

Supporting every child's right to an education that develops their full potential

SUBMISSION FROM THE OFFICE OF THE CHILDREN'S COMMISSIONER
ON THE DRAFT DISABILITY AND LEARNING SUPPORT ACTION PLAN

2 NOVEMBER 2018



MANAAKITIA A TĀTOU TAMARIKI

**Children's
Commissioner**

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Supporting every child's right to an education that develops their full potential

THE CHILDREN'S COMMISSIONER BROADLY SUPPORTS THE ACTION PLAN

- 1 This submission outlines the general endorsement by the Office of the Children's Commissioner of the Draft Disability and Learning Support Action Plan (Action Plan).
- 2 The submission begins with an overview of the wider context in which the Action Plan exists. The Action Plan has four priority areas, and we have analysed each using a 'child impact assessment' framework. This framework includes assessing the main impacts on children, the differential impacts on children with certain characteristics e.g. disabilities, and takes in to account what children have said about these topics.
- 3 Then we briefly comment on the cross-cutting components and delivery model of the Action Plan, finishing with an additional recommendation on the Treaty of Waitangi, on which the Action Plan is silent.
- 4 We have included in this paper quotes from children and young people who talked to us about their education experiences as part of our *Education matters to me* child and youth engagement¹.

SUMMARY OF OUR RECOMMENDATIONS

- Rec 1.** Implement the Action Plan, keeping children's rights and wellbeing at the centre of all policy and investment decision-making.
- Rec 2.** Ensure the voices and views of children are taken in to account in all decision-making related to the Action Plan (both policy and service design); particularly:
 - a how children's data is collected, described, used and shared, and
 - b how children want their learning supports provided.
- Rec 3.** Increase investment to the level required to fulfil the Action Plan.
- Rec 4.** Evaluate existing pilots properly to inform their national roll-outs; in particular:
 - a the Learning Support Delivery Model Bay of Plenty pilot, and
 - b the Dispute Resolution Process pilot.
- Rec 5.** Strengthen inter-agency collaboration to align and integrate learning support policy, thresholds and funding.
- Rec 6.** The Plan should overtly and expressly provide a practical commitment to the principles of the Treaty of Waitangi.

The Children's Commissioner represents the **1.1 million people** in Aotearoa New Zealand under the age of 18, who make up 23 percent of the total population.

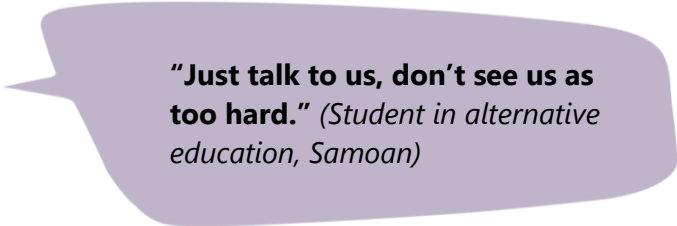
The UN Convention defines 'children' as everyone under the age of 18. When we talk about 'children' we include this whole group.

When talking about children and young people who are Māori, we use the terms tamariki and rangatahi Māori.

¹ See: <http://www.occ.org.nz/publications/reports/education-matters-to-me-key-insights/>

Learning Support is part of a 'bigger picture'

- 5 The Children's Commissioner advocates for the best interests, rights, health and wellbeing of all of New Zealand's 1.12 million children. *Access to Education for All* is currently among his top four priorities because it is arguably the greatest investment the government makes in the positive development of its citizens. Yet many children have inequitable access to, and outcomes from, their education. To get the most out of this investment, it is imperative a more inclusive and equitable education system be developed for those with disabilities and learning support needs. More importantly, it is a child's right to have an education that develops them to their full potential.



