Tracing Policy Reform for Inclusive Education of Students with Intellectual Disability – A Grey Literature Review

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Defining Educational Inclusion

"… a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the state to educate all children."

Unicef (2012, p. 8, based on a definition provided by UNESCO)

Why Inclusive Education?

Economic benefits

– Segregated schools are expensive and not available to poor families or poor countries/ communities

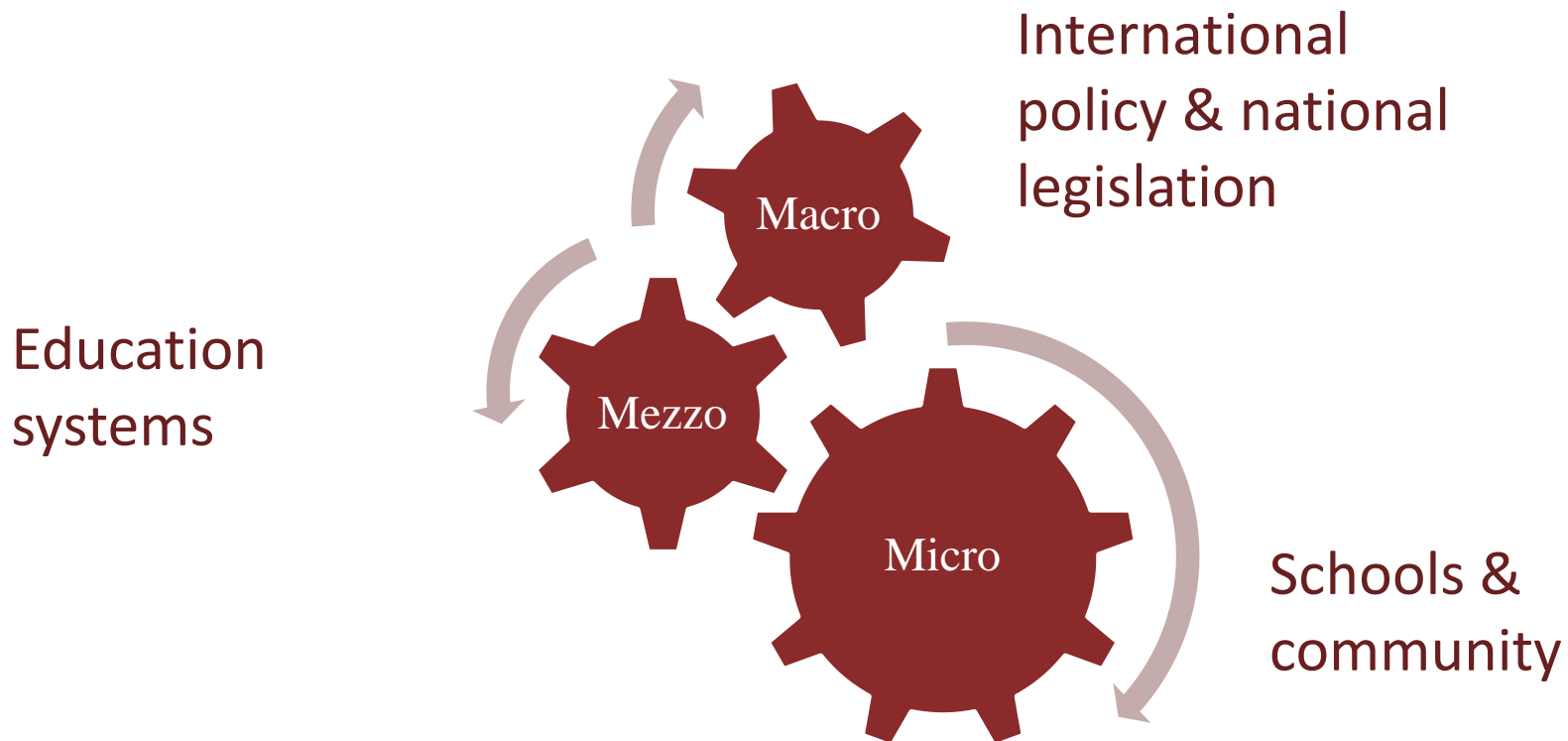– Education results in being able to earn a living – benefits the individual, his/her family and the community

