The Royal Commission into Violence, Abuse,
Neglect and Exploitation of People with Disability
Australian Government
DRCEnquiries@royalcommission.gov.au,

31 December 2022

To the Disability Royal Commission

Re: ADCET submission to the Royal Commission on the Education and Learning Issues Paper

ADCET (Australian Disability Clearinghouse on Education and Training) is Australia's leading resource supporting disability practitioners, educators and students (and their families) to navigate post-secondary education and training opportunities.

ADCET welcomes the opportunity to contribute to this important and vital Royal Commission process in order to ensure people with disability have fair access to education and learning.

Please do not hesitate to contact us for any clarification or questions.

Regards

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About ADCET

ADCET (Australian Disability Clearinghouse on Education and Training) provides national leadership in the inclusion of people with disability in the tertiary education sector by providing information and professional development for educators and support staff.

Our approach is sector-led drawing on good practice, research and the lived experience of people with disability to develop resources and content of national significance which drives positive change in the tertiary education sector (Higher Education and VET). Our projects, activities and resources are highly strategic building capacity within and across the tertiary education sector to enable full access, participation, retention and success of students with disability.

ADCET has just celebrated 20 years in the tertiary education sector and has high levels of impact and engagement. This includes over 1.1 million website engagements annually; 33,000 enrolments in Disability Awareness eLearning; and 3,000 social media and newsletter subscribers.

ADCET is funded through the Higher Education Disability Support Program (HEDSP) within the Higher Education Support (Other Grants) Guidelines 2022. Under this legislation Part 3, Division 2, 42) ADCET has two key program objectives:

- specified as a program for the purpose of promoting equality of opportunity in higher education[1]
- provides information, advice, and online resources (including in a form able to be downloaded and used) through a website, hosted by a provider, to disability practitioners, teachers, and students to promote inclusive teaching and learning practices for students with disability.

ADCET receives between $75,000 and $150,000 annually relying on *ad hoc* project funding and a small grant for two staff (the Manager and Assistive Technology specialist) via the National Disability Coordination Officer (NDCO) Program. ADCET has been hosted by the University of Tasmania for 20 years and administration of ADCET is managed through the Department of Education.

ADCET is primarily focused on people with disability but recognises the intersectionality of people with disability with other identities including Aboriginality, gender diversity, socio-economic and geographic can further impact their access and participation in tertiary education.

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[1] *Until recent changes in the legislation ADCET has always supported both HE and VET sectors.*

Responses to the questions in the Terms of Reference for the Education and Learning issues paper

3.1 Violence, abuse, neglect and exploitation

Question 1. Are particular forms of violence, abuse, neglect or exploitation more prevalent in education and learning environments?

ADCET draws on the experiences of disability practitioners, educators, staff and students within the tertiary education sector to outline some of the more prevalent examples of neglect and exploitation that people with disability experience.

These include:

- **failure of some tertiary education providers to address physical, digital, learning and cultural environments within their organisations adequately.** This issue occurs when there is a gap in strategic and cohesive whole-of-institution disability inclusion action/strategic plans which address barriers. Common solutions to this include the development of a Disability Inclusion Action Plan (AHRC, 2021) which encompasses disability responsiveness training, embedding inclusive teaching strategies such as Universal Design for Learning (CAST, 2018), inclusive recruitment strategies for students and staff, inclusive language and communities, and accessible and inclusive procurement. Such a plan and key components must be embedded within whole of institution 'business as usual' processes, with executive leadership and university governance accountability.

- **a culture of low expectations around people with disability and their ability to engage with post-school study.** This issue is borne out of negative and pervasive stereotyping of people with disability. In addition, suitable strengths-based and inclusive models of disability inclusion which support positive transition to post-secondary education are largely missing from strategic planning at all levels of government in relation to education and training. This has resulted in a gap between the number of students with disability represented at school compared to those represented in the tertiary education sector. For example, 19% of students with disability go to school but only 7.3% of students enrolled in higher education have a disability and 6.6% of students with disability are enrolled in VET. This is reflected and reinforced in the funding arrangements for students with disability in schooling compared with that for students with disability in post-secondary education. In addition, for NDIS participants who wish to pursue post-secondary education there is limited understanding by NDIS staff e.g., Planners and Local Areas Coordinators (LAC) about how to incorporate education and learning opportunities within participant's plans.

