The Senate

# Employment, Workplace Relations and Education References Committee

## Education of students with disabilities

December 2002

# Membership of Committee

**Members for the 40<sup>th</sup> Parliament**

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| Senator John Tierney | LP, New South Wales | Deputy Chair |
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**Substitute Member**

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| Senator Lyn Allison<br>for Senator Stott Despoja – Schools and Training | AD, Victoria |

**Sub-Committee for inquiry into education of students with disabilities**

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# Terms of Reference

## Inquiry into the Education of Students with Disabilities

(1)    Inquire into the education of students with disabilities, including learning disabilities, throughout all levels and sectors of education, with particular reference to:

    (a) whether current policies and programs for students with disabilities are adequate to meet their education needs, including, but not limited to:

        i)      the criteria used to define disability and to differentiate between levels of handicap,

        ii)      the accuracy with which students' disability related needs are being assessed,

        iii)      the particular needs of students with disabilities from low socio-economic, non-English speaking and Indigenous backgrounds and from rural and remote areas,

        iv)      the effectiveness and availability of early intervention programs,

        v)      access to and adequacy of funding and support in both the public and private sectors,

        vi)      the nature, extent and funding of programs that provide for full or partial learning opportunities with mainstream students,

        vii)      teacher training and professional development, and

        viii)      the legal implications and resource demands of current Commonwealth and state and territory legislation; and

    (b) what the proper role of the Commonwealth and states and territories should be in supporting the education of students with disabilities.

(2)    That the Committee report to the Senate by the last sitting day in October 2002.

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# Abbreviations/Acronyms

| | |
|---|---|
| AAD | Australian Association for the Deaf |
| ABS | Australian Bureau of Statistics |
| ACROD | National Industry Association for Disability Services |
| ADHD | Attention Deficit Hyperactivity Disorder |
| AEU | Australian Eduction Union |
| AGSRC | Average Government School Recurrent Cost |
| ALDA | Australian Learning Disability Association |
| ANTA | Australian National Training Authority |
| AUSPELD | The Australian Federation of SPELD Associations |
| CFS | Chronic Fatigue Syndrome |
| CQU | Central Queensland University |
| DEST | Department of Education, Science and Training |
| DDA | *Disability Discrimination Act 1992* |
| DLO | Disability Liaison Officer |
| HEEP | Higher Education Equity Program |
| IEU | Independent Education Union |
| ME - CFS | Myalgic Encephalomyelitis – Chronic Fatigue Syndrome |
| MCEETYA | Ministerial Council on Education, Employment, Training and Youth Affairs |
| NCEC | National Council Education Commission |
| NCISA | National Council of Independent Schools Association |

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|---|---|
| NCVER | National Centre for Vocational Education Research Ltd |
| OECD | Organisation for Economic Cooperation and Development |
| QPPD | Queensland Parents for People with a Disability |
| SAISO | Strategic Assistance for Improving Student Outcomes |
| SGA | *States Grants (Primary and Secondary Education Assistance) Act 2000* |
| TAFE | Technical and Further Education |
| UNESCO | United Nations Educational Scientific and Cultural Organisation |
| UNICEF | United Nations Children's Fund |
| VET | Vocational Education and Training |

# Recommendations

*Chapter 1*

**Recommendation 1- page 8**

The committee recommends that, within a reasonable period, all teacher aides working with students with disabilities should be qualified in special education from an accredited teacher aide training course, and that this should be a condition of additional Commonwealth funding for disability education.

*Chapter 2*

**Recommendation 2 – page 26**

The committee recommends that the Commonwealth commission a study to develop a best practice funding model to support the needs of students with disabilities in schools.

**Recommendation 3 – page 28**

The committee recommends that MCEETYA develop nationally agreed definitions of disabilities.

*Chapter 3*

**Recommendation 4 – page 40**

The committee recommends that MCEETYA investigate the development of teacher exchange programs for staff of 'lighthouse' special schools and mainstream schools.

**Recommendation 5 – page 45**

The Committee recommends that MCEETYA commission an assessment of the outcomes of inclusive policies for students with disabilities; and devise implementation and professional development strategies for teachers and school administrators to improve these outcomes.

**Recommendation 6 – page 46**

The committee recommends that MCEETYA develop a policy on inclusive education that recognises the importance of having a range of schooling options for students with disabilities.

*Chapter 4*

**Recommendation 7 – page 52**

**The committee recommends that, subject to assessment under Australian trials currently being conducted, routine screening of the hearing of all Australian newborn children should be adopted.**

**Recommendation 8 – page 53**

**The committee recommends that MCEETYA should examine options to re-introduce some form of regular screening for sensory impairment for school and pre-school age children, either within schools or as part of community health and immunisation programs.**

**Recommendation 9 – page 74**

**The committee recommends that the transition of students with disabilities from school to further study, employment and lifelong learning should be the subject of further inquiry.**

*Chapter 5*

**Recommendation 10 – page 80**

**The committee recommends that all university teacher training courses include a mandatory unit on the education of atypical students (including students with a disability and gifted students), to familiarise trainee teachers with classroom methods appropriate for students across the spectrum of ability.**

**Recommendation 11 – page 86**

**The committee recommends that the *Teachers for the 21st Century—Making the Difference* program should be extended as a national professional development scheme, with funding augmented to target improved performance outcomes for teaching and learning especially for atypical children in all education settings.**

**Recommendation 12 – page 86**

**The committee also recommends that the Commonwealth, through MCEETYA, should set out broad guidelines on the duration and structure of courses to be implemented through this national professional development scheme, and establish an appropriate evaluation process.**

**Recommendation 13 – page 93**

**The committee recommends that MCEETYA undertake a study to identify deficiencies in service provision for students with disabilities in rural, regional and remote areas, as part of a project aimed at addressing the overall shortage of specialist educators.**

**Recommendation 14 – page 94**

The committee recommends to MCEETYA that research be undertaken to evaluate the effects of changes in the role and employment conditions of special education teachers, and to assess the adequacy and appropriateness of current specialist consultation models.

*Chapter 6*

**Recommendation 15 – page 105**

The committee recommends that the Department of Education, Science and Training explore options for the establishment of a scheme designed to assist students with disabilities to purchase assistive equipment.

**Recommendation 16 – page 108**

The committee recommends that the Commonwealth fund universities to develop long-term strategies to improve the physical environment and pedagogy of universities to ensure equality of access for students with disabilities.

*Chapter 7*

**Recommendation 17 – page 118**

The committee recommends that the Attorney-General formulate the Disability Standards for Education 2002, under paragraph 31 (1) (b) of the *Disability Discrimination Act 1992*; it also recommends that the Commonwealth take the necessary legislative action to put the education standards beyond legal challenge.

**Recommendation 18 – page 122**

The committee recommends that Commonwealth, state and territory governments share the cost of implementing the education standards. MCEETYA is the appropriate forum to determine the extent that these costs should be shared.

**Recommendation 19 – page 126**

The committee recommends that the conditions on which financial assistance is paid to state and territory education authorities, and the supporting guidelines for quadrennial funding, should be strengthened to include reporting processes that ensure that Commonwealth funds for students with disabilities are spent on students with disabilities.

# EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION

REFERENCES COMMITTEE

10 December 2002

Senator George Campbell
Chair
Employment, Workplace Relations and Education Committee
Parliament House
CANBERRA  ACT  2600

Dear Senator Campbell

The subcommittee formed to deal with the inquiry into the education of students with disabilities has completed its report and has made unanimous recommendations.

We commend this report to the full committee.

Yours sincerely


Senator Kim Carr
Subcommittee Chair



Senator Lyn Allison                    Report formally adopted by the
                                       committee on 10 December 2002 for
                                       tabling in the Senate.


Senator John Tierney



                                       Senator George Campbell
                                       Chair

# Preface

This inquiry has highlighted problems and challenges facing not only those most immediately concerned with the education of people with disabilities, but governments and school systems concerned with the totality of education decision making. Reading the evidence to the inquiry, listening to witnesses and visiting schools gave the committee some insight into the anxieties and stress endured by parents in attempting to obtain the best educational outcomes for their children. A degree of frustration was evident in a substantial number of submissions from parents. Less well documented was evidence of teacher frustration from having to deal with a wide range of learning needs and, sometimes, manifestations of behaviour associated with disabilities which they may not be equipped to handle. Nonetheless, the committee received sufficient insight into classroom problems to suggest that dealing with the needs of students with disabilities contributed to increased stress among teachers.

This inquiry arises from two concerns the committee has about the effectiveness of Commonwealth programs affecting the teaching of students with disabilities in schools and in post-secondary education. The first concern is that children and their parents are not being given the support that they need in the education systems. Many parents are under a double disadvantage: having children with either multiple disabilities or coming from a socially disadvantaged background. This is a human rights issue of considerable significance. Social justice demands that students with disabilities should have equal access to education. Commonwealth, state and territory anti-discrimination legislation support this fundamental principle, yet there still appear to be marked disparities in the quality of educational opportunities offered to students with disabilities. The committee was disappointed with the failure of the nation's peak education body, the Ministerial Council for Employment, Education, Training and Youth Affairs (MCEETYA) to finalise education standards at its July 2002 meeting. This is a failure at the national level to recognise the paramount issue of equity in the provision of services to those with disabilities.

The second concern of the committee arises from the first: whether Commonwealth funding is being effectively targeted at deficiencies in the provision of education programs for students with disabilities, at school and system levels, and in post-secondary education. There is unambiguous evidence of under-resourcing of programs aimed at bringing students with disabilities into the mainstream of learning; as well as funding inconsistencies between states. More significantly, there is evidence that under-resourcing reflects the wider problem of diminishing resources for the education of all people.

When the committee refers to resourcing, it intends this to mean not only to what is in the budget, but what is in the stock of human and social capital needed to secure good educational outcomes and happy and productive people with a sense of self-worth. Much evidence was received that the shortfall in the 'attitude' budget was indicative

of a problem more serious than a shortage of funds. This is the context in which the committee records its conclusions and makes its recommendations.

Any Senate inquiry will give particular attention to funding policy and financial arrangements. The Commonwealth does not run schools or universities, but there is a clear link in education funding through the *States Grants (Primary and Secondary Education Assistance) Act 2000* and the *Higher Education Funding Act 1988* from the Parliament to the recipients of Commonwealth funding. This committee has an interest in the use to which funds are put and the validity of evaluations of program outputs. It looks for indications that there is a transparent process though which recipients are able to account for the ways in which Commonwealth funds are spent.

The committee received many submissions from representative bodies in the non-government school sector about the problems of meeting the needs of a growing number of students with disabilities in the sector. Around 20 per cent of students with disabilities attend non-government schools. Given the extent of Commonwealth funding for this sector, the committee was surprised to find how little these students were supported. The committee accepts that funding disability education in all school sectors will continue to be problematic but argues that any review of funding arrangements for the non government sector must be considered in the context of the total resources already available to that sector.

Similarly, most submissions from the post-secondary school sector told of the financial difficulty of meeting the support needs of students with disabilities. When viewed against a context of diminishing public funding and a growing number of students with increasingly complex disabilities, this situation is unlikely to improve. Students with disabilities are under represented in post-secondary education and while evidence suggests that this sector has comprehensive systems and procedures in place to support these students, many continue to be disadvantaged by their disability. In part this results from students having to bear the financial costs of studying with a disability, with less likelihood of their being able to supplement their incomes from employment. Compounding the disadvantage is a general lack of awareness about inclusive teaching practices by teaching staff.

The committee heard evidence that the proportion of students with an identified disability is increasing, relative to the overall student population. Early diagnosis of physical and sensory disability and improved early medical intervention is making educational prospects easier for some. There are problems, however, in dealing with increased numbers of children suffering from autism and from various learning disabilities. School education authorities have been generally reluctant to define learning disabilities; with most states using the same remedial programs to meet the needs of students with learning disabilities as they use for a student who is having learning difficulties. For a student with a diagnosed learning disability this may be neither sufficient nor appropriate. The committee recognises the importance of reaching national agreement on the definition and assessment of learning disabilities, and for the purposes of this report defines a learning disability as a neurological impairment that is intrinsic to the individual and is life long. A person with a learning disability will have severe and prolonged difficulties in the acquisition and

development of expected literacy, numeracy and reasoning skills given at least average intelligence and in the absence of other causal factors. Few interest groups and individuals write submissions to parliamentary inquiries reporting that all is well with the policy under consideration, and recommending that it continue. The committee accepts that not all students and parents who share the burdens of coping with a disability, are adversely affected by current policy and practices. There are many dedicated, gifted and knowledgeable teachers offering excellent programs catering for students with a range of disabilities. The committee saw some of them in action. Nonetheless, although satisfied parents and students do not usually write submissions, neither do many, perhaps most, of those whose experiences are far less happy.

The evidence from many submissions and from witnesses who appeared before the committee gives the clear impression that quality education for students with disabilities is a scarce commodity in schools generally. A picture has emerged of students affected by disabilities taught in many cases by teachers unskilled or lacking confidence in their ability to involve them in the full curriculum, resulting in these students performing at less than their full capability, and being regarded as marginal participants in the activities of the school community. Evidence also indicates that there is a considerable level of unmet need, especially in the area of learning disabilities. The committee was told of exceptional schools, not to be included in this generalisation. A number of particular schools were commended for their achievements in regard to inclusion policies and successful educational outcomes. Well-informed witnesses left the committee with a strong impression that such schools are in a select minority.

The committee received much evidence of a serious and worsening skills shortage among teachers who increasingly find students with disabilities assigned to their classes. Teachers are not always prepared for this experience, and unskilled in methods which involve teaching across a wide spectrum of abilities, capabilities and disabilities. They are often unsure of dealing with the classroom dynamics that are affected by the presence of students with different disabilities, particularly in secondary schools. For the most part, trainee teachers receive insufficient exposure to the theory and practice of dealing with students with disabilities. Of much greater concern is the unlikelihood of most teachers already in service receiving adequate professional development in this area. This represents a sadly wasted opportunity to graft specialised knowledge and skills effectively onto general experience and confidence which develops as teachers settle into their profession.

The training deficit is exacerbated by the decline in the specialist knowledge base of the profession. Staff rationalisations over the past decade have reduced the number of specialists as it has been assumed that with inclusion policies now broadly accepted, classroom teachers will develop skills in areas that were once the domain of specialists. The closure of a number of special schools, a policy given broad support, has nonetheless resulted in an overall loss of expertise. The remaining specialists attached to schools are often as lonely and isolated as the students in whose interests they are working. There is now a serious shortage of specialists in areas of sensory disabilities as well as in autism and learning disabilities. As specialist education

training is regarded by universities as 'demand driven', there are fewer course options available to teachers who want to specialise, and a number of universities have ceased offering such courses entirely.

The training deficit needs to be urgently addressed, and an attitudinal change to professional development is long overdue. The report of this committee on the status of teachers, tabled in 1998, pointed to the institutional weaknesses in the programs now conducted, and the adverse effects of devolution of responsibility onto schools. The committee takes the view that effective professional development in the area of disabilities requires programs to be properly structured and sustained over a period of time, involving both theoretical material and active involvement in practical 'best practice' experiences. Quality professional development comes at a cost. If the outcomes of this training result in attitudinal change in regard to inclusive education, improved teaching methods and increased levels of pedagogical and technical skills, these costs will be justified.

This report includes a chapter on inclusive education because this policy is widely accepted as likely to lead to the most desirable learning outcome for students. Inclusive education also recognises the human rights and equal entitlements of those with disabilities and embraces certain social responsibilities and ethical goals which are supposed to be consistent with a polity such as Australia. There is considerable evidence that some of these responsibilities are proving to be onerous. The continuing MCEETYA wrangle over the education standards, and concerns about the largely untested scope of the definition of disability under the Disability Discrimination Act show that commitment to fiscal rectitude is taken more seriously than commitment to principle.

The committee notes criticism of schools and education authorities by parent groups about their alleged failure to take inclusion seriously. Some submissions have argued that the willingness of state education authorities to embrace inclusive education has as much to do with the opportunities it affords to make savings as it does to the educational and social principles that are supposed to underlie the change. The committee accepts that there is some basis for this assertion. Reported instances of insensitivity, lack of consultation and underestimation of a student's learning ability by schools and principals have been noted in many submissions. A great deal of this failure on the part of schools can be attributed to education and training deficiencies. Attitudinal problems may also be partly explained by lack of training and to the normal pressures that face schools in a climate of financial stringency. Even the most enlightened and committed school principals have a limited ability to impose an ethos in a school which is too far in advance of community attitudes.

Parents of children with disabilities are naturally conscious of the needs of their children to be fully accepted into the social life of the school. The committee acknowledges the importance of this view, while agreeing the learning needs of students must be given priority. Inclusive education must continue to embrace a number of learning centre options, where required. A small minority of students will need varying levels of withdrawal from the mainstream classroom, depending on the nature of their condition, if their needs are to be properly met. From another angle, the

learning environment of all students must be safeguarded, both in regard to their physical safety and in regard to their ability to concentrate on their learning tasks. Schools are responsible for ensuring that these conditions are maintained.

This report is not intended to be comprehensive in covering the field of issues relevant to the teaching of students with disabilities. If there are omissions noted, it will be because few, if any submissions were received in regard to them. On the other hand, the committee regrets that it has not been able to give adequate attention to a number of issues of which it is aware, in the time it has had to report. One issue in particular; the transition from school to work, may warrant an inquiry of its own. The social justice outcomes for our school system require attention to the ability of schools and vocational training institutions to prepare students for work in particular, as well as life in general. Adjustment to the workforce begins in schools, and there is evidence that more focus needs to be put onto work as an outcome rather than a vague possibility that may follow.

The committee notes that state education and other school authorities have either made recent policy pronouncements on education for disabilities or are in the process of revising policy. The coincidence of this with MCEETYA's deliberations over standards provides the Commonwealth with an opportunity to initiate policy, leading to sustained improvement in the educational and lifetime prospects of students with disabilities. The committee believes that this would be best achieved through addressing the training and retraining of teachers and specialist staff, but also agrees that the Commonwealth must accept a level of financial responsibility for the implementation of the standards. Schools cannot transform their curriculum and their culture by ministerial or administrative fiat. There is a cost involved. The inclusion of students with disabilities in educational institutions and their transition to the wider community is also a learning process. Its success will depend almost entirely on an investment in knowledge and skills.

# Chapter 1

## Overview

### Conduct of the inquiry

1.1     The Senate referred this inquiry to the Senate, Employment, Workplace Relations and Education References Committee on 13 March 2002. A sub committee was given the responsibility for undertaking the inquiry.

1.2     The inquiry was advertised nationally and the committee wrote to state and territory educational authorities, universities, union and parent groups, as well as peak disability groups, seeking submissions. The committee received 247 submissions, and heard from 122 witnesses in Sydney, Melbourne, Adelaide, Hobart, Brisbane, and Canberra. As part of the inquiry the sub committee visited schools and a centre for hearing impaired students. The committee thanks the staff and students of Western Autistic School and Sunshine North Primary School in Melbourne, the Sunedin Special School and the Cora Barclay Centre in Adelaide, and all those who made submissions or gave evidence.

### Object of the inquiry

1.3     The inquiry was established in response to concerns about the effectiveness of Commonwealth programs targeted at students with disabilities and whether the needs of students with disabilities were being met in the school sector and in post-secondary education. The inquiry follows the committee's 2001 inquiry into the education of gifted and talented students which made recommendations remarkably similar to those made in this report. This is the second of two reports which has found that schools do not adequately provide for difference. In both cases, the committee has identified deficiencies in the preparation and continuing training and education of teachers.

1.4     The terms of reference for the inquiry are to be found at the beginning of this report. In summary, they require the committee to examine current policies and programs to determine if they are adequate to meet the education needs of students with disabilities, and to recommend changes to the way the Commonwealth and states and territories discharge their responsibilities to these students.

