to meet the DSA Standards.) re the Education Standards. In our experience schools (Primary and Secondary) are not aware that the standards exist. They are unaware that they have a legal obligation to comply with the standards. Equally, Parents are unaware that they have the right to legal means to address resultant discrimination.
- We had difficulty finding the Education Standards anywhere, apart from the Department of Education, Employment and Workplace Education's website and the review document.
- We would like to see an intensive and extensive education campaign for the WHOLE school community- Parents, teachers, Principals, Regional DEECD staff about the Education Standards. We understand there is training in the Standards as part of pre-service training for teachers at University. The model of training used by DHS in Victoria could be very useful. It is mandatory for ALL people working in services as well as for service provider CEO's and admin personnel.

Question 2

Rights under the standards

Yes. One of our Board members was involved in the consultations when they were developed prior to their adoption. However since their

proclamation, we are not aware of any information forums about their implementation re:

- Who in schools knows about them? If they do, how do they pass this knowledge onto their school community?
- Whose responsibility is it to monitor and support schools to implement the Standards. What happens if they don't? Our experience is that the available legal mechanisms are lengthy, costly and parents feel there is no use to even try and get legal processes to have the Standards complied with.

I believe there is a system failure (DEECD) in our schools in regard to educating the **whole** school community about the Education Standards. DEECD do have Inclusive policies and guidelines that support students with disabilities. However, the accountability and mechanisms need strengthening, so that students' rights as outlined in Education Standards are protected in schools.

Is it the role of parents to "educate" and train teachers re inclusive practices including the Standards or is it a students' right to expect competent, knowledgeable and skilled school staff?

As a parent said:

"lack of inclusive practices, negative attitudes and lack of skills among school staff, lead parents to either seek legal advice/intervention or force families to take the special school option, despite their total belief, passion and commitment to educate their son/daughter with a disability in the local school, often where the other siblings attend."

Question 3

Access to education and training opportunities

It was claimed in a recent State Government media release "Rising to the Challenges" that Victoria was giving children the best start and delivering a world class education system. This is not so for children with a disability, many are not included in pre-school education along with their age peers. Further no world class system would exclude children on the basis of their disability from the local primary or secondary mainstream setting /school which every neighbourhood child is able to attend. From our experience as an advocacy organisation for people with intellectual disability and their families, such exclusion is the reality for many young Victorians with an intellectual



The experience of the families who seek our assistance and support, demonstrates that the Victorian DEECD is not meeting its obligations in regard to equity in participation in educational activities on the same basis as people without an intellectual disability in their neighbourhood school.

This is further evidenced by the announcement in 2009 and 2010 by the then Brumby Labour Government to redevelop special schools, and create segregated campuses and satellite centres.

- Horsham Special School has been rebuilt
- Bulleen Heights School is expanding into a second campus at Manningham Park Primary School
- Wantirna Heights School has 88 primary students. The redevelopment project will evaluate the relocation of Wantirna Heights School to include secondary school services on one of two vacant school sites in Ferntree Gully
- Brunswick Special Development School will be closed and rebuilt at a cost of \$5 million on the Bellfield Primary School site in Heidelberg. Enrolments have jumped from 43 in 2007 to 67 in 2010

Our State Government is deliberately creating special programs which dupe parents into choices that ensure children who most need to be socially and academically included, are in fact excluded and do not have equitable access to an inclusive education and the range of learning opportunities that will enable students to develop the knowledge, skills and experiences to live an ordinary life in their community. (Please refer to Dr. Bob Jackson, Adjunct Associate Professor Edith Cowan University research on *An Ordinary Life, or a Parallel Life* 2009 www.Include.com.au)

This research clearly demonstrates that the pathway for students who begin their education in Early intervention and progress through segregated primary and secondary schools, to segregated TAFE class post school options, go on to sheltered workshops and then onto group homes.

We are clear that the Education standards could support students, parents and schools to reverse this pathway from Early Intervention to pre-school, kindergarten, primary, secondary school, TAFE, job relationships, home family and an ordinary life in the community.

Question 4

Eliminating Discrimination

The Education Department's (DEECD) complaints mechanism (Addressing parents' concerns and complaints effectively: policy and guides) is the only mechanism that currently can be used to try and have students' rights protected. (Refer to Qu1)

Participation for students with complex communication needs is the area most difficult to achieve. If the Standards were known and applied they would be an excellent mechanism to redress this inequity. For example, one parent has been trying unsuccessfully for 3 years to work and support the staff at the local Secondary school to be trained to use her son's communication device to enable him to communicate with his teachers peers.