Societal benefits

– Reduces discrimination

– Creates welcoming communities

– Creates an inclusive society

Student benefits

– Both children with and without disabilities achieve academically and develop social and interpersonal skills

Levels that need to work together to achieve inclusion

International policy & national legislation

Education systems

Schools & community

Macro

Mezzo

Micro

Inclusion International (2009)

Macro: International Context

Salamanca Framework for Action (UNESCO, 1994)

Education for all through mainstream schools providing a continuum of supports

- accommodating to individual student needs across curriculum,

- organisational strategies, teaching arrangements, resource use

- partnerships with community would enable a continuum of supports

Specialist Schools

- expensive

- take on a resource role

UN Millenium Development Goals: Sustainable Development Goal 4

Education for All (Dakar Declaration, 2006)

Role of mainstream schools to provide equal access to quality education

Inclusion International (2009)

The **Education for All Millenium** Sustainable Development Goal 4 was not realised

Developed countries maintained the two-tiered system

Developing countries relied on government & donations, perpetuating a welfare and medical model

Local barriers

Failure to allocate budgets to support policy

Lack of transportation/ physical distance to school

Inaccessible facilities

Trained teacher shortages

Negative societal attitudes

Standardised assessments act as a disincentive

Many children are not "counted" - inaccessible schools and classrooms

Inflexible curriculum and assessment

Education 2030

Greater focus on disability "to ensure no one is left behind" p. 7.

Also acknowledge the many children in conflict zones

Call to increase funding from developed countries, traditional and emerging donors, middle income countries and international financing mechanisms

Global partnership for education

Builds on Education for All (Dakar agreement) - new vision, next 15 years

Paris, 2015 - adopted by 184 member states

Local context

Wikimedia.org

Systematic Search of the Grey Literature

Databases: Pandora, Google and A+ Education

Reference Checking

Asking colleagues

Time frame: 2010 – 2016

Broad search terms – inclusion, education, special*, mainstream/ regular

Inclusion: primary and secondary schools; policy, legislation, reforms, government initiatives; commissioned literature reviews; model descriptions; open access.
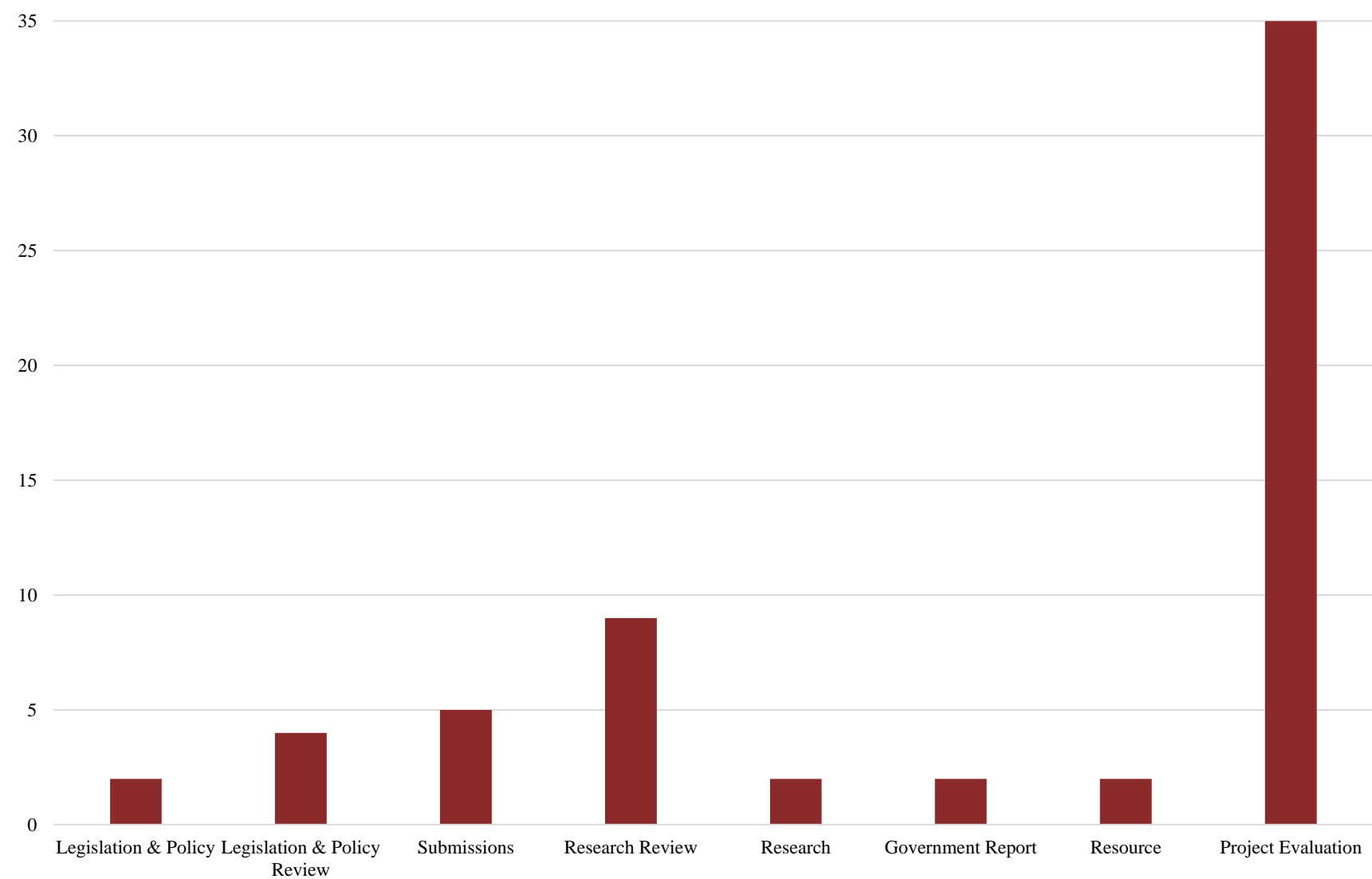
Yield

