A Document Review of Exclusionary Practices in the Context of Australian School Education Policy

Teresa Iacono* [iD], Mary Keeffe[†], Amanda Kenny[‡] [iD], and Carol McKinstry[‡] [iD]

*Living with Disability Research Centre, La Trobe Rural Health School, La Trobe University, Bendigo, Australia; [†]Department of Education, La Trobe University, Bendigo, Australia; and [‡]La Trobe Rural Health School, La Trobe University, Bendigo, Australia

Abstract

Internationally, there is a commitment to inclusive education for students with disability. In Australia, equality of access to mainstream schools is a key policy feature, with educational exclusion of children with disability being unlawful. In this review, the aim was to identify and analyze contemporary documents that point to failures in inclusive policy and legislation in Australia and the state of Victoria by demonstrating educational exclusion of school students with disability. A search of the gray literature was conducted to identify relevant documents from 2010 to 2017. Reference lists of retrieved documents were also searched for other sources. The review included 23 documents and findings demonstrated that the needs of children and families are often not met, with a disconnection evident between inclusive educational policy, legislation, and practices that exclude children with disability from mainstream education. Restrictive practices and gatekeeping act to dissuade families from enrolling children in mainstream education, with many seeking enrolment in special schools. However, concerns with special school practices, such as the use of restrictive interventions have been documented. Parents have resorted to homeschooling, with associated emotional and economic consequences. Tensions between schools and parents were evident, with parents not always having the opportunity to be fully involved in decision-making processes and planning. The key finding of this review was a clear gap between policy and legislative intentions and practices in schools. Lack of clarity on reasonable adjustments and an underpinning research evidence base to policy results in schools being left to develop their own practices. Strong leadership is needed from principals, and a whole of school commitment, to traverse policy practice gaps that continue to impact on the ability of children with disability to be well-supported in accessing mainstream schools.

Keywords: disability, inclusion, intellectual disability, policy, school education

Introduction

Within Australia, a number of government reviews have highlighted failures in the provision of inclusive education for students with disability (e.g., Department of Education and Training, 2016b; Senate Standing Committee on Education and Employment, 2016; Urbis, 2015). These failures have occurred in the context of international commitment to achieving equality in access to education in mainstream schools (UNESCO, 2015). Australian policy (MCEETYA, 2008) and guidelines for educating students with disability found in the Disability Standards for Education (DSE) 2005 (DEEWR, 2012) align with this commitment. Furthermore, the DSE 2005, in conjunction with the Disability Discrimination Act 1992 (Cth.), § 22, renders it unlawful to exclude children with disability from mainstream education.

In order to achieve the best outcomes from their education, students with disability require schools to make adjustments to support their academic and social inclusion. How best to resource such adjustments has become the focus of debates, which are best understood within the broader Australian education funding context. Funding for schools in Australia is the responsibility of states and territories, with some Commonwealth funding provided; however the allocation process has been criticized for lacking transparency (OECD, 2013). A review commissioned by the Australian Government resulted in an attempt to shift funding to a new needs-based model (OECD, 2013), as captured in what has become known as the *Gonski Report* (Kenway, 2013). This report has been central to ongoing debates about how best to ensure equity and transparency, in particular, according to student need (Gonski et al., 2011). The funding model proposed by Gonski et al. (2011) included loadings for schools with disadvantaged students. Disability was one of the five sources of disadvantage identified, with the provision of loadings for disadvantage differentiating the approach from previous needs-based models that had existed in Australia (Joseph, 2017).

Only recently has there been a systematic attempt to obtain data about students with disability on which to determine needs-based funding. In 2011–12, the Australian Government conducted a trial of the Nationally Consistent Collection of Data on School Students with Disabilities (NCCD), with participation of almost all schools achieved in 2015 (Education Council, 2016). Collection of these data is based on broad categories of disability, corresponding to that used in the Commonwealth Disability Discrimination Act 1992 and DSE. Teachers apply

these categories using their judgment of the level of adjustments provided to meet each student's needs. According to 2015 data, over 50% of students requiring some level of adjustment had cognitive disability (54% across Australia), including those with intellectual disability, 23% had social–emotional disorders, 19% physical disability, and 4% sensory disability (Education Council, 2016). Most students were provided with supplementary adjustments (43%), followed by supports within quality differentiated teaching practice (31%), substantial (16%), and extensive (8%) adjustments (Education Council, 2016).

The NCCD has been implemented across both mainstream and special schools. Australia has maintained segregated schools (special or specialist) in each state and territory, reflecting a trend existing in other developed countries (Inclusion International, 2009; Unicef, 2012), although approximately 90% of students with disability have been estimated to attend mainstream schools (Children with Disability Australia, 2015). Special schools have been criticized by international bodies because of their expense and poor outcomes relating to progress of students to societal inclusion, such as through open employment (Unicef, 2012). Australian Bureau of Statistics (ABS) (2016) data for 2015 indicated that there were 448 special schools and 8956 nonspecial schools (primary and/or secondary). These data do not include special units in mainstream, in which students with special needs are segregated for all or part of the school day, a practice argued to be antithetical to inclusive education (Graham & Sweller, 2011). The availability of special schools and special units has meant that alternatives to mainstream education do exist across Australian states and territories. The issue is whether these alternatives provide families with true choice, or the only option if their children's needs are not accommodated in mainstream schools.