"Just talk to us, don't see us as too hard." (Student in alternative education, Samoan)

- 6 The problems with the current system are well understood. There are increasing numbers of children arriving at compulsory schooling presenting with behavioural and neurological-cognitive disorders. Neurodiversity in schools has historically been poorly supported due to societal attitudes, inadequate teacher training, inability to identify problems or diagnose disorders, inadequate supports in the classroom, and high thresholds for access to centrally-funded supports. In addition, there is a mismatch between expectations of parents for the kinds of interventions that would help their child access the curriculum, and the funding available to provide them. There is unequal access due to poverty, for example costly assessments and interventions, or simply due to the stresses of poverty. These stresses make it harder for families to navigate the learning supports system.
- 7 The Office of the Children's Commissioner has a role to ensure children have a say, and can be heard, on issues that affect them. We have heard from children² that they want to feel included in school, they want to feel like they belong, and they want to receive help when they need it. Children have said that people not understanding them or their behaviour, teachers not respecting them, or other children bullying them, resulted in their disengagement from school. These are among the kinds of young people who came before the Children's Commissioner in Court when he was Principal Youth Court Judge. Not only do we do a disservice to the lives of children by allowing them to disengage from education, but it also costs our country more in the long run.
- 8 The education system does not sit in a silo but in a socio-economic system where inequality is poorly addressed for children. Poverty, and living in areas with high levels of deprivation, cause disadvantage to children – particularly those with disabilities, those in sole-parent families and indigenous children. An effective and inclusive education system, along with health, social welfare, and other services, can mitigate the

² Mai World Child and Youth Voices programme; <http://www.occ.org.nz/4youth/maiworld/>

impacts of poverty on children's outcomes. Education has the potential to be an equalising intervention. While the Action Plan is a necessary step, it will not by itself solve the inequities faced by children. A much greater impact on reducing inequities will be achieved by both reducing child poverty rates and reducing unconscious bias or racism toward Māori and Pacific learners.

- 9 As Chair of the Guardians of the Education Conversation Ministerial Advisory Group, which exists to listen to the views of New Zealanders, the Children's Commissioner discovered we have a shared vision across Aotearoa of creating an education system that is both equitable and excellent. What this means to us is: every child and young person can participate in mainstream education, wherever reasonable, with equal opportunities to develop every child and young person to their fullest potential. This is one of the rights we promised our children when we signed the United Nations Convention on the Rights of the Child (UNCROC) in 1993. We do need an Action Plan for learning supports, that mitigate the inequities in the current system, and support the inherent right of every child to develop to their full potential.
- 10 To that extent, we applaud the development of a Draft Disability and Learning Support Action Plan. The main recommendation of this submission is to:

Rec 1. Implement the Action Plan, keeping children's rights and wellbeing at the centre of all policy and investment decision-making.

"Make them feel more welcomed to the school/classroom and have someone hang out with them so they don't feel alone." *(Secondary school student, Pacific peoples)*

"I was the class clown and the teacher would get annoyed because I was distracting but I felt they didn't give me attention or support me... this touched my heart. I got kicked out of class, then I had gaps and I felt lost. Their attitude was to go catch up on your own." *(Student in alternative education, Tongan / New Zealander / Samoan / British).*

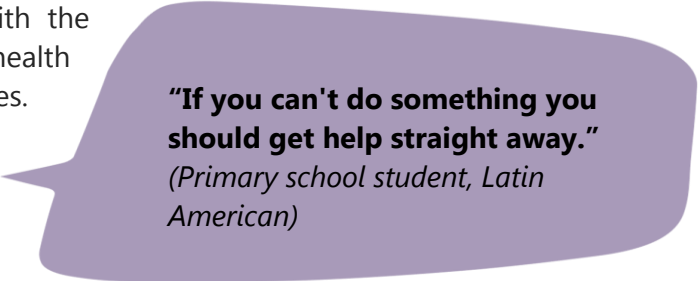
Priority areas of the proposed Action Plan