Currently, in our experience, any access to enrolment, participation and the curriculum is dependent on the good will of the principal and teachers, without regard to the Standards due to lack of knowledge in many cases and deliberate disregard in others.

From our experience and observation, we are not convinced that there is clear evidence of a demonstrated commitment to the Education Standards at all levels of the DEECD system in Victoria, indeed, quite the contrary Refer to page 3 of the Address..... Which outlines the Departments legislative and regulatory framework for addressing complaints and concerns. There is NO reference to the Education Standards. Surely a gross omission in DEECD policy.

Question 5

Awareness and recognition

Not in Victoria as outlined in our submission in previous questions.

Question 6

No. not in our experience.

Other Comments

From our advocacy work we have seen

- Students with communication needs denied access to communication equipment in regular schools

- A 12 year old student out of school for more than 18 months – assessed as not eligible for special school or SDS but identified as having significant learning and behavioural issues, his parent was unable to find mainstream setting willing to enrol him and provide resources and support necessary. The relevant DEECD (Department of Education and Early Childhood Development) has let this situation continue unresolved to this day.
- An alarming rise in the numbers of suspensions and expulsions of students in Special and Special Developmental Schools in response to issues and/or behaviours arising from either the child's disability (in particular Autism Spectrum Disorder) but more often from the schools inability or unwillingness to manage the situations.
- Students unable to access relevant and ongoing support services e.g. Speech Therapy, Occupational therapy and physiotherapy etc. and the impact this has on their ongoing access and participation in mainstream settings and ultimately educational outcomes.
- Students excluded from both classroom activities and out of school activities such as camps and excursions unless accompanied by parents even when an integration aide is employed at the school to support that particular student.
- Students subjected to extensive and lengthy 'time out' in inappropriate and sometimes restrictive settings such as sick rooms, storage areas, walk ways and covered and uncovered other outdoor areas.
- Parents being unaware of DEECD policy around Student Support Group meetings and the need for development implementation and evaluation of individual student learning plans involving all stake holders including parents, teachers, support staff and a parent advocate if requested.

Other Issues

1. 'Choice' without factual information in forming judgements about inclusion

State and Federal Government over 2 decades, are comfortable with the politically popular idea of 'choice' for parents of children with a disability. This concentration and preoccupation with a special range of costly (both in the impact on people's lives and lost opportunities and economically) segregated options, delivered without factual information to assist in making informed judgements and subsequent decisions about inclusion very often results in coerced and forced segregation of children.

2. There is a lack of recognition and commitment on the part of the Victorian Government to ensure that parents have an understanding of both the short and long term outcomes of the choices they make on behalf of their children and to employ strategies and support to enable inclusion for students with disabilities to be seen as both a right and the norm.

The provision of specialist schooling maintains the illusion and perception within the wider community that segregated education is necessary to prepare children with a disability to fit into the world not only during their school years but throughout all of their lives. Half a century of experience has shown that segregated options both in schooling and other aspects of life have the opposite effect, reducing life opportunities at every stage.

Administrative barriers to more inclusive education

Documents such as "Shut Out, the experience of people with disabilities and their families in Australia" contain testimonies to the frustration and level of need for translation of the Governments vision for inclusive schooling into reality.

For example "more than 29% of submissions said that, far from ensuring young people with disabilities has every opportunity to realise their potential, the education system acts as a barrier to greater achievement and independence in their lives."

The lack of leadership at Government level Mobilising public opinion and support for inclusive education

If indeed, State and Federal Government support the Disability Discrimination Act and the Education Standards, this must be clearly and publicly articulated to the population of Victoria/Australia. It is essential to create a different social paradigm, that values diversity and which recognises that segregation in education has irreversible lifestyle implications for the future. As previously stated, there is extensive overseas and Australian research that demonstrates the economic and social benefits and examples of good practice of inclusion as it affects the individual, but also for the impact on Society[☆] at large. Such research also provides compelling evidence of the consequences of excluding practices again not only for the individual but for the community as a whole.

There is little evidence at the government level of a recognition and acknowledgement of the need to create strategies to implement the Government vision for inclusion to the general public at all stages of the education system from preschool to post school.

Governments can and must change public perception about inclusion (There was a time when both "smoking" and 'passive smoking' were not considered harmful. Governments changed public perception on this and other issues.)

Practical steps might include the setting of a timeline (e.g. 10 years) by which time all mainstream education settings will be completely inclusive, where unconditional enrolments will be accepted and students welcomed unconditionally and the necessary supports delivered to provide equitable access to lifelong learning opportunities for all Australians with or without a disability. The development of a teaching force committed to and skilled in inclusive practises will be integral to achieving this. The need for special settings will thus also become redundant, as ALL Australian students will learn together in their neighbourhood schools