

**Education Queensland's
Placement Policy and Process:**

A Report by

**Queensland Parents of People with
Disability Inc.**

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This report details the results of a telephone survey conducted by Queensland Parents of People with a Disability Inc (QPPD) during a one week period in March 2001. Callers were encouraged to ring in and provide information on the placement process for children with disability in school in Queensland.

“Developing inclusive schools that cater for a wide range of pupils in both urban and rural areas requires: the articulation of a clear and forceful policy on inclusion”.

The Salamanca Statement and Framework for Action on Special Needs Education: UNESCO 1994, Para 26 B. School Factors

About Queensland Parents of People with a Disability (QPPD)

QPPD is a statewide systems advocacy organisation, which was established in 1981. QPPD conducted a number of advocacy ventures by parents during the 1980's covering issues including family support and respite, education, quality lifestyles for adults and guardianship. Since 1990 QPPD has been funded under the Disability Services Act from the Commonwealth Government to do statewide systems advocacy on behalf of people with disabilities. QPPD's mission is:

QPPD vigorously defends justice and rights for people with disabilities by exposing exclusionary practices, speaking out against injustices and promoting people with disabilities as respected, valued and participating members of society.

In addition to this systems advocacy focus, QPPD continues to develop a wide membership of families and friends across Queensland who remain in contact with the organisation. As well as personally supporting one another, these families take up issues collectively on behalf of sons, daughters and others, speaking out against injustices and promoting people with disabilities as valued and participating members of society.

QPPD acknowledges the support of the following people and extends thanks for their participation and valued contribution to the phone in strategy:

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Foreword by the President of QPPD

For twenty years QPPD has advocated for the inclusion of people with disabilities into their communities. At the heart of our advocacy QPPD has held a belief that when people with disability are connected and have relationships with others they are safer, more respected, have greater opportunities, and enriched lives.

Historically institutional barriers to these connections being made have served to segregate, isolate and congregate people and to teach society a powerful lesson in viewing people with disability as a homogenous “other”. These historical views are still apparent within our service systems today as evidenced in Education Queensland’s placement policy, the subject of this Report.

For deeply embedded attitudes to change and for people with disabilities to be accepted more fully into our communities every effort must be given to include people from the time they are born. Our schools are often talked of as the place where our Nation’s future is made. Our education system provides a place where children learn not only academics but how to relate to one another, what their values are and a sense of self. As parents, QPPD wishes all children to learn that disability is one of the many varieties in which humanness presents itself and that difference can be embraced. We want our future to be in the hands of leaders who had inclusive educational experiences.

QPPD urges Education Queensland to act on the findings of the Phone In and to adopt the recommendations expressed in this Report. We believe that it is time to stop asking the question why should we have inclusive education and starting answering the question how can we ensure Education for All.

QPPD wishes to thank all those who assisted with the Phone In Campaign including the callers who freely shared their experiences enabling this report to be written. In particular, we extend our thanks to Sharyn Pacey, Phone In Project Worker and Report Writer, whose passion and energy was a valuable asset. We acknowledge the hard work by parents over the last decades in advocating for schools for all and share their hope that the future for all our children will be brighter.

Fiona Connolly
President

Executive Summary

QPPD conducted this phone in to collect anecdotal evidence from people around Queensland on the 'placement policy'.

The phone in was conducted over a one week period. The response was very high, with a total of 250 callers who rang the phone in. Call times averaged 30-45 minutes, with all phone in workers working to full capacity. Some callers were unable to connect through as the lines were constantly engaged. The data from 230 callers form the basis of this report.

The key findings of this report are:

- Parents are not provided with information on the placement process by Education Queensland
- This lack of information means that parents are unaware of their rights
- The placement process is intimidating
- The ascertainment process and placement process are too rigidly linked with ascertainment driving the placement rather than supporting the process
- When parents wanted a parent preferred placement they felt they were blackmailed or harassed by Education Queensland to accept recommended placement
- The placement process leads to the further segregation of students with disability and discrimination
- Little collaboration between parent and school
- Ascertainment higher than required to gain funding and placement is compromised by issues of resources
- The expectations for students with disability are abysmally low

Recommendations

- That the placement policy be revoked and the same process used to enrol non-disabled students include students with disability.
- To develop a non-discriminatory Education System that acknowledges the diversity of our community and recognises that difference and difficulty are typical.
- That Education Queensland commit to a philosophy of Schools for All and promote the benefits within school communities
- That Education Queensland create schools which reflect the full diversity of our society and which value the contributions of each member.
- To develop mandatory pre-service and comprehensive ongoing in service for teaching diversity.

- To adopt student-centered teaching practices and inclusive pedagogy which eliminates historically entrenched methodologies.
- Education Queensland must develop positive and respectful relationships and communication pathways with ALL stakeholders.
- Govt must demonstrate strong leadership by adopting international best practice.
- That Education Queensland consider the findings and recommendations in this report and frame a public response to the document.

This report while only documenting a small sample of experiences of families provides valuable insights into the way the placement policy has been implemented.

Introduction

Figures released by Education Queensland reveal that in 1999 2.1% of the school population in Queensland were said to have a disability (<http://www.education.qld.gov.au/schools/statistics/html/studstat.html>). For many of these students their experience of school had occurred outside of the mainstream school setting in special schools or special education units.

QPPD maintains links to parents and other organisations and assumes an informal role as an advisory organisation for parents, as well as conducting its core work of systems advocacy on behalf of people with disability. Through these connections QPPD became aware that there was community concern that the implementation of Education Queensland's policy "**The Provision of Special Education Programs and Services to Students with Disabilities**", more commonly referred to as the 'placement policy', was not supporting a model of inclusion in education but was contributing significantly to discrimination against and further segregation of students with disabilities. In addition, parents felt they were not being informed about their rights and options and that the process of placement was haphazard, depending on where they lived or which school their child attended.

These concerns were confirmed by The Report on Inclusive Education in Australia, prepared as part of the UNESCO study *Education for All The Year 2000 Assessment* (2001). This report used 10 ratings to review how inclusive the education system of each State in Australia is and reported its findings in the form of a report card for each State. (Wills Darrell, Jackson, Robert, 2001). In 7 of the ratings Queensland scored lower than the national average and in the area of social inclusion (Aus.2) scored an F for fail. In only 3 ratings did Queensland score the same as the national average, but even here this only amounted to a mark of C at best.

It is widely recognised that inclusive education is a model of education, which meets the educational needs of the majority of children in an efficient and cost-effective manner (UNESCO 1994). Yet, Queensland education policy still practices education apartheid (Seymour, 2001).

Both the Commonwealth and State anti-discrimination legislation state that it is unlawful to discriminate against a person or their associate on the basis of their disability. However both statutes identify 'unjustifiable hardship' as cause for exemption from complying with the legislation, thus providing a loophole for both state and private schools (Appendix 1).

Placement policy

Education Queensland's Assistant Director General Bob McHugh states in his foreword to this policy that

"The purpose of this document is to provide a statewide coordinated and managed process for students with disabilities to access special education programs and services in school".

The policy was launched in 2000 after an 18-month trial period in 1998-99 and a review in 1999. Its full title is "The Provision of Special Education Programs and Services to Students with Disabilities". The policy documents the process of placement with reference to who has authority to recommend placement, what service and program options are provided, how arrangements for placement are conducted and by whom, how the process for recommended placement is handled and what to do when the parent or caregiver rejects the recommended placement and requests a preferred placement. The review period is also noted and specific reference is made to students with disability who have not reached school age and to students with hearing impairment. Education Queensland also produces two leaflets in conjunction with the policy: "Placement in Special Education Programs and Services: A Guide for Parents" and "School Transport Assistance for Students with Disabilities: A Guide for Parents".

