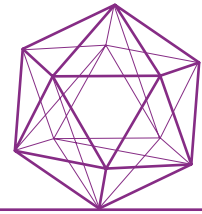# CHAPTER 2

# The Australian educational landscape

*Shiralee Poed*

## LEARNING OBJECTIVES

*By the end of this chapter, you will be able to achieve the following:*

**LO 2.1**    Explain changes that have occurred in schools, particularly in relation to inclusion.

**LO 2.2**    Identify the legislative environment in which Australian schools operate, especially concerning anti-discrimination.

**LO 2.3**    Describe the obligations that teachers are expected to meet under the *Disability Standards for Education 2005*.

**LO 2.4**    Determine legislative implications that apply to classroom practices.

Most, if not all, societies operate under a set of laws, regulations, rules, and established conventions. These exist to promote consistency and equity among members of a society. This chapter focuses on the legislation, policies, and principles that underpin the education of students with diverse needs in Australian schools.

## PROBLEM-BASED LEARNING INTRODUCTION

You're just a week away from starting your teaching career. You have visited the school and met with the Principal. You have been shown your new classroom, and have started to resource it. You also met with the Assistant Principal, and she outlined the students you'll have in your class, including some of their learning needs. One student, Rhys, appears to have significant gaps in his learning. You're now trying to figure out how you can accommodate Rhys' educational needs. In particular, you're thinking about how you can adjust activities that you've used successfully while on teaching placement.

You have also been advised that a camp has been scheduled for Week 3 of the school year. Students always recognise the camp as a highlight of their year and it provides invaluable lessons in social skills, leadership, self-care, and independence. The camp will provide an excellent opportunity for you to build a relationship with your class, a key to ensuring student engagement and connectedness.

The Assistant Principal mentioned that last year Rhys was not allowed to attend an excursion because his teacher was concerned about his behaviour in public. In particular, the teacher was concerned about Rhys' inability to follow verbal directions, and that he would run away when he was distressed. On a number of occasions last year, Rhys dropped to the floor when he didn't want to complete a task. More significantly, on several occasions, staff members were injured trying to get Rhys to stand up. Rhys was also suspended for injuring a teacher aide, hurting a peer, and refusing to comply with directions.

So, how will you meet Rhys' needs, both in the classroom and during camp?

As a starting point, consider what you already know about the law, policies, and practices that relate to teaching students with a disability. What are your legal obligations as a teacher? You might find that you have a few gaps in your knowledge. As you read this chapter, you will come to answer some, if not most, of these questions.

As we move further into the chapter, here are some ideas you might think about. First, what criteria should determine where a student with a disability goes to school? Most education sectors have a policy that students with a disability should attend their local school wherever possible. Mandating that these settings accept children with a disability means that families are able to ensure siblings are educated in the same setting. However, the Victorian Auditor-General's Office (2017) suggests that more than half of all Victorian school-aged children no longer attend their local school, with parents instead favouring schools with quality resources and strong academic outcomes over those that are convenient geographically. In practice, some schools continue to recommend students with a disability attend a school that is further away, but one that has resources to meet the needs of students with a similar disability or impairment. This could include schools that run special programs for students who are **deaf** where they employ a qualified Teacher of the Deaf. Alternatively, in suburbs that have two state primary schools, one might recently have been designed to be physically accessible for students with motor difficulties, while an older school, may not be access compliant.

Second, what arrangements should exist in all settings to support the learning of students with a disability? A supportive and inclusive school culture is critical to the educational outcomes of students with a disability (Villa & Thousand, 2016). This includes a clear message that all students and families are welcome, staff members are skilled at teaching diverse learners, the curriculum and assessment framework enables students to work at their level and have their learning growth accurately reported, and peers embrace diversity. In addition, students with a disability are able to advocate so their learning needs can be met and the school has been physically designed and adequately resourced to support all the students who live in the local catchment.

Third, what influence will the setting have on post-school options? There is a wealth of educational research showing students with a disability have poor post-school outcomes (Maheady, Rafferty, Patti, & Budin, 2016; Sauer & Jorgensen, 2016; Venville, Street, & Fossey, 2014; Walker, 2015). Hence, it's important that teachers not only consider short-term issues, such as whether the students will achieve the educational outcomes set, but longer-term goals as well. In other words, educational programs for all learners should ultimately aim to prepare students to lead productive lives. This includes consideration of post-school employment, residential options, social networks based on friendships and shared interests, and the ability of all students to communicate their needs.

**deaf** Refers to an impairment that involves a loss of hearing, either wholly or partly.

# ▶ CHANGES IN SCHOOLS

Schools today are much more complex than those of previous generations, and even if you completed school in the past decade you may still detect changes in the ways that schools operate. Those entering the teaching profession after years in the workforce, or re-entering after caring for their own children, are likely to find schools to be very different from those of the past. Today's classrooms include students with a diverse range of skills and needs arising from cultural and/or linguistic diversity, religious beliefs, gender barriers, sexual orientation, age, socioeconomic status, personal circumstances, and family disruption, as well as students with a wide range of intellectual, physical, and sensory capabilities. The Australian Education Council (2016) found that over 18 per cent of Australian students require educational adjustments. This places an increased onus on educators, and especially school leaders, to be mindful of legislation, particularly concerning discrimination.

Developments in Australian legislation, and the creation of policies of inclusion for students with diverse learning needs, were all designed to have positive effects on students with particular learning needs, as shown by Marcelle's experience in Box 2.1.

**skills** Acquired aptitudes or learned acts (e.g., reading, riding a bicycle).

## BOX 2.1    Marcelle

Marcelle is 17 years old and attends a secondary school near her home. Until Year 10, she attended a special class located in a secondary school several suburbs from her home. In that class she learned functional daily living **skills**, including personal hygiene and some basic cooking. She also learned key words, such as 'drink' and 'toilet'.

Because her friends were mostly in her special class and none lived in her suburb, Marcelle's parents were concerned that her social opportunities were being limited and asked if she might complete the final phase of her education at a local secondary school. Although some teachers in her new school were apprehensive about including Marcelle, with guidance from specialist staff they soon learned how to include her in varying ways. Sometimes she achieved progress toward a reduced set of learning outcomes that were consistent with those of the class. For example, when her English classmates were reading a Shakespearean play and analysing its themes, Marcelle viewed a modern interpretation of the play and discussed concepts such as jealousy and revenge at a level appropriate to her cognitive ability.

In other subjects, she learned how to perform tasks unique to her needs while participating in small-group activities pertinent to the class lesson. For example, if there was a science lesson, Marcelle participated in the group work and was able to participate in the experiments. For the science class, Marcelle's report card reflected her ability to work in groups, one of the goals of her **Individual Education Plan (IEP)**, as opposed to the science outcomes being studied by her peers.

Marcelle, her family, and the school community have grown positively through the experience of her inclusion. According to her parents, she has become a new person. She looks forward to school each day, is much more engaged at home, and has a significantly improved vocabulary. Most importantly, Marcelle and her family are more confident that she will move to an inclusive post-school option.

**Individual Education Plan (IEP)** A written document that aims to provide educational programs for students with special needs; it includes a statement of the student's present performance, instructional objectives and goals, services required by the student, and evaluation procedures to be used. Usually called an Individualized Education Plan in US literature, it is known by multiple names across Australia: Individual Learning Plan (ILP), curriculum differentiation, Education Adjustment Plan, Personalised Learning Plan, and Negotiated Education Plan.

Of course, the evolution of education practices we know today did not happen overnight. The past 30 years has seen numerous changes in society that have resulted in equal conditions for particular groups. Much of the leadership for these changes has come from the work of the United Nations and UNESCO, whose key frameworks and mandates are summarised in Table 2.1.

**TABLE 2.1** Evolutions of Education Frameworks

| Key instrument | Year in force | Key messages |
|---|---|---|
| *Convention on the Rights of the Child* (United Nations Human Rights—Office of the High Commissioner, 1990). | 1990 | Access to education for all children, regardless of 'race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status', including disability. |
| *World Declaration on Education for All and Framework for Meeting Basic Education Needs* (UNESCO, 1990). | 1990 | Documented a worldwide consensus towards the rights to education for all children, including those traditionally under-served by schools. Specifically, Article 3 of the Declaration called for equal access for students with a disability. |
| *Standard Rules on the Equalization of Opportunities for Persons with Disabilities* (United Nations Division for Special Policy and Development Disability, 1993). | 1993 | Calls for the education of students with a disability in mainstream schools, where possible, with appropriate support services. |
| *Salamanca Statement and Framework for Action on Special Education* (UNESCO, 1994). | 1994 | Calls on the international community to adopt inclusive education where all children learn together. |
| *Convention on the Rights of Persons with Disabilities and Optional Protocol* (United Nations Division for Special Policy and Development Disability, 2006). | 2006 | Article 24 promotes inclusive education with reasonable accommodations and supports for children with disabilities. |
| *Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4* (UNESCO, 2016). | 2016 | Sets out a new vision for inclusive education to be achieved by 2030. |

Deliberate government action to increase equity in education owes much to two historical examples from the United States. One was the attempt to achieve balanced ethnic enrolment in public schools, which involved transporting students to schools away from their local area. This attempt at desegregation had mixed success, and points to the difficulty of using laws to modify traditional patterns of education and social behaviour. The other example was legislation aimed at improving educational outcomes for students. Legislative provisions in the US included the *Americans with Disabilities Act of 1990* (ADA), the *Individuals with Disabilities Education Act* (IDEA), and *Section 504 of the Rehabilitation Act*. Each of these legislative provisions protects the educational rights of students with a disability. You can learn more about these provisions here: <https://www.understood.org/en/school-learning/your-childs-rights/basics-about-childs-rights/at-a-glance-which-laws-do-what>. In 2015, the US passed the *Every Student Succeeds Act (ESSA)*. This legislation governs the provision of public education to one in five students with additional education needs, including minority students, those in receipt of special education services, those who live in poverty, and those who have English as an additional language (Lee, 2016).

