

Briefing to the Incoming Minister of Education the Hon Anne Tolley



This briefing outlines the challenges and opportunities IHC has identified for the Incoming Minister of Education regarding education for students with intellectual and other disabilities. The Ministry of Education manages the centralised processes for funding and support for children with an intellectual disability to receive education in New Zealand. It also provides advice and guidance to Boards of Trustees and Principals on the non-centralised aspects of this funding and support.

IHC welcomes the opportunity to work with the incoming Government. IHC advocates for the rights, inclusion and welfare of over 50,000 people in New Zealand with an intellectual disability. IHC also delivers \$195 million of government contracts through our wholly owned subsidiary IDEA Services.

IHC has a long history in education advocacy and was an integral part of the lobby to ensure that disabled children have a legal right to enrol in their local school (s.8 Education Act 1989). IHC is well connected to the disability sector and works in partnership with organisations such as People First, the Disabled Persons Assembly and CCS Disability Action to advocate for the best education system for students with an intellectual disability.

Challenges in the Current Environment

IHC's mission is to advocate for the rights, inclusion and welfare of all people with an intellectual disability and support them to live satisfying lives in the community.

IHC believes that education is not only a fundamental right but a basic necessity to be able to participate and flourish in the community and the economy. Our vision for education is that people with an intellectual disability will have access to life-long inclusive learning environments.

Essential to achieving this vision are:

- schools that welcome all children and young people
- schools that are resourced to include all children and young people
- an education workforce that is trained and supported to include all children and young people.

For children and young people with an intellectual disability, lasting patterns of inclusion are firmly established at school. While there is no research base showing any benefits of segregated education, research shows that all children benefit from learning in an inclusive educational setting. Inclusion in schools is the foundation for a fully inclusive society.

Although inclusion is a word heard often in the education sector, inclusive education is still a long way off. The number of children and young people attending segregated education settings in New Zealand is increasing. For some, attendance of segregated education settings is a choice, but for many it is because the option to attend a regular school has been effectively removed by a system that is unable and in some cases unwilling to support them.

IHC along with parents, students, disability organisations, principals, teachers and others have been raising these issues for many years, to no avail. IHC therefore lodged a complaint with the Human Rights Commission in July 2008 against government policies and practices that prevent disabled students participating fully at their local school.

Opportunities for Partnership

IHC welcomes New Zealand's commitment to inclusive education in:

- The New Zealand Curriculum
- The New Zealand Disability Strategy
- The United Nations Convention on the Rights of the Child
- The United Nations Convention on the Rights of Persons with Disabilities

IHC believes that progress can be made towards New Zealand's commitment to inclusive education through a focus on three core areas:

- Removing barriers to participation in regular education
- Improving the supply, initial and ongoing education and support of the education workforce
- Ensuring that accountability and complaints mechanisms are robust

IHC supports elements of National's policy, such as: continuing with the reduction in the teacher-to-pupil ratio for new-entrant classes to 1:15: increasing Ongoing and Reviewable Resourcing Schemes (ORRS) funding for pupils with the highest special education needs and getting children and young people involved in sport. IHC wish to be involved in any review of government spending priorities in the area of education of children and young people with disabilities.

IHC notes National's policy to improve the choices and resources available to children and young people with disabilities by "expanding special education schools and encouraging the development of satellite special education classes". IHC is concerned however, that National's policy does not address the needs of those children with a disability who attend or would like to attend a regular school. IHC would like to know what steps National will take to address the needs of these children.

IHC's Role in Education Today

IHC responds to hundreds of requests from families and the community each year to provide advice and advocacy on education issues. We have developed resources that are widely used by both parents and education professionals to navigate the special education system.

IHC is a founding member of the Inclusive Education Action Group (IEAG) set up in 2007 to promote knowledge, attitudes, policies and practices that facilitate inclusive education. This year we have filmed a DVD and created a publication on the research evidence for Inclusive Education. These resources will be used to support our work with education groups and in schools building support and good practice of inclusive education.

