

*family*

A D V O C A C Y

## SUBMISSION

to the New South Wales Government's  
Education Standards Authority (NESAs)  
NSW Curriculum Review



*“Children that learn together, learn to live together”*

Prepared by the Systemic Advocacy Team

Family Advocacy

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December 2018

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## About Family Advocacy

Family Advocacy is an independent and impartial advocacy organisation that works with families across New South Wales (NSW) to promote and defend the rights for their family member with developmental disability<sup>1</sup> (hereinafter disability). We were founded by families of people with disability and are funded by NSW and the Commonwealth governments.

Our aim is to advance and protect the rights of people with disability to achieve meaningful lives with the supports they need so they can enjoy the same opportunities as the majority of Australians: an inclusive education, a place to call home, a valued place in the community amongst friends and family, and the supports (informal and paid) necessary to make that happen. We support families to build a positive vision, hold high expectations and create an inclusive life in the best interests of their family member with a disability.

## Introduction

Family Advocacy appreciates the opportunity to provide comment on the NSW Education Standards Authority (NESA) - NSW Curriculum Review “to ensure it equips students to contribute to Australian society in the 21st century (the Review), through the lens of a student with disability. Our comments are premised on 27 years of experience working with families in the education system in NSW, collaborating with the Department of Education, and our widespread knowledge of international research in the field of inclusive education. Some quotes and comments are included, where relevant, based on an internal survey answered by our family members.

With the bigger picture in mind, it is important to note that our goals of inclusiveness, community contribution and participation for a student with disability are similar to the objectives of the National Disability Insurance Scheme (NDIS), a scheme supported by the NSW Government. We believe it only logical that the NSW Government align its education system to be consistent with these long term goals, by being genuinely inclusive of children with a disability.

We want a NSW where each and every student, regardless of their circumstance, is educated in the same classroom, working on the same curriculum with reasonable adjustments, so they have the same opportunities to reach their full potential. A NSW where every child is known, valued and cared for. The NSW government needs to undertake affirmative action, set targets and appropriately plan for inclusion.

Inclusive education means that all students need to be learning in the same classroom together, with authentic inclusion in three domains – physical, social and curricular. This submission will focus on the third domain of curriculum. An inclusive curriculum is where all students are included in the same lesson material, with appropriate adjustments and supports. Curriculum is provided to all students in a way that is age appropriate and responsive to diverse learning needs.

In order for this to happen, we need to overcome the barriers to inclusion and the curriculum. In a broader sense, removal of these barriers would mean removing the segregated system currently in place, create and support an inclusive culture and curriculum, instill good quality inclusive education

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<sup>1</sup> Developmental disability is a disability that occurs in the developmental period of a person’s life (in the period from conception to adulthood) and includes intellectual disability, cerebral palsy, spina bifida, autism and any combination of physical, intellectual or sensory disability.

pre-service teacher training and provide compulsory inclusive education in-service to existing teachers.

By removing these barriers, it is not just children with a disability that will benefit. Children from all marginalised groups such as Aboriginal, from culturally or linguistically diverse backgrounds, out-of-home care, and low socio-economic backgrounds will also benefit. This was evidenced first hand in a recent study tour of the inclusive education system in New Brunswick Canada. This province has a second generation of children all being included together, with the motto that “Children that learn together, learn to live together”. If you would like to hear more about New Brunswick and their curriculum, we would be happy to provide more information or meet with you to share the resources we obtained.

The timing for an inclusive curriculum is urgent. The long term social and financial cost of exclusion is high. By not learning together, children with disability experience persistent discrimination which is compounded by low expectations of those in segregated and mainstream settings and allow prejudices to escalate and fear to remain unchallenged. The resultant poor outcomes and missed opportunities to participate socially and economically generate higher costs for countries for persons with disabilities<sup>2</sup>.

Ultimately, inclusive education means that all of society has the opportunity to learn to appreciate our differences, value our diversity and realise as human beings, we have much in common. With this ethos of inclusion within the NSW curriculum, we can produce positive outcomes for all students in NSW which will ultimately lead to a more inclusive society. The curriculum plays a fundamental role in achieving inclusion by ensuring access and adjustments for children with disability is considered and addressed in every aspect of mainstream curriculum.

## Terms of Reference

### 1. Articulate the purposes of the school curriculum, including underpinning philosophies and principles.

The purpose of the school curriculum is to:

- Learn fundamental skills in both content as well as social development
- Prepare students for lifelong learning
- Prepare students for employment
- To provide a consistent education experience across all schools and settings

Whilst academic skills and content knowledge is important, subject curriculum needs to be taught alongside and at the same time as the incidental curriculum. The development of the whole child, social skills and friendship, communication, problem solving and teamwork, resilience, student well-being, the concept of self as a lifelong learner and as a valued member of their class, is essential for children with disability during their time at school and in preparation for the rest of their lives.

The school years are fundamentally a pathway to adulthood. To have a robust and community spirited society we need our curriculum to reflect the values we want for an Australian society in the 21st Century, one that values diversity, acceptance, democracy and justice for all.

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<sup>2</sup> The Nous Group 2011, *Schooling challenges and opportunities*, report prepared for the Review of Funding for Schooling panel.

