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Australia at an educational crossroads: special schools and inclusive education

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The ongoing debate surrounding special schools and inclusive education in Australia has come to the forefront since the recommendations of the 2023 Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, where the Commissioners were split on the implementation of full educational inclusion and the elimination of special schools. The authors discuss the controversy surrounding segregated special education classes and schools, particularly considering the push for full inclusion. The concept of inclusion is examined through a brief review of national and international policies and academic and popular literature, including how the inclusion continuum is conceptualized by policymakers, academics, and families. Stakeholder perspectives on the complexities and challenges of implementing full inclusion in mainstream school settings offer differing experiences and opinions on what is possible. Lastly, by examining the nuances of the special school controversy, the authors provide recommendations on how best to meet the educational needs of all students, across the spectrum of abilities.

KEYWORDS

special education, special schools, Australian education, inclusive education, disability

1 Introduction

The goal of inclusive education is to provide equal opportunities for all students to learn together in mainstream classrooms, in an environment that accommodates and supports the diverse learning needs of all students (Ainscow et al., 2019). According to *General Comment No4 on Article 24 of the United Nations Convention on the Rights of Persons with Disabilities Committee on the Rights of Persons with Disabilities* (CRPD Committee, 2016), inclusive education is recognized as a human right and special schools are defined as forms of segregation and "an inclusive approach involves strengthening the capacity of an education system to reach out to all learners." (GC4, p.4). Australia, as a signatory of the CRPD, has the obligation to move towards a unified inclusive education system meeting the needs of all students.

Still, an argument can be made that special schools are a valuable component of an inclusive education model that have the capacity to reach out to some of the most vulnerable learners that require the highest level of support and are therefore part of this system. For instance, some students with severe disability or complex learning needs may require specialized instruction and support that may be challenging to provide in a mainstream classroom setting (Duncan et al., 2020). Special schools can offer tailored programs with specially trained educators and staff to address these individual and complex needs. These programs include a range of

therapeutic services, such as speech therapy, occupational therapy, and physical therapy, in a more concentrated and coordinated manner than could be offered in a mainstream school (Lindsay and Edwards, 2013). In addition, providing parents with the choice between mainstream and special education settings acknowledges the diversity of student needs and preferences. Although there Mann et al. (2015) reported that some Australian parents of students with disability experience restrictions on exercising their right to choose a school for their child and therefore their choice of special schools does not necessarily reflect their preferences, there is also evidence that others choose special schools based on their attitude toward inclusive education and evaluation of what is best for their child's development and well-being (Paseka and Schwab, 2019).

When considering inclusive education in Australia, recognizing the unique cultural, geographical, and socioeconomic factors that influence the education landscape is crucial. For example, Australia has vast and diverse geographic regions, and some remote or rural areas may face challenges in providing inclusive education in mainstream settings due to limited resources and access to specialized support. Special schools in these areas can cater to the unique needs of students with disability who might otherwise experience acutely limited support (Cumming et al., 2023). Any discussion about the role of special schools in the Australian context should involve collaboration with Indigenous communities, educators, policymakers, and stakeholders to ensure that inclusive education practices are culturally responsive and meet the diverse needs of all students.

Within this complex content, the 2023 into Violence, Abuse, Neglect and Exploitation of People with Disability issued its final report offering 15 overall educational recommendations with little dissent among the six members of the commission, until the final two recommendations where a split decision regarding the option of special schools (SS) for persons with disability (Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, 2023). The impetus for this paper was born out of this contentious outcome—the phasing out or the continued availability of these highly specialized schools. This debate is not new within the special education and inclusive education communities, still, the Commission's report raises the profile of the debate in Australia, as it raises issues around the successes and challenges of implementing fully inclusive education in mainstream education settings. This paper seeks to understand specialized schools within a dynamic, complex, and nuanced inclusive education network including education policies, documents, and guidance provided by international, federal, state, and local stakeholders; research-based practices; pragmatic considerations; and the long-standing *de facto* school choice operating in Australia. To achieve those goals, we frame the problem by introducing the findings of the Disability Royal Commission and the resulting public opinion, describe the current Australian special and inclusive education policy and context, and examine international policy regarding inclusive education. We then discuss the inclusive education/special schools debate and close with recommendations for future practice and policy.

2 Recommendations of the Royal Commission regarding special schools

In 2019, The Disability Royal Commission was established to investigate violence, neglect, abuse, and exploitation of people with disability. The Royal Commission also scrutinized the best way to promote a more inclusive society that supports people with disability to be independent. Regarding education, the Royal Commission agreed that significant changes in supports and adjustments for students with special education needs in Australian schools were needed and the status quo should not be maintained. Across 15 overarching recommendations, strategies were proposed to address low expectations, lack of understanding about disability and related behaviors, bullying, limited participation in school communities, and the inclusion of First Nation and culturally diverse students.

Early in the report, the commission defined segregation as:

> …the circumstances where people with disability live, learn, work or socialise in environments designed specifically for people with disability and are separate from people without disability. Segregation occurs when people with disability are separated and excluded from the places where the community live, work, socialise or learn, because of the person's disability (p. 7)

However, the Commission made the distinction that,

> Segregation does not occur in spaces where people with disability choose to come together, share culture and values, seek support for their individual needs, or are encouraged and supported to engage with the broader community. These are the same choices available to people without disability (p. 7).

Participation in SS can be interpreted through both definitions and illustrates the nuanced complexity of this debate.