79 documents comprising legislation, government inquiries, submissions, and commissioned reports
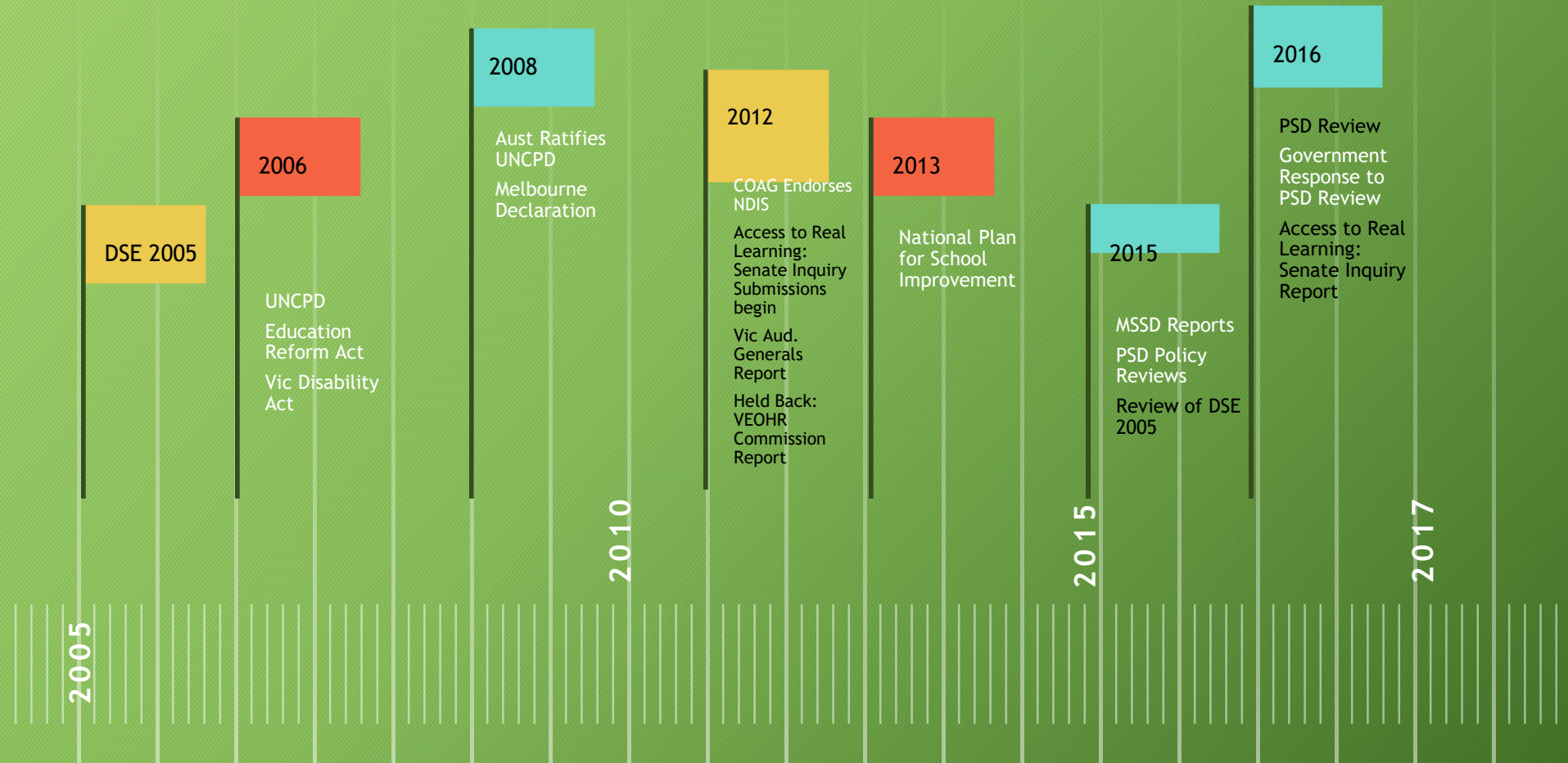
Included international and documents relevant to other Australian states

