



Association for
Children with a
Disability

Association for Children with Disability

Submission: the state education system in Victoria

October 2023

ACD is the leading advocacy service for children with disability and their families in Victoria. We are a not-for-profit organisation led by, and for, families of children with disability.

For more than 40 years we have been advocating to improve the lives of children with disability and their families.

Our vision is that children with disability and their families have the same rights and opportunities as all children and families.

For more information contact

Karen Dimmock CEO

karend@acd.org.au

0448 912 786

Executive summary

ACD welcomes the opportunity to provide feedback to the Victorian Legislative Council Legal and Social Issues Committee's inquiry into the state education system in Victoria. ACD would be pleased to provide further evidence at an inquiry hearing.

ACD receives hundreds of calls each year from families of children with disability about education. Education remains the number one issue raised by families. Challenges include:

- Gatekeeping practices
- Exclusion, suspension and expulsion
- Lack of reasonable adjustments
- Restrictive practices
- Limited knowledge and understanding of disability
- Inconsistent commitment to inclusion at a leadership level
- Poor education outcomes
- Lack of systemic accountability

Victoria has already made significant investment through the Disability Inclusion reform package to set the foundations to better support students with disability. However, these reforms won't solve every challenge.

The Disability Royal Commission is a once-in-a-generation opportunity to take a strategic approach to improving outcomes for people with disability. The final report provides a pathway to address further education challenges around system accountability.

Victoria should build on the Disability Inclusion reforms to ensure appropriate accountability mechanisms, frameworks and workforce support are in place so students with disability are supported to thrive.

Recommendations

1. Give all principals and school leaders training that builds their knowledge and skills to foster a culture of inclusion.
2. Provide intensive support to principals where it's found a student at their school was informally forced to leave the school.
3. Give teachers more time to plan for success so they can plan for all students in their class.
4. Give teachers more strengths-based tools to understand and support student behaviour.
5. Give teachers the skills and training to work with education support staff effectively to increase students' inclusion and educational outcomes.
6. Create more strengths-based professional development opportunities for teachers to build best practice ways of working collaboratively, including with NDIS funded therapists, to support students with disability.
7. Increase accountability and transparency about decisions that impact the education of students with disability. This could include recommendations made by the Disability Royal Commission such as gatekeeping, exclusion, reasonable adjustments and restrictive practice. It should also include measures around implementation of student support groups, behaviour support plans and individual education plans.
8. Track and monitor the reasons families move schools to increase accountability of principals when students are informally forced out of the school. The Department of Education should mandatorily follow-up with families who move schools when it is known the child has a disability.

Supporting students with disability

School leaders

Recommendations

1. Give principals and school leaders training that builds their knowledge and skills to foster a culture of inclusion.
2. Provide intensive support to principals where it's found a student at their school was informally forced to leave the school.

School leadership can be the biggest determining factor in supporting positive outcomes for students with disability. When principals lead by example and foster a culture of inclusion, families talk about the difference it makes for their child. For example:

- Good communication between staff and families is promoted
- Staff are provided with professional learning and development to boost their confidence and skills
- The school community works together to meet the student's educational needs
- Student support groups, behaviour support plans and individual education plans are effectively implemented
- Professionals have high expectations of students with disability

"At the start of primary school, [the principal's] words to me were, 'I've never had a child like [yours] in my school but I'm willing to give it a hard damn crack if you are.'"

However, when principals don't see students with disability as a vital part of the school community, the impacts can be devastating. Families report being unable to enrol their child in their local mainstream school, being pressured to move to specialist schools and some students having severely restricted access to school.

This can impact student wellbeing and learning and cause emotional and financial hardship for families. For example, it was noted in the Senate inquiry report on school refusal that students with disability were at higher risk of school refusal due to 'the failure of schools and education systems to support inclusion.'¹

"There's always high pressure to only be part-time. It's a common tactic from senior management at the school. If the attitude at the top comes down, you really are in a lot of strife."

"At one stage [my child] was allowed 45 minutes at school per day."

¹ The Senate Education and Employment References Committee 2023, *The national trend of school refusal and related matters*, pp. 24-25.

"We're in mainstream and we were encouraged by the school to go to specialist... the principal was trying to force us to move [my child] to a specialist school. He had everyone say it."

