

Review OF SPECIAL EDUCATION 2010

IEAG

The **Inclusive Education Action Group**

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Submission form

You can use this form to provide your feedback on the *Review of Special Education: discussion document*.

You can get a copy of the discussion document from www.minedu.govt.nz or from the Ministry of Education.

Submissions close at 5pm on Friday 19 March 2010

Please send your submission to:

Post: Review of Special Education consultation
Ministry of Education
PO Box 1666
Wellington 6140

Instead of completing this form, you can make a submission online

Online: <http://www.surveymonkey.com/s/ReviewOfSpecialEducation>

You can also send your submission as an email

Email: SE.review@minedu.govt.nz

For further information please contact the Ministry of Education

Phone: 04 463 8000 Fax: 04 463 8254

About you

If relevant, you may answer yes to more than one of the following questions. This information helps us understand whether different parts of the sector have different views about the issues discussed.

1. Are you responding as parent or caregiver or family of a child with special education needs? Yes.

This submission is from IEAG, The Inclusive Education Action Group (www.ieag.org.nz).

IEAG is a relatively new group (established in 2008) of parents, teachers, disabled people, principals, teacher educators and researchers who are committed to ensuring that all disabled children, young people and adults participate fully in their local, regular educational setting.

We want schools to be inclusive and places where all children and young people, including those with disabilities:

- experience a strong sense of belonging;
- have a positive self- and group-identity;
- are valued by teachers and students;
- participate fully in the curriculum and in the life of the school;
- learn well;
- have friends;
- are well prepared to make the transition into a full and active adult life; and
- are fully participating members of inclusive communities.

Inclusion is not 'main dumping', and IEAG advocates for changes in the education system so that it has the resources, understandings, values and commitment to teach all children well in non-discriminatory settings. Inclusion cannot happen alongside 'special education', because 'special education' involves a particular way of thinking about disabled students that separates and differentiates them from their peer group. It involves belief systems and structures in any school that identify students as separate and 'special'. Therefore inclusion must replace the present dual system of regular and special education with a system in which all students' needs can be met in inclusive environments.

IEAG's purpose and work is supported by the research on inclusion that shows that inclusive education results in students who are better educated and better able to participate and contribute as members of society, and can be both cost-efficient and cost effective.¹

We believe that :

- All children and young people have the right to learn together, so that they can develop relationships, skills and knowledge for everyday life.
- NO disabled person should be denied the right to participate fully in education with others of their age. The role of education is to support people to be and become participating citizens in a civil democratic society.

These 'inclusive education' rights are enshrined in the *UN Convention on the Rights of the Child* and the *UN Convention on the Rights of People with Disabilities*. New Zealand is a signatory to both of these Conventions.

IEAG has a current membership of 250 people. IEAG has a governing committee of ten people, and the majority of IEAG's governing committee are parents of disabled children, disabled people, or whanau of disabled people.

¹ United Nations Special Rapporteur on the right to education, Victor Munoz, The right to education of persons with disabilities (19 February, 2007).

2. Are you a student with special education needs?

Yes. As noted above we have a diverse membership. We have one disabled tertiary student on our Governing Committee.

3. Do you work in the health or disability sector?

Yes. 8 out of the 10 people on our Governing Committee are working in a professional capacity in the field of disability, including researchers, the CEO of the Children’s Autism Foundation, the Director and a Senior Advocate of IHC advocacy services, teacher educators, advocates for disabled people (CCS & IHC), an educational psychologist, and a former ‘special education’ advisor (GSE).

4. Are you responding on behalf of a community or other non-government organisation?

Yes. We are an incorporated society and a registered charitable organisation.

5. Do you work in the education sector?

Yes. See 1-4 above. Our membership includes teachers and principals, teacher educators, education researchers, teacher aides, specialist teachers, therapists and others involved in education.

6. If you do work in the education sector, is your position mainly funded through special education funding, for example special school principal or teacher, specialist or RTLB?

In our membership. 25 are principals and teachers in regular schools, and 13 work in the ‘special education’ sector as educational psychologists, advisors, and therapists, ,

On our governing committee, four of us work in educational research and/or teacher education with a particular focus on disability issues, including disabled Māori, and those on the governance committee have won research grants at a high level (e.g. from the Marsden Fund, TLRI, HRC, MSD, & MOE). Thirteen persons in our general membership are lecturers or researchers involved in teacher education and disability research.

7. If you are responding on behalf of a community or other non-government organisation please name your organisation and your position within that organisation. Please also make it clear if this is the “official” response from that organisation.

Organisation:	IEAG (Inclusive Education Action Group)
Position:	Dr. Jude MacArthur and Ian Armstrong (Co-convenors), Dr. Nancy Higgins (Secretary), Marguerite Vanderkolk (Treasurer), Dr. Hazel Phillips, Trish Grant, Vivienne Thompson, Matt Frost, Andrea Ford, Vanessa Kaye

Understanding Inclusive Education

As indicated by the name of our group, IEAG is seeking changes in thinking and actions in education, from policy through to classroom practice, so that schools are able to include and teach all children and young people in their local community. This submission identifies inclusive education as the way forward to ensure that the NZ education system provides the best education for disabled students. It is vital, therefore, that the reader understands what inclusive education is.

Inclusive education (or inclusion) is sometimes unfairly, and inappropriately sidelined or rejected as a 'fad', or as 'controversial'. It is frequently misunderstood. Inclusive education is a widely researched and carefully developed approach to teaching and learning that has been adopted in a number of countries. Countries such as Italy and Norway closed all of their special schools in 1992, and have been developing inclusive education approaches in their schools ever since. Several Canadian states have done the same (New Brunswick, for example has been fully inclusive since it closed its institutions, special schools and units in the early 1990s). In 2000, Education Queensland undertook the Queensland School Reform project, beginning with widespread community consultation and implemented a large research study aimed at developing productive and inclusive approaches to assessment, teaching and learning.

Several LEA's in the UK have moved towards inclusion, many with the support of the *Index for Inclusion*, a practical resource that guides schools through a process of inclusive school development. The *Index for Inclusion* is now used in every school in England and Wales and in Queensland. It is used in over 45 countries, and has been translated into 21 languages. Teachers learn to work with a diverse range of students in their classrooms and schools through pre-service teacher education and professional development opportunities that are based on social justice and inclusive pedagogies.