Focus on Australia and Vic = 63

Document Types

Legislation, Policy, Initiatives

2008

Aust Ratifies UNCPD

Melbourne Declaration

2006

UNCPD

Education Reform Act

Vic Disability Act

DSE 2005

2012

COAG Endorses NDIS

Access to Real Learning: Senate Inquiry Submissions begin

Vic Aud. Generals Report

Held Back: VEOHR Commission Report

2013

National Plan for School Improvement

2015

MSSD Reports

PSD Policy Reviews

Review of DSE 2005

2016

PSD Review

Government Response to PSD Review

Access to Real Learning: Senate Inquiry Report

2005

2010

2015

2017

Macro: National Law & Drivers

Disability Discrimination Act 1992

Disability Standards for Education 2005

UN Convention for the Rights of Persons with Disability 2006

Victorian Disability Act 2006*

Victorian Equal Opportunity Act 2010*

Legislation, policy and inquiries

What Australian and Victorian reforms and initiatives have addressed inclusive education of students with disability?

The Law

Schools must accept a child with a disability as a student

Schools must ensure that they provide students with disabilities the same access and opportunities to participate in education as they provide to other students

Schools must make reasonable adjustments to meet each student's individual needs

In Vic, schools must use their general budget to meet the needs of all students, including those without identified disability or individual Program for Students with Disability funding

National Legislation & Policy (2010+)

Australian Education Bill 2013

National Disability Strategy 2011 (10 year plan)

Disability Standards Education 2005 (latest revision 2015)

National Plan for School Improvement

Disability Standards Education 2005

Developed through co-operation of Human Rights & Equal Opportunity Commission, representatives from State & Territory Governments, stakeholder groups.

On basis of DDA (1992), unlawful to contravene a standard

Requires reasonable accommodations unless unjustifiable hardship can be argued

Standards relate to

- enrolment

- participation

- curriculum development

- accreditation & delivery of subjects

- student support services

- elimination of harassment and victimisation

Complaints to HREOC

Reviews and Reports

Senate Inquiry (2016)

Review of the DSE 2005 (2015)

Reports by CDA (Children with Disability Australia, 2015) and CYDA (Children and Young People with Disability Australia, 2012; 2016)

Research reviews by academics

Cologon (2013); Forlin et al. (2013; ARACY); Robinson & Truscott (2014)

Senate Inquiry

Education & Employment Senate Reference Committee

Access to real learning: the impact of policy, funding and culture on students with disability (2016)

Formed June 2015 to address concerns about

1. Current levels of access and attainment of children with disability; impact on students and families of inadequate supports

