

Position Paper on Education

About Down Syndrome Australia

Down Syndrome Australia is the peak body for people with Down syndrome in Australia. Our purpose is to influence social and policy change, and provide a national profile and voice for people living with Down syndrome. We work collaboratively with the state and territory Down syndrome associations to achieve our mission. Our vision is an Australia where people living with Down syndrome are valued, reach their potential, and enjoy social and economic inclusion.

Summary

The purpose of this paper is to set out Down Syndrome Australia's (DSA) position on education for children with Down syndrome. This paper provides a basis for advocacy to government for systemic changes to the education system in Australia and makes specific recommendations to improve access to inclusion.

DSA's position is that access to inclusive education is a fundamental human right for all Australian children, with or without disability. This right is outlined in The UN Convention on the Rights of Persons with Disabilities (UNCRPD) (of which Australia is a signatory) and reflected in Australian law. Inclusion involves welcoming all children as equal members of an educational community and supporting their full participation within the general education system¹.

In Australia, there is a range of settings where students with an intellectual disability receive their education, including:

- segregated special schools (schools where all students have a disability)
- segregated special units co-located with a mainstream school or segregated classrooms within mainstream schools (each a form of separate provision to children with disability)
- general classrooms within mainstream schools
- combinations of the above.

There is clear evidence that the delivery of education to students with disability in general education settings leads to better academic and social outcomes and provides a pathway to living, working and fully participating in the community.² Provision of inclusive education is one part of addressing barriers to inclusion in the broader community. However, the Australian education system is not universally

¹ Cologon, K. (2013). *Inclusion in Education - Towards Equality for Students with Disability*. Issues paper commissioned by Children and Young People with Disability Australia.

² Alana Institute (2016). *A summary of inclusive education*. Retrieved from http://alana.org.br/wpcontent/uploads/2016/12/A_Summary_of_the_evidence_on_inclusive_education.pdf

accessible and inclusive, and many children with Down syndrome and intellectual disability continue to face barriers that deny them this fundamental right.

This paper is not about the decisions individual families make about education. Research indicates³ that families send their children to special schools for a range of different reasons including:

- a lack of options of true inclusive practices in mainstream schools
- beliefs that special school environments will better meet the needs of their child and
- because they are aware of the considerable impact that having to advocate for their child's needs in general education settings can have on the child and family⁴.

DSA argues that the education system needs to be reformed to ensure that it is able to provide a high quality inclusive education to every student, that respects their individual characteristics and meets their educational needs. It is the view of DSA that families should not be responsible for fighting for effective inclusive practice. Rather, it should be the responsibility of systems to meet their obligations under the *Disability Discrimination Act 1992*.

For example, adjustments need to be made in a regular classroom by making available a range of approaches to learning. More information on specific adjustments is available in our Down Syndrome Australia toolkit on education (www.downsyndrome.org.au). Teachers need to be provided with appropriate training on inclusive education.

DSA advocates for access to a rich curriculum for all learners, including those with Down syndrome. This includes:

- Being taught the year level curriculum as specified in the Australian Curriculum, adjusted as required.
- Access to elective subjects that a student is interested in such as music, arts and foreign language study. In particular, access to electives should not be deprived in favour of 'functional' or 'life skills' programs.
- Careful consideration of the content of programs designated 'functional' to ensure they include content, processes and skills truly reflective of possible current and future requirements – not skills of the past that are now superseded.

On a systemic level, Down Syndrome Australia's position is that Australian and state governments should commit to transition from a dual system of special schools and mainstream schools, to a single universally accessible and inclusive education system in accordance with its UNCRPD obligations. This is to ensure progressive realisation of Article 24 and best evidence practice for educating students with disability.

³ Mann, G., Cuskelly, M., & Moni, K. (2018). An Investigation of Parents' Decisions to Transfer Children From Regular to Special Schools. *Journal of Policy and Practice in Intellectual Disabilities*.

⁴ These factors were well documented in the final report of the 2015 senate inquiry into access to education for students with a disability.

Background

The UNCRPD, Article 24 recognises the right of people with a disability to access inclusive, quality education on an equal basis with others in the communities in which they live. This involves welcoming all children as equal members of an educational community and supporting their full participation within the general education system⁵.

General Comment No. 4 to Article 24, which clarifies the meaning and scope of the human right to inclusive education, calls for the elimination of barriers impeding the right to education together with changes to culture, policy and practice of regular schools to accommodate and effectively include all students.

In Australia, the right to inclusive education is reflected in the *Disability Discrimination Act 1992* and the Disability Standards for Education 2005 established under it, which make it clear that a school or other education authority is not permitted to discriminate on the grounds of disability.