Education systems that are committed to inclusion provide:

- A clear policy commitment to inclusive education
- Leadership in inclusive education
- Flexible and responsive supports and resources that meet schools' needs
- Ongoing and relevant professional development opportunities for teachers and other school staff (including, for example, time out of the classroom to meet families and others who know a student well, to learn from other teachers and from those with particular knowledge of impairment and disability issues, or to work with another teacher or teacher aide to plan for assessment and teaching).

Inclusion is concerned with the education of all children and young people, but particularly with those who are socially and/or academically excluded at school.² For example, some children in economically poor countries do not attend school at all; some children are segregated away from their peers and siblings; others leave school with no qualifications; while others feel that school is irrelevant to them. Inclusion is not a 'fad', nor is it a 'contentious' idea. It is a legitimate approach to teaching and learning which has been developed and used in

² Aimsow, M. (1999). *Understanding the development of inclusive schools*. London: Falmer Press.

schools world-wide over the past decade.³ Most importantly, its development and impact on student learning has been the subject of a significant body of research.

Disabled children and young people have a history of being excluded in a variety of ways. Segregated places such as special schools and units have a place in history as governments responded to parents' requests for an education when their children had none. However, a wealth of research in education and disability over the past three decades highlights significant problems with segregated education and its associated 'special education' thinking. These problems include:

- The association of disability with negative understandings about 'deviance' and 'difference';
- The separation of disabled children and adults from their community; and
- Social and academic disadvantage as common experiences of disabled people.

The difficulties faced by these students encourage us to look at how schools can be organised and improved so that student diversity is responded to in positive ways, and all students learn well.

For students with disabilities, inclusion challenges the idea that disability is a 'problem' or 'deficit' to be fixed. Instead, inclusive schools view differences among students as opportunities to think about and develop more effective practices⁴. The recent research on inclusive education focuses on student presence, participation, and achievement in regular schools where inclusive values such as equity, community, respect for diversity, compassion and entitlement are upheld⁵. These values are promoted in the New Zealand Curriculum⁶. In this regard, IEAG is pleased to see that the 'vision' of the Special Education Review Discussion Document is for "an increasing emphasis on education, not 'special'... maximising potential, not highlighting deficit... getting schools ready for kids, not kids ready for schools...", and on "presence, participation, learning and achievement" (pp. 8-10).

The research literature shows that students with disabilities, who attend inclusive schools in their local community, achieve well, have friends, and make smoother transitions into adult life compared with their segregated peers. In contrast, and as described above, the research does not support segregated education.⁷ A literature review and other research projects in the

³ Booth, T., & Ainscow, M. (2002). *The Index for Inclusion*. Bristol, U.K. : The Centre for Studies in Inclusive Education.

⁴ Ainscow, M. (2008) *Teaching for diversity: The next big challenge*. In F.M. Connelly (Ed), *The Sage handbook of curriculum and instruction*. Los Angeles: Sage Publications Inc.

⁵ Ainscow, M., Booth, T., & Dyson, A. (2006). *Improving schools, developing inclusion*. London: Routledge

⁶ Ministry of Education, 2007. *The New Zealand Curriculum*. Wellington, NZ: learning Media.

⁷ For reviews of this research evidence see, for example:

Dyson, A., Howes, A & Roberts, B (2002). *A systematic review of the effectiveness of school-level actions for promoting participation by all students*. UK: EPPI Centre, Institute of Education.

Higgins, N., Tozer, L., & Simenaur, R. (2006). *James Hargest College: No crumbs please*. A case study from the South Island EEPiSE (Enhancing Effective Practice in Special Education) Action Research Project: A researcher project commissioned by the Ministry of Education as part of . Wellington: Ministry of Education.

EEPiSE research programme were significantly funded by the Ministry of Education in 2005/2006. The research projects all supported inclusive education as the way to 'Enhance Effective Practice' for disabled students. Feedback from teachers and teacher educators in regular education was that this research also provided practical advice and ideas for teachers to use in their classrooms. This research material should be published in full on the MOE's website, and used as a resource to support ordinary schools to be inclusive. The literature review and its findings within the EEPiSE research programme were peer reviewed by a reknown international scholar, who stated that the report should be used as a tertiary textbook and form the basis for change in policy and practice in New Zealand education.

Despite much advocacy for inclusive education and requests by regular schools to be given the supports they need to welcome and teach all children, the NZ Ministry of Education has yet to disseminate New Zealand research that supports a commitment to an education system that encourages and supports all schools to be inclusive.⁸ It is encouraging though to see some recent Ministry of Education research which has an inclusive focus and provides teachers with practical support to assess the learning of disabled students. We would like to see more resources of this nature made available to teachers.

(<http://www.inclusive.org.nz/throughdifferenteyes/>)

Higgins, N., Phillips, H., Cowan, C., & Tikao, K. (2009). *Identity, invisibility, and growing up kāpo Māori*. *Children's Issues Journal*, 13 (1), 13-20.

MacArthur, J. (2009). *Learning better together. Working towards inclusive education in New Zealand Schools*. Wellington: IHC.

MacArthur, J., Kelly, B., Higgins, N., Phillips, H., McDonald, T., Morton, M., & Jackman, S. (2005). *Building capability in education for students with moderate and high needs in Aotearoa New Zealand*. Wellington: Ministry of Education.

MacGibbon, L. & Higgins, N. (2006). *EEPiSE Southern Region: Final Milestone report to the Ministry of Education*. A research project commissioned by the Ministry of Education. Wellington: Ministry of Education.

Rustemeir, S. (2004) CSIE Occassional Paper 1, *The case against segregation in special schools – a look at the evidence*. www.csie.org.uk

⁸ Ballard, K. (2004). Learners and outcomes: Where did all the children go? *New Zealand Journal of Teachers' Work*, 1(2), 95-103

Bevan-Brown, J. (2006). Beyond policy and good intentions. *International Journal of Inclusive Education*, 10(2-3), 221-234.

Higgins, N., MacArthur, J., & Morton, M. (2008). Winding back the clock: The retreat of New Zealand inclusive education policy. *New Zealand Annual Review of Education*, 17 (2007), 145-167.

Higgins, N., MacArthur, J. & Reitveld, C. (2006). Higgledy-Piggledy policy: Confusion about inclusion. *Childrenz Issues*, 10(1), 30-36.

Kearney, A., & Kane, R. (2006) Inclusive education policy in New Zealand: Reality or ruse, *International Journal of Inclusive Education*, 10(2-3), 201-219.

