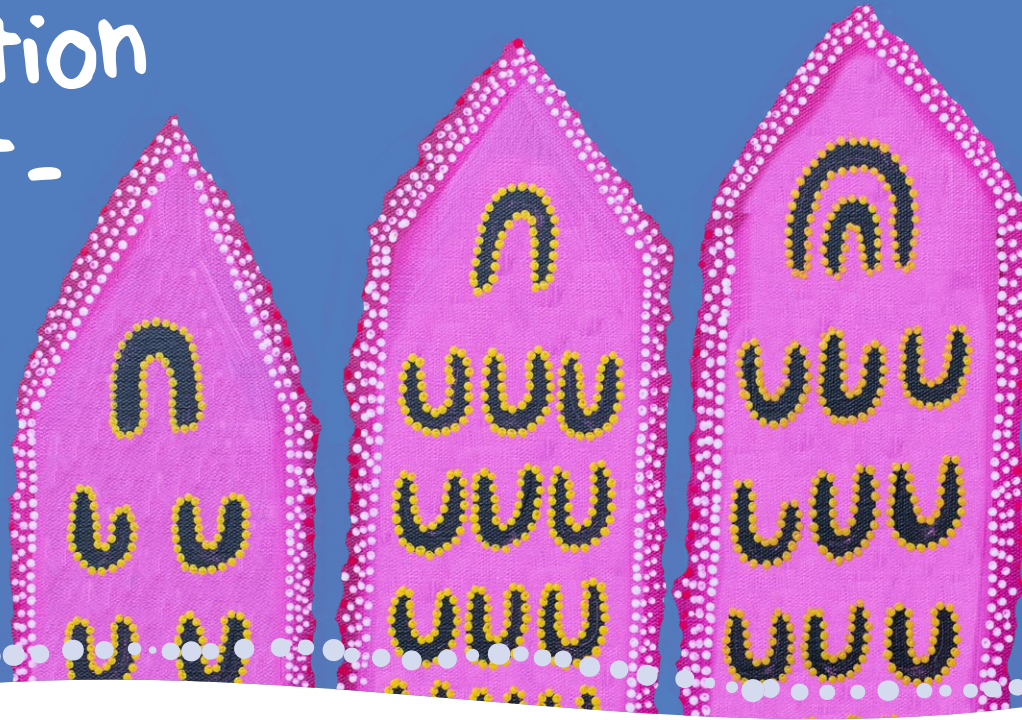


## Policy Position Statement - Education



### Cultural and Content Advisory: A Note Before You Read

This document discusses systemic discrimination, exclusion from education, and experiences of harm affecting First Nations students with disability. If this content raises difficult feelings, support is available through 13YARN on 13 92 76, a free, confidential crisis support line for Aboriginal and Torres Strait Islander peoples available 24 hours a day, 7 days a week.

*The evidence base for this paper draws on the work of the National Disability Footprint, including the Data and Research Footprint (Element 2) delivered in partnership with Dr Scott Avery and Girra Maa Indigenous Health, University of Technology Sydney.*



First Peoples  
Disability Network

## Executive summary and introduction

First Nations people with disability have a right to education that is inclusive, culturally affirming and equitable. This position statement sets out FPDN's policy position on the systemic reforms required across early childhood, school, tertiary and lifelong learning systems. Current education policy and data systems do not adequately address the intersection of Indigeneity and disability; First Nations students with disability continue to be excluded, suspended, underdiagnosed, and rendered invisible in the data systems meant to serve them.

Despite relevant findings from the Disability Royal Commission (DRC, 2023), the NDIS Review (2023) and the Closing the Gap framework, significant gaps remain in data collection, early support, inclusive schooling, workforce capability and accountability. Guided by FPDN's Cultural Model of Inclusion, which recognises that culture is the foundation of genuine inclusion, this statement identifies the reforms required to improve outcomes for First Nations students with disability. FPDN calls on all Australian governments to urgently mandate intersectional data collection; fund community-controlled education supports; end exclusionary discipline for disability-related behaviour; and implement the DRC's education recommendations in full.

