How do issues of disability relate to Human Rights and Social Justice in the educational context?

The educational rights of students with special needs have had a profound increase in importance since the commencement of the Disability Discrimination Act 1992. This Commonwealth Law plays a fundamental role in protecting those in society who are living with a disability, whether it is mental or physical. The law aims to “eliminate all discrimination against people with disabilities” (Humanrights.gov.au, 2015), encourage acceptance within the community so that all members share the same Human Rights and it also aims to ensure that people living with a disability have the same access to equal opportunity whether it be in the workplace, in education etc.

More specifically in relation to the educational sector, a person with a disability has the exact same right as any other student to be educated. The Disability Discrimination Act makes it against the law for any educational authority to discriminate against someone because they have a disability. This includes all public and private institutions such as primary and secondary schools, TAFE, universities and colleges.

When discussing social justice in an educational context, it can be defined as the “aim to increase educational attainment and progression opportunities” among people living with a disability (Thersa.org, 2015). In saying this, all educators must provide any persons with a disability the same educational opportunities as everyone else and therefore should never assume a person’s ability to meet the requirements of a course based on their disability. This is in keeping with the concept of social justice as it is the fair and proper administration of the law.

Whereby the student has met the essential entry requirements, educators must then make the necessary changes or adjustments to the learning environment. If the changes required are to cause significant difficulties or unreasonable costs to a person or organisation, educators can undergo an assessment providing details of the “unjustifiable hardship” and thus workout better suited options or arrangements where both the person with a disability and institution come to a mutual agreement.
How have issues of Human Rights and Social Justice informed the principles of inclusive schooling for students with special needs

In its paper titled ‘Human Rights Education in the National School Curriculum: Position Paper’ the Australian Human Rights Commission (AHRC) states “Human rights provide a valuable framework for good inter-personal relations and for making informed and proportionate decisions – from the playground to government and public policy, it starts with human rights education in schools” (AHRC, 2001, page 6). The Australian Curriculum, Assessment and Reporting Authority (ACARA) oversees the development of the Australian curriculum. Under the heading ‘Student Diversity’, ACARA states “All students are entitled to rigorous, relevant and engaging learning programs drawn from a challenging curriculum that addresses their individual learning needs” (ACARA, 2015).

Human Rights can be a distant concept. By setting an achievable goal of ‘good inter-personal relations’ human rights is within reach of the classroom. Supported by the statement from ACARA, these statements reinforce the idea that all students should be engaged and challenged, in keeping with the principles of inclusive schooling. Turning then to our focus student, Cystic Fibrosis (CF) is a condition where an abnormal amount of mucus is generated affecting the lungs (Cystic Fibrosis Australia, 2015). People with CF need to adhere to a strict routine of enzymes, antibiotics and other physical activities. It’s anticipated that our student may face issues of managing his treatment (having to take medications), as well as some minor in-class disruption (coughing). The implications for our student are that his treatment and in class conduct need to be focussed on the consideration of the class, hence properly acknowledging the intent of ‘good inter-personal relations’. This also means his treatment regime needs to be anticipated by the teacher and meaningfully understood and accepted by his peers. The teacher needs to know what the student needs are and allow him time to do it. He may need extra tuition or flexible timings to ensure that he is relevantly engaged and sufficiently challenged, especially since he wants to become a doctor, which will require significant academic rigour and refined skills. This is a strengths based approach as it will meaningfully incorporate our student into the class, while being considerate of the class as a whole, giving him the means to build on the strengths of his motivation and family support.
What is the impact of having a disability? What might be the different perspectives of the stakeholders involved in the inclusion of students with special needs?

<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Two benefits</th>
<th>Two possible concerns limitations</th>
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<tbody>
<tr>
<td>Student with special needs</td>
<td>Students become part of the local community (Konza, 2008). More likely to form friendships with other children; have peers to model behaviour; develop cognitive and problem solving skills. This will in turn aid in treatment of the disease. Students benefit from increases in social, academic, and developmental skills, availability of appropriate role models for behavior, and friendships with peers. (Bennett, Tess, Bruns, &amp; Deluca 1997)</td>
<td>Students may become disenfranchised and disillusioned by the expectations placed on them (Shevlin 2010). In our case, this is unlikely given his good circumstances, but there is a chance the expectations become too great. There is a chance our student may not like the attention or that his treatment by the teacher and supporters becomes counter-productive, but this would need to be managed on a case by case basis.</td>
</tr>
<tr>
<td>Parent/s of student with special needs</td>
<td>Parents benefitted by being included as equal and respected members of the team, in the learning and development of their child. (Bennett, Tess, Bruns, &amp; Deluca 1997). In this instance, our parents are supportive so their inclusion is a win win. Parents are strongly encouraged to be an integral part of the program i.e) listening to reading (OECD 1999) and can also be involved in curriculum development.</td>
<td>Parents may feel that their child is ‘challenged enough’ and are therefore reluctant to push them further (Shevlin 2010). There is a change of this in our case, and this would need to be closely managed. Parents own experience may not be in keeping with what the school is trying to do, so there may be some resistance or misunderstanding which will need to be treated with respect.</td>
</tr>
<tr>
<td>Classmates and other students</td>
<td>Other students are taught patience, respect and caring (Shaddock, Giorcelli, &amp; Smith, 2007) as well as gaining an understanding and appreciation of cystic fibrosis. They also experience a positive difference in terms of “...challenging and disrupting normalising discourses” (Robinson, K., &amp; Jones Diaz, C., 2005 p.8) i.e) changing any pre-existing prejudices or anti-social behaviour that they may have which in turn adds to their individual strengthening.</td>
<td>Teacher attention and focus taken away from other students (Westwood, 2003) That there is a chance that literacy or acknowledgement of our singular factor (cystic fibrosis), leads to illiteracy or a lack of acknowledgement for others - sexuality, social class, gender, disability, religion. (Capper &amp; Young, 2014)</td>
</tr>
</tbody>
</table>
26. Male. Has cystic fibrosis. Has younger sister. Wants to be a doctor. Parents supportive