However, many Australian children with an intellectual disability are not accessing an inclusive education. Many are attending segregated special schools (schools where all students have a disability), segregated special units co-located with a mainstream school, or segregated classrooms within mainstream schools (each a form of separate provision to children with disability). The Australian Institute of Health and Welfare (AIHW) released a report in 2017 which found that, in 2015, 15% of students with a disability (of any type) attended special schools⁶. This was an increase from 2011 when 11% of students with a disability were attending special schools.

Amongst children with Down syndrome, the 2017 Down Syndrome Australia survey found:

- 46% of students were attending mainstream schools
- 29% were attending special schools
- 17% were attending a special unit within a mainstream school
- the remaining 8% were in other settings including mixes of mainstream school/special school.

For the parents with children in segregated schools, most felt that this was the best setting for their child. One in four parents who responded to the survey and who have children in a segregated setting, indicated that this was not their preferred setting for their child and that they would prefer their child to be in a mainstream school environment.

⁵ Cologon, K. (2013). *Inclusion in Education - Towards Equality for Students with Disability*. Issues paper commissioned by Children and Young People with Disability Australia.

⁶ <https://www.aihw.gov.au/getmedia/34f09557-0acf-4adf-837d-eada7b74d466/Education-20905.pdf.aspx>

Some of the barriers to accessing general education raised by respondents included:

- 'gatekeeping' by schools in which the principal or teachers indicate that they do not have the skills or resources to support the student
- teachers who parents felt had little or no training about disabilities
- lack of access to appropriate supports (teacher aids/support workers in class)
- concerns about safety or health issues
- lack of inclusive culture within the mainstream school and
- applications being rejected from private schools.

These responses highlight that not all parents have access to an inclusive education environment for their children and in many cases parents are responding to pragmatic limitations and deficiencies of the general education system. Attending a school, where appropriate supports are not put in place, or there is discrimination occurring, is not real inclusion.

My child attended mainstream full time from Prep to Grade 4. In Grade 5, she began dual schooling with mainstream and special school. At the end of Year 7, I withdrew her from mainstream and enrolled her the special school full-time. It just became too frustrating to keep fighting for her rights in mainstream, we had many wasted years with little education. In Year 7, she was more or less being babysat on the days she was there. Her school unfortunately wasn't as inclusive as I thought it would be when I initially enrolled her. From Grade 4 onwards, they encouraged me to move her to a special school. She is a bright, social, inquisitive young lady and it was very sad that she was pushed out slowly over the years.

- **Parent response to DSA survey 2017**

My daughter went through mainstream primary school which was wonderful. When it came to transitioning her to high school the Department of Education and Training was not supportive of mainstream high school and very much encouraged, and recommended, her going into a unit setting. She is able to access mainstream involvement through dance and drama, and is integrated into some other mainstream classes. I find she continues to benefit a lot more from her involvement in her mainstream classes than she does from her involvement in the unit.

- **Parent response to DSA survey 2017**

In order to support full access and participation, students with an intellectual disability can be provided with additional supports including adaptations to the curriculum, changes to teaching and learning strategies and other 'reasonable adjustments' required under the *Disability Discrimination Act 1992*. The provision of additional staff such as education assistants is sometimes used to deliver these supports.

Evidence

After more than 40 years of investigation, there is now overwhelming evidence which finds that inclusive education leads to better academic and social outcomes for both students with and without a disability.

The most recent comprehensive review of the research was undertaken by the Alana Institute and released in 2017⁷. The research shows that all students learn more and achieve more in an inclusive education setting. The researchers found 'clear and consistent evidence that inclusive educational settings can confer substantial short and long-term benefits for students with and without disabilities'.

The research highlights that students with a disability in inclusive education show:

- greater academic gains including language and mathematics skills
- improved social skills
- greater involvement in school activities
- they are more likely to have mainstream employment later in life
- higher rates of independent living.

For children without a disability, the evidence suggests that there is no detrimental effect of inclusion and possibly a positive impact on their academic performance⁸. There is also some evidence that inclusion has a positive impact on students without a disability including they:

- are more accepting of diversity
- have a positive attitude towards disability
- have better social skills
- have more developed values and ethics.

A comprehensive analysis of the peer-reviewed literature on inclusion and segregation could not find a single study that supported better outcomes for students with a disability within a segregated setting.⁹

⁷ Alana Institute (2016). *A summary of inclusive education*. Retrieved from http://alana.org.br/wpcontent/uploads/2016/12/A_Summary_of_the_evidence_on_inclusive_education.pdf

⁸ Szumski, G., Smogorzewska, J., Karwowski, M. (2017). [Academic achievement of students without special educational needs in inclusive classrooms: A meta-analysis](#). *Educational Research Review* 21 33-54

⁹ Jackson, R. (2008). [Inclusion or Segregation for children with an Intellectual Impairment: What does the evidence say?](#)

DSA position

Access to inclusive education is a fundamental human right for all Australian children, regardless of their ability. This right is outlined in the UNCRPD (of which Australia is a signatory) and reflected in Australian law. There is clear evidence that inclusive education leads to better academic and social outcomes and is the optimal and most direct pathway to living, working and fully participating in the community.