## Key messages

### **Education policy must address both cultural safety and disability inclusion**

Education settings that are culturally unsafe or not disability-inclusive do not deliver equitable outcomes for First Nations students with disability. Effective reform requires both culturally responsive practice and disability-inclusive supports. First Nations people with disability must be centered in policy design.

### **First Nations Education Policy must center the needs of students with disability.**

Being designed in partnership with First Nations peak bodies, the Australian Government's First Nations Education Policy seeks to establish a national framework for improving education outcomes for First Nations students. However, consultation materials do not include reference to disability or the needs of First Nations students with disability. This limits the policy's ability to address the full range of barriers experienced across the education system.

### **First Nations students with disability are not visible in national education reporting.**

No national education dataset routinely disaggregates by both Indigenous status and disability status. NAPLAN does not report by disability status. As a result, the outcomes of First Nations students with disability are not visible in national reporting, limiting effective policy and service design. This structural omission is not a technical gap; it is a policy choice that erases the intersection where disadvantage compounds most acutely.

**Exclusionary discipline contributes to poorer education and justice outcomes.**

First Nations students with disability face disproportionately high rates of suspension and expulsion. In South Australia, two out of three suspensions of students in multiple equity groups involved Indigenous students with disability (Graham et al. 2021). Exclusionary discipline is associated with disengagement from education and increased risk of justice system contact. The school-to-prison pipeline is, at its core, a disability and racial justice issue.

**Reform should be led by First Nations people with disability and their organisations. Climate change is increasing disaster risk for First Nations communities.**

Effective reform requires genuine co-design, shared decision-making and sustained resourcing for Aboriginal Community Controlled Organisations (ACCOs) to deliver education supports. This approach is consistent with Closing the Gap Priority Reforms One and Two.

**Implementation of relevant reform recommendations remains slow and incomplete.**

The DRC made 15 education recommendations. Most were accepted only “in principle”. Only one of 57 DRC recommendations identified as most relevant to First Nations people with disability was accepted outright by the Australian Government (Vanissum 2024). This indicates that implementation has not yet matched the scale of the evidence and reform agenda. Additional resourcing and commitment is needed to drive reform.

**Early childhood support gaps are significant and growing.**

In 2024, 33.9% of First Nations children were developmentally on track across all five AEDC domains, down from baseline and moving away from the Closing the Gap target (Productivity Commission 2025). Diagnostic and access barriers continue to limit timely early support for many First Nations children.



## Key evidence and statistics

- **First Nations people are 1.9 times more likely to have disability than non-Indigenous Australians.** Among First Nations children aged 0-14, 18.8% had disability in 2022, up from 16.3% in 2018 (ABS 2025). These figures exclude very remote communities, meaning true prevalence is likely higher.
- **In 2024, 33.9% of First Nations children were developmentally on track across all five AEDC domains, worsening from the 35.2% baseline.** The proportion with a medically diagnosed special need rose from 6.4% in 2018 to 10.7% in 2024 (Productivity Commission 2025).
- **44.3% of First Nations people aged 15 and over with disability had completed Year 10 or below as their highest educational attainment** (ABS 2019). Year 12 completion is not reported by both Indigenous status and disability status nationally, a critical data gap.
- **25.6% of young First Nations people with disability (aged 5-20) reported being excluded from school-based activities because of their condition in 2022** (ABS 2025).
- **In Queensland, Aboriginal and Torres Strait Islander students received approximately one quarter of all student disciplinary absences despite representing 10.6% of enrolments.** Students with disability constituted 64% of suspended students (ATSILS 2026).

**"Nobody knows the battles we face in private. I usually share all the positive highlights, but this stuff needs to be addressed to save our babies' lives."** (Yarraka Bayles, Murri mother of Quaden Bayles, NITV News 2020).