<table>
<thead>
<tr>
<th>Teacher</th>
<th>An inclusive focus <strong>acknowledges the value of collaboration</strong> by competent professionals working towards a common goal (D’Alonzo, Giordano, &amp; Vanleeuwen, 1998) and it is an accomplishment of the teacher to have effectively managed our student. There is a chance that a teacher may get <strong>additional assistance</strong> to deal with our student which would be a helpful additional resources (OECD 1999)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal</td>
<td>Effective and meaningful inclusive practices <strong>make a school very attractive</strong> to prospective parents of disabled children. At page 50, the OECD reports that “(there are) substantial international reputations in the rapidly growing international inclusion movement” By establishing a reputation for inclusive practices, a school builds a reputation for best practice, which in turn attracts top teaching talent which has the overall effect of benefitting the school in many ways.</td>
</tr>
</tbody>
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The ‘deficit’ approach to difference (Lawrence 2005). This is where teachers start **blaming students**; which is a negativity based response to having to do more work which is fundamentally opposed to ‘constructivism’ (where teachers help students)

There is a chance that the **rhetoric moves ahead of practice** (Westwood, 2003) which may lead to an over simplification of requirements where advocates don’t understand impact and this misunderstanding leads to resentment.
26. Male. Has cystic fibrosis. Has younger sister. Wants to be a doctor. Parents supportive

What do we learn from listening to the voices of those with disabilities?

Resources:
http://www.cda.org.au/

Our Student would benefit from one of the many scholarships available such as those offered at Sydney University - ‘faced significant challenges, such as … medical or disability issues.’ (Sydney University, 2015).

Parents are probably the most valuable resource for our student and should be well utilised. Organisations such as Children with Disabilities Australia (CDA) http://www.cda.org.au/home have a good presence on social media, offer useful advocacy services and are a good point of reference for news and information.

Cystic Fibrosis Support

Supportive Parents

High Academic Achievement

Desire to be a Doctor

Has a younger sister (potential role model considerations)

INCLUSION = Success

Nathan Charles is a current Wallaby (Rugby Union) who has Cystic Fibrosis http://nathancharles.com.au/
He is an inspirational guy who might be of use for our focus student.

CF Australia https://www.cysticfibrosis.org.au/

Our focus student has significant underlying strengths which can be effectively realised. His aspirations towards a challenging profession present an opportunity for him to be a positive role model for his younger sister, which can be meaningfully capitalised by the engagement of relevant support services and by accessing inspirational people.
What are some resources to inform teachers?

In their article ‘Mapping the information-coping trajectory of young people with long term illness - An Evidence based approach’, Sen and Spring (2012) explore the relationship between information and coping, providing useful information for teachers with students dealing with long term illness. Their main finding was that student’s coping improves the more they know about their condition. The article provides a useful insight for teachers to look for certain situational indicators in their students, referred to as ‘Positions’ (Sen & Spring, 2012, pp 651-652), so that they can best understand their students circumstances and facilitate their ability to cope with the rigours of the classroom. The article is based on thorough and original research in the form of situational analysis, drawn from evidence provided by young people with long term illnesses. This research from the ‘coal face’ is peppered with interesting first hand quotes and insights which gives the article real weight and adds greatly to its credibility and usefulness. The article talks about the importance of foundational teacher skills in the process of inclusion, such as establishing a healthy and productive dialogue with students, as well as the importance of trust. It then goes onto discuss the relationship between information and coping in some detail by exploring the methodologies used, before providing some useful diagrams on pages 646 through to 649 which provide a good snapshot of some considerations for dealing with such students. It then goes into some depth on the previously mentioned ‘positions’, which essentially point a teacher in the right direction in terms of what students with long term illnesses are experiencing and what can be done to help them. Overall, this is a well researched, practically useful guide for teachers who are not only dealing with someone such as our focus student, but anyone else who is faced with a long term illness.
Individual Reflection on personal learning and future teaching context.

