



NSW Curriculum Review

19 November 2018

Submission prepared by

Sarah Humphreys and Janice Atkin

Co-founders of *Inclusive Schools Australia*

sarah@inclusiveschools.com.au

janice@inclusiveschools.com.au

What should the purpose of schooling be in the 21st century?

The purpose of 21st century schooling has not changed since the publication of the Melbourne Declaration in 2008. 21st century schooling should still promote equity and excellence with the same high expectations that all students will become successful learners, confident and creative individuals and active and informed citizens. However, there is more work to be done in how these goals can be achieved particularly in relation to students with disability.

21st century schooling must be inclusive of all students without exception and respect their fundamental rights under anti-discrimination legislation, such as the Disability Standards for Education 2005, and the Disability Discrimination Act 1992. Students with disability continue to be marginalised and according to statistics published by the Australian Network on Disability (2018) *people aged between 15 and 64 years with disability have both lower participation (53%) and higher unemployment rates (9.4%) than people without disability (83% and 4.9% respectively).*

The purpose of schooling in the 21st century must be focused on closing the gap in those statistics and striving for the long-term goal of developing *inclusive, peaceful and fair societies* (UN Committee on the Rights of Persons with Disabilities, 2016). This can be achieved through schooling that views learner variability as the norm, rather than the exception, and is therefore focused on the development of all students to become expert learners. Expert learners, as defined by Meyer et al. (2014) are *purposeful and motivated, resourceful and knowledgeable, strategic and goal-directed.*

What knowledge, skills and attributes should every student develop at school?

When considering the knowledge, skills and attributes that students need to develop at school it is essential to identify the learning needs of students with the most significant disability and include these from the outset. Curriculum authorities nationally and internationally have struggled to successfully include students with the most significant disabilities as part of a single curriculum [see Table 1]. The exception is British Columbia who appear to have the most inclusive model of curriculum and curriculum access and assessment. When comparing curricula developed for students with disability, they have three issues in common:

(1) overly focused on the development of early communication skills, numeracy and social skills

(2) the materials are developed after the regular curriculum

(3) there are limited academic expectations.

Table 1

Curriculum Authority	Curriculum provision for students with disability	Common issues
NSW Education Standards Authority (NESA)	<p>1999 - developed a selection of Life Skills courses for Stage 6.</p> <p>2003 - developed 'Life Skills' outcomes and content for all Stage 4-5 syllabuses.</p>	<p>Currently the NSW syllabuses are developed for most students, but not for all. <i>Life Skills outcomes and content are developed for students with an intellectual disability who cannot access the regular course outcomes</i> (NESA, 2018). <i>Issue 2</i></p> <p>Limited assessment requirements for Life Skills create lower expectations for student achievement. <i>Issue 3</i></p> <p>Life Skills content examples, particularly in Stage 6, contain non-academic communication examples. <i>Issue 1 & 3.</i></p>
Australian Curriculum, Assessment and Reporting Authority (ACARA)	<p>2012 - Extended the general capabilities for literacy, numeracy and personal and social capability to include students with significant, intellectual disability as part of the one curriculum.</p> <p><i>Through a focus on the general capabilities of Literacy, Numeracy and Personal and Social Capability in particular, students with disability can access teaching and learning programs drawn from age-equivalent learning area content that is relevant to their individual learning needs.</i> (ACARA 2012)</p>	<p>In some cases, the extended levels of the general capabilities are being misinterpreted as alternative curriculum for students with disability despite ACARA's explicit advice:</p> <p><i>...the general capabilities are not an alternative curriculum to the learning areas but can support access to and progress through the learning areas.</i></p> <p><i>Issues 1,2 & 3.</i></p>

