

## **SUBMISSION TO THE AUSTRALIAN SENATE INQUIRY INTO THE EDUCATION OF STUDENTS WITH DISABILITY**

### **ACHIEVING INCLUSIVE EDUCATION -THE NEED FOR SYSTEMIC AND STRUCTURED TRANSFORMATION OF EDUCATION IN AUSTRALIA**

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## INTRODUCTION

I am a mother of three children (including a school-aged child with Down syndrome), a lawyer, a director of *Down Syndrome Australia* and Deputy Chair of *Down Syndrome WA*, the Chair of *Starting With Julius* (an association promoting change in cultural attitudes through positive representation of people with disability in advertising and media - [www.startingwithjulius.org.au](http://www.startingwithjulius.org.au)) and was formerly a board member of *PLEDG* (Parents Learning Education & Development Group - a West Australian association supporting families in accessing inclusive learning and education for children with disability).

However, I make this submission in my personal capacity and would like to start by commending the Australian Senate for establishing this important national inquiry (the **Inquiry**), which I believe is long overdue.

I hope this Submission will assist the Committee.

## SUMMARY

### Inclusive education is a right

Children with disability, and indeed, all children, have a right to receive an inclusive education and Australia has a corresponding obligation to provide inclusive education.

At the very least, inclusive education is the modality by which the universal human right to education is realised for people with disability and other groups, as recognised by various international human rights treaties and conventions. Alternatively and substantively, the right to an inclusive education is a fundamental human right in itself.

Either way, Australia has express obligations under Article 24 of the United Nations *Convention on the Rights of Persons with Disabilities* (2006) (**CRPD**) to ensure “an inclusive education system at all levels”. It is submitted that this “rights framework” – which has informed some law and policy across the Australian education landscape - must be foremost in the Committee’s consideration of the issue presently before it.

In addition, inclusive education is a practice for delivering education services to all students, including students with disability, and it is underpinned by an acknowledgment of the diversity of learners and considerations of accessibility, equity and belonging for all.

### What is and what isn't inclusive education?

Broadly, the practice of inclusive education refers to the delivery of education to all students in a shared general or mainstream education classroom environment where diverse learners are welcomed and supported to fully

participate as equal members of that class, connected to the general class curriculum (adapted as appropriate).

Inclusive education is not the segregation of students with disability into “special schools” or “special” units within general schools (i.e. classrooms for students with disability co-located within regular schools). But nor is it the mere physical placement of students with disability in general education classrooms without adequate supports or adaptations, so that they are unable to meaningfully access the physical, learning or social environments and are therefore excluded from participating and belonging. Further, inclusive education is not physical placement in a general classroom for the purpose of receiving a separate education, often delivered by a teaching assistant rather than the classroom teacher and sometimes involving a completely separate curriculum.

### Evidence-based research supports inclusive education for ALL students

As an educational practice, over 40 years of research internationally has overwhelmingly established that inclusive education produces better academic and socio-emotional outcomes for students with disability and for other students as well<sup>1</sup>. Conversely, no review has ever demonstrated “special” segregated education to produce better outcomes.<sup>2</sup> By way of example, a recent study from the Netherlands reported better academic outcomes for children with IQs of 30-35 in general education than for children with higher IQs of 50 educated in “special” schools.<sup>3</sup>

I think that a fundamental question that needs to be asked of public servants, administrators, educators, medical professionals, therapists, etc. who suggest, imply or assume that a student with disability will benefit more in segregated “special” education is “*show us the evidence*”. Every Government on behalf of every parent and student should ask that question.

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<sup>1</sup> As shown by two significant Australian reviews of research literature on inclusive education by Jackson, R. (2008), *Inclusion or segregation for children with an intellectual impairment: what does the research say?* at [http://www.qppd.org/images/docs/jackson\\_literature\\_review.pdf](http://www.qppd.org/images/docs/jackson_literature_review.pdf) and by Cologon, K. (2013), *Inclusion in education. Towards equality for students with disability*. Clifton Hill, Vic 3068: Children with Disability Australia. See also Attachment 7, which references research supporting the SWIFT model ([www.swiftschools.org](http://www.swiftschools.org)). Other submissions to this Inquiry will no doubt provide more comprehensive summaries of evidence and research in support of inclusive education.

<sup>2</sup> Jackson, R (Ibid), at page 13 stated “No review could be found comparing segregation and inclusion that came out in favour of segregation in over forty years of research”.