Recommendations 7.14 and 7.15 openly evidenced the divergence of the commissioners' opinions on fully inclusive education and illustrated the tensions that lie in the larger disability community and its stakeholders. Recommendation 7.14 outlined the differences, with Commissioners Bennett, Galbally, and McEwin urged for the eventual elimination of specialized schools, citing that nearly 30% of students with disability are educated in specialized or segregated settings and the figure is growing. Instead, they proposed that no students shall be enrolled in a specialized setting by 2051. Recommendation 15, set out by The Chair (Sackville) and Commissioners Mason and Ryan, delineated "an alternative approach," whereby a greater intentional collaboration between mainstream and non-mainstream schools be sought when feasible and appropriate and students be encouraged to move between the two types of schools, recognizing the role each type of school can play in providing educational supports for students with disabilities (Royal Commission into Violence, Abuse, Neglect, and Exploitation of People with Disability, 2023). Under the direction of the Minister for Social Services, a federal task force will study all recommendations and solicit further submissions with work ending mid-2025.

3 Reactions to Royal Commission's findings and recommendations

Directly following the Royal Commission's report, the Australian media was rife with items showcasing the importance of special schools to students with disability and their families. The Age had a collection of letters from parents and teachers supporting the retention

of special schools, using the justifications that: the infrastructure in public schools is not able to provide specialized supports such as very small class sizes, medical care for students who require tube feeding, catheters, oxygen, physical therapists and other specialized stuff; and teachers do not have the training or capacity to provide support for students with high support needs while teaching the rest of the class. Parents were the most vocal group about keeping special schools (Campanella, 2023; Loney, 2023), expressing fears that mainstream schools would not be able to meet their children's needs. Additional stories featured parents who would be happy to endorse, if special schools were left alone. For example, Ed Croft from Western Australia, the father of a son with intellectual disability, autism, and behavioral issues, felt the choice should be available to access the education which was the best fit for their child. Croft is also a teacher and characterized complete inclusive education as "pie in the sky stuff" (Loney, 2023).

Adversely, some interviewees, including people with disability, parents, and politicians (Loney, 2023; Quail, 2023) felt the Commission's decision to "phase out" special schools over the next 28 years was too lengthy a period and only served to perpetuate segregation for another generation of school children with disability. Most did acknowledge that a major overhaul to mainstream education would be necessary to make it happen, with some even calling full inclusion an unlikely "pipe dream" due to the expense and capacity issues.

One solution to the debate mentioned in the letters section of *the Age* (2023, October 3) was to keep special schools but co-locate them with mainstream schools, so that students in special schools could participate in activities with neurotypical peers. While this is regarded as another category of segregation, it may be a preliminary solution while changes are made to the current education system. Capacity is another issue for scrutiny, as the current teacher corps (and shortage) could not maintain the proposed seismic change of full inclusion.

4 Australian context

4.1 Students with disability in Australia

Based on the Australian constitution, states and territories are responsible for the education of the school aged children within in their jurisdiction, including students with disability (Savage, 2020). In 2023, there were 4,086,999 students enrolled in Australian schools with nearly 1 million students (24.2%) with a disability receiving a type of adjustment. The four main recognized categories of disability include: (a) cognitive, (b) physical, (c) sensory/speech disability, and (d) social–emotional, with four levels of adjustments available: (a) support with Quality Differentiated Teaching Practices (QDTP), (b) supplementary, (c) substantial, and (e) extensive (Nationally Consistent Collection of Data on School Students with Disability, 2019). Descriptors of each of these levels of adjustment can be found at https://www.nccd.edu.au/sites/default/files/h5p/content/167/docs/endorsed_levels_of_adjustment.pdf (Nationally Consistent Collection of Data on School Students with Disability, 2019). Across categories of disability, 7.3% of students received adjustment with support with QDTP, 10.4% with supplementary adjustments, 4.3% with substantial supports, and 2.2% with extensive supports. Nine out of 10 students with a disability attended a mainstream school (Australian Bureau of Statistics (ABS), 2023) and over half of students received adaptions or supports. The disability which most impacts a student's educational adjustments is used for reporting purposes and the loading used for funding purposes, which consigns the possibility for underreporting across categories (Australian Curriculum, Assessment and Reporting Authority (ACARA), 2023). Even though federal and state policies exist to support students, they remain porous as the mechanism for ensuring policies is deficient, leaving one-third of students with disabilities reported needing additional support currently offered and some families seeking alternative educational settings (Australian Bureau of Statistics (ABS), 2023).

4.2 Specialized schools

Specialized schools are possible based on Section 6 of the Australian Education Act (AEA; 2013). The AEA defines a special school as a school that: (a) is, or is likely to be, recognized by the State or Territory Minister for the school as a special school; and (b) provides education under special programs, or special activities, designed specifically for students with disabilities. Specialized schools in Australia vary in foci and types of supports provided. The MySchool website includes 421 special schools (SS) and 96 special assistance schools (SAS) Australia-wide (Australian Curriculum, Assessment and Reporting Authority (ACARA), 2023). These types of school cater to 12% (or 45,000) of all students with a disability in Australia. Special schools typically focus in specific disabilities, such as autism or vision/hearing impairments, however some enroll students based on the level of support they require to be successful educationally. While some SS teach the same curriculum as their mainstream counterparts, others are focused on a life skills curriculum, which provides options for students with disability who cannot access the regular course outcomes, particularly students with an intellectual disability.

