

## Education (General Provisions) and Other Legislation Amendment Bill 2024

**Submission No:** 1694  
**Submitted by:** [REDACTED]  
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**Submitter Comments:**

Attn: Committee Secretary - Education, Employment, Training and Skills Committee

Dear Committee Secretary

I write to make a submission on the Education (General Provisions) and Other Legislation Amendment Bill 2024.

As a parent of two children with complex disabilities, I want to share with the Committee my experiences and urge you to support all students to access a quality education fairly and equitably, in both school and home education settings.

My children's stories:

My children, aged 8 and 12, are PDA autistic and have ADHD and hearing impairment. At state primary school, they both struggled to access education because they didn't have the supports they needed. The school resisted putting supports in place for my children, citing lack of funding and resources, understaffing and inability to adapt the standardised and rigid school system to cater to individual students with different needs to the majority. School staff had difficulty recognising and validating my children's distress or accepting information provided about the drivers of their behaviour. I spent hundreds of hours consulting with medical and allied health professionals to gather and provide information for my children's school about appropriate accommodations, and involved private therapists at many school meetings, to no avail.

My younger child developed extreme school related distress and trauma in Year 1 last year, due to lack of appropriate support. His distressed autistic behaviour was treated with disciplinary consequences, as if this was behaviour under his conscious control. My son was traumatised by repeatedly being placed in "time out" during a meltdown and developed complete school refusal which lasted for many months. He became unable to go near school, without precipitating a panic attack and distress that lasted for days. It is likely, if he had continued at school, that he would have been subject to repeated suspensions and segregation from his peers, as I repeatedly witnessed this occurring with similarly disabled students in older grades instead of solving problems through provision of support. The principal rejected my concerns about applying disciplinary consequences to my son and stated that he would apply the student code of conduct without any variation for his disabilities, despite being informed that this would be discriminatory, ineffective and counterproductive. My son has been unable to return to any school due to the trauma he experienced, and is fearful of all unfamiliar adults, indoor public spaces and educational tasks. He is now registered for home education, through lack of other choices, resulting in being permanently segregated from his friends and his community, my inability to work and destruction of my career, and our long-term dependency on welfare support. The school system has completely failed my son.

My older child hid her school distress internally, causing profound damage to her self-esteem, mental health and ability to learn over many years, and ultimately developed severe burnout and prolonged school refusal due to chronic stress in Year 6, last year. She has experienced being gaslit, shamed and ridiculed by staff for her disabilities, and has witnessed her autistic

peers at school being poorly supported and then punished or segregated for their resulting distress. This has further increased her anxiety about her safety as an autistic person at school and reduced her capacity to learn at school. She is currently unable to engage with a full curriculum load at high school and is likely to need to move to home education to feel safe and be able to access learning.

Both my children have suffered from poor support in the school environment. Schools must be better trained and funded to provide individualised support to students with complex disabilities, particularly for those with combined autism/ ADHD or with PDA type autism, to improve their experience of emotional safety at school, prevent distressed behaviours, and facilitate their equal access to education in the school environment. Standard disciplinary approaches that assume a lack of motivation is the problem, are not effective or useful in students for whom the problem is inability to meet expectations of the school due to disability.

#### Suspensions: A Right to Learn:

Disabled students are struggling in the classroom environment because they don't have the supports they need to thrive at school. Disciplinary responses won't change anything, because these kids need support due to lacking capacity to comply with expectations, and discipline results in loss of connection and sense of safety at school, driving further difficulty with complying with expectations. These experiences have led me to support the A Right to Learn campaign, which is focused on reducing disciplinary responses to disabled students in the classroom and improving inclusion.

I strongly endorse the A Right to Learn campaign's five asks in response to the Bill, including:

- 1: Using suspension as a last resort. I agree with the Disability Royal Commission recommendation that school suspensions should be a last resort or to prevent 'serious harm'.
- 2: Currently, the Bill only allows an appeal when a student has been suspended for 11 days or more in a year. I believe that there should be appeal rights for all suspensions, regardless of the number of days.
- 3: The implementation of a multi-tiered support system. Children experiencing multiple suspensions require support through a multi-tiered system to address their needs effectively.
- 4: I support the need for increased transparency and accountability in schools regarding efforts to reduce suspensions, such as submitting an annual report to Parliament, establishing a Board to oversee suspensions, and implementing scorecards for schools.
- 5: To include a Students Rights section in the Bill to enshrine the right to learn for all Queensland students.