Some of the consequences of legislation have been controversial, and some regulations appear to be excessively bureaucratic. Nevertheless, the enactment of legislation has encouraged teachers and parents in many countries to strive for better education for students with a disability. While Australians like to think of themselves as egalitarian people who value mateship and a fair go, there are many examples of unfair practices and prejudice that persist. To move closer toward those values of equality, a number of legislative provisions have been enacted to address marginalisation in society generally, and in education in particular.

## self-assessment ONE

Before we move on, consider these questions:

**1.** What characteristics might teachers need to accommodate in classrooms?

**2.** What is an Individual Education Plan?

Check your ideas against mine at the end of the chapter.

# ▶ AUSTRALIA'S LEGISLATIVE FRAMEWORK

Teachers today must understand that both government and non-government schools are required to adhere to various laws. Some are specifically about education; others are more widespread in their application, such as privacy, judicial review, and copyright laws. Specific legislation varies across each state and territory. Regulations and policies also differ within sectors, such as government and non-government schools.

Much educational legislation distinguishes between students generally, and groups of students with diverse learning needs. Thus, while parents are required to ensure that all children of the appropriate age attend school (apart from those who undertake approved home schooling), schools may be established for particular groups of students, such as gifted students, those who have English as a second language, Indigenous students, students with a disability, and students who have a particular type of disability with very high support needs.

At the federal level, the rights of diverse learners are protected under several Acts that look particularly at human rights, age, race, sex, and disability.

## HUMAN RIGHTS

In 1981, the Australian Government established the Australian Human Rights Commission to handle discrimination complaints. Those who believe that their human rights have been breached may seek remedy at the federal level under the *Australian Human Rights Commission Act 1986*, specifically Part IIB, Division 1, Sections 46P–46PN. It is also possible to pursue a complaint of discrimination at the state level.

## AGE DISCRIMINATION

The Commonwealth *Age Discrimination Act 2004* aims to ensure that all Australians are given the same opportunities irrespective of age. Under Part 4, Division 3, Section 26, Parts 1–4, the legislation prohibits an education authority from refusing to enrol a student, limiting services provided to that student, or expelling a student on the grounds of the student's age.

An issue currently faced by an increasing number of schools is the enrolment of refugee children. Many of these young people have received little or no formal education in their homelands. To determine the appropriate year level for enrolment, school authorities need to take into account the student's age as well as language ability and other needs, but they are not required, under this legislation, to enrol a student in a setting that has been established to educate students of a particular age if that person is not of that age group.

## RACIAL DISCRIMINATION

In 1975, the Australian Government passed the first race discrimination legislation that was substantially based on the *United Nations International Convention on the Elimination of All Forms of Racial Discrimination*. The *Racial Discrimination Act 1975* states that all Australians should be treated equally irrespective of their race, national or ethnic origin, descent, colour, or immigration status. In 1995, the government extended the coverage of the *Racial Discrimination Act 1975* to include the *Racial Hatred Act*.

The Australian Bureau of Statistics (2017) reported that 28 per cent of people living in Australia were born overseas. Despite this diverse cultural profile, racism still occurs. The *All Together Now* report (Dunn et al., 2014) offers recommendations on how to reduce racism in Australian schools. Information can be found here: <http://alltogethernow.org.au/app-for-children-2/>.

Many schools across Australia are multicultural in terms of their student populations. Ghedi's situation in Box 2.2 is a good example of how he will benefit from assessment and teaching processes that reject any hint of differences based on race or culture.

## BOX 2.2    Ghedi

Two years ago, Ghedi and his family escaped from violent civil war in Somalia to begin a new life in Australia. His family have experienced all of the difficulties you would expect of a family trying to adjust to a society very different from the one they fled. They have suffered homesickness, with particular concern for family left behind; struggled with the after-effects of trauma associated with war; and coped with housing issues and learning a new language. Ghedi's father is still battling for recognition of his skills and employment in the field in which he is qualified. At home, Ghedi's family speak Somali. At school, Ghedi experiences language difficulties.

In Ghedi's Year 10 class, there are 28 students, nine of whom have settled in Australia from Burma, Iraq, Bhutan, Afghanistan, Congo, Ethiopia, Sudan, Liberia, and Somalia. There are also two students with a diagnosed disability, as well as one student who might be gifted. Due to the high number of diverse learners in the class, and poor results on the NAPLAN tests, the school has employed a teacher aide to work with the classroom teacher to support the range of diverse learners.

Ghedi is under-engaged at school. He often lacks the language skills needed to contribute to class activities, so he sits quietly in an attempt to escape notice. His NAPLAN tests indicate that he's below the minimum national standard for reading, writing, and language but, given he did not attend school prior to coming to Australia, and that English is a second language, the results are not surprising. Ghedi has reached the minimum standard in numeracy as the test was read aloud to him as an approved **special provision**.

Take a moment to reflect on the following questions:

▶ In addition to those challenges identified for Ghedi and his family, some refugees also report barriers in gaining access to health and community services, discriminatory and racist attitudes, feelings of isolation and loss of community support, and struggle with cultural readjustment. What challenges might refugees face living in your local area?

▶ What special provisions would assist refugee families to settle into your school? These might include the creation of support networks for families, access to interpreters for meetings, print materials written in their first language, counselling in relation to traumatic experience and family separation and isolation, wrap-around supports to help the family gain access to the services they need, and intensive language classes.

Many Indigenous students also face difficulties in their schooling. The rights of Indigenous learners are protected under Australia's obligations to support the 2007 *United Nations Declaration on the Rights of Indigenous Peoples*. After the national apology to the Stolen Generations in 2009, the Rudd Government overturned the decision of the previous government, and offered support for the Declaration. This was a significant decision, with the Declaration making specific reference to the rights of Indigenous learners in Articles 14, 15, 17, and 21.

## SEX DISCRIMINATION

In 1984, the Australian Government passed the *Sex Discrimination Act*. This followed the *United Nations International Convention on the Elimination of Discrimination Against Women*. While some sex discrimination in schools is lawful (e.g., a single-sex school may refuse to enrol a student of the opposite sex), the legislation states that students are entitled to an education that is free of discrimination or harassment.

Some school policies of the past, such as only allowing boys to study Industrial Technology and Design and only girls to study Home Economics, would now be considered discriminatory. Likewise, girls being asked to leave a school because they are pregnant, or refused enrolment due

**special provision** An adjustment made by a teacher that enables a student with diverse needs to participate in a learning or assessment task that enables them to demonstrate what they know. Typical special provisions include adjusting the way a task is presented, allowing the use of additional materials or equipment to enable task completion, adjusting the way a student needs to respond to a task, allowing more time for response, deferring an activity, or allowing the student to complete the activity (such as an exam) in a separate location.

to pregnancy, would be discriminatory. The legislation also holds schools responsible for bullying that constitutes sexual harassment.

## DISABILITY DISCRIMINATION

Students with a disability are entitled to the same educational opportunities as all other students and, under the Commonwealth *Disability Discrimination Act 1992*, it is illegal for an educational authority to discriminate against a child on the basis of disability. *Disability* in this context has a broad meaning. It refers to cognitive, psychiatric, neurological, physical, and sensory difficulties. It also extends to organisms in the body that can cause a disease, such as hepatitis C. A student may currently have a disability, have had it in the past (e.g., was previously diagnosed with a disease), or may be at risk of developing one in the future due to family predisposition or a genetic progressive illness. As a teacher, you may believe a disability exists even if one is not diagnosed. The legislation also extends protection to family or friends of those who have a disability from being treated unfairly because of their relationship. Importantly, children who exhibit complex and challenging behaviour as a manifestation of their disability also have their rights protected under the Act.

The *Disability Discrimination Act 1992* has an extra condition that applies to disability: discrimination may be allowed if *not* to discriminate would constitute **unjustifiable hardship**. Thus, when cases concerning discrimination in education are brought before the Australian Human Rights Commission, the point at issue is usually whether an unjustifiable hardship results for the school, the teacher, or other students.