Special schools only enroll those students with disability, while special assistance schools (SAS) have a wider brief under the AEA. Further, SAS schools can also include students with disability in addition to the difficulties outlined under the AEA, which defines a special assistance school as a school that: (a) is, or is likely to be, recognized by the State or Territory Minister for the school as a special assistance school; and (b) primarily caters for students with social, emotional or behavioral difficulties.... (Australian Education Act 2013 Sect. 6).

Special assistance schools materialized from a need to support students who were disengaged and disenfranchised in their mainstream schools. Typically small, with less than 150 students, SAS meet the same learning outcomes as students in mainstream schools but in a specialized manner. For example, instead of sitting year 12 exams, students produce a portfolio of their work. Individualized wraparound services, such as counsellors, social workers, and art and music specialists are also provided (Chernaya Pexels, 2023; Gately, 2023; Henebery, 2023). Student enrolment in SAS has steadily been increasing from 3,353 in 2014 to 13,100 students in 2022, which maybe a reflection of mainstream classrooms' inability to meet student need but are ineligible based on SS enrolment guidelines.

Government schools represented the largest number of special schools ($n = 355$; 67.6%) with 170 (33.2%) non-government schools. Queensland and Tasmania have a greater number of non-government special schools, while the remaining states either reflect the overall national percentage or rely more heavily on the government to provide

specialized schooling, particularly in VIC, WA, ACT, and NT. The average enrolment is 109 students, ranging from 12 to 1,026 and (Australian Curriculum, Assessment and Reporting Authority (ACARA), 2023), which reflect the complex student needs, geographical challenges, and jurisdictional capacity to support students with disability.

For example, the school with the largest enrolment is a non-government SAS and does not charge tuition. The SAS "caters specifically for children and young people who have disengaged from mainstream education and are not participating in vocational and education and training or employment" (Independent Schools Queensland, 2021, para. 1). However, specialized schools with such large enrolments are unique. The school with the lowest enrolment opened in 2021 and caters for 12 students aged 5–18 with high needs autism (ASD 3). It is an independent school located in Victoria and is fee charging (up to $16,000 per year) (Lyrebird College, 2023).

Using the MySchool data for 2023, Figure 1 provides a visual representation of SS geolocation within Australia. The clustering of SS near capital cities and metropolitan areas is not surprising, still SS can be found in the most remote areas of the country.

4.3 Mainstream schools

The ability of mainstream schools to meet the needs of students with disability, underscored in the Royal Commission's report, is illustrated by some students with autism (Roberts and Webster, 2020). The rapid increase of students with disability enrolled in mainstream schools over the last 20 years resulted in a lack of capacity of school leaders and staff to create autism friendly cultures and implement evidence-based practices. Despite extensive research in autism, stakeholders feel that these students' needs are still not adequately met within mainstream schools, and there is a need for a proactive and responsive approach to support them effectively. Many school staff lack the knowledge and expertise to support students in their learning, address social and emotional needs, and schools do not always have the capacity to translate research and knowledge into practice (Saggers et al., 2019).

5 Inclusive education policy infrastructure

The Royal Commission's Recommendations for Education are bound in international agreements, federal and state education policies and guidelines, and the implementation at the individual teacher level. This policy milieu also sits alongside (and in competition with) other reform agendas (e.g., literacy, STEM, mathematics, and student well-being).

5.1 International agreements

Contemporary policy structures date back to 1990 with *United Nations Convention on the Rights of the Child (CRC)*. The CRC articulated the rights and needs of children detailed in universal terms, including educational needs and that children should not encounter discrimination based on a disability (UNICEF UK, 1989; Fass, 2011). In 2008, the *United Nations Convention on the Rights of*

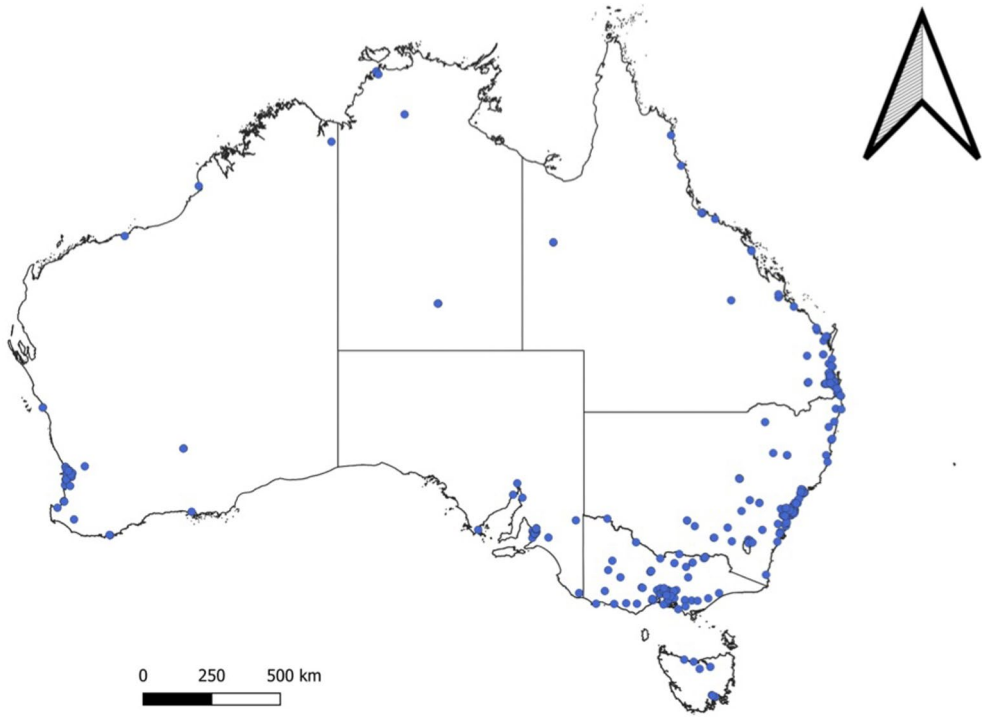

FIGURE 1
Geolocation of Australian specialized schools.