1 IDENTIFYING AND RESPONDING TO LEARNING NEEDS

- 11 The first priority area of the Action Plan is to improve the way children and young people are *assessed for learning needs*. This includes central data collection with protected, but appropriate, access to information that enables children to receive supports they need.
- 12 The proposal to improve assessments should have a positive impact on all children, provided they are done well. These four assessments must be universal because disabilities occur across all socioeconomic groups and impairments may emerge at different ages and stages.
- 13 Identifying and noticing issues through appropriate assessments can open doors to things children need for schooling, such as vision and hearing correction, behavioural learning supports, speech and language therapy, and other therapies - but only if they are available and acceptable to the child and family.
- 14 Given that we do not know the scale of needs across all the learning support areas, we endorse this approach of having better tools for universal assessments to first identify areas for referral, so we can *measure* the scale of need. This must then be followed by policy development, workforce development, and investment to provide services to fulfil those needs.
- 15 We support the proposed health, development and learning checks for 3-year olds. This is an appropriate age to identify developmental needs that can be referred for further assessments e.g. foetal alcohol spectrum disorder and autism. The Well-Child/Tamariki Ora (WCTO) programme already has a check scheduled at age 2-3 that could be incorporated into the Action Plan suite of checks. It also has a check at age 4, the Before School Check (B4SC). This programme of checks during childhood development present an opportunity for health and education sectors to work together.
- 16 If one or both of these were used for the checks in the Action Plan, the following additions should be considered:
 - > Checks for language development. Language development in the early years and at school entry is a strong predictor of both future learning and social, emotional and behavioural wellbeing. Despite this, language development is not being universally assessed by either the education or health sectors. There are several tools that are valid and already in use in NZ.
 - > Assessment of impulse control and emotional regulation. This is shown to be a strong predictor of adverse life outcomes and can be addressed before school.
 - > Assessment of parental mental and physical health. Parents who are unwell are less able to support their children's learning and development. Parental health and stress are also related to poverty or family violence, both of which negatively affect children's development long-term. A joined-up approach between the health and education sectors, to provide mental health and family

interventions in a child's early years, would be effective investments for both health and education outcomes for many reasons.

- 17 The Before-School-Check (B4SC) is important because children need to be reassessed as close to when they enter school as possible. There are some issues that arise between the ages of 3 and 5 that are not identified earlier, and they need to be identified in the earliest stages of schooling. If the checks were not implemented concomitantly then some issues may go unnoticed until the proposed third check at age 7-8, when children can already start to feel they are 'failing' to thrive in school, and have become disengaged.
- 18 The benefit of a 3-year check is that there is more time for referrals, particularly for behaviour and learning needs. Evidence from the Growing Up in New Zealand longitudinal study suggests that following the B4SC over 70% of issues with vision and hearing are referred for further investigation, whereas only 30% of behaviour issues and 33% of learning needs are referred. It will be important to have comprehensive developmental training for those doing the checks, and for the education and health systems to be responsive to their referrals by increasing the availability of interventions that help develop children's behaviour and learning.
- 19 We strongly support the inclusion of a focus on early intervention. We know that the first 1000 days of life set a crucial foundation for success in learning and development. At present, pre-school children and families receive services through a range of policies across the health and education sectors. These sectors each have a valuable and unique perspective on children and families, and together can provide a robust platform of services and support. A review of the balance of responsibilities and investment across the education and health sectors with a focus on opportunities for collaboration, complementarity and efficiency, would be a useful exercise. This should be combined with the proposal to align education and health supports for 0-8 year olds with disabilities.
- 20 We support the checks at age 6 to 8 for other issues, particularly dyslexia and dyspraxia as it will inform teaching methods and learning techniques.
- 21 We support a health and wellbeing check on transition to secondary school. This could build on the existing HEEADSSS³ assessment, that should be retained, by including checks for neurodisabilities and unmet learning needs that impact a young person's wellbeing.
- 22 In short, the four checks or assessments suggested must be universal and must be instituted together.
- 23 Potential unintended negative effects of universal checks on children should also be considered. Applying a 'label' to children can alter people's behaviour to them in negative ways, resulting in stigma, and reduced expectations. We know 'low expectations' is one of the major causes of poor achievement in school.



"If you can't do something you should get help straight away."
(Primary school student, Latin American)

³ HEEADSSS (Home, Education, Eating, Activities, Drugs and Alcohol, Suicide and Depression, Sexuality and Safety) Assessment

- 24 There is an argument that assessments without service responses can be unethical and harmful to children and families. This harm could potentially be mitigated to some extent by managing expectations of families, alongside work in the third priority area – improving information, tools, and teacher-training (both initial and on-going education and support). But ultimately, responses will require a scaling up over time of both the in-class supports (such as teacher aides) and other professional interventions that are needed by children (such as educational psychologists) when they have had a need assessed.

“I would get more assistant teachers for children, so more children that need help get it.”