Wills, R. (2006). Special Education 2000: A New Zealand experiment. *International Journal of Inclusive Education*, 10 (2-3), 189-199.

In response to the clear mandate in the research for inclusion, and consistent with the goals of the New Zealand Disability Strategy and the objectives of the United Nations Convention on the Rights of People with Disabilities, IEAG’s ultimate aim is to support the development of an inclusive education system in New Zealand.

10 questions for your response

The Government is seeking feedback from the wide range of people that have a view of the special education sector. Please tell us your views on the following issues and any other aspects of the sector that are important to you. Answer as many questions as you wish and attach additional pages as required. We look forward to your contribution.

Schooling

Q 1a What is needed to help schools succeed?

To help schools succeed, evidence-based changes and leadership in education are needed (from policy through to classroom practice) that are consistent with inclusive education and the following:

1. What the research evidence identifies as the best possible approach to teaching and learning for disabled students.
2. The values and goals of the UN Convention on the Rights of People with Disabilities, and Disability Strategy which *set the high level framework for the Special Education Review* (Discussion Document, p. 6); and with the UN Convention on the Rights of the Child.
3. SE 2000’s goal for “a world class inclusive education system that provides learning opportunities of equal quality to all students” currently stated on the Ministry of Education’s website and first promoted by NZ Government in 1998.

Such changes require:

- A shift from seeing the disabled child as a problem to seeing the education system as the problem.⁹
- Reorganising ordinary schools within the community through school change and improvement and a focus on quality education for all.¹⁰
- A commitment by the Ministry of Education (MOE) to inclusive education at all levels, from its policies, systems, and structures, through to teaching practice in the classroom.
- Leadership, resources and supports for regular schools and teachers so that *all* children are welcome, valued and supported as fully participating members of their local school and community.

⁹ UNESCO (2009). *Policy guidelines on inclusion and education*. Paris: United Nations Educational, Scientific and Cultural Organization.

¹⁰ UNESCO (2009). *Policy guidelines on inclusion and education*. Paris: United Nations Educational, Scientific and Cultural Organization.

- Support for regular schools and teachers to establish and put into practice the inclusive values specified in the NZ Curriculum (such as equity; participation; respect for diversity; respect for oneself, others and human rights; a strong sense of community).

1. An evidence-based approach

The NZ Ministry of Education prides itself on having an evidence based approach to ensure that changes and developments in education are consistent with up-to-date thinking, both nationally and internationally.

Developments in teaching and learning for disabled children and young people should also be informed by the research evidence. The research evidence clearly provides a strong mandate for inclusive education. It offers no support for segregation, and identifies the disadvantages, academically and socially, of segregated education in special classes, units and schools. *Changes in education therefore need to be focused on strengthening and supporting regular schools so they can welcome and teach all children/young people.*

Inclusive education itself is an extensively researched, evidence-based approach to teaching and learning.¹¹ It is an approach that has been taken up internationally by a number of countries (e.g. Italy and Finland) and school districts and LEAs (e.g. in Canada, the UK, and Queensland).

The Discussion Document states a commitment to the *New Zealand Strategy* and the *UN Convention on the Rights of People with Disabilities*. Both

¹¹ See for example:

Ainscow, M. (2008). Teaching for diversity: The next big challenge. In F.M. Connelly (Ed), *The Sage handbook of curriculum and instruction*. Los Angeles: Sage Publications Inc.

Barton, L (1997). Inclusive education: Romantic, subversive or realistic? *The International Journal of Inclusive Education*, 1, (3), 231-242.

Dyson, A., Howes, A & Roberts, B (2002). *A systematic review of the effectiveness of school-level actions for promoting participation by all students*. UK: EPPI Centre, Institute of Education.

Tapasack, R. & Walther-Thomas, C. (1999). Evaluation of a first-year inclusion program: Student perceptions and classroom performance. *Remedial and Special Education*, 20, (4), 216-225.

¹² See, for example:

Educable (2000). No choice, no chance. The educational experiences of young people with disabilities. Belfast, Northern Ireland. Save the Children and Disability Action.

Thomas, G., & Loxley, A. (2007). Deconstructing special education and constructing inclusion. 2nd edition. New York: McGraw Hill-Open University Press.

¹³ Munoz, V. (2007). *The right to education of persons with disabilities: Report of the Special Rapporteur on the right to education*. United Nations Human Rights Council, Fourth Session, Item 2 of the agenda. Retrieved on Feb. 8, 2008, from siteresources.worldbank.org/DISABILITY/Resources/News---Events/463933-1147810251877/UNSREdu.pdf.

¹⁴ UNESCO (2009). *Policy guidelines on inclusion in education*. Paris: United Nations Educational, Scientific and Cultural Organization.

documents highlight inclusive education as a necessary requirement to meet the goal of an inclusive society. The UN Convention states that governments should “...**ensure an inclusive education system at all levels...**”. The NZ Disability Strategy says that government should “**promote appropriate and effective inclusive educational settings that will meet individual educational needs**”.

Given the above, we would like to ask, “why is this Discussion Document not influenced by the Disability Strategy and UN Convention?” We also want to know why this Discussion Document makes no reference to research evidence. In particular, this document

(i) makes no mention whatsoever of **inclusive education** (the Submission Form for responses does not have a section on inclusive education either); and

(ii) presents a set of four “Options” (p. 18) , all of which retain ideas about segregation for disabled students. It should be noted that Option ‘B’ is entitled “No special schools”, when it could have been described as “Supporting all regular schools to include and teach all children”. We would like to know why this ‘option’ has been framed in this negative and provocative way? This option also suggests that, even without special schools, there could still be exclusion through an increase in “the number of schools with special units”. The research identifies education in special units as segregation and as disadvantaging disabled students.

In addition to the *Disability Strategy* and the *UN Convention*, the government’s current policy on special education, *SE 2000*, promised a vision of a “world-class inclusive education system”. Does this omission of ‘inclusion’ mean that the government will abandon the vision and principles of *SE2000*?