2. social, economic, personal benefits of improving outcomes

3. Impact of the More Supports for Students with Disabilities program

Senate Inquiry

4. Future impact on students of decision to index school funding based on CPI.

5. Progress of needs-based funding system

6. Progress of the Nationally Consistent Collection of Data on School Students with Disability (NCCDSSD), and implications

7. How changes in NCCDSSD were informed by the evidence.

8. What should be done to better support students with disability in our schools

9. Early education of children with disability

10. Any other related matters

Flaws in Legislation

Poorly defined concepts

 Reasonable adjustments

 Unjustifiable hardship

 Results in differences in different understanding and expectations by student with disability "and their associates" and service providers (Review of DSE 2005, 2015)

Concern about the practical intersection with NDIS (Review of DSE 2005, 2015)

Some disagreement about measuring outcomes for children with disability (NCCD vs NCCDSS)

 Academic outcomes only? (CYDA, 2016)

 Nature of supports and reasonable accommodations made? (CYDA, 2016)

Although complaints are meant to be reported to the Australian Human Rights Commission, they are often resolved privately

Mezzo: School system – Victorian Department of Education & Training

REVIEW OF THE PROGRAM FOR STUDENTS WITH DISABILITIES

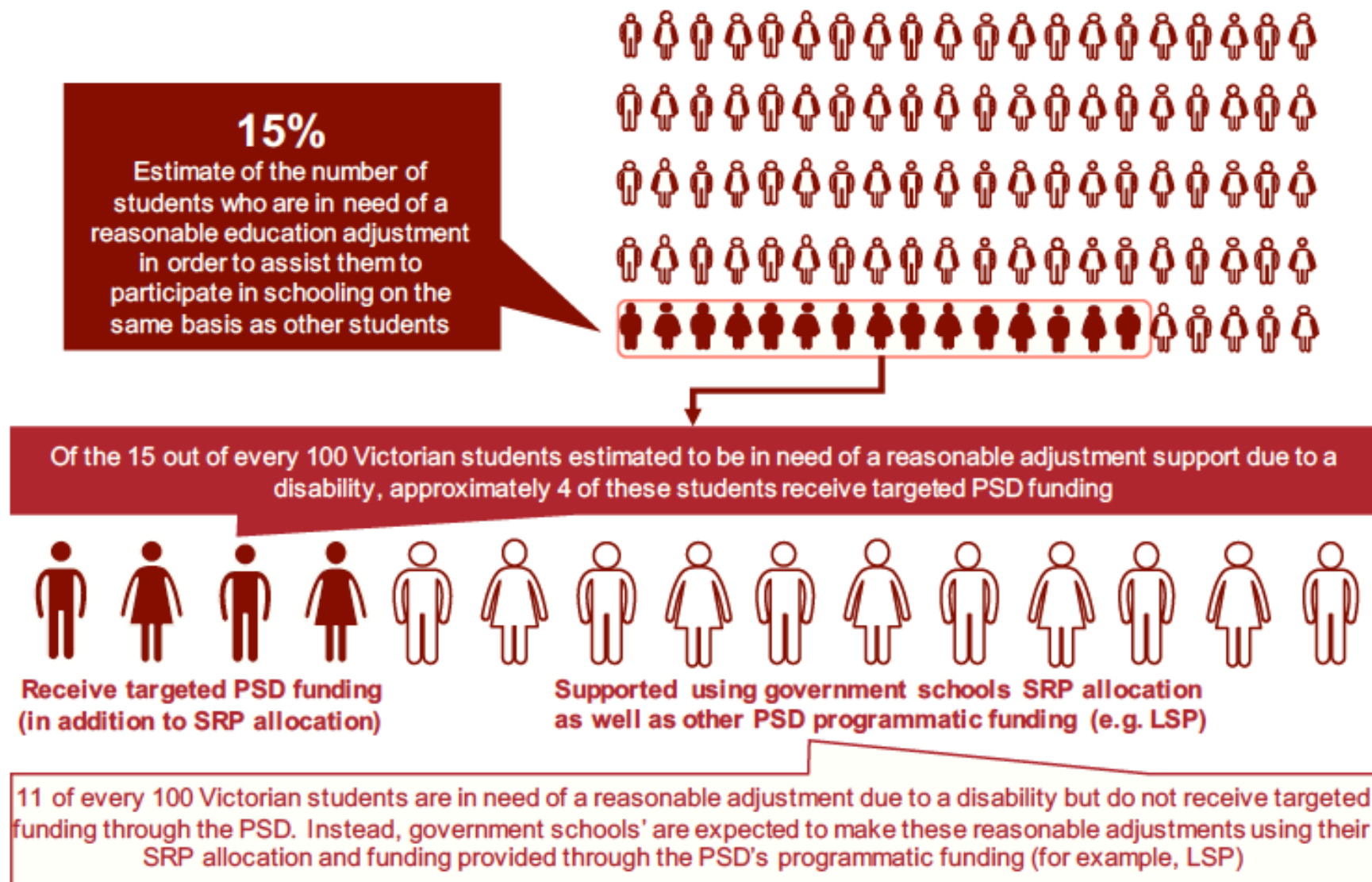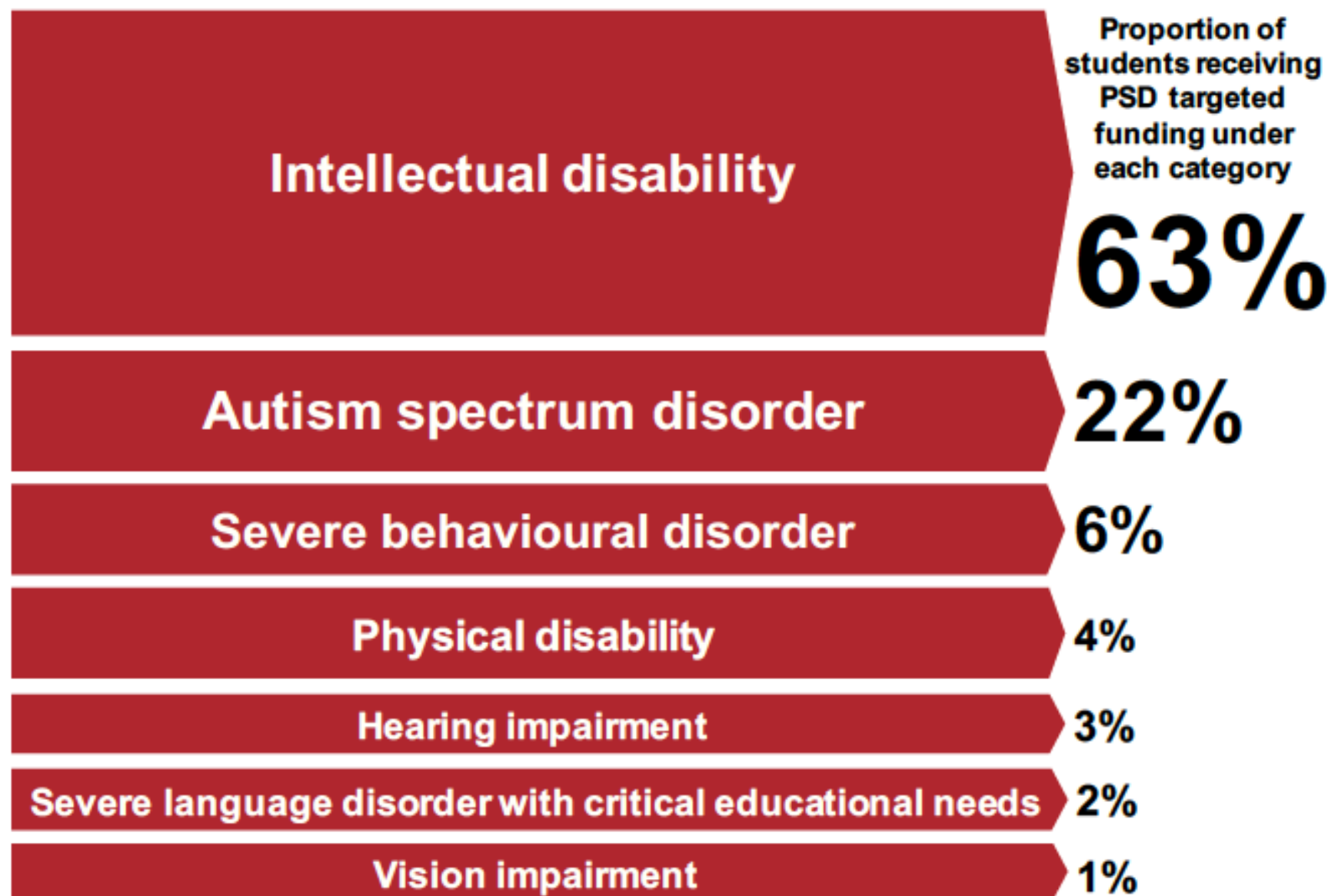Figure 1: Students requiring reasonable adjustment and their support mechanisms