(Primary school student, NZ European)

- 25 Another unintended negative consequence could result from the way data is collated and accessed. Health data has historically been highly protected on an individual basis and shared only on a ‘need to know’ basis. The privacy rights of children’s education data should be considered. Importantly, children are not able to provide informed consent by themselves about sharing their data because they would not understand the full ramifications. Children depend on adults to keep their best interests at the heart of decisions in relation to their personal data.
- 26 Some unintended negative consequences, such as stigma or having low expectations, could be mitigated in part by how neurodiversity is communicated to parents and teachers. It needs to be strengths-based and supported by appropriate information and tools, to help adults develop their skills for responding to children’s development and learning needs.
- 27 Policy decisions must be made in children’s best interests. Provided the potential unintended negative effects are mitigated, they should not prevent the implementation of universal checks.
- 28 There also needs to be greater community awareness of how valuable an inclusive education system is, and that it is everyone’s responsibility to actively support children with disabilities and their families to participate fully in school and society.
- 29 Ultimately, we would like to know that children have been invited to have a say, both on how children’s health and education data will be used and shared, and how they would like to have their support services provided to them, e.g. in non-stigmatising ways. Enabling children and young people to have a say should be an on-going part of each policy and service design process. It is crucial that systems are effective for children and their families. Embedding children’s voices into each part of the system design will result in better overall outcomes.

“Try and get our tiny voice heard by MoE. We have a right to be listened to on issues that affect us, but MoE don't have to act on those issues.”

(Secondary student, British)

- 30 We expect the Action Plan proposals will have a greater positive impact for children with disabilities, or learning and behavioural issues, than all children. This is because many of this group have previously missed out on having their learning needs identified or identified early enough to access the right supports. Universal assessments could also reduce costs to families of children with disabilities who currently pay for diagnoses to make it easier to access centrally-funded learning supports.
- 31 By mainstreaming more children with disabilities or neurodiversity, the issues they face will become more visible to all people, and children will get used to supporting others with different abilities. We expect this would result in a society that is more inclusive, with positive impacts particularly for children with disabilities and their families.
- 32 Given the above expected positive impacts on all children, on neurodiverse children and those with different abilities, our next recommendation is to:

Rec 2. Ensure the voices and views of children are taken in to account in all decision-making related to the Action Plan (both policy and service design); particularly:

- a how children’s data is collected, described, used and shared, and
- b how children want their learning supports provided.

2 STRENGTHENING THE RANGE OF SUPPORTS

- 33 The second priority area of the Action Plan is strengthening the *range of supports* for children and young people with disabilities and additional learning needs. There are seven proposed actions in this priority area.
- 34 Collectively, the proposed actions have a positive impact on children for various reasons, and we support them. Some things would benefit from other steps first. For example, improving at-risk education provision is important and necessary, but it should first rely on the primary goal of keeping all children and young people in mainstream school and only enabling access to alternative education as a last resort. Strengthening mainstream schooling for at-risk students is the preferred option, and so it should be better resourced.
- 35 Furthermore, evaluating the existing Dispute Resolution Process pilot before national roll-out would avoid repeating mistakes, would ensure problems with the process are sorted out, and would make it more robust.
- 36 A paid Special Education Needs Coordinator (SENCO) has long been the subject of requests from the sector, including being a recommendation in the minority report of the Education and Science Select Committee’s 2015-6 inquiry into dyslexia, dyspraxia and autism.⁴ Having a stable, centrally-funded position in schools, dedicated to coordinating access to learning supports, may benefit children by improving their access to appropriate

[What I would change at school is...]
"Special learning for the people who actually need it." (Primary school student, Pacific People)