Removing Barriers to Participation in Regular Education

Challenges	Opportunities/Solutions
<p>For families who choose for their disabled child to attend their local, regular school, barriers they experience are:</p> <ul style="list-style-type: none"> • Schools' refusal to accept enrolment because of the student's disability. • Limited attendance because of lack of support. • While attending, exclusion from classroom activities because of an absence of support. • Exclusion from activities such as sport, music and school trips because of the absence of the support necessary to enable participation. • Bullying. • Suspension and expulsion for behaviour attributable to impairment and the absence of support to assist with such behaviour. • A failure to provide students who are hearing impaired access to the curriculum by way of New Zealand Sign Language. • Parents being required to contribute financially toward the support necessary to allow full participation in the curriculum, the alternative being non-participation. <p><i>(These practices form the basis of IHC's complaint to the Human Rights Commission)</i></p>	<ul style="list-style-type: none"> • IHC supports National's policy to increase ORRS funding. We recommend it be increased to cover the real and actual needs of students with disabilities. • IHC supports the National Party's policy to increase opportunities for young people to participate in school sport. <p>IHC also recommends the following:</p> <ul style="list-style-type: none"> • Increased investment in public education as a first step to reducing barriers for disabled children including increasing the operations grant. • Reducing all class sizes to allow teachers to teach all students. • Widening the eligibility criteria for ORRS funding • A review of inequality in the schools special education grant. • Increased support for students with moderately high needs. • Inclusive education policy developed to replace the dual system of "mainstream" and "special" education, with a gradual and properly resourced implementation of this policy throughout the education system. • Increased initiatives that improve access of people with an intellectual disability to tertiary education and community education programmes.

Education Workforce

Challenges	Opportunities/Solutions
<ul style="list-style-type: none">• Inadequate supply and availability of specialist staff.• Lack of teacher education and professional development in inclusive teaching practices for students with disabilities.• Inadequate recognition of the role of teacher aides and resourcing of their ongoing professional development and remuneration.	<ul style="list-style-type: none">• Workforce planning and increasing funding for the employment of specialist staff such as resource teachers of learning and behaviour (RTLBs) and speech language therapists for assessment and support in schools.• In line with international best practice, all teachers have initial education and ongoing professional development in inclusive education principles and practices.• Teacher release time is increased for teachers of children with disabilities in regular schools, to allow planning, curriculum modification and skills development.• Workforce planning and increased funding for school support staff.

Accountability and Complaints

Challenges	Opportunities/Solutions
<ul style="list-style-type: none"> • Limited implementation of the vision and objectives of the New Zealand Disability Strategy. In particular the actions in Objective 3: Provide the best education for disabled people: <ul style="list-style-type: none"> ○ Ensuring that no child is denied access to their local, regular school because of their impairment ○ Ensuring that teachers and other educators understand the learning needs of disabled people ○ Ensuring that disabled students, families, teachers and other educators have equitable access to the resources available to meet their needs ○ Improving schools' responsiveness to and accountability for the needs of disabled students ○ Promoting appropriate and effective inclusive educational settings that will meet individual educational needs. • No independent complaints mechanism. • Evidence from countries that have implemented National Standards is that they lead to an emphasis on competition between schools and create barriers to fostering a more inclusive education system. 	<ul style="list-style-type: none"> • Directing the Education Review Office to action the report on <i>The New Zealand Disability Strategy in Schools</i> to ensure that Boards of Trustees and schools comply with the strategy. • Establish an accessible, transparent complaints process including an independent education review tribunal. • Ensuring that the Ministry of Education develops a robust implementation plan for the New Zealand Disability Strategy. • Reviewing the Ministry of Education capacity to adequately implement education legislation and policy in the Tomorrow's Schools environment. • Responding positively and engaging at the lowest possible level to IHC's complaint to the Human Rights Commission. • Focus on educational standards in the form of achievement for all students in a collaborative (not competitive) context where teachers and schools are supported to share ideas, expertise and resources, and work together. • Rather than imposing narrow and inappropriate performance indicators support school improvement by allowing schools to collect assessment data that monitors the progress of children, evaluates the impact of interventions, reviews the effectiveness of policies and processes, and allows new initiatives to be planned.