15%
Estimate of the number of students who are in need of a reasonable education adjustment in order to assist them to participate in schooling on the same basis as other students

Of the 15 out of every 100 Victorian students estimated to be in need of a reasonable adjustment support due to a disability, approximately 4 of these students receive targeted PSD funding

Receive targeted PSD funding (in addition to SRP allocation)

Supported using government schools SRP allocation as well as other PSD programmatic funding (e.g. LSP)

11 of every 100 Victorian students are in need of a reasonable adjustment due to a disability but do not receive targeted funding through the PSD. Instead, government schools' are expected to make these reasonable adjustments using their SRP allocation and funding provided through the PSD's programmatic funding (for example, LSP)

Source: Department of Education and Training, 2015

(Review of PSD, 2016, p. 14)

Figure 10: Proportion of students eligible for targeted PSD funding receiving support under each category of disability, 2015

Intellectual disability

Proportion of students receiving PSD targeted funding under each category

63%

Autism spectrum disorder **22%**

Severe behavioural disorder **6%**

Physical disability 4%

Hearing impairment 3%

Severe language disorder with critical educational needs 2%

Vision impairment 1%

Source: Department of Education and Training, 2015

(Review of PSD, 2016, p. 60)

Victorian Review of the Program for Students with Disabilities (2016)

Methods:

1. Expert advice and guidance (strategic advisors and academics)

2. Literature review

3. Consultations with key agencies and experts (>100 participants from 24 organisations, facilitated by Dr. Graeme Innes, former Australian Discrimination Commissioner.

4. On-line submissions and on-line survey regarding attitudes towards potential policy options.

Other reports

Victorian Auditor General's Report (2012)

Victorian Equal Opportunities and Human Rights Commission (2012)

Review of the Program for Students with Disability (2016)

Reports by CDA (Children with Disability Australia, 2015) and CYDA (Children and Young People with Disability Australia, 2012; 2016)

Research reviews by academics

Cologon (2013); Forlin et al. (2013); Robinson & Truscott (2014); Foreman (2015); Punch (2015); McDonald & O'Callaghan (2015); Sharma et al. (2015)

Flaws in Policy

No data or systems regarding the extent to which schools address the needs of ALL student needs under a general school budget (VEOHRC, 2012)

Policy and legislation has not been based on research evidence (Foreman, 2015)

The effectiveness of how funding has been used has not been measured - accountability (PSD Review, 2017; Sharma, et al., 2015)

No complaints mechanism (VEOHRC, 2012; Senate Inquiry, 2016)

There is no legal requirement to collect data about the use of seclusion or restrictive interventions (VEOHRC, 2012)

No policy on restraint and seclusion (VAGO, 2012; Senate Inquiry, 2016)

Concern about the practical intersection with NDIS (McDonald & O'Callaghan, 2015; PSD Review, 2016)

Micro: Schools and Community

The same policy, inquiry and research reviews point to evidence of

Micro-exclusion

Problematic practices

Suggested enhancers of educational inclusion

Micro-exclusion

- Mainstream enrolment is refused (Senate Inquiry, 2016; CYDA, 2016)

- Mainstream enrolment is discouraged (gatekeeping) (Senate Inquiry, 2016; CYDA, 2016; VEOHCR, 2012; VAGO, 2012; Cologon, 2013)

- Students attend school only part-time (Senate Inquiry, 2016; CYDA, 2016; VEOHCR, 2012; VAGO, 2012)

- Quality of supports are variable (CYDA, 2016; PSD Review, 2016)

- Students with disability are excluded physically, socially, academically (Robinson & Truscott, 2014; Punch, 2015)

- Students with disability experience sustained harassment and bullying (CYDA, 2016; PSD Review, 2016; VEOHRC, 2012)