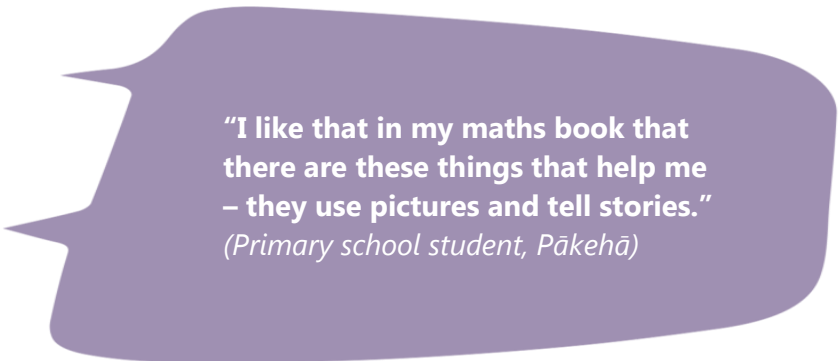
⁴ [Inquiry into the identification and support for students with the significant challenges of dyslexia, dyspraxia, and autism spectrum disorders in primary and secondary schools](#)

supports, and through a child's relationship with one person who helps them, and who gets to know the child's holistic learning needs. Therefore, we support the Learning Support Coordinator Role.

- 37 While it is relevant and important for workforce peak bodies and education sector professionals to be consulted on the job description for this Learning Supports Coordinator role, our view is that children be consulted on the type of person children want in this role, as this person will determine the supports children receive in their education.
- 38 The flexible package of support is a welcome action to ensure children do not fall through 'eligibility gaps'. This will particularly benefit children who currently miss out on learning supports because they do not meet criteria for specific services that have been designed for specific disabilities. A flexible package will enable the system to be more cohesive and holistic. It also has the potential to differentially benefit children with impairments that do not meet criteria to qualify for, e.g. the Ongoing Resource Scheme, but are significant enough to be a barrier to inclusion and learning.
- 39 We support this priority area 2 of strengthening the range of supports for children and young people with additional learning needs. Our main recommendation relating to this area is on page 12 – to do evaluations before roll-out of pilot programmes.

3. IMPROVING SYSTEM RESPONSES TO NEURODIVERSE LEARNERS

- 40 The third priority area of the Action Plan is improving the way the education system responds to neurodiverse and gifted learners. There are three actions under this priority:
- > Teachers supported to recognise and respond to needs, including teacher training and professional development
 - > Providing more tools and information for teaching and learning with neurodiverse children
 - > Flexible targeted supports in secondary schools, working with experts to meet specific needs of neurodiverse students.

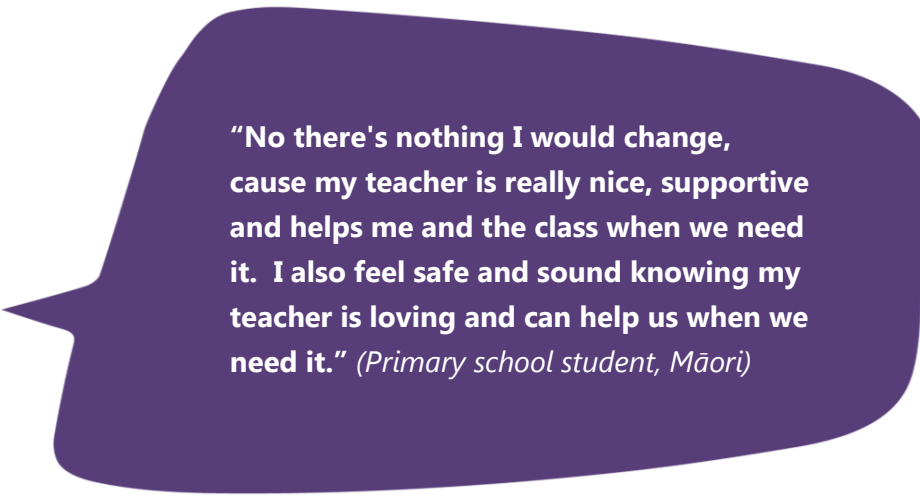


"I like that in my maths book that there are these things that help me – they use pictures and tell stories."
(Primary school student, Pākehā)

- 41 These actions will have positive impacts on children. There will be more knowledgeable teachers working with them, appropriate responses to their needs, and the attitude across the community towards neurodiverse children is likely to improve. This will help all children, not only those with specific challenges. We envisage the classroom will become a place where children learn to accept difference, and work together to actively

mitigate the impairments some children face. These actions are necessary to support the desired outcome of neurodiverse children progressing in education and achieving their potential. There are some caveats we mention below.