- **lack of understanding and awareness by some tertiary education providers to understand the legislative framework for disability** including the United Nations

Convention on the Rights of Persons with Disabilities (UNCRPD), the Disability Discrimination Act 1992 (Cth) (DDA) and the Disability Standards for Education 2005 (Cth) (DSE)

- **insufficient funding for students in tertiary education.** Whilst it is true that tertiary providers are required to fund reasonable adjustments for students with disability, the same is true of schools and yet the Australian Government funding for reasonable adjustments in schools totals $28.8 billion in 2018-29[7], ranging from $4,704 through to $35,350 per student[2]. This is in stark contrast to the funding for reasonable adjustments in higher education which totals $7.78 million annually through the Disability Support Program (DSP) including funding for ADCET. This amount equates to an average of $110 per student with disability annually.

Question 2. Does the extent or nature of violence, abuse, neglect or exploitation of people with disability vary between:
a. Stages of education and learning (i.e., early childhood, primary, secondary, tertiary, further education)?
b. Settings of education and learning (i.e., inclusive, integrated or segregated)?
c. States or Territories?
d. Government, Catholic or Independent education systems?

ADCET takes an intersectional approach to disability who have multiple equity characteristics such as Aboriginality, gender diversity and sexual identities, cultural and linguistic diversity, socio-economic status and geographic location. As such we recognised that this cumulative disadvantage can further impact their access and participation in tertiary education.

Stages of education and learning

ADCET primarily provides advice, professional development and resources to support those who support students with disability in post-secondary study (VET and Higher Education) and the transition by high school students coming into post-secondary education.

There are key factors impacting students with disability transitioning to tertiary education including:
- culture of low expectation that potentially streams students into certain types of education environments
- lack of disability responsiveness or awareness of educational providers at all levels

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[2] Department of Education, Skills, and Employment 2018; ADCET VET Statistics 2018

- lack of quality career development and disability-friendly careers information provided to students with disability so they can make informed decisions about post-secondary education opportunities
- lack of inclusive teaching pedagogies to support achievement between high school and post-secondary education
- lack of continuity of reasonable adjustments between school and post-secondary study (e.g., National Collection of Consistent Data for Students with Disability supports students through better funding and includes imputed disability as a means of support students more holistically. This is in contrast to the funding provided to VET and Higher Education providers
- lack of support for people with disability with NDIS support to get the appropriate assistance to facilitate opportunities for post-secondary education. This includes a culture of low expectations, limited understanding of pathways and options for education and training, and a lack of understanding about the provision of support provided by NDIS vs that provided by tertiary education providers
- the impacts of disability on achievement through extended time away due to disability or health and for which reasonable adjustments in examinations, assessment and ATAR may not be appropriately adjust for. This can lead to delays in transition for students wishing to pursue VET or Higher Education opportunities.

Settings of education and learning

In post-secondary education settings for students with disability are integrated. However, many educational providers fail to apply a disability inclusive lens to all aspects of their provision. This includes barriers across their physical, digital, learning and cultural environments which present challenges for people with disability (further compounded by other equity characteristics such as Aboriginality, race, socio-economic status, location etc.)

As mentioned above transitions to tertiary education become harder for people with disability and any additional barriers and may include:

Physical
- access to, and accessibility of, local VET or university providers
- having to relocate to find a suitable accessible education provider
- accessing appropriate transport to their education provider
- negotiating physical access within tertiary providers including access to wayfinding, accessible signage and facilities, provision of appropriate reasonable adjustments, failure to meet *Disability (Access to Premises - buildings) Standards 2010*

Digital

- accessibility of ICT platforms and technologies of the provider including barriers to application, enrolment and participation in online learning activities or access to online support
- lack of expertise within education providers on how to make digital information and content accessible

Learning

- lack of expertise of inclusive pedagogies such as Universal Design for Learning
- lack of understanding how to apply reasonable adjustments to facilitate appropriate learning support and minimise the impact of disability on learning including accessing work-integrated learning (WIL) activities
- the cost of relocating to study including finding accessible and safe housing
- appropriate levels of income support to compensate for the loss of income due to class schedules, work-integrated learning or placement activities
- access to employment to support education or training
- the ability to access properly funded reasonable adjustments through the tertiary education provider
- the ability to access properly funded supports through the NDIS for people with disability who have NDIS plans