### Overview of submissions

1.5     The main sources of submissions were:

- state and non-government school educational authorities and universities;

- parents and parent groups;

- peak disability groups;

- teachers and individual schools, teacher unions and university academics; and

- students and student organisations.

1.6     Education systems and authorities provided the committee with valuable information about policies and programs supporting students with disabilities. Not surprisingly, these institutions described in broad terms how the needs of students with disabilities are being met, or more commonly, the difficulties they had experienced in having their needs met. Many were also concerned about the cost of meeting legislative obligations under the *Disability Discrimination Act 1992* and the proposed education standards. The high cost of providing support for students to ensure equity of access has had consequences for the provision of education services more generally. The number and content of submissions from the non-government school sector suggested a coordinated approach to secure increased Commonwealth funding over and above the current appropriation.

1.7     Submissions from parents and students expressed different views. Parents were interested in securing a good education for their children, and a happy schooling experience for them. Reading their submissions gave the committee a sense of the frustration and stress that parents must feel when forced to constantly advocate on behalf of their children. The committee received insight into the need for parents to put much extra time and effort toward the care of their children, representing a large investment overall. A similar sense of frustration was revealed in those few submissions received from students with disabilities in the post-secondary sector. Students with disabilities have to invest considerable time and energy to negotiate their requirements with staff and teachers.

1.8     Many submissions from parents were concerned about the level and quality of support provided; others were concerned about the availability of education options for their child. Submissions revealed that there were significant shortages in specialists in a number of areas, including Auslan interpreters and some therapists. Shortages were greatest outside the major metropolitan cities. The committee has taken seriously the advice of school administrators and academics that with the imminent retirement of a generation of specialists trained in the 'boom' years, the country is facing a serious shortage of skilled practitioners in the area of special education. It will not be easy to replace them.

1.9     Submissions from teachers and their representatives showed similar concerns about the ability of teachers to manage the full range of disabilities that may meet in the classroom. This may result from a lack of training in the management and education of students with disabilities, a lack of time to prepare appropriate curricula or a lack of funded support for affected children. Some teachers were concerned about the challenging and complex behaviours exhibited by some students, particularly those with autism, where afflicted children are now identified at increasing rates.

1.10     A large number of interest groups are represented in submissions. A disproportionately high number of submissions were received from those raising issues about education of the deaf. By comparison, submissions dealing with the

education of students with intellectual disabilities were far less numerous. This is despite a significantly greater number of enrolments in schools of intellectually impaired students compared to students with hearing impairments (refer figure 1. 6). This does not surprise the committee. Community organisations representing those with sensory disabilities have long traditions of effective activism, whereas those with intellectual disabilities have few really effective advocacy groups to champion their cause.

1.11    While issues raised by the various disability groups were often specific to the particular disability, a number of common themes emerged. These included the particular difficulties faced by those students, or parents of students, who come from a low socio-economic or non-English speaking background. The interests of indigenous students are raised in some submissions, but the committee received few submissions from indigenous parents or interest groups. Submissions were received highlighting the limited range of services available in rural areas, and the critical shortages of skilled specialists and trained teachers outside metropolitan areas.

1.12    Specific issues raised in submissions included: needs of those students with disabilities who did not qualify for specific funding support; shortages of skilled teachers of the deaf; problems with transcription services for those with a sight disability; a lack of integration for students with intellectual disabilities; and the mismanagement of students with learning disabilities and autism. A number of submissions aimed to raise the profile of a particular disability in an effort to secure funded support, as in the instance of learning disabilities.

1.13    Other issues included the lack of a nationally agreed definition for disability, the inappropriateness of some funding models, the failure to reach agreement about the education standards, and the poor employment and income outcomes for students with disabilities who had been through the vocational education and training (VET) sector.

## Crucial links: parents, principals and teachers

1.14    In this overview chapter the committee has included an introduction to one of the most important concerns raised by parents and interest groups. The importance of an agreeable school culture was stressed in many submissions. In a welcoming school environment parents and teachers collaborate in the education of children, each party bringing insight and experience to a joint task; and in the case of teachers specialised knowledge of appropriate learning programs. Submissions indicate the value placed by parents on competent first-rate teachers, and they also indicate a degree of anger and frustration with teachers who either lack specialised skills and knowledge, or who avoid collaboration by withdrawing behind a veneer of professionalism. Such parents are also frustrated by principals who erect bureaucratic impediments to initiatives which they have full discretion to implement.

1.15    This inquiry has made a number of strong impressions on the committee. One is the dedication of a number of principals with whom it had contact, and teachers and support workers who were providing outstanding educational and social opportunities

for students in their care. Another impression is the disappointment and frustration of those parents who have been unsuccessful in securing what they regard as appropriate opportunities for their child. Some preliminary comments about the role of principals, teachers and teacher aides can be made at this point.

1.16    The quality of teaching is perhaps the most fundamental concern of parents of children with disabilities. It can be a 'make or break' factor in the learning process. It can have lasting influence on the extent to which a child or adolescent overcomes a disability to the extent of enjoying a fulfilling life. The majority of submissions from parents did not tell a positive story. Submissions from disability groups also pointed to glaring deficiencies in the ability of teachers to manage a range of disabilities. The committee, however, was pleased to hear about instances of good practice, and teacher commitment. It saw such practices and commitment first hand when it visited schools and learning centres as part of the inquiry.

1.17    According to Disability Action, the principal source of discrimination in the education system is 'attitude'. Most commentators agree that the role of the school principal appears to be crucial to the establishment and maintenance of a climate of well-being and achievement in relation to inclusive education. No amount of funding can overcome a lack of commitment to inclusive education and a lack of understanding of the needs of students with disabilities. Disability Action claims that the school principal is critical to this process not only because the principal is generally in control of the inclusion processes but because the principal has a significant effect on the culture and value base of the school.[1] Other submissions recounted instances of where sympathetic principals have left schools and whose replacements have been less inclined to encourage inclusive routines, or have had other priorities in the expenditure of special education funding. Similarly, the transfer or departure for other reasons of a particularly gifted teacher can have a significant effect on the total school program. Schools often lack a 'critical mass' of confident and dedicated teachers committed to quality education of children with disabilities, and therefore influential in school policy on inclusive education.

1.18    School principals are ultimately responsible for ensuring the effectiveness of program delivery. They must be able to reassure parents, after due consultation with them, that the school will do its best to see that learning outcomes are achieved. There is far more likelihood, in the case of students with disabilities, that parents and teachers will work to develop a rapport in their shared task of educating a child, than would be the case if the child did not have a disability. For this reason, gifted teachers and enlightened school principals are prized by parents. On the other hand, when these conditions do not prevail, the resulting relationship can be correspondingly bitter. The committee has had evidence from parents describing both aspects of the relationships outlined above.

1.19    Where authority and responsibility have been devolved to schools, principals have much more discretion about the allocation of resources: the challenge of this

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1    Submission No. 201, Disability Action, p. 8

responsibility being to ensure that the principal can discern the value of competing claims on the school budget. It was argued that this was not always in the best interest of the students:

> At present, school principals have too much power and autonomy and are not sufficiently accountable to any independent authority. As a result students and parents are disempowered and there is a lack of consistency in the way in which students with disabilities, learning difficulties and challenging behaviours are treated and the services provided from school to school. Internal dispute resolution mechanisms are so slow and cumbersome that students and parents who need to access such mechanisms are inevitably disadvantaged. In one case that Southwest Advocacy is aware of it took four months to have a principal's decision to expel a student overturned by DET [Department of Education and Training, Victoria] under the *Student Discipline Procedures*. Southwest Advocacy believes that the existing rules and procedures should be reviewed with a view to expediting the resolution of disputes.[2]

1.20    Regardless of this viewpoint, studies have shown that in all states there is now a high proportion of school principals sympathetic to inclusive policies, who are able and willing to promote these policies.[3] The relationship between parents of children with disabilities and school staff, however, can still be difficult to manage. Principals may have an underdeveloped consciousness about education for disabilities and the anxieties of parents. Teachers may have a similar problem, exacerbated by lack of knowledge and skills in how to deal with such students. Parents can demand more than a school is capable of delivering even though the principal and other staff are sympathetic and competent.

1.21    The submission from Southwest Advocacy called upon the Victorian Department of Education to fund an independent advocacy service for students with disabilities. The committee is conscious of the need for informal dispute resolving mechanisms at the school level, believing that conciliation is the only way to preserve trust and quickly heal wounds that result, more often than not, from a failure to recognise the need for schools to negotiate and manage their expenditure priorities.

1.22    As will be illustrated in later chapters, the relationship that develops between parents and a school makes all the difference for students with disabilities. There has to be a strong element of trust in this relationship. Professor Trevor Parmenter, Director of the Centre for Disability Studies, University of Sydney, argued for increased training in collaborative processes:

> One way to ameliorate this situation is to provide specific training for professional groups in how to collaborate with families in providing educational programs. In the final analysis it is usually families who have

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2    Submission No. 5, Southwest Advocacy Association, p. 4

3    Jenkinson, J., *Special Education: A Matter of Choice*, *Australian Education Review No. 46*, Australian Council Education R, p. 97

the most precise knowledge of their disabled child, and it is ultimately families who provide one of the basic life-long supports for their son / daughter. The excellent examples of collaborative partnerships evidenced in early intervention programs are seldom found once the child enters the more formal primary and secondary school programs. There is simply not the same culture of co-operation and sharing in the educational processes.[4]

1.23 Contrary to the claims in some submissions, the committee does not take the view that in all cases parents will be in the best position to assess the educational needs of their child, even though they are in a strong position to assist that process. One principal of a special school spoke to the committee about the challenge of meeting the reasonable needs of parents, and of being sympathetic to their concerns, while at the same time recognising that their professional responsibilities often required them to make hard decisions. This tension sometimes arose when parents were told that their child's needs could not be met in a mainstream school. Some parents appeared to believe that in a mainstream school, 'one size could be made to fit all'. Not only was this not true, but it undervalued the importance of life experience outside school, which was equally important in the overall learning process:

> …There is a lot of emotion around it, and there is a lot of angst about the fact that, if a student goes to a regular school, they are somehow normal and, if they go anywhere else, they are not. In education generally, we are at pains to say that in the regular environment there is a range required within that system. So the fundamental rethinking of what is schooling as opposed to what is education has to go on apace. Schooling has not got the prerogative of total education. It is one place where students learn parts of things. That is, unless we totally rethink the patterns and the partnerships. We have to get parents on board and have them support that. I have no problem with parents saying, 'I need better quality outcomes for my students.' As a profession, we would endorse that 100 per cent. We have not engaged in good dialogue with parents, and we have allowed the emotive, political, headline grabbing stuff to rule. We will suffer if we continue down that track. We do need genuine partnerships; we need to talk to parents and get them on board. They have an educational responsibility, as we have. But a one size fits all approach will never work.[5]

1.24 The demands on teachers of students who have one or more disabilities are considerable. In the mainstream classroom, where most of these students are to be found, the skill levels required to manage students with disabilities amidst the demands of those who have none, are very considerable. It is safe to assume, on the basis of evidence received by the committee, that such onerous demands are met only with difficulty, except in the case where teachers are highly experienced and have specialised skills.

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4    Submission No. 240, Professor Parmenter, p. 7

5    Dr John Enchelmaier, Vice President, Australian Federation of Special Education Administrators, *Hansard*, Brisbane, 6 September 2002, p. 437

1.25    Teacher aides have become so closely identified with integrated learning that it is hard to see how inclusive education would function without them. A significant amount of assistance given to students with disabilities is provided by teacher aides as they are increasingly used in the classroom as a substitute for withdrawal of students for period of time for specialised assistance. Teacher aides have a very broadly defined role in a classroom, which may range from the preparation of work materials and implementation of programs through to more basic tasks as assisting children to manage their toileting. A small number of students may share an aide. If there are a number in the school, they may be rotated to ensure that individual children do not become over-dependent on a particular aide.[6]

1.26    Most teacher aides have no specialist training in teaching for disabilities, and a great many may lack even basic training. The New South Wales Department of Education has developed a workplace training program leading to the Certificate 3 in Education Support, an intensive two year course with a wide range of core and elective courses.[7] It occurs to the committee that a person with such a qualification would have done far more formal study related to teaching for disabilities than the average graduate teacher, and would have undertaken the study at a time when its relevance was strongly evident.

1.27    While academic literature on the role of teacher aides describes their important role in the education of children with disabilities, as do submissions from the Australian Education Union and some employing agencies, there were some submissions which questioned the value of the assistance provided by teacher aides. The following description was given by a parent representative who appeared before the committee in Hobart:

> In terms of teachers' aides, quite often in a classroom of 25 or 28 children there will be the teacher and maybe one teachers' aide. The usual content of the class would possibly include a child with severe disabilities and several children that have learning difficulties. In that class there would be problems with behaviour management and those sorts of things. In this situation, the main thing that parents have found is that there does seem to be a tendency for the teacher's aide to be given the task of taking specific children away and sitting in a corner with them rather than being part of the whole classroom situation. The instances that I know of where the teacher's aide in the classroom have worked best involve a combined program between the teacher and the teacher's aide, so that they are in charge of the classroom as a whole rather than one taking a specific child away and sitting in the corner with them.[8]

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6    Jenkinson, J., *Special Education: A Matter of Choice*, *Australian Education Review No. 46*, ACER, 2000, p. 111

7    ibid., p. 112

8    Ms Yulia Onsman, Media Liaison Officer Tasmanian Council of State School Parents and Friends Association, *Hansard*, Hobart, 3 September 2002, p. 326

1.28    In some instance teacher aides have come to be seen as a substitute for trained teachers, who are either unavailable or expensive for schools and systems to employ. As one submission pointed out:

> Many educational sectors are trying to replace trained teachers of the vision impaired with Teacher Aides for economic and human resourcing needs. Whilst Teacher Aides are a valuable and necessary part of educational support, they are not trained teachers and should not be used as such. They lack the underlying knowledge to develop appropriate strategies and techniques to ensure successful integration and learning.[9]

1.29    The limited number of submissions received describing the role of teacher aides may account for the committee noting little evidence that teacher aides engaged in anything other than basic learning assistance or as a companion to supervise work when the teacher was otherwise occupied on interaction with other students. There is an impression given in some submissions that while teacher aides become devoted to their charges they do not extend their learning. If some evidence is to be believed, they may be an impediment to the independent learning of their charges. The committee believes that they are as likely as not to be a reassuring presence for many teachers, but this may be for the wrong reasons.

1.30    While the committee notes evidence in some submissions that a first priority should be to ensure the appointment of teachers trained to teach students with disabilities and to make effective use of teacher aides, the committee believes there is an assured place for teachers aides who have qualifications in special education.

**Recommendation 1**

**The committee recommends that, within a reasonable period, all teacher aides working with students with disabilities should be qualified in special education from an accredited teacher aide training course, and that this should be a condition of additional Commonwealth funding for disability education.**

# Data and trends: at a glance

1.31    The remainder of this chapter provides a summary of the numbers of students with disabilities in each sector, as well as the types of disabilities found within each sector. This data provides background to the discussion that follows. In particular it shows that the number of students requiring support at schools, vocational training institutions and universities is increasing. Not included in this data are a range of disabilities, for which no accurate data is held. This would include conditions such as ADHD, some forms of Autism and learning disabilities.

1.32    The terminology and definitions used to define disability vary significantly across education sectors and between states and territories. The definitions of disability used by state and territory education authorities, as well as the

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9      Submission No. 89, South Pacific Educators in Vision Impairment (SPEVI) Qld, p. 12

Commonwealth definition of disability for the purposes of additional per capita funding, are narrower than the definition of disability under the *Disability Discrimination Act 1992*. Variations also exist between state and territory education departments, the Australian Bureau of Statistics, the National Centre for Vocational Education and Research (NCVER), and the Department of Education, Science and Training. These inconsistencies are reflected in collected data and published statistics. While the following data provides an overview of the disability sector, cross sector or national comparisons can be problematic.

1.33    Post-secondary sector students with disabilities are expected to self-identify at the time of enrolment. Students are asked to respond to the following question: Do you consider yourself to have a permanent or significant disability? Reported disabilities include physical disabilities, learning disabilities, psychiatric and various medical conditions. There is likely to be an underestimation of the true numbers of students with disabilities in this sector: many students choose not to report their disability.

1.34    The Department of Education, Science and Training (DEST) collects data on the number of students with disabilities who are eligible for funding under its *Strategic Assistance for Improving Student Outcomes* (SAISO) program. This data reflects the number of students with disabilities requiring high support and does not include students with disabilities such as learning disabilities, medical conditions or behavioural problems. State education departments also hold data about the number of students belonging to the various categories of disability. Criteria that define categories of definitions vary between the states and territories and this means that making comparisons between them can result in doubtful conclusions. Many students included in the data relating to the post-secondary sector would not be included in the data for schools.

## *Higher education*

Figure 1.1 Domestic university students with a disability, 1996-2000
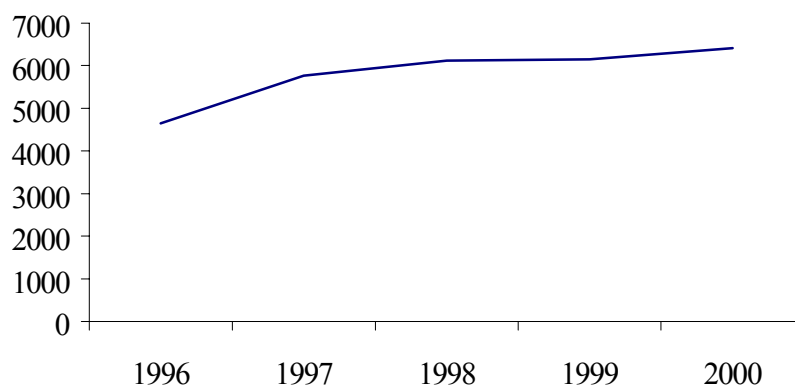


Data source: Submission No. 178, Department of Education Science and Training, p. 22

1.35    Demographic information about the participation of students with disabilities enrolled in universities has only been collected since 1996 and relies on the self-identification of a disability at the time of enrolment. Figure 1.1 shows that the number of students with disabilities enrolled in universities has increased significantly since 1996. For the same period the proportion of students with disabilities compared to the total number of students has also increased from 1.9 per cent in 1996 to 3.0 per cent in 2000. Students with disabilities show a slightly different age profile to all other domestic students with smaller proportion of students with disabilities under 25 and a larger proportion over 40. Almost 60 per cent of students with disabilities identify as belonging to another equity group.[10] This group includes those from a low socio-economic status background, students who speak a language other than English and have arrived in Australia within the previous ten years, indigenous Australians, and women studying non-traditional courses such as engineering and architecture. The committee acknowledges that this group is very broad, but recognises the double disadvantage that may be suffered by many students with a disability in this sector.

Figure 1.2  University students with a disability by type, 2000



Data source: Submission No. 178, Department of Education Science and Training, p. 22

1.36    Figure 1.2 shows the proportion of university students with a disability by type. Medical and other disabilities account for over half of the disabilities reported by university students. For obvious reasons, when compared to the school sector there is a much higher proportion of students with physical disabilities.

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10    Submission No. 178, Department of Education, Science and Training, p. 21–22

## *Vocational education and training sector*

1.37    Figure 1.3 shows the proportion of disabilities reported by VET students in 2000. These figures, like those of the higher education sector, rely on self-identification at the time of enrolment. The total number of students reporting a disability increased from 47,310 in 1996, to 62,080 in 2000.[11]    Students with disabilities tend to be older than VET students overall, with 38 per cent aged over 40 years.[12]

1.38    The VET system is able to accept, to a limited extent, students with intellectual disabilities, and the data suggests, that a significant number of students with intellectual disabilities do proceed to vocational education and training.