*“He needs to learn the social skills required for work and life. He needs to learn societal norms of interaction, behaviour and conduct. He needs to learn to read and write. He needs to have the opportunity to find out what interests him and learn about things that interest him. He needs information to be delivered in a way he can understand and be able to express what he has learnt in a way that makes sense to him.”*

*Graham, father of Jai*

## The principles and philosophy underpinning the purpose of the school curriculum:

- All students can learn.
- All students are known, valued and cared for with an approach of high expectations.
- Everyone benefits from knowing, interacting with and learning from a wide range of other individuals.
- The curriculum is provided equitably to all students in an inclusive, common learning environment shared among age-appropriate peers in their local school.
- Success is achieved by focussing on each student’s individualised strengths and needs, and is based on the individual’s best interests. Inclusive individualised learning should be considered the baseline required. Supports should not be seen as “special” education or undertaken in a bolt-on approach as in current practice.
- The understanding that we are all different and share a commonality. We are all human beings seeking connections, affection, and opportunities to learn, grow and belong. We all have different strengths, challenges, and needs for support.
- The recognition that if we want to make a better society for everyone, we all need to learn to be comfortable, skilled and enthusiastic interacting with a wide range of people.
- The principles of fairness, accessibility and participation as espoused in national and NSW legislation<sup>3</sup>.
- Education is transformative with outcomes far broader than academic as per the vision in the Melbourne Declaration (2008)<sup>4</sup>.
  - To promote equity and excellence;
  - That all students become successful learners, confident and creative individuals, and active and informed citizens.
  - That students master not only core skills but develop “soft skills” such as problem solving, creative and critical thinking, collaboration, and communication.
- Education is meant to be the greatest enabler and Australia (and by inference NSW) must close the inequality gap (Gonski 2011)<sup>5</sup>.
- Australia made a commitment to *Transforming our World: the 2030 Agenda for Sustainable Development* (2015)<sup>6</sup>. The fourth of the 17 goals is to “Ensure inclusive and equitable education and promote life-long learning opportunities for all”.

<sup>3</sup> [NSW - Education Act 1990, Disability Inclusion Act 2014](#)

[National - Disability Discrimination Act 1992, Disability Standards for Education 2005](#)

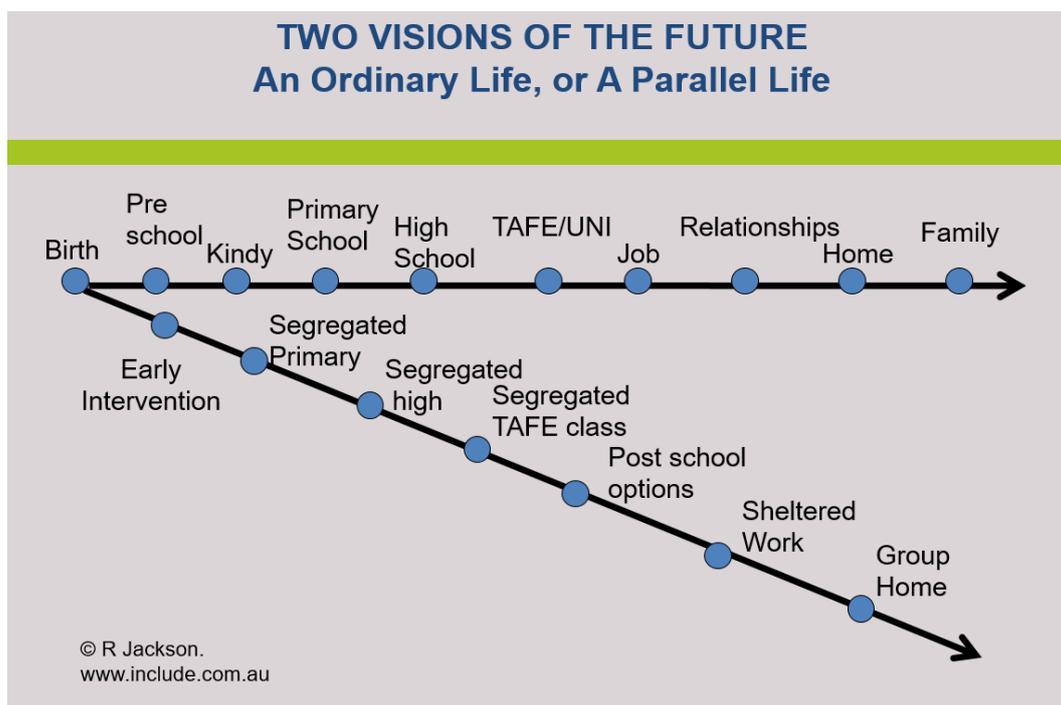
<sup>4</sup> MCEETYA (2008). Melbourne Declaration on Educational Goals for Young Australians.

<sup>5</sup> In 2011, the historic Gonski Review Report found Australia as one of the few countries in the OECD where the inequality gap between our highest and lowest performers is widening.

<sup>6</sup> <https://sustainabledevelopment.un.org/post2015/transformingourworld>. Core to the Australian understanding of the Sustainable Development Goals is the Australian value of a “fair go”. Like “leaving no one behind”, it is a call to action for fairness, justice and equality of opportunity. <https://sustainabledevelopment.un.org/memberstates/australia>

- All students, including students with disability, have a right to an inclusive education as per the *United Nations Convention on the Rights of People with Disability*<sup>7</sup> and *General Comment No.4* (2016)<sup>8</sup>.
- Inclusive education in fully inclusive settings produces superior social and academic outcomes for all students<sup>9</sup>.
- More must be done to support students with a disability, especially in light of the finding that an inclusive education approach is not currently experienced by all students as per the *Parliamentary Inquiry into Students with a disability or special needs in New South Wales* (2018).

