

First Peoples Disability Network:

First Nations Education Policy Consultation

Overall position

First Peoples Disability Network (FPDN) supports the overall direction of the draft First Nations Education Policy. However, we consider that the Policy requires significant strengthening to ensure it explicitly and meaningfully includes Aboriginal and Torres Strait Islander learners with disabilities.

The Policy demonstrates a strong commitment to self-determination, cultural safety, anti-racism, partnership, strengths-based practice and the recognition of family, kin, community, and Country. These principles are highly consistent with the rights and aspirations of Aboriginal and Torres Strait Islander people with disabilities.

However, disability is largely absent from the Policy's Vision, model, indicators of learner success, Guiding Principles, Focus Areas, and Expected Outcomes. The policy does not yet demonstrate that the system has understood how Aboriginal and Torres Strait Islander identity, disability, culture, language, connection to Country, kinship, geography, poverty, racism, and access to services intersect to shape educational experiences and outcomes. This is a significant gap in the Policy.

A culturally safe education system must therefore also be disability-inclusive, accessible, and responsive. Aboriginal and Torres Strait Islander people with disabilities have the same right to accessible, inclusive, and equitable education as all people with disabilities. An Aboriginal and Torres Strait Islander learner should never be required to choose between receiving appropriate disability support and maintaining meaningful connection to culture, community, Country, language, kinship, or cultural ways of learning, knowing and being.

Aboriginal and Torres Strait Islander learners with disabilities cannot be adequately addressed through references to "diverse identities" or "interconnected needs" alone. An Aboriginal and Torres Strait Islander learner may experience the intersection of disability with culture, language, age, gender, sexuality, geographic location, socioeconomic circumstances, involvement with child protection or youth justice, and access to health, disability, and education services.

The rights, voices, and aspirations of Aboriginal and Torres Strait Islander people with disabilities must therefore be embedded in education policy, planning, decision-making, implementation, and accountability. Their cultural aspirations must not be treated as secondary to disability support, nor should disability be used as a reason to limit their cultural participation or educational pathways.

A culturally responsive education system is one where an Aboriginal and Torres Strait Islander learner with disabilities does not have to choose between who they are and the support they need. They have the right to both.

The Policy should recognise that disability cannot be separated from culture, community, family, kinship, connection to Country and identity. It should move beyond a medical or deficit understanding of disability and recognise that many of the barriers experienced by learners with disabilities are created by

education systems, inaccessible environments, inflexible practices, discrimination, and inadequate support.

This is also directly relevant to Closing the Gap¹. The National Agreement's Priority Reforms require genuine, shared decision-making, strengthening the community-controlled sector, transforming mainstream institutions, and improving Aboriginal and Torres Strait Islander access to and control over data. Priority Reform Two specifically identifies disability as one of the sectors for joint national strengthening efforts.

Response to survey questions:

1. Do you support the 10-year vision for the Policy?

FPDN response: Yes, with amendments.

FPDN supports the overall vision. The commitments to equitable education, self-determination, cultural safety, freedom from racism, identity, culture, and connection are important foundations for Aboriginal and Torres Strait Islander learners.

However, the vision should explicitly recognise accessibility and inclusion for Aboriginal and Torres Strait Islander learners with disabilities.

The vision currently states that education should be self-determined, accountable, free from racism, culturally safe and affirm identity, culture, and connection. These principles should explicitly extend to ensuring that education is accessible, inclusive, and responsive to the needs and rights of Aboriginal and Torres Strait Islander learners with disabilities.

We recommend the vision acknowledge that:

- Aboriginal and Torres Strait Islander learners with disabilities have the right to participate fully and meaningfully in education.
- Disability inclusion is a core component of culturally safe education, not an additional or separate consideration.
- Education systems must identify and remove physical, communication, sensory, attitudinal, cultural, technological, and systemic barriers to participation.
- Learners with disabilities must have access to reasonable adjustments and appropriate supports without being required to sacrifice cultural connection or identity.
- Families, kin, and communities must be recognised as important partners in understanding and supporting the learner, while respecting the learner's own agency and decision-making.

The vision should also recognise intersectionality. A learner should not have to fit within separate policy categories of "First Nations", "disability", "regional", "young person" or other identities. These intersecting factors can create additional and unique barriers to accessing and participating in education.

¹ National Agreement on Closing the Gap, available at: <https://www.closingthegap.gov.au/national-agreement>



Explicit disability inclusion would also align the Policy with Australia's obligations under the Convention on the Rights of Persons with Disabilities², particularly the rights to equality, accessibility, and inclusive education, and with the United Nations Declaration on the Rights of Indigenous Peoples³.