Despite this evidence, many children are unable to access inclusive education in Australia. As a systemic advocacy organisation, we work to achieve policy changes which support the human rights of people with Down syndrome. For this reason, we advocate for true inclusion within the general education setting.

DSA does not take any position on individual family decisions about education or where to enrol their child. DSA acknowledges that some families choose segregated settings and they do so for a number of different reasons given our historical and current context. There is a long history in Australia of people with a disability being segregated from mainstream society. Over time, things have started to change particularly with closure of institutions and the introduction of NDIS.

Many families continue to be denied a real choice for their child to access inclusive education. When families are told that a school does not have appropriate supports in place, or is simply not welcoming or they are advised that their child is better off in a segregated setting, it is not surprising that they may choose to send their child to a special school. It should not be up to parents to have to fight for inclusion for their child.

With respect to the education of students with Down syndrome, there are no techniques or strategies that are applicable only to that group of students. Adjustments made for learners with Down syndrome are likely to support and assist other learners in the class. Likewise, there are no techniques that support the learning of students with Down syndrome that would hinder the learning of other students. For these reasons, adjustments made in a regular classroom support the learning of all by making available a range of approaches to learning.

It is important to acknowledge that learners with Down syndrome are not homogeneous in their learning needs. To provide appropriate adjustments, teachers need to take time to get to know the learner and understand their educational requirements.

DSA advocates for access to a rich curriculum for all learners, including those with Down syndrome. This includes:

- Being taught the year level curriculum as specified in the Australian Curriculum, adjusted as required.
- Access to elective subjects such as music and foreign language study. In particular, access to electives should not be deprived in favour of 'functional' or 'life skills' programs.
- Careful consideration of the content of programs designated 'functional' to ensure they include content, processes and skills truly reflective of possible current and future requirements and not skills of the past that are now superseded.

At a systemic level, a lack of good inclusive practice across the general education system is not a valid reason for governments to continue to fund and support segregation. Instead, a new single approach to education must be established that meets the needs of all students. Schools need to be supported to develop inclusive approaches to education and to provide appropriate supports to enable all students to attend and participate in mainstream schools that adopt inclusive practices. There are strong economic arguments to support the abandonment of an expensive dual system.

Down Syndrome Australia recommends that the Australian and state governments commit to transition from a dual system of special schools and mainstream schools to a single universally accessible and inclusive education system, in accordance with its UNCRPD obligations. This is to ensure progressive realisation of Article 24 and best evidence practice for educating students with disability.

Governments must move as expeditiously and effectively as possible towards the goal of ensuring a universally accessible and fully inclusive education system and adopt clear targets and timetables. This includes:

1. Legal and policy reform

DSA recommends that a consistent definition of inclusive education, reflecting the UNCRPD and General Comment No. 4, should be adopted by all governments and that the right to inclusive education should be more clearly enshrined in legislation and policy, together with a system of sanctions against decisions and measures that infringe on this right.

2. Support for teachers

Supporting teachers to be able to teach in an inclusive environment is essential. This must start during teacher training, with a focus on meeting learning support needs in inclusive classrooms, not in special schools, units or classes. It will also include access to ongoing professional learning as required, in particular, 'in-time' support for when a student with Down syndrome is preparing to enter their class.

3. Adjusted curriculum

Access to adjusted curriculum for all students. DSA asserts the right of learners to be taught the curriculum set for their year level of schooling as specified in the Australian Curriculum and reflected in the *Disability Discrimination Act 1992*. Adjustments of the year level curriculum should be made and students assessed on the adjusted curriculum. Regular reviews of adjustments (at least every six months) must be undertaken.

4. Complaints process

All those involved in the education of learners with disability need a system of reporting breaches of rights to an inclusive education, that is easily accessed (including by children), free and without discrimination. We envisage a place of mediation and conversation. The current option of complaints to the Australian Human Rights Commissioner should remain but be an avenue when other options have been exhausted.



5. Support for parents

Parents often need support in seeking inclusive education for their children and in maximising their child's development. Support should include access to quality information about legal rights and the benefits of inclusive education as well as parent training and advocacy services.

6. Funding and resources

Schools must be appropriately funded to support access to inclusive education. Resources should be transitioned from specialist schools to the general education setting, with specialist teachers available to provide expert advice to general classroom teachers. Expert bodies, such as Down Syndrome Australia, should be funded to provide 'in-time' professional development support to teaching teams.