Purpose of the Phone In

QPPD conducted this phone in as part of an organisational strategy around the Education Queensland policy "**The Provision of Special Education Programs and Services to Students with Disabilities**", more commonly referred to as the placement policy.

QPPD has identified the placement policy as a major issue for families of people with disability. Since 1998 QPPD has participated in consultations and working parties and met with Education Queensland to discuss the placement policy. QPPD was concerned that the placement policy failed to provide a clear statement of rights, was vague and ambiguous and could lead to discriminatory practices. QPPD sought through its involvement with the consultation phase to negotiate amendments to the policy to address these issues but had limited success. QPPD continued to be concerned about the policy and the QPPD AGM in October 2000 adopted a strategy around the placement policy as a priority for its work over the next 12 months.

Process

QPPD formed a steering committee around the placement policy strategy and an action plan was developed. The committee was made up of five parents (three committee members and two members of QPPD) and one paid staff member. The action plan included conducting a phone in project to collect anecdotal evidence from all around Queensland from families who had experience of the placement process. The data collected during the phone in would be used to draft a statistical and qualitative analysis of the implementation of the policy, which would form the basis for a report that QPPD would use to inform its systems advocacy work around education issues and as a lobbying tool. QPPD would also intend to publicise the report widely and to present it to the Minister for Education.

A media campaign around the phone in was launched to publicise the phone in and encourage people to call. Advertisements were placed in all the major regional newspapers and media releases and community announcements were sent to all the major media outlets throughout Queensland, including radio, television and newspapers. The campaign ran for two weeks and generated much interest before the phone in. Local media contacts were set up around Queensland to respond to any media requests and QPPD was successful in conducting media interviews in Longreach, Cairns and Brisbane. Local radio stations in Rockhampton and Townsville ran regular announcements prior to and during the phone in. In addition, promotional flyers and posters were sent to over 1000 community outlets, including libraries, neighbourhood and community centres, regional Education Queensland district offices, State special schools, private schools, regional community legal centres, health centres and advocacy groups. The State Minister for Education, the Director General of Education Queensland and Catholic Education were also sent details of the phone in.

QPPD realises that this is a self-selecting process for the phone in and as such may be construed as having a bias. It was not possible to conduct a random sample on financial considerations and QPPD recognises the limited nature of the data collected from the phone in. However QPPD sought to promote the phone in as objectively as possible so that a wide range of opinions and experiences would be canvassed. It is an interesting fact from the phone in that the majority of callers were not members of QPPD and indeed many had not heard of the organisation before.

A set of questions was developed by the steering committee and these were summarised into a form that could be completed by the operator during the phone in. (Appendix 2). The data was then entered onto a database from the form. The set of questions was designed with the objective of gathering both statistical and qualitative data. The statistical data included which Education District the caller was in, what type of school the child/ren attended, whether ascertainment (the process used by Education Queensland to identify the level of support students with disabilities required) had occurred and what level of ascertainment had been applied. The qualitative data, such as how

the parents were informed about the policy, how the process of placement occurred and if the parent was aware of the parent preferred placement option was collected by asking callers to comment on these aspects of their child's education and a series of prompt questions was developed to encourage callers to share their stories.

Four phone in workers (one full-time and three part-time) were engaged to conduct the telephone calls. The workers undertook an orientation process, in which they were trained how to conduct a telephone interview and complete the questionnaire. The training was conducted by QPPD staff, the chairperson of the steering committee and the Phone In Project Worker. The workers were asked to evaluate the process of the phone in on completion of the project.

The phone in was conducted during one week 26th February to 2nd March 2001. Callers rang in using a 1 800 number. Calls which could not be taken immediately were logged as participants in the phone in and the calls were returned. A total of 250 calls were taken. In the week of the phone in 166 calls were fully conducted, but 80 calls were logged as calls to be returned. The response was very high; the workers answering the calls were working to full capacity with each call lasting around 30-45 minutes. Some respondents were unable to contact QPPD by telephone at all and a small number of these returned their response by fax or email. The backlog of calls was completed within one week with a total of 16 unable to be returned. Callers who had called before the 26th February were not included in the data collection of the phone in, nor were callers who rang for the first time after 2nd March. A number of callers had more than one child with disability in the family. In these instances the call was logged once only. Each caller was initially informed of the purpose of the phone in and assured of the confidentiality of data collected (Appendix 3).

Statistical groupings of survey results

By Caller type

The number of callers who participated in the phone in and whose data has been used in this analysis is 230. As can be seen from Fig 1., the majority of callers were parents (213) (92.5%), 10 callers were either family members, friends or were identified as other and 7 callers were service providers. Of the 213 parents who called, 3 parents were also working within the education system.

47 of the 230 callers were members of QPPD (20.4%). Just under 1.5% of callers identified themselves or their child as members of the indigenous population of Queensland and less than 1% identified themselves as people from non-English speaking backgrounds.

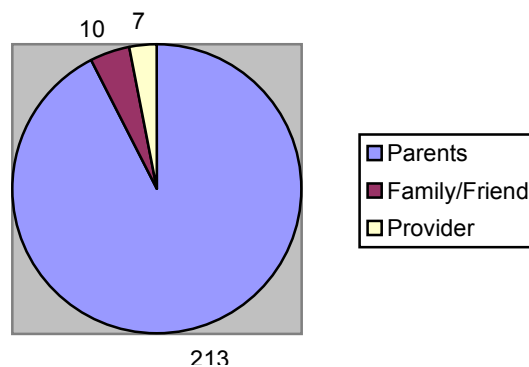


Figure 1: Caller Type

By Region

Calls were received from 31 of the 36 Education Districts throughout Queensland, with only the Cape & Gulf, Chinchilla, Mackay Hinterland, Torres Strait and Warwick Districts unrepresented. Just under 55% of calls were from the South East corner of Queensland. (Appendix 4)

By School system

Callers were asked if their child was in the state or private system. 189 callers (82%) were educating their children in the State system, another 4 callers were using a combination of private and state, 27 callers were using the private system and 10 callers did not identify a school system.

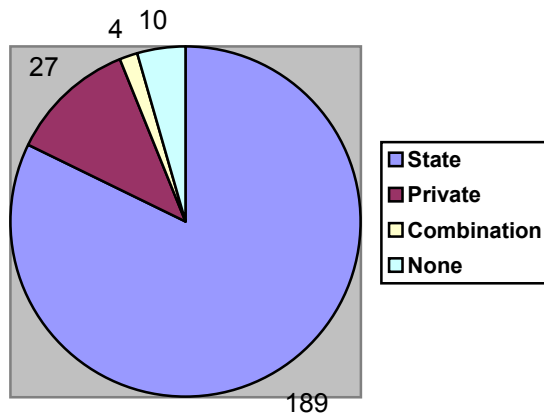


Figure 2: State or Private System

By School type

Callers were asked if their child/ren attended a mainstream school, a special education unit (SEU), a special school, were home or distance education schooled or were not at school. The majority of callers, 117 callers, identified their child/ren as accessing either a special school (51) or an SEU (66) attached to a mainstream school. Two children were attending cluster school, two were being home schooled with distance education, 13 were not in school, either because they were post-school level or because they had been suspended and 2 did not identify what type of school their child attended. 5 children were being educated in a split placement and two children were receiving education through the School of Tomorrow and Enrichment Centre. The remaining 87 attended mainstream schools, including preschool SEDU.