It would seem, then, that Australia provides both policy and funding support for the educational inclusion of students with disability. The outcomes of recent government inquiries (e.g., Senate Standing Committee on Education and Employment, 2016) and policy review, including by the Victorian state government (Department of Education and Training, 2016b), suggest a gap between policy and practice. The aim of the current paper was to review evidence of the exclusion of students with disability from inclusive education, with a focus on one state as an exemplar and within the context of Commonwealth and state legislation and policy. The state of Victoria was chosen in light of its recent review of supports and programs for school students with disability (Department of Education and Training, 2016b). To address the aim, contemporary reports of relevance to Australian and Victorian policy and legislation were reviewed. Specifically we sought to identify a gap between policy on inclusive education for students with disability and what occurs in practice for these students and their families. A further aim was to review recommendations to close this gap.

Approach

Government policy reviews and inquiries are usually made available as gray literature: That is, in forms not controlled commercially (Tyndall, 2008), and hence, available from open-access sources, typically on the Internet. A search of the gray literature

was conducted in December 2017, and repeated in March 2018 within the databases Preserving and Accessing Networked Documentary Resources of Australia (Pandora), a collection of Internet-reports and websites (Tyndall, 2008), and Informit A+ Education, an open-access collection, which includes reports on education in Australia, and in Google™. The focus was on contemporary reports from 2010 to 2017 that focused on school education of students with disability within (1) Australian policy and legislation, and (2) Victorian policies and reports of practices. Key terms used for the search were combinations of the following terms: school*, special*, mainstream, regular, education, inclusion, Australia*, Commonwealth*, and Victoria*. Reference lists of retrieved documents were searched for other sources that addressed school education of students with disability in legislation and policy, or described practices in school education. Excluded were documents or websites that explained or summarized policy or legislation, or were focused on Australian states or territories other than Victoria, and conference abstracts. A total of 23 documents were included: (1) legislation, government policy and standards ($n = 8$); (2) policy reviews ($n = 3$); (3) government or government body inquiries ($n = 3$); and (4) original research and research reviews, including that commissioned as part of policy review, or conducted by consultancy or advocacy groups ($n = 9$). These documents are presented in Table 1.

Findings

Educational Policy and Legislation

Recognition of, and strong support for, the human right to equity in education, provide the basis for key policy and legislation across Australia and also specifically for Victoria (see Table 1). Australia is a signatory to the UN Convention on the Rights of Persons with Disability (CRPD) (United Nations, 2006), ratified in 2008, including Article 24, which specified the right to education for all (Poed, Cologon, & Jackson, 2017). Evident from Table 1 are the legal and policy drivers at both Commonwealth and Victorian state levels to provide access for students with disability to mainstream schools and ensure they receive the supports needed to achieve full academic and social inclusion. There is continuity between legislation and policy, for example, the Australian Education Act 2013 (Cth) (Austl.) captured the policy aspirations of Australian education ministers (MCEETYA, 2008) to promote equity and access for all students. Further, a funding plan (Commonwealth of Australia, 2013) included an increase in specific allocation for students with disability, extension of project funding for More Supports for Students with Disability (MSSD), aimed at increasing school capacity to meet the needs of students with disability (PhillipsKPA, 2015), and providing for the NCCD for students with disability. Further, legislation and policy focused on education reflect broader disability discrimination legislation at both state and national levels, and the 10-year national strategy that targets the promotion of learning and skills through disability inclusive high quality education (see Table 1). Continuity in policy and legislation to promote inclusive education from the

TABLE 1

Key legislation and policy for Australia and Victoria relevant to the school education of students with disability

