



Falling behind: A need for inclusive education





Prior to the release of this article the NSW Department of Education passed on funding to the NSW Department of Community and Justice to enable individual advocacy services under its Disability Advocacy Futures Program to bolster education related individual advocacy. Disability Advocacy NSW is part of the Disability Advocacy Futures Program and will use this funding to seek to address some of the issues noted in this paper. While increased individual advocacy is a positive, systemic issues in education remain.

Students with disability are being left behind in educational settings. Often excluded from classroom activities, they are set up to fall behind, leading to lifelong impacts in areas of employment opportunities and social participation. Students with disability have a right to an education where they can participate to the same degree as students without disability. However, the systems in place to support inclusive education are falling short. Some schools are struggling, chronically short staffed and under resourced. They have limited, or sometimes no capacity to provide adjustments for students with disability. Other schools can lack the expertise, knowledge and/or skills to provide inclusive education. Current regulatory systems are enabling inconsistent standards among schools and for students, this can mean it's down to 'a luck of the draw' as to whether a school provides reasonable adjustments. There is a strong need for clearer guidelines and support for both schools and parents to ensure inclusion of students with disability.

Continuing with Disability Advocacy's [Aussie Battlers](#) research, we spoke with families and education providers about inclusive education for students with disability with the goal of reporting some of their key concerns.

Playing by the rules: the issue with reasonable adjustments

Inclusive education is largely dependent on reasonable adjustments. The [Disability Standard for Education](#) (2005) refers to it as action(s) and measures that schools implement to allow a student with a disability to participate in school activities and/or use educational facilities on the same basis as a student without disability. Providing reasonable adjustments ensure that students are included and can participate meaningfully in schooling. If a school fails to provide a 'reasonable adjustment' it can be seen as unlawful discrimination (see [Disability Standards of Education](#), 2005). The issue here, however, is that there's a lot of grey when it comes to defining and agreeing upon what exactly a 'reasonable adjustment' is.

A school may refuse to provide an adjustment if it is deemed 'unreasonable', because it will impose an 'unjustifiable hardship on the provider' ([Disability Discrimination Act](#), 1992). This means that a school does not need to provide an adjustment if it leads to some form of adversity, such as placing some strain

on a school's limited resources. For under-resourced schools, this might be because they are undergoing hardship that will impact on other students as a result of providing adjustments. Indeed, some schools are doing it tough, particularly those in regional-rural areas that are stretching resources to accommodate high enrolment numbers.

However, a core issue reported by many parents is that some schools simply fail to abide by the rules and refuse to provide adjustments without providing a clear reason. Some are unwilling to make adjustments due to negative assumptions, prejudices and lack of expertise. In fact, research has revealed that it is the teaching staff and culture within a given school that can determine if inclusionary practices, such as providing adjustments, are adopted or not in a school setting [1]. It suggests that even if a school has the resources, they still have discretionary powers – often based on their own judgements – to refuse reasonable adjustments. Sadly, when this occurs, students are excluded from regular classroom activities.



The complaints process

A part of the issue is the complaints mechanism, which offers little recourse for families and students. The experiences shared by many families tell of a system that investigates itself. It lacks objectivity, accountability, transparency and timeliness. The principal backs the teacher, the regional office backs the principal, and so it goes up the bureaucratic line within the Department of Education. A big problem lies in the complaints process not being independent. As one parent described:

The Department investigates itself. So, the complaint can go right to the top, but then the complaint goes back to the person who you're actually complaining about in the first place, to make good on that complaint. So, I have yet to come across a complaint that's ever been upheld by the Department of Education as being a valid complaint.

This lack of accountability has a flow-on effect where both parents and the child can suffer significant mental distress. It is not uncommon to hear of a fundamental breakdown in communication, trust and respect between the school and the family/student. Often, the problem can escalate to a point where the issues in dispute become unresolvable, and the family is left with no option but to take legal action or leave the school. In terms of making complaints about reasonable adjustments and inclusion, the complaints system as it currently stands is disproportionately geared to favour the education system.

It points to a need for an independent external body to resolve disputes before the family and the school become too entrenched in their positions so there could be a possibility of resolution.



The impact on students

Without strong regulatory systems, students with disability are too frequently being excluded and discriminated against. We also have examples where restrictive practices are also being used (unbeknownst to his mother one child was frequently being tied to a chair). Students can find themselves separated from mainstream classes physically, or they are excluded from participating in activities without a suitable alternative. Michele, mother of *Tom, who has sensory needs, trauma and a severe language disorder, explained that 'for two years, [he] cut things out of paper and matched them to words.' In her view, 'he was not being educated'.

Similarly, Nadine, whose son is neurodiverse, described that schools were 'babysitting' students with disability rather than educating them:

My big issue with schools, I think, has been the babysitting element of children with disabilities. There's been no commitment around using the curriculum properly. I don't send my son to school to be babysat. I send him to get an education, and although that education has to be tiered because of his disability, he's still entitled to an education like every other child.

