

## Education (General Provisions) Amendment Bill 2025

<b>Submission No:</b>	19
<b>Submitted by:</b>	Down Syndrome QLD
<b>Publication:</b>	Making the submission and your name public
<b>Attachments:</b>	See attachment
<b>Submitter Comments:</b>	

## Submission to the Education Committee on the Queensland Government Education Amendment Bill (2025)

**Submitted by: Down Syndrome Queensland (DSQ)**

### Introduction:

For 49 years, DSQ, a trusted peak body for people with intellectual disability and their support networks, has provided unwavering advocacy and essential service delivery. Our expertise spans resource development, peer support programs, systemic advocacy, and professional development for educators. We possess deep connections within state and national networks, ensuring broad outreach and stakeholder engagement. We submit this response with grave concern regarding the proposed amendments and their profound impact on some of Queensland's most vulnerable students.

### 1. School and Disciplinary Absences (SDA): A Systemic Failure

The proposed amendments related to School and Disciplinary Absences (SDA), while purportedly aiming for administrative streamlining, fail to address the critical, systemic injustice faced by students with intellectual disability in Queensland. The data is irrefutable and deeply disturbing: students with disabilities account for a staggering **50% of school suspensions**, despite representing only **17% of the student population**. This glaring disparity is a clear indictment of the current educational system's failure to provide inclusive and equitable support.

The following data, derived from ACARA statistics, illuminates the severity of this crisis:

Year	Students with Disability (Short Suspensions)	Total Short Suspensions	Percentage of Students with Disability
2019	37,336	77,167	48%
2020	31,471	63,984	49%
2021	36,529	77,600	47%
2022	34,937	72,452	48%

Students with disability may demonstrate behaviours that schools consider challenging when their needs are not being met, and they have not been able to otherwise communicate their concerns. Suspensions, which are a punishment, will not change anything when the student returns to school, because it does not address the lack of supports to meet their needs. These students, many of whom may find it difficult to self-regulate, need to feel safe and accepted, and to be able to trust school adults and peers.

School disciplinary absences are potentially harmful to students' wellbeing and send a message of rejection rather than acceptance. SDAs should be a last resort.

**DSQ supports the proposed amendment whereby the chief executive must make a policy (that is to be made publicly available on the Department of Education's website) to provide for the making by principals of student support plans for students who have been suspended or at risk of being excluded from a state school, who are also Aboriginal or Torres Strait Islander students, enrolled in the Preparatory year, or students with disability. We demand immediate and decisive action from the Queensland Government:**

- **Reinstate and mandate the transparent collection and publication of detailed statistics on students with disabilities**, alongside First Nations students' data, to ensure accountability and informed policy development.
- **Launch an urgent, comprehensive investigation into the root causes of this over-representation**, identifying the systemic barriers and implementing targeted interventions to prevent unnecessary suspensions and facilitate swift reintegration into the school environment, similar to the depth of review conducted in 2020 in South Australia.
- Implement Recommendation 7.2 of the Disability Royal Commission report to ensure there is accountability around SDAs being a last resort measure: "all States and territory educational authorities... review all instruments regulating exclusionary discipline to ensure they... avoid the use of exclusionary discipline with students with disability unless exclusion is necessary as a last resort to avert the risk of serious harm to the student, other students or staff."
- Implement systems enabling parents to have a right of appeal for suspensions of any length and provide parents with support to engage in this process.
- Hold schools accountable for students with disability receiving evidence-based reasonable adjustments, aligned with a Multi-Tiered Systems of Supports (MTSS) approach, to support academic, behaviour, and social-emotional learning and development.
- Recognise and address the intersectionality of identities of students who are over-represented in SDAs – students with disability, First Nations students, and students in out of home care. These cohorts need nuanced and holistic responses and supports.
- Support teachers through professional development about evidence-based practices such as MTSS. Consult teachers about their needs to ensure the support is targeted in areas where it is most needed. Use evidence-based professional development models, such as coaching and communities of practice.
- Fund release periods within their timetables (non-contact time) to enable staff to have more time to collaboratively plan and evaluate inclusive practices and adjustments.