## An Inclusive Curriculum and Natural Pathways of Childhood



Following the Natural Paths of Childhood, by Dr Bob Jackson, Thinking about.... School Inclusion, Issue 12, July 2012

<sup>7</sup> <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-24-education.html>. The right to an inclusive education was enshrined in 2016 in Article 24 of the *United Nations Convention on the Rights of People with Disability* (UNCRPD).

<sup>8</sup> [www.ohchr.org/Documents/HRBodies/CRPD/GC/.../CRPD-C-GC-4.doc](http://www.ohchr.org/Documents/HRBodies/CRPD/GC/.../CRPD-C-GC-4.doc). *General Comment No.4*, (as ratified by the Australian Government) states that "Inclusion involves a process embodying changes and modifications in content, approaches, structures and strategies in education, with a common vision that serves to include all students of the relevant age range."

- Placing students with disabilities within mainstream classes without appropriate support does not constitute inclusion. Similarly, creating discrete and isolated units or classes for students with particular disabilities within a mainstream school environment remains a form of segregation, and cannot be defined as inclusive education.
- Inclusion is not a place, a service, or letting children with disabilities join typical children only for particular activities.

<sup>9</sup> The most recent comprehensive review of 280 studies from 25 countries was undertaken by the [Alana Institute](http://www.alana.org.au) and presented an international report entitled "[A Summary of the Evidence on Inclusive Education](https://www.alana.org.au/sites/default/files/2017-06/A_Summary_of_the_Evidence_on_Inclusive_Education.pdf)" (2017). [Dr Thomas Hehir](https://www.alana.org.au), Professor of Practice in Learning Differences at the Harvard Graduate School of Education.

The diagram above shows the natural pathways of childhood and the impact of an ordinary pathway versus a segregated pathway. Every step taken down the segregated pathway is a step away from the ordinary world. It is worth noting, *General Comment No. 4* states that a form of segregation is not only a special school but also an isolated support class for students with disabilities in the mainstream school environment. Sadly, segregation for students with disability continues in NSW<sup>10</sup>.

Family Advocacy receives hundreds of calls a year from families in relation to their children's education. Some on these include:

- Enrolment into their local school being refused or if enrolment is accepted, there is a strong push to put their child in a segregated support unit.
- If enrolled in the mainstream classroom, their child is subject to micro exclusions ranging from not being included in whole class learning, sitting segregated from their peers, not accessing the same curriculum.
- When children are disengaged and frustrated, due to lack of access to the curriculum, and behaviour subsequently escalates, suspensions are used more vigorously, severely and repeatedly than to those of their non-disabled peers<sup>11</sup>. Sadly, a recent study found that students with disability reported the lowest well-being than their peers without disability<sup>12</sup>.

*"The way the NSW school curriculum is currently, means nothing to my daughter in Year 8, who has an intellectual disability. Sadly, too often she has very few goals expected for her at school other than for her to be compliant. This is problematic when I sense she is often inadequately supported or completely disengaged."*

*Jane, mother of Regan*

Segregation is not supported by research. We have over 40 years of comparative research of the impact of segregated versus inclusive education and not one research article could be found comparing segregation and inclusion that comes out in favour of segregation<sup>13</sup>. A large body of research indicates that included students with disabilities develop stronger skills in reading and mathematics, have higher rates of attendance, are less likely to have behavioural problems, and are more likely to complete secondary school than students who have not been included. As adults, students with disabilities who have been included are more likely to be enrolled in post-secondary education, and to be employed or living independently<sup>14</sup>.

Therefore, on the basis of the evidence, an inclusive curriculum is better for student engagement, positive behaviour, mental health and minimises the likelihood of a child with disability becoming an adult segregated from broader society. If the review truly aspires to "provide an education that engages and challenges every child in learning, rewards them for effort and promotes high

<sup>10</sup> Data from the 2017 Australia-wide survey from 745 families (parents, carers, and students with disability) has shown over 70% report experiencing one or more examples of gatekeeping used to minimise the enrolment into mainstream, and/or restrictive practice. NSW figures are the same. *Gatekeeping and Restrictive Practices with Students with Disability: Results of an Australian Survey*, Jackson, Cologon, Poed, (2017).

<sup>11</sup> A 2017 survey of 771 students with disability conducted by Children and Young People with Disability Australia identified that 19% of all respondents had experienced restraint at school, and 21% of respondents had experienced seclusion. Children and Young People with Disability Australia, *CYDA Education Survey* (2017).

<sup>12</sup> Report from the Office of the Advocate for Children and Young People 2018.

<sup>13</sup> Report from the Office of the Advocate for Children and Young People 2018.

<sup>14</sup> [https://alana.org.br/wp-content/uploads/2016/12/A\\_Summary\\_of\\_the\\_evidence\\_on\\_inclusive\\_education.pdf](https://alana.org.br/wp-content/uploads/2016/12/A_Summary_of_the_evidence_on_inclusive_education.pdf)

standards” and “to prepare each student with strong foundations of knowledge, capabilities and values as lifelong learners, and to be flourishing and contributing citizens”, it follows we need to expect and demand inclusion in every way in the curriculum and from the earliest time.

## **2. Identify essential knowledge, skills and attributes as the common entitlement for every learner, ensuring parity of access to learning that is necessary for success, taking account of:**

### **Life Skills Curriculum Pathway.**

We consider this component of the curriculum to be a barrier to providing true parity of access. Although intended to be within the existing single curriculum, life skills in reality has become a way to lower expectations and learning for students, thereby reducing the students access to a more fulsome academic curriculum. This limits their learning and their ability to transition out of school into adulthood, further education and employment.