There is now a significant body of educational research, and there are human rights documents that clearly show that ‘special education’ thinking, and the segregation that goes along with this (‘special’ classes, units, schools and systems) disadvantages disabled children and young people, both academically and socially.¹² The research also shows that students who have been taught in segregated settings are poorly prepared for adult life. A range of reasons are given for this, including separation from the local community, peers, friends and siblings; the curriculum and teaching approaches in some segregated settings can be different from that found in regular schools; and some children and young people in these settings can be vulnerable to low teacher expectations for their learning. We have found no research that offers support for segregation. Some research alludes to the social benefits for SOME disabled students of being in a place with peers who share a similar experience and world view, but even this research acknowledges that exclusion and segregation from non-disabled peers in regular education is not the solution to loneliness.

In contrast, the research shows that children and young people with disabilities learn well when they attend their local community school.

However, simply being present is clearly not good enough. Children and young people do best, academically and socially, when these regular schools are inclusive, that is, they welcome all children and young people in their community; they have strong inclusive values (such as equity, respect for diversity, a strong sense of community); and they support the full participation of all students (see footnote 7). There are examples of such schools in New Zealand, including a number of rural schools that have been welcoming and teaching disabled students for decades. The work of these schools should be held up by the Minister and the Ministry of Education as good examples of inclusive practice. They provide us with tangible evidence that inclusion exists, it works, and it comes from a fundamental values base that all children in the school's community belong and are welcome here.

2. The values and goals of the UN Convention on the Rights of People with Disabilities, the Disability Strategy and the UN Convention on the Rights of the Child as a foundation for change

There is strong support from a human rights and social justice perspective for a change in education towards inclusion. **This support is clearly articulated in the Special Education Review's own "high-level framework" - the UN Convention on the Rights of People with Disabilities, and the New Zealand Disability Strategy.** The Discussion Document states on p. 6 that, *"The United Nations Convention on the Rights of Persons with Disabilities, and the New Zealand Disability Strategy set the high level framework for the review"*. It is also noted on p. 17 that the UN Convention requires New Zealand to *"promote access, inclusion, empowerment, equality, and the right to education"*. The document then proceeds to present a "vision", a part of which is the *"choice to be included"* (p. 41).

Using a rights-based framework, disability advocates in New Zealand and around the world have long argued that segregation is fundamentally wrong because it devalues people with disabilities and suggests that they do not belong in our local communities. At an international level support for inclusive education can be found in a range of human rights covenants and conventions. In 2007, Vernor Munoz, the United Nations Human Rights Council's Special Rapporteur on the right to education, emphasized that the paradigm of inclusive education fitted with article 15, paragraph 1 of the *International Covenant on Economic, Social and Cultural Rights*; with articles 23 and 29 of the *United Nations Convention on the Rights of the Child*; with the 1994 *Salamanca Statement*; and with the *United Nations Convention on the Rights of Persons with Disabilities 2007*. New Zealand has recently signed this latter convention, which "establishes the obligation of States to ensure an inclusive education system" (Munoz, 2007, p. 2).¹³

One of the foundation principles for inclusive education is that it is a fundamental human right to be a valued and included member of one's local community. This point is clearly articulated in the 2009 Human Rights Commission's recent report, *Disabled Children's Rights to an Education* (p.3):

Education is both a human right in itself and an

indispensable means of realising other human rights. It enables children and young people to develop a sense of their own worth and respect for others. In doing so, it fosters their ability to contribute to and participate fully in their communities. Education is the primary vehicle by which economically and socially marginalised children and young people can eventually lift themselves out of poverty, through developing the skills and qualifications necessary for quality paid work. (http://www.hrc.co.nz/hrc_new/hrc/cms/files/documents/02-Sep-2009_13-15-25_Disabled_Childrens_RTE_Word.doc).

The UN Convention on the Rights of people with Disabilities says : disabled people “should not experience any discrimination on the basis of their impairments.” **The UN Convention** states that Governments should:

- ensure that disabled people have opportunities, choices and rights on the same basis as non-disabled people; should not experience any discrimination on the basis of their impairments; and should be able to enjoy the full range of human rights that other people enjoy
- **recognize the right of persons with disabilities to education. ...ensure an inclusive education system at all levels...**
- **ensure that effective supports are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.**

The New Zealand Disability Strategy aims for a society that highly values disabled people’s lives and continually enhances their full participation. In education, Objective 3 is “*Provide the best education for disabled people*” (p.16). Actions include:

- 3.1 Ensure that no child is denied access to their local regular school because of their impairment.
- 3.2 Support the development of effective communication by providing access to education in New Zealand Sign Language, communication technologies.
- 3.3 Ensure that teachers and other educators understand the learning needs of disabled people.
- 3.4 Ensure that disabled students, families, teachers and other educators have equitable access to the resources available to meet their needs.
- 3.5 Facilitate opportunities for disabled students to make contact with their disabled peers in other schools.
- 3.6 Improve schools’ responsiveness to and accountability for the needs of disabled students.
- **3.7 Promote appropriate and effective inclusive educational**

settings that will meet individual educational needs.

- 3.8 improve post-compulsory education for disabled people, including: promoting best practice, providing career guidance, increasing lifelong opportunities for learning and better aligning financial support with educational opportunities.

Objective 13 also aims to “enable disabled children and youth to lead full and active lives”.

While not mentioned in the Discussion Document, the **UN Convention on the Rights of the Child** also highlights government responsibilities to ensure that all children’s and young people’s rights to a quality education are upheld in NZ. The whole convention is relevant to disabled children and young people, and the following articles are particularly relevant to this submission:

- Article 2: emphasizes the principle of non discrimination
- Article 3: supports **the best** interests of the child as a primary consideration in all actions concerning children (*note that the interests of parents or the state should not be the primary consideration, therefore decisions about education should be based on what is going to support children’s access to good quality education in the community*)
- Article 12: is concerned with respecting the views of the child (the right of children to be heard and to have their views taken seriously)
- Article 23 : states that disabled children shall enjoy "a full and decent life in conditions which ensure dignity, promote self-reliance, and facilitate the child's active participation in the community". This includes rights to access to education.

3. SE 2000’s goal for “a world class inclusive education system that provides learning opportunities of equal quality to all students” – Shifting the focus from ‘special’ to ‘regular’

In 1996 when SE 2000 was introduced, this statement created a lot of excitement amongst those working in education who felt that the time had come to create a regular education system that was capable of including and teaching all students.

This stated goal of SE 2000 is still cited, but perhaps with well deserved cynicism. Fourteen years later many parents are still asking, some pleading, and some fighting, for the supports that are needed by schools to teach their sons and daughters well. Too many families and teachers are still telling depressing stories about the children and young people who have missed out on ORRS funding, who struggle in the classroom, and face an uncertain future as they prepare to make the transition to secondary school. Some parents

with children in regular schools who are members of IEAG report feeling too exhausted to submit on the review, others wonder whether the effort is worth it because past experience of the same thing has led them to believe that nothing is likely to change.