Figure 1.3 VET students with disability by types, 2000
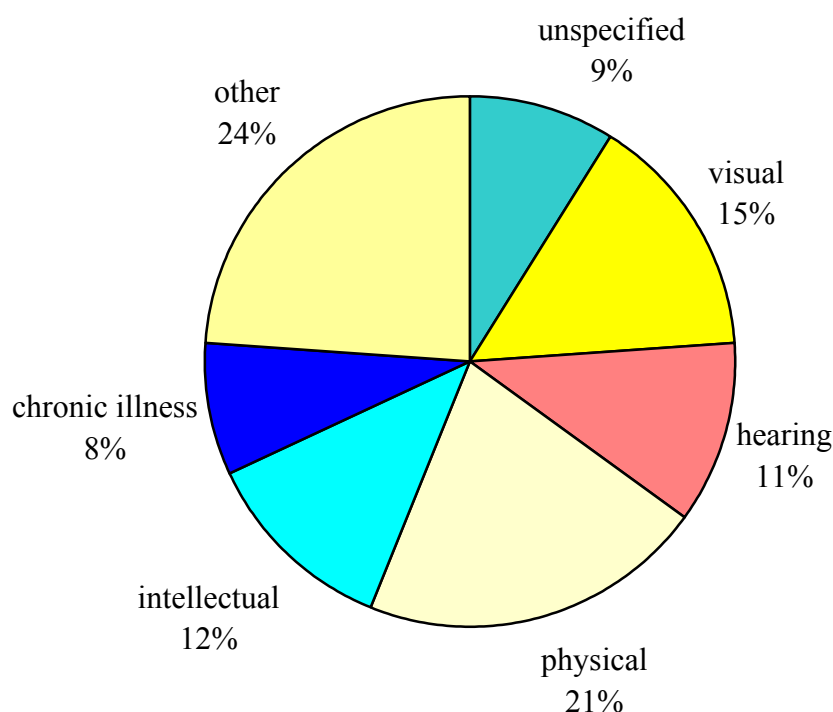


Data Source: NCVER, Australian Vocational Education and Training Statistics, 2000, Students with a Disability in Vocational Education and Training, p. 4

1.39    The numbers of students reporting a disability increased from 1995 to 2000, however, as a proportion of the total VET population the percentage of students reporting a disability increased from 2.9 per cent to 3.6 percent.[13]

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11    Submission No. 124, National Centre for Vocational Education Research, p. 2

12    *Australian Vocational Education and training Statistics, 2000, Students with a Disability in Vocational Education and Training,* National Centre for Vocational Education Research, p. 4

13    Submission No. 178, op cit, p17; submission 191, Australian National Training Authority, p. 15
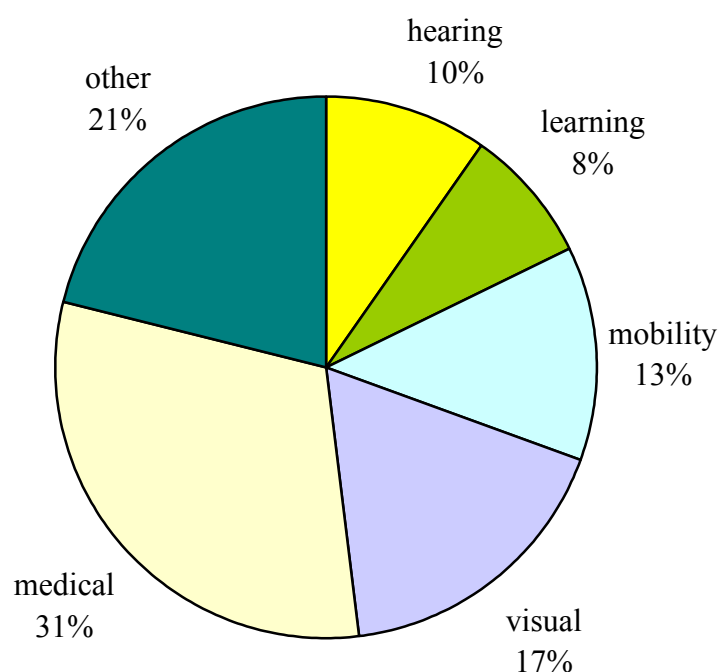
Figure 1.4 VET students reporting with a disability, 1994-2000[14]
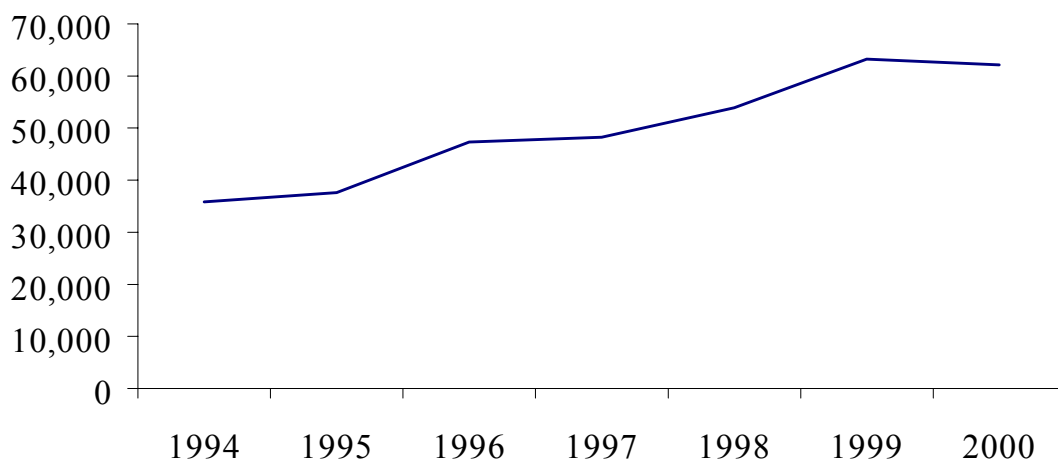


Figure 1.5 School students with a disability, 1997-2001
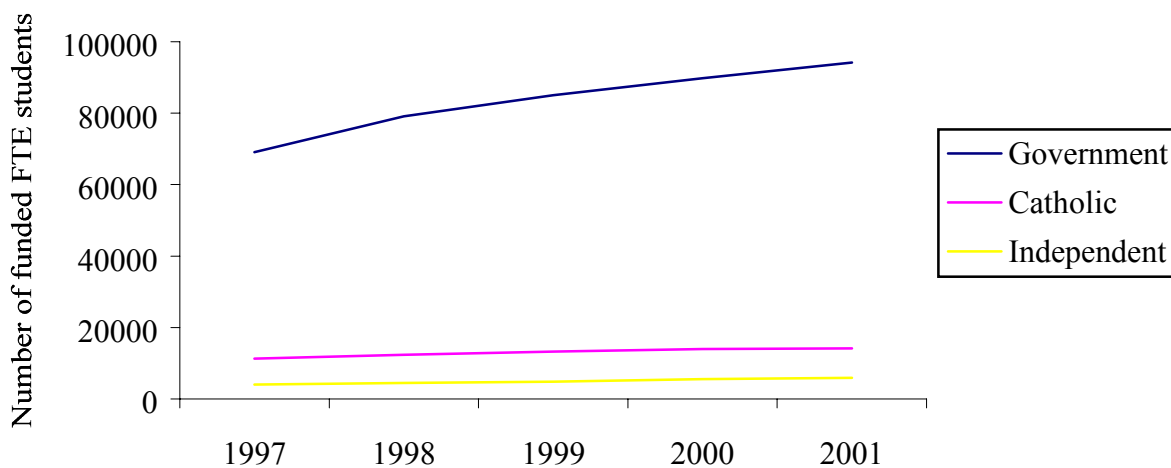


Data source: Submission 178, Department of Education Science and Training, p.4

## *The school sector*

1.40    Figure 1.5 shows the comparative increases in number of students with disabilities across the government, Catholic and independent school sectors. While all sectors show an increase in the number of students with disabilities, the increase in

14    Submission No. 124, NCVER, p. 2

absolute numbers has been greatest in government schools. This data is collected by the Department of Education, Science and Training and, as previously explained, does not include students with 'less traditional' disabilities.

1.41     Figure 1.6 shows the percentages of disability by type in government schools.[15] The figures clearly illustrate the different classifications used by states. Note in particular 'communications–language'. The discrepancy in figures for physical impairment are also due to the different ways in which states define this condition. Although national comparisons based on this data need to be accepted with caution, a number of broad observations can be made. With the exception of South Australia, intellectual disabilities account for over half the disabilities that receive funded support[16]. Accepting that many students with intellectual disabilities will also have a visual, physical or hearing impairment, the data also shows the relatively low incidence of students with visual or hearing impairments. No data is available about the extent of less traditional disabilities, such as learning disabilities, Aspergers Syndrome or ADHD.

**Figure 1.6: Disability by type in government schools to nearest per cent**

|  | NSW | VIC | TAS | SA | WA | QLD |
|---|---|---|---|---|---|---|
| Intellectual impairment | 63 | 54 | 48 | 19 | 53 | 48 |
| Physical impairment | 6 | 5 | 11 | 5 | 14 | 20 |
| Visual impairment | 1 | 1 | 5 | 2 | 7 | 9 |
| Hearing impairment | 4 | 3 | 8 | 4 | 9 | 18 |
| Communication–language | 8 | 29 |  | 70 | 11 |  |
| Autism | 5 | 3 | 7 |  | 6 | 5 |
| Mental health | 11 |  | 1 |  |  |  |
| Severe behavioural |  | 5 |  |  |  |  |
| Early learning | 1 |  |  |  |  |  |
| Intensive reading | 1 |  |  |  |  |  |
| Multiple disabilities |  |  |  | 15 |  |  |
| Physical disability/medical |  |  |  | 5 |  |  |

Data source: complied from data provided by state government education authorities.

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15    Data is not provided for those categories not recognised by a state.

16    In South Australia many students that are classified as having a communication–language disorder would be classified as having an intellectual disability in other states.

# Chapter 2

# Defining Disability and Levels of Need

2.1     Much hangs on the definition of a disability, or even whether a disability is defined at all. Depending on the scope of the definition, rights are protected; funds are allocated; research commissioned, and policy evaluated. The definition of disability becomes particularly important when it provides a mechanism to compete for funds. Traditionally, the term disability has covered a range of conditions: vision and hearing impairments, intellectual disabilities, physical disabilities, socio-emotional disorders and multiple disabilities. Students with these disabilities comprise some 3 to 5 per cent of the school population. More recently, the diagnosis and subsequent labelling of moderate or educational disabilities, such as learning disabilities, Attention Deficit Hyperactivity Disorder (ADHD) and Aspergers Syndrome has increased the number of students competing for special education resources. While the number of students diagnosed with these conditions is unknown, evidence suggests that they make up a significant proportion of total student numbers. For example a recent study published in the *Medical Journal of Australia* estimated that among 6–17 year olds, the prevalence of ADHD was 11.2 per cent.[1] The committee agrees that this represents a significant policy challenge for governments.

2.2     This chapter focuses on the school sector. It will explore the criteria used to define disability, and to access funded support. It will consider the various funding allocation models used by state governments, and the ways in which students' disability related needs are assessed.

## Commonwealth definitions of disability

2.3     The definition of disability under the *Disability Discrimination Act 1992* is very broad. This ensures that people with a wide range of disabilities are protected from discriminatory practices in the areas of employment, accommodation, the disposal of land, the activities of clubs, sport, the administration of Commonwealth laws and programs and in requests for certain information. Section 4 of the Act defines disability as follows:

***disability*,** in relation to a person, means:

> (a)     total or partial loss of the person's bodily or mental functions; or

> (b)     total or partial loss of a part of the body; or

> (c)     the presence in the body of organisms causing disease or illness; or

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1     Sawyer, M. *et al,* 'Use of Medication by Young People with Attention-Deficit/Hyperactivity Disorder'*, Medical Journal of Australia*, Vol. 177, 1 July 2002, p. 23

(d)     the presence in the body of organisms capable of causing disease or illness; or

(e)     the malfunction, malformation or disfigurement of a part of the person's body; or

(f)     a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or

(g)     a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour;

and includes a disability that:

(h)     presently exists; or

(i)     previously existed but no longer exists; or

(j)     may exist in the future; or

is imputed to a person.[2]

2.4     Under this definition students with HIV/AIDS, social and emotional difficulties, brain injury, medical conditions or psychiatric illness or who learn differently are protected from discriminatory practices.[3] The definition is wide enough to include a person whose disability is not yet apparent but which may occur at sometime in the future.

2.5     Historically, and in the education context, definitions of disability have only included sensory, physical and intellectual disabilities. Students with these 'traditional' disabilities are targeted by the Commonwealth for specific funding under the Commonwealth's Strategic Assistance for Increasing Student Outcomes (SAISO) program. In 2001, 3.4 per cent of the total number of school age students were eligible for per capita funding under this program.[4] The Department of Education Science and Training estimates that, in 2002, $11.3 million will be provided to government education authorities and $11.8 million to non-government authorities as per capita funding under this program.[5]

2.6     Access to Commonwealth per capita funding is dependent upon funding eligibility under a state education department disability program. This does not

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2       *Disability Discrimination Act 1992*, section 4

3       Keeffe-Martin, M. 'Legislation, Case Law and Current Issues in Inclusion: an Analysis of Trends in the United States and Australia', *Australia & New Zealand Journal of Law & Education*, Vol. 6, 2001, p. 33

4       Submission No. 178, Department of Education, Science and Training, p. 8

5       ibid., p. 12

necessarily guarantee per capita Commonwealth funding because Commonwealth funding is restricted to intellectual, sensory, physical, social, and emotional impairments. For instance, the Commonwealth definition excludes students with specific learning difficulties.[6]

2.7 To be eligible for this funding a student must satisfy the criteria defined in *States Grant (Primary and Secondary Education Assistance) Act 2000,* where:

> ***child with disabilities*** means a child for whom a disability assessment has been made and to whom one of the following paragraphs applies:
>
> (a) if the child is of school age:
>
>> (i) his or her attendance at a school, a government centre or a non-government centre is not appropriate because of his or her disabilities; or
>>
>> (ii) although attending a school, a government centre or a non-government centre, the child is unable (because of his or her disabilities) to receive a substantial part of the benefits ordinarily available to children enrolled there;
>
> (b) if the child has not reached school age, it is likely that, on reaching that age:
>
>> (i) his or her attendance at a school, a government centre or a non-government centre would not be appropriate because of his or her disabilities; or
>>
>> (ii) if he or she attended a school, a government centre or a non-government centre, the child would be unable (because of his or her disabilities) to receive a substantial part of the benefits ordinarily available to children enrolled there.
>
> ***disability assessment***, for a child or a student, means an assessment, by a person with relevant qualifications, that the child or student has an intellectual impairment, a sensory impairment, a physical impairment, a social impairment, an emotional impairment or more than one of those impairments to a degree that:
>
> (a) for a child of school age or a student—satisfies the criteria for enrolment in special education services, or special education programs, provided by the Government of the State in which the child or student resides; or
>
> (b) for a child who is not of school age—would satisfy those criteria if the child had reached that age. [7]

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6  *Commonwealth Programs for Schools Quadrennial Administrative Guidelines 2001–2004,* Department of Education Science and Training, p. 106

7  *States Grant (Primary and Secondary Education Assistance) Act 2000*, section 4

2.8 Per capita funding only represents a small portion of the total Commonwealth funding available to support students with disabilities and it is meant to support those students with high support needs. The majority of funds under the SAISO program are allocated to education authorities to improve the educational outcomes of educationally disadvantaged students. Included in this group are students with high support needs and students with moderate disabilities or learning difficulties. Decisions about the use of funds, however, are left to the discretion of government and non-government educational authorities. The committee recognises that while there may be administrative reasons for subsuming all special needs students into one funding category; this approach makes it hard to determine whether the needs of any one sub group are being given appropriate attention. Nevertheless, the committee has noted that the Commonwealth's funding definition of disability and the definition of disability under the Disability Discrimination Act, allows flexible use of SAISO funds by states and territories. It sees the real issue as the extent to which total Commonwealth funding for special needs students had kept pace with demand.

2.9 The committee recognises that the education of students with disabilities is a state responsibility. The evidence suggests, however, that in supporting the education of students with disabilities, the Commonwealth has given scant regard to the obligations imposed on education authorities since the introduction of the Commonwealth's anti-discrimination legislation:

> The original funding distribution was established during the mid nineteen eighties when independent schools across Australia enrolled few students with disabilities. The same historical formula is being used in 2002 and the Department of Education Science and Training has admitted, when questioned, that the funding has 'no formula but only a history'. The allocation certainly does not take into account the cost of complying with the DDA, the increase in numbers of students with disabilities enrolled in the sector and the costs of providing for these students.[8]

2.10 As previously discussed, this act uses a very broad definition of disability and this has increased the cohort of students who are potentially eligible for additional funded support in schools. This has had significant resource implications for schools and the broad and untested definition of disability under the Disability Discrimination Act has been one of the stumbling blocks to finalising education standards. This issue is explored in detail in the next chapter.

2.11 Significant increases in the number of diagnosed conditions such as Aspergers Syndrome, ADHD and learning disabilities has further increased the demand for educational resources, yet there has not been a commensurate increase in Commonwealth funding to support these students. The committee notes that ADHD is now the most commonly diagnosed disorder amongst Australian children.[9]

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8    Submission No. 118, Association of Independent Schools, Western Australia, p. 5

9    Prosser, B., Reid, R. *et al*, 'Attention Deficit Hyperactivity Disorder: Special Education Policy and Practice in Australia', *Australia Journal of Education*, Vol. 46, No. 1, 2002, p. 66

2.12     The Autism Association of New South Wales has provided information on the increased number of students being diagnosed with an autism spectrum disorder:

> In New South Wales there has been a tremendous growth in the realisation of how many children there are with autism. For instance, we estimate that in New South Wales between 5,000 to 15,000 children have an autism spectrum disorder. If that is converted nationally it ranges from approximately 16,000 to 48,000 students across the country. That figure is based on a range of epidemiological studies that have been done over the last few years around the world.[10]

2.13     The committee supports the principle that all people should have the same right to education. It agrees that the Commonwealth should take a proactive role in realising this ideal. The introduction of national anti-discrimination legislation in 1992 was one step. The committee agrees, however, that it is timely that the Commonwealth take a leadership role in finalising education standards in support of the legislation. This issue is explored at length in the last chapter.

## State and territory definitions of disability

2.14     The definitions used by state governments to define disability typically take a categorical approach, with a set of criteria defining each category. These categories vary between states and territories but all include intellectual, sensory and physical disabilities. Many states also recognise behavioural or socio-emotional disorders and severe language and communication impairments. Figure 1.1 summarises these categories and further details about the criteria that define each category can be found in Appendix 5.

2.15     The committee notes that the Department of Education in Western Australia is in the process of reviewing current structures and support services following the introduction of *School Education Act 1999*. Definitions in Western Australia have previously included autism spectrum disorders and intellectual, physical and sensory disabilities. However, in line with the more inclusive definition under the Disability Discrimination Act, the School Education Act widened its definition to include neurological, cognitive and psychiatric conditions.[11] This is consistent with the trend to define students with disabilities more widely and includes all those students who have special education needs.

