

9 April 2009



Update on IHC's education complaint to Human Rights Commission

As you're aware, on 31 July 2008 IHC lodged a complaint to the Human Rights Commission in respect of practices that occur at local schools that government is responsible for, and that discriminate on the basis of disability.

The Human Rights Commission has just this week formally notified the Ministry of Education of the complaint. This signals the beginning of the formal complaints process. While reaching this stage has taken some time, we believe the seriousness of the difficulties disabled students have faced for decades has made it necessary for everyone involved to reflect deeply upon how the problem can be resolved once and for all.

You may also be aware of the Ministry of Education's initial response to the complaint, which can be found on IHC's website: <http://www.ihc.org.nz/Portals/0/Get%20Information/education-complaint/response-ministry-of-education-apr08.pdf>

The Ministry reiterated its commitment to providing equal learning opportunities, which is to ensure:

that there are no barriers to enrolment and participation in education for children and young people with additional support needs.

The Deputy Secretary Special Education described how this could happen:

To achieve this I commit to personally looking into every situation which comes to my attention where it is alleged that a child has been discriminated against enrolling in a school because of their additional support needs.

It was equally pleasing to see that on 20 February 2009 the Secretary for Education, Karen Sewell, wrote to all schools reminding them of their statutory obligations to students with disabilities.

IHC welcomes the Ministry's commitment and encourages all parents of children who believe their son or daughter's right to equal learning opportunities at their local school may be compromised to contact the Deputy Secretary Special Education directly:

**Nicholas Pole
Deputy Secretary Special Education
Ministry of Education
PO Box 1666
Wellington**

Further call for complaint participants

Thank you to all parents, principals, boards of trustees, principals' associations, teacher unions, academics and others for the huge amount of support shown by allowing your stories to be told as part of the formal body of evidence necessary to support the claim. Parents have provided some extremely

moving and compelling accounts of discrimination that clearly illustrate the problems the complaint aims to address. Principals and boards of trustees have also provided important evidence that shows it is government we must convince to ensure equal learning opportunities are provided to all students.

While a significant amount of evidence has been collected, we would still welcome contact from new participants, whether parents, principals, boards of trustees, principals' associations, teacher unions, disability or education groups who wish to be involved. The testimony of those who experience what happens is a crucial part of the complaint.

Detailed information on what is required from participants and what involvement will mean can be found here on IHC's website: <http://www.ihc.org.nz/Portals/0/Get%20Information/education-complaint/invitation-to-participate-aug.pdf>

A brief outline is as follows:

- Evidence from each participant, whether from parents, principals, boards of trustees or an organisation will be in the form of written statements.
- The process for gathering the information begins by participants providing IHC with a written outline of their experiences.
- IHC will assist each participant to convert each outline into a consistent format for use in the complaint.
- IHC will liaise closely with each person or organisation to ensure complete and accurate accounts of people's experiences are recorded.

For further information about the complaint please visit: <http://www.ihc.org.nz/Default.aspx?tabid=1621>

For more information about participating, or to forward written accounts of your experiences, please contact:

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Wellington
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We hope that you will join us to address what has become a serious human rights issue for one of the most vulnerable groups in our community.

Yours sincerely



Trish Grant
Director of Advocacy