- Since the introduction of NCCD, the numbers of students receiving adjustments (in comparison with those who were 'verified' with disability) have significantly increased. Therefore, ensure that resourcing for staffing has similarly increased in: leadership roles (e.g., HOSES); teaching and support roles (e.g., co-teaching by classroom teachers and inclusion teachers; teacher aide hours); and allied health roles (e.g., OTs, SLPs, Physios, AVT-Auslan, AVT-D/HOH, AVT-VI, AVT-PI, Psychologists).

## 2. Homeschooling: Empowering Families, Expanding Support

**Down Syndrome Queensland unequivocally supports the proposed amendment to extend home education registration until the end of the year in which a student turns 18.** This change will alleviate a significant regulatory burden on families, particularly those with students with complex learning profiles.

According to the "Parents with Children Registered for Home Education Research Report" (November, 2022), 61% of children being home educated have a disability or health issue. Within this population, 34% either have an intellectual disability or learning disabilities/difficulties. The main source of information for 76% of parents who homeschool was one of the following: (a) Others who home school, (b) support groups, or (c) social media. For parents of children with a disability or health issue, 56% reported that social media was a key source of information for them, even though social media is a not necessarily a reliable source of accurate information.

Therefore, we urge the government to go further by:

- **Providing dedicated resources and support tailored to the homeschooling community of students with intellectual disabilities.**
- Provide funding to collaborate with disability peak organisations, such as Down Syndrome Queensland, who have the expertise to assist the Queensland Government's homeschooling unit with providing essential adjustments and support for students with disability.

## 3. E-Kindy: Ensuring Inclusive Access and Equitable Eligibility

### (a) Inclusive Access:

We commend the stated objective of the Bill to promote access to quality kindergarten programs. However, we stress the critical need for **inclusive access for students with Down syndrome and intellectual disabilities in remote and rural settings**. We urge the government to design and implement programs that ensure these students are not left behind. DSQ currently provide services to QLD government-approved kindergartens to increase the confidence, knowledge, and skills of educators to create inclusive learning

environments for children with Down syndrome, intellectual disability (diagnosed or suspected), or developmental delay. This is through the Department of Education's Kindy Inclusion Service (KIS) funding. DSQ calls on the QLD government to fund and enable inclusive access to this service for educators of students with intellectual disability and developmental delay accessing eKindy in remote and rural settings.

**(b) Medical Absence Eligibility:**

We strongly support the amendment to change the medical absence eligibility for eKindy from consecutive to cumulative weeks. This crucial change will provide equitable access for children with intermittent medical needs.

**4. Further Areas for Urgent Consideration:**

**(i) Accountability:**

We demand **greater accountability from schools in demonstrating compliance with the Disability Standards for Education**, with funding tied to demonstrable progress in this area.

**(ii) Early Childhood Development Program (ECDP):**

Many QLD children with disability of kindergarten age attend an Early Childhood Development Program (ECDP) alongside or in place of a government-approved kindergarten program. Educators of children with disability in ECDPs do not have access to support from KIS funding. Additionally, although ECDPs are located on school grounds, they do not have access to support through the SDSS or NSSNO programs, because they are not part of the P-12 school years. Therefore, the educators of these children with disability do not have access to external expert support. **DSQ proposes expanding the eligibility of the KIS criteria to include ECDP educators of kindergarten-aged children with disability** to access specialised support regarding educating children who have Down syndrome, intellectual disability (diagnosed or suspected), or developmental delay.

**(iii) Post-School Options:**

Education does not end at Year 12. We urge the government to **invest in and expand post-school training options tailored to the ongoing learning needs of individuals with Down syndrome and intellectual disabilities** through collaboration with TAFEs and universities to develop inclusive tertiary education experiences.



Down Syndrome  
Queensland

**Conclusion:**

The proposed amendments, while containing positive steps forward, fail to fully address inequities faced by students with intellectual disability in Queensland. We urge the Education, Arts and Communities Committee to adopt our recommendations and commit to creating a truly inclusive and equitable education system for all students.