There is ample evidence that significant issues remain to be addressed before disabled students and their families can feel that they really do have the “choice” of an inclusive school and school system. The 2009 *Human Rights Commission Report on Disabled Children’s Rights to an Education*, for example, describes “significant outstanding issues about the availability, accessibility, acceptability and adaptability of education for disabled students in New Zealand” (http://www.hrc.co.nz/hrc_new/hrc/cms/files/documents/02-Sep-2009_13-15-09_Disabled_Childrens_RTE_PDF.pdf). (Human Rights Commission. 2009).

The report notes a sharp rise in complaints in 2007 and 2008, and by 18 March 2009, the Commission had received 12 complaints, more than double the number received at the same time in 2008. Over half of all the complaints and enquiries (60%) related to four general themes:

- *Problems surrounding the enrolment of children in school*: schools not wanting to enrol children at all or only for limited hours (51 complaints)
- Children that have been *stood down, suspended, excluded or expelled* from school either because of their disability or due to behaviour that is caused by their disability (43 complaints)
- *Funding or the need for special assistance*, such as teacher aides, for disabled students (44 complaints)
- *Disabled children’s ability to participate fully* in wider school activities, such as school camps and other school trips (24 complaints).

The report notes that the ‘special education’ movement has “...had the unintended result of ‘ghettoising’ disabled students in special schools or classrooms, or as the object of special measures in mainstream classrooms, and needing specialist teachers to succeed. Disabled students continue to be seen as ‘other’ and therefore as problematic for the education system, the school, and the individual teacher. **Disabled students remain the object of policy rather than the subject of their own education**” (emphasis added, p. 18).

The focus of the Review, itself, is on “**Special Education**”. The Discussion Document talks about a “vision for the future of **special education**”. As pointed out earlier in this submission, ideas about ‘special education’ have been critiqued in the research literature. Special education separates “ordinary” education from something different that is described as “special”, and it separates students. The research also shows that “special education” thinking encourages some teachers in regular schools to assume that they are not able, and should not be expected, to teach all students.

This is why, in 2007, Vernor Munoz, the United Nations Human Rights

Council's Special Rapporteur on the right to education argued that special education needs to be dismantled in favour of one inclusive education system, because 'special' education paradigms reinforce prejudice and discrimination towards disabled people while it "pushes out (from the mainstream) students who do not measure up to performance goals" (p. 7). In contrast, education systems in which inclusive education discourse and paradigms dominate limit marginalisation, are more effective for disabled children, and enrich learning for all children. Munoz concluded that radical systemic education change was needed, and that "current and future education policy must identify and remedy all structural biases leading to potential exclusion in the mainstream education system. Policies and resources aimed at developing genuinely "inclusive" practices must take precedence over the old practices". (p.7)