<sup>3</sup> de Graaf, G. & de Graaf, E. (2012), *Development of self-help, language and academic skills in Down syndrome*. Paper presented at 11th World Down Syndrome Congress, Cape Town, South Africa.

At one level, it seems perplexing that a country like Australia would continue to educate a significant segment of its population based on practice which has no pedagogy behind it and that is by its segregating nature inherently discriminatory. However, when seen against the background of other civil rights movements to make general education accessible to women or to racially marginalised groups, some parallels are evident. In this regard, it is hoped that the exclusion of people with disability will come to be viewed in the same way as the exclusion of women or racially marginalised groups – as unacceptable in a society that recognises access to quality education as a universal and fundamental right of all its citizens.

What seems equally perplexing is that we are not availing ourselves of evidence-based insights and strategies developed around the delivery of inclusive education to students with the greatest learning needs, to enhance the education outcomes of non-disabled students whose learning needs, although perhaps not as great, will still benefit considerably from inclusive practice in the delivery of education services. As discussed in more detail elsewhere in this Submission, the "SWIFT" program in the United States and the pilot program that preceded it demonstrate that the application of an inclusive framework in schools also results in substantial gains for non-disabled students, including significant increases in maths and reading proficiency scores.

### **The current situation in Australia – A systemic deficiency**

Despite the human rights position and the clear evidence in support of inclusion as an educational practice, examples of good inclusive education practice in Australian schools are limited. They emerge on an "ad hoc" basis and in connection with individual schools that have an inclusive ethos and receptive and progressive school leaders, often backed by the efforts of parent or family advocacy. While our family has been fortunate to find a local public school that welcomed our son and with whom we have been able to develop a collaborative relationship to support his inclusion at a social and academic level, this was after several experiences of being effectively "discouraged" from attending other schools by their administrators. From our personal experience and engagement with many other families of children with disability, including through my role as an advocate as well as my involvement in disability sector organisations, it is clear that there is systemic deficiency in access to, and the delivery of, genuinely inclusive education in Australia.

Sadly, a very considerable proportion of Australian children with disability, and in particular intellectual disability, continue to be educated in segregated "special" school or "special" unit settings and of those that get to attend mainstream schools, many routinely experience poor practices, exclusion and discrimination.

It is particularly disturbing to note that Australia, against international trends and arguably in contravention of its international law obligations, is actually experiencing a "renaissance" of "special" segregated education, with Australian Bureau of Statistics figures showing a growth of 17% in "special" schools in

Australia from 1999 to 2013 while the number of schools overall only increased by 3% during the same period<sup>4</sup>.

As a parent and citizen, I am deeply concerned about the state of education for Australian students with disability in particular and ask the Committee to reflect on the following question:

*"Why are we continuing to deliver education to children with disability:*

- (1) using out-dated models informed by the historically entrenched practice of segregating people with disability which are not evidence-based and which has been consistently established by extensive research over decades as producing inferior outcomes?; and*
- (2) that amounts to a violation of their fundamental human rights? "*

Particularly in an affluent developed country, we should not accept an education system that does not adequately address the above questions and I call for an immediate commitment across the Australian education landscape to urgently begin transforming the way that education is delivered to all children, including children with disability.

In this context, I ask the Committee to consider current law, policy and practice across the education landscape to identify how such laws, policy and practice are failing to address, and may be even entrenching, systemic barriers to inclusive education. Specifically, I ask the Committee to consider the need for a nationally coherent and consistent pathway or model to implement inclusive education across the Australian education system and transition it out of the current "general/"special" dual or parallel education system into a single unified education system delivering, as standard, quality inclusive education to all students, underpinned by equitable access, respect for rights and evidence-based "best practice".

### **The way forward – Systemic and structured transformation**

To assist the Committee's consideration of this issue, including visualising what an evidence based pathway for systemic transformation and unification of education that includes all learners should look like, I propose that regard must be had to best practice internationally and in particular the "SWIFT program" which is funded by the United States government.

Broadly, the SWIFT program represents a coherent and comprehensive model developed through extensive research in implementation science, which is designed to provide a phased pathway for the transformation of schools and how

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<sup>4</sup> Article in "The Conversation" quoting Australian Bureau of Statistics, <http://theconversation.com/australia-lags-behind-the-evidence-on-special-schools-41343>.

they deliver education services to all students. I became aware of the SWIFT program and the work of international leading expert in implementation of inclusive education, Dr Wayne Sailor (CV contained in Annexure 1), a Professor of Special Education at Kansas University and the Director of the SWIFT National Centre, in connection with my work, both nationally and at an international level, as an advocate for the rights of children with disability.