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10     Mr Adrian Ford, Chief Executive Officer, Autism Association of NSW, *Hansard*, Sydney, 3 July 2002, p. 128

11     *Review of Educational Services for Students with Disabilities in Government Schools*, Department of Education Discussion Paper, December 2001, p. 3

**Figure 1.1  Disability funding categories**

| State | Disability categories |
| --- | --- |
| Department of Education (New South Wales)[12] | Sensory impairment, intellectual, physical and psychological functioning and language disorders |
| Education Queensland[13] | Physical impairment, speech - language impairment, hearing impairment, intellectual impairment, visual impairment and autism spectrum disorder |
| Department of Education and Training (Victoria)[14] | Physical disabilities, severe language disorder, severe emotional disorder, hearing impairment, intellectual disability, visual impairment and autism spectrum disorder |
| Department of Education, Tasmania[15] | Vision impairment, deafness and hearing impairment, autism, intellectual disability, physical disability, psychiatric disorder, and multiple disabilities |
| Department of Education (Western Australia)[16] | Autism, intellectual, hearing, visual, language and physical disabilities |
| Department of Education and Children's Services (South Australia)[17] | Physical, intellectual or sensory impairments and /or disabilities in communication, multiple disabilities |
| Department of Employment, Education and Training (Northern Territory) [18] | Intellectual, sensory, physical social/emotional, language /communication disability, a specific learning disability or multiple disabilities |
| Department of Education and Community Services, Australian Capital Territory[19] | Sensory, physical, psychological, intellectual, communication disorder, severe disturbed behaviour, multiple disabilities |

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12    NSW Department of Education, answer to question on notice taken Sydney, 3 July 2002

13    Submission No. 213, Education Queensland, p. 3

14    *Program for Students with Disabilities 2003 Handbook,* July 2002, Department of Education and Training, pp. 11–15

15    Submission No. 184, Tasmanian Department of Education, p. 88

16    Submission No. 244, Department of Education Western Australia, p. 9

17    Submission No. 238, South Australian Government, p. 6

18    Submission No. 222, Department of Employment, Education and Training (Northern Territory), p. 3

19    Jenkinson, J. *Special Education: A Matter of Choice, Australian Education Review No. 46,* ACER, 2001, p. 51

2.16     State and territory definitions are as much about deciding who is eligible for disability program funding as they are about defining a particular disability. The Tasmanian Department of Education had the following to say in relation to definitions:

> We accept that any definition is actually a continuum—you have really got a continuum of special educational need. Where you draw a line to say, 'This is the group we will fund,' will always, to a certain degree, depend on funding and other factors. There will never be a definitive definition of disability; it will depend on a number of other things.[20]

2.17     Many submissions were critical of a categorical approach in defining disability, arguing that by their nature, the use of categories will exclude some groups. The Australian Education Union argues:

> …categories exclude certain types of disability by defining them too narrowly, and by not keeping up to date with current knowledge and understanding. Disabilities such as learning difficulties (which itself includes a wide range such as mild intellectual disabilities and dyslexia); acquired brain injury; ADD/ADHD; behavioural disorders; foetal alcohol syndrome; and significant medical conditions are generally not included.[21]

2.18     State education authorities argued that special education policy provides for all students with special needs. Various numeracy and literature programs are used to support those with special needs who might not meet criteria for specific disability funding, but nevertheless have a learning difficulty. It was argued that all students with educational needs receive necessary assistance without the use of labels, but in reality increasing competition from a growing number of students identified as having special education needs is seriously stretching finite resources.

2.19     The evidence suggested that schools are notably failing to meet the needs of students with learning disabilities such as dyslexia, neurofibromatosis, and scoptic sensitivity. Learning disabilities can be defined as severe and prolonged difficulties in the acquisition and development of expected literacy, numeracy and reasoning skills given at least average intelligence and the absence of other casual factors. They are presumed to arise from neurological impairments, are intrinsic to the individual and are lifelong. They are not caused by low intellectual ability, inappropriate learning background or emotional difficulties, although these may coexist with learning difficulties.[22]

2.20     The Disability Discrimination Act obliges educational authorities to make reasonable adjustments for students who have been diagnosed with a learning disability. The Attorney-General's Department advised:

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20     Ms Alison Jacob, Deputy Secretary, Department of Education, Tasmania, *Hansard*, Hobart, 3 September 2002, p. 386

21     Submission No. 198, Australian Education Union, p. 6

22     Submission No. 200, Australian Federation of SPELD Associations (AUSPELD), p. 2

> Not every learning difficulty will necessarily be regarded as a 'disability' for the purposes of the DDA. Whether a learning difficulty will be considered a "disability" for the purposes of the DDA will depend on the circumstances of the particular case and any medical evidence that is available to demonstrate whether the difficulty is a disorder or malfunction. In a recent case before the Federal Magistrates Service concerning disability discrimination in the employment context, dyslexia was considered by the Federal Magistrate to be a "disability" for the purposes of the DDA.[23] [24]

2.21    The committee heard much evidence about the mismanagement and misdiagnosis of learning disabilities. A disability teacher from a New South Wales Technical and Further Education (TAFE) college told the committee that there were a significant number of students enrolling in TAFE colleges with undiagnosed learning disabilities. There were also some students, who despite having a diagnosed learning disability had received little support during the schooling years. Having experienced considerable frustration and failure in secondary school, these students leave school early and enrol in TAFE.[25]

2.22    This view was supported by the Tasmanian Tertiary Education Disability Advisory Committee:

> Hearing the traumatic stories of students with Learning Disability's schooling experiences and then witnessing their struggles and eventual academic successes in the tertiary environment leads us to conclude that we are only seeing a few "survivors" of the system. We are aware that many others do not finish their schooling. Early intervention assessment and support processes are urgently required.[26]

2.23    It is not surprising therefore that many witnesses advocated that learning disabilities should be defined as a specific disability. This would provide a means of securing scarce resources:

> With regard to learning disability, in terms of awareness and understanding, ALDA's [Australian Learning Disability Association] main agenda is to get learning disability on the agenda—out from under the learning difficulties label and definition and the level of support that is provided—and up-front as a legitimate disability that requires similar support mechanisms, identification and understanding as other disabilities.[27]

2.24    While the committee accepts the view that the urgent attention is required to address the needs of students with learning disabilities, defining the group may be

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23    See *Randell v Consolidated Bearing Company (SA) Pty Ltd* [2002] FMCA 44, 3 April 2002

24    Submission No. 135, Attorney-Generals Department, p. 2

25    Submission No. 205 , Ms Sue Johnston, p. 1

26    Submission No. 60, Tasmanian Tertiary Education Disability Advisory Committee, p. 3

27    Mr Mike Spurr, President, Australian Learning Disability Association, *Hansard*, Hobart, 3 September 2002, p. 334

problematic. The committee accepts that the needs of students with learning disabilities require immediate and significant attention. It agrees that the development of a nationally determined definition of learning disability, including the assessment process, will be the first step in addressing the needs of this group. Importantly, the committee recognises that a national strategy is required to address the needs of all those special needs students with less 'traditional' disabilities. In this way the need to define a particular condition as an educational disability category to enable funding access might be avoided.

## Assessing needs

2.25    The Disability Discrimination Act introduces the concept of 'reasonable accommodation'. This requires education providers to take reasonable steps to implement adjustments that will enable students with disabilities to take part in education and training on the same basis as students without disabilities. This is usually a collaborative process in which parents and schools work together to identify barriers to learning, and ideally decide the adjustments required to minimise these barriers. Most education authorities have systemised this process.

2.26    Victoria uses a questionnaire to determine the level of resources that will be provided to a school following a student's acceptance into the state's disability program. The process establishes the student's functional capacity in the areas of mobility, fine motor skills, receptive and expressive communication, challenging behaviour, safety, hearing, vision, self-care, medical and cognitive skills, but the assessment is based on the child's level of handicap. For instance, in the area of receptive communication, an assessment will be made about a child's ability to understand instructions. This will range from whether a child understands a simple instruction such as 'go to the computer' to having no understanding of simple one-word commands either by voice or gesture.[28] While the system has been designed to provide a transparent and simple process for the allocation of funds it attracted criticism from parents, teachers and disability groups. As one teacher explains:

> Basically, parents are asked to fill in a questionnaire and to tick the box which most suitably describes their child's level of communication, level of hearing or whatever. There are many different criteria in this program for students with disabilities. However, although the form is designed to be simple and accessible to parents, for hearing impaired and deaf children the simplicity of the form really fails time and time again to adequately acknowledge the complexity of the issues faced by young, prelingually deaf children. It has resulted in a situation in which deaf children are not adequately funded under this method.[29]

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28    *Program for Students with Disabilities 2003, Booklet 2,* Department of Education and Training, p. 8

29    Ms Marilyn Dann, Secretary, Australian Association of Teachers of the Deaf, *Hansard*, Melbourne, 13 August 2002, p. 284

2.27    Queensland has adopted six levels of education need, but students whose needs are below Level 4 are not considered to need additional support on a regular basis. Funding of students with ascertainment levels of 4, 5 or 6 is determined by staffing formulae.[30] This model was criticised because it did not look at the individual educational needs of the child, nor capture how the disability impacts on lifelong learning considerations.

2.28    The Queensland Parents for People with a Disability had the following comments to make about Queensland's ascertainment process:

> The QPPD views ascertainment as a flawed process in that it purports to assess the deficits of a child and largely ignores the strengths of a child. The purpose of education is to gain skills; the whole of school experience is geared towards honing the skills of the individual, preparing us to take our place within our community, to draw on our own strengths to contribute to and participate in our societies and to attain and benefit from the full rights of citizenship. Educational processes, such as ascertainment, which focus on deficit rather than strength do little or nothing to encourage full participation.[31]

2.29    In focussing on a student's deficiencies the Queensland model encouraged an exaggeration of disability to secure better funding. Parents argued that this promoted under education of students with disabilities because teachers and parents had lower than reasonable expectations about the child. Further comment on ascertainment in Queensland will be found in Chapter 3.

2.30    In South Australia levels of support for students with disabilities is based on the curriculum needs of the student with direct support provided to the schools, usually in the form of cash grants and based on those needs. However the committee was told that this model also encouraged an exaggeration of handicap to ensure higher funding provision. The Special Needs Education Network commented in relation to the South Australian model:

> This categorisation by diagnosis also puts children in pre-determined "boxes", rather than looking at exactly what the child needs to access the school curriculum.

> Criteria used for this kind of categorisation create division between families of children with disabilities. Competition arises because families 'win' funding and support through 'proving' that their child is more handicapped than someone else's. The definition should be about the needs of the student for equity of access, not what box they fit in to.[32]

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30    Jenkinson, J. *Special Education: A Matter of Choice, Australian Education Review No. 46,* ACER, 2001, p. 78

31    Submission No. 151, Queensland Parents for People with a Disability, p. 4

32    Submission No. 42, Special Needs Individual Network, p. 1

2.31    In contrast, the New South Wales system profiles the educational needs of each student in areas where appropriate adjustments are required. This process was developed following a review of disability education in that state in 1996. Allocations of funding are determined on the basis of the assessed level of need of a student. Funding is only made available when the school or district does not have an existing capacity to meet those needs. While this process focuses on the types of adjustments that a school will need to make to support the student it also drew its critics. The Australia Guidance and Counselling Association was concerned that budgetary constraints, rather then assessed needs, played too much of a role in determining the level of funding support given to individual students:

> There is a perception that criteria in the NSW state system change from year to year. Counsellors who are psychologists feel that a clear diagnosis is presented but this is often queried by special education personnel involved in funding decisions.
>
> There is a perception that district offices encourage overly strict definitions of disability and need so that quite disabled students are represented as being less needy than they really are. This appears to be related to too little available funding.
>
> The current guidelines for determining levels of need are too strict. For instance, a student with a mild intellectual disability in a regular class placement may receive little or no funding support. The level of disability and need are defined, but funding does not follow.[33]

2.32    In Tasmania, the Department of Education's model includes a two-tier approach to the identification and researching of students with disabilities. Students with disabilities are supported via either 'central' or 'district' special education resources or processes. This model clearly differentiates between students with most severe level of disability (category A funded students), who undergo a state-wide moderation process, and those with mild to moderate disabilities (category B funded students) who may or may not have a specific diagnosis but are supported on the basis of their educational need. [34] Funds are allocated to students on the category A register on the basis of teacher aide hours.

2.33    Western Australia is currently reviewing the educational services it provides to students with disabilities. It is also trialing new models for identification of student learning needs and placement decisions.[35]

2.34    The committee recognises the value in moving towards a nationally agreed process for funding students with disabilities with a focus on student needs rather than student deficiencies. As a first step, the committee recommends that the Commonwealth commission a study to determine best practice models for allocating

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33    Submission No. 106, Australian Guidance and Counselling Association, p. 4

34    Submission No. 184, Tasmanian Department of Education, pp. 2–3

35    Jenkinson, J., op. cit., p. 49

funds to students with disabilities. This model, which should ensure an equitable and transparent funding process, should be based on sound research and thorough consultation with relevant bodies.

**Recommendation 2**

**The committee recommends that the Commonwealth commission a study to develop a best practice funding model to support the needs of students with disabilities in schools.**

## Lack of national consistency in definitions

2.35    As previously discussed, there is significant variation in the terminology and definitions used to define disability and assess need. Such inconsistencies are reflected in collected data and published statistics, and make useful comparisons difficult. A recent study into literacy, numeracy and students with disabilities by Christa van Kraayenoord *et al* made the following remarks:

> Prevalence figures are very difficult to determine from one state to another, and from one system to another, for a variety of reasons. These reasons include: systems and sectors differ in their requirements to provide information on different groups of students with disabilities, the use of different definitions, the different ways a definition has been operationalised, the different groups for which data are reported and the different ways on which data is collected and reported.[36]

2.36    In particular, the committee found that there was a lack of consistency in the criteria used by state education authorities to decide disability program eligibility. Further, because the processes and tools for allocating funds under these various programs were different across the states and territories it is conceivable that the same child could receive two quite different levels if support depending on the state in which they lived.

2.37    Many submissions argued that the inconsistency in the definitions of disability in the school sector, as well as differences in assessment processes across states and territories, was indefensible. The National Council of Independent Schools Association was not alone in citing equity as one reason to develop nationally consistent disability definitions:

> The absence of a nationally consistent definition of students with disabilities means that a student might be classified differently, and as a result receive quite different levels of support, depending on where they live in Australia. As an example of inconsistencies in definition, Appendix A sets out the definition of vision impairment across the different states and territories.  It

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36    van Kraayenoord, C., Elkins, J. *et al, Literacy, Numeracy and Students with Disabilities,* Vol. 4, 2000, p. 78

shows that to meet the criteria for vision impairment the student needs to be "legally blind" (acuity of 6/60 or less) in the Northern Territory and Victoria, while lesser levels of vision impairment satisfy the definition in other states and territories.[37]

2.38    The Australian Blindness Forum was also concerned about the Commonwealth's inability to measure performance for students with disabilities, and in particular students with a vision impairment:

> …the ABF is concerned that the National Reports on Schooling in Australia for 1998 and 1999, published by the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA), significantly failed to address the outcomes for students with disabilities, including those with vision impairment. A report on numeracy acquisition[38] released in 2000, did not make a single reference to students with vision impairment and the barriers they face in acquiring numeracy.[39]

2.39    The Adelaide Declaration on National Goals for Schooling in the Twenty First Century states that schooling should develop fully the talents and capacities of all students. More specifically the goals state that students' outcomes from schooling should be free from the effects of negative forms of discrimination based on sex, language, culture and ethnicity, religion or disability. The goals also state that the learning outcomes of educationally disadvantaged students should improve and, over time, match those of other students. The committee is concerned that until there is a nationally agreed definition of the different types of disabilities it will not be possible to measure progress in meeting these goals for various disability sub-groups.

2.40    One the same issue, ACROD told the committee at the Canberra hearing:

> I would like to emphasise that governments are increasingly driven by performance measurement. That which is not measured or subject to measurement is unlikely to be reflected in the allocation of resources or policy priorities. It would seem to us important that the National Goals for Schooling in the 21st Century and the national literacy and numeracy plan should formally acknowledge the needs of students with disabilities and that that should be reflected in performance measures which would then drive state government priorities around the provision of services to these students. As part of that plan there is a national Aboriginal education policy.[40]

2.41    The committee is aware that the Ministerial Council on Education, Employment and Youth Affairs (MCEETYA) Performance Measurement and

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37    Submission No. 175, National Council of Independent Schools Association, p. 16

38    *Numeracy, A Priority for All: Challenges for Australian Schools,* Department of Education, Training and Youth Affairs, 2000

39    Submission No. 127, Australian Blindness Forum, p. 4

40    Dr Ken Baker, Chief Executive, ACROD, *Hansard,* Canberra, 11 September 2002, p. 587

Reporting Taskforce has approved a project to investigate definitions and approaches currently in use as well as identifying issues relevant to nationally comparable reporting of educational outcomes of students with disabilities. The committee believes slow progress on this task to be unsatisfactory.

2.42    The committee agrees that a nationally agreed definition of disability, consistent with the definition of disability under the Disability Discrimination Act is urgently required. The committee accepts that not all disabilities that fall within the latter definition will require significant, if any, adjustments to enable students with disabilities to take part in education on the same basis as students without disabilities. The challenge for education policy makers will be to decide how to define those that do require significant adjustment and consequently require funded support to ensure that all students are afforded equal access to education. The committee argues that this is an important role for MCEETYA that extends beyond the work of the Performance Measurement and Reporting Taskforce.

2.43    The committee recommends that the Commonwealth demonstrate its national leadership role in education policy by securing the agreement of MCEETYA to work toward the objective of establishing nationally agreed definitions of disabilities and to ensure uniformity in nomenclature and in reporting formats.

**Recommendation 3**

**The committee recommends that MCEETYA develop nationally agreed definitions of disabilities.**

# Chapter 3

# Integration and Inclusion

3.1    Inclusive practices in regard to the education of students with disabilities have become the prevailing orthodoxy. The committee received scarcely any evidence to suggest that segregation of students with disabilities should be the normal learning experience, except in circumstances of serious disability in which the student posed a danger or the likelihood of interference with the learning of other students. There appears to be a formidable body of research which points to significant benefits in inclusive education for children with intellectual disabilities, especially in relation to social outcomes; and rather less than expected disadvantage to students who would normally make fewer demands on the teacher.[1]

3.2    Inclusive education should not preclude the provision of specialised assistance in the mainstream setting, but there is a degree of controversy about the place of segregated units within schools. Some would argue that inclusion practices followed by many schools in some states may be more accurately described as integration. Wills and Jackson, academics who have specialised in the study and promotion of inclusive education, state that the effectiveness of segregated units within mainstream schools is not supported by empirical evidence, but acknowledge that many parents and teachers disagree with their findings.[2]  The practice of integration, and the extent of the disagreement among educationists as to what may be properly regarded as inclusive education is explored in this chapter.

3.3    Proponents of inclusion are critical of the medical and expert models used to make decisions about the education of children with disabilities. They look toward a collaborative model of decision-making in regard to the education of each child, believing that both parents and teachers have an important role in identifying an appropriate learning program. Some proponents of inclusion once saw it as part of a radical agenda to have professionals share power and decision-making across the whole spectrum of school life and the school system.[3]  For some, inclusion is a process of socialisation: one which would see a salutary confrontation by 'normal' students with the realities of having to live with and accommodate themselves to people with disabilities. This is seen to be education about real life.

3.4    The committee received a number of submissions from advocacy groups and individuals arguing that inclusive education has failed to find committed support from

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1    See Wills, D. and Jackson, R., 'Report Card on Inclusive Education in Australia', *Interaction*, vol. 14, 2–3, 2000, p. 5

2    ibid.

3    Marks, G., *Each an Individual: Integration of Children into Regular Schools*, Deakin University, 1989, p. 14

education systems. The fact that policy statements or descriptions of programs may include references to inclusion does not mean that it happens. This is because, it is argued, the prevailing school and system cultures are inimical to inclusive education.[4] The committee recognises such comment as indicating a different kind of criticism than would be made by parents with more basic concerns on their mind. Although the committee does not believe such advocacy groups have wide support, their emergence does put schools on notice that philosophical issues are up for debate between parents and schools, and within schools as well. There must be considerable doubt as to how well teachers are equipped to engage in debate on inclusion, let alone have the skills to adapt to inclusive classroom methods.