Curriculum Authority	Curriculum provision for students with disability	Common issues
Victorian Curriculum and Assessment Authority	<p>2016 - Extended the F-10 continuum to include 4 levels 'towards foundation' for each learning area.</p> <p>This is supported by ABLES¹ which provides an assessment tool, teaching and learning strategies to guide the development of Individual Learning Plans.</p>	<p>The 'Towards Foundation' levels place students with intellectual disability outside of the F-10 curriculum and restricts access to age-equivalent content.</p> <p>The ABLES tool is not linked to the regular F-10 curriculum.</p> <p><i>Issues 1, 2 & 3.</i></p>
UK Standards and Testing Agency	<p>1999 - Performance attainment targets (P-scales)</p> <p>2018 - Pre-Key stage standards attainment targets for students with special needs (in primary schools)</p>	<p>The Pre-Key Stage Standards are measures of achievement for students who are working below the overall standard of national curriculum assessments, but who are engaged in subject-specific study.</p> <p><i>Issues 2 & 3.</i></p> <p>These measures still do not apply to students with the most significant needs <i>who cannot access the national curriculum</i>. The P-scales still apply.</p> <p><i>Issue 1.</i></p>
USA Department of Education	<p>2003 Alternate achievement standards for students with the most significant cognitive disabilities.</p>	<p>All students access the same curriculum but only 1% of the population may participate in state assessments based upon alternate achievement standards (NCEO, 2016)</p> <p><i>Issue 1.</i></p>
Ministry of Education, British Columbia, Canada	<p>2018 - Competencies (including communication and personal & social competencies) based curriculum allowing different</p>	<p>The BC curriculum model is made up of three elements: Content, Curricular Competencies, and Big Ideas. There is no additional content for students with disability, but alternative</p>

¹ Abilities Based Learning & Educational Support

<https://www.education.vic.gov.au/Documents/school/teachers/teachingresources/diversity/ablesintroguide.pdf>



Curriculum Authority	Curriculum provision for students with disability	Common issues
	'entry points' based on student need.	<p>provisions are available for assessment and reporting.</p> <p>Teachers combine the three elements in ways they see fit to personalise learning in their classrooms.</p> <p>Some students with disability receive written comments in relation to their IEP goals as an alternative to a grade against the year-level standards. Reporting for <u>all</u> students must include a description of progress in relation to the learning outcomes for all subjects.</p>

The knowledge, skills and dispositions as articulated by the Melbourne Declaration remain relevant for all students to develop at school but must be expanded to also include the essential skills associated with the acquisition of early communication, numeracy and social skills that will still be a priority for some students with disability on entering school.

The challenge is where and how these early developmental skills are represented within a curriculum so that they can support access to academic content which is age-equivalent and not become an alternative curriculum. Research shows that access to the regular curriculum for students with disability not only raises teacher expectations but also better prepares students for their adult life (Browder, D. M. & Spooner, F. 2011). The design of the curriculum and how the essential knowledge, skills and attributes are presented to enable teachers to personalise learning for each student is the key.

How could the curriculum better support every student's learning?

A curriculum developed using the principles of Universal Design for Learning (UDL) is the first step in establishing high expectations for all students and supporting teachers to personalise learning for a diverse student population. Designing curriculum through a UDL lens ensures consideration is given to all students, including those with the most significant disabilities, from the beginning.

The NSW Curriculum Review provides the perfect opportunity to consider the flexible, three-dimensional design of both the Australian Curriculum and British Columbia's curriculum. The Australian Curriculum is shaped by the Melbourne Declaration, emphasising the importance of knowledge, understanding and skills drawn from a combination of discipline based-learning (learning areas), essential 21st century skills (general capabilities) and contemporary issues (cross-curriculum priorities). Similarities can be drawn with



British Columbia's curriculum comprising Core Competencies (essential 21st century skills), essential learning (key content, concepts, skills and big ideas) and literacy and numeracy foundations (fundamental to all learning).

The contemporary, flexible design of the Australian Curriculum is often under-utilised or overlooked because schools, particularly in NSW, are used to a one-dimensional, linear representation of curriculum. Crucially, it is the relationship between these three dimensions that provides the flexibility for schools and teachers to cater for student diversity through personalised learning (ACARA, 2018; Ministry for Education BC, 2018).

Teachers need a curriculum that empowers them to shift the balance between the different components (discipline learning, general capabilities and contemporary issues) in order to personalise their programs to address the learning needs of all students (Evans et al., 2015). A flexibly designed curriculum gives teachers the control of what will be taught, to what depth, at what pace and in what order based on the needs of their students. However, teachers also require the expertise, confidence and support in knowing how to do that. This has implications for the NSW assessment procedures, particularly in relation to the HSC, which limits teachers' belief that they have any control over the content they deliver and the way they assess it. Although NSW curricula are based on a standards-referenced assessment model, many teachers are still prone to judging student achievement against other students within the cohort. Often this is due to the language used to refer to outcomes and their assessment. By shifting to standards of performance which provide greater flexibility in how students can demonstrate achievement there is greater chance of students being assessed against the standard rather than being ranked in comparison to other students.