Persons with Disabilities (CRPD) recognized inclusive education as an international human right for person with disabilities, which Australia is a signee [see Lassig et al. (2022) for a review of Australian states and territories alignment with CRPD]. In 2016, additional language provided in Article 24 articulated the parameters of inclusive education including the role of parents stating, "education is the right of the individual learner, and not, in the case of children, the right of a parent or caregiver. Parental responsibilities in this regard are subordinate to the rights of the child" (CRPD Committee, 2016, para. 10). Article 24 also included the concept of 'reasonable accommodation" to address the individual's needs.

5.2 Australian federal and state legislation and guidance

Although Australian states and territories are responsible for educational provisions, federal entities, such as the Australian Government Department of Education Skills and Employment, construct educational policies and distribute funding to aid students with disabilities (Chambers and Forlin, 2021; Lassig et al., 2022). The federal government has also provided legislative measures to protect Australians with disabilities, including The Disability Discrimination Act 1992 (DDA)[1] and the Australian Government (2005), which was created to offer greater guidance as to the education and training obligations in the DDA.

Additional declarations/agreements have been issued in support of the education of all Australian children. Ministerial Council on Education, Employment, Training and Youth Affairs (2008) and more recently, The *Alice Springs (Mparntwe) Education Declaration*, further recognized that "Australian Governments commit to ensuring the education community works to provide equality of opportunity and educational outcomes for all students at risk of educational disadvantage" (2019, p. 17). In 2013, the *Nationally Consistent Collection of Data on Schools Students with Disability* (NCCD) was instituted to systematically collect data from schools across Australia to determine eligibility for funding for educational support. Additional federal reforms included the *National Disability Strategy* and the *National Disability Insurance Scheme (NDIS),* strengthening the ways in which persons with disability are supported. For schools and teachers, these policies are intended to provide pathways for reasonable adjustments and access to the curriculum through the equity of opportunity and through the application of differentiated instruction pitched at the, "right measure of individual support and educational intervention provided" (p. 10). The DDA and DSE largely provide the legislative framework for each state and territory, underscoring their approach for supporting students with disability.

In agreement with federal laws, states and territories provide education approaches and funding based on the contextual needs of students with disabilities. For example, SS in New South Wales, are Schools for Specific Purposes (SSPs), which "provide specialist and intensive support in a dedicated setting for students with moderate to high learning and support needs" (para. 1). Additional setting designations are provided for students with moderate intellectual ability, severe intellectual disability, and significant physical disability or significant health conditions requiring additional supports from health professionals and exist in primary or secondary schools. Other settings also provide for students with behavioral disorders, conduct disorders, and emotional disturbance (Department of Education, 2023).

The right to an equitable public education and educational support services in Australia are outlined and highlighted in several national and international policies. Carrington et al. (2024) conducted a policy review informed by the UNESCO guide for policy analysis and based on the social model of disability and CRPD definition of inclusive education and determined that policies should have a consistent definition of inclusive education and require and support all schools to be inclusive schools. Adversely, the results of a literature review conducted by Lindsay and Edwards (2013) suggested that educational policies should not be about choosing one system over the other but rather about finding ways to optimize both systems to serve today's diverse student populations effectively.

5.3 Initial teacher education

Strong Beginnings: Report of the Teacher Education Expert Panel, a review of existing teacher education programs in Australia, consultations with stakeholders, and the synthesis of evidence-based practices in education, both in Australia and internationally focused on strengthening initial teacher education programs and improving the quality of practical teaching experience in Australia (Teacher Education Expert Panel, 2023). While the report does not directly address the issue of or recommend the elimination of special schools, the importance of preparing beginning teachers to address the diverse and complex needs of students in modern inclusive classrooms. The report underscored evidence-based practices and the understanding and valuing perspectives of diverse groups, which supports the foundations of specialized education for marginalized students, including those in special schools.

6 The special school controversy

A nearly 20-year on-going debate persists, particularly since the publication of the CRPD in 2006, over the appropriateness of segregated special education classes and schools for students with varying degrees and types of disability. Those who argue for a fully inclusive education system often cite the benefits of inclusive education for all students (Boyle and Anderson, 2020; de Bruin, 2022; Krämer et al., 2021), which provides a more equitable learning environment, promotes social integration, and better prepares students (both with and without disability) for their diverse post-school life. Additionally, these academics argue that inclusive education can lead to better outcomes for students with disability, as they have access to the same curriculum and resources as their peers and can develop important social and academic skills, resulting in an inclusive education reform movement. Additionally, the findings of a study by Dell'Anna et al. (2020) were moderately in favor of inclusion for students with moderate, severe and complex disabilities in the areas of improved behavior, academic achievement and adaptive skills. They also found that although inclusive settings offer more access to instructional time and peer interaction, students experienced marginalization during class activities and social isolation within the peer group.