Unlike much of the discussion in Australia around implementing inclusive education, which appears to be largely limited to strategies based on resourcing/funding levels and teacher skills and training, both of which are important and necessary but not sufficient factors in implementing inclusive education, the SWIFT model addresses other important factors that have been identified in the research as essential to implementing inclusive education:

- (1) the role of “administrative leadership” and a “strong educator support system”;
- (2) a “multi-tiered system of support” that covers both “inclusive academic instruction” and “inclusive behaviour instruction” (the latter being seen as equally important to address learning barriers for some students);
- (3) an integrated educational framework and organisational structure within schools backed by a “strong and positive school culture”;
- (4) appropriate engagement with family and community to ensure improved outcomes for all students; and
- (5) inclusive policies and practices within schools to guide responses and expectations.

Although I expect that the majority of submissions to this Inquiry will highlight the barriers posed by our current limited systemic response to the *inclusion* of students with disability, I believe that the value-adding task for this Committee is to also recognise the need to develop a coherent path for how the Australian education system should respond to the *inclusion* of all students, whether with disability or not, so as to maximise both education and socialisation outcomes for all students – the return on the greater investment that everyone recognises is required in the Australian education system. To that end, I believe that consideration of the SWIFT program would be of great value to this Inquiry and I have confirmed with Dr Wayne Sailor that he would be pleased to present to the Committee, via video conference, about SWIFT and the scientific approach that underpins its systemic implementation across, so far, more than 70 schools in the United States.

I hope that the Committee approaches and emerges from its consideration of this second and more meaningful aspect of this Inquiry with a set of clear recommendations for the greater good of current and future generations of students of Australia – the lifeblood of our future society.

## ANALYSIS

### The human rights framework: Inclusion as a fundamental characteristic of the equitable delivery of education services to ALL students

Inclusion of students with disability in general education is fundamentally an issue of equity and the subject of Australia's obligations under Article 24 of the CRPD, which reaffirms the universal human right to education<sup>5</sup> in respect of people with disability as a group and recognises the specific barriers encountered by them in realising this right, by introducing additional secondary obligations on State Parties, to ensure that people with disability can realise their right to education.

Article 24 requires State Parties to ensure "an inclusive education system at all levels" and that persons with disabilities are not excluded from the general education system on the basis of disability". To that end, it requires State Parties adopt measures that include, among other things, ensuring "reasonable accommodation" of individual requirements, providing support to facilitate effective education for people with disability and the delivery of education in "environments that maximize academic and social development, consistent with the goal of full inclusion".

Article 24 is underpinned by the important principles of equal opportunity, non-discrimination, "the full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity" as well as "effective participation" and its effect is to recognise that the right to education for people with disability is realised through an inclusive education system at all levels. In that sense, Article 24 recognises inclusive education as a right<sup>6</sup> and also makes it clear that the exclusion of students with disability from the general education system is a violation of their fundamental human right to education.

However, it is worth noting that inclusive education is not only relevant to students with disability. As Mr Jorge Cardona of the United Nations Committee

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<sup>5</sup> The right to education is a universal right of every person and is recognised in several international human rights treaties such as the United Nations *Universal Declaration of Human Rights* (1948) (Article 26), the *International Covenant on Economic, Social and Cultural Rights* (1966) (Article 13) that recognises the role of education in the development of human potential and effective participation in a free society and the *Convention on the Rights of the Child* (1990) (CRC) (Article 28) that expressly acknowledges the right as being grounded on the basis of equal opportunity. Article 23 of the CRC further specifically mentions the right of children with disability to receive education "in a manner conducive to the child's achieving the fullest possible social integration and individual development".

<sup>6</sup> Inclusive education is varyingly described by United Nations treaty bodies and legal and academic commentators as a "right" flowing from the obligations in Article 24 of the CRPD or the means through which the human right to education is realised by people with disability.



of the Rights of the Child recently stated in discussing that Committee's practice of raising the issue of inclusive education with all member States, the right to inclusive education is the right of every child and "States have an obligation to drive through a paradigm shift to have a revolution in their education systems because we need to change from a system that tries to make all children the same to a system that recognises that all children are different"<sup>7</sup>.