Document	Type, jurisdiction, and key content or focus
Legislation, government policy and standards	
Disability Discrimination Act 1992 (Cth) (Austl.)	Legislation, Australia: It is unlawful for an education authority to discriminate against a person on the basis of disability in relation to enrolment in the school, restrict or deny access to educational activities, including school curricula that effectively exclude the person.
DEEWR (2012)	Standards, Australia: Disability Standards Education 2005. Relate to reasonable accommodations, covering participation, curriculum development, accreditation, delivery, student support services, elimination of harassment and victimization.
Australian Government, 2011	Policy, Australia. 2010–2020 National Disability Strategy: Area 5—Learning and Skills—targets the outcome of people with disability participating in inclusive high quality education, which is responsive to their needs to enable them to achieve their full potential. Outcome indicators include the number of students with disability in mainstream schools, completing year 12 and the number with postschool qualifications.
MCEETYA (2008)	Policy, Australia: The outcome of a forum of all government education ministers. Aspires to equity of opportunity and outcomes for all students, quality of education, and collaboration across all school authorities. Disability included in Goal 1—Australian schooling promotes equity and excellence—provide all students with access to high quality schooling, free from discrimination, and to reduce the effect of disadvantage, promote personalized learning. Provided the basis for the Australian Curriculum, Assessment, and Reporting.
Australian Education Act 2013 (Cth) (Austl.)	Legislation, Australia: Objectives address areas of priority and need identified in the Melbourne Declaration and principles of equity and excellence; a need based funding model, which stipulates formulas for base amounts and loadings determined by reference to the schooling resource standard, and implementation of the National Plan for School Improvement and National Education Reform Agreement.
Commonwealth of Australia (2013)	Funding Plan, Australia: Outlines the budget and funding model with an overall aim of lifting the standard of all schools. An extra 186% funding was allocated to schools for each student with disability in 2014. Funding for More Supports for Students with Disability PhillipsKPA (2015) was extended for a year, with a Nationally Consistent Collection of Data model to inform a new loading for students with disability.
Education and Training Reform Act 2006 (Vic) (Austl.).	Legislation, Victoria. Students with disabilities have the same entitlements as other students: To attend their designated or any other government school if there is sufficient accommodation to meet their needs; parents are not required to contribute to the cost of additional support provided to their children.
Equal Opportunity Act 2010 (Vic) (Austl.)	Legislation, Victoria: Makes it unlawful to discriminate or treat a person unfavorably on the basis of disability in a range of settings, including education. It obligates education providers to provide reasonable adjustments to help the person access education.
Policy reviews	
Department of Education and Training (2016b)	Review of the Program for Students with Disabilities, Victoria. Commissioned by the Victorian State Government as part of its education reform agenda. Methods included policy and research reviews, consultations, submissions and surveys of stakeholder groups.
Department of Education and Training (2016a)	Government response to the review of the Program for Students with Disabilities, Victoria. Response to each of 25 recommendations, most of which were accepted.
Urbis (2015)	Review of Disability Standards for Education (2005), Australia. Involved extensive consultations to obtain the perspectives of students with disability, their families, policy-makers, regulators, and education service providers.
Government and government body inquiries	
Senate Standing Committee (2016)	Parliamentary senate inquiry, Australia. Report of hearings and submissions regarding the concern about poor educational outcomes for school students with disability.
Victorian Auditor-General (2012)	Review by independent office of parliament, Victoria. Report of the assessment of the extent to which the education department supported the learning needs of school students with disability. Data were from audits of individual learning plans, interviews and focus groups of stakeholders from across mainstream and special government schools.

(Continues)

TABLE 1
Continued

Document	Type, jurisdiction, and key content or focus
Victorian Equal Opportunity & Human Rights Commission (2012)	Inquiry by an independent statutory body, Victoria. Report following investigation into complaints made to the Commission regarding discriminatory practices in Victorian state schools.
Original research and reviews	
Children with Disability Australia (2015)	Research by advocacy group, Australia. Collation of data from students with disability and families about experiences across school authorities. Submitted to the Commonwealth Senate inquiry (Senate Standing Committee on Education and Employment, 2016).
Children and Young People with Disability Australia (2016)	Review of research by advocacy group, Australia. Addresses potential problems with the Australian Government's proposed collection and publication of data regarding students with disability and their required level of adjustment, as judged by teachers.
Cologon (2013)	Academic research review commissioned by an advocacy group, International. Reviews evidence of benefits of inclusive education, and exclusionary practices within mainstream schools.
Cumming & Dickson (2013)	Academic review of practices, Australia. Reviews practices relating to national testing of school student literacy and numeracy and the extent to which students with disability are included.
Foreman (2015)	Academic review, International. Commissioned by the Victorian state government as part of its review of the Program for Students with Disability. Considers the extent of Australian policy on inclusive practices, with research review including international studies.
Forlin et al. (2013)	Academic research review, International. This report was commissioned by a research alliance for the Australian government. It addressed three key research questions relating to how Australia compares internationally in terms of students with disability and additional learning needs having access to and participating in education equivalent to students without disability.
PhillipsKPA (2015).	Consultancy research, Australia. An evaluation of the More Supports for Students with Disabilities program, commissioned by the government. Overall and individual reports of demonstration programs designed to improve educational outcomes for students with disabilities.
Poed et al. (2017)	Academic research, Australia. Survey study of discriminatory practices identified by the Senate Standing Committee (2015). Data provided for Australia and each state and territory.
Punch (2015)	Academic research review, International. Commissioned by the Victorian state government as part of its review of the Program for Students with Disability. Addressed the use and efficacy of integration aides (i.e., education support staff) for students with disability in mainstream schools.

Commonwealth to the state can also be seen in the Victorian documents in Table 1.