103 callers identified their child as attending a local school, special or mainstream school with unit included, while 117 said their child attended a school that was not local.

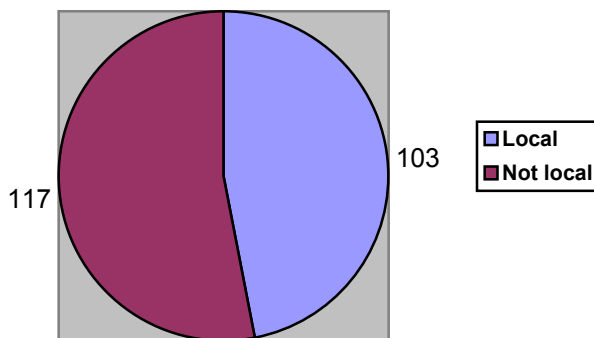


Figure 3: Local School

By School level and grade

112 students attended primary school, 78 attended secondary school, 19 were in preschool, 1 was in kindergarten and 12 callers were postschool. 8 callers did not identify a school level or grade.

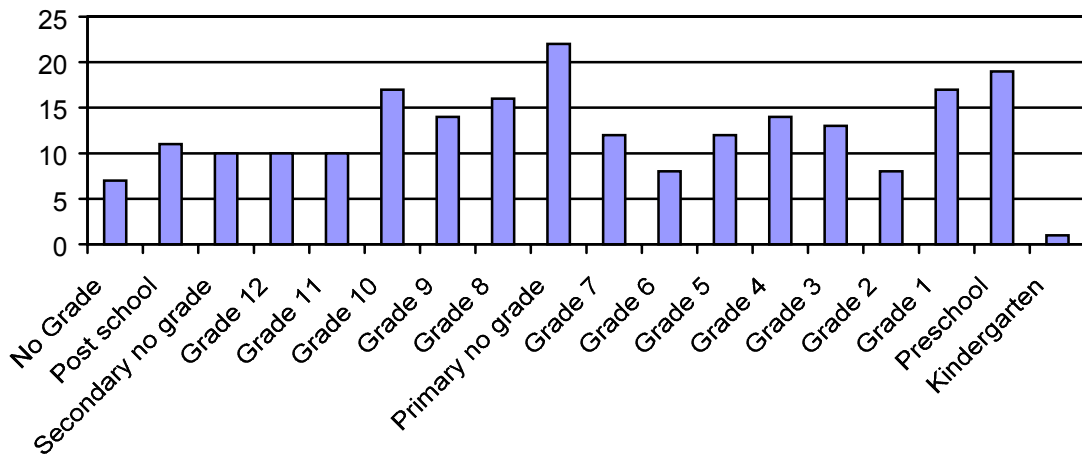


Figure 4: by School Grade

Of the 112 who attended primary school, 50 were included in the mainstream of the school and 2 were not in school. In secondary education, 31 of the 78 were in mainstream schools and 7 were not in school.

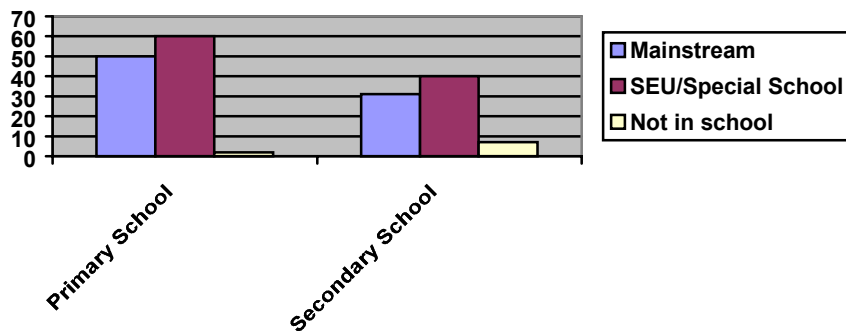


Figure 5: Mainstream SEU/ Special School

Some children had repeated one grade and sometimes two, but there was no evidence that students with disability were not in age-appropriate groups. However in the special school situation, most callers said that the grade system used in the mainstream school setting was not used in the special school.

By Ascertainment

Ascertainment is the process used to identify what support students with disabilities need in their education. This support is identified in terms of levels from 1 to 6. Level 6 indicates significant support needs and Level 1 indicates fewer support needs. 166 callers said their child was ascertained in the levels 4,5 and 6, however 57 callers said their child was not ascertained.

Most people identified the type of disability according to the categories that Education Queensland uses in the ascertainment. It is interesting to note that just over forty percent of those ascertained at levels 4,5 and 6 and over thirteen percent of those without an ascertainment level identified ASD or autism as the type of disability. Of these 76 students marginally above 13 percent were students with a diagnosis of Asperger's Syndrome. In a study reported in 1993 it was asserted that the incidence of Asperger's Syndrome worldwide could be as high as 1 in 300 and that this represented a dramatic increase in what had been a rare diagnosis to that point. (Ehlers and Gillberg (1993) as cited in Marks, Schrader, Longaker and Levine, (2000)). The incidence of the diagnosis in the phone in was considerably higher at 13 in 100. The significance of this for this study is that most callers whose child was diagnosed with Asperger's Syndrome felt that their child's disability was misunderstood within the education system and that the educational needs of their child/ren were not being appropriately met and many parents of children with ASD/autism shared this concern.

78 of the 112 students ascertained at level 6 attended either a unit or a special school, with 28 students attending mainstream classes. But at level 5, 28 students attended mainstream classes with only 2 at special school and 9 enrolled in a SEU. Of those with no ascertainment 26 attend either a unit or special school, 11 are not in school while 20 attend mainstream classes.

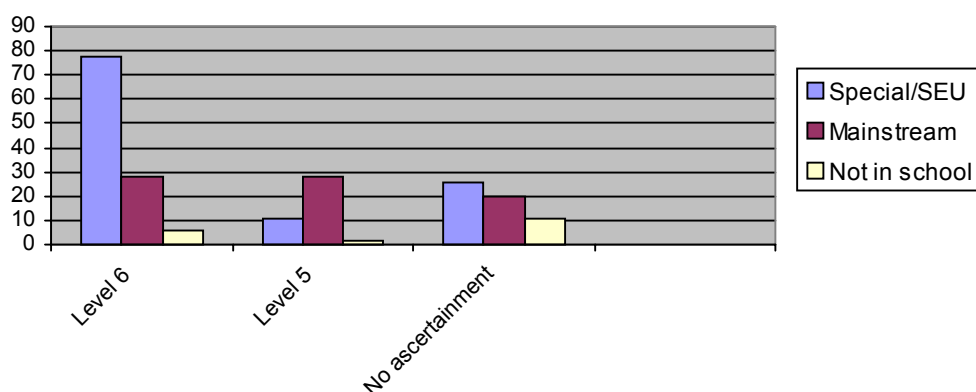


Figure 6: Type of School

Awareness of placement policy

42.5% of callers had either been verbally informed that there is a policy or assumed there must be some kind of policy around placement, but only 6 of these had any information in writing (4 of the 6 having obtained it through QPPD). The remaining 57.5% of callers were not aware that there was a policy around placement.

Discussion

The lives of people with disability and their families are often controlled by professional opinion and expectations.