These exclusionary approaches not only impact on students with disability, but it can also permeate into the perceptions of other students and their families. Separation can draw attention to differences, which can instil prejudices in schooling communities. Leanne, whose son has a handwriting disability, explained:

I don't think it should be a teacher's right to pull a kid out of class and say, you know, you've got to go here, because you need this extra learning or whatever, I think the way they handle things, it's got to be handled a little differently... Because kids are always savvy, they always know if someone's got a problem or an issue, and there is bullying that is attached to it - it's because somebody is different.

Bronnie, a parent of neurotypical son who attended a support unit within a regular school, reported that she heard of occasions where other parents had used the 'R word' in reference to students with disability. She explained that the unit her son attended was situated on the school grounds, but away from the rest of the school. While she acknowledged that there may be some benefit to having a support unit that is separate from regular classes, she explained that it means that students with disability are 'not fully included' and 'they're not embraced'. Oftentimes, she described they 'are isolated on the school grounds' because 'they're ignored' and 'looked down on'. She spoke of the potential long-term implications:

There's not that integration in those earlier years... Then going into their teen and adult years, if they haven't had that experience, it certainly doesn't help once you get into the wider community.

Adding to issues of exclusion are unfair suspensions and forced part-time attendance. Here, student's behaviours are seen and treated as deviant or defiant, rather than symptomatic of a disability. So instead of providing adjustments or providing



support, students are prohibited from attending school. This can occur when teachers are ill-equipped to respond appropriately to challenging and or complex behaviour. It can contribute to a tendency among teaching staff to view and treat behaviour as belonging to a ‘problem child’ rather than a child with a disability who requires additional support. This is particularly problematic for students with invisible disabilities, such as a psychosocial disability, where symptoms are often expressed in behaviour.

Gareth and Alison, parents of a child who has global and social anxiety reported their son has faced numerous suspensions. They described that the invisibility of his conditions can lead people to make false assumptions about his capacity ‘because he looks like a normal kid’. They explained, ‘people treat him like he doesn’t have disability’. So, they will often ‘blame him’ and ‘say and do things that make it worse’:

Our son got seven suspensions over a course of 18 months. Everyone knew that he needed more support and yet suspensions were reached so readily as an option to exclude him from a schooling environment. And each time he got suspended, we saw the impact that it had on him and how it set us all backwards.

Non-inclusive education can make students fall behind. It sets children and young people with disability on a pathway with limited employment opportunities and social isolation. It problematically sends a message that students with disability are different and require separation from the rest of the community.



The impact on families: thinking about the broader picture

It is often tiring and stressful for parents who act as advocates for their child. For many, it is not just the education system that they are attempting to deal with. They are often needing to navigate other systems such as health, the National Disability Insurance Scheme (NDIS), public housing, and social security, while also trying to juggle other commitments like work, managing the household and their own health and well-being. Many are also responsible for coordinating appointments and taking their child to specialist and medical appointments. As Alison described, 'the thing that I cannot express strongly enough is you are fighting on multiple fronts', which demands considerable time and energy.

When there are gaps in service systems, parents are often left to fill in the holes. A significant amount of their time is dedicated to caring for their child at the expense of other areas of life. Many parents and or primary caregivers forgo work hours to care for this child. Vicki, a single mum, who cares for her teenage son who has multiple diagnoses (including autism, attention deficit hyperactivity disorder, moderate intellectual disability and oppositional defiant disorder). She explained that her son's behaviours can be 'full on' sometimes with verbal and physical aggression. He used to attend a support unit, but because of his complex behaviours, he was banned from school. As a result, Vicki was unable to work full-time because she needed to stay home to care for him. To make matters worse, her son's NDIS funding for in-home support was inadequate. She was advised the NDIA refused to fund this because the support was needed during school hours:

The NDIS [were] saying, 'Oh, well, you know, he won't go to school. That's not our problem. That the school's and, you know, the Board of Education have responsibility of the kids during school hours'. And I said, 'Well, he's not at school, so they can't look after him.

Like many primary carers of a person with disability, Vicki's capacity to work was limited. The financial strain coupled with caring for her son without sufficient support contributed to a decline in her mental health:

I went through a nervous breakdown. Well, I didn't have the option to let that stop me. So, I pushed my way through.

Adding to this stress, is the financial strain of the different expenses associated with having a disability. Again, it is often up to the parents to fill in the gap where service systems fail. There are costs associated with obtaining reports and evidence to access services and supports (see [Aussie Battlers report](#)). Additionally, parents will often need to fund costly specialists and/or supports if service systems do not provide adequate funding. There can also be costs associated with assistive technology that parents often fund out of their own pocket if they are unable to access funding. Within schools, there is an issue with a lack of transparency around funding. Schools do not need to provide details of the funding pool that they are allocated and how it is distributed, making it difficult to know what their child may be entitled to.

