

5 top tips

for advocating for your
child's right to
education



Know your rights!



New Zealand aims to have an education system, where **disabled children and students have the right to an inclusive education**, with reasonable accommodations and necessary support provided.

There are various laws, United Nations conventions and frameworks that support this. Which of these are relevant will depend on the age of your child and the type of educational facility your child is attending (preschool, primary, secondary, private school, tertiary).



An overview of some of the main legislation, conventions and frameworks is available and on Community Law's website [here](#). The **Enabling Good Lives** approach is also a useful framework to support your child's right to education—you can read more about how Enabling Good Lives principles apply to education [here](#).

Referring to your child's rights when communicating with educational professionals not only highlights the importance and fairness of an education for your child but also helps to move away from any perception that inclusive education is a favour. **It's a right!**

As the saying goes, **'Knowledge is power.'** By understanding your child's rights to an education and the supporting legislation and frameworks, it will be easier for you to advocate confidently and effectively on your child's behalf.

For example, if your local primary school is refusing to enrol your child or is asking you to keep your child at home for part of the school day, you can remind them that under sections 33 and 34 of the Education and Training Act 2020, your child has a right to enrol and attend school full time.

Build a collaborative partnership with the school

When the school and family are working together a positive, collaborative relationship is built, which works in the best interests of the child and enables the best educational outcomes.



It can take time to build these relationships. If you are friendly, open, and assume the good intentions of others, professionals should meet you where you are—with their good intentions. They are generally doing the best they know how.



All interactions with school staff build relationships. If you can, get involved and contribute to the wider school community, that could be keeping up-to-date with the school notices and social media pages, attending as many school assemblies and other school events as possible, or volunteering to help at fundraisers, on day trips or standing for the Board of Trustees.

By proactively sharing positive information about your child, you can help the school get to know them. Then it's easier for the school to value the diversity they contribute.

- At the start of the school year, share a one-page profile about your child summarising your child's likes, dislikes, learning preferences, strengths, sensory needs and triggers.
- During the year, occasional emails to your child's teacher about your child's achievements outside school encourages progress-sharing in return.
- Always use appropriate, mana-enhancing language when talking about your child (set a good example for others!) and agree in advance on the best way to maintain regular communication between home and school (i.e. using a communication notebook, Seesaw or similar, or email).



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Communication is key

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When communicating with educational professionals, always stick to the facts.

Although it can be difficult at times, try not to let too much emotion creep in—your message will be better understood if facts speak before emotion. Here are some ideas to stay on track:

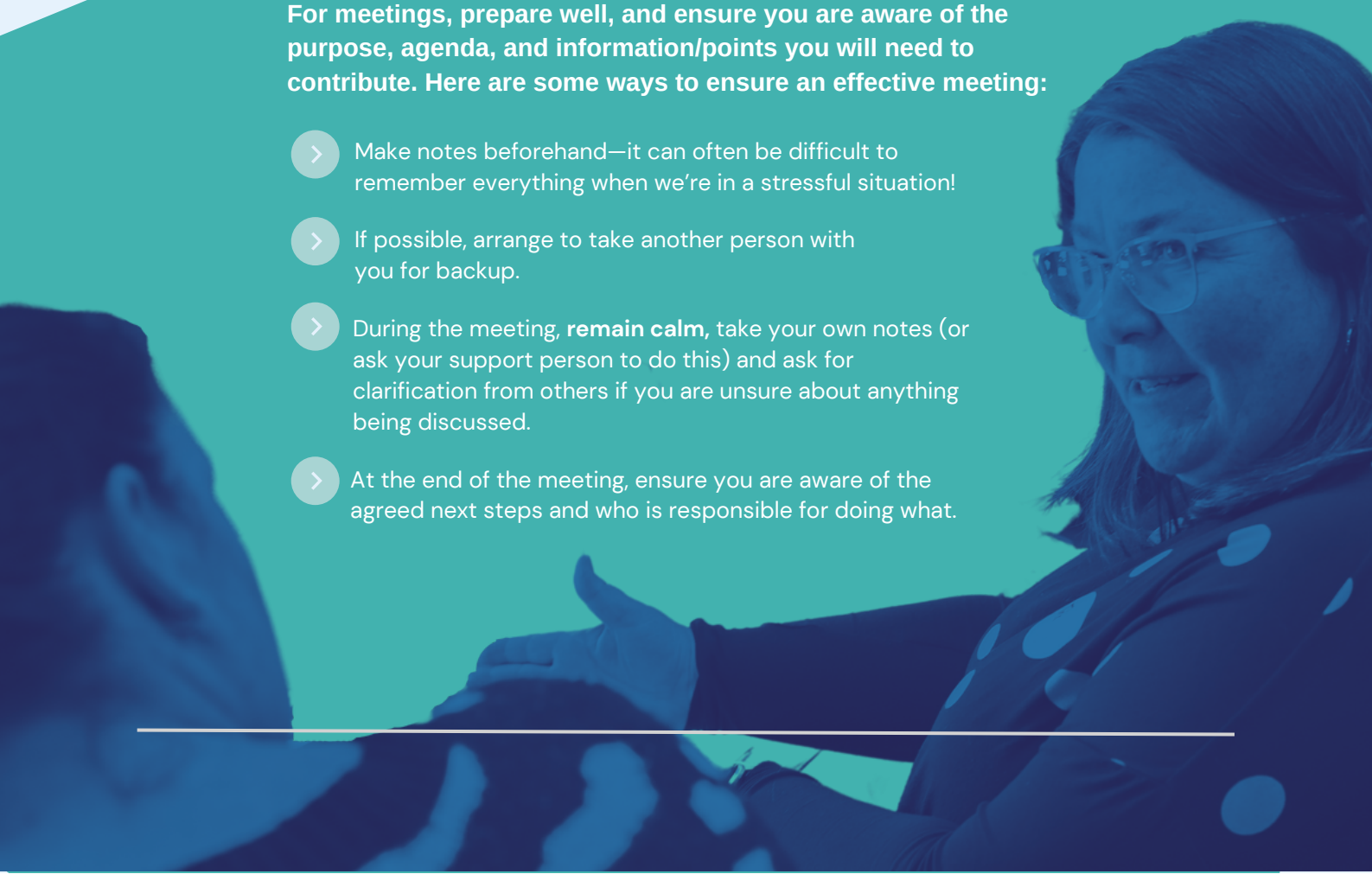
- > Be prepared (do your homework), and ensure your understanding of events, issues, or incidences is correct.
- > Remain respectful, assertive and non-confrontational, as this will help in reaching better outcomes.
- > Be aware of the timing of your communications—do not email your child's teacher late at night, and if you need to meet in person, arrange a time that works for you both.

Keep a paper trail of all communication.

Jot down notes of phone conversations and keep copies of emails and other written correspondence. Having a paper trail limits opportunities for misunderstandings, makes it clear who has agreed to what, and will help you remember past events or dates if need be.

For meetings, prepare well, and ensure you are aware of the purpose, agenda, and information/points you will need to contribute. Here are some ways to ensure an effective meeting:

- > Make notes beforehand—it can often be difficult to remember everything when we're in a stressful situation!
- > If possible, arrange to take another person with you for backup.
- > During the meeting, **remain calm**, take your own notes (or ask your support person to do this) and ask for clarification from others if you are unsure about anything being discussed.
- > At the end of the meeting, ensure you are aware of the agreed next steps and who is responsible for doing what.



Be solution-focused



When issues arise, have some ideal solutions ready from your perspective, and the school's.

For example: You could explain that frequent short breaks during the day for your child to get up and move around, will result in them being calmer, more regulated, and therefore less likely to have a meltdown during the school day—a positive outcome for everyone involved.



Keep an open mind and be prepared to consider others' opinions.

For example: After suggesting the solutions, show that you are willing to listen to others' perspectives by asking, *"What do you think?"* or *"What have you done in the past for other families in this situation?"* Asking questions in this way can help to gently shift the focus back onto the professionals to consider how they will create an inclusive educational environment for your child.



Think about creating a vision plan for your child.

This is a description of what a good life looks like for your child and acts as a compass to keep you on track as you evaluate choices and navigate challenges over time.

A vision plan can also be helpful when communicating with professionals and trying to enlist their support—if educational professionals are aware of your longer-term vision for your child, they may find it easier to understand (and hopefully support) your perspective on various issues.

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Understand your options if things aren't going well

> Talk to your support network

If you are having difficulties with your child's education, as a first step, it can be helpful to **connect with your support network** (family members, friends and other parents who have experienced a similar issue) to discuss the issue and get any tips or advice about how best to move forward.

> Speak to the school

When discussing the issue with the school, generally, the first step is to have an **informal discussion with the people directly involved** (i.e. the teacher, SENCO, Principal) or to send an informal email. If one-on-one discussions/emails are not helping to resolve the issue, the next step would be to include all relevant parties in email correspondence—this will provide transparency and promotes a collaborative team approach to resolving the issue. Most issues can be resolved informally.