Exclusionary Practices in School Education

Evidence from policy reviews, government inquiries, and other documents sourced from the gray literature (Table 1) demonstrate that the needs of students with disability are not being met according to the intent of education and disability policy and legislation. Summarized in Table 2 is information about the experiences of families and their children with disabilities obtained nationally and from Victoria (in some cases both) of practices that exclude them from mainstream education, which have been referred to as *micro-exclusion.* As shown in Table 2, most practices reported for Victorian schools have also been reported nationally. Some

practices violate Australian legislation in demonstrating overt discrimination (i.e., violation of the Disability Discrimination Act, 1992): in particular, refusal to enroll students on the basis of their disability. This evidence of such overt violations is in reports arising from both national and Victorian government inquiries, and in surveys conducted as part of reviews commissioned by government bodies (see Table 2). A review of the Victorian Program for Students with Disabilities, by the Department of Education and Training (2016b), for example, relied on various types of data collected through public forums, on-line submissions and surveys.

Gate-Keeping and Restrictive Practices

Poed et al. (2017) conducted a survey across Australia to determine the extent of micro-exclusion, also referred to as *gatekeeping*

TABLE 2

Micro-exclusion evident across Australia and in Victoria

	Source documents	
Exclusion practices and experiences	**Victoria**	**National**
Refusal of mainstream school principals to enroll a student with disability.	Poed et al. (2017)	Children with Disability Australia (2015); Poed et al., 2017; Senate Standing Committee (2016)
Enrolment of a students with disability is discouraged (gatekeeping).	Poed et al., 2017; Victorian Auditor-General (2012); Victorian Equal Opportunity & Human Rights Commission (2012)	Children with Disability Australia (2015); Poed et al., (2017); Senate Standing Committee (2016)
Students allowed to attend school only part-time.	Poed et al. (2017); Victorian Auditor-General (2012); Victorian Equal Opportunity & Human Rights Commission (2012)	Children and Young People with Disability Australia (2016); Poed et al. (2017); Senate Standing Committee (2016)
Supports provided in mainstream schools variable in nature and quality; often inadequate.	Department of Education and Training (2016b); Poed et al. (2017); Victorian Auditor-General (2012)	Children and Young People with Disability Australia (2016); Poed et al. (2017); Urbis (2015)
Poor or inappropriate use is made of education support staff.	Department of Education and Training (2016b)	Senate Standing Committee (2016)
Teachers fail to make adjustments to meet student needs.	Department of Education and Training (2016b)	Children with Disability Australia (2015); Senate Standing Committee (2016); Urbis (2015).
Students with disability experience low expectations (ableism)	Poed et al. (2017)	Children with Disability Australia (2015); Poed et al. (2017); Senate Standing Committee (2016)
Parents asked to contribute to supports provided in the school, do so to ensure their children's access to them, or pay for assessments required to demonstrate funding eligibility.	Poed et al. (2017); Victorian Equal Opportunity and Human Rights Commission (2012)	Poed et al. (2017); Urbis (2015)
Students with disability are excluded physically, academically and socially.	Poed et al. (2017)	Children & Young People with Disability Australia (2016); Poed et al. (2017)
Students excluded from National Assessment Program: Literacy and Numeracy; may be provided alternative, but noncompulsory assessment.	Forlin, et al. (2013)	Cumming & Dickson (2013); Forlin et al. (2013)
Students with disability experience sustained harassment and bullying.	Poed et al. (2017)	Children & Young People with Disability Australia (2016); Poed et al. (2017); Urbis (2015)
Seclusion and other restrictive practices are used as behaviour management.	Poed et al. (2017); Victorian Equal Opportunity and Human Rights Commission (2012)	Children & Young People with Disability Australia (2016); Children with Disability Australia (2015); Poed et al. (2017); Senate Standing Committee (2016)
Parents are excluded from decision processes and planning.	Department of Education and Training (2016b)	Children with Disability Australia (2015); Senate Standing Committee (2016); Urbis (2015)
Schools reluctant to embark on the assessment process to determine eligibility for disability funding support; assessment process is long and arduous.	Department of Education and Training (2016b); Victorian Auditor-General (2012)	Urbis (2015)

and *restrictive practices*, as reported by the Senate Standing Committee on Education and Training (2016). Across Australia, 70% of 745 families, students and their advocates reported one or more forms of micro-exclusion. Almost 20% of these respondents reporting micro-exclusion were from Victoria, and their data generally reflect the Australian average, with some exceptions. The expectation that families would pay for additional supports for their child (a direct violation of the Education Training and Reform Act, 2006), such as Education Support staff (also referred to as teacher's aides or assistants), occurred for 14% of Victorian families responding to the survey compared to 7% across Australia; 23% of Victorian families reported restrictive practices (e.g., seclusion) to manage behaviour problems, while the Australian average was 17% (although only 7% of educational staff responding to the survey reported these practices). Five years previously, the Victorian Equal Opportunity and Human Rights Commission (2012) noted its concern about both practices. They recommended mandatory reporting of classroom use of restrictive practices as behaviour management to the Victorian Office of the Senior Practitioner, as is required for adults receiving state disability services.