- 42 The extent of knowledge and understanding about neurodiversity varies widely among teachers. Some have very little exposure to neurodiversity while others have significant experience. We agree that it is imperative that inclusive practices and methodologies for teaching and learning with children who have a range of disabilities should be included in initial teacher training. We also agree that targeted professional development could be an effective tool to assist teachers working with specific types of children.
- 43 The Ministry of Education website has information available on teaching and learning with children who have a range of disabilities and neurodiversity. While we note this information can be accessed reasonably easily, it may not meet the needs of busy teachers who seek specific information and tools, and professionals working alongside them with specific children, to learn how to apply the knowledge in practice. We support the action to improve both the accessibility of information and training.
- 44 There is a caveat. Teachers can change their practice and use more universal teaching design but there are times when a child needs additional in-class support, full-time, to enable a teacher to maintain a safe environment and support the learning of all the children in the class. Teacher training and professional development is important to support teachers to improve inclusive practice, including in-class support by a specialist to help the teacher apply newly learned practice with specific children. However, up-skilling teachers should not be expected to replace other in-class supports needed for children with significant behavioural, disability or developmental issues.

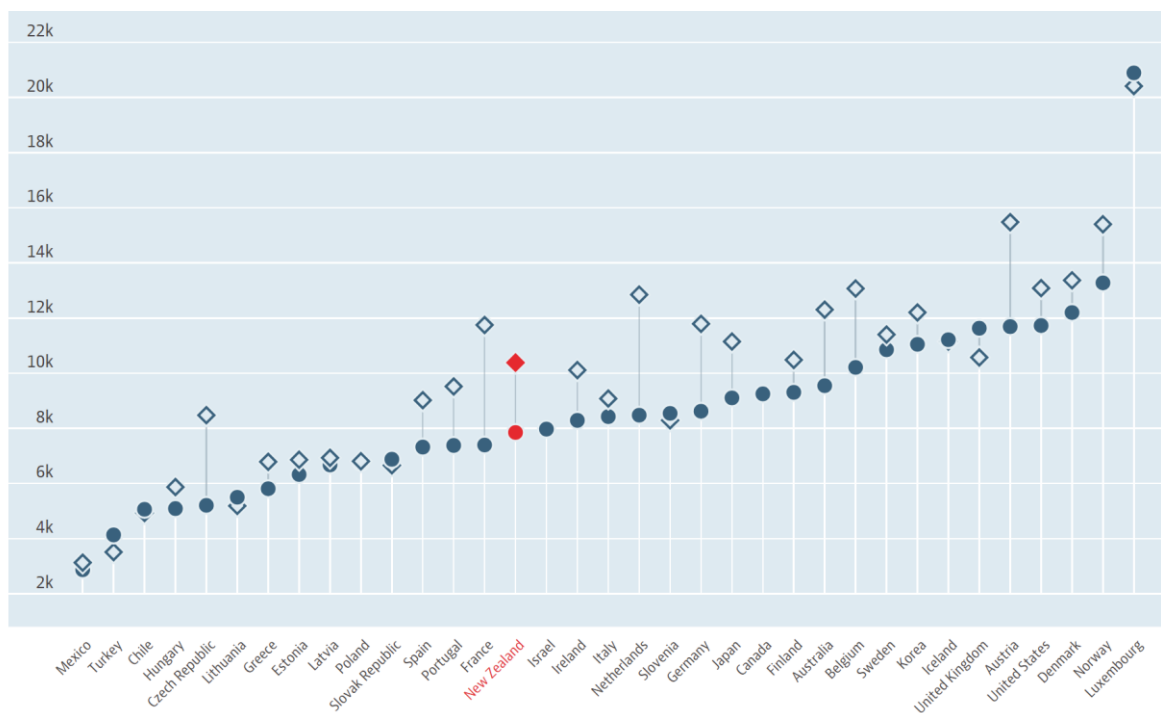


“No there's nothing I would change, cause my teacher is really nice, supportive and helps me and the class when we need it. I also feel safe and sound knowing my teacher is loving and can help us when we need it.” *(Primary school student, Māori)*

4. ADEQUATE RESOURCES FOR INCREASED SUPPORT AND SERVICE DELIVERY

45 The Office of the Children’s Commissioner strongly advocates for greater overall investment in our children, particularly for their education and wellbeing. More than half of OECD countries spend more than New Zealand (in equivalised dollars) on compulsory schooling. This is partly due to our nation being less wealthy than others. However, there is a well-established connection between the quality and extent of a country’s education system, and its GDP.