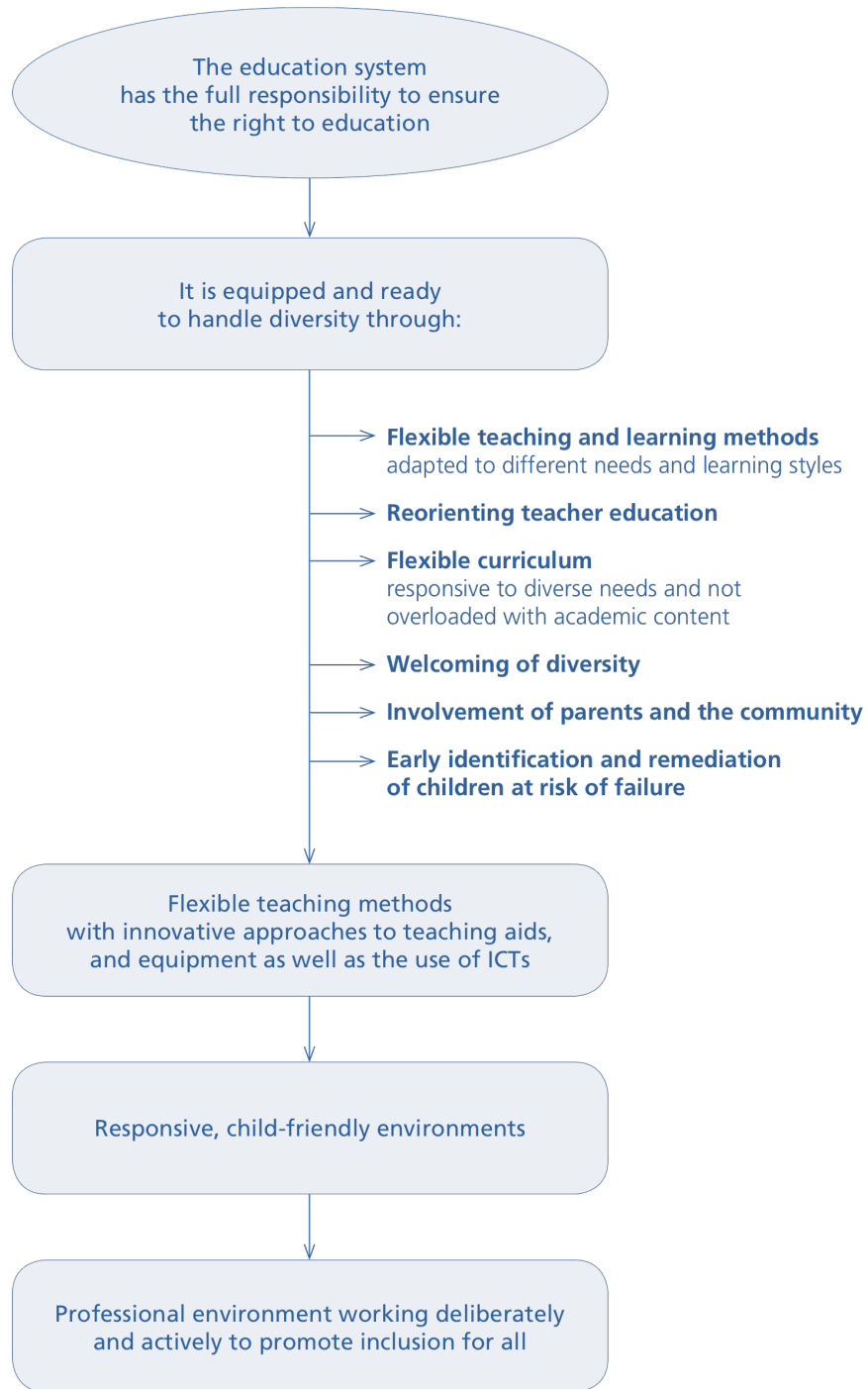
IEAG'S MAIN SUBMISSION POINTS

1. IEAG submits that the focus of the Minister and the Ministry of Education needs to shift away from 'special education', to changing and developing regular education, so that ordinary schools welcome and teach all children. The research the UN Conventions and the Disability Strategy emphasise that children and young people with disabilities belong and learn best in inclusive, ordinary schools.
2. Consistent with the research on inclusion, IEAG submits that systemic change is needed - from the level of policy and Ministry of Education leadership, through to teacher education that highlights inclusion, and to good supports for schools (e.g. a range of supports in schools where they are needed, and flexible professional development opportunities that respond to teachers' day-to-day work in inclusive classrooms).
3. IEAG submits that the four 'Options' presented on p.18 of the Discussion Document are highly inconsistent with the articles, goals, and intent of the two important 'Review Framework' documents. If the government is serious about the UN Convention and the Disability Strategy as a "high level framework", then inclusion is the only approach to teaching and learning that will meet the goals of an inclusive society, and support children's rights to a quality education alongside their peers, siblings and friends. Inclusion is also the only 'Option' that addresses the mandate in the education research for children and young people to learn together, and for schools to have the values, understandings and supports needed to welcome and teach all students in their communities. We therefore propose that the model below from UNESCO (2009) be used as a starting point for change. (See Figure One).

Please note that under the heading "to handle diversity through" that we would add to the top list:

- Inclusive values- all belong
- Support from teachers with particular knowledge of impairment, disability, and their effects.

Figure One: Education through the inclusion lens (UNESCO, 2009, p. 15)¹⁴



4. There is no recognition in the Discussion Document of the evidence that segregation disadvantages children and young people academically and socially. IEAG requests an explanation for this omission and a rationale for suggesting 4 'Options' that continue to promote segregation. What is the justification for supporting segregated special schools and units, particularly

when the majority of disabled students are in the mainstream, and many continue to face challenges because schools are still not supported by the Ministry of Education to be inclusive? If, as the Discussion Document suggests, changes are based on no additional money, how will the Minister justify continued expenditure on segregation, while students in regular schools, and regular schools who do include all children, continue to battle for the supports they need to make things work for all their students?

Q 1b How could schools work together to succeed?

Learning from good examples of inclusion in practice

There are schools in New Zealand, including a number of rural schools, which have been welcoming and teaching disabled students for decades. The work of these schools provides us with tangible evidence that inclusion is a genuine goal, that schools can work to be inclusive, and that some schools hold close to key values that see all children and young people as 'human', as members of the school community, and as therefore having an unquestioned place in the community school.

These schools are assets and they should be upheld by the Minister and the Ministry of Education as good examples of inclusive practice. They should be supported by the Ministry of Education to ensure that all teachers and students receive the supports and resources needed for academic and social success.

Schools can learn from each other but opportunities for shared learning cannot happen in a vacuum. To share good practices, teachers need release time from the classroom. They need guidance and monitoring in order to gain knowledge about what an inclusive school and good practice looks like from leaders in the field of teaching, learning and inclusive education. This involves simply more than talking with each other. Teachers need to become critical and informed thinkers who are supported by their principals, policy makers, practice and curriculum advisors, researchers and the MOE, who are well informed about inclusive education.

Support for schools - regular or special?

The Discussion Document raises the possibility of special schools as resource centres. As noted earlier in this submission, 'special' is not 'ordinary', and 'special' is not associated with inclusion. Teachers and others working in support roles need to understand the NZ curriculum, and the approaches to teaching and learning that are used in ordinary classrooms. They need to be able to work with a diverse group of students, not just with disabled students. The research is critical of 'special education' approaches to teaching that are

associated with low expectations for student achievement, and with ideas that differentiate students because they have impairments.

It is dangerous to assume, then, that teachers who currently work and have 'special education' paradigms within segregated settings, such as special schools and units, will have the skills, values and attitudes needed to work in support roles in regular schools. Some will, but these will be principals and teachers who want to close their schools, who understand and believe in inclusion, and who have developed and maintained strong outreach links with children and teachers in regular schools. Careful thought needs to be given to the qualities of teachers and others who take on support roles with school staff. In New Brunswick, Canada, where inclusive education has been in place for two decades, support teachers in schools are released from the classroom to work collaboratively, and on a full-time basis, with teachers to assist them in their planning and teaching. Support teachers:

- Are regular trained teachers;
- Are known to the staff and families of the school ;
- Have credibility with the staff and families of the school;
- Receive ongoing support and professional development at a regional and national level;
- Are in touch with advances in thinking about assessment, teaching and learning;
- Are supported in their work by inclusive education policy, structures and practices at all levels of the education system.

In some American states, a co-teacher model is used in which teachers with experience in teaching for diversity are attached to each regular school, and actually 'co-teach' alongside other teachers within the school as needed. In this way regular teaches are 'upskilled' through the ongoing support of an experienced colleague and mentor. There are examples of similar models in the research literature that can inform discussions about alternative ways to support classroom teachers in regular schools in New Zealand.

Transitions and agencies working together

Q 2 What needs to be done to make transitions work better?

