



2015 Review of the *Disability Standards for Education 2005*

Submission by

Australian Association of Christian Schools (AACCS)

Adventist Schools Australia (ASA)

Christian Schools Australia (CSA)

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Introduction

Australian Association of Christian Schools (AACCS), Adventist Schools Australia (ASA) and Christian Schools Australia (CSA) are national bodies representing schools, or (in the case of ASA) school systems. Together these schools are educating around 130,000 students across more than 300 locations nationally. Our organisations provide leadership in policy, services and resources for members, and generally work to advance the cause of Christian schooling.

Our schools are geographically, culturally and educationally diverse, serving predominantly middle to lower socio-economic communities. Schools range in size from around 50 students to multi-campus schools of more than 2,000 students. While situated mainly in the metropolitan or outer suburban fringe suburbs of major capital cities a number are located across both regional and remote Australia including some solely indigenous schools. The average socio-economic status (SES) score of these schools is around 97, below the non-government school average and reflecting the communities being served.

ASA schools operate on a systemic basis as part of the wider Adventist Church, which educates more than 1.6 million students globally. Member schools of AACCS and CSA operate as locally governed, community-based, not for profit religious organisations. Some member schools are closely aligned with one or more Christian churches in their communities, others have their heritage in a group of parents coming together to start a school.

Christian schools represented by our organisations have attracted very strong community support as evidenced by their significant enrolment growth. In addition to serving Christian families, most schools also attract significant enrolments from families who, while not currently attending a Christian church, nonetheless deliberately choose the school because they desire for their children an education that is based upon Christian beliefs and values.

The role of schools in supporting students with disabilities and their families

The Discussion Paper underpinning the Review quotes from the consultation report, *Shut Out* (2009), from the development of the *National Disability Strategy 2010-2020* (NDS) noting that:

'education determines more than a child's economic future — it is also critical to a child's social and emotional development, to establishing a sense of identity and sense of place in the world.' (p47)

The Discussion Paper goes on to note that the same report recording a significant number of submissions that suggest that the education system *'acts as a barrier to greater achievement and independence'*.

While acknowledging the vital role of education and accepting the important responsibilities of schools it must also be recognised that schools operate within a context. Broader government and social policies; societal norms, expectations, attitudes and values; and family values, beliefs and understandings all play a role. If it *'takes a village to raise a child'* it takes a nation, a society, to educate a child with special needs.

An education provided ‘on the same basis’ to a student with a disability by a fully resourced and committed school may still not result in an educational, social and/or emotional outcome ‘on the same basis’ as a student without a disability. Indeed the outcomes of the same education provision will almost invariably result in different outcomes for all students. Accordingly great care must be taken in assessing the effectiveness and impact of any aspect of the developmental process of students with disabilities. The multitude of factors involved and the context in which they operate must be recognised and understood. It is not simply a case of equity of opportunity and reasonable adjustments by schools leading to equivalent (or ‘same basis’) outcomes. Such an approach is not intended *by* the Standards and must not be allowed to develop *around* the Standards.

We recommend that the language used both within the Standards and in supporting material is carefully selected to avoid unhelpful misalignment of expectations.

The commitment of Christian Schools to Students with Disabilities

While being aware of their constraints and context, Christian schools are committed to educating all students wanting a Christian education, including those with disabilities. Operating from the belief that all people are made in the image of God, we see all children as intrinsically valuable and unique. Christian schools therefore want to promote the inclusivity of all students in our community where this provides the best educational outcomes for the students concerned.

Our organisations have been, and continue to be, supportive of the *Disability Standards for Education* (the Standards) as the further articulation of the requirements of the *Disability Discrimination Act* 1996 (Cth) (the DDA). The Standards provide a helpful source of further clarity around the obligations of education providers. Overall the Standards strike an appropriate balance between providing students with disability the right to be treated with dignity and the opportunity to enjoy the benefits of education, and the rights of the education providers – that the integrity of courses are to be maintained, adjustments to be made as part of a consultative process and that adjustments do not cause ‘unjustifiable hardship’.

