

Looking beyond school

“One barrier is that real kind of old-fashioned thinking around disability. The students that we work really closely with can achieve anything they want, we just need to modify the environment a little bit.”

– Mt Eliza Secondary College

Why is looking beyond school important?

Education is not just fulfilling a young person's current needs but also allowing them to succeed into the future.

While it is necessary to ensure that students with disability are set up for success in their current environment, students' future goals are equally important, whether that is transitioning to future education, employment or independent living.

“A young person with an overt physical disability might see something like the Paralympics and find a hero. But what about other types of disabilities? It's so important for young people to see role models and have aspirations beyond school. Most young people understand that it's school's job and skillset to protect them. But what does it look like when they transition into the workforce or to the broader society?”

– Rosebud Secondary College



CASE STUDY

Background

Sarah has an intellectual disability and is non-verbal. After completing primary school in a mainstream environment, her medical specialist suggested she would benefit from attending a specialist school, particularly as she had struggled to make friends. However, she and her family were determined that she would go to the local secondary school.

School's response

The secondary school's inclusion team worked with Sarah, her family and her support workers to implement a tailored curriculum supporting inclusion with her peers. Sarah expressed interest in working with animals.

The school ensured that Sarah could attend all excursions and camps with the assistance of her father. When students participated in work experience in Year 10, the school organised for Sarah to work at the local vet. She formed a friendship circle that socialised outside school.

With the support of her school, Sarah has just completed Year 12 and is looking at TAFE courses in animal care and moving out from her family home.

What the law says

Under the *Equal Opportunity Act 2010* (the EO Act), education providers have a **positive duty** to take reasonable and proportionate steps to eliminate discrimination as far as possible. This means that a school must take positive measures to prevent these behaviours.

Disability discrimination can include **direct and indirect discrimination** in the provision of education.

Direct discrimination means treating, or proposing to treat, a student unfavourably because of a disability. This might include denying an opportunity for training or career advice because they have a disability.

Indirect discrimination means imposing an unreasonable requirement, condition or practice on all students that has, or is likely to have, the effect of disadvantaging persons with a disability. This might include requiring all students to complete exams within a certain timeframe or placing a condition that students must reach a certain level of literacy before participating in work experience.

Both direct and indirect discrimination of people with disability is unlawful.

The EO Act also requires schools to make **reasonable adjustments** for students with disabilities so they can participate in or derive any substantial benefit from an educational program. This could include organising career advice in accessible formats or ensuring that work experience options are accessible. See more information in the "**Making adjustments**" resource.

Schools are also bound by Victoria's *Charter of Human Rights and Responsibilities 2006*, which outlines students' rights to equality and non-discrimination, and the right of a child to such protection as is in the child's best interests. This might mean providing extra advice on future study options or working with students to fulfill a desire to live and work in mainstream settings.

Other relevant laws that need to be taken into account include OHS laws, the *Disability Standards for Education 2005* (Cth), federal discrimination laws, and other education-related laws and policies.

Practical tips

These practical tips for building staff capacity have been informed by schools, for schools, to comply with their positive duty to eliminate discrimination and other legal obligations, and work towards full disability inclusion:

- Prioritise consultations with students on how they would like to progress to the next stages of education or employment
- Don't limit student goals based on assumptions of their skills or ambition
- Focus on building student knowledge about themselves, their strengths, aspirations, interests and goals
- Look at opportunities for further education and personal growth that are available when a student leaves school
- Find out about supports, advice and counselling that may be available to assist students on their life journey, to nurture their interests and achieve their goals
- Seek out role models for students with disabilities – this may include pointing to examples of people with disabilities who have succeeded in a particular field, organising people with disabilities to speak with classes about career options, or actively seeking out mentors who have entered a course of study, training, industry or profession of interest to the student.

Other supports and resources

Moving to secondary school for students with additional needs | vic.gov.au

Leaving school and career planning – students with disability | vic.gov.au



**Victorian Equal Opportunity
& Human Rights Commission**

humanrights.vic.gov.au

General enquiries enquiries@veohrc.vic.gov.au

Enquiry line 1300 292 153