Bringing cases for resolution is expensive and time-consuming and, therefore, the Commonwealth Government authorised the *Disability Standards for Education 2005* in an attempt to clarify expectations and legal obligations under disability discrimination legislation. In effect, if schools and teachers act in accordance with the Standards, then they will not contravene the *Disability Discrimination Act 1992*. The Standards broadly cover most aspects of schools, as shown in Figure 2.1.

**unjustifiable hardship**
A provision within disability discrimination legislation that allows an educational authority to argue that providing an adjustment to support the needs of a student with disability would cause the provider significant financial difficulty; or pose a risk or detriment for the student, staff, or other students; or be of no benefit for the student. In these cases, it may be lawful for an educational authority to discriminate.



**Figure 2.1**    The five aspects of the *Disability Standards for Education 2005*
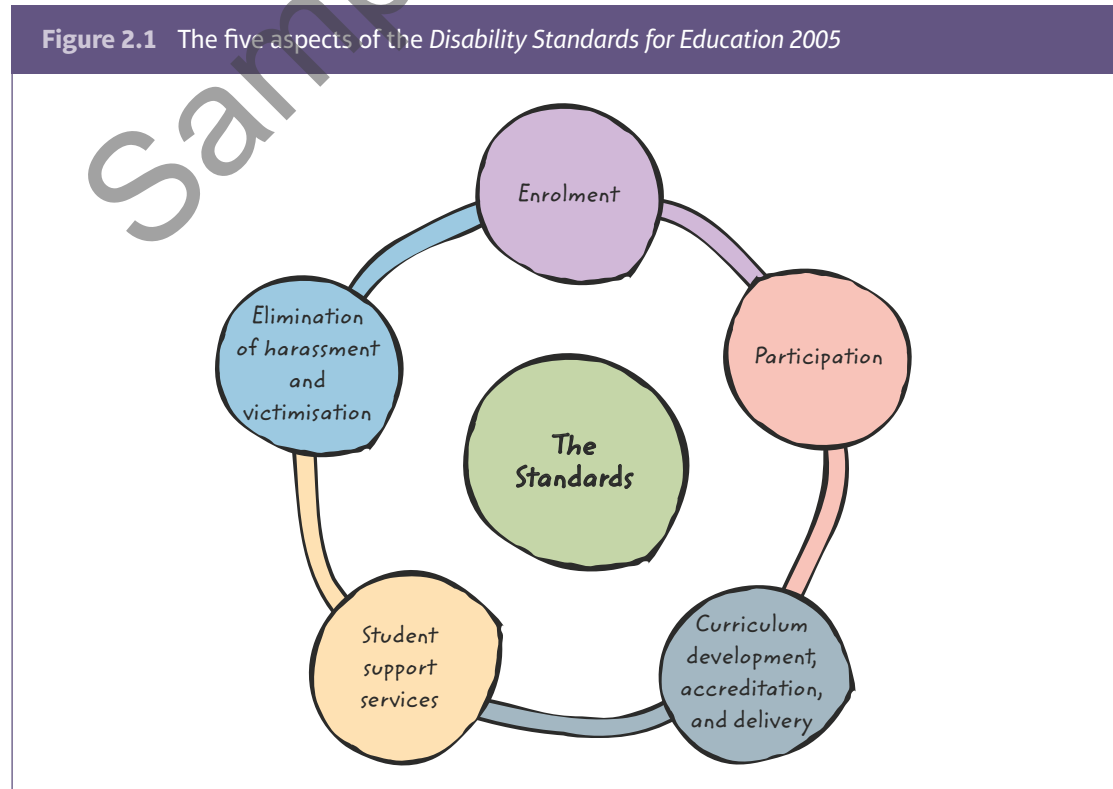
## STATE AND TERRITORY DISCRIMINATION LAW

At the time of writing, the following state and territory anti-discrimination legislation is in force. The URLs of these states' legislation databases are provided to assist you to locate the relevant legislation quickly. Generally, you can find these by typing 'Acts in force', then the name of your state or territory, into a web search engine:

▶ Australian Capital Territory: *Discrimination Act 1991* <http://www.austlii.edu.au/au/legis/act/consol_act/da1991164>

▶ Queensland: *Anti-Discrimination Act 1991* <http://www.austlii.edu.au/au/legis/qld/consol_act/aa1991204>

▶ New South Wales: *Anti-Discrimination Act 1977* <http://www.austlii.edu.au/au/legis/nsw/consol_act/aa1977204>

▶ Northern Territory: *Anti-Discrimination Act* <http://www.austlii.edu.au/au/legis/nt/consol_act/aa204>

▶ South Australia: *Equal Opportunity Act 1984* <http://www.austlii.edu.au/au/legis/sa/consol_act/eoa1984250>

▶ Tasmania: *Anti-Discrimination Act 1998* <http://www.austlii.edu.au/au/legis/tas/num_act/aa19984601998250>

▶ Victoria: *Equal Opportunity Act 2010* <http://www.austlii.edu.au/au/legis/vic/consol_act/eoa2010250>

▶ Western Australia: *Equal Opportunity Act 1984* <http://www.austlii.edu.au/au/legis/wa/consol_act/eoa1984250>

In addition to these Acts, each jurisdiction has legislation in the areas of education, child protection, disability services, and privacy.

### self-assessment TWO

There is quite a lot of information provided in this last section. So, before we move on, consider these questions:

**1.** Name the five areas of federal legislative provisions that protect diverse learners.

**2.** Name five pieces of Australian federal government legislation that apply to schools.

**3.** What is the name of the legislation that applies when building new schools/classrooms?

Check your ideas against mine at the end of the chapter.

## ▶ DISABILITY STANDARDS FOR EDUCATION

**LO 2.3**

Describe the obligations that teachers are expected to meet under the *Disability Standards for Education 2005.*

Let's now turn our focus to the *Disability Standards for Education 2005*. For the remainder of this chapter, we will study each of the five aspects in detail. Let's start with the first aspect: enrolment.
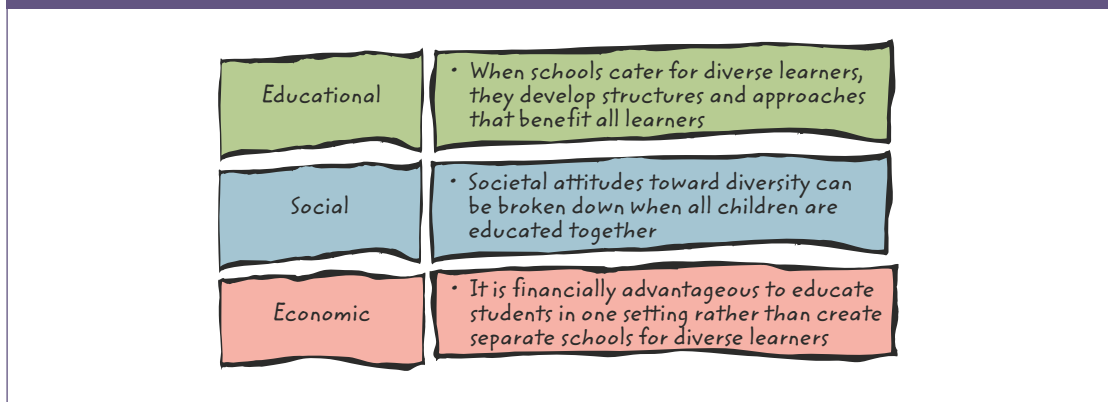
### ENROLMENT

Schools are mandated by the Standards to eliminate any barriers to enrolment for students with a disability. To achieve this, these barriers need to be identified so that necessary resources to support inclusion can be provided. UNESCO (2009) identified three justifications for the elimination of barriers to enrolment (see Figure 2.2).

To address these barriers, across Australia, there exists a range of enrolment options for students with a disability.

**Figure 2.2** Reasons to eliminate barriers to enrolment (UNESCO, 2009)

| Educational | • When schools cater for diverse learners, they develop structures and approaches that benefit all learners |
|---|---|
| Social | • Societal attitudes toward diversity can be broken down when all children are educated together |
| Economic | • It is financially advantageous to educate students in one setting rather than create separate schools for diverse learners |

## Regular and special schools

Before the mid-1970s, most students with a disability were not enrolled in regular schools and classes but were educated through a special education system that operated in parallel to the regular school system. In recent years, there has been much debate about whether special schools and classes were the most appropriate or most effective ways of educating these students (Hornby, 2014; Loreman, Forlin, Chambers, Sharma, & Deppeler, 2014; Mann, 2016). Today's special schools enrol students who have high support needs (e.g., serious challenging behaviour, severe intellectual disability, multiple disabilities), and the teachers and other staff have specialist skills in those areas. While a small percentage of parents still prefer to enrol their children in a special school, many strongly favour local schools or the schools attended by siblings, and education systems have developed policies to respond to these choices.