The teacher’s role is to educate the child, both academically and socially, and make reasonable adjustments for that child. Life Skills provides no expectation to do so as it prescribes the focus to prepare a student for “life”. We assert that school business is for learning and social development and family business is where the skills of life are learnt. To illustrate this point, one family member shared that in Home Economics, whilst the class was cooking minestrone soup, her son was making a toasted cheese sandwich, which is a typical skill he learned at home already. She argued her son would be better off participating in as many steps as he can cope with for making minestrone soup, as it would help build his capacity, and he cannot replicate cooking with his peers at home. By interacting with his peers, he avoids being “othered”.

We are also aware of pretend money being used in pretend shopping for students with disability, not age appropriate in high school. Life skills is too limiting.

In addition, using this terminology of “Life Skills” in the education setting is both confusing and disingenuous and should be reconsidered.

*“ I think we should remove Life Skills and therefore not have the alternative pathway that schools can default to, and do individualise planning of learning instead, with teachers and executive staff supported to do that. Life Skills is not the same as the curriculum the other students are doing, it has very much lower expectations on many students who probably could do much better, and it removes the same type of assessments, which really is against the Disability Standards in Education (which is logical as it predates it).”*

*Lauren, mother of Hayden*

*“We have not accessed life skills yet but will next year. It’s success for us will depend on its implementation in the inclusive classroom. We expect she will access the same content as others but will have outcomes adjusted.”*

*Jasper, father of Kate*

*“When we transitioned to high school our daughter was reading and working towards outcomes around literacy levels varying between stage outcomes -1 to 3. In numeracy she was further behind at stages 1 to 2. Despite feedback from her Year 6 teacher about her capacity to learn and grow and our strong vision for her to have an inclusive education we came up against a brick wall. An assumption was made right from the outset by one person who developed a learning support plan off their own back without collaboration from us that our daughter would go on “Life Skills across all key learning areas.” There were low assumptions for her learning and little understanding of how to accommodate for her different needs or to adjust curriculum for her to access. We were wanting her to remain on the continuum of learning while maintaining inclusive education principles. The Life Skills program really needs to go as it flags an alternative curriculum pathway for students with disability. In an era where we need to be embracing and supporting students of all learning abilities from many diverse backgrounds the curriculum needs to be designed for all using Universal Design for Learning principles.”*

*Mandy, mother of Georgia*

The principle of Universal Design for Learning (UDL) is the starting point for an inclusive public education system. This principle holds that the needs of the greatest number of students be met by maximising the usability of programs, services, practices and learning environments. When UDL alone is insufficient to meet the needs of an individual student or group of students, accommodations are required.

#### **a. The evidence on how skills and attributes are acquired through knowledge based principles.**

Many strategies can be put in place to ensure students acquire skills and attributes, however the critical element is that these are built from the current knowledge base of the individual student. Start with where they are at, working from the baseline of their level of competence, gain clear understanding of the child (their interests, abilities and strengths) and use varying strategies to build on and progress this knowledge as Hattie’s study has revealed<sup>15</sup>.

The experience of families below indicate what are important strategies such as peer teaching, collaborating with parents, holding high expectations and knowing the individual student well.

*“More by hands on learning (learning by doing, role play). More visual aids and repetition. Better communication access”*

*Janet, mother of Karen*

*“Over the years, by collaborating with me, teachers have used our son’s interests in animals, food, and Pokémon to engage him in topics with great success.”*

*James, father of Robert*

<sup>15</sup> <http://www.evidencebasedteaching.org.au/hattie-his-high-impact-strategies/>

*“Teachers need knowledge and skills in how to provide opportunities for my 14 year old daughter to learn. Currently, I see a lot of what she is doing is just copying notes. This has meant we have seen an enormous improvement in her handwriting over the past two years, but not a lot of growth in her learning. I would like to see a huge push in expectations for teachers to become proficient in Universal Design for Learning practices. I would also like to see the General Capabilities to take higher focus in the curriculum in order to highlight how it can support access to and progress with learning. Maths is not a strength for my daughter or not any more. When she was learning at her first primary school her skills in numeracy were building on the continuum. Now after years of the current system failures, she has lost so much confidence in her ability to learn maths that she actually gets quite anxious. I feel very disappointed that this has been the ripple effect of inadequate inclusive teaching practices. If this is happening to her it is happening to other students as well.*

*What makes it worse is that the school streams the students, contrary to evidence by researchers such as John Hattie and this is detrimental. Consequently, this means our daughter has been grouped with other struggling learners. Collaboration is also poor in this subject and I rarely see any work samples coming home in her exercise book. When I ask her what she is currently learning in maths she can't tell me anything. I would think even if the one thing she learnt was the name of the type of maths being taught such as “Algebra,” “Trigonometry,” or “Pythagoras Theorem” that would be a start!”*

*Leanne, mother of Haley*

*“When teachers collaborate with us our daughter can be more successful. This year we have had some success with the Year 8 English teacher communicating with us in lead up times to assessment tasks. For one particular unit where students were learning about drama, students were to perform a short (3 minute) drama piece, either individually or in pairs. A range of possible options to perform were provided or the students could adapt an entirely different performance. Our daughter loves musical theatre and one of her favourite DVD's is Cats the Musical. We chose for her to recite a monologue of ‘The Song of the Jellicles’ from T S Elliot's Old Possum's Book of Practical Cats. This assignment was one of the easiest exercises in getting our daughter to engage with her homework. Using her strength in reading and her love of the theme she was well on her way to being successful at this task. Consequently, she was motivated to practice and in the process she gained improvement in her fluency to read aloud and then confidence to speak in front of her peers.”*

*Janice, mother of Charlotte*

## **b. The extent of overcrowding in the curriculum.**

Each child deserves a childhood that nurtures learning across a well-balanced program of learning, fosters the development of imagination and creativity, and provides the skills and knowledge that enables the development of higher order literacy and numeracy skills. It must not be forgotten that each child is a unique human and deserves the full enjoyment of their schooling life.