The majority of all parents face the education of their children with little knowledge other than their own experiences as students. As in all areas of parenting, knowledge and experience is gained on the way. However most parents of children without disability have the certain expectation that their child will emerge at the end of their schooling educated to a particular level. Parents of children with disability however, are likely to be told by the professionals involved in their child's education that this expectation is unrealistic.

We were told our expectations were too high and would you kindly lower them. (Parent)

I felt I had no alternative and he went to special school. He was very unhappy and I pleaded with them to give him at least one hour's work a day. He was coming home saying he was bored and it was 'mind numbing'. The school said, "What for? He won't be getting a job when he leaves school". (Parent)

To challenge this viewpoint as a parent can be daunting, in particular as the expectations of parents of children with disability for their child have in all likelihood been at the mercy of the opinion of professionals (doctors and specialists for example) for some considerable time. It can be said that most people accept the opinions and views of professionals, based on the assumption that that person is an expert or is trained and therefore understands a particular situation better. But it is also true that the 'layperson' is often persuaded to acquiesce to professional opinion by the assertion of the professional that they **are** the experts.

They were doing everything they could for her welfare so whatever they thought was best, I went along with it. (Parent)

The expectations of parents for their child with disability may have been lowered by the advice and information offered by medical and other professionals and in the education process, parents are receiving similar messages. The incidence in this survey of parents who either accepted or chose a special school or special education unit must take this fact into account. Many parents appeared reconciled to the opinion of the education professionals that their child's best interests would be served in a special school or unit. However more often than not 'best interests' is not used in an academic context but really means this is the 'safest place' for the child. Ironically evidence collected during the phone in contradicts this and the special school emerged as the least safe place for a number of students.

A number of callers raised the issue of abuse, neglect or mistreatment of students with disability in special schools and SEUs. There were many instances where the students were teased and bullied by other students in mainstream settings.

Son gets bullied a lot; son really is being assaulted in school. (Parent)

For some of these parents this was a major factor in their decision to send their child to special school or a special education unit, but alarmingly there were examples of abuse within the special schools and special education units.

Teacher hits children with ruler. Her explanation is that she has a classroom of kids like this and a little bit of fear instilled in them doesn't hurt. (Parent)

One parent described what she saw when she visited the recommended placement, a special school, with her child;

I was appalled by unsupervised classroom and playground. Children in wheelchairs with little or no mobility playing unsupervised with (other) children, who were flipping over wheelchairs. One child was being choked and I saved this child, then my child was pushed forward in his wheelchair and hit his head. (Parent)

Another factor is social opinion. If the community in which people live is unwelcoming, hostile and unwilling to include the person with disability, this leads to isolation and resentment. The school environment in many cases enacted social opinion in this negative, non-inclusive manner.

Until somebody can change the way they look at the way they teach these children, parents are swayed by the "professionals". In the case of inclusion it is a fairly new thing and those in authority need to be brought up to date with latest research. Often the people who take parents through the process are special education trained and not trained for inclusion. If they don't think inclusion, they won't do inclusion or it is 'conditional' inclusion. (Parent)

The school experience is a major factor in building community and some parents identified a positive inclusive atmosphere within the school environment as contributing significantly to the way their child was treated generally.

This school was lovely - normal children were not ignorant of disabled kids. Strong community feeling. Normal and disabled kids worked and played together and respected each other. (Parent)

I have seen too many parents and children have horrendous experiences. My son's inclusion is quite successful, but others don't

*have so much support in the family (and also at school, they like him!)
"A lot of factors go into the successful inclusion" (Parent)*

Where students were segregated from the mainstream school in a unit or in a special school, callers felt that their isolation seriously undermined any attempt they might make to integrate their child within their community both now and in the future. Callers were concerned that this segregation of children with disability was only delaying the inevitable, making the future integration of that person in their community more remote and they were fearful of what would happen to their child on leaving school.

At the end of Special School, Grade 12, the struggle would start again and it would be harder. (Parent)

My aim has always been that my son be recognised as having the same value as all school children regardless of his ability. He has contributed enormously to the lives of all the children from Grades 1-12. You don't have much opportunity to meet someone with a disability, it's only by meeting them and knowing them that you realise they are just ordinary people who are a bit different. (Parent)

Analysis of the qualitative data

Callers were asked to comment on six main areas of the placement process:

- Awareness of Placement Policy
- Placement Process
- Parent Preferred Placement
- Placement Review
- Resources
- Additional Comment

This section of the report will analyse the responses in the same order.

Awareness of the Placement Policy

From the data collected during the phone in, it is clear that parents did not receive information from Education Queensland about the process of placement. Those people who did have some knowledge were either themselves working within the education system or were actively involved as members of QPPD. It is worth noting though that even some people who were working within the education system were unaware of the process.

Parents chose school not aware there was a 'process". Parent taught at this school and felt it was good. (Parent)

Many people were surprised that the method of enrolment for their child with disability was not the same as for their other children. Some callers identified

the process as 'discriminatory' and questioned the legality of a separate process for people with disability.

I disliked having to do things for (my daughter) that I didn't have to do for (my son) by going through that formal interview. As if maybe (she) wasn't good enough to come to our school, very daunting and finally after the meeting to be accepted. Lucky me!! I didn't like the way (she) was treated so differently from (my son) and I didn't think it was warranted. (Parent)

Information is not being provided to parents about placement by Education Queensland through the schools, District Offices, SEUs or Special Schools and indeed, parents were mostly not informed that there is a policy. One parent was told that the District Officer did not have a copy of the policy and the parent took a copy of the policy to the meeting!

I said we hadn't decided where to take (my son) and she said, it wasn't our decision, it was a transport issue. I said I was happy to drive him as I did so now. Then I was told - If you want him to go somewhere that isn't approved, District won't let you! I said I had read the policy and knew I had 10 days to appeal to Education Queensland, not the District Office, which was when she started getting angry and questioned if I had the right policy. In November, District Officer said at placement meeting they did not have policy, and I already had it and took it with me. (Parent)

Apart from 4 QPPD members who rang in for the phone in, only 2 callers had been given any written information on the placement of their child prior to the process and this information was not that which Education Queensland has produced specifically for this purpose (The two Guides for Parents) (and indeed the QPPD members were also not handed any information through the school system, but had obtained it through QPPD). Education Queensland invested substantial resources into developing the Guides for Parents. Clearly these leaflets are not being distributed to parents, which raises the questions, why are parents not being given this information? And when resources are scant, why waste them in developing a tool that is not implemented?

Parents clearly felt disadvantaged by this lack of information. Parents felt they were 'always on the back foot', when it came to discussions and meetings about their child. They are unaware of the process, unaware of their rights and unaware of any appeal process and therefore unable to effectively advocate on their child's behalf. This lack of information places the parent in a position of powerlessness from which it is difficult to challenge the 'authority' of the system.

Of particular interest was the number of parents whose children were either in pre-school or in Grades 1 or 2 of Primary school who had not been given any written information (95%) or in some cases even any verbal information (54%) about the process of placement. This indicates that the placement process for

those families whose children's placement has taken place since the introduction of the formal placement policy is not being properly implemented by Education Queensland.

Placement Process

All parents whose children had been ascertained were aware of why it had taken place. A large number of these parents, when commenting on the ascertainment process, revealed that the placement of their child was also discussed at the meeting and in many cases, the decision on placement occurred at that time. For many people the meetings were '*frightening*' and '*intimidating*'. Callers recounted that at meetings which they often attended alone or as a couple, they were faced with sometimes up to 10 people from the various 'bodies' involved in their child's education.

