

# Quality education for disabled students

**Families, teachers and principals have told IHC over several decades that the education system too often disadvantaged and discriminated against disabled students.**

In 2008, IHC made a complaint to the Human Rights Commission, under the *Human Rights Act 1993*. The complaint alleged that inadequate Government systems and policies led to unfair treatment of disabled students, compared to their non-disabled peers.

Working with families and the education sector, IHC pursued legal action seeking equity over the following 15 years.

Using data and evidence from families, the education sector, Government reports, and guidance from international human rights

conventions, IHC developed the Framework for Action as a starting point to create a fairer education system for disabled students.

In November 2025, IHC and the Government settled the legal action to the benefit of disabled students and their families. The settlement is the starting point for long-term, systemic change.

The Government has now acknowledged that the education system needs to be improved for disabled students and the Ministry of Education has agreed to take reasonable steps to implement the Framework.

The Ministry has also agreed to establish a stakeholder group, chaired by IHC, with representatives from the disability sector to monitor and support implementation of the Framework for at least a six-year period.





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## Stakeholder group

The Ministry will try to ensure the stakeholder group includes representatives from the following groups:

- Disabled people
- Tangata whaikaha Māori
- Whanau of disabled learners
- Disability education advocacy groups and
- A member from Pacific communities.

## What it means

Not all disabled students have had an equitable opportunity to enjoy a meaningful education in New Zealand, and this settlement will start to fix that.

The settlement is confirmation of statements by successive Ministers that the education system is not working for all disabled students. The Ministry of Education has agreed to progress work that will implement the Framework for Action designed by IHC to start to create equity.

Critically, this is a win for all disabled students that is based in recognition of their fundamental human right to education on an equal basis to their non-disabled peers.

This is the start of long-term improvements to how the Government supports disabled students. The objectives are to promote better resourcing policies, initial and ongoing teacher training and development, systems and support for schools and teachers, so they have what they need to support disabled students' learning and participation in school life.

## What IHC campaigned for

Disabled children and young people should be able to enrol and receive an education on the same basis as all children.

That means having:

- a no-strings-attached welcome from the school
- required adaptations in place so every child has what they need to learn
- teachers who are confident to teach diverse children
- full-time attendance each day and over the school year
- a commitment from schools that all children are part of every activity, for example sports, camps and concerts
- monitoring of learning to identify what further adaptations might be needed for achievement
- education policy transformation that results in schools having the human and financial resources needed to ensure disabled children have equitable access to, and outcomes from, the education system.

# Framework for Action

## – Summary

IHC's settlement with the Government says the Ministry of Education will take reasonable steps to implement the following actions.

<p>1. Enhanced data reporting</p> <p>2. Improved data collection</p>	 <p><b>Disabled students count, too</b></p> <ul style="list-style-type: none"><li>• Collect data on the number of students needing accommodations, such as assistive technology, accessible testing conditions, adapted teaching materials or classroom equipment, and specialist support services to learn.</li><li>• Data and evidence informs policy and resourcing, so disabled students have what they need for success.</li><li>• Investigate better options for how data is reported and published, so we know how the education system is working for disabled students.</li></ul>
<p>3. Alternative funding structures</p>	 <p><b>Greater funding impact</b></p> <ul style="list-style-type: none"><li>• Investigate alternative funding structures with a focus on early investment and wraparound support.</li><li>• There is an emphasis on funding effectiveness, impact and consistency with reasonable accommodation and accessibility.</li></ul>
<p>4. Access to specialist support services</p>	 <p><b>Quicker access to specialists</b></p> <ul style="list-style-type: none"><li>• Address workforce supply issues and issues between specialists and schools to support better and more timely access to specialists.</li><li>• The focus is on reducing the long waiting lists for specialists, including speech language and behavioural psychologists.</li></ul>
<p>5. Collaboration with System Stewards</p>	 <p><b>Working together for disabled learners</b></p> <ul style="list-style-type: none"><li>• Seek collaboration with education system stewards to identify and resolve concerns about enrolment, participation, learning, and achievement of disabled learners.</li></ul>



# Framework for Action – Summary

<p>5. Collaboration with System Stewards</p>	 <ul style="list-style-type: none"> <li>• Focus on effective teaching and monitoring of the achievement of diverse learners, through: <ul style="list-style-type: none"> <li>◦ Initial Teacher Education programmes</li> <li>◦ Mentoring for teachers and principals</li> <li>◦ Teacher standards</li> <li>◦ Accreditation and registration processes.</li> </ul> </li> </ul>
<p>6. Inclusive curriculum</p>	<p><b>Disabled students enabled to learn</b></p>  <ul style="list-style-type: none"> <li>• Ensure the curriculum is responsive to the needs of all learners and disabled learners have their learning achievement monitored and reported on like all other students.</li> </ul>
<p>7. Accessible infrastructure</p>	<p><b>Inclusive school environments</b></p>  <ul style="list-style-type: none"> <li>• Take steps to ensure schools are able to make physical accommodations, including technology and access, needed by disabled students.</li> <li>• Develop a transparent method for monitoring accessibility and accommodations provided.</li> </ul>
<p>8. Specialist Network Investigation</p>	<p><b>Disabled students have what they need in all schools</b></p>  <ul style="list-style-type: none"> <li>• Investigate impacts of a dual system where there are both mainstream and specialist schools to inform resourcing and equity considerations.</li> </ul>
<p>9. Address deficit-based approaches</p>	<p><b>Strengths rather than deficits</b></p>  <ul style="list-style-type: none"> <li>• Investigate the impacts of deficit-based funding on students, parents and communities.</li> <li>• IHC has heard from families how difficult it can be to focus on the negatives when seeking funding. The Ministry has committed to investigate connections between policy and attitudes of ableism.</li> <li>• IHC hopes this will result in policy that focuses on what disabled children need for learning, rather than their perceived deficits.</li> </ul>