Various advocates for inclusion have encouraged parents and school staff to be more assertive in dealing with educational bureaucracies. Although regular schools differ in how receptive they are to students with special needs, parents and their children also vary in the extent to which they seek regular education settings. In the first place, if parents have initially obtained a regular school placement—often at preschool level—there is a tendency to expect the school to maintain appropriate education programs for the child if he or she remains at the school and progresses from one year level to the next. Thus, a move to a special school occurs only if the regular school proves unsatisfactory. Telfer and Howley (2014, p. 3) claim all students with a disability can be enrolled successfully in any mainstream setting, even rural and isolated locations, provided the following practices are in place:

(a) using data well;
(b) establishing and maintaining focus;
(c) selecting and implementing shared instructional practices;
(d) implementing deeply;
(e) monitoring and providing feedback and support; and
(f) inquiring and learning.

Enrolment issues also exist for students who present as gifted but also have a learning disability (see Box 2.3).

## BOX 2.3     Peter's enrolment

Under Section 26(3) of the Commonwealth *Age Discrimination Act 1994*, schools that have been established for children of a particular age can discriminate on the basis of age. This legislation posed a problem for Peter who has been identified as gifted but who also has a learning disability.

Peter's parents wanted him to start school as soon as he could as they recognised his gifts. The state in which they lived, however, required children to have turned 5 years of age by 30 June in the year they start their first year of school. As Peter's birthday is on July 15, this would have delayed Peter's enrolment until the following school year. They decided to move to another state that allowed students to enrol provided they had turned five by July 31 of that year.

Peter is currently in Year 3, although he's working on learning outcomes that range from Years 1 to 6, depending on the content area. The teachers at Peter's school were apprehensive about what would happen when he needed to move on to high school content, as none were trained to teach the secondary school curriculum. To solve this problem, they contacted their local high school to explore the possibility of **acceleration** so that Peter might be provided content and mentoring from a high school teacher. So, it was not anti-discrimination legislation that assisted Peter's education, but system policies.

**acceleration** A series of procedures that allow gifted students access to the curriculum at an academic level that reflects their intelligence. These strategies might include starting school early (early entry), working through subject material at a faster pace (compacting), joining a higher year for a particular subject (single-subject acceleration), skipping a year (or many years) completely, or enrolling at a university in a subject or course while still in primary or secondary school.

## School readiness

There are several issues that relate to enrolment. Peter's situation in Box 2.3 raises the first issue: Is age a good measure of school readiness? It is important to remember that in the first year of school (or in any year, for that matter) there can be up to 12 months' difference between the youngest and oldest student in the class. Age is generally not a good determinant of whether a child is ready to go to school. School readiness is better determined by the communicative ability, emotional resilience, independence, cognitive ability, physical wellbeing, motor coordination, concentration, and social and behavioural skills needed to learn. Early Childhood Australia has published some fact sheets on school readiness: see <http://www.earlychildhoodaustralia.org.au/parent-resources/transition-school/>.

Why do different educational jurisdictions have different starting ages, and what problems might these cause families? Each education department determines the age at which children are able to start school. Many families find the different starting ages quite confusing, especially when they have interstate family members of similar ages to their child who are in different year levels. It also can cause issues for families that move between states and territories with a child prepared to go to school only to find they don't meet the eligibility criteria (or not prepared to find out if they do). Families might also be concerned that their child is exhibiting (or not exhibiting) signs of school readiness irrespective of the legislated starting age.

How do you think readiness for school should be determined? Some schools will have a readiness screener that tries to measure communication, social, physical, and cognitive skills. For example, communication skills that might be considered necessary for a child to start school include the ability to understand and follow simple instructions.

Now let's turn our attention to the second aspect of the *Disability Standards for Education 2005*: participation.

## PARTICIPATION

The Standards call for the elimination of barriers to participation at school. Although new buildings need to conform to the federal *Disability (Access to Premises—Buildings) Standards 2010*, many older schools present access problems and education authorities resist retrofitting these premises to enable just one student to attend the school of their choice.

Of course, getting into the buildings is only the first step to participation. Next, schools need to consider what will happen once the student is there. Even if schools have provided inclusive facilities, an understanding of the full meaning of inclusion can still be missing. There are examples of high school dances being held at inaccessible venues, school excursions that are inaccessible to students using wheelchairs, and curriculum materials and instructional approaches that are at inappropriate levels for some learners. These illustrate the point that schools need to be vigilant when thinking about how to enable participation for all learners in all aspects of school life.

If students with a disability—or those who may be marginalised—are to be educated successfully, their peers, teachers, and the wider community must understand and accept the philosophy of inclusion. Using the notion of social justice, participation in education should not involve discrimination against females, ethnic or other social minorities, Indigenous groups, and those with diverse learning needs. This has made education an issue of not just equity, but also resourcing. The level of participation achieved by learners with difficulties is frequently tied to how the system identifies learners with difficulties, and then allocates resources to their school to support their needs.

## PROBLEM-BASED LEARNING REVIEW 1

Take a few minutes away from this textbook to read the *Disability Standards for Education 2005*. Go to <https://www.legislation.gov.au/Details/F2005L00767>. Scroll down to the standards for participation (Part 5). What does this mean for Rhys?

*Part 5.3f* requires a school to ensure that any activities not conducted in classrooms, and associated extra-curricular activities or activities that are part of the broader educational program, are designed to include the student. Once Rhys' needs are determined, the school could discuss the adjustments they could make to support his participation at camp.

At this point, it is important that you understand risk management protocols. You may have been introduced to risk management in one of your teacher education programs. If not, take some time to visit the website of your state education authority. Type 'risk management' and the name of your state education authority into your web browser and click on the most relevant item in the list. For Victoria, for example, <http://www.education.vic.gov.au/school/teachers/studentmanagement/excursions/Pages/outdoorrisk.aspx> will provide you with guidance on managing risks associated with excursions.

### Allocating resources

Across Australia, states and territories allocate resources using differing criteria. So, a student may receive funding to support their disability in one school, but if they move to another in a different sector or state, they might not be eligible for similar support. In December 2012, the Australian education ministers provisionally approved the first nationally consistent collection of data on students with a disability across Australia. Data collection commenced in 2013 in selected sites, with full implementation achieved in 2015. It built on a 2011 trial that gathered data about students with a disability and the level of resourcing required to support enrolment and participation. This new model of resourcing moves away from traditional funding that is based on level of disability and toward funding that is based on the identified level of support required by the student.

### Accessibility

Part 1.3 of the *Disability (Access to Premises—Building) Standards 2010* (Australian Government Attorney-General's Department, 2011) require that people with a disability have 'dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings'. While the Premises Standards apply to all new buildings, older schools may have been constructed as high-set buildings with stairs, or without ramps or tactile surface indicators, inaccessible



*This shows an excellent example of an access route for a wheelchair. Notice the easy slope and dual-level railing?*

*Source:* Ron Baily/Getty Images

toilets, poor hearing augmentation, lighting issues, and no emergency warning systems for students with hearing impairments. These facilities are often retrofitted when a child with a particular need seeks admission. In addition, some spaces in schools that were designed to support access are being inappropriately used. For example, wheelchair-accessible toilets are used as storerooms, accessible parking bays are used for the visiting dental vans or to accommodate industrial waste bins, and access gates are locked to prevent entry by unauthorised visitors.

Despite many schools having addressed physical access issues, curriculum materials also cause frequent access issues. For example, print materials might be unsuitable for students with vision impairments and text-processing difficulties, and reading materials might not be available at differing levels.

How can the participation of a student be measured, beyond simply noting their presence at school and extra-curricular events? Participation is more than just turning up. Think about three points here:

1. Is the student cognitively engaged in what they are to be learning? How do you know they're learning?
2. Are they emotionally engaged? Do they want to be there? How can you tell if they're enjoying an activity?
3. Finally, are they behaviourally engaged? Is the student concentrating, persisting, and asking questions?

Let's now focus on the third aspect of the *Disability Standards for Education 2005*: curriculum development, accreditation, and delivery.

## CURRICULUM DEVELOPMENT, ACCREDITATION, AND DELIVERY

Australian teachers are required to design and plan learning pathways that help children to gain access to curriculum that has been designed and accredited by education ministers, with advice from expert teachers. Let's have a look at curriculum across the schooling years.

### Early years curriculum

In 2009, the Council of Australian Governments endorsed Australia's *Early Years Learning Framework*. This first national framework was part of a reform agenda to ensure high-quality early childhood education across all Australian educational jurisdictions. The framework was viewed as evidence of the Australian Government's commitment to their obligations under the *United Nations Conventions on the Rights of the Child*. It supports the right for all Australian children to have access to a foundational education program designed to maximise their abilities, while respecting family diversity and emphasising their active participation in the educational process.

The framework documents the foundation outcomes, principles, and practices considered to be essential for children from birth up to and including entry into school (Australian Government Department of Education and Training, 2017). While the framework supports play-based learning, it also documents early development in the areas of communication and language as well as social and emotional development. At the end of 2010, a supporting guide was published for educators.

### School-age curriculum

The Australian Curriculum, Assessment and Reporting Authority (ACARA) was formed in 2009. It is responsible for the development of a national curriculum from **Foundation** through to Year 12 in specified Key Learning Areas (KLAs). The specified areas include English, Mathematics, Science, the Arts (comprising Visual Arts, Drama, Dance, Media Arts, and Music), Health and Physical Education, Humanities and Social Sciences (including Civics and Citizenship, Economics and Business, Geography and History), Languages, Technologies (including Digital Technologies as well as Design and Technologies), and the National Trade Cadetships. You will read a lot more about KLAs in later chapters.