Initial meeting was parent on one side of table, seven others on the other. Very intimidating, so parent moved around to their side.

It was not unusual for people to find that a meeting which they expected to have with the teacher, guidance officer and perhaps principal of the school, actually involved the district officer, the AVT, therapists and a telephone link to 'someone in Brisbane' or 'someone in Townsville'. Parents were not informed that they could take a support person with them to the meetings or if they did take someone, that person's involvement was questioned.

I did take someone with me but that support person was interrogated. I did not like anything about it - it was intimidating and I felt harassed
(Parent)

Parents felt that these discussions around the recommended placement were presented by the person on the other end of the telephone link, or, someone from district office; someone who had no knowledge of the child whatsoever.

Told level 6 (and she was) supposed to go to special school but the guidance officer told us we had a right to decide. We were advised to check out three special schools and were strongly recommended this type of education. We were accused of not doing the best thing for our daughter... The lady co-ordinating the (placement process) was a complete stranger. (Parent)

In other areas of disability services the move towards 'person-centred responses' is common. This means that in human services the decision-making process should include people who know the person well.

In some instances parents expressed the concern that when they went to the meeting, the decision had already been taken about which school their child was to attend.

Recommended placement already decided without parent consultation.
(Parent)

However parents were for the most part unaware of the placement process and were not informed that the meeting would discuss this issue.

Many parents identified that they felt pressured into accepting a higher level of ascertainment than they thought their child needed, because they were told that the school would be able to provide more in terms of resources and/ or staffing. Some parents also felt that they were being badgered into accepting an ascertainment of disability for their child, which was inappropriate. In some cases parents were told that this would ensure resources were available for their child.

Sometimes ascertainment occurs solely for the purpose of funding.
Downside of that is child is labelled. (Provider)

They were pushing me to ascertain at a higher level so that he would get the support 'all politics and budgetary needs' so they could get the maximum care and funding – this was in the best interest for my child they said. (Parent)

They told me that the intellectual impairment ascertainment was for the level of support and did not reflect her intellectual capacity. (Parent)

The excuse used to raise from a level 5 to 6 was for more aide time... The AVT said that a negative report was compiled to get resources for the child, even though it was explained that resources were for the teachers. (Parent)

Many parents expressed the view that for those students ascertained at level 6, Education Queensland would not recommend placement in a local mainstream school, but in a special school.

If he is ascertained level 6 they want him to go to special school. I have no doubts as to how big a fight it is going to be. I want him included in a regular school with no time in an SEU; I want him at the family school. (Parent)

Parents were also concerned that by pushing up the level of ascertainment for a child, the goals and expectations for that child, both short and long term, were lowered. Such 'labelling' creates a long term opinion which stays with the person long after they leave school.

Parents are pushed into ascertainment because it equals hours. Once they are labelled it sticks and with that comes 'we don't have to try too hard'. (Teacher aide)

It is not so much the level it's the link between ascertainment and placement. My child has lost funding and his teacher is worried about

that and thinks that ascertainment should be reconsidered because of this loss. My experience with other parents of children (with disability) is there is a resistance from the unit for the child to actively be in the classroom with the regular kids. (Parent)

Private schools in general did not appear to follow any particular process for the placement of students with disability, however callers whose child/ren attended schools within Catholic Education described an ascertainment and placement process, which closely resembled the State process. Some parents also claimed that the State ascertainment level was used by Catholic Education to determine the level of support their child would need.

Parents expressed the concern that they were not listened to during the placement process and that their input was not sought.

We feel we have never been given any assistance or felt we were involved in decision-making process (Parent)

No-one listened to me, I'm just a mother. They say, "We are the professionals, we know best. (Parent)

As a parent my preference was not respected. (Parent)

Parents not only felt neglected and isolated, but many also said they felt they were being intimidated and bullied by the various professionals at the meetings and ultimately they felt as if they had no choice but to accept the recommended placement.

Rang District Office and told them that teacher at unit had called her and District Office supported teacher "who had right to refuse to accept son". Acquiesced and sent son to special school at least for one year, in the meantime look at other options, but now he is stuck there. (Parent)

We did not know we could choose another school. If we didn't take the recommended school, my child would not get in anywhere (in writing) so of course we took it. I felt they were treating me as if I am stupid. (Parent)

I did not like anything about (the process) – it was intimidating and I felt harassed...they were pressuring me to accept their recommendation. (Parent)

Parent preferred placement

Even when parents were informed of their right to choose the school, this was an option that was sometimes presented so negatively, parents did not feel it was a real option.

We were told that you could challenge their recommendation, but we would have to write a submission and the District Officer said (the placement) would be reviewed every 12 months, but the Guidance Officer piped up that it could be reviewed at any time, like a threat. No assistance was offered with formal submission - so we got an extension. The AVT said ascertainment was related to placement. Request for aide time was made before placement and after parent preferred not mentioned again. (Parent)

Such instances where parents of children with disability are intimidated and pressured to send their child/ren to a school not of their own choosing, seem to be further evidence of discrimination. This treatment is clearly less favourable and means that the person is disadvantaged and does not have the same opportunity or choices as a person without disability.

However, a number of parents of children attending special school or an SEU did choose that option. A variety of reasons for this choice were given, ranging from *'we were told this was the right place for our child'* to a concern for the child's safety, educational needs or ability to cope in a mainstream setting. Some parents also expressed the opinion that the welfare of the children in the mainstream setting was a factor that influenced their decision.

A number of parents had anticipated that choosing a school which was not local would not be an acceptable option for the Education Department and had moved house to put themselves within the catchment area of the school.

I made sure were in the geographical area so we could access (the school). (Parent)

Parents moved into area so that child could attend this school. (Parent)

We were aware of (parent preferred) and we did choose the school. We moved into district also. It would not have happened unless we really fought for it and we had a vision that she would be included.... They weren't interested in our vision. We were very clear about what we wanted. They did not have an identifiable policy or if they did, they did not divulge it to us. So we moved into the district so that we could access that high school. Initially they did not want her full- time but we overrode that. (Parent)

Some of these moves were significant in terms of distance and impact on the family, involving moves interstate, even intercountry in one instance.

The benefits of these moves were expressed by the callers in positive terms as in the long term, the family was not required to justify why they wanted their child/ren to attend this particular school through a possibly lengthy and uncertain appeal process.

We will move our family to be closer to the school we want her to go to. (Parent)

In some instances the move to another district occurred because the situation the family and child was in had become intolerable, either because of school and/or community attitude or because of transport or resources. One parent talked about being 'threatened' and 'run out of town' by the attitude of the school her child attended.

We wanted him to stay at the school he was already attending. We were under so much pressure, they cut his aide hours back and said he was on trial for one month, we did make a formal submission using a particular form, but decided in the end to move away altogether, change jobs etc, the whole lot, so that our son would not go back to this school or the other school. Such an atmosphere had developed around him there. (Parent)

After driving child for 6 months parents sold their house and moved near school so child could attend school. Everything OK now. (Parent)

When we moved here we were advised that this was the only school she could go to. Previously in ____, we had to drive 200klms to special school every other day. (Parent)

Placement Review

Those callers whose child's placement had been reviewed felt that this left them feeling insecure and unsettled, as they felt as if they were living their lives on a trial basis. One caller who had fought for their school of choice reported that the placement was reviewed every twelve weeks for a number of years, so they never felt able to relax. The review process was not clearly explained to most parents and the evidence from this study suggests that review would only take place if the parents had chosen the parent preferred option and when this choice was a mainstream school. Callers felt threatened and intimidated by this process

Resources

In a significantly large number of cases where parents accepted the recommended placement, the issue of transport was a major factor in that decision. Some parents with more than one child expressed how difficult it would be to travel sometimes to three different schools twice a day and for others the financial burden of transport was an issue. One parent expressed the view that "*Placement was compromised by issues of transport*". Yet another said that the decision about where her child went to school was ultimately a decision made by the Department of Transport.