The impact on schools

Strained relationships with schools are an additional stressor that parents and primary carers face. Parents can experience a lack of communication and collaboration with schools, limiting their input into their child's schooling. Alison, mother of a daughter who is neurodiverse, described an attitude of some schools that take 'on the persona as though they are the authority, and they should not be questioned.' Understandably this can be a stressful experience for parents and or carers if they have concerns about the standard of education or want to provide input.

On the other side, however, it is important to note the positive work that can take place between schools and families. It can be a rewarding experience when parents are able to work collaboratively with schools to develop solutions. As Faye, a parent of a child with disability, described:

I was slowly growing confidence because I was working with people that were working with us, that were enjoying us, and the more I worked with the services and with [the] school, they gave me the confidence to not be afraid to ask the questions.

A key indicator of successful inclusive schooling is where there are strong parent and teacher partnerships. Research has revealed that Australian teachers rated partnerships with parents as the single most important factor to successful inclusion[2]. When parents can communicate and work constructively with teaching staff, they often feel like they are able to achieve better outcomes for their child.

There is no doubt that teaching staff are doing it tough with a lack of resources. Public schools, in particular, can carry a 'heavy burden'[3], responsible for educating a disproportionately high number of students from low socio-economic backgrounds, students with disabilities, students from rural-remote areas and Indigenous students [4]. Working under these conditions without adequate support can lead to significant stress for teaching staff. It is unsurprising that Australia is seeing what has been described as an '[unprecedented teacher shortage](#)'. As one parent described: 'we've had significant concerns about teacher burnout and depth of resources'. This has contributed to a dire lack of skilled teachers that can work with complex behaviours and students with disability.

An anonymous Deputy Principal working in a remote town in the state's west spoke of the difficulties they had with attracting skilled staff with openings that have remained unfilled for months, 'we've advertised a head teacher position four or five times...So now it gets an extra \$20,000 bonus and [we] still can't fill it'. They also spoke about the challenges teachers can have with providing adjustments:

Even though we want to be empathetic and we want to understand and make adjustments, people feel pressures of whether it's the system and the way they think it's supposed to be or what they think they have to achieve and in a schooling system, in a data-driven world, and that we, you know, we have time constraints, we're time poor, and we have all of these things that we have to achieve and we have to do them.

It is often not that teaching staff do not want to provide adjustments, it is more so that they are unable to do so due to broader constraints. One anonymous counsellor on the state's mid-north coast went so far as to describe that the 'education system is terrible' for students with disability. They described a lack of flexibility:

Most kids that are disengaged, they've got skills... an aptitude for certain things, but schools are saying, no, you've gotta do it this way.

As a solution, they proposed, 'better supports in school or a whole educational reform' that can work with, and make adjustments for, 'multiple intelligences'. It seems our current system is not only failing students with disability, but schools and teaching staff too. The system operates in a manner that can be restrictive for teaching staff to tailor curriculum for students with different needs, and it can limit their capacity to provide adjustments. The system needs to change.



A need for more inclusive education: What can change?

The system needs an overhaul so that students with disability are included meaningfully in schools. This extends beyond making 'reasonable adjustments'. It also means making significant changes to the education system so that schools and families are equipped to create inclusive environments within both the school and the broader community. This can start with a more robust regulatory system:

- Review and improve the complaints system so that it is impartial, independent and fair.
- Increase funding and resources for advocacy so families and/or students are better equipped to navigate the complaints process.
- Mandate schools to provide transparent information about how funding is allocated and used.

Importantly, we need clear guidelines and plans to develop inclusive education within schools. The Australian Coalition for Inclusive Education campaign is asking the NSW Government to develop a long-term road map for inclusive education. We support their key asks to:

- Prevent suspensions and expulsions.
- Eliminate restrictive practices.
- Mandate schools to provide transparent information about how funding is allocated and used.
- Increase educational outcomes.

You can read more and support the campaign [here](#).

References

1. Tait, K. and R. Hussain, Using Quality of Family Life Factors to Explore Parents' Experience of Educational Provision for Children with Developmental Disabilities in Rural Australia. *International Journal of Disability, Development and Education*, 2016. 64: p. 328-344.
2. R., J. and D. Wills, What Australian teachers and other professionals think about inclusion and what works best. *Interaction*, 2014. 28(2).
3. Kenway, J., Challenging inequality in Australian schools: Gonski and beyond. *Discourse: Studies in the Cultural Politics of Education*, 2013. 34: p. 286 - 308.
4. Gonski, D., et al., Review of Funding for Schooling. Final Report. 2011, Department of Education, Employment and Workplace Relations: Australia.



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