

SUBMISSION: My son's ATAR experience in Western Australia

BACKGROUND: My son has severe specific learning disabilities (SLD) in reading (dyslexia) and writing (dysgraphia), diagnosed by a specialist psychologist, once in year 4 and again at the end of year 10.

My son was being supported by his High School from year 7 to year 10, with reasonable adjustments. The main adjustment used was a Chrome book (laptop computer) with assistive technology that allowed him to access the curriculum and assessments in a digital format. He was able to access voice to text, text to voice, grammar and spell checking as well as being able to complete work at a faster pace than he would be able to with a pen and paper. This meant that he was able to achieve ~75% average in year 10 and the school recommended that he should enrol in ATAR. Once he started year 11, the school removed all reasonable adjustments that my son was using and started to strictly implement The School Curriculum and Standards Authority's (SCSA) disability adjustments. To my surprise this only included 10 extra minutes for every 60 minutes of exam time. He was offered the use of a reading pen but it was found to be useless because it was so time consuming to use. He was not allowed to use his assistive technology that had been well documented in his Individual Education Plan (IEP) for many years. As a result of this, my son struggled to complete his in-class assessments and he began to fail year 11. One test in particular, he answered less than half of the questions during his allocated time and therefore had no chance of ever passing. I questioned the school on three occasions about the poor results he was achieving during his 'time limited' in-class assessments. The school reported to us that they had corresponded with SCSA and had no choice but to strictly implement SCSA's ATAR rules even though they knew that my son would fail.

Issues: I have numerous issues with my dealings with The Education Department and SCSA that have lead us to believe that they were in breach of the Disability Discrimination Act 1992 and the Disability Standards for Education 2005.

These issues are as follows:

- My son was diagnosed in year 4, 2013, with severe Specific Learning Disabilities (SLD) in reading (Dyslexia) and writing (Dysgraphia) as well as Attention Deficit Disorder. As far as I am aware, the Education Department did not provide any extra funding to my son's respective schools to allow them to provide adjustments, accommodations or assistive technologies. To the best of my knowledge, the only reason for this lack of funding is that the Education Department does not seem to acknowledge SLD as a disability. In comparison, a child with a diagnosis of Autism would attract funding to be spent, by the school, for adjustments, accommodations and/or assistive technologies.
- SCSA claims the offered adjustment of an extra 10 minutes per hour of examination time for students with SLD is evidence based. I repeatedly asked SCSA for the research that had been used as evidence to formulate the limit of 10 minutes per hour adjustment. I eventually had one article sent to me by a SCSA employee that I reviewed and found to be very poor evidence indeed. After a lot of emails back and forth, I was granted a phone conversation with a senior SCSA employee. When I

spoke to the senior SCSA employee, they advised me that there was other evidence. During this phone conversation, I asked the employee for the evidence, they admitted that they had never read the evidence and did not have a copy of it. After literally years of asking for the evidence and never receiving it, I can only conclude that there is no evidence. In the absence of evidence I can only assume that the 10 minute adjustment has been used by SCSA because it is a convenient amount of extra time to grant as an adjustment and that it has nothing to do with providing an adjustment that is reasonable, that allows students with SLD to demonstrate their skills, knowledge and capabilities.

- SCSA's 10 minute adjustment is erratically implemented by schools across WA from the beginning of year 11 onwards. What I mean by this is some schools strictly adhere to the 10 minute time limit for all in-class assessments and some schools give as much time, within reason, for students with SLD to complete their in-class assessments.

My issue with this is two fold.

- Firstly, 10 minutes extra time is not enough time for most SLD students with a severe diagnosis to adjust for the effect of their disability. Even though SCSA claims that they treat students with SLD on a case by case basis, a student cannot apply for adjustments with the SCSA Exam Panel until well into year 12, by which time they have potentially failed all of their in-class assessments.
 - Secondly, as this limited time adjustment is erratically implemented by schools across WA, some students with SLD are disadvantaged and some less so. It is just a random draw as to whether you enrol your child in a school that allows previously established reasonable adjustments or you enrol your child at a school that strictly applies the SCSA 10 minutes per hour rule.
- During a phone conversation the senior SCSA employee agreed with me that it was not ideal that a student with SLD could not apply to the Exam Panel until year 12. When I asked them about the possibility of having a conversation with the Panel members. They told me that the Panel was confidential and they could not and would not tell me anything about it but they reassured me that the Panel did exist. The secrecy around the Panel is extraordinary and means that there is no transparency whatsoever regarding the decisions that the Panel members make. I attempted to ask the Panel members some questions, through the senior employee, but as yet, have not received any response.
 - I was advised by the SCSA senior employee that, to the best of their knowledge, the Exam Panel has **never** granted a student with SLD more than 10 minutes extra time per hour even though I have been told that students are assessed on a case by case basis by the Panel. SLD is diagnosed by a specialist psychologist, at great expense to the students family, after an extensive testing and interview process with the child, that can take up to 4 hours for the child to complete. The diagnosis comes as a detailed report that outlines explicitly how the child is affected, how severely they are affected and what adjustments, accommodations and assistive technology would help the child at school. This report is essential when applying to the Panel for adjustments. The Panel will not consider adjustments for a student unless they have an official diagnosis. The student's application also has to include recent evidence

as to why the student needs adjustments. Countless students with SLD have gone through this rigorous process over the years and I was shocked to find out that **none** of them have been awarded more than 10 minutes. This leads me to believe that this system is not about what the students need but more about SCSA giving the illusion that these students are being fairly catered for when they are not. I have even had one SCSA staff member tell me that if they allowed students with SLD the extra time that they actually need to fairly demonstrate their knowledge and capabilities then SCSA would find it too difficult to fit all of the exams into a neat two week timetable.

- My son had already withdrawn from ATAR English because it was obvious from day one that with SCSA's limits and the SLD unfriendly curriculum it would be impossible for him to achieve a passing grade. By not completing ATAR English, he was ineligible to get an ATAR ranking and would have to look at other pathways into university. English is the only subject that is compulsory for the completion of ATAR. Surely if a student has enough functional literacy to complete any other ATAR subject they should be allowed to have an ATAR rank. By making ATAR English compulsory, SCSA is excluding SLD students' access to an ATAR pathway to university.

All I wanted was for my son to have a positive learning experience and for him to be able to fairly demonstrate his knowledge and capabilities without feeling demoralised and disadvantaged. This was not our experience at all. My son was not allowed to fairly demonstrate his knowledge and capabilities because the adjustments offered by SCSA and the Education department were not reasonable or evidence based.

I submitted a complaint to the Human Rights Commission because I believed that SCSA and the Education Departments were in breach of the Disability Discrimination Act 1992 and the Disability Standards for Education 2005. The commission took on my son's case and attempted to engage the Education Department and SCSA in a discussion about the breach. The Education Department repeatedly failed to meet their right-of-reply due dates and they ended up taking an extraordinary length of time to engage with the Commission. While we were waiting for the Education Department to reply to our complaint, my son was failing year 11 ATAR and becoming more and more disillusioned and excluded by the ATAR system and SCSA's lack of inclusivity, that eventually, he dropped out of school altogether. Once my son left the education system the Education department lodged an application for the case to be dropped by the Human Right Commission.

When my son enrolled in ATAR at his high school, we were told that he was the first student with a diagnosis of SLD to have high enough grades to attempt ATAR. What a shame that the system failed him.