1 https://www.legislation.gov.au/Details/C2021C00134

Education reform movements often look outwards for solutions to perceived and real problems (Ruby and Li, 2020). Policy borrowing without consideration of contextual similarities and differences often leads to failed or partially implemented initiatives or painful rollouts that are mostly felt by school personnel and students. While Nordic countries (e.g., Denmark, Sweden, Norway, and Finland) are identified as flag bearers of the practice, inclusive education is aligns with their egalitarian societies and approaches to education. Still, Nordic researchers report greater understanding of inclusive special education is needed (Keles et al., 2024). Keles et al. (2024) conducted a scoping study on inclusive education and found most studies were qualitative, from Sweden, and actual inclusive practices were underrepresented in the literature. Keles et al. (2024) further found inclusive education was not well-defined or understood as a practice. While sentiment for the inclusive education may be high, the appetite for a total implementation without macro and micro- considerations, including competing policies and procedures (i.e., priority, funding), contradictory research evidence, level of student support needed, teacher capacity, school resources, etc. reflects the ongoing misalignment between policy and practice (and ideological differences) (Ferri, 2017; Savage and O'Connor, 2019).

A recent meta-analysis found that inclusive settings were more beneficial for students with general learning disabilities than segregated settings (Krämer et al., 2021). The meta-analysis included 40 studies from Austria, Canada, Denmark, Finland, Germany, Israel, Poland, Slovenia, Switzerland, and the United States. The researchers found a small to medium positive affect on cognitive outcomes for students with general learning disability (GLD) attending school in mainstream settings and no effect on psychosocial outcomes.

Studies such as the one by Krämer et al. (2021) are often referenced as evidence to support inclusive education. Under greater scrutiny, there are several points to consider. First, when interpreting the significance of this study is the inclusion criterion of studies that included students with GLD, which were defined in a few ways, including having an IQ between 60 and 90 and having difficulty in more than one class. The authors intentionally excluded students with emotional and behavioral (EBD) and more severe disability, as earlier studies suggested that students with both of those conditions exhibited poorer academic and social outcomes in inclusive settings than in segregated settings. Krämer et al. also mentioned that the inclusion of students with EBD has been known to have negative effects on typically developing students in mainstream settings.

Second, the authors acknowledged that although students with GLD may benefit academically from receiving their education in mainstream settings, there are potential disadvantages, such as higher expectations not in alignment with students' performance levels could cause frustration and demotivation. The typically larger class sizes of mainstream classes may limit the amount of individual support a teacher can provide to students and cause students with disability to become overwhelmed (Krämer et al., 2021).

6.1 Philosophical disagreements

Overall, support for inclusive education is wide-ranging, but this sentiment is in opposition to several contradictory realities, including school choice, which remains a central and founding tenant to the Australian school system based on the historical way in which schooling (and school funding) matured in Australia. Australia's three schooling sectors—government, Catholic, and independent systems—operate parallel to each other and all receive federal funding (Barcan, 1980; Australian Department of Education, 2023). The distribution of federal funding also includes supplementary apportionments for students with disability that are available to all school sectors. A fourth "sector," which evidences the fastest growth in Australia, is home education or homeschooling, which includes families and their children with disability. Australian parents (and those globally) cite traditional schools' failure to meet their child's needs (Forlin and Chambers, 2023; Jolly, 2022).

Special schools are considered a school choice, however, whether parents are presented with an informed and genuine choice continues to be debated (i.e., special school versus mainstream school) (Mann et al., 2015). Iacono et al. (2019) noted, "The issue is whether these alternatives provide families with true choice, or the only option if their children's needs are not accommodated in mainstream schools" (p. 265).

Gatekeeping as described by Poed et al. (2022), noted that teachers and allied professionals' suggestions to parents that "segregated" environments were the best option for their child were in violation of Article 24 and contradictory to research evidence. While gatekeeping does occur, what is a reasonable accommodation (as noted in Article 24) remains contested, due to complexity and nuance around the decision-making process for individual students. One-third of special schools are already provided by the non-government sector (Australian Curriculum, Assessment and Reporting Authority (ACARA), 2023), while some are non-fee-paying schools—others operate as fee paying even after the disability subsidies are applied. Home education, which grew exponentially after COVID, remains a realistic alternative for parents dissatisfied with inclusive education, as some parents found that their child with disability ended up thriving in a home environment (Heyworth et al., 2021).

Those who argue for keeping special schools and classes as options on the inclusive education continuum point to the need for specialized support and resources for some students with disability. Further complicating special education services in Australia is the move away from a medical model of special education to a social model. Rather than providing a targeted intervention as in the medical model, the social model posits acknowledging and withdrawing barriers that make life more difficult for those persons with disability (de Bruin, 2022). While those who argue for special schools also believe that mainstream classes are appropriate and desired for most students with disability, they assert that some specialized settings are necessary to provide a safe and supportive environment. In these settings, students have access to individualized attention and support from teachers and staff who have specialized training. Additionally, special schools can provide a sense of community and belonging for students with disability to connect with peers who share similar experiences and challenges (Duncan et al., 2020).