When (my child) moved to high school, I was told that if we didn't follow recommendation, then they couldn't guarantee resources. I could not believe how much power Department of Transport wielded. We

*appealed process when transport wasn't provided - process was not transparent and we were advised of the outcome **before** the appeal took place. (Parent)*

Almost without exception the lack of resources in terms of teacher aides, support teachers, therapists, accessible premises, transport and other resources was lamented. This was clearly an important issue for parents, who could not understand why children whose needs, identified by the ascertainment process in great detail, were either not being met or were constantly under threat.

If your child has a defined disability s/he should be able to access resources for the entire period of his/ her education and not have to go begging every two years. (Parent)

Issues of resources are closely linked to the placement policy, in particular in the case of a parent preferred placement.

'If a parent or caregiver preferred placement is agreed to by the M, ES, (Manager, Educational Services) the documentation should make reference to the resources to be provided' S 5.7. The Provision of Special Education Programs and Services to Students with Disabilities. Department of Education 2000.

However, parents who wanted to choose a different school from the recommended placement were actively discouraged from this and advised that resources would not be available to them if they chose a parent preferred placement.

A letter was sent stating the recommended school and parent preferred, listing all the resources of recommended placement. No support was offered for parent preferred. The parents had to sign the letter, which required the parents to look at the recommended school before they decided. The parents had to detail the reasons why the recommended school was unsuitable. (Parent)

I have heard about (parent preferred) and I have asked about that. Everything is always unofficial, the person in charge of the SEDU does not like parent preferred and blocks it and I have been told that if I choose parent preferred it would be quite difficult and may have to go to the Minister. They will be withdrawing support at the unit if I choose parent preferred instead of recommended placement. (Parent)

In other words, parents were being forewarned that choosing a preferred placement would result in the placement not being approved by the M, ES which could jeopardise the resources on offer.

'If the parents choose to enrol the student in a school that is not approved by the M, ES, they are to be advised about the resources

that may be provided at this time'. S.5, The Provision of Special Education Programs and Services to Students with Disabilities.

This only highlights the fact that for many parents there was no real choice. It is interesting to note that this rather vaguely-worded segment of the placement policy is the only area which is enacted quite vigorously in the placement process with largely negative outcomes.

Parents who accepted recommended placement despite their desire to have their child in an integrated school setting often did so because of the resources issue. Clearly the threat of withdrawal of support and transport has serious implications for families who already struggle emotionally, financially and physically to juggle the various elements of their family life.

Many callers expressed the opinion that the people who work in the system, teacher aides, teachers, even principals were inadequately trained in disability issues.

I am a teacher and teachers have not had enough training. If I hadn't had (a child with disability) I would never have realised that or realigned my values. (Parent/Teacher)

When there are more children in society having problems the Education Department is not providing the courses for teachers to recognise, help and ultimately teach students with disabilities and university courses do not touch this area also. (Parent)

There was concern that only those people who had received a 'specialist training', i.e. special education teachers, were expected to know how to teach children with disability and it was apparent that many callers thought teachers in mainstream classes had very little training in this area. If inclusion in mainstream classes is to work then training must be a priority.

Mainstream teachers have no knowledge of the needs of students with disabilities. (Parent)

Teachers think they have got the right to say whether or not they want to teach a child with disability, but teachers are educators and should be properly trained. (Parent)

Additional Comments

Callers commented on a range of aspects related to their child's education at this point of the interview, which while not always directly related to the placement policy raise some concerns and provide some interesting and noteworthy viewpoints.

Choice of Private or State School

Of the callers who were in the private system of education, many spoke of their reasons for choosing private instead of state. In some instances, parents felt that the State system would not provide the support their child would need. However in a number of cases parents felt they were forced out of the state system because the education of their child was too difficult for Education Queensland.

I don't believe that the state school did not have the solution, just did not want to provide it. (Parent)

Those children in private schools were generally supported in the mainstream of the school. However funding and resources continue to be an issue for these students.

Privacy and confidentiality

Some callers were concerned that students with disability were 'public property'. It was noted that sometimes students were discussed quite openly. Information, which should otherwise be confidential and confined to the parties involved, is shared, not only at the school the student attended but in the wider community.

Students are everyone's property, no privacy - not only within the school, but between schools. Teachers were naming students (from Primary school) at High School when I visited. Where do I go with these concerns? (Teacher Aide)

Discrimination

Many callers identified the placement process itself as inherently discriminatory. In addition, parents described how their child was not allowed to go on school outings or trips because of their disability or how difficult it was to access some school buildings. In one instance, a high school level student at special school was not allowed to attend camps or field trips with the other students and the parents were advised that they could either keep him at home or he could spend the day at the kindergarten.

I think things are getting worse. The school won't allow motorised chair at school, because they have not got time to teach him to use it, but can see that it would be of great benefit. Their attitude is ghastly, other families (are) 'reasonable human beings' but school aggravates situation. It's counter-productive to rock the boat as school and district become defensive. (Parent)

Some children were only allowed to attend school if an aide was present or if the parent came to school with the child and for 9% of children this meant

they could not attend school full-time. One parent spoke about how his child would no longer attend school.

Now (my son, age 14) doesn't go to school - on the streets. I feel he could do OK (in school) with support. (Parent)

Union Involvement

While parents did not identify which union, it is clear from the comments made that some parents feel the unions wield substantial power over the provision of educational services to students with disability. If a union withdraws its services from a school because of an issue around one student, the effect on the whole school community is dramatic, divisive and ultimately exclusionary. The family and the student with disability can find themselves totally isolated and unsupported.

He went back to school but the union withdrew services. So the union and Education Department had to mediate some agreement, so up until now he hasn't been properly in the school system. (Parent)

Curriculum Concerns

Many students who attend special schools or units are not offered a curriculum-based education, but are taught 'life skills', while others are not offered any kind of learning experience.

I see a great deal of wasted time.....Concern is that children are not being educated. One young man has 'health hours only', only feeding and changing etc, no education for this young man. I was told 'there are no goals for him, so don't make him do anything'. (Teacher aide).

Special schools don't offer much anyway - just cooking and stuff, they learn that at home. (Parent)

Attitudinal change

In some cases when the family had insisted upon their right to choose the parent preferred option, parents felt they not only forfeited any claim to the support their child might require, but were made to feel that they were 'bad parents', who were not doing the right thing for their child.

No other option was presented, but I am totally against clustering (Parent who then chose the private system and was told "I would be denying my child access to the appropriate services, I would do it at my own peril" .)

At the school level callers were concerned that the attitude of some teachers, teacher aides and even principals and guidance officers is not promoting the inclusion of children with disability in school life.