We do not believe the curriculum needs to reduce the number of subjects offered. It will be worthwhile to closely examine the current suite of syllabuses and identify where overlap, duplication and redundancy in outcomes exist and eliminate those.

Another suggestion to solving the overcrowding of curriculum could be collaborative learning, whereby each child is afforded the opportunity to work at their strength within a group. Not only will the group function at a higher level, they will also upskill the capacity for those skills that are not yet developed in their peers. This still allows for individual learning at the individual's strengths or areas of development.

### c. The appropriate scope for school community choices about content.

Schooling is just one factor that can influence a student's development. Parents and families play a critical role in shaping the expectations and attitudes of their children towards school and broader life. Being motivated by love, families hold a unique strength and are an important safeguard when speaking out on behalf of their family member<sup>16</sup>. Principals and teachers should forge connections with parents and the community, as key partners in children's learning and attitudes to school<sup>17</sup>. This is particularly useful when looking to develop the "soft skills" mentioned previously such as confidence, creativity and the ability to solve problems.

Knowing a child's interests and strengths is a firm base to build engagement from. Where possible open ended choice on content or adaption to a child's interest or strength should be a priority. The parent is the first educator and the one who knows a child's interests and abilities best and hence, collaboration with the parent regarding content choices is fundamental.

*"Collaborative Curriculum Planning. Most schools seem to want to ignore this recommendation and it is not legislated so they can. Some schools just flat refuse to do it. It should be mandated in some way that this is what needs to happen. I want my child to learn the same things her classroom peers are learning, though she needs modifications to access this. These modifications do not inherently change the content, just change the way it may be delivered and to what extent. The school my daughter is at, does do Collaborative Curriculum Planning. I do not tell the teacher what to teach and when, but I do assist in helping decide to what level she is assessed (stage outcomes), and what types of modifications or strategies may be helpful."*

Gary, father of Lorna

*As a parent understanding and knowing about the curriculum is important and helpful for me in order for me to be able to look at the various syllabuses and roughly identify where my daughter's learning capacity is at across the curriculum. If, and when I am privy to subject Scope and Sequences from teachers (though this is rare even when I ask), I am then able to know more about what my daughter's class is studying and learning. This enables me to use every day opportunities to highlight concepts for my daughter and support what she is learning at school. As to the way the students are taught, I do not feel the curriculum gives me much indication of this at all and I do not find the assessment process to be much more informative. Every student in the classroom being given their learning objectives for the lesson and criteria for how they will be successful. Each section of work was linked to learning objectives and success criteria. Giving a clear outline of the purposes for their learning.*

<sup>16</sup> The Natural Authority of Families, by Michael Kendrick, Crucial Times, July 1996 <https://www.family-advocacy.com/assets/Uploads/Downloadables/10753-The-Natural-Authority-of-Families-MKendrick-CT06.pdf>

<sup>17</sup> Gonski Review Report (2011) <https://docs.education.gov.au/system/files/doc/other/review-of-funding-for-schooling-final-report-dec-2011.pdf>

An example of successful collaboration was where a child with disability was struggling with her timetables not because she did not know the answer for “10 x 10” but because she had to write 10 x 10 out over and over and this was slowing her down. With this feedback from the parent and some discussion determining that the main aim of the exercise was to know the answer, the teacher made an adjustment providing pre-printed sheets and this way her daughter could keep up with the class.

Every member of the school community, including teachers, support staff, volunteers, students, parents, and families ought to work collaboratively to ensure students can access and participate in the curriculum, in ways that are age appropriate and responsive to diverse learners. Parents and the student should be seen as valued and respected partners with teachers/principal in inclusive education. They should have a voice and be heard in relation to content.

### **3. Explain how the curriculum could be redesigned and presented to better support teaching, learning, assessment and reporting, including consideration of:**

#### **a. the desirability of identifying priorities for learning at different stages of schooling.**

A curriculum that is focused on starting with the individual and building learning and knowledge from that point should not by its very nature be required to have identified priorities for learning at specific times. The priorities will also remain fluid dependant on the cohort in the class. Assessment and reports will then be more potent around the progress made by a student and the priorities of learning required moving forward.

For example, if a child is ready to read at 9 rather than 6 years old, a flexible curriculum will allow a teacher to progress a child when they are ready and at their pace instead of forcing an external agenda according to prescribed stages.

*“More skill based assessments to hone in on strengths and build capacity on weaknesses.”*

*Anita, mother of Nina*

In this way, individualised learning is easier as the child will be forging forward at the level they are comfortable and when they are ready rather than at a prescribed time set by an external standard.

*“The point is that they are learning with their peers and learning all the other things that come through learning together in school – friendship, cooperation, self-modulation and control, working in a team, and the soft skills we have referred to. A child may even discover something they were not so interested in. We must move away from discussion changing the curriculum and move to discussing the core – individualised learning not standards driven, with all students learning together.”*

*Phu, mother of Ray*

### **b. the appropriate level of detail in curriculum documents.**

The important point to note here is that the curriculum needs to be flexible and not prescriptive. The more rigid the curriculum the less individual it can be. A curriculum that builds in creativity, imagination, flexibility and uniqueness is important for both the teacher and the student. Supporting teachers to use their professional knowledge and their understanding of their students to work within a flexible curriculum outline rather than a prescribed format and set year based outcomes is essential.