Some of the most vocal proponents of special education and the place of special schools in the continuum of inclusive education are Hornby and Kauffman (2023). The overarching myth (and the focus of their paper) was that only full inclusion can bring true social justice and effective education for students with disabilities. The second myth Hornby and Kauffman debunk is that full inclusion is the accepted standard of education internationally. Rather, these researchers suggest that the intent of the *Salamanca Statement* (United Nations

Educational, Scientific and Cultural Organization (UNESCO), 1994) is that most children with disability be included in education systems, but a minority would still need to be educated in special schools or classes within mainstream schools.

Extensive evidence supporting inclusion as more effective than special education is disputed, even in countries, such as Canada and Italy, which implement full inclusion. Imray and Colley (2017) argue the lack of published studies evaluating full inclusion effectiveness but also news stories calling for a review of full inclusion policies.

Ainscow et al. (2019), outspoken inclusionists, recently acknowledged the challenges involved in fully implementing inclusive education, including the complexity of transformations required to close the discourse between inclusive educational research and practice. While they argue that inclusive education can be achieved if mainstream schools become capable of educating all children in their local communities, they also concede that there are many barriers to this actually happening. This suggests special schools should remain on the continuum of educational supports to provide a more focused and tailored approaches to meeting the diverse needs of students with disability.

6.2 Australian literature supporting full inclusion

The Australian literature largely supports the full inclusion model as a fundamental right for all students with disability and makes the argument that anything short of full inclusion is unacceptable, as it violates the rights of students with disabilities. Boyle and Anderson (2020) contended that segregated education in Australia is perpetuated by the current educational climate, which is influenced by contextual challenges in the educational landscape, such as governance issues, educational reform agendas, standardized tests, and school ranking systems. Additionally, they claimed that education in Australia is influenced by neoliberal principles, hindering the progress of inclusive education, and argued that only inclusive education can provide quality education for all students and contribute to the achievement of educational, social, and economic equity, aligned with the principles outlined in the *Alice Springs (Mparntwe) Education Declaration*.

de Bruin (2022) agreed with Boyle and Anderson (2020), maintaining that inclusive education was an effective model for all students and rooted in human rights principles and research findings. Another of deBruin's arguments focused on *The Universal Declaration of Human Rights* (United Nations, 1948), which declared education to be a right of all children without exception, laying the foundation for inclusive education. Additionally, a series of treaties and guidance documents from the United Nations have articulated a clear preference for young people with disability to be educated in the general education system. She also claimed that Australia can achieve full inclusion by overcoming historical influences to achieve genuine systemic reform towards inclusive education. Like Boyle and Anderson, deBruin postulated that factors such as attitudinal barriers and the lack of teacher preparation for diverse student cohorts were some of the main barriers to ending educational segregation.

Cologon (2022) blamed the continued presence of special schools on a lack of agreement on the definition of inclusion, with many misinterpreting the term as conditional. This was related to the common mindset that educators must make special affordances to support students with disability instead of the ideal of school systems recognizing neurodiversity as a human condition and being set up to meet the needs of all students. Cologon gathered family stories to provide insights into the experiences of children with disability and discovered that when systems view inclusion as assimilation, it led to families always having to fight the perception that inclusion is a privilege, not a right. She also claimed that rather than preventing bullying, special settings such as special education classrooms or schools increased bullying, due to the segregation of those settings.

To combat the argument that inclusive mainstream settings are less beneficial for students with severe disabilities/complex support needs, Cologon (2022) cited research findings that demonstrated positive outcomes for this population when educated in inclusive environments, including benefits in academic development, communication, and behavioral and social development. Inclusive education also had benefits in maintaining and generalizing learning and had been shown to also benefit students without disability by creating diverse learning environments that foster empathy, understanding, and respect for individual differences.

A national survey conducted in Australia found over 70% of families reported experiencing gatekeeping or restrictive practices, which were widespread across all levels and types of schools and for all types of disability (Poed et al., 2022). Gatekeeping included leaders of a mainstream school suggesting that a student may do better in a special school. Restrictive practices included partial attendance strategies, physical, chemical, and mechanical restraint, and seclusion and have been known to cause psychological trauma, student injury, staff absenteeism, and even student death (Poed et al., 2022). The article highlighted that these practices are in breach of Australia's obligations as a signatory to the UN Convention on the Rights of Persons with Disabilities.

According to inclusion advocates, the current education system in Australia fails to provide equal opportunities for students from disadvantaged backgrounds, leading to increased segregation and disparities in educational outcomes (Anderson and Boyle, 2019). The responsibility for inclusive education is left to individual states and territories, resulting in inconsistencies and the absence of a national consensus on how to best support students with disabilities. Additionally, the lack of standardized assessment criteria made it challenging to measure the success of inclusive education initiatives in Australia. Five years ago, Anderson and Boyle (2019) called for a national approach to inclusive education in Australia, emphasizing the need for systemic changes to create a more equitable and inclusive education system for all students. They also called for Australia to recommit to the principles of the Salamanca Statement and work towards establishing a nationally accepted understanding of inclusive education. Similarly, Poed et al. (2022) called for targeted interventions and policy changes to address gatekeeping and restrictive practices to ensure that Australian students with disability have the equal access to education in inclusive, safe, and effective learning environments, in alignment with the CRPD.

6.3 Australian literature supporting special schools as part of inclusive education

Several Australian scholars, such as Duncan et al. (2020) opposed the full inclusion stance. Their scoping review of the effectiveness of the Disability Discrimination Act (1992) and the Australian

Government (2005) in eliminating discrimination against students with disability in Australia found that special schools have a place in the context of inclusive education in Australia. The results of the review suggested that special schools can offer tailored programs with specially trained educators and staff to address the individual needs of students with disability whose needs are simply not being met in inclusive mainstream classrooms. They also highlighted the challenges faced by remote or rural schools in providing inclusive education in mainstream settings, due to limited resources and access to specialized support by trained educational professionals.