I believe that Australia, despite its now long-standing status as party to the CRPD (and the Optional Protocol to it) and other relevant international treaties and conventions, has significantly further to go in discharging its international obligations in relation to the education of people with disability and request the Committee to consider the education of students with disability in particular within a "rights" framework.

In that context inclusive education is not a mere educational "philosophy" or "affiliation" to be adopted or discarded on a whim or as a matter of subjective personal preference or belief. In that sense, inclusive education and issues around choice as to educational philosophy differ from, for example, faith-based education or particular pedagogic philosophies that exist across Australia's education system. The fact that a significant proportion of children with disability continue to be educated in segregated "special" settings raises questions of human rights of the child and shouldn't be characterized as merely reflecting personal parental choice; similarly parental choice, particularly parental choice made without the provision by Government of up-to-date evidence-based information, shouldn't operate to excuse failure and delay in implementing an inclusive education system.

The phenomenon of "special" segregated education must be properly understood within its historical context, cultural attitudes (including the attitudes of many educators and parents) and systemic design issues that default to segregation of people with disability (or other marginalized groups) as an appropriate response.

I ask that the Committee consider the question of whether an education system that segregates and excludes a significant subgroup of students with no identifiable benefit to them or to other students is indeed appropriate for the society that Australia purports to be or aims to become; a society that recognizes and values the diversity of its citizens and seeks to ensure a sustainable future where the academic and social contribution of each is maximized for the benefit of all.

I attach as Annexures 2 and 3 to this Submission, respectively, my Submission to the Day of General Discussion on Rights to Education for Persons with Disabilities held by the United Nations Committee on the Rights of Persons with Disabilities on 15 April 2015 at the United Nations, Geneva ([http://www.ohchr.org/Documents/HRBodies/CRPD/DGD/2015/CatiaMalaqui asAustralia.doc](http://www.ohchr.org/Documents/HRBodies/CRPD/DGD/2015/CatiaMalaqui%20asAustralia.doc)), and my subsequent article "*Will There Be Special Schools on*

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<sup>7</sup> Video of speech at <https://www.youtube.com/watch?v=g3fGhHkA7kU#t=96>



Mars?" (<http://www.globi-observatory.org/will-there-be-special-schools-on-mars/>).

## Education of students with disability across Australia

In Australia, the education system consists of general/mainstream schools, separate “special schools” for students with disability and “special units” for students with disability co-located within the grounds of a mainstream school – the last contemplating some level of interaction by students with disability with the mainstream school setting.

Despite the differences in legislation and policy applying across Australian education jurisdictions<sup>8</sup>, there are broad similarities in the provision of education to students with disability and each of the above educational settings exist in every State and Territory. That is, the Australian education landscape is characterised by the existence of a dual system of parallel “special” and general education, rather than a single integrated system for the education of all children.

It is also worth noting that while there are differences across States and Territories in the provision for the education of students with disability, according to a recent “report card” on inclusive education across Australia<sup>9</sup> inclusive education everywhere in Australia is broadly characterised as “mediocre” under the current legal and policy frameworks and students with disability continue to face significant barriers to realising their rights to education.

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<sup>8</sup> The following laws provide in respect of the education of children with disability across Australian jurisdictions. Commonwealth: *Australian Education Act 2013* (Cth) (ss15(3), 36, 62, 77), *Disability Discrimination Act 1992* (Cth) (ss 3, 5, 6, 8, 22) and *Disability Services Act 1986* (Cth), s 3, Part III; **Australian Capital Territory:** *Education Act 2004* (ACT) (ss 7(3)(a), 20B(1)(a)), *Discrimination Act 1991* (ACT) (ss 5AA, 7-9, 18, 47, 51) and *Disability Services Act 1991* (ACT) (ss 3-5A, Schedules 1- 2); **New South Wales:** *Education Act 1990* (NSW) (ss 6, 20, 95A-95), *Anti-Discrimination Act 1977* (NSW) (ss 49A-49C, 49L) and *Disability Inclusion Act 2014* (NSW) (ss 3-6); **Northern Territory:** *Education Act 1979* (NT) (Part 5: ss 33 – 39 and s 61A), *Anti-Discrimination Act 1996* (NT) (ss 19(1)(j), 29-30) and *Disability Services Act 1993* (NT) (s 2A, Schedules 1-3); **Queensland:** *Education (General Provisions) Act* (Qld) (ss 165-167, 420-421), *Anti-Discrimination Act 1991* (Qld) (ss 37-40, 44) and *Disability Services Act 2006* (Qld) (ss 11, 12(f), Part 2 Div 1, 2); **South Australia:** *Education Act 1972* (SA) (ss 75(3), 75A(1), 75C), *Disability Services Act 1993* (SA) (ss 2 - 3A, 3B, 5(1), 5A - 5C, 6, Schedules 1 and 2) and *Equal Opportunity Act 1984* (SA) (ss 66, 74); **Tasmania:** *Education Act 1994* (Tas), *Anti-Discrimination Act 1998* (Tas) (ss 16, 22(1)(b), 46) and *Disability Services Act 2011* (Tas), ss 5, 10-12); **Victoria:** *Education and Training Reform Act 2006* (Vic) (ss 2.2.6, 2.5.11, 5.4.7), *Disability Act 2006* (Vic) (ss 4-6, part 4, division 1 and 2) and *Equal Opportunity Act 2010* (Vic) (ss 3, 6 - 9, Division 3: ss 38-41); and **Western Australia:** *School Education Act 1999* (WA) (ss 73, 82 -84, 86, 87), *Disability Services Act 1993* (WA) (ss 3, schedule 1 and 2) and *Equal Opportunity Act 1984* (WA) (ss 3, 66A, 66I).