Principals can send clear signals to their staff and the school community that students with disability belong in their school. While many principals across Victorian schools have the right skills and mindset to make school a welcoming place for students with disability, this is not the case in every school. A systemic approach to boost the capacity of all principals is needed.

While this inquiry's focus is on the government school system, attention is also needed in non-government schools. Families report some non-government schools go to extraordinary lengths to exclude students with disability, which indicates poor school leadership. For example:

- Schools including in their terms of business that they may refuse enrolment of a student with disability if it's deemed their adjustments aren't 'reasonable'
- Potentially requiring students to undertake external specialist assessments if learning issues emerge for currently enrolled students
- Requiring families to meet any funding gaps for support services for the student.

Teachers and school staff

Recommendations

3. Give teachers more time to plan for success so they can plan for all students in their class.
4. Give teachers more strengths-based tools to understand and support student behaviour.
5. Give teachers the skills and training to work with education support staff effectively to increase students' inclusion and education outcomes.
6. Create more strengths-based professional development opportunities for teachers to build best practice ways of working collaboratively, including with NDIS funded therapists, to support students with disability.

The Disability Inclusion reforms include workforce capability initiatives to support teachers and school staff to better meet the needs of students with disability. These are welcome investments. However, families continue to raise concerns about their children's education, including in areas where the reforms have rolled out.

Families understand teachers work very hard and have many competing pressures. Teachers need more time and support to reduce pressure in and out of the classroom.

Families also report education support staff aren't always used to support inclusion, despite the best efforts of staff. This can happen when decisions are made at a leadership level to use education support staff to take children out of the classroom

instead of supporting their engagement in it. It can also happen when teachers aren't given the training and resources to provide direction to education support staff.

More attention and focus is needed to:

- support teachers to understand and make reasonable adjustments
- build skills around behaviour support, including preventative approaches to eliminate restrictive practices
- highlight the importance of student support groups, behaviour support plans and individual education plans
- give teachers time to plan so they can set students with disability up for success
- boost collaboration between teachers and education support staff, and teachers and allied health professionals
- increase evidence-based practice to boost literacy and numeracy outcomes for students with disability.

This is needed in mainstream government schools as well as special schools.

There are gaps in the current initial teacher education training around supporting students with disability. ACD welcomes the agreement in principle to implement the Teacher Education Expert Panel report recommendations, including improving core content outlined in recommendation 1.

Accountability

Recommendations

7. Increase accountability and transparency about decisions that impact the education of students with disability. This could include areas highlighted by the Disability Royal Commission such as gatekeeping, exclusion, reasonable adjustments and restrictive practices. It should also include measures around implementation of student support groups, behaviour support plans and individual education plans.
8. Track and monitor the reasons families move schools to increase accountability of principals when students are informally forced out of the school. The Department of Education should mandatorily follow-up with families who move schools when it is known the child has a disability.

Too many students with disability are unable to attend their local school full-time and leave without a high-quality education.

Accountability mechanisms need to be introduced to identify gaps and improve the system for students with disability. This accountability mechanism should capture information about gatekeeping, reduced attendance and reasons why families move from one school or school setting to another.

Disability Royal Commission

The Disability Royal Commission's final report was handed down just weeks before submissions to this inquiry close. Many of the findings are relevant to this inquiry's terms of reference, and to Victoria's public education system. Fundamentally, changes need to be made to mainstream education to better meet the needs of students with disability. This must include ensuring students with disability can enact their right to access and participate in education on the same basis as students without disability.

Key recommendations put forward by the Royal Commission that align with the experiences and insights of families raising children with disability include the need for:

- accountability measures to prevent gatekeeping
- proactively providing families and students with disability information about their rights
- preventing inappropriate use of exclusionary discipline, including reporting repeated use of exclusionary discipline
- improving policies and procedures around reasonable adjustments, including support to adapt the curriculum and teaching and assessment practices
- supporting student and parental communication and relationships
- addressing workforce capabilities, expertise and development
- more comprehensive data, evidence and best practice approaches
- strengthened complaint management processes
- stronger oversight and enforcement of school duties.

It is vital that the Victorian Government develops a transparent process to publicly report against the Royal Commission recommendations.