While proponents of a solely mainstream education model argued that the model was crucial to meeting the social needs of students with disability, Heyworth et al. (2021) highlighted the importance of flexibility and autonomy for autistic children in educational settings. They pointed out that although interactions with peers can enhance motivation and improve academic outcomes, during lockdown many students with autism flourished, despite a lack of support for friendships. This was attributed to the close relationships that students had with their parents and contradicted the argument that only mainstream schooling can provide students with peer social support. Connected, trusting relationships can be formed in a variety of ways and in a variety of settings.

Lindsay and Edwards (2013) found that although inclusive education was associated with positive outcomes for students with disability, there were many challenges when it comes to implementing it. Teachers needed appropriate training and access to adequate resources. A shift in societal attitudes towards disability also needed to shift. Without these necessities in place, special schools were necessary to provide the specialized supports required by students with disability to be successful academically and behaviorally. These missing links were often felt by parents and the students themselves, which was evident in the popular literature immediately following the outcome of the Royal Commission.

6.4 International literature

When compared to the Australian literature, the international literature is more supportive of including SS in the inclusion continuum. While Kauffman et al. (2022a) advocate for inclusion in public education for most students with disabilities, they embrace the current shift towards focusing on the quality of instruction, individuals' needs, and learning outcomes rather than just being present in the classroom, or what they term "bodily inclusion." They criticize the notion that general education teachers can adequately deliver special education to students with disabilities in large and diverse classrooms, noting special education should not be considered less specialized to the extent that it can be effectively provided by generalist teachers. The authors stress the complexity of teaching diverse groups of students and the need for specialized skills in addressing the educational needs of students with disabilities.

Kauffman et al. (2022b) cautioned against the idea of full inclusion without special education, stating that it may detach from reality and reason, advocating for a balanced approach guided by science and rationality. They urge educators to uphold enlightened definitions of science, reason, truth, justice, and democracy, emphasizing the benefits of science and rationality for the effective teaching of students with disability. The importance of teacher and parent perceptions and preferences cannot be overstated in the inclusion conversation. Studies show mixed teacher attitudes towards inclusion (Savolainen et al., 2022), with factors like the nature of disabilities, experience with inclusive education, and cultural variables influencing teachers' perspectives.

Kauffman et al. (2022a) argue that parents of students with disabilities have played a crucial role in establishing policies, facilities, and services to ensure appropriate education for their children. Their advocacy and individual needs should be honored with a range of placements available for them to choose from, rather than enforcing full inclusion in mainstream classrooms. Kauffman et al. (2019) discussed why some students with severe disabilities are not placed in general education classrooms. They emphasized that the curriculum and intensity of instructional interventions needed for students with severe disabilities differ significantly from those in general education and argued that some students require specialized instruction focusing on fundamental skills like functional communication, self-care, and mobility, which may not align with the general education curriculum. While acknowledging that some students with severe disabilities can learn advanced content consistent with the general education curriculum, they highlighted the importance of individualized education that aligns with the student's unique needs and goals for the future. Overall, Kauffman et al. (2019) suggested that effective instruction for students with severe disabilities may often require specialized settings with specially trained teachers who can deliver intensive instruction. They also addressed the importance of considering context, the law, and scientific evidence in making placement decisions for students with severe disabilities, advocating for individualized approaches rather than a universal mandate for inclusion in general education classrooms.

Much of the international literature recognizes the continued relevance of special schools (Kauffman et al., 2022a, 2022b; Lindsay and Edwards, 2013). While inclusive education is often portrayed as the ideal, special schools play a crucial role in the current educational landscape. They offer a specialized environment where students with disability can receive individualized supports in educational programs tailored to their needs (Lindsay and Edwards, 2013).

7 Implications for future practice and policy

The recommendations provided in the text aim to address the challenges and gaps identified in achieving non-discrimination for students with disability in Australian primary and secondary education. Rather than propose a system of schooling (Recommendation 7.14) that will never eventuate due to an absence of consensus (philosophical and empirical) around the approach, federal and state/territory education funding lacking in priority, and pragmatic considerations (e.g., initial teacher education, teacher shortages), why not address and strengthen processes and practices that already exist? The following recommendations are organized by system, school, teacher, and family levels.

7.1 System-level recommendations

System-level administrators should ensure that the policies and practices within educational institutions are in alignment with the

Disability Discrimination Act 1992 and the Australian Government (2005) and the United Nations Convention on the Rights of Persons with Disabilities (Poed et al., 2022). This ensures that the legal requirements for non-discrimination are integrated into the daily operations of schools. Poed et al. (2022) also highlighted the importance of ensuring that all students, regardless of their needs, have access to high-quality education that meets their individual requirements. This makes a case for the existence of special schools, giving students and families a choice, thereby fostering self-determination.

Greater empirical evidence is required to inform decisions regarding policy, processes, and guidance. For example, data reporting could be improved. Currently, the lack of disaggregated NCCD data for tiered assignments across the four disability categories in primary and secondary mainstream and specialized schools is a barrier to understanding the impact of this support. Additionally, no data are kept regarding the longitudinal outcomes for students with disability in either specialized school or mainstream school setting. This could be a rich data source to understanding how these different settings impact students over time.