“As the student moves through school, comments about the increasing gap tend to be used more and more to justify both physical and academic segregation. The implicit assumption is that one has to earn participation in the curriculum by a minimum level of competence, even though international data shows that large numbers of non-labelled students do not meet standards but are still included in the curriculum”.

*Building belonging in the curriculum*, Dr Bob Jackson, Paper presented at The International Social Role Valorisation Conference, Canberra, 2011

### **c. the breadth and depth of study.**

A robust curriculum will have a large breadth and depth of study so as to account for the many and varied unique human beings that it serves. It is necessary as student's progress through their schooling years to experience and explore their interests and strengths, as this is how we determine what we may do when we leave school and who we are as adults which are fundamental purposes of education.

*“I believe my child should have a similar experience of school as everyone else. That means having subjects that he doesn't particularly like sometimes. You can still include areas of strength or interest in every subject if it is individualised well.”*

*Jill, mother of Abdullah*

There needs to be an expectation that all students must be immersed in the same (age appropriate) curriculum together. Within this curriculum, there must be a range of options and scaffolds which support learning and exploration of concepts within the curriculum. It would be good to see the curriculum highlight “Big Ideas”<sup>18</sup> in simple terms that students can understand themselves.

Of course, as students move into their senior years and are becoming young adults, they start to choose elective subjects around their own passions, interests, talents. However, the core learning of literacy and numeracy foundations continue to build within this. Learning for learning's sake does not have a place anymore. Rather there ought to be “Equitable Learning for All”.

### **d. ways of improving every learner's transition into school and across the years of schooling.**

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<sup>18</sup> <http://allmeansall.org.au/for-educators/> . See the Toolkit created by teacher, Loren Swancutt, “Including ALL students in the same curriculum”.

Parent and teacher collaboration is key. Collaborative Engagement between parents and educators is essential to success in an Inclusive Education System<sup>19</sup>.

*“Good communication with parents and teachers about what had worked and not worked. Visits to high school with her peers prior to starting worked very well.”*

*Kim, mother of Angeline*

Some ways of improving a student with disability’s transition into school and across the years of schooling are:

- Regular term meetings with student/parent and teacher and where appropriate wrap around support teams.
- End of year handover sessions with current and next year’s teachers with student/parent and where appropriate wrap around support teams.
- Having individual learning plans for all students with clear goals and expectations, this will improve the understanding of a student’s knowledge level and will allow for better assessment, and therefore reporting on the student’s outcomes in an individual and more relevant way.
- Sharing content of next year/term with student/parents to develop and build on existing knowledge base, skills and glossary of terms/relevant vocabulary to prepare the student in advance.

*No suggestions. Kindy and Year 7 just as bad as each other – all students figuring out what to do, as well as the parents figuring out what happens and the expectations on the students, etc. All students and all parents, regardless of learning support needs or other, would benefit from maybe peer support to negotiate this transition.*

*Clare, mother of Oliver*

*“Previous knowledge to topic is crucial to engagement and learned vocabulary to support comprehension to gain context of topic.”*

*Rhonda, mother of Cooper*

The transition from early childhood to school, from school to work, training and higher education are significant rites of passage in a student’s life. Schools need to work in partnership with students, families, community organisations, professional groups, and other government/educational organisations to plan and support successful transitions at all points in a learner’s education.

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<sup>19</sup> The 2013 Inclusion Report Card: From failure to mediocrity, Interaction: The Australian Magazine on Intellectual Disability, Volume 28 Issue 2 (Jackson and Wills, 2014).

### e. ways of enhancing the options and pathways for all students to further education and work.

Schooling is important in equipping students for further education and the workplace. Student voice and student advocacy is absolutely fundamental at this stage. The curriculum needs to be prescribed to collaborate with the student to set goals and strategies to achieve desired options that explore, or work towards, identified pathways of further study or employment.

Article 24 of the UNCRPD requires Australia to ensure that persons with disabilities “are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, we must ensure that reasonable accommodation is provided to persons with disabilities.”

*“Good links between TAFE and high school. Plenty of work experience opportunities with traineeship options whilst at school”.*

*Faiza, mother of Mohammad*

A person-centred approach to work experience is vital for a student with a disability. Having clarity of vision<sup>20</sup> and a shared vision is vital so all parties are working towards the same long term goals. For example, instead of the usual intensive one or two week period of work experience, a Year 10 student was given flexibility by his school to spread out his work experience throughout the term (during his free periods) at his local businesses. This allowed for capacity building and has led to permanent casual work throughout school and post school.

We reiterate Life Skills is a huge barrier to inclusion for a student with a disability and ought to be removed. The unintended consequence of Life Skills is that options and pathways for students with a disability are obstructed and exclusionary. We need to upskill teachers in UDL principles, co-teaching, cross discipline learning, and collaborative learning.

*“I think the curriculum needs to start with higher expectations for all students to have capacity to learn. This is why Life Skills must go as it assumes from the outset that not all students can be capable of learning together with their peers. The curriculum needs to be framed in a way that it is there for all and that all students are diverse. When defining the what of learning it needs to be instructive to educators as to the how with respect to making it accessible for all. Once the curriculum can be universally accessed, then there needs to be a range of options available for students to demonstrate what they are learning, understanding and consolidating depth of knowledge. This needs to be measured against personal growth, not on a scale of bands.”*

*Sangheeta, mother of Loty*

A person-centred approach to vocational training is necessary. More flexible ways of entering post school education than just the ATAR are essential. More TAFE or vocational options with proper certificates being accessed in high school. For example, a student with autism was successfully doing a TAFE delivered Vocational Education and Training (TVET) course, however he was provided with no support to continue once the HSC students were on their study break and so he did not complete the course. This is not preparing him properly for life.

