



Summary Discussion Paper

This summary discussion paper supports the Australian Government's consultations for the 2020 Review (the Review) of the *Disability Standards for Education 2005* (the Standards). In this document, we talk about:

- What the Standards are and what they do
- Why we are having the Review
- What previous reviews told us
- How you can get involved.

It includes some questions to help us learn about your views and experiences.

What the Standards do

Students with disability should have **access to education opportunities on the same basis as students without disability**.

The Standards help to make sure **students with disability can participate in education and training**. This supports people with disability to be able to participate fully in society and have more opportunities throughout their life.

The Standards protect students with disability by making sure all education providers comply with the *Disability Discrimination Act 1992* (the DDA). Under the DDA, it is **unlawful to discriminate against a person because of a disability**. The DDA protects people with disability against discrimination in many areas of public life, including education.

An **education provider must comply with the Standards** or it will be acting against the law.

Who the Standards are for

Education providers covered by the Standards include preschools (including kindergartens), government and independent schools, Technical and Further Education (TAFE) providers and other vocational education and training (VET) providers, adult education providers and higher education institutions.

The Standards don't currently cover child care providers.

In the 2018 ABS Survey of Disability, Ageing and Carers (SDAC), 4 per cent of 0-4 year olds, 10 per cent of 5-19 year olds and 13 per cent of 15-64 year olds were reported as having disability. Overall in 2018, people with disability made up 17.7 per cent of the Australian population which equates to more than 4.3 million people.

Further, in 2019, **nearly one in five (19.9 per cent) school students** across Australia received an adjustment due to disability according to the Nationally Consistent Collection of Data on School Students with Disability (NCCD).

What the Standards Cover

The Standards cover:

- **enrolment**
- **participation**
- **curriculum development, accreditation and delivery**
- **student support services**
- **elimination of harassment and victimisation.**

Each part of the Standards sets out:

- the **rights of students with disability** in education and training
- the **legal obligations or responsibilities of education providers**
- the **measures of compliance** that are examples of what can be done to meet the requirements of each part of the Standards.

If a person believes an education provider is not complying with the Standards, they have **the right to make a complaint to the Australian Human Rights Commission (AHRC)** about disability discrimination.

Why we are reviewing the Standards

The law says the Standards need to be **reviewed every 5 years**. The Review asks whether the Standards are doing their job and, if not, how they could be improved.

In the 2020 Review, we will look at the extent of progress made to address these areas since 2015, including significant national and state reforms to support students with disability.

The Review report will be provided to the Federal Minister for Education in December 2020. **The final report will be presented to all governments for their consideration in early 2021.**

The Standards were also reviewed in 2010 and 2015. People said the Standards are a good framework for promoting access and participation in education. However, they also said there could be improvement in:

- ensuring more people are **aware of the Standards** and able to access them
- ensuring the Standards are **clear and easy to understand**, and that there is more guidance for educators on best practices to meet the Standards
- the process for **making complaints** if an education provider is not meeting the Standards
- making sure education providers are **using and complying** with the Standards.

What we want to know during the 2020 Review

We want to hear from people about **how well the Standards work**. Your experiences and feedback will **help us to work out if changes are need to improve the Standards**.

We are particularly interested in hearing the **voices of young people** and knowing more about the **experiences of Aboriginal and Torres Strait Islander students** with disability and their families and carers.

The **key question for this Review is whether, and to what extent, the Standards are making a positive difference** towards students with disability being able to access education and training opportunities on the same basis as students without disability.

To answer that question we need your help.

Have your say

We want to hear about:

- Your experiences in accessing and participating in education
- Whether other factors have affected your access and participation in education
- What you think about the Standards
- How the Standards could be improved.

Key Questions

Tell us about your experiences in:

- **Enrolling in and accessing education:** What has been your experience when accessing or enrolling in education?
- **Participating in education:** Do you think education providers know how to make reasonable adjustments so students with disability can participate fully in education? This includes participating in courses and programs, the curriculum, and using facilities.
- **Being supported:** Have you or your child been appropriately supported during your / their education, including with specialist support and resources when needed?
- **Preventing and addressing harassment and victimisation:** Do you think education providers are doing enough to prevent harassment or victimisation of a student with disability? If you or your child experienced harassment or victimisation in an education setting, what was done to address this? Was it enough?
- **Making a complaint:** If you considered that an education provider was not meeting their obligations, did you know how to make a complaint? What happened?

Tell us if any other factors have affected your or your child's education:

Access and participation in education for students with disability may be affected by other circumstances such as age, sex, gender, gender identity, sexual orientation, intersex status, ethnic origin or race, and culturally and linguistically diverse background.

- Have any of these factors affected your access and participation in education?
- Have you experienced any differences or issues in accessing and participating in education as a result of **cultural or language barriers**?
- Has **COVID-19**, or other major events such as natural disasters, impacted your experience in participating in education?

Tell us what you know and think about the Standards

- Are you aware of the Standards and what they are designed to do? If so, how did you find out about the Standards?
- Do you understand your or your child's rights when it comes to being able to access and participate in education?
- Do you think the Standards help students with disability to access and participate in education and training on the same basis as students without disability?
- Do you think the Standards help Aboriginal and Torres Strait Islander students with disability to access and participate in education and training on the same basis as students without disability?

Tell us how you think the standards could be improved

- **Do barriers still exist** for students with disability wanting to access and participate in education and training? If so, how do you think the Standards could be **improved** to help address these barriers?
- Do any aspects of the Standards which you are aware of need changing to make them **clearer**?
- What should be done to **improve awareness** of the Standards?
- Would more or different support material help you to understand the Standards?
- How could the Standards be improved to **better support Aboriginal and Torres Strait Islander students with disability**?

During the Review we will listen to the experiences of students, their families and carers, their education providers, teachers and educators and their advocates. We also need to talk to states and territories, education authorities, national agencies and regulators, and representatives of the non-government sector about how the Standards are working.

2020 Review – How to have your say

We want to hear from anyone with an interest in making sure students with disability can access and participate in education.

Our public consultations will run from **16 July 2020 – 29 September 2020**. On our [website](#), we provide a range of ways you can get involved and have your say. You can:

- Complete the **online questionnaire**
- **Make a submission** (in writing, via video or audio)
- Participate in a **webinar**
- **Express your interest** in a **focus group, one-on-one interview, or an online discussion.**

**Due to the COVID-19 pandemic, majority of the consultation activity will be held online.*

The consultation closes at 11.59pm, 25 September 2020.

Visit the [Consultation Hub](#) website to find out more about the consultation process and ways to get involved.

All consultations will be accessible, including Easy Read documents, Auslan-English interpreters and captioning. Easy Read and other materials will be made available in advance to help people consider the information being provided and the questions being asked. You can also access Easy Read materials on the [website](#).

Contacts

For queries about the Review, including this paper, please contact the Department of Education, Skills and Employment at DisabilityStrategy@dese.gov.au.

For queries about how to get involved in the Review consultations, including support to register for a webinar or to complete the questionnaire, please contact The Social Deck at engage@thesocialdeck.com or on 0491 617 118.