<sup>9</sup> Jackson, R and Wills, D (2015) *The 2013 Inclusion Report Card: From failure to mediocrity*, Interaction Journal v28/2/'14, Australian Institute on Intellectual and Developmental Disabilities.

In my view a significant deficiency in the Australian legislative and policy context is to be found in the current drafting of the Disability Standards for Education 2005 (and associated guidance note), prescribed under the *Disability Discrimination Act 1992* (Cth). Those Standards fail to even mention, let alone recognise, the concept of inclusive education. Further, the Standards, being presented as a benchmark standard rather than as a standard of minimum obligations that schools should endeavour to surpass, miss a key opportunity to help guide systemic change in Australia in relation to the education of students with disability. In that regard, I attach my submission to the 2015 review of the Standards (Annexure 4).

The barriers faced by students with disability will be extensively documented in other submissions. However, I wish to highlight the following as their impact is often under-appreciated.

### **1. Cultural attitudes and historically entrenched resistance to inclusion**

The role that entrenched historic cultural attitudes continue to play in hindering the implementation of inclusive education and limiting its effectiveness cannot be overstated.

“Inclusion” in education, to be properly appreciated, must begin with an appreciation of relative perspectives.

With the birth of my second child, Julius, my eyes were sensitised to the cultural response and the more subtle barriers of society and its systems to a child with disability, particularly intellectual disability. My eyes were opened to what I previously didn’t realise existed – even within me - the effect of historically entrenched societal stereotypes, stigma and low expectations. Once seen, these things can’t be “unseen”.

Almost every Australian mainstream school will advise a prospective parent that “*we do inclusion*” and that in fact they have been doing it for a decade or two. However, if scratched further, the concept of “inclusion” in the mind of many school administrators is largely limited to a concept of physical inclusion of the student within the school, against the background of a qualified right of that student to be accommodated as reflected in the Disability Standards for Education 2005 and the knowledge that if the student’s mainstream experience is too “problematic” (from the perspective of the student or the school) then transfer to a “special” segregated environment is the recommended default position.

In essence, “inclusion” in a mainstream school setting is still not seen by many as a true or legitimate entitlement of students with disability. Saying this, I am not suggesting that school administrators and teachers deliberately offer “limited inclusion” – rather their concept of “inclusion” is naturally limited by their own perceptions, formulated against the

background of their societal experience and the structure and culture of education systems.

This is also reinforced to me in conversations with parents. The parents who say how great it is that students like Julius can now go to a regular school – as if it is a privilege for them to so attend, rather than the realisation of a previously denied right. The parents who ask carefully worded questions - inquiring as to whether Julius will still be in the school after the end of his Kindergarten year – and then again – after his pre-primary year – and being genuinely surprised at my affirmative answers.

An inclusive school community culture is a critical and necessary ingredient of a genuinely inclusive school. To confer a real sense of inclusion and belonging in a student with disability, an education setting must demonstrate, and be perceived by all as demonstrating, its genuine acceptance of the right of the student to be included as an equal and valued participant. The transformation of cultures in education settings is too important to be left to *ad hoc* organic processes – Government must lead that transformation in a systemic and structured way.