<sup>20</sup> <https://www.family-advocacy.com/assets/Uploads/Downloadables/11218-Clarity-of-vision-Wendy-Stroeve.pdf>

Student voice is absolutely fundamental at this stage of student life. The curriculum needs to be prescribed to collaborate with the student, to set goals and strategies to achieve desired options of exploration of, or working towards, identified pathways of further study or employment.

#### 4. Identify the implications of any new approach to curriculum design for:

##### a. assessment and reporting (including NAPLAN, the Record of School Achievement and the Higher School Certificate).

We agree with the conclusion of the Gonski report in 2011 stating “The performance of Australia’s schooling system is about more than just literacy and numeracy results in national and international assessments and Year 12 or equivalent attainment rates. Defining and measuring the broader schooling outcomes is difficult and requires further development and information gathering if Australia wants to be able to gauge the effectiveness of its schooling system as a whole.”

Assessments are just one way – albeit important – to find out whether students have learned. A critical part of assessing students is providing them with adjustments that support learning and support their ability to demonstrate their knowledge. For many students with disability, being able to show they have learned is greatly improved when teachers provide individualised instruction and appropriate accommodations in the classroom and in testing situations.

A variety of reasonable adjustments and assessments would allow the teacher a range of tools to maximise student ability. An extra and powerful tool observed in New Brunswick, Canada was progress monitoring, a research-based strategy that measures student achievement through the use of targeted instruction and frequent (weekly, monthly) checking on student growth and adjusting instruction to match student need. Not insignificantly, such regular student assessment also allows teachers to pinpoint when a student is having difficulty and allows a real view of what skills and knowledge a student has.

Teachers and support staff can use the information from these assessments to ensure that students are taught in a way that meets their needs and helps them address their academic goals.

Carefully selecting adjustments to address student strengths, challenges and experiences means that students with disabilities have the supports they need to access classroom instruction and then demonstrate what they have learned.

*“Less segregation. Less separation of gifted and talented and remedial. Less emphasis on academic achievement. Less emphasis on ATAR, university outcome and more on skill based achievements.”*

*Marybelle, mother of Clara*

*“Too many exams. I think Rosa and HSC will be important but not really sure yet, I expect the success will come from our contacts and connections with people and local businesses. Our son has a competitive nature and likes to have certificates and awards for his learning but others may be different.”*

*Gita, mother of Chandra*

*“Assessments need to be allowed to be modified and still “count”. There is definitely a feeling that the schools are in some sort of strait jacket when it comes to assessments – if they modify them, that is “cheating”. So you get this bizarre situation where a child has modifications for class to access the curriculum, but then these modifications are removed at the time of the assessment and hey presto, the student fails every time. There needs to be a rethink of assessments and a move away from only doing “standard-referenced” ones, which are extremely rigid to assessing what is individual and shows individual progression. If a child has certain modifications in class, these must remain in place when they do an assessment.*

*Ipsative assessments (an assessment based on a learner's previous work and progression rather than based on performance against external criteria and standards. Learners work towards a personal best rather than always competing against other students), not standard-referenced assessment. Reporting on an individual not just to some standard-reference, especially when the student cannot meet the standard, so it is ridiculous to report to it, but they are making good individual progress – that is what needs to be reported.”*

*Glen, father of Jenna*

*“You know with the way things have been going so badly over the past few years in terms of poor planning, lack of educational access and academic achievement, let alone assessment and reporting, I cannot even fathom how ROSA and HSC will work in reality for our daughter. We are at a point where we have settled with a kind of realisation which sadly says to us that if she can be present and attend then that's as good as it might get. Anything else is a bonus. It is still the least-worst option compared to segregation which doesn't fit our vision.*

*As language is a strength of my daughter's, teaching the language of maths would be a great starting point, that we could then build upon at home. Instead, I get no feedback from an anxious and deflated young person who, when supported at home can and is able to learn maths concepts. Further to this frustration is when we receive the last school report which measured her learning unrealistically against stage 4 outcomes. This only told us what our daughter could not do rather than what she could do.*

Treating students as individual learners is key – once you start making broad modifications to the curriculum (such as Life Skills), you end up with a different curriculum. The support really needs to come from the teachers who are teaching the curriculum in order to individualise it so the child progresses, but at a pace that is suitable for them.

We need to think about the value of standardised testing. Too much focus is placed on standardised testing. So much focus is placed on the HSC in Year 12 and the other options are not given much credence. We need to review the nationwide assessments such as NAPLAN, ROSA, and HSC.

## **b. pedagogical practices and teacher workload.**

We acknowledge that we are not teachers and do not claim to have the answers. However, whilst on an inclusive education school study tour in New Brunswick, Canada, we noticed they adopted the Response to Intervention (RTI) framework, that is both prevention and intervention focused incorporating Universal Design for Learning (UDL), and Positive Behaviour Interventions and Support (PBIS)<sup>21</sup>. In discussions with teachers in the NSW system, there was an acknowledgment that they felt supported and had the right tools and processes to accommodate all learners through these practices.

<sup>21</sup> We are happy to provide documentation or discuss this with NESA in more detail.

### c. teacher preparation and ongoing professional learning.

Ongoing professional learning for teachers is essential. But a one-day workshop on “Autism” cannot prepare a teacher for the child with autism in front of them, as each is an individual. It is more important that a teacher has the will and can take the time to get to know the individual. Good teacher preparation from our perspective means adequately upskilling teacher trainers on inclusive education rather than special education. This means the teacher graduates with a lens of inclusion where they enter the education system with competence and confidence to teach a diverse classroom.