## Variations of inclusion

3.5     Two basic positions in regard to inclusion can be identified. The first is characterised as a single educational setting where students with disabilities are taught, for the most part, in regular classes and where special needs are assessed and supported, as far as possible, within this setting. This idea of inclusion may be more accurately described as integration because there may be provision for partial withdrawal of individuals or groups depending on needs and individual programs. Inclusion on these terms assumes that training and support services are available in the school as required.

3.6     The second model assumes complete inclusion, with all students in the same classroom all the time. Such difficulties as may arise which result from social dysfunction or physical handicap of children are dealt with 'appropriately'. Inclusion on these terms presupposes a school structure which is different from the conventional hierarchical structure, and a routine which is also far less structured. This second model is said to be inspired by concerns for equality of opportunity and moral and ethical considerations in regard to the education of those with disabilities as determined at Salamanca in 1994. It is strongly supported by those involved in rights movements.

3.7     The committee believes that there is a degree of utopianism about the second model of inclusion. Its observations of special schools and discussions with specialists and administrators have led it to the conclusion that there are considerable difficulties in dealing with students with particular disabilities in the mainstream classroom: difficulties which are sometimes impossible to overcome in situations where a duty of care, and a duty to teach, are at odds with the need to meet the claims of all students, whether they have a disability or not.

3.8     Inclusive practices in Australian schools lean strongly to an integration model, as would seem obvious, and are, for the most part, similar to practices in other countries where the debate over inclusion follows similar lines of argument. The

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4     For some insight into this opinion see the report *Education for All: UNESCO Report Card on Inclusive Education in Australia,* prepared for the National Council on Intellectual Disability by Darrell Wills and Robert Jackson, Inclusion National, January 2001; and see further discussion in the body of this chapter.

committee noted that there is a discrepancy between theory and practice, with the realities of the classroom impeding inclusive practices to the extent that many education theorists would like. It notes that there is some debate in the United States as to which kind of training for inclusive teaching and learning should come first: the development of new skills; or the development of changed attitudes toward students with disabilities.[5] A report on recent research literature in the United States indicates that skills development may be less important than institutional factors affecting teaching practice, and that examining and developing the culture of schools may be as important to changing attitudes as learning new teaching techniques.[6] In Europe, research indicates that teacher attitudes are similar to those found in Australia, where the extent and the success of integration has depended on the resources available, on class size and workload. Teachers in Europe were less likely than those in the United States to support integration of students with severe emotional and behavioural problems.[7]

3.9     Inclusive policies date from the 1980s. They were argued in the face of opposition from some in the teaching profession concerned about the effect of mainstreaming on the progress of children without disabilities. No doubt much of this opposition also resulted from teachers being aware of their own inadequate skills in dealing with students with disabilities. It was also believed that mainstreaming would discount the specialist skills and the professional status and prospects of teachers in special schools.

3.10     All states and territories follow a policy of integrating students with disabilities into mainstream schools as far as is possible. Those enrolled in special schools are most likely to have multiple disabilities and be dependent to some extent on medication or therapeutic assistance requiring specially trained staff. Special schools and classes are also likely to be linked to specific disabilities. Severely intellectually disabled children are also likely to be enrolled in special schools. The committee heard evidence from state education officials around the country that there has been a gradual reduction in the number of special schools.

## How inclusive?

3.11     The committee was interested in the placement of boundaries between inclusion and withdrawal, while recognising that the latter condition may be either transitionary or part-time. There is evidence, albeit five years or more old, from New South Wales, that while the number of special schools has declined in all states, the combined total of students enrolled in special schools and support classes in mainstream schools remains fairly static. This suggests that many students with

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5     Truen, M., van Kraayenoord, C. and Gallaher, K., 'Preservice Education and Professional Development to Teach Students with Disabilities', in van Kraayenoord, Elkins *et al*, *Literacy, Numeracy and Students with Disabilities*, Vol. 4, Department of Education Training and Youth Affairs, 2000, p. 8

6     ibid.

7     ibid., p. 9

disabilities spend a high proportion of their time at school in special classes or units.[8] There also seems to be evidence that segregated educational provision for students with emotional disturbance has increased considerably in recent years.[9]

3.12    The committee notes that the withdrawal of special schools does not necessarily equate with inclusion. As one witness explained:

> Inclusion has come to mean inclusion of place, whereas inclusion should be focused on programs. Sitting a child in a regular school classroom is not inclusion. They are not getting inclusive programs which will help them to meet their community needs in later life. That is what inclusion means. We have become too focused on inclusion meaning place—where the student is being taught—but inclusive programs are the key. I think there is a push that, if you have your child in a regular school, there is inclusion. It is absolutely not; it is all dependent on the program.[10]

3.13    One witness was asked how a non-trained teacher can operate in a classroom implementing a policy of integration. The response:

> I think the simple answer is that it cannot. You can go into a typical classroom now of—let us say an arbitrary figure—25 students, and it is quite conceivable that of those 25 you will have five students with a real mixture of even mild disabling conditions. In fact, in some of our so-called units we have moved rapidly from specialised units where we might have had a cohort of perhaps hearing impaired students to a unit where a teacher with perhaps one or two years experience is dealing with two hearing impaired children, a child with visual impairment, a child with Asperger's and some other children with multiple disabilities which include physical disabilities. If that teacher is 50 per cent of their time on their own, or even 10 per cent of their time on their own, the outcomes for those students with disabilities must be questioned. But what about the effect on the other 20 students? Is there not a push for those other 20 students equally to obtain from that teacher the best possible learning environment that she or he can create?[11]

3.14    One early submission indicated the smouldering embers of an inclusion debate. A physically disabled former student of Manly Warringah special school (since closed) submitted that the special education sector should be given more consideration as an alternative to mainstream schools. The submission included a personal reflection:

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8    Dempsey, I. and Foreman, P., 'Trends in Educational Placement of Students with Disabilities in New South Wales', *International Journal of Disability, Development and Education*, Vol. 44, No. 3, 1997, p. 214

9    ibid., p. 215

10    Mr Peter Symons, member, Australian Education Union, *Hansard*, Melbourne, 13 August 2002, p. 243

11    Dr John Enchelmaier, Vice-President, Australian Federation of Special Education Administrators, *Hansard,* Brisbane, 6 September 2002, p. 440

> …from my own experience, my time in the mainstream education system was a period of great fear, tension and stress. At the time, I of course, did not know how to articulate all these various feelings. Nor do I blame anybody for the fact that my experience was not positive. I do though, remember that palpable feeling of relief when my family and I found Manly Warringah School. This was where I belonged.[12]

3.15    The submission admits that such opinions are not 'politically correct', because they do not 'invoke the administrative/para legal terms of access and equity' but rather the claim to freedom of choice.

3.16    It is interesting to read some cautionary words about the difficulties presented by inclusion in Hegarty and Polklington over 20 years ago in Britain.[13] Some of these comments have current relevance in Australia. The British authors argue that it is nonsense to look at inclusion in emotive terms: that inclusion is a means to an end; that pupils with special needs do not need inclusion so much as they need education. The primary concern should be with individual development, and other considerations about where the education takes place have relevance only in relation to these needs. Inclusion is therefore not a self-evident goal but needs to be argued on the merits of individual cases. Attention has been drawn to the necessity of infrastructure modifications if schools are to accept children with disabilities, but there are far more difficult challenges, such as socialisation patterns, timetabling arrangements and the overall ethos of a school.

3.17    Isolation and the size of a school population have an important bearing on both inclusion policy and on the allocation of specialist resources. As an Education Queensland official explained:

> I think the issue of geographic distribution is a significant issue for us as a state, and we try to deal with that to provide the best service to people by having special education units and classes. What that means is that, because of the low numbers we are dealing with—the low incidence of students; it is three per cent of the student population—in some situations the level of expertise to ensure that a student with a disability is going to achieve their best educational outcome cannot be provided in the local school. So we aggregate resources into special education units and classes and we provide transport assistance to those locations and classes. If a parent wants to send their child with a disability to a school that does not have an SEU [special education unit] or an SEC [special education class], they can do that. We would provide some resources to that school in order to support the student. We would ensure that the student got a level of resources that was sufficient for them to be able to access the curriculum. The issue in regional areas is

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12    Submission No. 1, Mr Adam Johnston, pp. 3–4

13    Hegarty, S., Polklington K. and Lucas, D., *Educating Pupils with Special Needs in the Ordinary School,* Nelson, 1981, pp. 13ff

that the further you go out the more difficult it is, because of the smaller number of students.[14]

3.18    The submission from the Department of Education in Western Australia put the issue of isolation in even more stark terms:

> Western Australia covers nearly one-third of the entire Australian continent. There are approximately 250,000 students in Government schools who may live anywhere in this area. The provision of services to small populations, and often individual students with high needs, presents significant resourcing and operational challenges. The specific location of these students may often also change. These challenges are shared by other Government agencies involved in supporting students with disabilities. They may result in less available, less sophisticated and reliable support. Special programs which require a critical mass of students and high level employee skills are most easily supported in the metropolitan area and may prove practically impossible to establish and maintain in rural and remote areas even if there were no significant funding constraints.[15]

3.19    State education departments have maintained a pragmatic attitude to what constitutes inclusion. Larger systems maintain a diminishing number of special schools, but retain special leaning units within mainstream schools. The Tasmanian Department of Education explained to the committee that it does not currently maintain any special units. Its view was that special units can work very well within a mainstream school, and that one could be established 'if it was right for that school and for that group of students'.[16]

## Teacher opinion

3.20    The committee is not surprised to note that teachers have ambivalent views on integration. Teachers are at the 'sharp end' of policy decisions made in this area and meet challenges to the extent that their experience and levels of training permit. Teaching is an increasingly stressful occupation, even in the classroom which does not include students with obvious disabilities. The different stresses under which teachers and parents labour in their separate roles of responsibility for children with disabilities can result in tension.

3.21    Teacher representatives told the committee that the teaching of students with disabilities is an area in which there was considerable potential for conflict between teachers and parents. It is an area which often requires considerable diplomacy. Integration programs place high demands on teachers and create a tension between balancing the needs of the integration student with the needs of the whole class. They

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14    Mr Michael Walsh, Acting Director, Inclusive Education Branch, Education Queensland, *Hansard*, Brisbane, 6 September 2002, p. 501

15    Submission No. 244, Department of Education, Western Australia, at para 3.3.6.

16    Ms Alison Jacob, Deputy Secretary, Department of Education, Tasmania, *Hansard*, Hobart, 3 September 2002, p. 392

can lead to serious undermining of support for teachers within the school community if there is a perception that the interests of particular students are either given precedence or ignored.[17]

3.22     In its submission to the inquiry the Australian Education Union stated its position in relation to the placement of students with disabilities, acknowledging that integration involve more than a student's physical location, and involve the fullest possible participation by all students in the education programs and social activities of the school.[18] The policy, which dates from 1985, states:

> While the concept of education within the most advantageous environment is fully supported, the educational requirements of individuals should have priority over the pursuit of an ideal. Integration into a regular school will be in the best interests of some children; for other children the most advantageous environment, in the sense in which their learning can be maximised, may be a special school. Still other children may be most appropriately taught in their homes or a community or hospital setting. Critical to the future of the student, however, is the quality of the program offered.[19]

3.23     A much more recent view expressed by the president of the Queensland Teachers Union, Ms Julie-Ann McCullough in March 2001, reflects the official line and almost certainly represents the majority view of teachers.[20] While sympathetic to the views of parents, and broadly in support of integration, Ms McCullough emphasised that processes must ensure the most appropriate placement of the student; value the professional judgement of teachers and other professionals; involve parents and take note of their wishes; address the needs of all students in the educational setting; and, provide the necessary resources and support. Specifically, Ms McCullough rejected the claims of disability advocacy groups who dismissed the resources issue as unimportant and who argued that attitudinal change was more important. It was pointed out that teachers and school administrators faced a difficult task of balancing the conflicting demands of students and their parents in the mainstream, and those for whom special provision was required. A similar point was made by a representative of the Australian Education Union appearing before the committee in Melbourne, when he confirmed that there was:

> …considerable potential for conflict between teachers and parents. The handling of this area required considerable diplomacy. It is an area which is potentially a regular source of problems for us in terms of issues raised by members and the way in which parents react within a system that we believe is open to all of the public and where we encourage as many people as possible. …I emphasise that I believe that most teachers have the will and

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17     Submission No. 215, Independent Education Union of Australia, p. 10

18     Submission No. 198, Australian Education Union, p. 6

19     ibid.

20     McCullough, J.A., 'Teachers Would Meet Halfway On Inclusion', *Courier-Mail*, 2 March 2001

the desire. They sometimes lack the means and the capacity. This places them in a situation where they have to choose between the interests of the student with the disability, the interests of the students who do not have a disability and their own interests in terms of well-being and stress levels. This is an issue that we need to talk through and work our way through.[21]

3.24    This tension has provoked some research and commentary from academics impatient with the attitudes of teachers facing these problems and dilemmas daily at the chalkface.  A study orchestrated by academics Darrell Wills and Robert Jackson for the National Council on Intellectual Disability is indicative.  Their *Education for All: UNESCO Report Card on Inclusive Education in Australia* examined state practice on inclusiveness on the basis of criteria developed to monitor global progress under the United Nations Educational, Scientific and Cultural Organisation's *Education for All Initiative 2000 Assessment*. In particular, their report responded to the UNESCO follow up study *Inclusion in Education: the Participation of Disabled Learners (2000)*.[22]

3.25    Overall, the Wills and Jackson 'report card' (which appears to have no authorisation from UNESCO) was highly critical of Australia's inclusion policy implementation, and described systemic state-wide resistance to the philosophy of inclusion, as defined by the authors. For reasons to do with methodology and preconceived outcomes of the research, the report does not appear to have been taken seriously in education policy circles**.**

3.26    The committee acknowledges that these are policy issues for the states and territories to work through with teachers and parents. It understands the reluctance of both principals and teachers, as well as education administrators and unions to be hurried into radical changes for which they may not feel themselves to be properly equipped to handle. The committee notes the diverse pressures upon schools to perform across the whole spectrum of educational achievement, and understands that not all expectations which parents have of schools can be met at once.

## Inclusion in Queensland

3.27    Particular reference is made to Queensland in this chapter only because its policy of 'ascertainment' has been criticised as indicating a lack of commitment to inclusion. As described in Chapter 2, ascertainment is the method currently used by Education Queensland to identify the educational support needs of students with intellectual, physical, hearing, vision, and speech and language impairments, and students with autistic spectrum disorder. Students are ascertained at levels 1 to 6 in

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21    Mr Roy Martin, Federal Research Officer, Australian Education Union*, Hansard*, Melbourne, 13 August 2002, p. 242

22    *Inclusion in Education: the Participation of Disabled Learners*, Thematic Studies, World Education Forum, Education for All Assessment, UNESCO, Dakar, Senegal, 26–28 April 2000

each of these categories, depending on the severity of the disability and a child's capacity to learn.[23]

3.28    The committee received evidence from the Queensland Parents of People with a Disability (QPPD) about what it sees as the failure of Education Queensland to implement inclusive education. The QPPD submission called for the elimination of policies and programs specifically targeted at students with a disability. The QPPD agenda appears to be much wider than the immediate concerns of students with disabilities. It has much to do with transforming the administrative and pedagogical culture of schools as a catalyst for social change. In arguing that the education needs of students with disabilities are no different from the education needs of other students,[24] QPPD is expressing a view that is unlikely, in the committee's view, to find support in the education community as a whole.

3.29    The difficulty with the view put by QPPD was explained by the principal of a special school in Queensland:

> There are some real paradoxes at the moment. On the one hand, we are saying that all kids are different and have a right to develop to the extent that their individual differences allow. On the other hand, we have some philosophical ideologically driven things which say that all kids are the same and they should be subjected to the same kind of education as everyone else. Those two things are in conflict. I do not disagree with parents who are very concerned that the quality of outcomes must improve. As professionals, we are dedicated to doing that. In special schools, though, we have a major change in the quality and the quantity of the population. Ten years ago, my school had 120 students who were mildly intellectually impaired and had no other disabilities. Most of that cohort are in mainstream schools now. My school now has 42 students who are profoundly disabled, with multiple disabilities—many of whom have spent their first seven years of schooling in the mainstream and who have got to a secondary level. Parents have said, 'I cannot put up with the state that my child is coming home in. I want an environment that is appropriate.'[25]

3.30    Education Queensland officials told the committee that over 200 special units had been established in schools, at the request of parent bodies, to cater to the needs of students with disabilities. The number of special schools in Queensland had been reduced, but the committee was advised that:

> There is no plan to shut down special schools in Education Queensland. There is no evidence or information available … as to how many students can be integrated into a regular classroom. The issue is in terms of the local provision of education services working with the local community and identifying the most appropriate way to provide education services for

23    Mr Michael Walsh, op cit., p. 483

24    Submission No. 151, Queensland Parents of People with Disabilities, p. 4

25    Dr John Enchelmaier, op. cit., p. 437

students. In special education units in regular schools the majority of those students would attend regular classes but it does not necessarily mean that if you are in a special education unit attached to a regular school you will at any point in time be in a regular classroom. You can attend the unit and not attend regular classes. It is important that it be recognised that the decision is actually made by the local education community in relation to families, teachers and the child themselves.[26]

3.31    Meanwhile, the committee was told that Education Queensland is working on a plan to strengthen its commitment to inclusive education through the employment of more support staff, improved professional development, additional capital works and measures to improve the school-to-work transition of students with disabilities. On the issue of ascertainment, the committee was told that the proposed reforms 'will consider moving the emphasis from the identification and possible segregation of children who have disabilities to the identification of barriers to learning for all children…'[27] The committee notes the careful way in which this statement is phrased, and appreciates that government agencies will always be faced with satisfying the aspirations of particular community interest groups while ensuring that public policy serves the best interests of all. While the committee does not take seriously criticism from parents based on philosophical differences some may have with Education Queensland, it does respond with some interest to a submission that parents are claiming at the time of ascertainment higher levels of dependency for their children because of the additional funding available at those levels, and trusts that Education Queensland is addressing this problem in its policy review.

## International reports on inclusive education

3.32    A UNESCO sponsored report on inclusive education, which inspired the National Council on Intellectual Disability's *UNESCO Report Card on Inclusive Education in Australia* referred to previously, did not share the report card's negative conclusions about inclusive education in Australia.  Instead, the UNESCO document made only brief reference to Australia in the context of our overall adoption of an inclusive model, balanced by a commitment to parental choice, this last being noted as a distinctive feature.[28]

3.33    In the year preceding the UNESCO sponsored assessment, the Organisation for Economic Cooperation and Development (OECD) also conducted an international comparative study on inclusiveness in education that had a stronger focus on Australian outcomes.  According to the  OECD report, which for convenience took New South Wales as its Australian sample, Australia occupies a median position in the ranking of OECD countries in the proportion of children being educated outside

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26    Mr Michael Walsh, op. cit., p. 492

27    ibid., pp. 482–83

28    *Inclusion in Education: the Participation of Disabled Learners*, 2000, pp. 8; 22; 33

mainstream schools. The figure for this country (in 1997) was 1.55 per cent, as compared with none in Italy and 4.9 per cent in Switzerland.[29]

3.34    The OECD report gave a very favourable assessment of the progress being made in New South Wales toward improving the quality of education available to students with disabilities in mainstream schools. It commented favourably on the curriculum materials and the multi-layered network of support specialties available to assist schools and teachers. While it is more than likely that NSW Department of Education and Training officials had some influence over the schools selected for survey, the committee notes that in a highly centralised school system like New South Wales it is unlikely that significantly wide variations in program quality prevail, at least in the metropolitan area and in the more heavily populated regions beyond.

