Submission

Disability Royal Commission

Education

Background

Developmental Disability WA (DDWA) has conducted an individual advocacy support service for parents of children with disability for over three years. The DDWA constituency includes families of children with intellectual disability, developmental disability, challenging behaviours, high medical needs and conditions unable to be classified.

DDWA Education Advocacy has identified an array of issues for families and children. Surveys of families and educators as part of this work have assisted in identifying concerns held by families and educators relating to children with disability in Education.

The themes of the DRC of ‘violence, neglect, abuse and exploitation’ resonate with parents and supporters of children with disability in the Education system. This submission seeks to respond to this community perspective that the failures in the Education system constitute a form of ‘violence, neglect or abuse’ of children with disability.

Specific areas of concern

Violence towards children with disabilities in schools can occur when restraint processes are adopted to respond to behaviours that are challenging to staff, students and school routines and processes. Restraint can be in the form of being held by adults, secured in a place such as a classroom or held in a seclusion room specifically built for that purpose. Even when staff are operating in a prescribed manner, such as using Team Teach methods, this can be seen and experienced by the child and family to be violent treatment.

Where challenging behaviour escalates, calling in Police and Ambulance services can lead to further restraint experiences for children.

Restraint causes trauma that can last for a long time afterward and impact on behaviours in other areas of life.

Neglect and abuse of children with disabilities in Education settings can be in the form of lost opportunities to learn and grow as social beings. Where Education settings, through teacher skills, policies and resources, cannot provide the right adjustments to programs for children with disabilities, it can be argued that this is a form of systemic neglect. Children who cannot tolerate school in this situation can be withdrawn by necessity by family, for home schooling or a program of support and recovery from stress and anxiety. Systemic
neglect then continues when no efforts are made to provide educational input to the child in other ways, or to support the family to do so. This neglect is a denial of the necessary conditions to enable a child to learn the skills of literacy and numeracy in order to then use these skills to learn about the world around them. When children experience intolerable levels of stress and anxiety in school settings, there is no reasonable expectation that they can participate meaningfully in learning programs.

Contributing factors

Linkage between diagnosis and access to support in the classroom disadvantages many students
Children can be granted resources (funding for the employment of an aide) to assist them in the classroom if they meet certain diagnostic or assessment criteria. Parents are often pressured to secure diagnoses that meet the policy terms for resources to flow to the school or told that they need to find another school.

Parents are the experts in their child and many recognise their children’s functional limitations but cannot secure resources to assist their child in the classroom. Many children with intellectual or developmental disability may not fit easily into the eligibility categories currently prescribed but clearly need some adjustments to the way that their schooling is provided. Some parents will leave the workforce to provide this support. Other parents spend considerable funds to arrange specialist educational support, or reluctantly comply with directives to identify diagnoses that meet Departmental criteria.

General observations

Social safety and dignity the greatest concern
Parents are concerned for their child to ‘be educated’ however recognise that their child’s wellbeing at school is a critical factor in learning and must be a top order priority. The capacity of the school leadership and the classroom teacher to understand behaviour as a reaction to the pressures of adapting to school is critical for children with disabilities. Where
schools can accommodate children with challenging behaviours, the child can experience the social safety needed to learn and thrive. Demands for compliance with rules and routines within schools that are not disability-adjusted can lead to behaviours that are punished and to social marginalisation and trauma.

The impact of stigma and exclusion on positive identity formation
Social safety in schools includes the freedom all people should have to develop a positive self-identity, free from stigma and marginalisation in social terms. Classrooms and playgrounds are primary social environments in the lives of children and young people. Inclusion in these settings gives all people the chance to develop comfort with differences and commonalities that enable healthy social identity development. The harm that can flow from stigma that is facilitated by exclusion and segregation can be the greatest form of abuse or neglect that parents and young people argue against in schooling. Teachers and school leadership can lead by encouraging other students to see the positives in students with disabilities and by avoiding defining a child by their disability or difference.

One young person (15) responded in a meeting with their school, when asked how the resources that are linked to them be best used, by saying, “I’m willing to give all of my resources to everyone in my class to have inclusive practice”. This reflected an awareness that all people benefit from the accommodation of a young person’s differences within a classroom.

Contemporary understandings of Behaviour taking time to influence teaching practice
When children with Disability behave in challenging or unconventional ways in the school setting, this can lead to punitive responses. Behaviour in this sense is becoming understood as a child’s response to the world in the context of their unique neurological or cognitive processing.

Positive Behaviour Support is a way of understanding challenging behaviour and responding in a manner that is child-centred and contemplates why a child may be acting in a certain way. Edith Cowan University (ECU) conducted a unit in 2019 - EDU5320 Behaviour Support for Students with Complex Needs – that received a resounding positive response from teachers and others participating. Evaluation statements indicate that the knowledge gained had immediate, deep and positive impact on the interactions within classrooms, led by the teacher with their new understanding. This is direct evidence that there are teaching modules available to support teachers to develop more contemporary ways to deal with behaviours that enhance students’ capacity to participate in learning and social activities in schools.

Resourcing for adjustments is critical in both mainstream and special education streams
Resourcing to enable adjustments and accommodations to be made to support children in schooling are a critical enabling factor. Good intent and planning of teachers can be undermined by being spread thin over a class of children, when there are not enough resources (generally aide time, consultation opportunities, time to modify curriculum) to allow for attention to students’ particular needs. There can be a cascade effect of poor resourcing where pressures lead to behaviours that require management or regimes of restraint or exclusion.
Mainstream education or Segregation for schooling
Parents may have a philosophical preference for their child to go into regular classes as this is shown to be best for long term inclusion in community life. However, skills and knowledge of teachers about adapting schoolwork to the needs of children with various disabilities is low, with no undergraduate coverage of this area in teacher training. equally, training in meeting children’s needs in order to prevent challenging behaviours is also limited. Parents may seek a segregated education for their child as a ‘lesser evil’ in order to enable the child to attend school.

Society-wide awareness raising is needed about intellectual and sensory difference. Teachers and Education staff generally would benefit from community awareness raising about disabilities that have intellectual difference or challenging behaviour as a feature. Disability awareness raising is based in a call to ‘see the person’ not the disability and to see the strengths of individuals. Teachers and others in Education settings are likely to hold similar stereotyping views as others in the community, so community awareness raising can influence attitudes in schools as well in the community.

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