Principal not prepared to see inclusion happen, not willing to look at overcoming barriers. (Parent)

It's very difficult to go to these meetings when even the Guidance Officer is supporting the system and not you. (Parent)

Letter received said that I had 'parent preferred' the special school. I went to Principal and said it wasn't my preference at all – I felt I had no other choice. I was advised that my child's teacher this year did not support inclusion. (Parent)

Many parents felt that by not including children with disability in the mainstream experience of school, an opportunity to effect a change in community attitude is being lost.

We can all learn from the inclusion process – it's a nice mix. (Parent)

We really believe in mainstreaming but without funding we can't do it. (Learning Support teacher in private school)

Some parents of children who were attending special school expressed the concern that when their child left school they would be expected to live in the wider community and they were fearful of this.

Absolutely daunting process, I don't know what's out there, wake up crying. (Parent)

Segregating children from their peers in special schools reinforces and encourages the further discrimination of people with disability post school. Leading an ordinary life, living in your own home, getting a job, having friends, participating in hobbies and sports – all of these quite simple expectations we all have for ourselves are seriously compromised by the experience of segregation from the rest of the community. Both the child and the community learn through the shared experience of school.

(My child needs to) make friends and socialise and be part of the community for that is what gives her quality of life. You can get through life without shapes and colours and reading but it is a pretty sad life if you are on your own forever. (Parent)

My daughter is often treated as a tourist, rather than belonging and often they don't consider social inclusion it's in the too hard basket".(Parent)

Why can't children be taught to be all-embracing? These kids are the future politicians, employers, teachers etc who will be making decisions about the lifestyle of disabled children in the future. (Parent)

These comments on attitudinal change clearly indicate that many people see the education of children with disability in mainstream schools as contributing significantly to the fabric of society.

The challenge confronting the inclusive school is that of developing a child-centred pedagogy capable of successfully educating all children, including those who have serious disadvantages and disabilities. The merit of such schools is not only that they are capable of providing quality education to all children; their establishment is a crucial step in helping to change discriminatory attitudes, in creating welcoming communities and in developing an inclusive society. A change in social perspective is imperative. UNESCO (1994), Para 3 Introduction of Framework

Recommendations

Recommendation One

That the placement policy be revoked. The enrolment in school of students with disability should follow the same process used to enrol all students.

This recommendation reflects a key finding from the phone in. Despite the overwhelming evidence that inclusive education is good practice for all students the evidence of this report indicates that Education Queensland still struggles with making it a reality for the majority of students with disability.

QPPD believes that a key element in the education system's inability to promote and support inclusive education is the placement policy itself. This report gives evidence that the policy effectively works as a gatekeeper, picking and choosing which paths students with disability will take. It highlights that parents who do not accept this pathway have to be extraordinarily resilient and possess the ability to articulate their challenge and what they do want for their child clearly and assertively. From the very beginning of their schooling experience the placement policy works to define students with disability as "other", justifying the need for a different policy and process to which students without disability are not subjected. The placement policy discriminates against students with disability because of their disability and is at variance with acknowledged opinion about inclusive systems.

The concept and philosophy of schools for all is supported by international and national research, the UNESCO Salamanca Statement, the Commonwealth and State Disability Services Acts, Anti-Discrimination legislation, numerous publications, and personal experiences. It is no longer a question of whether schools should be inclusive but how we put the theory into practice and when.

Recommendation 2

That Education Queensland develops a non-discriminatory education system that acknowledges the diversity of our community and recognises that difference and difficulty are typical by:

- 1. Conducting a statewide audit of all schools, measuring curricular, social, physical purview of the school environment to establish the system's ability to provide education for all (UNESCO, 1994)**
- 2. Conducting 3-yearly reviews of audit of State Schools by an independent external monitoring system (eg. QA System for employment services)**
- 3. The audit of schools to be conducted by teachers, professionals, staff in the schools, whole school community, parents and students in order to give a comprehensive perspective.**
- 4. Resource (i.e. teacher education, peer support, cooperative learning strategies, staff and community support) the diversity of community need by holistic school management practices acknowledging the best practice models internationally that are coherent with the UNESCO Salamanca Statement.**

Recommendation two reflects that the phone in results revealed that the ascertainment process is closely linked to the placement policy and is driven by the competition for resources and in some instances, is being abused. The process of labeling and grading children with disability is fraught with negative consequences. At all ages and stages of life people with disability are at risk of being seen only as their disability and boxed accordingly. QPPD is disturbed to see the ascertainment process contributing to this way of thinking so early in people's lives. QPPD believes the ascertainment process is inherently flawed and harmful to people with disability. We acknowledge that a measurement of need and allocation of appropriate resources are needed but believe that such a method should focus on the school/teacher/classroom. Every child is unique, every teacher is unique and every school is unique. A focus on the perceived 'deficiencies' of the student will only ever give part of the picture and has less likelihood to result in cultural change.

Recommendation Three

To develop mandatory pre-service and comprehensive, ongoing in-service training for teaching diversity (curriculum adaptations, behaviour management strategies etc) based on developmental and social models of education across all levels of education (pre-school to tertiary).

To adopt student-centred teaching practices and inclusive pedagogy which eliminate historically entrenched methodologies.

There was wide spread agreement amongst the phone in callers that staff within the education system need to be supported to provide quality education. QPPD believes that good teaching practices contribute greatly to the ability of the school to embrace all students.

Recommendation Four

That Education Queensland commits to a philosophy of Schools for All and promotes the benefits within school communities

That Education Queensland foster schools which reflect the full diversity of our society and which value the contributions of each member

It was clear from the experiences of many of the phone in participants that, as parents, they were not valued or seen to have anything significant to contribute. QPPD is concerned that if this is the value education providers place on parents what value do they place on their sons/daughters with disability.

QPPD believes that all children are important and have something to contribute regardless of their disability, ethnicity, socio-economic situations etc. The evidence outlined in this report indicates minimal promotion of positive values and the benefits of inclusion by education providers.

Recommendation Five

Education Queensland must develop positive and respectful relationships and communication pathways with ALL stakeholders.

Key to this is the need for Education Queensland to take a leadership role in establishing, maintaining, and supporting collaborative relationships which facilitate cultural change as outlined in the Queensland Government's Strategic Framework for Disability.

In light of the findings in the report, relationships between parents and education providers appear to be imbalanced, controlling and disrespectful. Parents felt intimidated and harassed in decision making processes and described the attitudes of education providers as aggressive. Often the people making placement decisions had never met the student with disability or their family yet were seen to have greater expertise or knowledge of the needs of the student than the family.

Other stakeholders (Queensland Department of Transport, the Queensland Teacher's Union etc) were seen to have influence over Education Queensland's decision-making creating some confusion about roles.

Recommendation Six

This Government must demonstrate strong leadership by adopting international best practice and by implementing legislative changes to support inclusion. Education Queensland must support strong local leadership at the school level by promoting the benefits for all of a diverse community.

Given the agreement and acceptance from international and national experts that schools that have an inclusive orientation are able to provide a quality and cost efficient education to all students, QPPD believes that it is quite reasonable to expect that Education Queensland would be aiming to develop an education system based on inclusive practices.

Recommendation Seven

That Education Queensland, as a matter of urgency, considers the findings and recommendations in the report and frames a public response to the document.