Annexure 5 contains my article "Perceptions Control Reality: Our Family's Journey to Embracing an Inclusionary Vision" published in *Interaction*, the Journal of The Australian Institute on Intellectual and Developmental Disabilities discussing the implications of cultural attitudes on inclusive education (<http://www.joomag.com/magazine/free-articles-from-interaction-28-issue-2-perceptions-can-not-control-reality/0304270001426365428?page=6>)

## **2. Adverse general education experiences of students with disability and their wrongful characterization as failures of “inclusive education”**

Many students with disability have poor experiences in general education. Many factors will usually lie behind an adverse experience, including insufficient resources, lack of teacher training in inclusive practice, the absence of an inclusive and welcoming culture, the selection of misguided or harmful strategies, entrenched low expectations, physical and communication barriers, etc. However, despite no evidence to support “special” segregated education over “inclusive education”, many teachers and parents simply assume that an adverse experience in general education means that “inclusion” doesn’t work or doesn’t work for some students with disability.

In essence and ironically, inclusive education is made the scape-goat for an education system that has largely failed due to the specific absence of genuinely inclusive education practice.

A case study illustrating this is provided in Annexure 6 in my analysis of an article published in May 2015 in the “Secret Teacher” column of *The Guardian*, “The Secret Teacher Got It Wrong: A response to ‘I am all for inclusion in principle, but it doesn’t always work’” (<http://www.globe-observatory.org/the-secret-teacher-got-it-wrong-a-response-to-i-am-all-for-inclusion-in-principle-but-it-doesnt-always-work/>).

### **3. Impact of the “special” parallel system on the development of an inclusive general education system**

To the extent that the “special” segregated education system is maintained and resourced as an alternate system, it will inevitably stunt and delay the growth of a vibrant and genuinely inclusive mainstream system. Further, its existence as an alternate system (and the leakage of students from the general system that it allows and, by its existence, encourages) obscures the current limitations of the mainstream system in responding to students with disability, alleviates the pressure on Governments to address those limitations and denies the transfer of valuable resources to the mainstream system.

The simple economic fact is that Governments cannot afford to, and in any case do not, properly resource two alternate education systems for students with disability.

The need for Governments to dismantle “special” segregated systems and channel their resources into a single inclusive education system for all students was a clear and common theme of the Day of General Discussion regarding Article 24 of the CRPD held in Geneva on 15 April 2015, which theme also underpins the SWIFT program as further discussed below.

### **Transitioning from segregated education to inclusive delivery of education services for the benefit of ALL students - The need for a system-wide and structured approach**

#### ***The United States approach through the SWIFT program***

The United States Federal Government, through its Office of Special Education Programs (OSEP), has funded an innovative program, known as the Schoolwide Integrated Framework for Transformation (**SWIFT**), to support a school reform model for phased and sustained implementation of inclusive education across schools covering Kindergarten to Year 8.

The program is based on the extensive research of leading experts and brings together special and general education in a comprehensive continuum of supports in regular schools - mostly but not exclusively government schools - including academic and behavioural supports, to promote the learning and academic achievement of all students, including students with disability and those with the most extensive needs.

An earlier version of the program, known as “SAM” (Schoolwide Applications Model) was the subject of a pilot program involving 23 low-income urban government schools across the United States and it demonstrated significantly improved academic and behaviour outcomes. One of these schools went from being one of the lowest-performing schools in the State of Kansas to the highest-performing elementary school in 2005. This included dramatic increases in maths and reading proficiency scores for all students and a significant narrowing of the achievement gap between students with disability and the rest of the students.

Recognition of the SWIFT program nationally in the United States<sup>10</sup> and the decision by the U.S. Federal Government to fund it has been credited with the ability of the research and earlier model that underpins it to demonstrate that the application of that inclusive framework in schools results in substantial gains for non-disabled students as well as disabled students.

The SWIFT program has also been recognised as being aligned with the White House’s “My Brother’s Keeper” initiative to support education outcomes for boys of African American background.

The SWIFT National Centre is located at Kansas University and, in collaboration with other universities across the country, assists the SWIFT participating schools to undertake school reform processes to include students with disability in general education. The SWIFT National Centre currently provides technical assistance to more than 70 schools nation-wide, spread across 16 school districts within five U.S. States.

### ***The SWIFT School and transforming the delivery of education services***

While much of the discussion in Australia around supporting students with disability in general classrooms tends to focus almost exclusively on the need for training teachers and support services for the individual student (e.g. education/teaching assistants and therapy services), the SWIFT model, based on the extensive implementation science that underpins it<sup>11</sup>, identifies five essential “building blocks” of inclusive education. In my view, many of the poor experiences that students with disability and their families continue to have in mainstream education settings arise due to one or more of these “building blocks” being absent or deficient.