Cultural

- lack of strategic commitment to disability inclusion through a Disability Inclusion Action Plan
- lack of disability responsiveness/awareness training for staff
- lack of professional development opportunities for staff
- unfamiliarity with legislative obligations under the Disability Discrimination Action 1992 (Cth) (DDA), the Disability Standards for Education 2005 (Cth) (DSE) or the United Nations Convention on the Rights of People with Disabilities (UNCRPD).

These issues transcend education sectors and state or territory borders. They are compounded by issues such as postcode or geographical remoteness, socioeconomic status, and provider funding (at state and national levels).

Question 3. Taking an intersectional approach, how do the specific experiences of violence, abuse, neglect and exploitation vary amongst students in education and learning environments?

Speaking only to the tertiary education sector ADCET takes an intersectional approach to disability who have multiple equity characteristics such as Aboriginality, gender diversity and sexual identities, cultural and linguistic diversity, socio-economic status

and geographic location. As such we recognise that this cumulative disadvantage and the power differential experienced by people with disability can further impact their access and participation in tertiary education.

However, this is not always the approach taken by tertiary education providers who don't address structural inequalities within their institution and may not have the expertise to understand applying a disability inclusion lens to their processes practice which is strengths-based and non-ableist let alone considering intersectional considerations.

A fundamental issue is lack of awareness of the legislative framework which governs education providers and nuanced understandings of direct and indirect discrimination in education and training. In addition, experiences of racism; ageism; gender inequality (especially in non-traditional areas of learning); homophobia, biphobia, intersexism and transphobia further compound the ability of people with disability and intersecting characteristics to have a positive and inclusive learning experience.

Already marginalised groups experience greater levels of discrimination and lack of inclusion due to a lack of nuanced understanding of intersectional disadvantage. For example, 45% of Aboriginal and Torres Strait Islander peoples live with a disability or long-term health condition, the are twice as likely to be living with a disability than other Australians and five times more likely to experience mental illness that other Australians[3]. The experiences of Aboriginal and Torres Strait Islander peoples with education are impacted by their experiences of racism and results in negative impacts on engagement, attainment and avoidance of educational settings impeded a range of benefits for which education can provider (Temple et al, 2020). For other racial or ethnic minorities issues around language literacy, disclosure and how disability is accepted in other cultures can become a challenge for students with disability seeking support or agency.

A 2021 national report (Hill et al, 2021) LGBTIQA+ communities with disability in educational settings experienced exclusion to varying degrees resulting in a range of impacts on their learning including:
▪ varying awareness of policies, processes and strategies such as anti-bullying policies, discrimination processes, safe spaces, inclusive language and Ally networks
▪ varying levels of visible inclusion and sense of belonging through inclusion strategies and inclusive learning materials/curriculum
▪ experiencing higher rates of discrimination thus limiting attendance, safety and attainment
▪ feeling unsafe in learning environments

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[3] First Peoples Disability Network www.fpdn.org.au

- experiencing higher rates of mental illness
- experiencing issues such as discrimination, homophobia, violence, limited family support, homelessness
- feeling social isolated and lacking cultural safety when accessing services.

These structural inequalities and the experiences of people with disability who also have multiple identities are manifested in a variety of ways including as previously described physical, digital, learning and cultural barriers.

Question 4. What are some of the underlying causes of the issues and barriers (outlined in Section 2)? How do these issues and barriers link to or influence the experiences of violence, abuse, neglect or exploitation by people with disability in education and learning environments?

Because ADCET draws on the experiences of disability practitioners, educators, staff and students within the tertiary education sectors (Higher Education and VET) and then provides appropriate and timely resources to respond to sector challenges. As stated in Section 3.1 Question 1, the underlying causes of issues and barriers include:

- failure of some tertiary education providers to address physical, digital, learning and cultural environments within their organisations adequately
- a culture of low expectations around people with disability and their ability to engage with post-school study
- failure of tertiary education providers to understand the legislative framework for disability.
- insufficient funding for students in tertiary education.