- Seclusion is used as a behaviour management strategy (CYDA, 2016; VEOHRC, 2012)

- Parents are excluded from decision processes and planning (CDA, 2015; PSD Review, 2016)

Problem practices

School transport – being on a bus for up to 2 h, without food or toilet breaks, with poorly trained bus drivers (CDA, 2015; Senate Inquiry, 2016)

Ableism (Cologon, 2013; CYDA, 2016)

Low expectations (Senate Inquiry, 2016; CYDA, 2016; Cologon, 2013)

Belief that special children need special schools (Cologon, 2013)

Difference between the adjustments that teachers report and those they are observed to use (Foreman, 2015); adjustments often not made (PSD Review, 2016)

Poor use of Education Support staff (Punch, 2015); limited access (PSD Review, 2016)

Use of restrictive interventions as behaviour management (CYDA, 2012, 2016; VEOHRC, 2012)

Inadequate supports, resources and professional development for teachers (Foreman, 2015; PSD Review, 2016)

Failure of teachers to support peer interactions (Robinson & Truscott, 2014)

Parents use their own funds for supports in the classroom (VEOHRC, 2012)

Schools reluctant to embark on assessment for PSD funding (VAGO, 2012)

Suggested enhancers of educational inclusion

Strong leadership that begins with the Principal, involves a whole of school commitment – changing the school culture (PSD Review, 2016; Senate Inquiry, 2016; VEOHRC, 2012)

Provide peer coaching by specialist schools (Review of the PSD, 2016)?

Provide training and support to improve teacher skill & self-efficacy (CYDA, 2016; Foreman, 2015; PSD Review, 2016)

Improve connectedness for students with disability (Robinson & Truscott, 2014)

Improve resilience

Decrease vulnerability

Suggested enhancers of educational inclusion

Establish a national approach to end bullying (CYDA, 2016)

Enhance collaborative relationships with parents (Senate Inquiry, 2016)

Address the NDIS/ Education nexus to ensure smooth and collaborative supports for students with disability (McDonald & Callaghan, 2015; Review of DSE 2005, 2015)
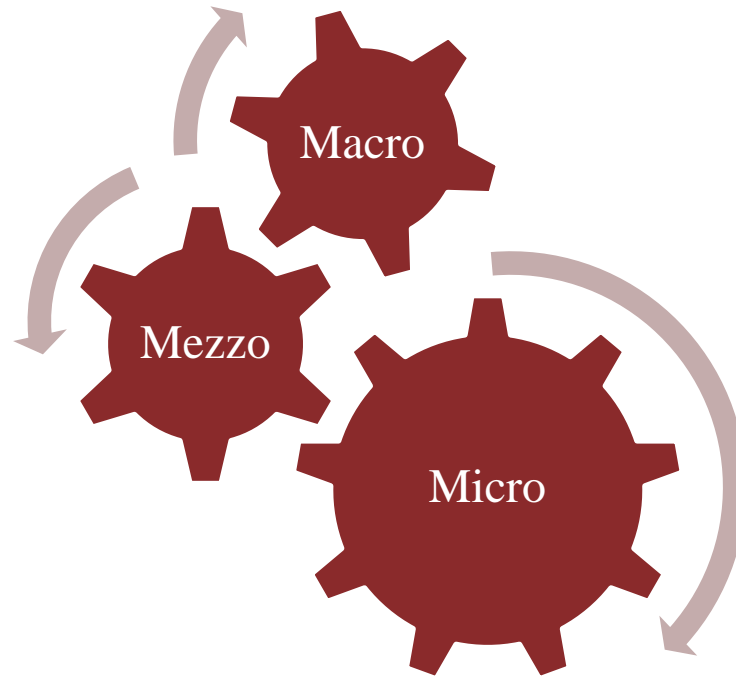
Suggested enhancers of educational inclusion

Improve student support services and resources (PSD Review, 2016)

End restrictive practices (CYDA, 2016; VEOHR, 2012)

Reporting to the Office of the Senior Practitioner? (VEOHRC, 2012)

Implement an independent review and complaints mechanism (VEOHRC, 2012)

Thank you to colleagues:

A/Prof Mary Keeffe
Prof Amanda Kenny
Dr. Carol McKinstry
Dr. Oriane Landry
Ms. Evelyn Wilson

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