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<sup>10</sup> <http://archive.news.ku.edu/2012/october/3/education.shtml>

<sup>11</sup> See the extensive “Bibliography of Research Support for K-8<sup>th</sup> Grade Inclusive Education” at <http://www.swiftschools.org/Common/Cms/Documents/Bibliography%20of%20Research%20Support%20for%20K-8%20Inclusive%20Education.pdf> and the “Research Support Document Supporting SWIFT Domains and Features at <http://www.swiftschools.org/Common/Cms/Documents/ResearchSupport-final.pdf>

The role of the SWIFT Centre is to support schools, in a phased and structured manner, to ensure that each of the "building blocks" is present or developed to underpin successful implementation of inclusive education.

**1. Administrative leadership, including "strong and engaged site leadership" and a "strong educator support system".**

This effectively means that senior staff in schools "set the tone" by demonstrating genuine commitment to inclusive education and supporting the classroom teachers to include all students. Most parents of students with disability will attest to the fact that it is critical for school principals and senior administrative staff to be overtly supportive of inclusive education.

**2. A "multi-tiered system of support" covering "inclusive academic instruction" and "inclusive behaviour instruction".**

While there is work being undertaken at Commonwealth and State level on curriculum adaptations and teachers seem to be increasingly familiar with "universal design for learning" and "differentiated instruction" concepts, the SWIFT program seeks to also address the important area of positive behaviour support for students to enable them to learn. Ongoing media reports about restraint and seclusion of students with disability suggest that students with disability are not being supported appropriately in respect of behaviour and in some cases are being harmed in our schools. It is vital to address this issue and ensure that teachers and schools are trained in and supported to deliver "inclusive behaviour instruction" to students.

**3. An "integrated educational framework" with a "fully integrated organisational structure" and a "strong and positive school culture".**

This means not only that all students are taught together in fully inclusive classrooms but that they continue to have the same access in all other areas of school life. At the core of this are the beliefs and values of the school community about the worth of all students and their equal right to access a quality education, regardless of disability.

Many poor experiences of students with disability in mainstream schools are attributable to non-inclusive school cultures which do not welcome all learners.

**4. "Family and community engagement" involving trusting partnerships.**

Parents have valuable expertise about their children and are an important resource for teachers and schools in maximising the education of all students, but especially those students with the most significant needs. Effective engagement with families is vital to improved outcomes.

## 5. "Inclusive policies and practices"

Appropriate policies help to guide the implementation of inclusive education and establish clarity about rights and expectations for all stakeholders.

The model of a SWIFT classroom is described as follows: <sup>12</sup>

"A SWIFT classroom represents a diverse learning community. In a SWIFT classroom, ALL students are learning together and have the supports they need to fully participate in the general education curriculum. General educators, specialized educators, support staff, and family and community members work in tandem to differentiate instruction. For example, in a SWIFT classroom, you may witness a parent volunteer practicing sight words with a student, a general educator and a specialized educator leading differentiated small reading groups, a speech/language therapist working on reading vocabulary with another group of students, and classmates collaborating on a reading comprehension activity. In a SWIFT classroom, students are valued for their unique contributions to the learning community and educators have the support they need to successfully teach ALL students."

### *Implementation science in practice*

Implementation science drives the work of the SWIFT Centre by promoting research-based approaches to achieve improved academic and social outcomes for all students.

The SWIFT program was developed based on long term research by Dr Wayne Sailor, the current Director of the SWIFT National Centre and a Professor of Special Education at Kansas University, together with other experts in the implementation of inclusive education.

The undertaking of this important research was prompted by concern about the failure, notwithstanding significant legal and policy support for the inclusion of children with disability in general education, to successfully transition the U.S. education system from a "dual" system of "segregated" special education and general education into a single inclusive education system that benefits all learners.

Following the success of the earlier "SAM" model, Dr. Sailor and his colleagues won a nation-wide tender to establish the SWIFT National Centre and implement the SWIFT program, initially across 64 schools nation-wide. However, since its inception in 2012, some of the participating schools districts decided to add more schools and others have joined or are in the phased process of joining the program.