These issues manifest as:

- lower rates of retention, success and attainment for students with disability in higher education. Students with disability (SWD) will continue to have lower retention (79.55% for SWD compared with national total of 82.52%) and success rates (82.47% for SWD compared with national total of 88.38%)[4]
- lower graduate outcomes are much poorer, with Quality Indicators for Learning and Teaching (QILT) reporting that undergraduates with a reported disability had a full-time employment rate of 58.7% compared with 70% for undergraduates with no disability[5].
- completion rates for students in VET is 39% for students with disability compared with 43% for students without disability[6]

[4] Selected Higher Education Statistics – 2020 Student data - Department of Education, Australian Government
[5] Graduate Outcomes Survey (qilt.edu.au)
[6] Student equity in VET 2020: participation, achievement and outcomes (ncver.edu.au)

- discrimination experienced by people with disability leading to lower levels of attainment, satisfaction and retention
- formal discrimination complaints (although there is limited publicly available data collection) from the Australian Human Rights Commission and state/territory commissions annual reporting on complaints[7]
- lack of representation of diversity equivalent to population parity within tertiary education providers. For example, 7% of students with disability are enrolled in higher education, only 6.6% of students with disability in VET, 19.3% of students with disability in Australian schools and 18% of the Australian population have a disability.

To the specific issue of NDIS participants who are denied education and wellbeing supports while studying or training, we regularly receive feedback from the tertiary sector around gaps and barriers that students with disability are experiencing in relation to NDIS and tertiary education.

One particular issue was that for students undertaking NDIS planning meetings there was a lack of understanding by NDIS staff about who was responsible to fund what. This lead ADCET to develop the resource, NDIS Pre-planning Toolkit for people with disability entering Higher Education or Vocational Education and Training.

Another was the NDIS funded support workers who were supporting the student while on a tertiary education campus often didn't understand their responsibilities and role. This led to us working with NDIA and the tertiary sector to develop the e-learning training External Support Workers. To date 332 people have undertaken the training online and 118 organisations have downloaded the training to embed into their organisations Learning Management Systems.

Question 5. What measures and mechanisms prevent violence, abuse, exploitation and neglect of students with disability in education and learning environments? What role does or could inclusive education play in preventing violence, abuse, neglect and exploitation in society?

Disability Inclusion Action Plans, Universal Design for Learning, disability responsiveness or awareness training, and accessible and inclusive procurement must be embedded within whole of institution 'business as usual' processes, with executive leadership and university governance accountability. To this end ADCET provides a range of resources to improve organisational culture including information on creating a Disability Inclusion Action Plan, inclusive teaching strategies, training and resources, a range of free eLearning packages, Accessible ICT procurement guidelines, and information about legislation and standards and more.

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[7] *There is limited publicly available data collection*

Over four million people have a disability and tertiary education providers need a culturally capable workforce which is strengths-based, non-ableist and inclusive of people with disability. Without at least a social model of disability in place reflected through a Disability Inclusion Action Plan and other strategic initiatives, education providers are failing to address systemic learning, digital and physical barriers to participation for people with disability (AHRC, 2021; ACOLA, 2022).

Without strategic, intentional, and embedded approaches to disability inclusion through disability responsiveness for all staff and inclusive teaching pedagogies for educators within our tertiary education providers students with disability access, participation, retention and success rates; lower graduate employment outcomes; and fail to benefit from the transformative impacts education can have on income, health and social participation.

In participation inclusive teaching strategies such as Universal Design for Learning embraces learner variability, designs for it, and reduces barriers to learning, creating a greater sense of belonging. This is not just for students with disability – all students benefit. By drawing on an intersectional, decolonised framework for curriculum develop inclusive education can also help to address the experiences of other disenfranchised and under-represented groups within our education system.

Providers and educators are more likely to adopt inclusive education strategies, inclusive teaching methods and materials if they are more knowledgeable about disability and understand that students with disability have limitations that arise from external barriers and not from an inherent deficit. It is critical that our education providers attain and maintain suitable levels of professional development and qualifications which include disability responsiveness and instruction in inclusive pedagogies.