# 1.9X

First Nations people are 1.9 times more likely to have disability than non-Indigenous Australians.

# 34%

In 2024, 33.9% of First Nations children were developmentally on track across all five AEDC domains, worsening from the 35.2% baseline.

# 44%

of First Nations people aged 15 and over with disability had completed Year 10 or below as their highest educational attainment.

Sources: ABS 2025, Productivity Commission 2025, ABS 2019

- **In VET, 32% of First Nations students with disability completed their qualification, compared with 42% for non-Indigenous students with disability and 50% for non-Indigenous students without disability** (AIHW 2025, citing NCVER data).
- **The 2020 Review of the Disability Standards for Education found the Standards do not address the intersectional barriers faced by First Nations students with disability, that many educators are unaware of their obligations, and that the complaints-based mechanism disadvantages marginalised families** (Department of Education 2021).

**"First Nations people with disability are not a subgroup to be consulted at the margins. We are rights holders, we are knowledge holders and we're already doing the work of reform."** (FPDN representative, PWDA event 2024).

- **NAPLAN does not report by disability status.** Richardson and Rollo (2024) found that national reports did not contain information about student achievement by disability or by the intersection of disability and Indigenous status.

## 26%

**25.6% of young First Nations people with disability (aged 5-20) reported being excluded from school-based activities because of their condition in 2022.**

## 32%

**In VET, 32% of First Nations students with disability completed their qualification, compared with 42% for non-Indigenous students with disability and 50% for non-Indigenous students without disability.**

Sources: ABS 2025, AIHW 2025, citing NCVER data

## Key recommendations

- **Mandate intersectional data in all education reporting.** All national education datasets (NAPLAN, NCCD, AEDC, school attendance, retention, ECEC participation) must routinely capture and report the intersection of First Nations status and disability status. Data governance must be co-designed with First Nations communities consistent with Indigenous Data Sovereignty principles. Closing the Gap Priority Reforms Three and Four. Responsible: Commonwealth Department of Education, ACARA, ABS, AIHW, in partnership with FPDN and NATSIEC.
- **Implement DRC education recommendations in full, including the right to inclusive mainstream education.** Legislate the right of every student with disability to enrol and be supported in their local mainstream school (DRC Rec 7.1). Accept and fund all 15 education recommendations and 13 First Nations-specific recommendations, moving beyond "in principle" acceptance to resourced implementation. Closing the Gap Priority Reform One. Responsible: Commonwealth and state/territory education ministers.
- **Prohibit exclusionary discipline for disability-related behaviour.** Make it unlawful to suspend or expel a student on grounds of behaviour arising from disability, consistent with DRC Rec 7.2 and the ATSILS (Qld) 2026 recommendation. Fund culturally grounded alternatives co-designed with ACCOs. Closing the Gap Priority Reforms One and Three. Responsible: State/territory education departments, in partnership with FPDN and ATSILS.
- **Fund community-controlled education disability supports.** Provide sustained funding for ACCOs to deliver disability-specific in-school supports, early identification, and family engagement. The \$18.4 million Central Australia CYATS investment provides a scalable model for culturally embedded diagnostic and support services. Closing the Gap Priority Reform Two. Responsible: Commonwealth (NIAA, DSS, Department of Education), in partnership with FPDN, NACCHO, and SNAICC.
- **Embed the Cultural Model of Inclusion across education policy.** Education policy must operationalise FPDN's Cultural Model of Inclusion alongside the CRPD right to inclusive education, ensuring schools are simultaneously culturally safe and disability-inclusive. DRC Rec 7.7 (inclusive education units with First Nations expertise) provides a structural mechanism. Closing the Gap Priority Reform One. Responsible: Commonwealth and state/territory education departments, AITSL, in partnership with FPDN.
- **Remove diagnostic barriers to early support.** Implement the NDIS Review's foundational supports model to provide early support based on functional need rather than formal diagnosis. Establish mobile diagnostic pathways for remote and regional First Nations communities, consistent with FPDN's 10-Point Plan to Reform the NDIS. Closing the Gap Priority Reform Two. Responsible: NDIA, Commonwealth Department of Health and Disability, state/territory health departments, in partnership with FPDN and NACCHO.
- **Transform the education workforce for cultural safety and inclusion.** Embed both inclusive education and cultural safety as core capabilities in the Australian Professional Standards for Teachers (AITSL APST), not optional specialisations. Set employment targets for First Nations people with disability in the education workforce. Closing the Gap Priority Reform Three. Responsible: AITSL, state/territory education departments, universities.