Figure 1 Graph of relative expenditure by OECD countries on primary and secondary schooling



46 The Action Plan is presented with expectations that it will be delivered within the Vote Education baseline. As the Action Plan works to improve diagnoses, assessing needs, and collating data, it will be imperative that the government addresses the findings and responds by improving its investment in education overall. This would enable the vision of an equitable and excellent education system to be realised.

47 As mentioned above, harm can be done if children and their families/whānau know they have a learning need, but there is no possibility of having it fulfilled. Decisions need to be made in the best interests of children, including doing no harm. Neurodiverse learners have a lot to offer our nation, and it is imperative that we invest adequately to develop all children to their full potential, as is their right.

48 Greater investment in early intervention services across both health and education is likely to have other positive consequences in terms of child wellbeing, economic productivity, and social cohesion. The social investment aspect of education includes reduced welfare dependency, less crime and corrections costs, and improved knowledge, parenting skills and participation in society.

49 Our recommendation to enable the Action Plan to achieve its vision is to:

Rec 3. Increase investment to the level required to fulfil the Action Plan.

Learning Support Delivery Model

- 50 It is proposed that the Action Plan will be delivered using the recently-tested Learning Support Delivery Model. This has been subject to a pilot in the Bay of Plenty region.
- 51 Given that building on the Learning Support Delivery Model is fundamental to the success of this Action Plan, we recommend it be properly, and fully, evaluated before national roll-out. While anecdotal evidence based on feedback from parents, whānau, disability and education sector groups is reported to be supportive, it would strengthen the case for future budget bids if this delivery model were properly evaluated to demonstrate its efficacy and reach – particularly through improvements to the outcomes for students. We strongly recommend that the voices of students in the Bay of Plenty – both those who received learning supports and others – be sought to inform the evaluation.
- 52 All areas of the Action Plan necessarily involve expanding existing services and developing new services or new ways of delivering them (such as the flexible package of support). We think this Action Plan needs to include evaluation of each part, and we strongly encourage the Ministry to ensure that children’s voices are explicitly sought in each evaluation. Therefore, our recommendation is to:

- Rec 4.** Evaluate existing pilots properly to inform their national roll-outs in particular:
- a the Learning Support Delivery Model Bay of Plenty pilot, and
 - b the Dispute Resolution Process pilot.

(Also, consistent with recommendation 2, ensure the voices and views of children are taken in to account when evaluating pilots.)

[What I would change is...]

“Flexible teaching, some students just don’t learn the same way.”

(Secondary school student, NZ European/German)

“Let me learn – if I write my stories, get a break, only my teacher aide helps me.” *(Primary school student, Pākehā)*

Cross Cutting Components of the Action Plan

- 53 We note that the action plan aims to connect to other strategies:
- > Learning support workforce
 - > Wellbeing and resilience
 - > Data and evaluation.
- 54 We endorse the proposed components, in particular
- > Professional development of the workforce, including teachers, teacher aides and specialised learning support professionals
 - > Bullying prevention and mental health support for students
 - > Data sharing protocols, especially between education, health and Oranga Tamariki, that focus on children's needs (defined holistically) and maintain respect for, and privacy of children.
- 55 It will require strong leadership to ensure these workstreams dovetail to help implement the Action Plan.
- 56 Improved teacher capability in the areas of responding to disabilities and learning needs would ideally be developed as part of a broader review of teaching education and support. The government should review the adequacy of initial teacher education (ITE) curriculum coverage of disability, learning supports, and universal teaching design. It is important that teachers are of high quality, well supported and representative of the New Zealand population. Including such a review in the Workforce Strategy proposed in section 5 of the draft Action Plan would reinforce it. The workforce strategy should support the contribution of professionals other than teachers in supporting all children's learning and development.
- 57 Current silos have resulted in too many children and young people falling between the gaps. These silos have been caused by different funding and eligibility criteria in different areas: disability, behaviour, special education, mental health, and different types of intervention responses across all these areas.
- 58 For example, children have 'aged out' of eligibility for a certain intervention while waiting for assessments to determine whether an impairment is severe enough to qualify for that intervention. Another example is when an issue is considered 'behavioural' rather than a 'learning' issue. However, behaviour and learning are inextricably connected. In a medical model, mental health (illness) is separated from behaviour and learning, and yet we know that mental wellness impacts hugely on a child's behaviour and learning.
- 59 Collaborative work is needed at all levels of public service to align and integrate learning support and health policy, eligibility, thresholds and funding.
- 60 Leaders across ministries will also need to work together, to ensure cross-agency responsibilities for the wellbeing of children are taken seriously, and that children are

