



Australian Association of Special Education Inc

PO Box 211, Glen Iris Vic 3145 <http://aase.edu.au>

National Executive Officer: Tony Thomas

M b : 0409 424 706 Email: tony.thomas@bigpond.com

AASE Response to the Review of the Disability Standards for Education 2005

The Australian Association of Special Education Inc (AASE) is the national peak body of professionals, other para-professionals and community members with the expertise and/or interest in the education of children and young people with special education needs.

The key aims of AASE are to:

- Provide educational leadership to the professional and wider community
- Advocate for quality education for all
- Commission, participate in and disseminate quality research to inform educational practice
- Arrange, promote and facilitate high quality professional learning events and conferences
- Coach, mentor and model best practice in teaching and leadership
- Build partnerships with universities, service providers and the community

In responding to the specific questions outlined in the Review of the Disability Standards for Education, AASE wishes to firstly note that it is important that the intent of the Standards are in alignment with the United Nation's Convention on the Rights of Persons with a Disability, particularly Article 24 – Education.

Turning to the individual questions asked by the Review, AASE wishes to make the following points:

Question1: Providing clarity

The Standards cover many important aspects regarding the accessibility of education for students with a disability and the prevention of discrimination of students in education on the basis of their disability. While the Standards and the 'plainer' English Guidance Notes help to clarify the important terms, the concept of 'on the same basis as' is widely misunderstood and misinterpreted and needs greater clarification as to what it actually means in an educational setting. Greater clarification around what constitutes 'reasonableness' and around making judgements about what is reasonable, and what constitutes 'unjustifiable hardship' on a practical level, would also assist educational leaders and administrators.

Question 2: Obligations under the Standards

While the obligations under the Standards are clear, the mandated consultation and planning processes that the Standards require are sometimes overlooked. These processes are supported by sound education research and are an essential component of the process if educational institutions are to fully comply with their obligations under the Standards. Further awareness and education about these processes would assist educators to fully comply.

This awareness and education is required at all levels of the country's education systems. A potent example of this is that, while the Standards apply to providers at both Commonwealth and State/Territory levels, the first draft of an Australian Curriculum ignored the needs of many students with disabilities. It is hoped that later drafts will demonstrate compliance with the Standards.

Question 3: Access to education and training opportunities

AASE fully supports all five areas covered by the Standards. The requirement for educational institutions to make reasonable adjustments to ensure the full participation of all in the educational settings is vitally important. Too often it is heard that individual students are still experiencing difficulty in enrolling in educational settings and in then achieving full, meaningful participation in the range of educational opportunities offered within those schools.

Some schools can make it difficult for students to be enrolled in a school of their choice. Although a variety of factors may contribute to this difficulty, some would appear to be against the spirit of the Standards. There needs to be a greater emphasis on the responsibility of educators to adhere to the Standards and make enrolment accessible to all. Many schools do follow the Standards. Unfortunately, there are still many which do not.

Question 4: Eliminating discrimination

While the situation for many students with disabilities has improved since the enactment of the Standards, there are still numerous situations where discrimination, victimisation and harassment occur in Australia's educational settings, and in barring some of these students from educational settings and programs. Too often people with disabilities and their associates do not complain when confronted with these situations as they not aware of their rights.

All Australians must understand that people with disabilities are affected by non-compliance with the Standards. There is a need for educational programs on the Standards to make them more widely known and adhered to, and to understand the impact of breaches of the Standards on these people and their associates. The need for greater clarity noted in point 1 would assist in this. Non-compliance needs to be met by clear and strong sanctions.

Question 5: Awareness and recognition

The introduction of the Disability Standards for Education and the earlier Disability Discrimination Act have helped considerably in informing institutions and people of the correct treatment of students with disabilities. But, as has been noted previously, there are many who are unaware or are choosing to ignore the Standards. Many of the points above are relevant here in informing education settings and educators of their obligations under the Standards. Dissemination processes following this Review must be well formulated and monitored, and changes made promptly when necessary.

Question 6: Compatibility with current educational system

Generally, there is compatibility of the Standards throughout Australia's educational systems. However, AASE is not yet confident that there is there is a strong correlation between policy and practice.

We thank you for this opportunity to respond to the Review of the Disability Standards for Education which we hope will work towards achieving AASE's motto of "Quality education for all".



Tony Thomas
AASE National Executive Officer