FPDN suggests adding to the vision:

Aboriginal and Torres Strait Islander learners with disabilities, are supported to participate fully and meaningfully in accessible, culturally safe, and inclusive education. Education systems recognise and respond to the intersection of disability, culture, identity, language, connection to Country, kinship, and community, and remove systemic barriers to learning and participation.

2. Do you support the model underpinning the Policy?

FPDN response: Yes, with a significant strengthening of disability inclusion.

FPDN strongly supports the conceptual approach of placing Aboriginal and Torres Strait Islander learners at the centre of the Policy. The model recognises the interconnected nature of learners' experiences, identities, needs, aspirations, strengths, families, kin, communities, culture, and connection to Country.

This provides an excellent foundation for a cultural model of disability inclusion. However, the model currently does not make Aboriginal and Torres Strait Islander learners with disabilities visible. If disability is genuinely understood as an intersectional experience, it should be reflected in the model itself rather than assumed to be captured by the phrase "diverse identities".

Consistent with the commitments of Closing the Gap, education systems must remove barriers rather than require Aboriginal and Torres Strait Islander people with disabilities to compromise their cultural identity to access their rights as people with disabilities. Cultural rights and disability rights are not competing rights. They are interconnected and must be upheld together.

This means that reasonable adjustments, accessible education, communication supports, specialist services and other disability supports must be designed and delivered in ways that strengthen not displace cultural participation, identity and belonging. Cultural learning, on-Country learning, connection to Elders, family and kin, Aboriginal languages, community participation, and cultural knowledge must remain accessible to learners with disabilities.

Aboriginal and Torres Strait Islander people with disabilities must not be expected to fit themselves into systems that separate disability from culture. The system must change to recognise and uphold the whole person.

FPDN recommends that the model explicitly recognise that a learner's experience of education is shaped by the intersection of disability, culture, identity, family and kin, community, and Country, as well as the education system itself. These aspects of a learner's identity and experience should not be

² United Nations, *Convention on the Rights of Persons with Disabilities*, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities>

³ United Nations, *United Nations Declaration on the Rights of Indigenous Peoples*, available at: https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf





considered in isolation, as they are interconnected and can collectively influence their participation, access, and experience of education.

For example, an inaccessible school may create barriers that are compounded when a learner lives remotely, requires assistive technology, communicates differently, requires Auslan or another communication support, or needs specialist services that are not available in their community.

Similarly, a learner may experience both racism and ableism, including assumptions that disability is a deficit, low expectations from educators, exclusion from learning, inappropriate behaviour management or being removed from mainstream activities.

The model should therefore make clear that system responsibility includes responsibility for eliminating racism and for disability inclusion and accessibility.

3. Do you support the Policy's indicators of a thriving Aboriginal and Torres Strait Islander learner?

FPDN response: Yes, but the indicators need to be strengthened substantially.

The six concepts of Safe, Strong, Ready, Connected, Valued and Excelling provide a positive, strengths-based framework. However, these indicators currently do not sufficiently demonstrate what "thriving" looks like for an Aboriginal and Torres Strait Islander learner with disabilities.

For example, a learner cannot be considered genuinely 'Safe' if they experience ableism, inaccessible environments, bullying, exclusion, restraint, or restrictive practices, or are unable to communicate concerns.

A learner cannot be considered 'Strong' if their disability is viewed through a deficit lens or if the education system focuses on what they cannot do rather than their strengths, identity, and aspirations.

A learner cannot be considered 'Ready' if their developmental, communication, accessibility or support needs are not being met.

A learner cannot be considered 'Connected' if disability-related barriers prevent meaningful participation with peers, family, community, and Country.

And a learner cannot be considered 'Valued' if disability is treated as something separate from their Aboriginal and Torres Strait Islander identity.

We recommend strengthening the indicators of a thriving Aboriginal and Torres Strait Islander learner to reflect the experiences and outcomes of Aboriginal and Torres Strait Islander learners with disabilities. This should be considered in two distinct ways:

1. The experience of the learner

Indicators should measure whether learners with disabilities:

- can access and participate in education, including through reasonable adjustments and communication supports;





- feel safe, included and that they belong;
- have agency and choice in their education;
- receive culturally safe and appropriate disability supports;
- can participate in cultural learning, community, and connection to Country;
- are supported through education transitions; and
- can pursue their educational, vocational, and personal aspirations.