no longer allowed to fall between the gaps. For example, Ministries could align their Statements of Intent to ensure they are all putting children's best interest at the centre, to help coordinate their respective responsibilities under legislation.

61 Having a system that is responsive to children's needs will result in more joined-up supports and will strengthen the ability of all people to recognise and support all children in more positive ways.

62 We recommend the government should:

Rec 5. Strengthen inter-agency collaboration to align and integrate learning support policy, thresholds and funding.

"Attitudes come from how you are raised. Someone can come from a violent or caring family. How you are raised. I was suspended from school. I used to take the violence from my home to school. The [alternative education] course is a good space for now. I'm going through a heap at home – divorce and violence."

(Student in alternative education unit, Tuvaluan/Samoan/Rarotongan)

"What really keeps me going to school is honestly my family. Being a Samoan, life is challenging, but I knew that education is where my parents would look at me for refuge - for I was, and still am, their investment."

(Secondary school student, Samoan)

"Success in school would look like teachers and students building a relationship together, so students can feel comfortable." *(Student in teen parent unit, Māori)*

Implementing the Treaty of Waitangi

“Treat everyone as equals and don't jump to conclusions because of race.” (Secondary student, Māori, Pacific NZ European,)

- 63 A quarter of children in New Zealand have Māori whakapapa and they are over-represented among those in poverty, those who are excluded from school or who leave early, those who do not achieve level 2 NCEA qualifications, and those in alternative education. We have heard from Māori students who said that they had disengaged from school because they didn't feel their needs were being met, and they felt stigmatised by being poor, having lower performance, having different behaviour, or speaking their own language.⁵
- 64 We have also heard from Māori students who are sensing achievement as Māori, through schools where they feel respected and are motivated, including kura kaupapa, Māori medium schools.
- 65 We do not know the proportion of children with disabilities who are Māori, largely because we do not know the total number of children with additional learning needs. The population data on child disability is limited. Health and disability data captures physical disabilities reasonably well, but not neuro-cognitive disorders or children whose impairments are hard to define. It is generally accepted in policy that having measurable targets for disadvantaged groups of children, and working to meet those targets, would reduce disparities between groups, and increase the equity of our education system.
- 66 Any policy and practice that impacts on the wellbeing of children should have the objective of *reducing disparities* by setting measurable outcomes for, in this case, Māori children. Achieving this would require partnerships with whānau, hapū and iwi, with community organisations that use kaupapa Māori practice, and using culturally appropriate responses to students who identify as Māori and their whānau.
- 67 As an example, in the new legislation that created Oranga Tamariki there is a section 7AA that comes into force on 1 July 2019. This section assigns duties to the Chief Executive in relation to the Treaty of Waitangi, expressed as providing a *practical commitment* to the principles of the Treaty of Waitangi. These commitments include: to partner with iwi and Māori organisations, to set targets, to have regard to mana tamaiti and the whakapapa of Māori children and young persons, and recognise the whanaungatanga responsibilities of their whānau, hapū and iwi.
- 68 Having similar provisions in the Action Plan – to set targets towards equity – would strengthen its ability to deliver learning supports to tamariki Māori.
- 69 Our final recommendation is:

Rec 6. The Action Plan should overtly and expressly provide a practical commitment to the principles of the Treaty of Waitangi.

⁵ Education Matters to Me Series: He manu kai Mātauranga: He tirohanga Māori. Experiences of tamariki and rangatahi Māori.