- **Invest in culturally safe, inclusive early childhood education.** Implement the Productivity Commission's recommendation for 30 hours per week of ECEC for every child aged 0-5, with a dedicated ECEC Inclusion Fund and funding model for Aboriginal community-controlled ECEC services. Closing the Gap Target 3 (on track) must not mask the worsening trajectory of Target 4. Responsible: Commonwealth Department of Education, in partnership with SNAICC and FPDN.
- **Break the school-to-prison pipeline through education reform.** Link education reform to youth justice reform, including raising the minimum age of criminal responsibility, investing in culturally responsive disability assessments in schools, and funding community-controlled transition supports. Closing the Gap Outcome 11 (youth justice). Responsible: Commonwealth and state/territory education and justice departments, in partnership with FPDN, ATSILS, and NATSILS.
- **Establish First Nations-led education accountability.** Create an independent oversight mechanism, led by organisations including FPDN and NATSIEC, to monitor implementation of these recommendations against time-bound KPIs, publish system-level scorecards, and advise ministers on remedial action. Closing the Gap Priority Reform Three. Responsible: Commonwealth and state/territory governments, in partnership with FPDN, NATSIEC, and the Coalition of Peaks.



## References

- Aboriginal and Torres Strait Islander Legal Services (Qld) (2026) Submission: 2026 Commonwealth Consultation on First Nations Education Policy. <https://atsils.org.au/wp-content/uploads/2026/02/Submission-2026-Commonwealth-Consultation-First-Nations-Education-Policy-Upload-Version.pdf>
- Australian Bureau of Statistics (2019) Aboriginal and Torres Strait Islander People with Disability. ABS, Canberra. <https://www.abs.gov.au/articles/aboriginal-and-torres-strait-islander-people-disability>
- Australian Bureau of Statistics (2025) Aboriginal and Torres Strait Islander Peoples with Disability, 2022. ABS, Canberra. <https://www.abs.gov.au/articles/aboriginal-and-torres-strait-islander-peoples-disability-2022>
- Australian Institute of Health and Welfare (2025) Disability Support for Indigenous Australians. AIHW, Canberra. <https://www.aihw.gov.au/reports/australias-welfare/disability-support-for-indigenous-australians>
- Australian Institute of Health and Welfare (2025) Education Outcomes for Young People. Indigenous HPF. <https://www.indigenoushpf.gov.au/measures/2-05-education-outcomes-for-young-people>
- Centre for Inclusive Education (2024) C4IE's Verdict on Government Responses to the Disability Royal Commission Recommendations for Education. QUT. <https://research.qut.edu.au/c4ie/2024/08/08/c4ies-verdict-on-government-responses/>
- Children and Young People with Disability Australia (2020) Submission to the 2020 Review of the Disability Standards for Education 2005. CYDA. [https://cyda.org.au/wp-content/uploads/2023/08/2020\\_dse\\_review\\_september\\_2020.pdf](https://cyda.org.au/wp-content/uploads/2023/08/2020_dse_review_september_2020.pdf)
- Department of Education (2021) 2020 Review of the Disability Standards for Education 2005. Australian Government, Canberra. <https://www.education.gov.au/disability-standards-education-2005/2020-review-disability-standards-education-2005>
- Department of Education (2025) 2025 Review of the Disability Standards for Education: Discussion Paper 1. Australian Government, Canberra. <https://www.education.gov.au/download/19542/2025-review-disability-standards-education-discussion-paper/42123/document/pdf>