Rob

We are all the product of our upbringing and our environment, not to mention the extraordinary outcome of an array of influences from our ancestral background and physiology. We are also subject to subtle and not so subtle nuances in terms of things such as “spirit” or sense of self, all of which form the rich tapestry of the human condition. Appreciating difference is fundamental to understanding the things that bind us and relate to one another in a meaningful way. In an increasingly divisive and segregated world, it is important to focus on similarities as opposed to difference which is something this task did. The nature of the task brought to light the importance of recognising difference in people’s understanding, work situations and circumstance and utilizing these towards a common goal. By working in pairs, it was a reminder of the importance of understanding what’s going on with someone, and taking into consideration their strengths and weaknesses, as well as listening to them as to meaningfully incorporate what they have to offer. This task highlighted the fragility of a good idea and that the opportunity for productive exchanges of information can sometimes be hard to come by. I found the readings whichcouched the material in its wider social and political context (Robinson, K., & Jones Diaz, C., 2005) to be quite useful, as they put the concept of ‘Diversity’ in a clearer picture. By highlighting issues in relation to neoliberalism and globalisation one can better understand where these ideals came from and how they have meshed into what is now viewed as best practice. In researching the topic some prominent Australian people emerged, such as Professor Umesh Sharma from Monash University, who was able to well articulate the concepts of inclusion in easily relatable terms, while also bringing to light some of the challenges faced by teachers and administrators in realising the goals and requirements of the legislative framework consequential to the MCEETYA in 2008. So what I have learnt about inclusion from this activity? I think it has confirmed what I already knew in that all people should be treated fairly and equally and that it behoves us as teachers to ensure that we satisfy not only the mandated requirements of the relevant legislation, but maintain the ‘spirit’ with which these concepts are made from. I think that ‘spirit’, with its overarching human rights and social justice tones, is about enabling students to be developed and refined so that they can live happy and fulfilling lives. I think education, as a human right in itself, is about the cultivation of the human condition so that we can progress as a planet and achieve that which we are meant to. As a pre-service teacher, this activity has reinforced the importance of valuing difference and recognising it as a valuable means of strength via collective improvement. By meaningfully engaging everyone in the classroom, people are able to make use of all that is available to them, so that they can best learn and develop as people.
Nicole

This assessment task has given me a broader understanding of what both inclusion and diversity mean and thus helped me to appreciate the conflict between them. Ashman and Elkins book titled *Education for Inclusion and Diversity (2012)* explains that the term inclusion is about belonging and being rightly placed within a group of people where as diversity showcases differences and variety within people and how that needs to be taken into consideration when planning to teach in an inclusive classroom environment. This then posed to me the question of how do we have an inclusive classroom when all students are unique and diverse in their own ways? From doing this assignment with my pair, I found that although we are both diverse in our way of thinking, our experiences in life and the way we interpreted the assessment questions and literature, we were both able to understand each other and learn from one another’s experiences and interpretations. From this, I was able to understand that students in the classroom will also face the same challenges when they are elected to work with students at a different level or students that may have disabilities, and therefore it would be up to us as teachers to ensure that all the students are comfortable and are able to effectively work within an environment of such diversity.

There are a number of resources which have helped me better understand the concept of inclusion and diversity and how to adopt these into the classroom. In particular, the Education Resources Information Centre (ERIC), which is an online library of educational research and information, has provided me with a lot of insight and professional literature on how teacher’s best cope with students with a disability. In particular, an article by Sen and Spring (2012) titled *Mapping the information-coping trajectory of young people with long term illness - An Evidence based approach’* was very useful in helping me to understand how a teacher can best understand their students’ personal situation and therefore accommodate their learning approach and technique to better suit that student and the other diverse children in the classroom.

By undertaking this assessment, I have learnt that it is crucial to understand people, their differences and abilities in all areas of life not just at university or in the classroom. It is true when they say not to judge a book by its cover because there are various factors that may be contributing to a student’s ability/inability to complete assigned work, whether it is due to a physical or mental disability, or a circumstance not relating to a disability at all such as problems at home or within their friendship groups. I now clearly understand the importance of a teacher within the classroom and how their teaching styles must be altered for different students and their needs. Although there are laws that help govern our society and aim to eliminate all discrimination against people with disabilities” (Humanrights.gov.au, 2015), it is up to us as individuals to implement laws such as the Disability Discrimination Act 1992 within our
26. Male. Has cystic fibrosis. Has younger sister. Wants to be a doctor. Parents supportive classrooms and thus ensure every student gets the assistance they need and given the same chance as everyone else to succeed. I will ensure I continue my research on new ways to be inclusive within the classroom and how to better understand our laws in order to adapt my learning styles to individual students needs by actively seeking literature that establishes ways to cope with students and their disabilities, as well as attend associations such as Teachmeets where teachers gather and talk about their experiences and thus learn from my peers about how to handle certain situations and incorporate this where necessary in my own teaching style.
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