Gatekeeping practices that act to dissuade families from seeking mainstream enrolment can lead them to look to alternatives, most often special schools if their children meet criteria (Poed et al., 2017; Senate Standing Committee on Education and Employment, 2016). However, families have been concerned about special school practices, such as the use of restrictive interventions (Victorian Equal Opportunity and Human Rights Commission, 2012) or that they require their child to travel long distances (Urbis, 2015), with up to 2 hours each way reported (Children with Disability Australia, 2015). Some parents have resorted to home-schooling, with significant economic and emotional consequences (Poed et al., 2017; Urbis, 2015; Victorian Equal Opportunity and Human Rights Commission, 2012).

Low expectations.   Further dissatisfaction with the quality of education for children with disability arises from low expectations, which, Cologon (2013) referred to as *ableism* in a review conducted for Children with Disability Australia. Cologon argued that ableism underlies arguments that children with disability are best placed in special schools and excluded from the Australian Curriculum and national student assessments (Forlin, Chambers, Loreman, Deppeler, & Sharma, 2013). In particular, the National Assessment Program for Literacy and Numeracy (NAPLAN) is compulsory for all students, except those with disability, for whom it is discretionary (Forlin, et al., 2013). Children with intellectual disability, in particular, are often excluded because they are assumed not to have met the national standard required to sit NAPLAN (Forlin et al., 2013). As a result, their educational outcomes, whether in mainstream or segregated settings, cannot be determined.

Foreman (2015) noted a lack of longitudinal studies in Australia to demonstrate academic or social outcomes in either mainstream or special school settings. Cologon (2013), however, was much more definitive in arguing the international literature points to better outcomes in inclusive classrooms for both students with disabilities and their peers. To address the knowledge gap caused by limited participation in NAPLAN, the Victorian

Department of Education and Training, in collaboration with academics, developed the Abilities Based Learning and Education Support (ABLES) to help teachers identify a student with disability's readiness to learn, link the information to the curriculum, develop individual learning plans, and track the student's progress (PhillipsKPA, 2015). A concern was raised in the Program for Students with Disabilities review that teachers lack the skills needed to accurately implement ABLES (Department of Education and Training, 2016b). There is value, however, in the potential use of data from assessing and reporting on learning needs and progress of students with disability against the Victorian Curriculum (which incorporates the Australian Curriculum) (Department of Education and Training, 2016b).

Lack of reasonable adjustments.   Drawing on the international literature, Forlin et al. (2013) noted that educational inclusion relies on a whole-of -school approach and in-class adjustments made by teachers, including modifying or adapting the curriculum and use of technology to meet individual needs, documented in an individual plan. According to Australian and Victorian reports, teachers are not making these adjustments (Children with Disability Australia, 2015; Department of Education and Training, 2016b). Further, Foreman (2015) noted that teachers report more adjustments than occur in the classroom, borne out to some extent by a discrepancy between parent and teacher responses to the survey by Poed et al. (2017). Instead, there is evidence that teachers rely on Education Support staff (Table 2), who have limited or no formal training, leaving them ill-equipped for teaching and management of students with disability in the classroom (Punch, 2015).

Inappropriate use of education support staff.   In a review of the literature and Australian practices, Punch (2015) noted that Education Support staff often make curriculum adjustments. Further, while the presence of these staff can reduce harassment and bullying, their constant close proximity can have the added consequence of stigmatizing and isolating students with disability (Table 2), making them more vulnerable when the staff member is not present (Punch, 2015). Poed et al. (2017) noted that in the recent UN *General Comment No. 4.* on the CRPD (2016), having Education Support staff directly attached to a student did not constitute inclusion. Further evidence of inappropriate reliance on these staff comes from reports that students are sent home if the staff member is not present, or can attend school only part-time because of insufficient funding for full-time Education Support staff (see Table 2).

Failure to consider parents and their concerns.   Evident in the literature reviewed was the tension between schools and parents, perhaps arising from parents perceiving that they are not fully involved in decision-making processes and planning (e.g., Urbis, 2015). A further concern raised by parents has been that Victorian schools are reluctant to embark on the assessment of their child to determine eligibility for targeted funding under the Program for Students with Disabilities (e.g., Urbis, 2015; Victorian Auditor-General, 2012). As a result, more children could be eligible for targeted funding than has been captured in the data reported (Department of Education and Training, 2016b).

Suggestions for Closing the Gap between Policy and Practice

The relatively high proportion of students with disability attending mainstream schools (Children with Disability Australia, 2015) may mask micro-exclusion and problematic practices, as shown in this analysis. In many of the documents reviewed, potential explanations for the gap between policy and practice were discussed, along with suggestions to reduce it.