The focus for an inclusive curriculum and any supporting materials should therefore be on providing alternative access rather than alternative content. In this way curriculum authorities can better meet their obligations under the Disability Standards for Education to provide 'access on the same basis'. In the NSW context that means there is no longer a place for Life Skills which has become an alternative curriculum for students attending special schools or support units and an opt-out option for students who are struggling academically or disengaged from the schooling process.

Life Skills were introduced prior to the Disability Standards for Education, 2005 to ensure all students could receive an HSC on leaving and to provide alternative outcomes and content for students *who cannot access the regular course outcomes, particularly students with an intellectual disability* (NESA, 2017). NESA's Assessment Certification Examination (ACE) manual outlines the following exemptions for students undertaking Life Skills: they are exempt from A-E reporting, exempt from formal assessment, exempt from minimum literacy and numeracy requirements. Essentially students undertaking Life Skills are exempt from the same rigours and high expectations of their peers undertaking a regular pattern of study and this has taken its toll on the quality of teaching and learning for these students. The non-academic term *life skills* coupled with the focus on exemption rather than inclusion has left NSW schools with:

- a default curriculum for special schools and support units from Year 7 onwards.



- an opt-out curriculum for students who are disengaged or struggling (academics; behaviour; mental health).
- an opt-out curriculum for teachers/schools struggling to manage challenging students, particularly when Life Skills assessment data does not count.
- a simplified curriculum for non-specialist high-school teachers running a support class or special school class across the whole day on a primary model.
- an alternative to the Australian Curriculum content – there is no Australian Curriculum content tagged in any of the Life Skills syllabuses. That is not to say it is not present, but it indicates an alternative syllabus development process that permits content to be omitted for students *who cannot access the regular course outcomes*.
- a curriculum that supports segregation and low expectations. Without assessment expectations other than *achieved* or *achieved with support* teachers can essentially teach what they like against the same outcome/s for an extended period. There is a widely held belief amongst schools that students only need to achieve one outcome from a Life Skills syllabus.

A 21st century view of curriculum that is inclusive of all learners without exception requires:

- i. A multi-dimensional and flexible representation of the essential knowledge, skills and attributes of 21st century learning to allow teachers to program in response to diverse student needs, including those with significant intellectual disability.
- ii. A progression detailing the development of early communication skills to be incorporated as part of the curriculum. Teachers can use this progression to plan entry points to age-equivalent content for students with more complex needs.
- iii. UDL to be integral to the syllabus development process to ensure the curriculum is presented in a way that can be interpreted flexibly by teachers and enable them to personalise learning.
- iv. Sample units of work developed using the UDL framework whereby all students are expected to achieve the same learning goal but the way they do that and the extent to which they do that will vary. Video illustrations of teachers putting this into practice with students of all abilities would have the greatest impact.
- v. More flexible measures of assessment. Replacing outcomes with statements of achievement would improve flexibility and enable teachers to focus on the process over the product and gather multiple evidence of achievement. The current NSW syllabus outcomes, and particularly Life Skills outcomes, are presented like a checklist.
- vi. Opportunities for student progress to be measured in terms of gains in relation to themselves rather than their cohort. The progressions, including progressions related to communication and social skills, have the potential to provide this scope.

A flexible, multi-dimensional curriculum for all represents a paradigm shift and understanding how to use it to personalise learning and have maximum impact for every learner cannot be left to chance (Basham



et al. 2016). There must be a long-term investment in developing high quality, best practice advice and examples in collaboration with sectors, schools, teachers, parents and students.

What else needs to change?