2. The performance of the education system

Indicators should also measure whether education systems are removing or creating barriers, including:

- racism, ableism, and discrimination;
- exclusionary practices and disengagement;
- barriers to reasonable adjustments and disability supports;
- whether learning environments are culturally safe and disability-inclusive;
- equitable access to culture, community, and connection to Country;
- outcomes at key transition points; and
- educational attainment, participation, and pathways beyond education.

The experiences of families, kin and communities should also be considered.

Importantly, data should be disaggregated by disability as well as Aboriginal and Torres Strait Islander status, while respecting Indigenous data sovereignty and ensuring data is collected and used safely.

Closing the Gap Priority Reform Four emphasises the importance of disaggregated, locally relevant data that Aboriginal and Torres Strait Islander communities can access and use to make decisions about their futures.

FDPN would recommend that the Policy commit to developing meaningful data about Aboriginal and Torres Strait Islander learners with disabilities rather than relying on aggregated Aboriginal and Torres Strait Islander or disability data.

4. Do the Guiding Principles provide an appropriate foundation?

FDPN response: Yes, but disability inclusion needs to be explicitly embedded across the principles.

The Guiding Principles are broadly consistent with FDPN's position, particularly the focus on learner-centred practice, anti-racism, partnership, governance, accountability, and quality teaching.

However, there is a risk that disability becomes invisible because it is assumed to be captured under "diverse contexts", "interconnected needs" or "learner needs".

FDPN recommends that disability inclusion and accessibility become an explicit system responsibility.

Aboriginal and Torres Strait Islander Learners at the Centre: This principle should explicitly state that this includes Aboriginal and Torres Strait Islander learners with disabilities and that their voices, lived experiences and aspirations must shape education design.





Anti-Racism: The Policy should recognise the combined impact of racism and ableism and require education systems to identify and address discrimination against Aboriginal and Torres Strait Islander learners with disabilities, including assumptions about their abilities and behaviour.

Partnerships and Shared Decision-Making: Aboriginal and Torres Strait Islander people with disabilities, families and representative organisations should be explicitly included in shared decision-making. This is particularly important because Closing the Gap Priority Reform One specifically recognises the need for the voices of Aboriginal and Torres Strait Islander people with disabilities to be heard in shared decision-making.

Aboriginal and Torres Strait Islander Governance: Aboriginal and Torres Strait Islander disability organisations and people with lived experience of disability should have a meaningful role in policy design, implementation, monitoring and evaluation. This should not be reduced to consultation after decisions have already been made.

Accountable and Transparent: Accountability should include measurable outcomes for Aboriginal and Torres Strait Islander learners with disabilities. The Policy should require governments and education systems to report on whether they are actually improving access, participation, inclusion, and outcomes.

Quality Teaching and Learning: Quality teaching must include capability in disability inclusion, accessibility, reasonable adjustments and strengths-based approaches to disability, alongside cultural responsiveness. This should include teacher education and ongoing professional development.

The final Policy should be accompanied by a funded implementation plan with clear responsibilities, timeframes, measurable disability-disaggregated outcomes, and public reporting. Aboriginal and Torres Strait Islander people with disabilities and their representative organisations must share decision-making authority over implementation, monitoring, and evaluation.

5. Do you support the three Focus Areas?

FPDN response: Yes, with disability inclusion embedded across all three Focus Areas.

FPDN supports the three Focus Areas because they provide a useful structure for considering how learners are learning, what they are learning and who they are learning from.

However, each Focus Area needs to explicitly address Aboriginal and Torres Strait Islander learners with disabilities.

How are they learning?

The Policy already calls for flexible delivery, culturally responsive learning environments, wraparound support and removal of barriers. These commitments should explicitly include disability-related barriers.

The Policy should recognise that accessibility includes:

- physical accessibility;
- communication accessibility;
- sensory accessibility;





- cognitive accessibility;
- accessible curriculum and learning materials;
- assistive technology;
- reasonable adjustments;
- accessible assessment;
- accessible transport and facilities;
- culturally safe disability support;
- flexibility in attendance and participation;
- access to specialist support where required.

There should also be a commitment to ensuring that flexible and place-based education does not inadvertently exclude learners with disabilities.

For example, on-Country or community-based learning should be designed to be accessible rather than assuming that cultural inclusion automatically creates disability inclusion.

The Policy's commitment to wraparound support is particularly important. FPDN recommends that this explicitly include coordination between education, disability, health, early childhood, community-controlled and other relevant services.