7.2 School-level recommendations

Primary and secondary school principals should undergo mandatory professional learning sessions to enhance their understanding of and ability to meet the obligations of education providers under the Act and the Standards. This training equips principals with the knowledge and skills necessary to ensure compliance within their schools (Duncan et al., 2020; Roberts and Webster, 2020). School leaders should also ensure that the Act and the Standards have easily accessible supporting documents and training resources available for use in schools. This accessibility facilitates understanding and implementation of the legal framework by educators and staff (Duncan et al., 2020).

A whole-school approach that adopts a multi-tiered system of support model that includes family involvement, environmental modifications, staff awareness, and individual supports is recommended (Kauffman, 2021; Roberts and Webster, 2020). Such an approach can help in creating a more inclusive environment by offering a range of supports within general education that cater to students' diverse needs, potentially reducing the need for separate special education placements. Schools should adopt a holistic approach, as providing various levels of support tailored to the diverse needs present in today's classrooms, along with external collaboration from specialists, support staff, allied health professionals, and external agencies, is essential in a proactive and responsive manner to support not only the students but also educators and families effectively.

7.3 Teacher-level recommendations

Initial teacher training programs should include comprehensive instruction on the application of the Act and the Standards within the classroom context. This training ensures that teachers are well-prepared to support students with disability and implement necessary accommodations.

Ongoing teacher registration processes should include evidence of teachers' capacity in understanding and applying the Act and the Standards. This requirement ensures that teachers maintain their knowledge and skills in supporting students with disability effectively. Caution must be used when considering a single special education teaching endorsement for all levels of instruction and all types of disability, as we must question the adequacy of generic teaching skills for meeting the diverse needs of students with disability (Duncan et al., 2020).

7.4 Family-level recommendations

National free-of-charge standardized online learning modules should be made available to parents of students with disability. These modules should comprehensively explain the rights of students with disability in schools and assist parents in navigating the legal requirements associated with non-discrimination. This empowers parents to advocate for their children and understand their educational rights. Information regarding the different types of schools available should be provided to students and their families so that they can weigh their options and make informed decision about where the student with disability should receive their education. The student voice in decision making and all supports provided is critical. This will help to foster a sense of self advocacy and self-determination.

These recommendations emphasize the importance of aligning policies and practices, providing necessary training and resources, and ensuring that all stakeholders involved in the education of students with disability are well-informed and equipped to support inclusive and non-discriminatory practices in schools.

8 Conclusion

Many of the authors cited in this manuscript who favored full inclusion, cited policy particularly the UN Rights of the Child, as evidence for inclusive education. Policy is often based on a philosophical or ideological position, rather than research. Additionally, those who work in the educational research focused on students with special needs often take the role of researcher/advocate (Hopkins et al., 2022; Stephenson and Ganguly, 2021). Maintaining objectivity and limiting bias is paramount in communicating results (even those not aligned with our ideological or epistemological stance) when conveying evidence-based practices to pre-and in-service teachers and administrators. As Kauffman et al. (2022b) advised science should guide the work, not ideological debates or personal experiences.

We could not locate any empirical studies that provided evidence to support the idea of full inclusion in mainstream classes for all students. It is notable that articles on full inclusion of students with severe/profound disabilities are largely philosophical and qualitative (with small sample sizes). None recommend any concrete practical strategies for implementation. This highlights the oversimplification of inclusive education, rather than the recognition of the complexities and demanding nature of teaching diverse student populations with individual needs and the preferences/perspectives of teachers, parents, and the students themselves.

The review of popular literature undertaken here clearly shows that many students and their families benefit greatly from special classes and schools and show a clear preference for those settings. While full inclusion is the ideal that we should all strive for, we must not mandate such an arrangement at the detriment to our most vulnerable students. Historically, the fight for free and appropriate education for all students, including those with disability has been long and contentious. By eliminating some of the most specialized supports, special education would regress by decades. We would like to suggest that the conceptualization of inclusive education include special classes and schools, as well as other settings that provide individualized specialized supports for students with disability.

Inclusive education remains a point of controversy even within the Royal Commission committee. This schism reflects a narrow and exclusive view of inclusive education that is outdated and built on a foundation that has cherry-picked findings or drawn from societies which are quite dissimilar to Australia's (e.g., Finland). Incongruously, this vision does not support all learners found in contemporary classrooms, particularly classrooms where students representing wide-ranging and complex learning needs. Specialized schools have become an expectation of parents, particularly for those families who have found little educational relief for their children in mainstream schools.

We propose that inclusive education as discussed by the Royal Commission and its allies is a relic of the past and that educational systems includes specialized schools, mainstream schools, and even by extension schools devoted to the development of special talents such as the arts, sports, and academics. School systems require a litheness and flexibility to account for wide-ranging student learning profiles, including varied programming and services to reflect learning trajectories which are often not linear or progress at the same rate.

The distinctiveness of the Australian schooling (which is often its Achilles heel) are the three school sectors working in parallel. Independent (and to a lesser extent Catholic schools) have the ability to market themselves as filling the breach left by government schools' perceived or actual failings. Independent schools enrollment has grown 14% in the past 5 years, while enrollments in the government schools evidence little growth (Australian Bureau of Statistics (ABS), 2023). Parents who have the means will seek out schools who can address their child's needs, exacerbating issues of equity already evident in Australian schools and society.

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