> Contact the Ministry of Education

Another option is to contact your local Ministry of Education office for support and guidance. Depending on the Ministry's involvement, the Ministry of Education representative could be included in any group email correspondence, as mentioned above.

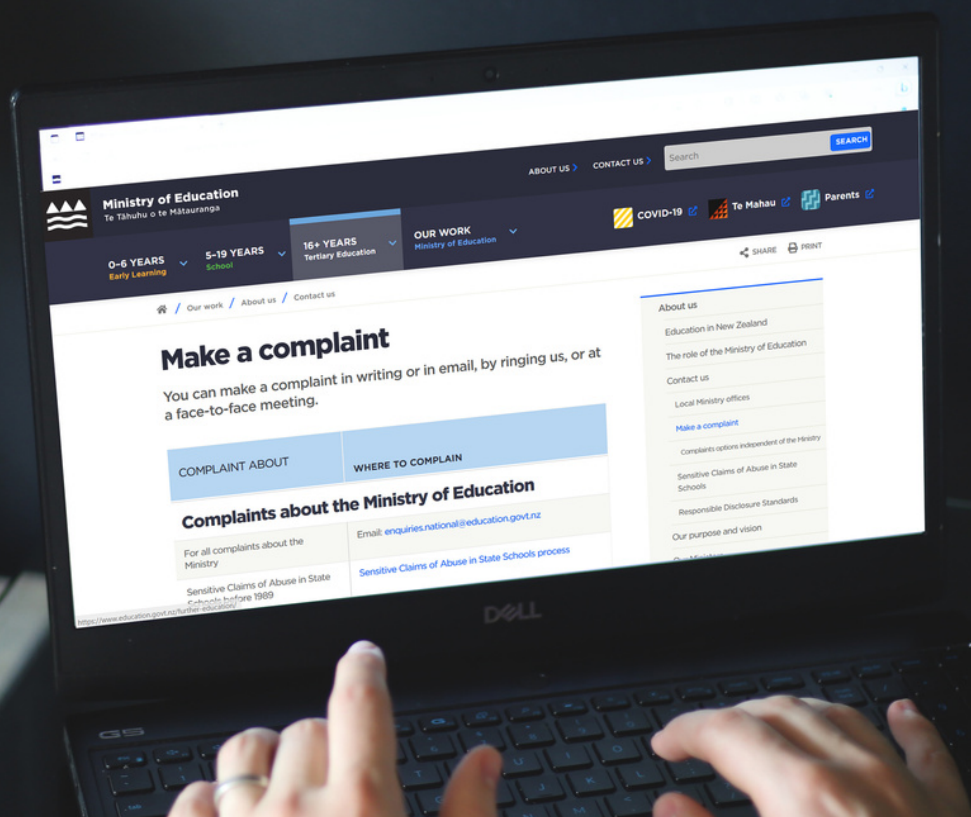
Filing a complaint

If you are unhappy with the outcome or response from taking these informal steps, **the next step is to file a formal complaint** with the school, following the process as outlined in the school's **Complaints Policy**. All schools should have a copy of their Complaints Policy available for families to access—do ask the school office if you are unsure where to find it.

For most schools, this process would involve putting your concerns in writing to the Principal and/or the Board of Trustees.

When writing a formal complaint, keep the format and length of the letter or email appropriate and the language **professional** and **non-confrontational**. Ensure you have your **facts** correct, and make it clear what your concerns are and your desired outcomes and solutions. **Ask someone else to read it** for appropriateness before submitting it!





Escalating your concerns

If you are unhappy with the response or outcome after filing a formal complaint with the school, there are other avenues to escalate your concerns. How you do this will depend on the issue at hand. You can read about different avenues for escalating complaints (as well as the process for making a complaint about the Ministry of Education) on the Ministry of Education's website [here](#).



Pick your battles

A note on choosing not to escalate concerns:
Advocating for your child's right to an inclusive education, and following through with a complaints process, takes time and energy. It is essential to consider your own capacity, your needs, and your other responsibilities before deciding to escalate concerns or complaints. Do you have the energy to see this process through? Sometimes, prioritising your own needs or those of the wider family might mean you decide not to take any action when issues arise and accept the situation as it is. Alternatively, it could mean you decide to remove your child from that school if you feel the environment isn't welcoming. Both options are perfectly valid—it is wise to pick your battles!



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