The vital importance of adequate and equitable funding

As alluded to above our desire is to educate all students seeking a Christian education and meet the legal obligations under the Act and Standards. Independent research¹ has concluded, however, that the greatest impediment to increased accommodation of students with disability in our schools is the lack of adequate funding. Put simply, **the objects of the Act cannot be achieved by the promulgation or refinement of the Standards if adequate funding is not provided to support those Standards.**

An equitable and effective funding system that provided equivalent funding for students with disabilities regardless of which school the student attends would overcome the most significant hurdle for Christian schools in meeting their desires and obligations for these students. Adequate funding would allow all schools with a desire to enrol students with disabilities, including those schools currently ill-equipped to do so, to enrol all students on a level playing field, with the means to meet the requirements of the Standards.

¹ *The Report Investigating the Feasibility of Portable Funding for Students Disabilities (2007)- Monash University- Key Findings- Section [4], pg [vii]*

We are strongly supportive of the important work that has been undertaken in relation to the Nationally Consistent Collection of Data on School Students (NCCD) project. Coupled with the Government's commitment to ensure that from 2016 the loading for students with disability will be informed by this data 'so that all students with disability are funded on the same basis' we are hopeful that funding inequities will soon be a thing of the past.

We encourage the Review to acknowledge the importance of fair and equitable, student focussed funding provided on a sector blind basis and informed by the necessary adjustment as an essential foundation for the implementation of the Standards.

Access & participation

Have the Standards assisted people with disability to access and participate in education and training opportunities on the same basis as those without disability?

It is difficult if not impossible to assess whether the Standards per se have contributed to greater access and participation.

What is clear from the anecdotal evidence from Christian schools across the country is that more and more families are seeking, and expecting, the same ability to access and participate in a faith based school of their choice for their disabled child as they have for their other children. While the Standards may have played a role in raising these expectations they, unfortunately, do not provide the means to meet those expectations.

Limitations of resources, financial, physical and often staffing, are the major constraints in meeting those needs. In some cases schools and their communities are investing hundreds of thousands of dollars annually in excess of the public funding in the provision of support for these students. Despite this investment resources constraints remain there is considerable unmet demand.

The level of interest in seeking enrolment for students with disabilities in Christian schools and the significant increases in such enrolments in Christian schools certainly points to greater access and participation. The cause of these increases, and the possible role of the Standards, is less clear.

Awareness and Discrimination

Have the Standards helped to raise awareness and eliminate discrimination of people with disability in education and training?

Since the Standards came into effect there has certainly been a growing awareness of the Standards themselves and the underlying requirements in relation to making more adequate provision for the needs of students with disabilities. This has occurred both within schools and by families and others associated with or supporting those students. As noted above our organisations have, and will continue to, support the Standards.

Awareness and understanding by the school principal and leadership is a critical issue in prioritising the distribution of limited resources and establishing an 'awareness' culture. Overall we consider that principals and school leaders generally have a sound understanding of the school's obligations under the Standards and the DDA although may not recognise elements of the Standards as such.

It is acknowledged, however that many teachers within Christian schools have quite some way to go in understanding the characteristics of various disabilities and what type of accommodations and adjustments are accordingly needed. The last decade has been a period of considerable change in education with major reforms in many areas of school life. The introduction of the Australian Curriculum as an example has resulted in an enormous upheaval for teachers and schools implementing changes at the very core of their role. Crowded professional learning requirements for teachers and the variety of competing interests has meant that training in relation to the Standards may have received limited focus amongst the wider staff.

The NCCD project has been a major impetus for raising further awareness amongst all staff and will continue to do so. The attention it brings to determining and documenting adjustments as required by the DDA necessitates a much deeper engagement with the Standards. The widespread nature of the data collection also broadens this engagement beyond the specialist staff that may have otherwise undertaken the bulk of this work.

As noted above while the Standards may play a role in increasing awareness and participation they do not play a role in meeting those participation needs. Christian schools have a commitment to meeting those needs and consequentially not discriminating on the basis of disability. The continued lack of fair and equitable funding remains the greatest constraint in doing so.