You can find out more about the curriculum being implemented by each State and Territory here: <http://www.australiancurriculum.edu.au/curriculum/overview>.

**Foundation** The term used to describe students in the year prior to Year 1. In some states and territories, this may be known by other names such as Reception, Preparatory (Prep), or Kindergarten.

Of importance here is the fact that most students with a disability are expected to engage with the curriculum with the appropriate level of adjustment. This may include adjusting the teaching methods and practices (i.e., the pedagogy) used by the teacher, adjusting the learning environment, and providing alternative opportunities that enable the student to demonstrate their learning. ACARA (2016) has also developed specific advice for principals, schools, and teachers to assist students with a disability to access and participate in the Australian Curriculum. Go to <http://www.acara.edu.au/curriculum/student-diversity> to read more about this advice. This content emphasises communication, literacy, numeracy, and personal and social capabilities such as regulating emotions, building relationships, and decision-making.

## Assessment

In assessing student learning against the standards prescribed in the Australian Curriculum, the challenge will be to report the achievements of those learners for whom the year-level standard may not be appropriate. This includes gifted learners capable of achieving standards beyond those expected of their current year level, and learners whose rate of learning is slower than that of their peers. ACARA acknowledges that children learn at different rates but the indicative timeframes set for each content area may not be achievable for many students with a disability. Teachers are expected to use the standards with all learners, and all learners will be held to the same high expectations (ACARA, 2016). The decision as to whether schools can report on the learning of students using standards aimed at higher or lower year levels is left to individual states and territories for determination.

The federal government also increased the accountability demands on schools, especially for literacy and numeracy achievement, and students are required to take national achievement tests every few years in addition to regular school and classroom assessments. Teachers are under pressure to produce the best outcomes for their students, including those who may experience difficulties in what could be a rigid learning environment. Although schools do not expect many students with intellectual disabilities to reach the benchmarks for specific ages, there is a general recognition that literacy and numeracy achievements are important goals for all students, regardless of their varying education and personal histories. Again, whether it will be possible for a student in Year 5 to sit the Year 3, 7, or 9 NAPLAN test, for example, has not been determined. You can find out more about the National Assessment Program here: <https://www.nap.edu.au/home>.

Schools are also increasingly accountable for student achievement generally and are required to report on students' performance. Some schools might be required to deal with students and families experiencing socioeconomic disadvantage; there might be an increased prevalence of behaviour problems in the school, and increased class sizes. With increasing government pressure for high standards, there is a risk that students who experience learning problems may not be especially valued. This becomes more apparent when public scrutiny is directed toward schools' results through the publication of data on websites such as *My School* <www.myschool.edu.au> and in the popular media. There is little doubt that accommodating the needs of diverse learners, combined with the tensions from publishing school data, may increase stress among teachers.

Let's now focus on the fourth aspect of the *Disability Standards for Education 2005*: student support services.

## STUDENT SUPPORT SERVICES

Equitable support for all learners is seen as a significant social justice issue. Social justice seeks to maximise educational outcomes for all students. In this section, we will consider the range of supports that would assist Rhys to manage both his behaviour and academic needs.

All educational jurisdictions across Australia have policies on creating safe and supportive environments that minimise complex behaviour. For effective and purposeful learning to occur, teachers may require support to minimise interruptions to student learning. Generally, we know interruptions to learning can occur for a range of reasons: students needing to leave class for toileting, the management of medical conditions (e.g., seizures), and administration of medication.

More serious reasons might be related to self-harm, or aggression toward others. Common interruptions cited by teachers include students making uncontrolled noises that disturb other students, out-of-seat behaviour, talking out of turn, using sensory tools that distract other learners, and so on. If an aide or other support is provided, the impact on learning can be reduced.

An important consequence of the past decade of legislative reform is that all students now have the right to participate in all aspects of their educational program. For full participation to be achieved, some students require additional support services (see Box 2.4).

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## BOX 2.4    Types of support services

The types and levels of support required will depend upon a student's needs. Some examples include:

▶ Providing **braille** training, **orientation and mobility training**, or auditory training to enable a student to participate fully in teaching and learning activities;
▶ monitoring equipment operation, for example, checking batteries to ensure that hearing aids or **FM hearing systems** are in working order;
▶ a teacher keeping in regular contact with a student that is undergoing medical treatment;
▶ running a homework club for students who have English as an additional language or families that are busy;
▶ ensuring a student with a mobility or motor impairment has physiotherapy and the correct **assistive technology** to facilitate proper positioning;
▶ a nurse assisting students with personal hygiene or teaching an individual about menstrual management; and
▶ supporting students in classes that use specialist equipment, when using playground equipment, or when engaging in emergency evacuation procedure exercises.
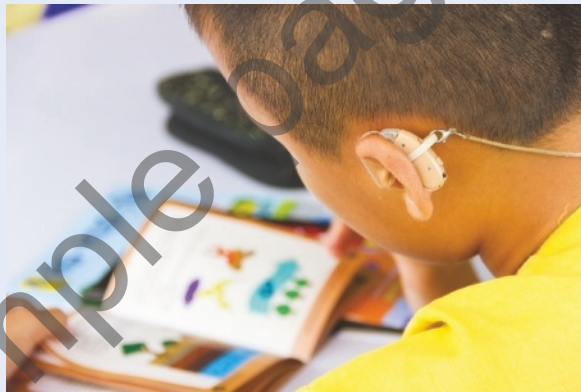
*A hearing aid, such as this one, is invaluable for a young student to participate fully in classroom activities.*
*Source:* GUNDAM_Ai/Shutterstock.com

**braille** A tactual language system based on a cell of six potential raised-dot positions, arranged in two columns and three rows. Various combinations of these six dots then form the basis for all braille symbols.

**orientation and mobility training** Training to support those who are blind or who have low vision to know where they are, have an awareness of their environment, and develop the confidence to move within their environment. It generally involves the use of mobility aids such as canes, electronic aids, or guide dogs.

**FM (frequency modulated) hearing systems** A small microphone worn around the teacher's neck allows their voice to be transmitted directly to a receiver attached to the student's hearing aid.

**assistive technology** Specially designed technology used to support students with a disability.

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Typical support services available in many schools at all education levels include homework clubs, outside school hours care, and lunchtime clubs. Specialist support staff might also be available, including a school nurse, guidance officer or counsellor, chaplain, behaviour specialists, special education teachers, Teachers of the Deaf, visiting teachers or specialists, therapists, an early intervention support team, teacher aides, and orientation and mobility teachers/instructors.

Providing support services requires the same level of planning as making adjustments to the curriculum. The first step would be to discuss any planned support services with the child, where appropriate, and with their parents. Second, it needs to be ensured that support services will provide a benefit to the student, helping them to participate in all aspects of the educational program and all areas of school life. Third, the cost of providing the service should also be considered. Again, this includes not only financial cost, but also the cost to the student (such as impact on their **self-esteem**), and any cost to the school (such as access to specialists).

The provision of a support service might impede learning or relationships. For example, a support service might diminish the independence of a student, especially when they become reliant on a teacher aide by their side. Most students with physical and sensory impairments

**self-esteem** The value that people place on their self-concept—that is, the positive and negative judgements of the characteristics that people attribute to themselves.

participate in the educational program in their local school with support in the form of supplementary instruction from staff that have specialist knowledge and experience. This may be provided directly to the student or advice may be given to the teachers. This may inhibit peer relationships; for example, a Deaf teenager who communicates through **Auslan** may be too embarrassed to tell their peers about their weekend if they are reliant on an interpreter, and their peers might be more hesitant to disclose information when an adult is there interpreting.

When students rely on alternative communication methods and a specialist teacher is needed to instruct them in braille or sign language, they are likely to be enrolled in small numbers in a school where such support is available. A bilingual/bicultural model is sometimes used for Deaf children, which involves their enrolment in classes with hearing children, with a regular teacher and a signing teacher/interpreter in the classroom. Some of the students and staff will learn enough sign language to enable them to communicate with students with a hearing impairment. Some students and their parents have found it necessary to use the provisions of anti–discrimination legislation to obtain access to support (see Box 2.5).

**Deaf community** A community characterised by its own language (sign language) and its own pattern of beliefs, values, customs, arts, institutions, social forms, and knowledges.

**sign language** A language in its own right that has its own grammar, morphology, syntax, location, semantics, and pragmatics. Meaning is achieved through the combination of hand shape, location, movement pattern, and intensity, as well as facial and bodily expression. In both Australia and New Zealand, the language of the Deaf community is recognised as a legitimate national language.

| **BOX 2.5** | **Use and limits of anti-discrimination legislation** |
|---|---|

In a densely populated outer-city suburb, a primary school accepted Amy's enrolment. Amy has a hearing impairment. The school was willing to support Amy and a teacher trained in the area of hearing impairment was employed part-time to assist. The approach to teaching students like Amy included augmentation of hearing and Signed English, an approach that used manual signing to interpret English language. The adult **Deaf community** does not use Signed English and Amy's parents wanted her to be supported in school by an interpreter fluent in Auslan, the **sign language** used by adults with profound deafness.