3.35    An authoritative UNICEF report, released in November 2002, a week before the tabling of this report, has found that a child in Australia has a higher chance of being educated to a reasonable standard than a child in Sweden, Germany, Britain or the United States and a number of other OECD countries, but also has a higher chance of falling a long way behind the average if they happen to be a low achiever. Canada, Finland and Korea do much better at containing educational disadvantage. In all the OECD countries surveyed, a strong predictor of success or failure at school is the economic and occupational status of a child's parents. A strong link was found between disadvantage at home and disadvantage at school.

3.36    UNICEF argues that good quality early childhood care and education should have an increasing role to play in minimising educational disadvantage and social exclusion. Extending the educational benefits to all children requires significant public investment.[30]

## Parental views and experience

3.37    The committee noted the evidence that parents were not unanimous in their choice of educational setting for their children. The great majority agreed that some form of integrated setting was their preferred option, although the pattern of integration appeared to vary widely. As one witness noted, for some parents the choice was different:

> We have a range of parental views in the community. Some parents are very committed to a mainstream setting, and members of our association support that, and we have members that run services in mainstream settings. We have other parents who are very happy with the outcomes that they receive in a segregated special school. They see that that outcome is entirely suitable for their child—and their outcomes in terms of moving into the community are worth while. We really need to come to grips with the range

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31    *Inclusive Education at Work: Students with Disabilities in Mainstream Schools*, OECD, 1999, p. 55

30    *A League Table of Educational Disadvantage in Rich Countries*, Innocenti Report Card, Issue 4, November 2002, http:www.unicef.com.au/media_details.asp, (access. 28 November 2002)

of parental views, and we need to acknowledge that there must exist a range of programs to provide for that. We as an association believe that quality programs across all settings are imperative—not just quality programs in special schools but quality programs in mainstream schools, which are just as vital to the outcomes for students.[31]

3.38    The committee was interested in evidence of the contribution of special schools to system-wide efforts to use expertise most effectively. Special schools have become 'lighthouse' schools of best practice in some states; and a source of concentrated knowledge and experience. Given the acute shortage of trained and experienced teachers in mainstream schools, it has become commonplace for special schools to develop curricula and teaching methods which are widely used in mainstream school settings. The concentration of expertise in special schools has an advantage in that shared experience can result in collaborative research and development of curriculum. As one witness pointed out, is that specialist education teachers in mainstream schools often feel alone and unsupported. The evidence continued:

> Often the teacher who provides programs for students with disabilities can be just as isolated as the student. For a first- or second-year graduating teacher, say, that dialogue with a mentor who is a skilled practitioner in the area of disability is something that is missing. One of the things we are talking about in our models is the importance of linking and developing expertise so that we do not lose expertise. We cannot continue to have that occur. We have the twin problems of a group of teachers leaving the profession, ready to retire, and a loss of teachers at the graduate level. Those two things are going to come into play within the next five to 10 years.[32]

**Recommendation 4**

**The committee recommends that MCEETYA investigate the development of teacher exchange programs for staff of 'lighthouse' special schools and mainstream schools.**

3.39    Mainstream schooling poses particular difficulties for students afflicted by sensory disabilities, because of the expense of human support need. One parent submitted that although he wanted to send his profoundly deaf son to a local primary school, his enrolment would have attracted $18,000 in disabilities funding which would have provided one third of an aide. Thus two thirds of the curriculum would have been inaccessible to the student. This parent stated that inclusion for deaf students in mainstream schools could only work if a full-time Auslan proficient assistant was appointed, with access to a mobile deaf facility. It would also help if

31    Mr Peter Davis, Secretary, Australian Federation of Special Education Administrators, *Hansard*, Brisbane, 6 September 2002, p. 437

32    ibid. p. 439

Auslan was taught as part of the LOTE (Language other than English) program, in order that a deaf child could eventually converse with classmates.[33]

3.40    A similar point was made by the Australian Association of the Deaf:

> It is of concern that deaf children are being integrated into mainstream schools without adequate support. Anecdotal evidence is available which indicates that deaf children are being expected to manage in schools without adequate support, irrespective of whether they are signing or oral students. Support services required include: teachers of the deaf, interpreters, teachers aides, Auslan teachers, speech therapists. Such policies have also seen the closure of schools for deaf children in favour of integration, at the expense of quality of education.[34]

3.41    The most serious problem facing parents of deaf and blind students, as is explained elsewhere in this report, is the growing shortage of teachers and assistants with specialised skills. In these circumstances, some degree of specialist concentration is the only option for parents even though it results in considerable inconvenience, even to the point of determining where families live. It would be impossible, and inappropriate in any event, for school systems to provide this level of support for such students in all local schools.

3.42    Despite the overwhelming weight of evidence on the benefits of inclusion, the committee received submissions suggesting an ambivalent attitude to the subject: an attitude which may see the continuation of some residual specialisation and a continuation of 'special education' in some form. Thus the committee heard that:

> The inclusion policy that is current in this state at the moment is basically aimed at ensuring that the vast majority of kids with disabilities are integrated into mainstream schooling. We have anecdotal evidence that there is a turnaround happening. Initially, parents with children with disabilities were very keen to see that happen but after a few years of putting it into practice there seems to be a shift back to having the option of having your child in a special school. The problem is that a lot of the special schools are closing and it splits the funding again.[35]

3.43    Parents have expressed concern about the maintenance of funding levels. An Adelaide parent feared that inclusion can be a 'dangerous option' because it so often signals a reduction in funding over time.[36] School systems have not been quite able to convince some parents that the inclusion agenda has much more to it than economising on specialist teachers and facilities: a fortunate coincidence of

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33    Submission No. 27, Mr Robert Morrison, pp. 2–3

34    Submission No. 83, Australian Association of the Deaf, p. 2

35    Ms Yulia Onsman, Media Liaison Officer, Tasmanian Council of State School Parents and Friends Association *, Hansard*, Hobart, 3 September 2002, p. 328

36    Mrs Lorraine Taylor-Neumann, Convener, Special Needs Education Network*, Hansard*, Adelaide, 9 September 2002, p. 512

pedagogical high mindedness and fiscal rectitude. The ambivalence of parental attitudes is again illustrated by the following evidence from another Tasmanian witness:

> We would also support inclusion. However, there are many aspects of inclusion and, at times, parents have said that their children have learnt more by being in a special class that is located within a mainstream school. They would welcome their child being included in the social aspects of schooling in all sorts of activities. We support inclusion, but there need to be choices for parents because for some families accessing a special school has resulted in better learning outcomes for their child. That is weighing up the fact that they are then segregated, which is certainly something that we could not support. Most parents do not support that. They like their children to be included with other children.[37]

3.44    While not part of the evidence given to this inquiry, the following comment made by a parent to the National Council on Intellectual Disability sponsored *UNESCO Report Card* survey sums up the views of parents who are dissatisfied with practices they see operating in schools, often as a result of classes being taught by people lacking in knowledge or experience of the needs of children with disabilities. The comment is a revealing insight into assumptions made by some parents, about their own expectations and their perception of what is wrong with 'the system':

> …any efforts the education department has made to provide for children with disabilities are usually driven from a 'Special Ed' mindset rather than an inclusive one. The Department of Education and Training keeps employing special education teachers to advise on inclusion, something they know little or nothing about. The Learning Together resource, which no doubt the department (NSW) is very proud of, makes it crystal clear that there is great confusion about what inclusion actually is, as segregated examples continue to be called 'inclusive'. Within schools it is usually 'pot luck' if you strike a teacher who is willing to learn something about inclusive practice. There is then no flow through into the rest of the school. As a parent, you just start 'educating' the next teacher each year. Because there is little or no values training for teachers, parents often have to spend six months or more trying to get the teacher to understand the importance of an inclusive education to a child's life and justifying their choice to enrol a child in the regular class. Some teachers feel that if they don't agree with inclusion they have no obligation to teach a child, even if they are enrolled in their class.[38]

3.45    The committee notes the ideological tenor to this comment: the suggestion that teachers are guilty of rejecting the doctrine of inclusion as it is narrowly defined, usually by those who do not have responsibility for running schools or education systems. Nonetheless, it is a matter for concern that teachers placed in this position

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37    Mrs Cynthia Betterman, Member, Special Needs Education Network, *Hansard*, Adelaide, 9 September 2002, p. 513

38    *Education for All: UNESCO Report Card on Inclusive Education in Australia,* 2001, p. 58

may not be confident of either their classroom methods, or the theoretical underpinnings of those methods, and are thus vulnerable to criticism.

3.46    The committee makes the point, though it scarcely needs to, that inclusion embraces a wide range of strategies to ensure that children with disabilities receive a mix of educational experiences. In some cases it is the social experience which is most important; in other cases the curricula experience may determine the inclusive experience. There is a half-way approach to inclusion and it occurs every day in most schools. The committee heard of one school's experience:

> At our school probably 25 of the 110 students are involved with their regular schools but many of our particular schools are for kids with severe and profound disabilities and it is not appropriate. For example, we have got one boy who is on oxygen 24 hours a day and needs a lot of support. Yes, that is fairly common and, in fact, some schools in Victoria are actually doing reverse integration and bringing students from regular schools into the specialist school for certain programs. This benefits students that have got a mild learning disability where they will need some intensive teaching and structured individual programming for a short term and can then return to the regular school. I think that is the better model than saying, 'We're going to run segregated settings in mainstream schools.[39]

3.47    Parents of enrolling children are naturally concerned about the chances of their child having as close to a 'normal' school experience as possible. This has provided much of the impetus toward inclusion. Yet severely disabled children are expensive to support in mainstream schools, mainly because of the cost of teacher aides and outside specialist support. In some cases inclusion in a mainstream school is not possible because of the nature of the disability. A special school principal told the committee of his experience in dealing with parents unwilling to accept that a special school is the only option:

> …I have had many of them cry in my office. They come with their five-year-old son or daughter and say, 'Has it come to this? Is this it?'—because they see older students in a special school, and it is very sad. In many cases, a lot of the parents want their son or daughter to be in a regular school with regular schoolkids. And I can understand that. In the last couple of years, especially in Victoria—but also in other states of Australia, because I meet a lot of special principals—there has been far more accountability and individual focus on programs. That delivery has actually got out, and a lot of the parents now are choosing specialist schools.[40]

3.48    The committee accepts that inclusion policies need to be administered in a flexible way. It also accepts that there is a place for special schools, and special units within schools. The committee heard or read no sustained evidence to suggest that backward practices prevail in schools or systems. It heard a great deal of evidence of

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39    Mr Peter Symons, op. cit., p. 248

40    ibid., p. 254

rethinking in regard to inclusion and of strategies to ensure that it was working to the educational advantage of those with disabilities.

## Conclusions and recommendations

3.49    This chapter has been included to reflect the committee's consideration of an important educational debate at the centre of the provision of education to students with disabilities. At the core of the debate is an issue of values. Inclusive educational policies have been premised on the basis of the desire to see children with disabilities given their full due as citizens in the making, with the same rights as everyone else, and provided with the same opportunities to reach their potential. Although the committee's acceptance of these premises is unequivocal, the issue of how best to implement policies which recognise these values becomes more debatable.

3.50    The debate arises from the fact that for the most part, educationists and most parents see inclusion as having its principal effect on those who were once excluded. A hard core of inclusionists would reject this assumption. They would argue that inclusion is intended to have an effect on everyone in the education system, not only those with a disability. The effect of inclusion on those with disabilities would be to bring them into the mainstream of social life and learning. The desired effect on the rest of the school population is to have them accept as normal and valued the contribution made to school life by those with a disability. Just how a severely autistic child, or one suffering from multiple disabilities and a behavioural disorder, could be accommodated in a classroom is not an issue which can be satisfactorily addressed by inclusionists. For them, the goal is for the school to become an agency for social change, effecting dramatically altered perceptions of the way people from diverse circumstances view each other. It is for this reason that inclusionists are critical of what they call 'special education' mindsets, which are most commonly on display when teachers and administrators start talking about how to overcome 'education deficits'.

3.51    It follows from this that the role of the school as an agent of change cannot evolve unless the school as an institution changes. This change will alter or even transform the structure of authority and the relationships between stakeholders in the teaching and learning process. It is not difficult to see why the teaching profession and the system administrators avert their gaze from this distant prospect. In the meantime inclusionists of the uncompromising stamp reject anything that suggests special treatment in the classroom, except in the sense that everyone in the classroom needs special attention because everyone has special needs. And then, when everyone is special, no one is special. Targeted funding to provide for particular needs becomes difficult in these circumstances.

3.52    For this reason alone the committee is pleased to see a more flexible interpretation of inclusive education evolving in accordance with local circumstances, and in sympathy with broad opinions and attitudes which are influenced by improved knowledge and deeper understanding of the needs of students with disabilities. Educational thinking cannot move too far ahead of public expectations. The most important expectation, as all the evidence suggests, relates to measures that will

ensure that children are happy in their learning environment, achieving social acceptance and a satisfactory rate of academic progress. For most parents, and not only of those of children with disabilities, these are the most important schooling outcomes. Ideological considerations about the place of particular methods and practices within inclusive education are largely irrelevant to most parents.

3.53    It follows from this that the future of inclusion lies in a meeting of minds between parents and principals and teachers. The committee notes the large number of submissions it received from parents who claimed that they had to bring teachers up to the mark on how to deal with children with various disabilities. This is a matter of concern because it goes beyond a discussion of the needs of a particular child. If parents come to believe that, as a general rule, normally competent teachers are ill-equipped to deal with disabilities, the professional status of teachers comes into question. School systems and schools which expose teachers to these situations are culpable of serious neglect of the professional development of their staff.

3.54    The committee has a made a recommendation in Chapter 5 related to professional development. It makes the point here that professional development is necessary to ensure public confidence in the teaching profession; an objective which would not have been considered important once, but which now is, given the nature of the challenges facing teachers in the area of inclusive education.

3.55    Three international reports were referred to earlier which attempted an assessment of progress made in inclusive education. The committee notes that the analysis of Australian circumstances in two of these reports, carried out by the OECD and UNESCO, were reassuring but rather superficial. The third report, conducted by UNICEF, concluded that Australian educators were significantly less successful than other countries in assisting underachievers. Meanwhile, the *UNESCO Report Card*, the domestic report prepared for the National Council on Intellectual Disability, was extremely critical of present practices in Australian schools, although its findings appear to reflect the preconceptions of its researchers and authors and are of doubtful validity.

3.56    The committee believes there is considerable scope for much more well-founded research into the effects of inclusion policies on educational outcomes for students with disabilities. In particular, there is a need for research of the kind that would have practical value for teachers and school administrators; projects that could link with professional development programs.  The committee recommends that MCEETYA contract research bodies to undertake additional studies along these lines.

**Recommendation 5**

**The Committee recommends that MCEETYA commission an assessment of the outcomes of inclusive policies for students with disabilities; and devise implementation and professional development strategies for teachers and school administrators to improve these outcomes.**

**Recommendation 6**

**The committee recommends that MCEETYA develop a policy on inclusive education that recognises the importance of having a range of schooling options for students with disabilities.**

# Chapter 4

# Dealing with Disabilities

4.1    This chapter addresses pedagogical issues in dealing with students with disabilities: a matter which the committee received much information on from submissions, witnesses and teachers at schools visited by the committee. From the evidence, and from observations, the committee concludes that while there are deficiencies in the ways in which schools and systems are dealing with the challenges of providing quality programs for students with disabilities, it is clear that most states and territories are either implementing new policies or programs in disabilities education or are in the process of conducting reviews.

4.2    The committee heard evidence in Canberra that problems relating to the way schools dealt with disabilities need to be put into a context of how well schools dealt with diversity. It was claimed that schools are not coping particularly well with any kind of diversity, including social disadvantage suffered by particular groups.[1]

4.3    The committee notes, however, that its broadly sympathetic view of the way in which systems and schools are dealing with their responsibilities to students with disabilities is not shared by some parents. While many children may appear contented, and making progress, there are many who are not. No one with any experience in any aspect of dealing with students with disabilities would be unaware of the personal stress which parents suffer, a strain which becomes more severe and prolonged for parents of children with severe disabilities, particularly autism and different types of intellectual disability. Catering for individual difference is fairly easily managed with most children, but in dealing with different forms of disability in the classroom, accommodation to individual needs becomes far more difficult, especially in the mainstream school where most of these children are. The acute, and understandable, concern that parents have for their children under these circumstances usually puts them in a wary and critical frame of mind in their dealings with school administrators. Many submissions reflect this attitude.

## Early intervention and diagnosis of disabilities

4.4    The first test of quality in the provision of educational services to students with disabilities is that of early diagnosis, and the subsequent identification of timely and appropriate remedies. Without this there can be no early intervention so necessary to arrest the onset of conditions like autism or sensory and other physiological defects which can be ameliorated by early medical treatment. The committee received evidence of the fragmented and uncertain provision of diagnostic services. This was most obviously the case with children whose condition did not warrant medical diagnosis so much as psychological examination. Diagnosis of physical disability was

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1    Professor Anthony Shaddock, *Hansard*, Canberra, 11 September 2002, p. 583–84

commonly done soon after birth, or even before birth. The committee noted the extension of scanning programs in all states. However, conditions like autism are liable to be diagnosed only once a child reaches school age, if then. Children with conditions like dyslexia and other learning disabilities might wait longer. There appear to be two main opportunities to screen for disabilities: the first in infancy; and the second in pre-school or early primary school. One witness told the committee that it was important to resource and support families during periods of transition when they may be leaving one service and commencing in another. An example of transition may be when a child is leaving a pre-school early intervention program and commencing full-time schooling.[2]

4.5     The committee heard that most research shows that effective early childhood intervention happens in services that are family centred, multi-dimensional and community based. It is considered important that early intervention programs include therapy, education and family support needs. If services are available under one roof, with independent continuous case management, parents could be provided with the most appropriate services with minimum delay. This ideal arrangement is difficult to find. Services are segmented as a result of differing departmental priorities and there is usually a lack of coordination between different services. The result is confusion for many parents, and an inability of the agency involved to offer an equitable level of service to parents living in remote areas.[3]

4.6     The Australian Education Union pointed out in its submission that while there do not appear to be any particular problems associated with identification and appropriate early intervention as far as schooling is concerned, problems are likely to occur where pre-school education is not properly coordinated with schools. There is also a likely inadequacy in identifying late developing disabilities which do not emerge until adolescence. The danger is that links between school, specialist education and medical services are likely to be less well established in the secondary years than in the pre-school years.[4]

4.7     Relevant to the process of early intervention is the committee's observation of an instance of dysfunctionality in government services in Victoria. Responsibility for pre-school education in that state is taken by the Department of Human Services, and gives rise to some misgivings about the reliability of early identification of learning disabilities. This anachronism has survived remarkably intact despite the upheavals which have characterised the administration of government services in Victoria in recent times. Although the committee was given assurances about the high level of cooperation and coordination between that department and the Department of Education and Training in the identification and diagnosis of early childhood

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2     Mrs Marguerite Clark, *Hansard*, Hobart, 3 September 2002, p. 347

3     ibid., p. 346

4     Submission No. 198, Australian Education Union, p. 7

disabilities, the committee is not persuaded that this arrangement is in the best interests of children, whether suffering disabilities or not.[5]

## *Teachers and counsellors in the early identification process*

4.8    While a high degree of specialised skill may be needed in some areas of diagnosis, a number of witnesses claimed that teachers should be capable of identifying problems, especially specific learning problems. The committee asked one witness about the appropriateness of teachers carrying out screening to detect disabilities in the early intervention phase at the beginning of kindergarten, with testing of gross and fine motor skills and language problems, where there might be indications of a potential learning disability. The response was that:

> Teachers can definitely screen for those. I think that the trouble at the moment is that school counsellors often are not trained enough in specific learning difficulties themselves to do the assessments and parents have no choice but to go to private educational psychologists. So the onus and the financial burden rest with the parents in that situation. I think that teachers definitely could be trained to do screening.[6]

4.9    Asked whether teachers could not be trained to undertake preliminary diagnosis as part of an undergraduate course, an academic witness responded:

> We take the view that there are certain things that all teachers ought to be able to do, and they are not the things that psychologists do. There are classroom identification strategies that every primary school teacher ought to know and particularly every kindergarten teacher ought to know. They are quite simple things, not hard to do. They just need commonsense and a good educational mind. As a result of those you can make a pretty good guess that it is worth this child having further assessment at this point. That is what we want.[7]

4.10    A similar view to those expressed above came from a school counsellor who told the committee that teachers had to become diagnosticians in the sense that they had to be observant about deficiencies in the capabilities of students and of likely disabilities. It was not necessary for teachers to hazard a more complicated diagnosis. This was the task of the specialist:

> In general, we find that teachers are very aware when a child is achieving at a different rate or a different level in their classroom. There are some who are not as good at picking it up, but in general teachers are fairly aware. But they may not know why a child is behaving like that. They might say, 'This

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5    Ms Susan Tait, General Manager, Students and Community, Department of Education and Training, Victoria, *Hansard*, Melbourne, 13 August 2002, p. 304

6    Mrs Karen de Mar, Australian Federation of SPELD Associations, *Hansard*, Sydney, 2 July 2002, p. 64

7    Dr Paul Whiting, Australian Federation of SPELD Associations, *Hansard*, Sydney, 2 July 2002, p. 64

child isn't achieving as well as his classmates. He doesn't seem to understand what's going on in the class. He can't follow the directions.' That is where we see people from our organisation as having a role in helping the teacher to tease out what it is. Is it, for instance, that the child is not understanding language very well and therefore they are not following directions because they do not understand the language, or is it because they have an intellectual disability and they are not following directions because they really have no comprehension of what the directions entail? That is not really a job for the teacher, and we discourage teachers from doing it in some ways. Otherwise, we have teachers saying, 'I want you to see little Johnny; he's autistic,' or, 'We want you to see Mary; she's ADHD,' and making diagnoses with no training to do so. As psychologists, we try to dissuade people from making those diagnoses but encourage them to say, 'This child's different. These are the behaviours I'm observing. Can you help?'[8]

4.11　　A number of submissions received by the committee referred to identification of specific disabilities, and the problems related to delays in this process. The committee would make the point that while such expectations of teachers are by no means unreasonable, they rely on teachers having good basic training with follow-up professional development which both extends their skills and provides opportunity to reflect on their classroom experience. Even then, identifying various conditions of disability can be problematic, and expert assistance is required. Elsewhere in this report the committee recommends a greatly increased commitment to professional development in which training in early diagnostic skills should be given high priority.