References

- Education Queensland. *Placement in Special Education Programs and Services. A Guide for Parents*. Queensland Government.
- Education Queensland. *School Transport Assistance for Students with Disabilities. A guide for parents*. Queensland Government.
- Education Queensland. (2000). *The Provision of Special Education Programs and Services to Students with Disabilities*. Queensland Government.
- Education Queensland. *Student Statistics* {On-line}. Available: <http://www.education.qld.gov.au/schools/statistics/html/studstat.html> (accessed 08.04.01)
- Jackson, R., Wills, D. (2001). *Report Card on Inclusive Education in Australia The UNESCO Education for All 2000 Assessment*. ACT: NCID.
- Levine, M., Longaker, T., Marks, S.U., Schrader, C. (2000) Portraits of three adolescent students with Asperger's Syndrome: Personal stories and how they can inform practice. *The Journal of The Association for Persons with Severe Handicaps*, 25 (1), 3-17.
- Seymour, Sandra (2001). Inclusive Education in Queensland. In Report Card on Inclusive Education in Australia The UNESCO Education for All 2000 Assessment, Section II, 89-96
- UNESCO. (1994) *The Salamanca Statement and Framework for Action on Special Needs Education*.

Appendices

Appendix 1: Commonwealth and Queensland Legislation

COMMONWEALTH DISABILITY DISCRIMINATION ACT 1992 No. 135 of 1992

Disability discrimination

5.(1) For the purposes of this Act, a person ("discriminator") discriminates against another person ("aggrieved person") on the ground of a disability of the aggrieved person if, because of the aggrieved person's disability, the discriminator treats or proposes to treat the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person without the disability.

(2) For the purposes of subsection (1), circumstances in which a person treats or would treat another person with a disability are not materially different because of the fact that different accommodation or services may be required by the person with a disability.

Indirect disability discrimination

6. For the purposes of this Act, a person ("discriminator") discriminates against another person ("aggrieved person") on the ground of a disability of the aggrieved person if the discriminator requires the aggrieved person to comply with a requirement or condition:

- (a) with which a substantially higher proportion of persons without the disability comply or are able to comply; and
- (b) which is not reasonable having regard to the circumstances of the case; and
- (c) with which the aggrieved person does not or is not able to comply.

ANTI DISCRIMINATION ACT 1991 QUEENSLAND GOVERNMENT

Chapter 1 S 5

Meaning of unjustifiable hardship

5. Whether the supply of special services or facilities would impose unjustifiable hardship on a person depends on all the relevant circumstances of the case, including, for example—

- (a) the nature of the special services or facilities; and
- (b) the cost of supplying the special services or facilities and the number of people who would benefit or be disadvantaged; and
- (c) the financial circumstances of the person; and
- (d) the disruption that supplying the special services or facilities might cause; and
- (e) the nature of any benefit or detriment to all people concerned.

Chapter 2 Part 3 S10 Para 5

Meaning of direct discrimination

10.(1) Direct discrimination on the basis of an attribute happens if a

person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.

(2) It is not necessary that the person who discriminates considers the treatment is less favourable.

(3) The person's motive for discriminating is irrelevant.

(4) If there are 2 or more reasons why a person treats, or proposes to treat, another person with an attribute less favourably, the person treats the other person less favourably on the basis of the attribute if the attribute is a substantial reason for the treatment.

(5) In determining whether a person treats, or proposes to treat a person with an impairment less favourably than another person is or would be treated in circumstances that are the same or not materially different, the fact that the person with the impairment may require special services or facilities is irrelevant.

Chapter 2 Part 3 S 11

Meaning of indirect discrimination

11.(1) Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term—

(a) with which a person with an attribute does not or is not able to comply; and

(b) with which a higher proportion of people without the attribute comply or are able to comply; and

© that is not reasonable.

(2) Whether a term is reasonable depends on all the relevant circumstances of the case, including, for example—

(a) the consequences of failure to comply with the term; and

(b) the cost of alternative terms; and

© the financial circumstances of the person who imposes, or proposes to impose, the term.

(3) It is not necessary that the person imposing, or proposing to impose, the term is aware of the indirect discrimination.

(4) In this section—

“**term**” includes condition, requirement or practice, whether or not written.

Appendix 2: Phone in Questionnaire

QPPD PHONE IN QUESTIONS

OPERATOR _____ **DATE** _____

CALLER TYPE (circle) Parent Student Friend Provider Family Member Other

Education Details

District _____ **System** PUBLIC PRIVATE (circle)

School Type (circle) MAINSTREAM
SPECIAL EDUCATION UNIT
SPECIAL SCHOOL
HOME OR DISTANCE
NOT AT SCHOOL

Child Age _____

School Grade _____

School Level (circle) PRESCHOOL
PRIMARY
SECONDARY
POST SCHOOL

Ascertainment Categories _____

Ascertainment Levels _____

Local School (circle) YES NO **Time in regular class** _____

Sort of activities (in regular class) _____

Aide Time per week _____

Aide Use _____

Awareness of Placement Policy

Are you aware of the placement policy? YES NO **When?** _____
 (How did your child end up at the school they are at?)

Explanation of policy given by _____

Was there an expectation of your input? (circle) YES NO **Were you given written information?** YES NO

Comments

Placement Process

<p><u>Prompt Questions</u> <i>What did you like/dislike about the process?</i> <i>Were you listened to?</i> <i>How was the recommended placement presented to you?</i> <i>How many meetings?</i></p>	<p><i>Were you told what the meetings were about?</i> <i>Who attended?</i> <i>Were you informed that you could bring someone with you?</i> <i>Did you take someone with you?</i> <i>Who made the final decision?</i></p>
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Comments

Parent Preferred Placement

Prompt Questions:-

Do you know about your options including parent preferred?
Would/were you confident in asking for your school of choice?
Did you make a formal submission?
What support were you offered to write your submission?
What resources were you offered?

Comments

Placement Review

Prompt Questions:-

How often did review take place?
Did you receive information?
Did you attend?
Was the meeting time suitable for you?
Did you feel you could take someone with you?
What did you like/dislike about the review meeting?

Comments

Resources

Comments

Additional Comments

Comments

QPPD Follow Up Action

Information QPPD Membership QPPD Mailing List
QPPD Events Other events Personal contact with QPPD

Personal Details

Name _____

Address _____

Phone _____ **Fax** _____ **Email** _____

Current QPPD Member *(circle)* **YES** **NO**

Appendix 3: Introductory script for phone in

Hello, this is Queensland Parents of People with a Disability (QPPD). My name is

Thank you for calling to take part in the phone in. What we are trying to do is gather information from around the State from families who have had experience of or will have experience of the policy for placing children with disability in school. The purpose of this is so that we can gain a broad picture of the effects of the policy and, if appropriate, lobby for changes in this area.

I would like to assure you that this phone call will be treated in strictest confidence. QPPD will respect your personal details and your family details and will not divulge any identifying information to third parties unless you give permission for this to happen. The information we gather will be used for a statistical and qualitative analysis of the Queensland education policy for students with disability.

Do you have a family member with disability?

I do have a series of questions which I would like to ask you but of course I would like to listen to your story/experiences. I have about 15 questions to ask to gather all the information. I may need to stop you at some point if we need to move on. If you would like someone to call you back after the phone in (maybe 2 or 3 weeks later though), we would be happy to do that. If at any time you feel uncomfortable with the process or would like to ring back later, please let me know and I can arrange to call you back.

I will need to make notes of our conversation and ask for your patience if I need time to write things down.

Would you like me to repeat any thing I have said so far? If not, then perhaps we can start with some details about the type of education you/your son/daughter has.

Appendix 4: Maps of Education Queensland District Offices

Source: <http://www.education.qld.gov.au/schools/maps/> (accessed 08.04.01)