Amy's parents tried to persuade the state education department that their daughter should get in-class instruction via Auslan. They argued that Auslan was the only appropriate method of instruction, and that any other method should be viewed as discriminatory. When the education department denied their request, Amy's parents sought redress through their state's Anti-Discrimination Commission, and were successful. The Commission found overwhelming evidence that Amy's education had suffered as a result of not having an Auslan interpreter, that Amy had suffered socially, and that the impact of not being taught in Auslan would likely cause long-term economic loss as Amy was not working at the same level as her hearing peers.

After some time, the state education department decided to cease the use of Signed English and, instead, required teachers to use Auslan when teaching students who needed signed communication. It accepted the responsibility of ensuring that Auslan would be available in schools to support students who required this medium. The challenge of ensuring sufficient staff fluent in Auslan was taken up by a university.

Let's turn our attention to the final aspect of the *Disability Standards for Education 2005*: the elimination of harassment and victimisation of both students with a disability and their **associates**.

## HARASSMENT AND VICTIMISATION

Harassment and victimisation includes any actions that might humiliate, offend, distress, or intimidate the student or an associate. As a teacher, you must be aware of discriminatory behaviour and take every step to prevent it from happening. In addition, you have a legal obligation to respond to any witnessed or reported instances of harassment or victimisation. It is important to familiarise yourself with your school's Code of Conduct and procedures for handling complaints. There is also an imperative that you are familiar with the *Australian Professional Standards for Teachers* (AITSL, 2014): see <https://www.aitsl.edu.au/australian–professional–standards–for–teachers/standards/list>.

The school community you join has an important role in ensuring that education is available equitably to all students. You will not only play your part in the school, but also will help to produce a new generation of citizens who are likely to accept difference in Australian society. Gender identification, ethnicity, and disability are all topics that can be incorporated into English, Humanities and Social Sciences, the Arts, and Science curricula. If all students have an informed basis for their attitudes and actions, instead of stereotypes derived from ignorance, a significant benefit of this approach would be a cooperative school climate that eliminates victimisation and harassment.

## self-assessment THREE

Take a few minutes to consider the following questions as a review exercise of this section:

**1.** When it comes to enrolling students with disability, what are schools required to do?

**2.** Give three examples of supplementary instruction that might be given to students with sensory impairments as part of a support service.

**3.** Who are the two sets of people, under the *Disability Standards for Education 2005*, who must be protected from harassment and victimisation?
Check your ideas against mine at the end of the chapter.

## ▶ LEGISLATIVE IMPLICATIONS

UNESCO (2017) reminds us, 'every learner matters and matters equally' (p. 12). Schools need to be organised, and acknowledge that there *will* be individual differences among students. Limitations (and strengths) in learning are important only when the gap between the child's needs and the main class curriculum becomes too great. In this case, it may be necessary for some students to work toward goals that are different to those being addressed by their peers. Many teachers seem concerned when the student's achievement level is substantially below that of low-achieving students in the class. The teacher may try to develop a separate program for the child (which is often impractical) or find ways to include the student in common classroom activities that provide useful learning opportunities. This becomes difficult for students who have limited intellectual capabilities or limited language skills.

Classroom organisation that assumes students will differ in how they can engage in curriculum is likely to make the challenge of accommodating students with a disability seem, and be, more manageable. Universal Design for Learning (UDL) has been shown to be an effective way for teachers to plan so that the needs of all students are accommodated in each lesson or task. See the Applications section later in this chapter for some examples of activities that incorporate both common and differentiated outcomes, UDL principles, and the use of technology.

Inclusion that is inadequately resourced in either materials or in-service support is difficult to justify; fortunately, it is relatively easy for teachers to modify some aspects of their teaching to meet the needs of most students. Examples include having a choice of textbooks with different readability levels, and setting assignments with graduated tasks that challenge the more able students while the less able accomplish tasks that are appropriate for their skills and knowledge. Caution should be observed when adjusting readability by shortening sentences or substituting vocabulary. Often the coherence of a text is damaged by such changes. It might be better to annotate the text with brief explanations of difficult vocabulary, underline major ideas, ask preliminary (or prompting) questions, or use digital media that has limited reading or writing demands.

## REASONABLE ADJUSTMENTS

The *Disability Standards for Education 2005* and the *United Nations Conventions on the Rights of Persons with Disabilities* agree that schools must take all available steps to ensure that the educational needs of students are met. It is a legislative requirement of the Standards that teachers provide **reasonable adjustments**.

Adjustments are supports or services that ensure content and pedagogy is fully accessible to all students. Meeting students' diverse learning needs might be a simple matter of adjusting the way in which the curriculum is presented. However, this can present challenges as teachers strive to retain essential elements of the curriculum. Suitable adjustments enable all learners to participate in the learning experience and in the assessment tasks on the same basis. It might be necessary to modify a teaching strategy, the learning or assessment activity, the resources used, or the environment. This can be achieved by setting high expectations for all learners and then providing reasonable adjustments that enable learners to demonstrate their learning. There are additional examples of curriculum adjustment in the Applications section later in the chapter but right now let's read one example of how a practitioner makes reasonable adjustments for students with a disability that impact on their ability to read printed materials (see Box 2.6).

**reasonable adjustments**
Adjustments provided by a teacher that enable a student with a disability to participate in a lesson, and demonstrate their learning, without placing an unnecessary burden on the student, their peers, or the teacher.

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**BOX 2.6**   **Practitioner's perspective: Reasonable accommodations for students with print disabilities**

**Emily White, Specialist Vision Teacher, Statewide Vision Resource Centre, Victoria**

Students with print disabilities include those students who cannot gain access to information in a print format. This may be because they are blind or have low vision, have physical disabilities that limit their ability to hold or manipulate information in a printed form (like a paperback book), or have perceptual or other disabilities that limit their ability to follow a line of print or which affect their concentration. These students will need reasonable accommodations to ensure they can obtain the same information in a timely fashion as their peers who do not have a print disability.

Most students with a print disability will receive support from a specialist itinerant teacher for students with vision or physical impairments, who will be able to advise on a student's preferred learning and literacy media. Learning media includes the ways in which a student accesses information for learning, and can include visual, tactual (using their sense of touch), and/or auditory (hearing) methods. Literacy media refers to the tools and formats for reading and writing, and includes braille, large print, audio, and/or electronic formats. Meeting regularly with the specialist itinerant teacher will support good communication about the student's abilities and learning needs, the ways in which the student's needs can be accommodated in the classroom, and setting high but achievable learning goals.

*Source:* Emily White

As students with print disabilities will all have different needs, it is important that classroom teachers seek guidance from their specialist itinerant teacher, as well as the student and family members, about the type and scope of accommodations needed. In general, providing clear verbal descriptions of any visual aspects of a learning activity, such as a picture or maths equation on a whiteboard, can help the student gain the same benefits from those visuals as their peers without print disabilities. It is also important to supply any learning materials that need to be converted into alternate formats (such as braille, large print, or electronic text) to the person or organisation responsible for conversion well ahead of the time that they are required, as translation can take up to several weeks. Students with print disabilities need the same level of praise and expectation as their peers without print disabilities, and to not be singled out for extra praise because of how they access information differently, such as by reading braille.

So, what should guide you when determining the types of adjustments needed to support a student's learning? You might consider the current skills of the student and the educational goal being taught. Together you, the student, and the student's family can identify any barriers that may prevent the student from attaining the goal. Adjustments can then be selected that will reduce the barriers and allow the student to show they have achieved the desired learning objective.

How can you determine what adjustments are reasonable? The first step would be to discuss any planned adjustments with the student, where this is appropriate, and with their parents. During this discussion, it is important to consider the needs that arise from the student's disability in relation to what is being learned. Second, the adjustments should provide a benefit to the student, helping them to achieve the planned goal. The provision of the adjustment might also be considered reasonable if it benefits other students in the class. Third, the cost of providing the adjustment must be considered. This includes not only financial cost but also the cost to the student (such as reduced independence), the cost on peers (such as less availability of the teacher), and any cost on the classroom teacher (such as unreasonable planning time). Finally, the integrity of the educational goal also needs to be considered. Any adjustment must not diminish the academic integrity of what is being taught.

And what about academically unfair advantage? An adjustment can't compensate for skills a student does not have, or knowledge they don't possess. Any adjustments provided must not jeopardise the inherent requirements of the tasks. For example, if you are testing spelling, a student may type their responses on a computer, but any spell–check function needs to be disabled otherwise the student has an unfair advantage over peers, and you can't fairly report on the student's spelling ability. For each outcome, teachers need to consider the inherent requirements (what is the knowledge or skill this task is assessing) and then determine whether the provision of an adjustment would offer that student an advantage. This is highlighted in most high–stakes testing and also in policies for subjects that have a credential attached to them (e.g., senior certification, vocational qualifications).