## *Diagnosis of autism*

4.12　　Autism is singled out in this report for particular mention because the full extent of its impact is only now being recognised. Details of diagnosis are given later in this chapter. As the evidence shows, education systems are almost totally unprepared to deal with either its early diagnosis or its treatment. Specialist knowledge and experience in 're-programming' severe autism sufferers to the point where they benefit from mainstream schooling is very limited.

4.13　　Perhaps the saddest representations to come to the committee were those from parents of autistic children. Action for Autism asserted that there was strong evidence that intensive and autism specific early intervention programs designed to treat and rehabilitate children with autism have been shown to be effective and have lasting results. Unfortunately, few Australian children with autism can gain access to effective early intervention. The required intensive treatment is not provided by the health, disability or education sectors. In the mental health sector it is not available to pre-adolescent people. The point was made that:

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8　　Mrs Lyn Booth, Australian Guidance and Counselling Association (NSW), *Hansard*, Sydney, 3 July 2002, p. 100

> By the time developmental delays and behavioural challenges in a child with autism reach crisis level it is too late. Intervention for older children with autism is extremely difficult and may be prohibitively expensive. Research shows most Australian children with autism have significant levels of psychopathology (anxiety, depression and psychosis) that often remains undiagnosed and untreated. Children with autism are among the worst affected by mental illness.[9]

4.14    The committee was told that children with autism need early and intensive autism-specific behavioural intervention to prepare them for school. This is needed to teach them the basics of communication: to hear language and to speak. Autistic children need to be taught to learn through imitation of behaviour, which they are otherwise incapable of. In most cases this training is unavailable because there are few autism-specific trained teachers. Most children with this condition have access only to generic programs intended for children with an intellectual disability.[10]

## *Diagnosis of sensory impairment*

4.15    Early diagnosis of sensory impairments is also essential for long-term learning advantage. Some problems can be identified before a child is born, or soon after. Unfortunately, this procedure is only now becoming routine, even though the technology for early diagnosis has existed for several years. This is a public health issue with a strong bearing on education outcomes. The committee was told of developments in the early identification of deafness, and notes that delays in treatment result in years of distress for some children and their families:

> We now have the technology to screen every baby's hearing before they leave hospital. It is a very easy, simple test. In some of the states in America where it has been introduced and in some European countries we are finding amazingly exciting developments of children screened for hearing before they leave hospital, diagnosed in the first couple of months of life and then parents making decisions regarding communication method, cochlear implant or hearing aids. All the research is showing that, if children are diagnosed by the time they are six months old and receive appropriate early intervention, those children can enter school with language which is within the normal range—it might be at the lower end of normal, but it is within the normal range.

> In our present situation in Victoria, children's hearing loss is not usually diagnosed until about 14 months of age, so there is an enormous gap. In Victoria, if your baby is known to be at risk for hearing loss—for instance, if there is deafness in the family or if you have been exposed to viruses known to cause deafness during pregnancy—your baby can be tested in the

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9       Submission No. 147, Action for Autism, p. 2

10      ibid.

first couple of days, but that is not picking up many of our children, because most children who are born deaf are not born deaf due to known factors.[11]

4.16 In the case of deaf children, the committee was told that there was strong evidence to show that delays in diagnosis, which average 14 months in Victoria for severe and profound hearing loss, delay entry into early intervention. Children with hearing problems gain an average of only 6 months progress each year, leaving them 14 months behind their learning peers in language development with the gap widening all the time.[12] Research in the United States has shown that babies diagnosed within 6 months of birth develop significantly better language skills than those diagnosed after this time.[13] It is now increasingly common for babies born in European countries to undergo neonatal hearing screening, while the United States recently mandated universal neonatal screening.[14] The committee notes that trials are being conducted in some Australian states, and that New South Wales has recommended that the procedure becomes routine.[15]

**Recommendation 7**

**The committee recommends that, subject to assessment under Australian trials currently being conducted, routine screening of the hearing of all Australian newborn children should be adopted.**

4.17 Problems associated with poor diagnosis of deafness are particularly acute for indigenous children. Indigenous communities, along with other socio-economically disadvantaged groups, suffer a high incidence of otitis media, a severe middle ear infection. While early diagnosis is crucial to identify the onset of the condition in the very young child or baby, ongoing screening as the child develops is also crucial to contain otitis media-related deafness, the most widespread disability afflicting indigenous communities.[16]

4.18 The Deafness Forum of Australia (ACT), in its submission, advised that in cases where the otitis media cycle has commenced, it could be necessary to screen at least three times a year. The Forum recommended that regular screening of hearing should be re-introduced into schools, in addition to the introduction of mandatory neonatal screening. Screening could also be coordinated with the provision of community health or immunisation programs.[17]

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11    Mrs Marilyn Dan, Australian Association of Teachers of the Deaf (Vic), *Hansard*, Melbourne, 13 August 2002, p. 294

12    Submission No.110, Australian Association of Teachers of the Deaf (Victoria), p. 5

13    ibid., p. 5

14    Submission No. 37, Deafness Forum of Australia (ACT), p. 9

15    Mr Brian Smyth King, Director, Disability Programs, NSW Department of Education and Training, *Hansard*, Sydney, 3 July 2002, p. 191

16    Submission No. 37, op cit., p. 12

17    ibid., p. 11

4.19    In recent years, many state governments have been winding back routine screening for sensory impairment, with the emphasis now being on 'user pays' services. The Australian Guidance Counselling Association reported:

> Local community health centres have traditionally had nurses based in schools or visiting schools who do early school screening, so every child in kindergarten gets a hearing test, a vision test and a very brief language assessment done. That has been progressively dismantled. They are now saying, 'If you think a child's got a problem, you can refer them to the nurse.' So we are putting onto teachers the need to become diagnosticians and to say, 'I think this kid's got a hearing problem,' 'I think this kid's got a vision problem,' or 'I think this kid's got a language problem.' I think teachers have enough to do without becoming medicos as well.[18]

Mr Brian Smyth King, Director of Disability Programs, New South Wales Department of Education and Training, told the committee that the department took the view that universal screening was not a sufficiently targeted use of resources, while referral was.[19]

4.20    Nevertheless, the committee accepts the argument that early intervention is crucial, for example in the case of conductive hearing loss, and considers that there are grave consequences and huge long-term costs to the community in the failure to identify evolving sensory impairments in school-age children. The committee therefore considers that the feasibility of re-introducing screening for sensory impairment should be evaluated in the interests of identifying all afflicted children, and especially the disadvantaged, who might not otherwise be identified.

**Recommendation 8**

**The committee recommends that MCEETYA should examine options to re-introduce some form of regular screening for sensory impairment for school and pre-school age children, either within schools or as part of community health and immunisation programs.**

## *Diagnosis of attention deficit hyperactive disorder*

4.21    The committee received few submissions on the subject of attention deficit hyperactive disorder (ADHD), but one typical submission claimed that the current system of early identification of ADHD, which is in the hands of advisory teachers and counsellors, is 'failing our children miserably.'[20] It was claimed that some teachers and counsellors assert that they do not believe in ADHD and many professionals were said to blame the mothers of children with ADHD. On the matter

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18    Ms Lyn Booth, President, *Hansard*, Sydney, 3 July 2002, p. 93

19    ibid., p. 103

20    Submission No. 137, North Queensland Attention Deficit Disorder Support Group, p. 2

of early diagnosis the submission from the North Queensland Attention Deficit Disorder Support Group had this to say:

> There are no early intervention programs for children with ADD and associated learning disabilities. Mothers and support groups have been advocating for early intervention programs as these programs have the potential to curb the drop out rate and under-achievement of children within the education system. As previously stated, parents have had to fight every inch of the way to have their children assessed and advocated strongly to have access to programs which may assist their children. Often current programs do not meet the needs of children with ADD.[21]

## Problems of managing disability

### *Autism*

4.22    Disorders on the autism spectrum result from atypical neurological functioning. Autism impairs social interaction, and impairs communication to the extent that many children with autism have little or no functional language. As indicated earlier, the committee heard serious and convincing evidence of the neglect by schools and education authorities of students suffering from autism. This is partly explained by the quite dramatic increase in the rate of diagnosis, which has increased four or five time over the past decade. There is no evidence that this is the sole cause of the alarming increase.[22] The current reported incidence of autism is conservatively put at 27 per 10,000, with some studies putting the figure as high as 93 per 10,000. The estimated number of children in New South Wales suffering from autism ranges from 5 000 to 15,000.[23] Over the whole of Australia between 0.6 per cent and 1 per cent of children are affected by autism or a related disorder.

4.23    The difficulty for parents in obtaining more support for children suffering from autism was quite fully explained to the committee, and this advice needs to be reported in some detail. One parent, in describing his dealings with government agencies had the following comment to make in relation to autism:

> I think part of it comes down to the fact that nobody takes responsibility for it. I have written to the health minister and to the Minister for Family and Community Services, and both quite clearly point the finger at each other. Family and Community Services regard autism as being a disability with very low numbers, so it is probably easier to not provide for their needs. But the needs of these children are not that unique; there are children with other conditions that are not on the spectrum who have some similar needs. Quite a number of disabilities share characteristics—things like Angelman syndrome and fragile X, which used to be part of autism until we found out the cause of fragile X and the genetic conditions for it. A number of children

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21    ibid.

22    Submission No. 147, Action for Autism, p. 1

23    Submission No. 166, Autism Association of NSW, p. 2

with Down syndrome have autistic characteristics and lots of children with epilepsy have autistic symptoms, but generally it is not reported because the epilepsy seems to dominate in the diagnosis. If you get into an educational setting, the thing that is stopping them from learning is probably their autistic characteristics.[24]

4.24    It was also claimed that autism is not widely reported. It is not mentioned in the ABS statistics. Children with autism are grouped with those suffering from an intellectual disability, with the assumption that there is little that can be done about it. As the evidence continued:

> Basically, it has fallen through the gaps because people have believed that it is not that big a number and is not important, and because the families are often so weighed down by looking after a child that they are not politically active and they really do not have a support network that is effective. There is a huge variance in opinion amongst the families and parents about what should be done. Most of the research is relatively new and the older families have not really picked up on that. All of those sorts of issues mean that it is really an emerging area and the services do not really exist at this stage.[25]

4.25    The committee visited the Western Autistic School in Melbourne to find out more about this disability. The role of the school is to develop social and communications skills which in non-sufferers are learned through imitation and response. At this school even the most basis tasks are taught through repetition. Autistic students think in pictorial terms. Sufferers of Asperger Syndrome, at the high function end of the autism spectrum, develop extensive and elaborate 'filing systems' in order to anticipate social responses, and are liable to panic if they cannot make the right connection between situation and response. The committee also heard that:

> In the case of students with autism spectrum disorders, you have a student who is completely literal, for example, who takes everything literally and who does not understand all the nuances of social body language and that kind of thing. They are going to get into an awful lot of trouble at school. They are often targets for bullying and teasing which, in turn, can cause them to act out and to get very distressed. They may have sensory overload, and that is something that is often overlooked or not understood at all. So a child in a playground who cannot cope with the noise and maybe the light will lash out. He will immediately then come to the attention of the behaviour support people, who do not understand why he is behaving the way he is behaving—assuming he is a difficult student, he is noncompliant and he is aggressive. It is usually boys, so that is why it is fairly safe to say 'he'; it is a 4:1 ratio. [26]

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24    Mr Robert Buckley, Action for Autism, *Hansard*, Canberra, 11 September 2002, p. 618

25    ibid.

26    Dr Jaqueline Roberts, Autism Association of NSW, *Hansard*, Sydney, 3 July 2002, p. 135

4.26    Perhaps the most telling example of the failure of school authorities to deal with autism was given in evidence in Canberra by a parent who reported that if his son had received early assistance when he needed it he would probably be functioning at a level where he could attend high school.[27] This witness continued:

> The evidence that we have had presented to us—and that is now in a court case in the Discrimination Tribunal in the ACT—is that children who are given early intervention while they are young have a significantly higher probability of developing normal language. A large number of children with autism do not speak or do not speak effectively. Their language may consist of phrases of one or two words and relatively small vocabularies in some instances. Most psychologists will tell you that if they do not develop natural or flowing language by the time they are eight they are unlikely to develop it at all. So you need to get in and make sure that these children develop those kinds of skills early.
>
> What we are talking about is intensive behavioural intervention, which is a psychological treatment. It needs to be given for a significant amount of time. Research suggests that less than 28 hours a week will not produce a significant effect. With over 30 hours a week, nearly half the children are able to function in mainstream classes from then on without additional support. So there is a huge difference, a divide, for the children who get that kind of intervention. This kind of intervention is not available in the public system in Australia and there are virtually no people who know who to do it in Australia. Anybody here who knows how to do it has been trained in America or Norway—or one of the Scandinavian countries.

4.27    The committee is greatly concerned that in many cases such students are not being educated in appropriate settings because schools and school systems lack the specialised skills to deal with their problems. It should not be open to states and territories to turn their backs on their responsibilities to deal with difficult cases, as the committee has heard has been done.

4.28    Inexperienced or untrained teachers will usually attempt to deal with non-compliance or aggression without understanding the reasons for it. Few people have any understanding of communication difficulties faced by sufferers of autism:

> In severe cases you can have situations where people fall foul of the law and end up in the judicial system because of the characteristics of autism. For example, a young man was picked up recently. He had had problems at home and he was riding the trains, which was a particular obsession for him. He had been on the trains for five days when the railway police picked him up. Obviously by that stage he was looking pretty dishevelled. They asked him if he had any needles in his bag, thinking he was a drug addict. He had a sewing kit, so he said yes, he did. Of course they searched him and found

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27    Mr Robert Buckley, op cit., p. 617

the sewing kit and then roughed him up because he had given them cheek. He literally responded to their question.[28]

4.29    The committee regards the lack of knowledge among education professionals generally about the characteristics of autism as a matter of serious concern. Such ignorance adds to the difficulties faced by afflicted students in their grappling with school life and social adjustment, and adds greatly to the frustration of teachers and school administrators. Autism awareness should be addressed through relevant theoretical and practical components of teacher education. If the numbers of diagnosed autistic students in schools is increasing, this commitment will be necessary if schooling is to make a difference to the lives of these students.

## *Sensory impairment*

4.30    Of the total number of students with disabilities, those suffering from some form of sensory impairment alone make up only a small percentage of the total. In some respects the difficulties faced by students with sensory impairment alone appear to be more straight-forward; being of a different order from the greater majority of students who have some form of intellectual disorder. This is because the issue for these students and their parents is more often than not to do with resources. The particular difficulty lies with the diminishing human resources: specialist teachers proficient in skills and knowledge who are the link between the student and worldly success. The complaint of parents, the main source of their frustration, appears to be the reluctance of governments to make decisions which would alleviate, over time, the pressures placed on the diminishing numbers of specialist teachers.

### Deafness and hearing impairment

4.31    The small numbers of deaf students present a challenge to school authorities on how best to manage their education given the expense of maintaining proper services for them. A submission from the Traralgon Deaf Facility in Victoria explained that fluctuating demand for places at Lilliard Road Primary School, where the Facility is located, and the Traralgon Secondary College, which has some appropriate facilities and staff, put the future of the deaf program in jeopardy. The two schools have put in a submission to the Department of Education and Training for accreditation as a prep to year 12 deaf facility and to allow them to draw in students from a wider area of Gippsland to ensure the viability of the facility.[29] The submission explains that under current arrangement, students in the secondary years are disadvantaged as a result of the more limited resources available to them. For instance, there is no secondary school in Gippsland where deaf students can use Auslan as their first language. The educational advantages of a prep to year 12 facility are obvious, but as the submission concludes, the problem remains of funding transport to the school for those who live considerable distances away. Most children

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28    Dr Jacqueline Roberts, op cit., p. 140

29    Submission No. 73, Mrs Suzanne Harrison, Traralgon Deaf Facility, pp. 2–3

(and their parents) in rural areas are disadvantaged by the lack of a public transport network, and those with disabilities have an additional handicap.