1. The term students with special educational needs is outdated and implies a group of students who require 'something else' from that which their peers are receiving (Trela, K. & Jimenez, B. 2013). Despite the broader definition described in the NSW Education Act 1990 N°8 (Part2-Objects of Act 6-1(a)-(k); Part 4 The Minister's Functions 20-1(a)-(f)) the term is synonymous with students with disability. 'Student diversity' is a more appropriate term that includes all students and acknowledges the responsibility of all education stakeholders under the Disability Standards for Education.
2. Changes in nomenclature and practice should be reflected in all syllabus documentation including the NSW Education Act; NESA Registration and Accreditation manuals; ACE website; and NESA website.
3. The NESA website is text heavy and difficult to navigate. A simpler representation of the curriculum with options to view in multiple ways, similar to the Australian Curriculum, would support teachers to engage with the curriculum flexibly to personalise learning.

In order to enact the recommended changes for a NSW curriculum that is inclusive of all students without exception, changes are required to the NSW Education Act, 1990 N°8 namely in relation to a *special course of study for students with special educational needs* in Division 2 - Certificates 95A; and *education of a kind for children of a kind* referenced in Division 3 - Registration of Non-Government Schools 53-1(c). Until exemptions and alternatives are removed from the Act, students with disability will continue to be excluded from their fundamental right to an inclusive education. *In line with Article 4 (b), all legislation and policy must be reviewed to ensure that it is not discriminatory for persons with disabilities and in violation of Article 24* (UN Committee on the Rights of Persons with Disabilities, 2016).

References

- ACARA (2018). *Student Diversity Advice Materials*. Retrieved from <https://www.australiancurriculum.edu.au/resources/student-diversity/>
- Australian Network on Disability (2018) *Disability Statistics*. Retrieved from <https://www.and.org.au/pages/disability-statistics.html>
- Basham, J.D, Hall, T.E., Carter Jr, R.A (2016) *An Operationalised Understanding of Personalized Learning*. Journal of Special Education Technology 2016, Vol. 31(3) 126-136
- Browder, D. M., Spooner, F. (2011). *Teaching Students with Moderate and Severe Disabilities*. The Guildford Press.
- Commonwealth of Australia (2006). *Disability Standards for Education 2005 plus Guidance Notes*. Author: Canberra.



Evans, D., Humphreys, S., Gray, G. (2015). *Australian National Curriculum: Applications of the principles of UDL*. Implementing Universal Design for Learning - Proceedings from the 2nd Annual UDL-IRN Summit March 12-13, 2015. Published by The Universal Design for Learning Implementation Research Network.

Meyer, A., Rose, D., Gordon, D. (2014) *Universal Design for Learning -theory and practice*. CAST Professional Publishing.

MCEETYA (2008). Melbourne Declaration on Educational Goals for Young Australians.

Ministry of Education, British Columbia. (2018). *BC's New Curriculum*. Retrieved from <https://curriculum.gov.bc.ca/>

National Center on Educational Outcomes (NCEO). (2016) *Alternate Assessments Based on Alternate Achievement Standards (AA-AAS) Overview*. Retrieved from <https://nceo.info/Assessments/aa-aas>

NESA - NSW Education Standards Authority (2017) *Assessing Life skill outcomes and content*. Retrieved from <https://ace.nesa.nsw.edu.au/ace-3001>

NSW Government (2018). Education Act 1990 N°8. Accessed 12 November 2018 from <https://www.legislation.nsw.gov.au/#/view/act/1990/8/full>

Trela, K., Jimenez, B. (2013) *From Different to Differentiated: Using "Ecological Framework" to Support Personally Relevant Access to General Curriculum for Students with Significant Intellectual Disabilities*. Research & Practice for Persons with Severe Disabilities 2013, Vol. 38, No. 2, 117–119

UN Committee on the Rights of Persons with Disabilities (2016). *General comment No. 4, Article 24: Right to inclusive education*. Retrieved from <http://www.refworld.org/docid/57c977e34.html>

United Kingdom Department for Education (2017). *Performance - P Scale - attainment targets for pupils with special educational needs*. Retrieved from <https://www.gov.uk/government/publications/p-scales-attainment-targets-for-pupils-with-sen>

United Kingdom Standards and Testing Agency (2018). Statutory guidance Pre-key stage 2 standards <https://www.gov.uk/government/publications/pre-key-stage-2-standards>

United States of America Department of Education (2005). *Alternate achievement standards for students with the most significant cognitive disabilities - Non-Regulatory Guidance*. Retrieved from