

## Hon John Gardner MP Minister for Education

Tuesday, 30 March 2021

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### **GOVERNMENT RESPONSE EXCLUSIONARY DISCIPLINE IN PUBLIC SCHOOLS**

In December 2020, I tabled in Parliament a number of reports that reflected on behaviour management, exclusionary discipline and the factors affecting student retention in South Australia's public education system.

These reports provided an important prompt for reflection on the following themes:

- access to education as a human right under international law
- the disproportionate impact of exclusions experienced by students with a disability
- the fact that exclusionary discipline is sometimes being used for very young students
- the fact that exclusionary discipline is sometimes being used for minor infractions.

These reports suggested a range of recommendations, including:

- systemic reform to approaches to academic, social-emotional learning and behaviour instruction and intervention
- legislative changes to proscribe certain uses of exclusionary discipline, and to clarify the rights of students to education
- improving notification and communication processes, public accountability and disclosure, of exclusionary discipline decisions, including by ensuring the voice of students is heard in these processes
- improving the systematic collection and use of data about exclusionary discipline, including through the development of data dashboards
- considering the role of Flexible Learning Options (FLO) in the public education system
- providing clearer avenues for families to make complaints.

The government issued an interim response and invited public feedback on these themes. Feedback demonstrated interest in reducing the use of exclusionary discipline, especially for younger students and students with disability.

However, we also heard that whilst change must be pursued with ambition, it should also be managed with care – the impact of all elements of any proposed change should be understood clearly before that change is delivered.

### **Strategic Reforms**

It is clear from the data and analysis presented in the reports that there is an opportunity to improve the use of exclusionary discipline in South Australia's public schools.

The government has recognised the opportunity to provide better supports to students, teachers and schools to achieve higher levels of inclusion of students in learning. It has given in-principle support for the recommendation that exclusionary discipline should not be used for young children or for the most minor incidents in our public system.

To support a measurable reduction in the use of exclusionary discipline and the development of a contemporary approach to education responses and pathways, the government is committing \$15M over the next 4 years, from 2021, in additional funding.

This additional funding will be to support the development and implementation of a systemic strategy to drive a significant reduction in exclusionary discipline in South Australia's public schools, and provide increased accountability.

This program of work will comprise:

- Changes to policy to minimise, as far as possible, the use of exclusionary discipline for all children, and especially Aboriginal children and young people, students with a disability, children in care, and younger children.
- A new data-led approach for targeting supporting resources and ensuring accountability, including through establishing and monitoring specific targets for the use of exclusionary discipline over time, and the development of data dashboards.
- Redesign of, and investment in, the services that support our schools in managing behaviour
  - o Support for the development of professional practice for teachers, leaders and support staff, so that schools can use data and evidence-informed interventions that reduce the use of exclusionary discipline, and work in partnership with families, whilst ensuring student voice
  - o support for schools to adopt different levels and types of responses across a spectrum, from supports that would be in place in every school, through to targeted techniques for students experiencing challenges to learning, where this is needed in some circumstances
  - o providing students with the supports they need to be successful learners in a classroom setting, as part of a whole-school approach
  - o specific consideration of the needs of Aboriginal learners.

- Ultimately, the decommissioning of the Flexible Learning Options (FLO) model, with consideration of options for alternative education provision that makes education outside of school settings the last resort, within a refreshed systemic approach.

This strategic refresh will be informed by the recommendations in recent reports, along with evidence and practical feedback from the key stakeholders and other experts, who have engaged in consultation since the release of the reports. It will be designed in partnership with educators and support staff, and in consultation with experts, parents, students and professional associations.

This is in recognition that the most successful reforms at a system level are those that are grounded in the experience of everyday practitioners and which respond to their needs.

### **Accountability**

The report by Professor Graham recommends increasing oversight, including through the establishment of an independent legislated body to provide external accountability - an education Ombudsman.

The government has already committed to improving communication about exclusionary discipline decisions, providing more information and advice for parents in exclusionary discipline processes. These measures, along with agreement to audits of compliance with policy, and agreed improvements in internal complaints processes, will be delivered as the development of more supports for schools and families occurs.

From 2023, the government will ensure that system data are reported and used to support improvement, and will invest in improvements in advice and information to students, parents and carers about their rights and support to navigate complaints and appeals processes.

These measures will complement the work of existing oversight and advocacy bodies dedicated to the interests of children in South Australia, as well as the existing funding for a dedicated position in the Ombudsman's team.

A clear message from these reports is that supports for parents should be clearer, earlier, and focussed on helping children and young people stay at school. This government believes in accountability. However, investing in increasing accountability before we increase support risks getting it the wrong way around. A significant investment in increasing oversight through the creation of a new independent office to oversee the use of exclusionary discipline should not come before, or at the expense of, investments in supporting students, teachers and schools to reduce the use of exclusionary discipline.

**Next steps**

A new, dedicated team led by a senior educator will be tasked with developing the program of work outlined in this statement.

A draft strategic roadmap, with targets, will be issued for consultation by early 2022. We will work towards agreed reforms being in place from 2023, to ensure that meaningful planning has occurred and we have in place the right resources to establish and sustain change.