Arguably, responsibility for this gap between legislation and policy, and practices in schools may begin with the legislation and policies themselves. The DSE, for example, has been criticized for failing to define reasonable adjustments and unjustifiable hardships, thereby leaving it up to school staff to determine criteria (Urbis, 2015). Other concerns relate to policy and legislation lacking research evidence (Foreman, 2015), although these have been based on international drivers of human rights and understanding of social, economic and student benefits of educational inclusion (Unicef, 2012). While the DSE lacks regulatory power (Urbis, 2015), failing to conform violates the Disability Discrimination Act 1992 (Cth) (Austl.) and, thereby, should have legal consequences for schools. The problem appears to arise from a lack of accountability at national (Senate Standing Committee on Education and Employment, 2016) and state levels (Department of Education and Training, 2016b; Victorian Equal Opportunity and Human Rights Commission, 2012) and poor complaints mechanisms (Department of Education and Training, 2016b; Senate Standing Committee on Education and Employment, 2016; Urbis, 2015; Victorian Equal Opportunity and Human Rights Commission, 2012). Existing complaints systems rely on action by parents, who often feel powerless to address gatekeeping and restrictive practices, choosing instead to seek alternatives for their children with disability, and relying on submissions to inquiries or advocacy groups to voice their concerns.

Although there is room for improvement in policies and compliance mechanisms, achieving real inclusion for students with disability would appear to depend on efforts at the school level to traverse the policy-practice gap. Such efforts rely on appropriate resourcing and models of support. Following the release of the Gonski Report, and in lieu of adequate data on student numbers and the need to guide funding, the Commonwealth allocated over $360 million across educational authorities within all states and territories to develop initiatives through its MSSD program, in operation between 2011 and 2013 (PhillipsKPA, 2015). Projects addressed various models, including supporting inclusive education in mainstream schools, strengthening supports across special and mainstream schools, and better access to and use of specialists, such as consultant teachers and allied health professionals (PhillipsKPA, 2015). The extent to which these initiatives continued beyond the funding remains unknown.

The implementation of the NCCD for students with disability would seem to offer a mechanism to fund the teaching, equipment and other resources that ensure equal access to the curriculum and social opportunities for students with disability. A national advocacy group for families expressed concern that the process for assessing needs used in this data collection process neither reflected the types and extent of adjustments students required, nor the work of parents and volunteers (Children and Young People with Disability Australia, 2016). The reliance on teachers to assess the level of student need may not be the most appropriate method given the varied profiles and needs across children with disability. There was no indication in the documents reviewed of any plans to determine teacher skill in accurately assessing students' needs or the translation to resourcing required supports.

Fortunately, amidst reports of poor practices, there have been examples of schools and teachers welcoming students with disability, and working with parents to provide needed adjustments. Poed et al. (2017), as well as Urbis (2015) in their review of the DSE, provide such examples, demonstrating the value of strong leadership that begins with the principal and involves a whole-of-school commitment. These schools are thereby well-placed to take up opportunities that can arise from implementation of report recommendations and initiatives (Department of Education and Training, 2016b; Senate Standing Committee on Education and Employment, 2016; Victorian Equal Opportunity and Human Rights Commission, 2012). As an example, to address a lack of knowledge of the DSE amongst school staff, as noted in its most recent review (Urbis, 2015), one MSSD project resulted in an eLearning package (PhillipsKPA, 2015), which remains available to staff in education authorities across Australian states and territories (University of Canberra, 2014). Making use of this resource relies on principals encouraging staff and providing them with the time to complete the online modules to ensure all staff understand their obligations.

Still, such understanding of legislative obligations does not equip school personnel with the skills or resources required for inclusive education. Other recommendations from the reports reviewed include supporting staff to increase their skills and confidence in working with students with disability, and also make better use of support staff (e.g., as a resource in the classroom, rather than working individually with a student with disability). The Victorian Government, for example, accepted the majority of the 25 recommendations from the Program for Students with Disabilities Review, committing to provide schools with better direction and support to meet the needs of students with diverse learning needs. This commitment included developing guidelines and tools to assist teachers to tailor learning plans, and provide school personnel with access to training in inclusive practices (Department of Education and Training, 2016a).

Recommendations have also addressed bullying and harassment, and elimination of restrictive interventions for behaviour management (Senate Standing Committee on Education and Employment, 2016; Victorian Auditor-General, 2012). Whether these recommendations have translated to policy or changes in practice is difficult to determine, but the Department of Education and Training does provide school personnel with access to an online learning package on managing challenging behaviours (Managing challenging behaviours, 2018).

One of the 10 recommendations from the National Senate Standing Committee on Education and Employment (2016) was to enhance collaborative relationships with parents. Such collaboration is considered essential to an inclusive school culture (Unicef, 2012). The Victorian Department of Education and Training does identify parents as key to Student Support Groups, which also comprise school representatives and professionals, and

are recommended for all students with additional learning needs (Department of Education and Training, 2016b). These groups identify required curriculum adjustments, and teaching and learning supports needed; advise principals on required resources; and communicate plans to teachers. They also serve to acknowledge that the development of adjustments to ensure educational inclusion relies on shared expertise and responsibilities, rather than solely on teacher ownership of the process (Forlin et al., 2013). A number of models, including those that resulted from MSSD funding, have demonstrated how specialists from outside the classroom, such as special educators and allied health professionals, can serve to enhance problem solving, and the design and implementation of student supports, while also providing professional development for teachers (PhillipsKPA, 2015). The effectiveness of such teams, however, has not been evaluated, including the extent to which they act to foster and support positive relationships between schools and families.