All transitions need to:

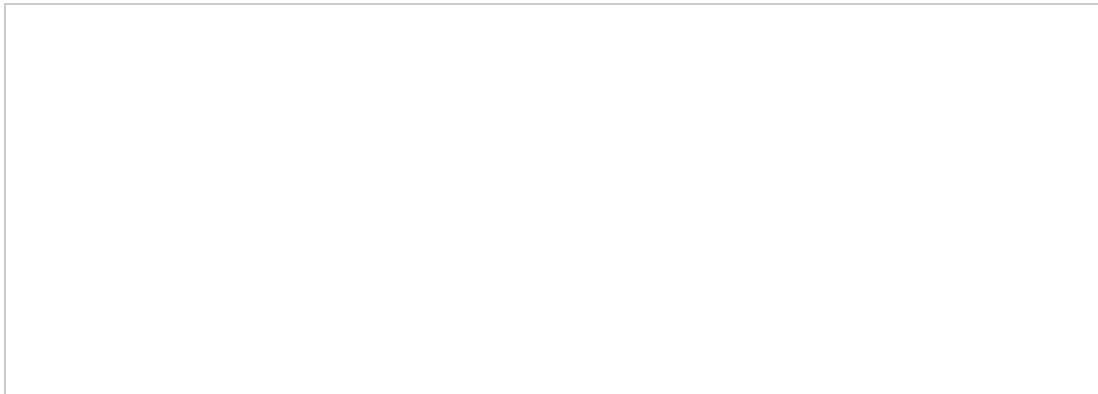
- Assume that students will be in their local school, alongside peers who live in or near their local community
- Be planned, supported and resourced well in advance
- Ensure the smooth flow of vital student information across settings
- Involve some key people who remain constant across the transition
- Involve teachers from both settings working together before, during and after the transition
- Be supported throughout the entire process with the perspectives, of the student, parents, teachers, principals, other support staff who understand the nature of the student's impairment and its effect on

his/her learning and social experiences

In regards to the transition to adult life, three key factors are pertinent to successful transition for disabled students: availability of family support and involvement; active involvement of students and parents in the transitional planning process; and networking to services and sources of support within the community. In terms of the role of schools, studies have also indicated that educators should seek to develop employability skills training; provide supported work experience; and provide access to curricula that teaches self-advocacy and self-determination.

Research also suggests that problems at transitional stages are often related to divisions between schools and community services and proposed a service integration model focused on the point of transition. This model would require interagency agreements between schools and other service systems in order to develop transitional services, facilitate community access and provide inclusive employment placements. More effective collaboration is needed between service agencies, including links between teachers and available support services within families and communities. It has been suggested that teachers should have opportunities to raise their awareness of the post-school experiences of students with disabilities and develop critical understanding of the skills required for successful post-school life.

Q 3 How could services be better coordinated and focused on the needs of students and families?



Funding and resource use

Q 4 What arrangements for funding, decision-making, verification, and fundholding should we have?

The present funding system is not working because it is inflexible, unresponsive to genuine need, and too many children and their teachers are receiving inadequate levels of support at the local level. UNESCO (2009) in their policy guidelines on inclusive education emphasize that it is important for teachers to have secure access to specific professionals and professional knowledge when it is needed. In addition, teachers, other educators, disabled people, disabled students, non-teaching support staff, parents, communities, school authorities, curriculum developers and advisors, and educational planners are all among the actors that can serve as valuable resources in support of inclusion.

Barbara Disley (2009)¹⁵ stated that regular school principals, despite the evidence, may resist using supports because of difficulty in accessing services and the high case loads that support professionals, such as RTLB, speech language therapists, educational psychologists, and others have. She stated that

“One of the biggest challenges within our current funding system is to find ways to better integrate all specialist resources, and create a critical mass of expertise that ensures more effective and higher levels of direct service to young people in schools. Ensuring local ownership and decision-making over resources in a way that promotes high levels of responsibility and accountability for every student is also a challenge.”

Q 5a How can individually targeted services and supports be made more efficient?

¹⁵ Disley, B. (2009). Can we dare to think of a world without ‘special education’? In J. Langley (Ed.), *Tomorrow’s Schools, 20 years on...*, (pp. 63-77). Auckland: Cognition Institute.

Q 5b Is the current mix of programmes, services and supports right and does it provide value for money? What changes would you suggest?

IEAG is very concerned with the following question that was on page 33 of this Discussion Document: “What is the balance of investment of students with the greatest potential versus all students with special education needs?” This seems to indicate that disabled students can be considered as less valuable than non-disabled students. It also pits one group of students against another which contradicts the notion that this document is based on the principles and the intent of the *NZ Disability Strategy* and the *UN Convention on the Right of People with Disabilities*. Can the Minister or the Ministry please further explain the intent of this question?

In regards to the question that is asked here, and as indicated earlier in this submission, segregation is not supported in the research. It is not an evidence-based approach to teaching and learning. Its continued existence contravenes the objectives of the UN Convention on the Rights of People with Disabilities and the goals of the Disability Strategy.

It is also very expensive to operate two systems of education – special and regular, and segregation itself is expensive. It is difficult to locate figures that denote the true cost of segregation. However the following questions should be pursued in any analysis of the fair and equitable distribution of funding, particularly given the poor student outcomes associated with segregation :

- What is the cost involved in transporting large numbers of students by taxi to attend special schools and units outside the student’s home zone?
- How would this compare to spending money on RTLBs, educational psychologists, co-teachers and others who could support and mentor teachers?
- How much does it cost to continue building and maintaining ‘special buildings’ for ‘special schools’ above the required number of regular schools?
- How much does it cost for students to attend special schools and not learn about the communities in which they hope to work as adults?
- How much does it cost to maintain the present low student to teacher/adults ratio that is found in special schools/units?
- How much does it cost in the long run for students to be socially segregated from each other and not learn about diversity in our society?
- Will segregation lead to having a ‘siloed society’ in which only some citizens are given the opportunities to work and fully participate as responsible adults in their communities.
- How much does it cost to have an ‘army of teacher aides who act as teachers and one-to-one aides’ instead of well-trained and

supported teacher aides, and teachers who are experienced in, and have knowledge about, how to teach a diverse classroom? (We note also that on page 34 of the Discussion Document it is claimed that there is currently little advice that schools can draw on about how to use Teacher Aides to produce the best outcomes. However, teacher aides who have been well-trained (but who are not necessarily required to be trained) do work productively with students and teachers.)

- How much does it cost to operate a gate keeping 'verification system' when all children should be able to access educational support systems as needed so that they can 'be the best that they can be'.

We would suggest that the present special education system be dismantled; that teachers can access support and resources for all their students as needed; and that schools and teachers focus in the classroom on delivering 'productive pedagogies' in all of their lessons for all of their students as outlined below. This approach was adopted by Education Queensland as the result of a longitudinal study in 24 schools by the University of Queensland.