#### Home education:

I am strongly opposed to the proposed legislation changes regarding home education, which will impact the ability of home educators to meet the unique needs of children who do not fit within the school system. This is a large proportion of the home schooling community due to

the current failures of the school system to support children with disabilities, particularly those with complex neurodivergent conditions and those who have experienced school related distress and trauma as a result of the poor support and disciplinary actions they have been subjected to.

I disagree with:

1. Obligation for home educators to follow the Australian Curriculum

I am deeply concerned about restrictions being placed on my son's education process at home. As a child with both PDA and education-related trauma, my son needs autonomy over his learning and does not respond to any external motivation to perform learning tasks. Pressure to comply with adult directed tasks causes him to experience extreme anxiety about loss of control and become incapable of compliance. He learns best by deeply exploring his self-motivated interests in an open-ended way, with adult facilitation, using his natural curiosity to follow his own lead and explore opportunities presented to him. He develops deep levels of mastery in a project across multiple key learning areas, before moving to a new topic of interest. This learning needs to happen flexibly in his own time and space, with a low demand approach. Any attempt to engage him in any learning that looks like schoolwork is met with full refusal. Despite this, my son is advanced in mathematics due to his own self-led interest in this subject, and through his enjoyment of this he incidentally develops his skills in literacy and critical thinking. His language and reading skills are also high for his age and the learning that he does is well retained and built upon over time because it is personally meaningful to him.

Adhering to the Australian Curriculum will impose rigid control on his learning which replicates the loss of autonomy and situations of trauma that my son experienced in the school environment, and this will cause him to lose emotional safety for learning at home, potentially removing all access to education in any environment for this very vulnerable child who has already experienced so much adversity to his education and wellbeing as the result of attending his local school.

My daughter also learns best through self-directed learning and having autonomy to follow her interests. Where these interests align well with the Australian Curriculum, and when she has emotional safety, she is able to engage with learning at school. However, it is unlikely that she can either engage in school full time, nor in the full Australian Curriculum for her Year level. In my daughter's case, it is a problem that part-time school education cannot legally be combined with part-time home education, to support her to develop to her full potential and thrive as a learner.

While I appreciate the availability of the Australian Curriculum to use for guidance, and this may suit some children, a one-size-fits-all approach to curriculum is detrimental to supporting quality learning at home, particularly for diverse learners.

## 2. Removal of provisional registration allowances

I accessed provisional home education registration for my son initially, prior to deciding to proceed with his full registration for home education. Our experiences with school were traumatising, and leaving school was experienced as a crisis situation, as it is for many families. I am grateful that provisional registration was available to give us some time to research and consider other education options, work out what to do next and develop a learning plan. Removing provisional registration options would place pressure on families who are already immensely stressed at the time of leaving the school system. It is important that this is available to support families who are experiencing significant changes in circumstances.

3. The addition of a statement that home education should be provided in a way that is in the best interest of the child, including their safety and wellbeing.

Who decides what is in the best interest of the child? What are the principles? What evidence will need to be provided? This statement is open to interpretation and needs to be better refined or removed.

It is disappointing to see a focus on making home education more rigid and school like, rather than addressing the systemic barriers that prevent my children, and the many others just like them, from fully accessing quality education in mainstream schools. They have a right to education and to be supported to access education fairly. Improving inclusion for students with disability through the A Right to Learn proposals would be a small step forward to better supporting the inclusive education of students with disabilities, particularly for those with neurodivergent conditions who are very poorly supported by the school system. The proposed changes to home schooling will potentially impede the provision of high-quality, individualised education to these students.

I thank the Committee for the opportunity to make a submission on the Bill.

Yours sincerely,

(name withheld)

25/03/2024