## self-assessment FOUR

This is the last set of questions in the chapter. Take a couple of minutes to test your recall.

1. What Australian legislation mandates that teachers provide reasonable adjustments?
2. What should guide teachers when determining adjustments?

   Check your ideas against mine at the end of the chapter.

## PROBLEM-BASED LEARNING WRAP-UP

You will be starting to get an idea of Rhys' capabilities and areas in which he will need support. Also, you can see that Rhys would benefit from a range of adjustments. What types of adjustments do you think might support Rhys' learning?

Rhys has an intellectual impairment. To determine the types of adjustments that would be beneficial, it would be important to determine his current ability in each subject. Due to his previous negative experiences, his report cards might not give a true indication of his ability. An important activity in each subject would be to test Rhys' knowledge or skills prior to the commencement of each topic/unit of work. This will show what he already knows and can do, and thus can save you valuable time that otherwise might be spent focusing on things he needs to learn. You may find this resource guide on teaching students with intellectual disability useful: <http://www.bced.gov.bc.ca/specialed/docs/id_instructional_support_tool.pdf>.

Talking with Rhys and his family about their experiences, and their desires, shows that you are interested in what has happened before and that you want to work with them toward a successful educational outcome for their child. Major key elements to success for students with a disability are student and family consultation, clear adjustments to support their learning, the provision of support services that are timely and in direct response to identified needs, and inclusive and welcoming environments that are safe and supportive. An underlying commitment to reasonable adjustments will unlock access for Rhys and his family, and indeed all students with special learning needs.

As there was apparently an issue with Rhys attending an excursion, you decide to conduct a mapping activity for each of Rhys' subjects to highlight any out-of-school curricula activities, including excursions and sports days. Once these have been identified, you can help Rhys prepare for these changes of routine by teaching him what will happen on those days and showing him appropriate ways to seek teacher assistance if he needs help.

There will be many adjustments necessary to accommodate Rhys fully in all of the school's activities. A positive attitude toward Rhys and his parents will ensure a great start.

## CHAPTER SUMMARY

Here are four important points that I would like you to take away after having read this chapter:

► Today's schools welcome a diverse range of learners, providing teachers with a unique challenge in considering the ways that all learners can feel welcome and their needs can be accommodated.

► A broad range of legislation protects the rights of all learners to a safe and inclusive education.

► The *Disability Standards for Education 2005* clarify the specific ways in which schools can ensure students with a disability are able to enrol, participate, and engage in learning experiences, with the necessary supports, and free from victimisation and harassment.

► Classroom teachers must ensure they make reasonable adjustments to curriculum to allow students with a disability to learn on the same basis as their peers. You will read much more about this below and in the following chapters.

## APPLICATIONS

Throughout this chapter, we have considered your legislative obligations to enable you to provide reasonable adjustments that enable all learners to engage with the curriculum. In this section, I provide some practical examples of how you can make reasonable adjustments for students with particular learning needs. In each example, the teaching–learning environment and practices can be arranged so that they are appropriate for the needs and characteristics of different students. This might involve deleting the already mastered material from the curriculum; adding content, processes or expectations; extending existing curriculum through enrichment activities; providing work for more able students at an earlier age than typical; and including new units or courses that meet the needs of specific students.

Each example could be expanded into one or more complete lessons. The purpose here is to simply offer a starting point. Notice that it's not always necessary to target or emphasise certain tasks for a student who has additional learning needs.

### Gathering history

The following is an example of a reasonable adjustment in a Year 8 History class studying 'The Medieval World'. In this lesson, students learn about the differences between life in medieval Europe and Australia today. The class includes James, who has a learning difficulty, which manifests in his difficulties in processing large amounts of information.

| The medieval world (Year 8) | |
| --- | --- |
| Skill addressed | Locate, select, and organise historical information from a variety of sources. |
| Standards | When inquiring into the past, students follow a research process such as posing an inquiry question and sub-questions to develop a research focus, identifying information needed, and planning tasks. Their inquiries show refinement through the incorporation of different perspectives and evidence. |
| Resources | Lesson will be taught in the library. Librarian has collated all of the print resources on medieval Europe and placed them in a container to be collected from the loans desk. Students can also use the computers. |
| Introductory activity | Students are given a graphic organiser that lists themes they can research. These include feudalism, trade routes, voyages of discovery, contact, and conflict. |
| Task | In groups of four, students find as much information as possible on each of these topics. They are to make notes, which will be shared with the class in the next lesson. |
| Reasonable adjustment | While all other students will be required to locate and select information from the selection provided by the librarian, James will work on the computer (one of his preferred activities) where a folder has been preloaded with materials on these topics that are at an appropriate reading level. |

### Patterns with numbers

Sometimes courses of study involve elements in which a student cannot participate because the work is too difficult or too easy, and it is expected that another activity or content can be offered that fits the overall course aims. In primary schools, differentiation occurs mostly through a classroom teacher's use of informal grouping and varied forms of assessment. In secondary schools, the curriculum is highly differentiated (i.e., in terms of variety and specificity) in response to student choice and need within the constraints of, for example, tertiary entrance requirements.

While students with significant difficulties ultimately share the same curricular goals as their peers, they require additional opportunities to learn because they have not developed the knowledge base that is required of students at their particular grade level. They need to be taught material that teachers might assume is learned incidentally outside school. For gifted students, however, teachers can provide them the opportunity to accelerate past their peers' learning performance.

In the following differentiated mathematics lesson, the goal for students in this Year 4 class is to identify missing elements in patterns with numbers (including large numbers). Gifted students Emily and Quon will still learn number patterns but will focus on the more difficult concept of prime numbers, and two-step equations to solve their patterns.

| Number patterns (Year 4) | |
| --- | --- |
| Skill addressed | Copy, continue, create, describe, and identify missing elements in patterns with numbers, including large numbers, as well as patterns resulting from performing two operations. |
| Standards | By the end of Year 4, students are able to identify and describe number patterns involving one or two operations and can find missing numbers in these patterns. |
| Resources | Number charts, activity sheet, counters, pencil, paper. |
| Introductory activity | Review odd and even numbers from last lesson. Start with a simple number pattern as a teaching activity with the whole class, e.g., 11, ____, 15, 17, 19 |
| Task | Students complete a worksheet on number patterns, identifying the missing number in each sequence. |
| Reasonable adjustment | While all other students work on the task above, Emily and Quon revise prime numbers and then complete a worksheet identifying missing numbers in a sequence using prime numbers. The task also includes sequences where two operations are required for solving the missing numbers. |

## Essential English

Research on Universal Design for Learning, or UDL (Mitchell, 2014), provides guidance for designing curriculum and teaching that *minimises* the need for adjustments. UDL differs from an adjustment. In the field of architecture, Universal Design promotes conscious efforts at the planning stage to ensure full accessibility, avoiding the need to retrofit buildings later on.

This concept also applies to curriculum design. UDL principles have been used to create the following Year 11 English assessment task, based on the Australian Curriculum. In the task, students need to compare and contrast the pressures on teens today with those of the generation past, and discuss whether the pressure on teenagers today is greater. Students will need to read *The 7 Habits of Highly Effective Teens* (Covey, 1998) to complete this unit.

Given the diversity of learners in the class, the teacher brainstorms multiple ways in which the text can be represented, multiple ways that students can engage with and explore the topic, and multiple ways in which students can express their responses. In this example, because the Unit has been universally designed, there is no need for specific adjustments as the teacher has considered the full range of learners in the lesson design.

| Essential English (Semester 1, Year 11) | |
| --- | --- |
| Unit | *The 7 Habits of Highly Effective Teens* (Covey, 1998). |
| Themes explored | Self-image, peer pressure, friendships, goal setting, relationships. |
| Standards | Students understand, appreciate, respond to, analyse, and create literature. Students take an enjoyment in English language; and gain an informed appreciation of how the English language can convey information and emotion, and create imaginative worlds and aesthetic experiences. |
| Ideas on how the unit could be taught (Representation) | Use text, but audio version could be provided for those with reading difficulties; Teachers' Resource Guide has blackline masters . . . |
| Ideas on how students could practise the skill (Engagement) | Class discussion; trust activities; role play . . . |
| Ideas on how the students could be assessed (Expression) | Journal writing; collage/visual art display; podcast of a radio interview on the topic . . . |

## The human senses

While we do not know everything about how to teach all students, we know that most students learn in broadly similar ways, and that improving the quality of your teaching will usually benefit all students in your class. Nevertheless, students have different preferences and abilities, and teachers must strive to tailor their planning based on their knowledge of their students across the school year. This might mean learning more about the use of technology in teaching to assist students with different levels of skill.