In relation to the intersection between NDIS and tertiary education ADCET has identified a number of key strategic priorities that would hopefully provide a better system of support to ensure people with disability aspire to tertiary education and succussed in their studies. Recommendations for the NDIA to consider include:

- developing a participant tertiary education strategy similar to the employment strategy or expand the employment strategy to include tertiary education planning
- measuring and reporting on tertiary qualification levels and numbers of NDIS participants in tertiary education (with breakdowns of qualification levels available to the public)
- enhancing SLES to SLEES (School Leavers Education and Employment Supports) to name up and provide expert individualised transition support to tertiary education, as well as post-school employment or DES

- actively promote tertiary education pathways in all materials, including showcasing success stories of NDIS participants who have gone to TAFE or University and achieved work in agency materials.
- Support Planners and LACs to undertake professional development in regards to the intersection between tertiary and NDIS and the legislative requirement for funding under the DSE and NDIA Acts.

Question 6. Do you have any experiences that illustrate any of these matters?
Particular cases of violence, abuse, neglect or exploitation in education and learning can be brought to the Commission's attention by making a submission via the Commission's website.7

ADCET has a wide variety of resources including articles, links and resources.

Graduate outcomes
- Story - Improving Employment Outcomes for Graduates with Disability - ADCET
- Story - Graduate Story: Dyslexia and the job interview - ADCET
- Story - Kshish lands her dream job with USEP support - ADCET
- Story - From course to career: students spill on what works - Joshua - ADCET
- Interview: Tom Lobbe - ADCET

Inclusive teaching
- Video - ADCET Webinar: Designing Online Education that Works for All Students - A 7-Step UDL Approach - ADCET
- Video - ADCET Webinar: Scaffolding students to become independent learners and career ready graduates - ADCET
- Article - Universal Design for Learning in Tertiary Education: A Scoping Review and Recommendations for Implementation in Australia - ADCET
- Interview: Manisha Amin - ADCET
- Practice Spotlight - Francois has taken charge of his destiny by speaking up - ADCET

Disability Inclusion and Disability Responsiveness
- Disability Awareness - ADCET
- Practice Spotlight - The positive impact of Disability Awareness training - ADCET
- Video - ADCET Webinar: Realising Disability Inclusion - ADCET

NDIS

- Article - NDIS Pre-planning Toolkit for people with an Acquired Brain Injury entering Higher Education or Vocational Education and Training - ADCET

3.2 Reporting, investigating and responding to violence, abuse, neglect and exploitation

Question 7. What barriers or impediments are there to identifying, disclosing and reporting violence, abuse, neglect or exploitation in education and learning settings?

There are several key barriers for people with disability in education and learning settings:

Disclosure of disability in and of itself can be a challenge for students with disability This can be attributed to a range of factors:

- previous negative experiences of disclosure of disability in educational settings including both indirect and direct
- under-confidence in disclosure and self-advocacy
- lack of information on the reasons for requesting information on disability through the application and enrolment processes of some tertiary education providers
- a medicalised model of disability within some tertiary education providers that may request information that was previously imputed by their school, requires additional documentation (at prohibited cost), or concern about disclosure of additional documentation
- lack of a social model of disability and relevant strategic approach to disability which permeates into policies, processes, systems and services requires constant disclosure.

Understanding of the legislative obligations for tertiary providers. Variations in the understanding and application of legislative obligations under the DDA and the DSE by tertiary education providers is mixed. While specialist staff such as disability practitioners and complaint management areas provide advice and guidance on the application of the DDA and DSE it is the everyday adherence and application that causes friction and difficult for people with disability. Again, the lack of strategic intent and disability responsiveness of tertiary education providers and their staff is a major pain point for people with disability.

Strengthening the DDA and the DSE will continue to support legislative obligations for education providers. The DDA has not been reviewed since 2004 and while it provides a level of protection to people with disability and aims at eliminating discrimination it still fails to drive the change needed for real cultural and systemic change.

Legal obligations around the DDA mean that organisations, especially education providers, should have robust Disability Action Plans and mandatory education about the DDA and relevant standards (e.g., DSE, standards for access to premises).

Other considerations include strengthening coverage around reasonable adjustments, unjustifiable hardship, accessibility (especial digital access), the use of technologies including social media to harass or discriminate, and limitations in complaints processes.