*“The whole concept of “Special education” could do with changing. The term “special” is outdated and flags difference. Why can’t students all just be students, schools just be school. I think it is time to move away from dual systems wherever they rear their ugly head. I would add that the word “gifted” doesn’t need to be establishing a place either.”*

Adequate training for teachers in participation of students with disabilities in classrooms such as Universal Design for Learning (UDL)<sup>22</sup>. On a school study tour of New Brunswick recently, UDL was being implemented as part of their “Planning for ALL Learners”. We can provide a lot more resources about the inclusive education system in New Brunswick if you are interested.

### d. school organisation and regulation. Not in our purview.

### e. relevant legislation.

Inclusive Education spans the following jurisdictions:

**International** - Article 24 UNCRPD, General Comment No.4 - Right to an Inclusive Education

**Commonwealth** - Disability Discrimination Act 1992, Disability Standards for Education 2005

**NSW**- Disability Inclusion Act 2014, Education Act 1990

In order for a NSW curriculum that is inclusive of all students, changes are required to the:

*Disability Discrimination Act, 1992*, namely in relation to Special Measures in Chapter 5 - Section 45 (1)(b)(i). This provides acts as a loophole for segregation to continue by providing a specific exemption for a government school to discriminate on the grounds of disability.

*NSW Disability Education Standards 2005* need to be brought into alignment with *the UNCRPD and General Comment No.4* and be reviewed against actual practice to ensure these obligations are being adhered to.

*NSW Education Act, 1990*, namely in relation to a *special course of study for students with special educational needs* in Division 2 - Certificates 95A; and *education of a kind for children of a kind* referenced in Division 3 - Registration of Non-Government Schools 53-1(c). While exemptions and alternatives remain part of the Act, students with disability can be excluded from their fundamental right to an inclusive education. *In line with Article 4 (b), all legislation and policy must be reviewed to*

<sup>22</sup> The New Brunswick model for UDL references 3 main sources: the UDL guidelines from CAST, which outline clear principles to follow when planning for instruction and assessment in your classroom; the social and emotional learning component from Jennifer Katz’s three-block model for teaching to diversity; and British Columbia’s experience in successful implementation of UDL.

ensure that it is not discriminatory for persons with disabilities and in violation of Article 24 (UNCRPD, 2016).

#### f. measuring the quality and impact of schooling.

The factors we believe are important towards measuring quality and impact of schooling:

- Wellbeing and Belonging
- Civic participation
- Having socially valued roles such as employment and contribution
- Less welfare dependency
- Juvenile justice statistics

*Improvement will only happen once teachers learn how to teach inclusively and universally to diverse learners. A dual education system is the greatest barrier to this. While ever there is another place where most students with disability are segregated there is often a lack of will to gain the skill to teach my daughter. There is also a lot of attitudes from teachers that my daughter does not belong in the regular school system. If this is said directly to us, how must it feel for her? These ableist attitudes are not helpful to anyone. I would like to see a values-based approach start to be embraced as was evident in New Brunswick. Much could be learnt from the resources from New Brunswick, not least the Audit Tool developed by the New Brunswick Association for Community Living "Creating an Inclusive School Indicators of Success."<sup>23</sup>*

*Di, mother of Gina*

## Conclusion

### ***"Children that learn together, learn to live together"***

The curriculum for NSW schools needs to be an inclusive one that ensures all learners including those students more vulnerable through disability, socio economic level, refugees and any marginalised groups have parity of access and ability to flourish, is the cornerstone to this submission.

Maintaining a fair and inclusive education system is one of the most powerful levers available to make society more equitable<sup>24</sup>, accepting and valuing our differences. The aspiration for an inclusive education in a physical, social and curricular sense is now steeped in policy work at a state, national and international level mapping specific pathways towards this goal.

Essential to the success of an inclusive curriculum is the need for student/parent voice and collaboration. Not only does this approach benefit children with a disability but all children will be known, valued and cared for.

As discussed, an unintended but definite consequence of the Life Skills pathway is that it creates a barrier to an inclusive curriculum for students with disability and limits their schooling and post

<sup>23</sup> [http://nbacl.nb.ca/wp-content/uploads/2015/02/Creating\\_An\\_Inclusive\\_School\\_Tool\\_-\\_Web.pdf](http://nbacl.nb.ca/wp-content/uploads/2015/02/Creating_An_Inclusive_School_Tool_-_Web.pdf)

<sup>24</sup> Field, S, Kuczera, M & Pont, B 2007, *No more failures: Ten steps to equity in education*, OECD, Paris

schooling opportunities. As a clear priority, we want NSW to be a place where disability does not mean exclusion and segregation and as such we strongly recommend for the Life Skills pathway to be removed.

Given the findings of the recent Parliamentary inquiry on education and children with a disability, it is vital that NESA take action to promote a common learning environment with a flexible curriculum delivery, flexible teaching strategies (for example UDL, differentiated instruction, cooperative learning and peer tutoring), flexible assessment and reporting, a focus on getting to know the individual and meeting them where they are.

We hope our recommendations are adopted by NESA and will lead to positive outcomes for children with disability, avoiding future inquiries. It is important to note that a similar Parliamentary Inquiry occurred in 2010. We do not want to continue to have repeated inquiries due to inaction. Action is needed to lift the capacity of the education system to provide accessible and appropriate education to students of all ages with a disability or diverse learning needs in NSW.