- Disability Royal Commission (2023) Final Report, Volume 7: Inclusive Education, Employment and Housing. Commonwealth of Australia. <https://disability.royalcommission.gov.au/publications/final-report-volume-7-inclusive-education-employment-and-housing>
- Disability Royal Commission (2023) Final Report, Volume 9: First Nations People with Disability. Commonwealth of Australia. <https://disability.royalcommission.gov.au/publications/final-report-volume-9-first-nations-people-disability>
- Disabled People's Organisations Australia (2022) Media Release: Response to the DRC Chair's Published Opening Statement on Inclusive Education from Public Hearing 24. DPOA. <https://dpoa.org.au/media-release-response-to-the-disability-royal-commission-chairs-published-opening-statement-on-inclusive-education-from-public-hearing-24/>
- First Peoples Disability Network Australia (2024) Submission: Australia's Youth Justice and Incarceration System. FPDN, Sydney. <https://fpdn.org.au/wp-content/uploads/2024/10/FPDN-Submission-Australias-Youth-Justice-and-Incarceration-System.pdf>
- Graham, L., McCarthy, T., Killingly, C., Tancredi, H. and Poed, S. (2021) Suspensions and Expulsions Could Set Our Most Vulnerable Kids on a Path to School Drop-out, Drug Use and Crime. The Conversation. <https://theconversation.com/suspensions-and-expulsions-could-set-our-most-vulnerable-kids-on-a-path-to-school-drop-out-drug-use-and-crime-166827>
- Graham, L., Killingly, C. et al. (2023) Suspensions in QLD State Schools, 2016-2020: Overrepresentation, Intersectionality and Disproportionate Risk. The Australian Educational Researcher. <https://link.springer.com/article/10.1007/s13384-023-00652-6>
- National Aboriginal Community Controlled Health Organisation (2024) Submission to Australia's Disability Strategy Review. NACCHO, Canberra. [https://www.naccho.org.au/wp-content/uploads/2025/05/NACCHO\\_ADSReviewSub\\_FINAL-2024.pdf](https://www.naccho.org.au/wp-content/uploads/2025/05/NACCHO_ADSReviewSub_FINAL-2024.pdf)

NDIS Review (2023) Working Together to Deliver the NDIS: Recommendations and Actions. Australian Government. <https://www.ndisreview.gov.au/resources/reports/working-together-deliver-ndis/preface/recommendations-and-actions>

People with Disability Australia (2024) Reflecting on the Disability Royal Commission: First Nations Perspective. PWDA. <https://pwd.org.au/reflecting-on-the-disability-royal-commission-first-nations-perspective/>

Poed, S., Cologon, K. and Jackson, R. (2023) Performance of Australia's Disability Standards for Education 2005: A Policy Analysis and Evaluation. International Journal of Inclusive Education. <https://www.tandfonline.com/doi/full/10.1080/13603116.2023.2221260>

Productivity Commission (2025) Closing the Gap Annual Data Compilation Report July 2025. Australian Government. <https://www.pc.gov.au/closing-the-gap-data/annual-data-report/2025/>

Richardson, K. and Rollo, G. (2024) The Invisible Cohort: Reporting of Students with Disability in the National Assessment Program for Literacy and Numeracy. Australian Journal of Education. <https://journals.sagepub.com/doi/10.1177/00049441241242520>

Vanissum, K. (2024) Disability Royal Commission: The Federal Government Response. Law Society Journal. <https://lsj.com.au/articles/disability-royal-commission-the-federal-government-response/>

Yarraka Bayles in Perry, J. (2020) Mother of Murri Boy Calls for More Disability Awareness in Schools After Constant Bullying. NITV News. <https://www.sbs.com.au/nitv/article/mother-of-murri-boy-calls-for-more-disability-awareness-in-schools-after-constant-bullying/et02qprf6>

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