This final example shows an idea for a lesson plan based on the Australian Curriculum that incorporates technology. Designed for a Foundation-level (Prep or Kindergarten) class, students learn to classify the five senses (i.e., hear, see, smell, taste, touch) and think of adjectives to describe these senses. Again, because the teacher has used the principles of Universal Design, no individual adjustments will be needed.

| Using our senses (Prep/Kindergarten) | |
| --- | --- |
| Skill addressed | Explore and make observations by using the senses, as appropriate, during guided investigations. |
| Standards | By the end of Prep/Kindergarten, students use appropriate senses to explore and describe phenomena and objects of interest. |
| Resources | Interactive whiteboard. |
| Introductory activity | Teacher directs a game of 'Guess which animal'. Clues are provided, such as 'Guess which animal smells like . . .', 'Guess which animal sounds like . . .', and so on. Clues are targeted based on students' prior knowledge. |

# PRACTICAL ACTIVITIES

The practical activities that follow will help you to gain an understanding of policies and practices that operate in your state or territory, and in the particular jurisdiction in which you intend to find work, or in which you are already working. Remember that school policies may apply that restrict your ability to undertake one or more of the activities suggested below. Before beginning, speak to your supervising teacher or a member of the school administration to confirm that you will not breach existing school guidelines and policies.

1. Visit the website *Disability Standards for Education:* A practical guide for individuals, families, and communities <http://resource.dse.theeducationinstitute.edu.au/content/whats-reasonable>. Using the material on this site, identify adjustments you could make in your classroom to improve access and participation for students with a disability.

2. What are five reasons why a teacher might struggle to ensure a student is able to access and participate in the curriculum? For each reason, identify at least one solution that might assist that teacher.

3. In the *Disability Discrimination Act 1992,* what is meant by the terms direct and indirect discrimination? Provide an example of each. Refer to <https://www.legislation.gov.au/Series/C2004A04426>.

4. ACARA has provided advice on how teachers can personalise learning for students with a disability (see <https://www.australiancurriculum.edu.au/resources/student-diversity/students-with-disability/illustrations-of-practice/overview-of-personalised-learning>). Reflecting on a lesson that you have taught recently, in what way might you have been able to personalise that lesson to meet the needs of a student with a disability.

# SUGGESTED READING AND RESOURCES

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Graham, L., Berman, J., & Bellert, A. (2015). *Sustainable learning: Inclusive practices for 21st century classrooms*. Port Melbourne, Australia: Cambridge University Press.

## Websites

Australian Curriculum <www.australiancurriculum. edu.au>. Access to the published curriculum for Australian students in Foundation to Year 10, and in senior secondary school.

Australian Disability Clearinghouse on Education and Training <http://www.adcet.edu.au/inclusive-teaching/working-with-students/making-reasonable-adjustments/>. Information on how to identify inherent requirements and make adjustments.

Mitchell, D. (2014). *What really works in special and inclusive education: Using evidence-based teaching strategies* (2nd ed.). Milton Park, UK: Routledge.

Australian Human Rights Commission <www. humanrights.gov.au>. Learn more about human rights, disability rights, issues in education, and the complaint process.

*Disability Standards for Education 2005* (Cth.) <https://www. education.gov.au/disability-standards-education-2005>. Read the full text of the Standards here.

Leading Learning for All <https://www.leadinglearning4all. edu.au/>. Practical advice on the implications of the *Disability Standards for Education 2005*.

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# ANSWERS

## Self-assessment 1

1. Cultural and/or linguistic diversity; religious beliefs; gender barriers; sexual orientation; age; socio-economic status; personal circumstances; family disruption; intellectual, physical, or sensory capabilities.

2. A written document that aims to provide educational programs for students with a disability; it includes a statement of the student's present performance, instructional objectives and goals, services required by the student, and evaluation procedures to be used.

## Self-assessment 2

1. Human rights, age, race, sex, disability.

2. *Age Discrimination Act 2004*; *Racial Discrimination Act 1975*; *Sex Discrimination Act 1984*; *Disability Discrimination Act 1992*; *Disability Standards for Education 2005*.

3. *Disability (Access to Premises—Buildings) Standards 2010.*

## Self-assessment 3

1. Schools must eliminate any barriers that prevent a student from enrolling.

2. Teaching students to use braille or Auslan; orientation and mobility training; auditory training.

3. Students with a disability and their parents or associates.

## Self-assessment 4

1. *Disability Standards for Education 2005.*

2. Teachers should consider the current skills of the student, and what they need to learn next. They should consider the impact the disability will have on the student's learning. They should consult with the student, and/or their family, to identify strengths that will assist the student to achieve the goal, as well as barriers that might prevent the student from achieving the goal. They should also consider both the costs and benefits of providing the adjustment, and whether any adjustments might jeopardise the integrity of the outcome being taught.

## FACTS ABOUT...

Cerebral palsy comprises the largest group of conditions that relate to disorders of movement and posture. The common link is neuromotor damage that occurs during the child's early years of life. From a medical point of view, there are two foci. The first concerns developmental difficulties including communication difficulties, susceptibility to infections, and feeding difficulties. The second relates to motor control, muscle control, and posture. While these are of profound importance, of equivalent importance is the provision of relevant educational experiences when the young person reaches preschool and then into the formal years of schooling.

# Cerebral palsy

*Adrian Ashman, The University of Queensland*

Cerebral palsy (CP) occurs in slightly more than 2 out of every 1,000 live births and is the most common cause of impairment in children who have physical disabilities. The various conditions include spasticity, athetosis (involving uncontrollable, jerky, irregular twisting movements), ataxia (involving unsteady movements, walking with a high step, and falling easily), rigidity (involving slow changes in postural tone), and tremor (involving involuntary vibrating movements). A child with spastic hemiplegia (i.e., impairment to one side of the body only) may walk with a limp and with a paralysed arm swinging loosely on one side of the body.

Around 85 per cent of individuals with cerebral palsy display symptoms of spasticity with highly tensed muscles in affected limbs, often to the extent that the hands and feet are permanently turned inwards (called *clonus*). Muscle wasting and permanent shortening of the muscles result in progressive tightening of the limbs (called *contractures*). Spasticity occurs when opposing muscle forces develop in a limb when movement is attempted.

Walking generally causes difficulties for a child with cerebral palsy. In mild cases, spasticity affects balance and the child might walk with arms extended to counteract the imbalance caused as muscle tone changes affect their legs. In moderate cases, control may depend on the person holding the arms close to the body, bent at the elbow, with a hand bent toward the body, and the legs rotated and inwardly flexed at the knees. In severe cases, poor control leaves children unable to sit, stand, or walk without the support of callipers, crutches, or a walking frame.

Because cerebral palsy is the result of brain damage, impairments are rarely restricted to the motor areas. Epilepsy is a common associated disorder occurring in 35–60 per cent of cases. Sensory impairment in vision, hearing, and touch is also common. About one-third of these individuals experience epilepsy, not quite half have vision impairment, and slightly less than 10 per cent have hearing impairment.

## Educational difficulties

Teachers and therapists are faced with a significant challenge in overcoming the physical limitations experienced by children with cerebral palsy, particularly complex reflex activity and muscle tone variation of children with severe motor difficulties. Appropriately designed furniture is essential. Good seating posture, forming a right angle at the knees and waist, inhibits reflex activity and allows children to work at desks. Significantly, a child with cerebral palsy may not be able to break the characteristic reflex pattern when a postural change or unanticipated noise triggers an involuntary reflex. Maintaining good posture is a first and continuing priority in any teaching situation, otherwise the child is prevented from responding appropriately by involuntary movement.

Coordinating correct motor movements and breath control for speech creates significant problems for about 65 per cent of children with CP. Approximately one-half of those children with speech deficits have significant language delays. Children need assistance to learn language and to articulate sufficiently accurately for a listener to understand.

CP cannot be cured. If therapy fails to minimise speech deficits and if a child is still unable to communicate effectively, therapists may decide to use augmentative systems such as communication

boards, signing systems, or electronic devices. The important consideration is to maintain motivation by allowing the child to communicate and develop independence when motor development improves.

Along with the limitations mentioned above, students with cerebral palsy commonly have writing difficulties. They are often affected by a combination of factors such as poor sense of direction, perceptual difficulties, inadequate grasp and control, or tremor once the writing movements have been commenced. Many children with phonological disorders have spelling and reading difficulties, poor lexical development, and difficulties with expressive syntax and auditory perception (symptoms often occurring in children with CP), even though they have no anatomical or gross motor impairment.

## Teaching tips

Patterns of difficulty are generally unique to each child so, to address the learning needs of a child with CP effectively, a teacher must understand the child's response patterns. This understanding must encompass the child's abilities and difficulties. Teachers also need to consider alternatives to accepted responses, environmental changes, and changes to instructional methods. To achieve this, a teacher might consider the following:

► Assess the child's current performance systematically (e.g., watch and take careful notes).
► Seek advice from therapists and medical practitioners about specific, rather than general, examples of the child's behaviour (e.g., the best way to minimise uncontrolled spastic movement).
► Optimise environmental factors, such as the provision of appropriate furniture, proper lighting, and minimising distraction.
► Use supportive teaching strategies, including support from peers and teaching aides to create manageable challenges for the student.
► Establish and communicate clear expectations for the student's achievements to encourage the development of a sense of worth.
► Reward and reinforce achievement using social praise (e.g., 'Hey, that's brilliant, Jenny. You've written those notes absolutely perfectly. Well done!').