There is a risk that the Standards may contribute to raising expectations that cannot be reasonably met by schools. This may consequentially lead to at least perceptions of discrimination. Our view, however, is not that the Standards be watered down but rather, as indicated above, that the funding be increased to adequate levels.

Discrimination, or perceptions of discrimination, should not be addressed by weakened Standards, but by adequate resourcing.

Response of education Providers

Has the level of understanding and use by education and training providers provided a quality education which meets students' needs?

At the risk of monotonous repetition, understanding and awareness of the Standards will not, in and of itself, result in a quality education that meets students' needs. It is only adequate resourcing that will allow the Standards to be fully met and a high quality education to be provided to all students including those with a disability.

With that caveat in mind the Standards have been a helpful tool in providing a framework and 'language' for discussion with parents and other support providers and in the professional learning of staff. The use of the Standards is not, however, entirely without concerns.

While Fact Sheets have been prepared on some aspects of the Standards to facilitate understanding by parents schools are increasing dealing either directly with providers of other support services or dealing with parents advised by providers of other support services. These providers are often within the medical or allied health fields with a more 'clinical' than 'educational' approach to addressing need. The different funding arrangements between these areas tends to exacerbate those cultural differences and can lead to very different understandings of the Standards and their meaning and implications. These differences in understanding can lead to conflict between a school and the parents and/or other support providers.

We recommend that dedicated support materials be developed to increase the understanding of the providers of other support services to the context of schooling and how the Standards are applied in that context.

The Standards could also be improved and provide greater support for quality education if the individual student focus was framed within a broader group setting. This is not to suggest that the primary focus is not meeting an individual student's needs. Rather it is an attempt to recognise that the best way of addressing those needs may be through structural or system changes that effect a wider group or indeed all students.

Changed curriculum, pedagogy, instructional approaches or even school operational arrangements, for example, may not sit comfortably within the definition of adjustment in the Standard. Even if they did so the consultation obligations may not be practical in some of these circumstances. Despite this some of these potential changes can have profound benefits for the educational outcomes of students with disabilities. Advances in understanding of students' learning that can be incorporated into more individualised learning approaches provide an example of the structural change that doesn't fall neatly within the constructs implicit in the Standards and accordingly may be given lesser priority or profile.

We recommend that acknowledgment be given within the Standards of the importance of broader or whole school educational initiatives that may result in improved outcomes for students with disability.

Advocacy

Has the level of understanding and use by students with a disability of all backgrounds and their families facilitated advocacy for their rights?

As school representatives our organisations are not in a position to directly address this aspect of the Terms of Reference. It would, however, be perhaps unhelpful through the review to reinforce any stereotyped 'us and them' characterisation of the participants in the process. Christian schools are committed to working with students, parents, other support providers and indeed the wider community where applicable to constructively seek positive solutions.

We encourage the Review to promote positive, collaborative approaches to meeting the requirements of the Standards.

Recommendations

Can you identify any recommendations that could improve the effectiveness of the Standards?

As a general recommendation we suggest that the Standards be reviewed to ensure that the possible impacts of the National Disability Insurance Scheme are recognised and accommodated.

Other recommendations are discussed further above but summarised below:

1. We recommend that the language used both within the Standards and in supporting material is carefully selected to avoid unhelpful misalignment of expectations.
2. We encourage the Review to acknowledge the importance of fair and equitable, student focussed funding provided on a sector blind basis and informed by the necessary adjustment as an essential foundation for the implementation of the Standards.
3. Discrimination, or perceptions of discrimination, should not be addressed by weakened Standards, but by adequate resourcing.
4. We recommend that dedicated support materials be developed to increase the understanding of the providers of other support services to the context of schooling and how the Standards are applied in that context.
5. We recommend that acknowledgment be given within the Standards of the importance of broader or whole school educational initiatives that may result in improved outcomes for students with disability.
6. We encourage the Review to promote positive, collaborative approaches to meeting the requirements of the Standards.