Future Directions and Call to Action

The gap between policy and practice can appear cavernous when reading evidence from reports generated by government inquiries and policy reviews, and research from advocacy groups and academics. There is a need for evidence of positive practice that may not be captured fully in a gray literature review, however an exception can be found in the MSSD reports (PhillipsKPA, 2015). There is the potential for families with positive experiences to remain silent, despite the value of such experiences in demonstrating the feasibility of inclusive education, regardless of the nature of the student's disability or level of need.

The use of the Victorian system and practices as an exemplar provides a timely opportunity for marking a significant point of progress toward achieving inclusion through access to equal and quality education for students with disability. In this Australian context, time is needed to allow for the adoption of recommendations from the review of the Program for Students with Disabilities to occur in terms of real change, and a future review to reveal positive and inclusive practices outweighing those that are exclusionary.

What is evident from this review is that policies and legislation will continue to fall short of driving embedded aspirations without commitment from all involved in the education of all children, regardless of their experience of disability. It is timely to call for action across schools and their communities to candidly identify their practices that act either to include or exclude students with disabilities. Sharing and disseminating examples of inclusive practices offer the potential to build momentum toward equal education for all students.

References

Australian Bureau of Statistics. (2016, February, *Schools Australia, 2015.* Retrieved from http://www.abs.gov.au/AUSSTATS/abs@.nsf/Details Page/4221.02015?OpenDocument

Australian Education Act 2013 (Cth) (Austl.) Retrieved from https://www.legislation.gov.au/Details/C2017C00205.

Australian Government. (2011). *2010–2020 National Disability Strategy.* Retrieved from https://www.dss.gov.au/sites/default/files/documents/05_2012/national_disability_strategy_2010_2020.pdf.

Children and Young People with Disability Australia. (2016). *Reporting of students with disability data on My School.* Retrieved from http://www.cda.org.au/.

Children with Disability Australia. (2015). *Hear our voices: Submission to the Senate Inquiry into current levels of access and attainment for students with disability in the school system, and the impact on students and families associated with inadequate levels of support.* Retrieved from http://apo.org.au/node/57343.

Cologon, K. (2013). *Inclusion in education: Towards equality for students with disability.* Retrieved from http://apo.org.au/node/36129.

Commonwealth of Australia. (2013). *National plan for school improvement.* Canberra: Commonwealth of Australia Retrieved from http://www.budget.gov.au/2013-14/content/glossy/gonski_policy/download/NPSI.pdf

Cumming, J., & Dickson, E. (2013). *Educational accountability test, social and legal inclusion approaches to discrimination for students with disability: A national case study from Australia.* Retrieved from https://eprints.qut.edu.au/55984/.

DEEWR. (2012). *Disability Standards for Education 2005.* Retrieved from https://docs.education.gov.au/node/16354.

Department of Education and Training. (2016a). *Inclusive education for all students with disabilities and additional needs: The Government's response to the Review of the program for students with disabilities.* Retrieved from http://www.education.vic.gov.au/Documents/about/department/Program for Students with Disabilities-Review-Response.pdf.

Department of Education and Training. (2016b). *Review of the program for students with disabilities.* Melbourne, Victoria: Retrieved from http://www.education.vic.gov.au/Documents/about/department/Program for Students with Disabilities-Review-Report.pdf

Disability Discrimination Act 1992 (Cth) (Austl.). Retrieved from https://www.legislation.gov.au/Details/C2016C00763.

Education and Training Reform Act 2006 (Vic) (Austl.). Retrieved from http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/LTObject_Store/ltobjst10.nsf/DDE300B846EED9C7CA257616000A3571/97E2006315D4FC21CA2581F700035878/$FILE/06-24aa068%20authorised.pdf.

Education Council. (2016). *2016 emergent data on students in Australian schools receiving adjustments for disability.* Retrieved from http://www.educationcouncil.edu.au/site/DefaultSite/filesystem/documents/Reports%20and%20publications/ED17-0046%20SCH%20NCCD%20Report%202017_ACC.PDF.

Equal Opportunity Act 2010 (Vic) (Austl.). Retrieved from http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/LTObject_Store/ltobjst8.nsf/DDE300B846EED9C7CA257616000A3571/934EC68230CDBF66CA257D0900093CC8/$FILE/10-16a013bookmarked.pdf.