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[www.swiftschools.org](http://www.swiftschools.org)



The role of the SWIFT National Centre includes:

1. the provision of technical assistance to individual participating schools to implement SWIFT and to sustain their own school-wide reform process;
2. the building of local school district capacity to sustain SWIFT at that level and to add additional SWIFT schools in the absence of direct technical assistance from the SWIFT National Centre;
3. assisting State education agencies to develop multi-level leadership and coordination to scale up inclusionary school reform State wide;
4. the ongoing study of participating schools to assess implementation and the development of evidence-based protocols and assessments for continuing to enhance the model so that improvement and enhancements are continuously made; and
5. the establishment and maintenance of a web-based national communication system on school-wide inclusive reform to support implementation of SWIFT at all levels.

I attach further documentation relating to the SWIFT program and its research basis in Annexure 7 to this Submission and also recommend the SWIFT Schools website and the videos available on it ([www.swiftschools.org](http://www.swiftschools.org)).

### *CONCLUDING THOUGHTS*

Based on the need for and the findings of various recent inquiries, taskforces, investigations and committees across Australia, established to look into matters relating to the education of students with disability, I expect that this Inquiry will similarly confirm the crisis across our education system and the exceedingly poor experiences, in some cases involving harm, of many students with disability in seeking access to education.

However, these issues are not new. I have had many discussions with parents of young adults with disability who express surprise and dismay that so little seems to have changed for students with disability in such a long time.

In the 20 years or so since inclusive education was first sought to be implemented in Australia, many of the same problems persist and it is clear that the enactment of laws and the development of government policies purporting to support inclusive education have been insufficient to address systemic deficiencies, including the failure to merge “special” and “general” education into a single well resourced system, and ensure that children with disability, as well as non-disabled children, are able to realise their fundamental human right to a quality inclusive education.

While factors such as insufficient resource allocation and lack of teacher skills to educate diverse learners are significant contributing factors, other fundamental barriers will persist unless a coherent national strategy for systemic transformation is adopted. In other words, increased investment in flawed education models will not cure their inherent defects.

The SWIFT model has the support of the United States government and represents current best evidence, design and practice on the structured and supported implementation of an inclusive education system through individual school transformation, for the benefit of all students as well as other stakeholders such as teachers, family and the community.

I request that the Committee seek further evidence and guidance from the Director of the SWIFT program, Dr Wayne Sailor, by accepting his offer to assist the Committee to explore the extent to which that program and the research that underpins it may be useful in informing its consideration and recommendations in respect of the issues before it and in suggesting future potential strategies for education in Australia.

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### *LIST OF ANNEXURES*

1. Curriculum Vitae of Dr Wayne Sailor ([http://specialedu.soe.ku.edu/sites/specialedu.soe.ku.edu/files/docs/people/vita/W\\_Sailor-08-13-13.pdf](http://specialedu.soe.ku.edu/sites/specialedu.soe.ku.edu/files/docs/people/vita/W_Sailor-08-13-13.pdf) as included in the Staff Profile for Kansas University at <http://specialedu.soe.ku.edu/wayne-sailor>)
2. Catia Malaquias, Submission to the Day of General Discussion on Rights to Education for Persons with Disabilities held by the United Nations Committee on the Rights of Persons with Disabilities on 15 April 2015, United Nations, Geneva (<http://www.ohchr.org/Documents/HRBodies/CRPD/DGD/2015/CatiaMalaquiasAustralia.doc>)
3. Catia Malaquias, "Will There Be Special Schools on Mars?" <http://www.globi-observatory.org/will-there-be-special-schools-on-mars/>
4. 2015 Review of Disability Standards for Education 2005 – Submission by Catia Malaquias (5 June 2015)
5. Catia Malaquias, "Perceptions Control Reality: Our Family's Journey to Embracing an Inclusionary Vision" (<http://www.joomag.com/magazine/free-articles-from-interaction-28-issue-2-perceptions-can-not-control-reality/0304270001426365428?short>)
6. Catia Malaquias, "The Secret Teacher Got It Wrong: A response to 'I am all for inclusion in principle, but it doesn't always work'", (<http://www.globi-observatory.org/the-secret-teacher-got-it-wrong-a-response-to-i-am-all-for-inclusion-in-principle-but-it-doesnt-always-work/>)
7. Wayne S. Sailor and Amy B. McCart, "Stars In Alignment", 2015, Research and Practice for Persons with Severe Disabilities 2014, Vol. 39(1) 55–64 found at <http://rps.sagepub.com/content/39/1/55.full.pdf> and SWIFT Schools website material, including research basis of SWIFT program.