What are they learning?

FPDN strongly supports the inclusion of Aboriginal and Torres Strait Islander knowledge, languages, cultures, and ways of knowing, being and doing.

However, curriculum inclusion must also be accessible and inclusive.

The Policy should ensure that Aboriginal and Torres Strait Islander learners with disabilities can participate fully in cultural learning rather than being separated from cultural, community or Country-based activities because of disability.

The Policy should recognise different ways of learning and demonstrating knowledge, including for learners who communicate, process information or demonstrate knowledge differently.

This should include consideration of:

- augmentative and alternative communication (AAC);
- Auslan and other communication systems;
- Aboriginal English and EAL/D;
- accessible learning materials;
- different modes of assessment;
- reasonable adjustments;
- recognition of practical, cultural, community and life skills.

The Policy should avoid creating a situation where a learner's disability prevents their cultural knowledge, strengths and capabilities from being recognised.

Who are they learning from?





FPDN supports the Policy's recognition that educators extend beyond teachers to include Elders, families, community and Country.

Education workforces should have the capability to understand both cultural safety and disability inclusion.

Professional learning should therefore include:

- Aboriginal and Torres Strait Islander disability;
- the cultural model of inclusion;
- intersectionality;
- ableism and its intersection with racism;
- strengths-based approaches to disability;
- accessible communication;
- reasonable adjustments;
- inclusive teaching and assessment;
- trauma-aware and culturally safe practice;
- working respectfully with families, kin and community;
- understanding disability within different cultural and community contexts.

There should also be greater recognition of Aboriginal and Torres Strait Islander people with disabilities within the education workforce, including educators, support workers, leaders and knowledge holders.

The Policy should recognise the lived experience of Aboriginal and Torres Strait Islander learners with disabilities, their families and communities as a form of expertise, and ensure this knowledge informs decisions about the barriers, supports and changes needed within education systems.

The Actions and Expected Outcomes should explicitly include:

- Aboriginal and Torres Strait Islander learners with disabilities participating in and achieving through education on an equal basis, with timely access to reasonable adjustments and supports.
- Cultural, community-controlled and on-Country learning being accessible to learners with disabilities.
- Reduced exclusion, restrictive practices, disengagement and educational disadvantage, measured through appropriately disaggregated data governed according to Indigenous Data Sovereignty principles.
- An education workforce capable of delivering culturally safe and disability-inclusive education, with Aboriginal and Torres Strait Islander people with disabilities represented across education roles and leadership.

Summary of recommendations

FPDN recommends that the final Policy:

- explicitly include Aboriginal and Torres Strait Islander learners with disabilities across the Vision, Model, Indicators, Guiding Principles, Focus Areas and Outcomes;
- embed disability inclusion, accessibility and reasonable adjustments as core elements of culturally safe education;





- recognise the intersection of disability with culture, identity, language, family, kinship, community and connection to Country;
- strengthen shared decision-making and governance by ensuring Aboriginal and Torres Strait Islander people with disabilities, their families, communities and representative organisations have a meaningful role in shaping the Policy;
- improve data about Aboriginal and Torres Strait Islander learners with disabilities while respecting Indigenous data sovereignty;
- ensure curriculum, assessment, communication, learning environments and cultural participation are accessible and inclusive; and
- build the capability of education workforces in cultural safety, disability inclusion and culturally responsive practice, while recognising the expertise of Aboriginal and Torres Strait Islander people with disabilities.
- establish a funded implementation plan with clear responsibilities, timeframes, measurable disability-disaggregated outcomes and public reporting.

Overall, disability inclusion should be embedded throughout the Policy rather than treated as a separate or additional consideration. The final Policy should recognise the whole experience of Aboriginal and Torres Strait Islander learners with disabilities and ensure their rights, strengths and voices shape the education system.

Closing Statement

FDPN supports the direction and foundations of the Policy, but disability inclusion must be explicit throughout its Vision, Model, Indicators, Guiding Principles, Focus Areas, Actions and Expected Outcomes. The final Policy should recognise that Aboriginal and Torres Strait Islander learners with disabilities experience education through the interconnected realities of culture, identity, family, kinship, Country, language, geography and disability. An Aboriginal and Torres Strait Islander learner with disabilities does not experience their disability separately from their culture.

The Policy should be co-designed, implemented and evaluated with Aboriginal and Torres Strait Islander people with disabilities and their representative organisations. This must be supported by a funded implementation plan, measurable outcomes, shared decision-making authority and public accountability.

Accessibility Statement

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