Foreman, P. (2015). *Social justice principles, the law, and research, as bases for inclusion: An update.* Newcastle NSW: University of Newcastle. Retrieved from http://www.education.vic.gov.au/Documents/about/department/psdlitreview_Socialjusticeprinciples_thelaw_and_research.pdf

Forlin, C., Chambers, D., Loreman, T., Deppeler, J., & Sharma, U. (2013). *Inclusive education for students with disability: A review of the best evidence in relation to theory and practice.* Canberra: The Australian Research Alliance for Children and Youth (ARACY). Retrieved from https://www.aracy.org.au/publications-resources/command/download_file/id/246/filename/Inclusive_education_for_students_with_disability_-_A_review_of_the_best_evidence_in_relation_to_theory_and_practice.pdf

Gonski, D., Boston, K., Greiner, K., Lawrence, C., Scales, B., & Tannock, P. (2011). *Review of funding for schooling: Final report.* Retrieved from http://apo.org.au/system/files/28263/apo-nid28263-52121.pdf.

Graham, L. J., & Sweller, N. (2011). The inclusion lottery: Who's in and who's out? Tracking inclusion and exclusion in New South Wales Government schools. *International Journal of Inclusive Education*, *15*, 941–953.

Inclusion International. (2009). *Better education for all: When we're included too - A global report.* Retrieved from http://inclusion-international.org/better-education-for-all/

Joseph, B. (2017). *The fantasy of Gonski funding: The ongoing battle over school spending.* Retrieved from http://www.cis.org.au/publications/research-reports/the-fantasy-of-gonski-funding-the-ongoing-battle-over-school-spending/.

Kenway, J. (2013). Challenging inequality in Australian schools: Gonski and beyond. *Discourse: Studies in the Cultural Politics of Education*, *34*, 286–308. https://doi.org/10.1080/01596306.2013.770254

Managing challenging behaviours. (2018). Retrieved from http://www.education.vic.gov.au/school/teachers/profdev/Pages/managebehaviours.aspx

MCEETYA. (2008). Melbourne declaration on educational goals for young Australians. Retrieved from http://www.curriculum.edu.au/verve/_resources/National_Declaration_on_the_Educational_Goals_for_Young_Australians.pdf.

OECD. (2013). Education policy outlook: Australia. In: *Organisation for economic co-operation and development.* Retrieved from http://www.oecd.org/edu/EDUCATION%20POLICY%20OUTLOOK%20AUSTRALIA_EN.pdf.

PhillipsKPA. (2015). *Evaluation of the More Support for Students with Disabilities Initiative 2012–2014: Final Report.* Retrieved from https://docs.education.gov.au/documents/phillips-kpa-mssd-final-evaluation-report.

Poed, S., Cologon, K., & Jackson, R. (2017). Gatekeeping and restrictive practices with students with disability: Results of an Australian survey. Paper presented at the The Inclusive Education Summit, Adelaide. Retrieved from http://allmeansall.org.au/wp-content/uploads/2017/10/TIES-4.0-20172.pdf

Punch, R. (2015). *Literature review: The use and efficacy of integration aides with students with disabilities in general education settings.* Retrieved from http://www.education.vic.gov.au/Documents/about/department/psdlitreview_IntegrationAides.pdf.

Senate Standing Committee on Education and Employment. (2016). *Access to real learning: the impact of policy, funding and culture on students with disability.* Canberra: Australian Commonwealth Retrieved from http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/students_with_disability/Report

Tyndall, J. (2008). How low can you go? Towards a hierarchy of grey literature. Paper presented at the Dreaming08: Australian Library and Information Association Biennial Conference, Alice Springs. Retrieved from https://dspace.flinders.edu.au/jspui/handle/2328/3326

UNESCO. (2015). *Education 2030: Incheon declaration and framework for action for the implementation of Sustainable Development Goal 4.* Retrieved from http://www.unesco.org/new/en/brasilia/about-this-office/single-view/news/education_2030_incheon_declaration_and_framework_for_action/.

Unicef. (2012). *The right of children with disabilities to education: A rights-based approach to inclusive education.* Retrieved from https://www.unicef.org/ceecis/UNICEF_Right_Children_Disabilities_En_Web.pdf

United Nations. (2006). *The Convention on the Rights of Persons with Disabilities.* Retrieved from http://www.un.org/esa/socdev/enable/rights/convtexte.htm.

University of Canberra. (2014). *Disability standards for education: A practical guide for individuals, families and communities.* Retrieved from https://resource.dse.theeducationinstitute.edu.au/.

Urbis. (2015). *2015 review of the Disability Standards for Education 2005.* Retrieved from https://docs.education.gov.au/system/files/doc/other/final-report-2015-dse-review.pdf

Victorian Auditor-General. (2012). *Programs for students with special learning needs.* The Victorian Auditor-General Office: Melbourne Retrieved from https://www.audit.vic.gov.au/report/programs-students-special-learning-needs

Victorian Equal Opportunity and Human Rights Commission. (2012). *Held back: The experiences of students with disabilities in Victorian schools.* Victoria. Retrieved from: Carlton http://www.humanrightscommission.vic.gov.au/media/k2/attachments/1404-VEOHRC_HeldBack_-_StudentwithDisabilityReportW3.pdf