Productive Pedagogies (Education Queensland, Queensland Government, 2001).¹⁶

Intellectual quality

1. Higher order thinking - Is higher order thinking occurring during the lesson? Is there evidence of conceptual depth, not content?
2. Deep Knowledge - Does the lesson cover operational fields in any depth, detail or level of specificity?
3. Deep understanding - Do the work and responses of the students provide evidence of depth of understanding of concepts or ideas?
4. Substantive conversation - Does classroom talk lead to sustained conversational dialogue between students, and between teachers and students, to create or negotiate understanding of subject matter?
5. Knowledge as problematic - Are students critiquing and second-guessing texts, ideas and knowledge?
6. Metalanguage - Are aspects of language, grammar and technical vocabulary being foregrounded?

Connectedness

7. Knowledge integration – Does the lesson integrate a range of subject areas?
8. Background knowledge - Are links with students' background knowledge made explicit?
9. Connectedness to the world – Is the lesson, activity or task

¹⁶ See: MacArthur, J., Kelly, B., Higgins, N., Phillips, H., McDonald, T., Morton, M., & Jackman, S. (2005). *Building capability in education for students with moderate and high needs in Aotearoa New Zealand*. Wellington: Ministry of Education.

- connected to competencies or concerns beyond the classroom?
10. Problem-based curriculum – Is there a focus on identifying and solving intellectual and/or real-world problems?

Supportive classroom environment

11. Student direction - Do students determine specific activities or outcomes of the lesson?
12. Social support – Is the classroom characterised by an atmosphere of mutual respect and support among teachers and students?
13. Academic engagement – Are students engaged and on-task during the lesson?
14. Explicit quality performance criteria – Are the criteria for judging the range of student performance made explicit?
15. Self-regulation – Is the direction of student behaviour implicit and self-regulatory?

Recognition of difference

16. Cultural knowledges – Are non-dominant cultural knowledges valued?
17. Inclusivity – Are deliberate attempts made to increase the participation of the diversity of students?
18. Narrative - is the style of teaching principally narrative or is it expository?
19. Group identity – does the teaching build a sense of community and identity?
20. Active citizenship – Are attempts made to encourage active citizenship within the classroom? (Education Queensland, 2001, Table 1, p. 6)

High quality services and being accountable

Q 6 How can the quality of services be improved?

(as above)

Q 7 How can families and schools be better informed?

Parent 'choice' and knowing what is being chosen

Despite the Review's (and Minister Roy's) stated concern for parent 'choice', *all parents who want an inclusive education* for their disabled children in New Zealand simply do not have this choice at the moment. Research released recently by CCS Disability Action indicates that for many families, the idea of choosing a school for their child is an illusion. This research, entitled *Families Choices: Choosing School(s)*, looked at the factors that influence parent and caregiver choice around where their child goes to school. Parents in the study described themselves as 'lucky' when their local school accepted their child. The choice of the child's enrolment is essentially being made by the school rather than parents or caregivers. The large and increasing number of complaints to the Human Rights Commission (described earlier in this submission) from families who have experienced difficulties in regular schools, provide further evidence that many regular schools are still not prepared or supported to teach a wide range of students, including disabled students. This is further evidenced by the fact that IHC is presently bringing a case to the Human Rights Commission against the Ministry of Education because of the numerous examples of exclusion from regular schools and the curriculum that have been brought before them.

The reality is that there is a *lack of choice* for many families. It is wrong that parents who want their children to be in their local school, where they should be, still have to struggle to change some teachers' attitudes and fight for the supports that their child and the school needs. The solution to this problem should not be to only have the 'choice' of enrolment in special schools or in other segregated places 'that will have them' and will be able to 'protect them', because this suggests that disabled children thus do not belong in our society and regular schools. If they don't fit and we don't have support and knowledge, we can simply exclude them. They must 'fit' into our 'adult non-disabled'

environment or be told to 'choose' somewhere else. As a society we do not accept this approach for other children. This approach is discriminatory. Equally, it is notably inconsistent with the Review's "high-level framework" of the *UN Convention on the Rights of People with Disabilities* and the *NZ Disability Strategy*.

We believe that there is no choice. Presently for many parents the choice is between two equally non-compelling options: segregation or 'main dumping'. Parents don't have the opportunity to choose between two compelling options (e.g like between two plump oranges, or two inclusive schools). Moreover, inclusive education means that parents would no longer need to make difficult choices. Their children would go to their local school, which would be welcoming and valuing of all its students. The UN Rapporteur on Education stated that governments need to have the political will to move towards inclusive education. Therefore, IEAG looks forward with hope to inclusive education being talked about at all levels and with enthusiasm, e.g. in Parliament, in the MOE staff room, and in schools and local communities.

Q 8 What does successful special education look like and how should we measure it?

N/A

Q 9 When things do not go well, what arrangements should be in place to resolve issues?

In closing

Q 10 What is the most important change that would improve outcomes for children and young people with special education needs?

Our submission has emphasized that systemic change in regular education is needed to ensure that all children and young people learn well and are included as valued members of our community. The Minister and Ministry of Education need to take the lead by committing to inclusive education, and acknowledge that this is an extensively researched and globally developed approach to teaching and learning (see <http://www.unesco.org/en/inclusive-education/> and <http://www.csie.org.uk/>) We have referred to the strong evidence and human rights basis for moving towards inclusive education, and the UNESCO model that needs to be implemented. Inclusion is the only 'option' that meets the goals and objectives of this Review's high level framework in the *NZ Disability Strategy* and the *UN Convention on the Rights of People with Disabilities*. This approach is also needed if our education system is to respond to the numerous challenges faced by disabled students and their families who want, and have the right to, a quality education in regular schools.

Oral presentations

Once submissions have closed, the Associate Minister of Education will convene a panel to enable submitters to present the key points of their submission to the Government. If you wish to present to the panel please indicate this below and provide your email address and daytime telephone number so that we can contact you. The Government will endeavour to hear from as many submitters as possible in the time available.

YES

I would like to make an oral presentation and have provided my contact details.

If yes, please indicate whether you would like to present in (please select one location):

WELLINGTON

Email address (if available):	teamaloo@xtra.co.nz (Dr. Jude MacArthur); maxnian@ihug.co.nz (Ian Armstrong), n.higgins@clear.net.nz (Dr. Nancy Higgins)
Daytime contact telephone number:	03-464-0798 (Dr. MacArthur) or 03-482-1198 (Dr. Higgins)

If you require assistance to make an oral submission (for example a sign language interpreter) please tell us the assistance you need

Please enter your comments here

Please note that all submissions can be requested by members of the public under the Official Information Act. However, we will seek to withhold the personal details of individual submitters when responding to Official Information Act requests.