We recommend a discussion with the Australian Human Rights Commission to pursue a review of the DDA. In addition, we also recommend finalising the outcomes of the 2020 Review of the Disability Standards for Education which remain unfinalised.

Question 8. What barriers or impediments are there to adequately investigating violence, abuse, neglect or exploitation in education and learning settings?

When students with disability do disclose, receive reasonable adjustments, self-advocate for adjustments or things go wrong i.e., indirect or direct discrimination the onus for self-advocating, challenging policies or procedures, or making a complaint (either internally or externally) is on the student.

However, there are some concerning impediments to making a complaint and being appropriate heard, for people with disability in tertiary education environments. These include:

- the complaints-based compliance mechanism places the onus on students to know and pursue their rights
- complaints-based compliance frameworks disadvantages those who may be less able to initiate and pursue a complaint. This may include issues relating to culture, socio-economic status, regionality and availability of advocates and supports to do so
- there is no publicly available data about provider compliance with the legislation, so we don't know how many providers are in breach of the legislation[8]
- students may be reluctant to share information about their disability to a provider and/or be unable to access or afford an assessment to verify it – and the requirement for clinical verification of disability (a medical model) is at odds with longstanding national policy settings (which recognise a social model of disability)
- institutions can decline to make a reasonable adjustment if they deem the needed adjustments cause unjustifiable hardship, even if the adjustment itself is deemed reasonable – placing the onus back on students to start again with another institution (if there is an alternative option where they live) or pursue a discrimination complaint

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[8] *Limited data is published by the Australian Human Rights Commission about complaints made relating to disability discrimination in education, but the data is high level. For example, there is no data on the outcomes of disability complaints in education and therefore no conclusions can be drawn about provider compliance or the impact of the legislation for people with disability. Additionally, this data does not cover complaints pursued via other regulatory bodies nor compliance action taken, and what data is held is not used publicly to drive good practice.*

- there are additional barriers to access arising from building design and publishing standards which are not addressed in legislation.

In August 2020, the NDCO Program surveyed 131 people with disability, disability practitioners, families and supporters to inform the NDCO submission into the *2020 Review of the Disability Standards for Education 2005*. Survey respondents described the complaints process as long and drawn out, resulting in unfamiliarity with the process, missing educational opportunities, additional stress, withdrawing from study altogether, poor or no resolution including failure to implement recommendations from conciliation processes. From the survey, respondents were asked why they chose not to pursue a complaint. A variety of reasons cited include:

- time constraints
- work/family commitments
- feelings of powerlessness and the DDA having no impact
- not feeling safe to complain or wanting to 'cause trouble'
- didn't know how to engage the complaints process
- no training or information provided about discrimination and how to make a complaint
- lack of emotional capacity to deal with the process
- education providers discouraging people from making complaints
- no support to make the complaint
- cuts in advocacy services
- inadequate support and expertise.

Question 9. Are there good practice examples that encourage reporting, effective investigation and responses to violence, abuse, neglect or exploitation in education and learning settings?

Survey, anecdotal and inquiries to ADCET prompted us to redevelop and expand our web resources to specifically address information that would:
- support information for students about disability and discrimination and how to make complaints both through their tertiary education provider and externally
- provide disability practitioners with guidance on topics such as relevant legislation and standards and preventing discrimination.

3.3 Education and inclusive societies

Question 10. What has prevented Australia from complying fully with is obligations in Article 24 of the CRPD? What needs to change within
a. Commonwealth, State and Territory governments,
b. schools and communities, and
c. individual classrooms, to ensure an inclusive education system at all levels?

Speaking specifically about the tertiary education sector there are several main issues where the UNCRPD refers to:

> *"a process of systemic reform embodying changes and modifications in content, teaching methods, approaches, structures and strategies in education to overcome barriers with a vision serving to provide all students of the relevant age range with an equitable and participatory learning experience and the environment that best corresponds to their requirements and preferences".*

Failure to meet 'systemic reform' in the tertiary education sector manifests itself in several key areas:

- tertiary education providers are not incentivised appropriately to embrace and embed disability inclusive practice e.g., Disability Inclusion Action Plans, mandatory disability responsiveness/awareness training for staff, accessible ICT procurement, Universal Design for Learning or inclusive teaching methods and strategies
- tertiary education providers are not adequately funded to support students with disability to the same levels as students with disability in schooling (i.e., through the NCCD). Funding issues are compounded by the dual levels of government (Federal and State) involved in tertiary education for higher education and VET. Furthermore, the intersection between the NDIS supports which allow people with disability to pursue tertiary education are unsupported and unclear. This is compounded by lack of strategy or initiatives to support NDIS participants to pursue education and training including lack of professional development for Planners and LACs
- tertiary education providers are not monitored sufficiently around their obligations to support students with disability including data collection, reporting on strategies of disability inclusion, and funding allocations provided
- limited data collection on breaches of legislation which rely on people with disability to access internal or external complaint processes.

Until these issues are more strategically addressed students with disability will continue to be marginalised or excluded from full participation in tertiary education and as a result be limited by the potential transformative impacts of education which include economic, health and social wellbeing outcomes.

Question 11. What is essential to facilitate the transition from segregated or integrated settings to inclusive education settings, and to sustain the change?

Tertiary education settings are not typically segregated however, students with disability can still feel and be excluded from full participation in tertiary education. Key elements which can improve disability inclusion include:

- a National Strategy for Student with Disability in Tertiary Education, inclusive of national and institutional targets
- embedding disability inclusion into all elements of higher education
- seamless transition between school and tertiary education including appropriate funding and professional development for school staff which supports inclusive teaching and transition support to students with disability
- improved staff awareness of disability and professionalisation of disability practitioners within the tertiary sector
- improved teaching quality and inclusive pedagogies
- better data collection, measurement, and evaluation of outcomes for students with disability
- improved integration between higher education providers, industry, and professional accreditation bodies for better graduate outcomes for students with disability
- increased diversity of the tertiary education workforce to better reflect equity groups including actively recruiting people with disability through targeted recruitment

 an integrated and whole-of-government response to supporting people with disability especially integration between education and NDIS, housing, income support, and employment

Question 12. What is the impact of inclusive education on the life course outcomes (including learning and employment outcomes) of students with disability? And students without disability?

As previously stated in Section 3.1, Question 4 students with disability in tertiary education have lower rates of retention, success and attainment rates than students without disability. Their graduate outcomes are also much poorer and labour force participation in much lower.

According to the AIHW[9] people aged 15–64 with disability (9.1% or 187,000) are less likely to be studying for a post-secondary qualification than those without disability (15% or 2.1 million). This varies by remoteness, disability group, age and sex.

> *When people with disability study for a non-school qualification, they are likely to do so at a university (48%, compared with 28% studying at a TAFE or technical college and 25% at other types of educational institutions).*
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> *(Australian Bureau of Statistics, 2019).*

The National Skills Commission has said that 'more than 9 out of 10 new jobs to be created in the next five years will require post-secondary qualifications'. For people with disability who are limited or excluded from gaining post-school qualifications this raises challenges such as unemployment, underemployment, and lower economic security.

Negative outcomes include increased financial stress, limits on standard of living (e.g., buying health food, safe housing, buying medications etc.) and greater reliance on government income support and compound effects on health and wellbeing.

One of the most significant reforms in the last 10 years has been the introduction of the NDIS in terms of improving social participation of people with disability. This needs to be extended to participation in education and training so additional improvements within the NDIS to improve the intersection between this and tertiary education needs to be addressed.

Question 13. How does inclusive education promote a more inclusive society

The National Disability Strategy aims to foster a more inclusive society, but it doesn't include a specific action plan for Education and Training. As previously stated without a national strategy for disability inclusion in education a more inclusive society cannot be achieved.

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[9] AIHW People with Disability in Australia.

The Australian Human Rights Commission's Includability website which encourages more employers to hire students with disability outlined a range of benefits to the economy, businesses and organisations, and teams and individuals. These include:

- increasing Australia's GDP
- skills diversity in businesses and organisations
- greater customer satisfaction and competitive advantage
- improved employee engagement and motivation in an inclusive and diverse culture
- financial independence for people with disability and the ability to contribute to the economy as consumers
- staff with disability have improved quality of like, increased self-confidence and sense of community.

These sorts of outcomes can only come from a good education and good education starts with good education providers who have the right strategies in place as described in this submission.

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