4.32 The committee received evidence from a number of quarters expressing concern about the neglect of Auslan by education systems. The submission from the Australian Association for the Deaf gave typical expression to misgivings about prevailing teaching methods:

> AAD has grave concerns about the pedagogical approach being taken in providing an oral education on a large scale with only minimal inclusion of sign language, or with sign language provided as a kind of last resort when the child "fails" in the oral system. Research and anecdotal evidence has shown that such an approach can be detrimental psychologically, cognitively and educationally and is even more so at current resourcing levels.[30]

4.33 Not all the evidence about hearing disabilities was bad news. The committee received a submission from representatives of parents of children attending the Bendigo Deaf Facility, which they claim as the leading a model of a deaf facility in Victoria. It is the only deaf facility in rural Victoria that covers both primary and secondary schooling to year 12 and extends across three campuses, each being a mainstream school. Parents attribute its success to the excellent cooperation between the schools, the school councils and the community:

> At Kennington Primary School there is an outstanding Auslan–English Bilingual program in which some of the Key Learning Areas are taught in Auslan. This program provides both our deaf and hearing students an understanding of the curriculum through Auslan. Auslan is also taught by deaf adults as a LOTE subject at Kennington Primary School and at Golden Square Secondary College. External assessment of the Auslan program is currently being undertaken by La Trobe University.
>
> Our deaf students are involved in all aspects of the primary school and the two secondary colleges. With the introduction of Auslan to the facility, they are achieving at a higher level academically and socially than before. They are now performing at CSF levels appropriate to their grade levels. This has not occurred before. The deaf students at Bendigo Senior Secondary College have access to the widest range of VCE subjects and to the excellent On-Line Technology which the college offers. The outcomes of our deaf students are proof that this system gives our deaf children the best opportunities to successfully gain employment and contribute to society.[31]

4.34 Nonetheless, parents did express some concerns. They anticipate funding cuts by way of an increase in the staff–student ratio. This occurred previously in relation to the Visiting Teacher Service, with adverse results, for without good support students

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30    Submission No. 83, Australian Association of the Deaf, p. 3

31    Submission No. 91, Mrs Lorraine Morton, p. 1

become 'extreme underachievers'. Also at risk, the submission suggests, are professional development days and resource funding.[32]

4.35    Another concern is the perennial rural problem of isolation and the cost and duration of travel. Children at the Bendigo Deaf Centre come from across north western Victoria. The closure of a hostel, presumably for the reason of cost, has resulted in children travelling each day from distant parts. Instances were cited in the submission of the effect on individual families:

> A family works a farm three hours away from Bendigo.  When the hostel closed they bought a second house in Bendigo.  During the week dad works the farm while the rest of the family live in Bendigo. Another family works a farm one and a half hours from Bendigo.  When the hostel closed they bought a unit in Bendigo.  During the week their son lives at the unit and is looked after by one of the deaf Auslan instructors.
>
> There are other children who live out of Bendigo whose parents drive them to school at the deaf facility.  All of these children have homework they are required to do.  With the travelling time they are exhausted even before they reach their homes.  To have to face homework on top of that is a mammoth task.  How much easier it would have been for each of these families if the hostel had been kept open.[33]

4.36    Indigenous children in remote areas have been the recipients of targeted programs to address the prevalence of deafness resulting from the high incidence of otitis media. Western Australia, for instance, has two programs which deliver initiatives for children up to the age of 8. These involve research, production of teaching resources and guideline development, screening, referral and medical intervention, family and community counselling, intensive tuition and teacher training initiatives.[34] The Northern Territory also provides a range of services designed to address the particular problems of disability in remote communities.[35] Queensland does not at present target conditions affecting indigenous communities, such as otitis media related conditions or the effects of foetal alcohol syndrome, but assesses according to state-wide disability standards.[36]

4.37    In addition to the problems of community isolation experienced by the deaf in rural and regional areas, the cultural appropriateness of service provision was an issue for the deaf in indigenous communities. One submission remarked how deaf

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32    ibid.

33    ibid., p. 2

34    The programs are: the Western Australian Conductive Hearing Loss/Otitis Media Strategy and the National Indigenous English Literacy and Numeracy Strategy for Conductive Hearing Loss. See Submission no. 244, WA Government, p. 17

35    Submission No. 222, Northern Territory Department of Employment, Education and Training p. 7

36    Submission No. 20, Mr Trent Wheeley, p. 1

indigenous people may have particular needs in the learning of Auslan, as they often use their own sign languages.[37] The South Australian Government confirmed that cultural difference also limits deaf indigenous access to regular high quality services, appropriate programs, multi-agency and or community support teams.[38]

## Blindness and vision impairment

4.38    Vision impairment has been described as a 'low incidence' disability in children and young people. In 1993, approximately 18 per cent of the population had one or more disabilities, and of these about 9 per cent had some degree of vision impairment.[39] There are believed to be some 3,000 children of school age with a visual disability. The committee was informed that the population of children who require specialised educational services because of vision impairment is highly diverse.[40] For some children, vision impairment is their only disability, but for a large proportion of students, vision impairment will only be one of several disabilities, including intellectual, emotional and physical, that will affect their learning. There has been a shift away from ocular impairment to brain damage as the major cause of vision impairment, and a consequent likelihood that other disabilities, like cerebral palsy, intellectual impairment and autism, will be associated with vision impairment. The committee was told that the major reason for this was that babies are increasingly surviving the experience of extreme premature birth, and that some of these babies have multiple disabilities.[41]

4.39    The committee noted a number of general areas of concern expressed by advocacy and parent groups. First, there is a concern about the acquisition of literacy and numeracy skills, which are often quite low among students with good underlying cognitive ability. Second, there is a serious lack of appropriate tape, large print and braille material. Third, many students, particularly those living outside metropolitan districts, have very limited access to itinerant specialist teachers.

4.40    It is generally accepted that as much as 80 per cent of learning is acquired through vision.[42] Visually impaired students can excel in many of the same activities as their sighted peers and are able to do most things that other students do, but they need to do them in a different way. Most visually impaired students have some residual vision, and can be taught to use magnifiers. Research by the Department of Education, Training and Youth Affairs (now the Department of Education, Science and Training) has highlighted successful practice in high achievement levels attained

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37    Submission No. 37, op. cit.,

38    Submission No. 238, South Australian Government, p. 11

39    Submission No. 101, Royal Blind Society, p. 3

40    Submission No. 99, Royal Institute for Deaf and Blind Children, p. 7

41    Mr John Berryman, Chief Executive, Royal Institute for Deaf and Blind Children, *Hansard*, Sydney, 2 July 2002, p. 26

42    Palmer, C., in *Literacy, Numeracy and Students with Disabilities,* Department of Education, Training and Youth Affairs (DETYA) Discussion Paper, 2001, p. 47

in literacy and numeracy for visually impaired students. A collaborative approach to learning, with activities aimed at maximising student experience has been shown to be successful, supported by a sympathetic school ethos and appropriate facilities and physical environment.[43]

4.41    'Best practice' is often the exception rather than the norm. A 1999 project undertaken by the Royal Blind Society and Royal Institute for Deaf and Blind Students showed that parents and students were disappointed with the way schools met their expectations. The efforts of schools were neither systematic nor sustained, and relied too heavily on the efforts of particularly caring individual teachers.[44]

4.42    The shortage of appropriate learning materials in the various media used by the visually impaired has been a continuing source of anxiety to parents, students and schools.

> Information, even at Preschool level is becoming more visual and State testing programs are placing an increased emphasis on viewing.  In regular settings, there is a heavy reliance on pictures and diagrams.  This makes the task of presenting class materials to vision impaired students even more complex.  Students must be specifically taught how to scan, interpret and respond to tactile graphics.  Tactile graphics instruction should be introduced at an early age, along with instruction in literacy and numeracy.  There is a need for research into tactile graphics acquisition and the development of teaching materials and a set of Guidelines for the production of tactile graphics.  Specific funding needs to be allocated to this area.[45]

4.43    The committee received evidence in a number of submissions about the increasing problems associated with the teaching of braille. Braille is a key to literacy and central to numeracy for many blind people, including children who have lost their sight early in life and adults who have become blind later in life. Properly instructed, and with sufficient brailled material, a blind child will acquire a degree of literacy comparable to a sighted child. A blind person without skill in braille is functionally illiterate:[46]

> Our students are at significant educational risk due to inadequate funding for specialist support staff, technology and the production of materials in alternative formats (eg. Braille, large print, audio).  Students who are blind or who have low vision need specialist instruction from trained teachers of the vision impaired in literacy and numeracy.  Without this their levels of literacy and numeracy will not be adequate for survival in life so is not acceptable.[47]

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43    ibid., pp. 50–55

44    Submission No. 101, Royal Blind Society, p. 4

45    Submission No. 89, South Pacific Educators in Vision Impairment (SPEVI), p. 11

46    Submission No. 55, Blind Citizens Australia, p. 6

47    Submission No. 89, op. cit., p. 11

4.44    There are three main areas of concern in regard to braille. The first has to do with the shortage of people trained to produce material in braille; the second is with the increasing lack of familiarity with braille as a medium among teachers of the visually impared; and the third problem is with the shortage of material produced and the high cost of producing it. The effect of the last problem is particularly noticeable in universities and will be covered in chapter six.

4.45    For a number of reasons, even specialist teachers of the visually impaired are now less likely to be trained to teach braille. The committee received evidence from the National Information Library Service of the very limited opportunities available to acquire skills to produce braille, large print and e-text. Typically, training was done 'on-the-job', with the Australian Braille Association conducting the demanding accreditation process. While software existed to make English text transcription relatively straightforward, maths, sciences, music and languages other than English required extensive knowledge of relevant braille codes. The demands on braillers transcribing university level texts is such that they need exposure to the subject matter at university level in order to undertake the transcriptions.[48] Recruitment of appropriately trained staff is a problem for not-for-profit organisations like the Royal Blind Society, which cannot offer competitive salaries.

## *Physical disabilities*

4.46    Almost four per cent of the Australian population have physical disabilities.[49] The committee received surprisingly little evidence on the incidence of or educational implications for children with disabilities that constrain mobility. Perhaps this is due to the level of recognition and attention this area of disability has received over recent decades. The Physical Disabilities Council of Australia submitted that over half those with a disability have a physical disability. Physical impairment was the sole impairment for thirty per cent of people with disabilities. A further twenty seven per cent had a physical impairment in conjunction with other impairments.[50]

4.47    The resources usually available to adapt the school environment to student's individual needs range from minor planning considerations to building modifications. Taking students' mobility needs into account when making room allocations and careful planning for excursions can avoid many problems. Occupational therapists, physiotherapists or speech pathologists can prescribe a range of adaptive equipment. Mobility equipment available includes ramps, lifts and transfer equipment to assist the student's mobility around the school grounds. In the classroom and playground there are also a range of equipment specifically designed for children with motor impairment or similar disabilities.[51]

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48    Submission No. 174, National Information Library Service, p. 8

49    Submission No. 112, Physical Disabilities Council of Australia, p. 3

50    ibid.

51    *Physical As Anything: Collaborative Support for Students with Physical Disabilities and Medical Conditions,* NSW Department of School Education, 1996

## *Chronic Fatigue Syndrome (ME–CFS)*

4.48    Myalgic Encephalomyelitis, or Chronic Fatigue Syndrome as it is commonly known, is a neurological illness closely related to Parkinson's Disease and Multiple Sclerosis. There is currently no cure or diagnostic test for the disease, despite its incidence being between 1 and 5 per cent of the population.[52]

4.49    The symptoms of CFS include: persistent profound exhaustion, post-exertional fatigue, cognitive impairment, sleep disturbance, muscle and joint pain, headaches, digestive disorders, sensory dysfunction, flu-like feelings, mild fevers, sore throat, irritability, sensitivity to foods and chemicals, painful lymph nodes, heart palpitations, disturbance of balance and night sweats.[53]

4.50    CFS affects the frequency and duration of a student's school attendance, the volume of work they can undertake and the speed with which they are able to learn. Specifically the neuro-cognitive symptoms impact short term memory, concentration, and the ability to find words or do simple calculations. Sufferers commonly refer to these symptoms as 'brain fog'.[54]

4.51    One submission pointed out, that unlike some readily identified and accepted disabilities, the onus is on the parent to negotiate with the school for assistance. The submission contends:

> …this is inherently discriminating against the student and their family—there is a power imbalance in this system and a conflict of interest for the school. Schools are not required up-front to provide guidelines for parents on how they can go about securing accommodations for their child…the entire system is ad-hoc…it is not in their [the school's] interest to be transparent and open about the possible accommodations that could be made available to various students. Accommodations naturally create more work and schools are stretched…Well-educated parents stand a better chance of arguing their case.[55]

4.52    This illness is recognised by the World Health Organisation, the US National Institute of Health, and the Australian National Health and Medical Research Council. Despite this fact the definition of disability under the Disability Act makes classifying CFS a disability difficult on the grounds of the huge variation in severity and, particularly, the unknown duration of symptoms.[56] The inadequacy of the community's and many medical practitioners' information on this illness exacerbates

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52    Submission No. 194, Mrs Dorothy Morris, p. 6

53    Submission No. 210, ME/Chronic Fatigue Syndrome Association of Australia, p. 1

54    Submission No. 82, ME/CFS Society (SA) Inc., p. 3

55    ibid., 3

56    Submission No. 210, op. cit., pp. 1–2; 10A

the difficulties students have in obtaining assistance needed to complete their schooling.[57]

4.53    Several strategies to assist students with CFS were suggested by submissions to this inquiry. Of fundamental importance to their educational outcomes is the attitude of teachers. If a teacher is sufficiently informed and aware of the limitations of these students, they can adjust their expectations of a student's performance. Accommodation can be made in assignment deadlines, and cutting out unnecessary or extraneous commitments like PE or standing for school assemblies. Whereas for some disabilities simply increasing the amount of time given for an exam may be adequate, for students with CFS a better approach is to spread the exam over two sessions. One of the most important contributions a teacher can make to a student with CFS is to treat them with respect and their illness as credible. This will pay huge dividends in building a student's self-esteem and confidence, as well as in how other children relate to the student. The provision of a beanbag and a quiet room to rest, taped lessons or a laptop computer can also enhance educational outcomes. A school-appointed advocate for the student can assist in negotiating special arrangements.[58]

## *Learning disabilities*

4.54    The detection of learning disabilities and the determination of appropriate teaching strategies were issues raised by many people who gave evidence to the inquiry. The push by some advocates for access to specific funded support, and an unwillingness on the part of education authorities to define this sub-group of students has made the definition of a 'learning disability' as distinct from a 'learning difficulty' a vexed issue over recent years.

4.55    The qualities which the Australian Federation of SPELD Associations (AUSPELD) defines as being characteristic of learning disability (which it terms Specific Learning Difficulties) are those which:

- are considered to be intrinsic to the individual;

- can cause a person to learn differently;

- are not linked to intellectual impairment (except incidentally);

- may coincidently exist with problems in self-regulatory behaviours, social perception and social interaction;

- are life-long; and

- result in difficulty accessing the curriculum unless identified early and educational adjustments appropriate to individual need are provided, to prevent failure.[59]

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57    ibid., p. 3

58    ibid., pp. 3-4; Submission No. 82, op. cit., pp. 2-3

59    Submission No. 200, AUSPELD, p. 2

4.56    A learning disability is a disability for the purposes of the Disability Discrimination Act. Typically, state education departments provide for students with learning disabilities under umbrella programs designed to assist students with learning difficulties. These students are not eligible for specific Commonwealth or state disability funding even though some states define the term for other purposes. State education departments, however, have the discretion to use Commonwealth funds, made available under the Strategic Assistance for Improving Student Outcomes (SAISO) program, towards students with learning disabilities.

4.57    The New South Wales Department of Education provides support for students with learning disabilities through its learning difficulties program. This program is available to those students within the normal range of intelligence but who are not achieving at a level expected for their age and stage of development, and whose difficulties may be experienced across the span of school life.[60] The department does not distinguish between learning difficulties and learning disabilities:

> At this point in time, the New South Wales Department of Education and Training in the school sector does not distinguish between learning difficulties and learning disabilities. We would contend that the students that have dyslexia and the sorts of things that you are talking about are well and truly supported through the Learning Difficulties Program.[61]

4.58    Similarly, the Department of Education and Training, Victoria, listed a number of programs designed to support students who may be experiencing difficulties with their learning but who are not eligible for disability support. These include: the literacy coordination program; the reading recovery program; and, the managed improved information pathways priority program.[62]

4.59    Education Queensland defines students with learning disabilities as: 'one small group of students with learning difficulties who, because of the neurological basis of these difficulties, have persistent long term problems and high support needs in one or more areas of literacy, numeracy and learning how to learn'. These students do not have generalised intellectual impairments but rather demonstrate idiosyncratic learning styles that are determined by the nature of their specific disorders and inhibit their learning at school.[63] In response to a question about whether every student in a Queensland school who had a learning disability would have it diagnosed an Education Queensland officer advised that they would have been able to access a learning support teacher to work with them to develop a program that was suitable for that student.[64]

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60    Jenkinson, J., *Special Education: A Matter of Choice, Australian Education Review No. 46,* ACER, 2001, p. 52

61    Mr Brian Smyth-King, *Hansard*, Sydney, 3 July 2002, p. 192

62    Ms Susan Tait, *Hansard*, Melbourne, 13 August 2002, p. 306

63    Submission No. 213, Education Queensland, p. 3

64    Mr Michael Walsh, *Hansard*, Brisbane, 6 September 2002, p. 509

4.60    When asked the same question, the Tasmanian Department of Education responded:

> I would not be confident that every student in that situation was well catered for but certainly, with the number of guidance officers and special education teachers we have who have that understanding and background, I would be confident that most of those students would be picked up and strategies would be provided to their teachers in their classroom.[65]

4.61    Under the Tasmanian system, students with learning disabilities may receive district support. The committee noted that of all the state education departments appearing before the committee, the Tasmanian department was the only one to acknowledge that for some students with learning disabilities, compensatory strategies may be more appropriate than remedial tuition:

> I would say that there are students who, for example, have more difficulty than others in learning to read. For those students, programs like Reading Recovery or the sporting program that we have in place or some of the other specialist interventions work very well. Often those students can then learn to read and proceed through the school system without any further difficulty. However, I believe that there is a subset of students—and we have certainly talked about those students in publications that the department has put out and in some of the programs we run—who probably do have auditory visual cognitive processing difficulties that really mean processing of print is almost impossible for them to do. For those students, you probably do have to look at compensatory strategies because they will simply never be able to process the printed word no matter how much intervention you provide for them. Those students certainly do exist but they are a small subset of the larger group of students who have difficulty with literacy.[66]

4.62    Other states may also provide for students with learning disabilities under programs designed to address the needs of students who are having difficulty learning. For example, in Western Australia programs such as *Making the Difference* focus on students who are experiencing difficulties learning.[67] While in South Australia students with learning disabilities are assisted through the use of learning difficulty support teams:

> It has picked up a range of young people. It has not picked up students with learning disabilities as such, like dyslexia; however, we do have a learning difficulty support team which operates right across the state and they work very closely with schools in a training and development model. Schools negotiate for a customised service in training and development in the area of

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65    Ms Alison Jacob, *Hansard*, Hobart, 3 September 2002, p. 388

66    ibid., p. 387

67    Submission No. 244, Department of Education, Western Australia, p. 12

learning difficulties. Whilst they are not inside that language and communication definition, it is not that they are without any service.[68]

4.63    Dr Paul Whiting of AUSPELD told the committee that by not distinguishing between the two conditions, education departments were failing students with learning disabilities. He explained:

> The difficulty [of the present approach] is that it conflates difficulties in learning that are produced by extrinsic factors—that is, things like poor schooling, absence from school, emotional problems and sensory problems—with intrinsic factors such as dyslexia when we know there are biochemical and physiological differences between people who are dyslexic and people who have no reading problems. So the issue of definition is important from our point of view because the treatment implications will be different depending on how you define the problem.[69]

4.64    The evidence from those witnesses advocating on behalf of students with learning disabilities, or from people who themselves had a learning disability, left the committee in little doubt about the failure of schools in this area. Dr Whiting cited the plight of one student:

> I have recently been looking at a young chap who is 14 years of age. He has a reading level of grade 2 and a spelling level of grade 1. He has been assessed as dyslexic by a private psychologist. He has had three years of remedial teaching at that psychologist's clinic. He has had a support teacher for learning difficulties in school, and he has attended an intensive reading class in school. He has had every provision that the government system can provide. At 14 he is in a school for behaviour disordered children and has been told that, at the end of this year, he can leave because there is nothing more the system can do for him. His parents will tell you that he is not behaviour disordered at all; he is a delightful child. I certainly did not find him at all difficult to deal with. He is behaviour disordered because he has finally refused to do things that nobody has enabled him to do—namely, to read, write and spell. When they ask him to do it, he just says no. So he is oppositional defiant and in a school for behaviour disordered kids. And where is he going? What is his chance in life in the future?[70]

4.65    And from the President of the Australian Learning Disability Association:

> Another issue that our organisation would like to stress is that in the compulsory school sector, in Tasmania at least, learning disability is not recognised, (meaning) that children, particularly with a learning disability,

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68    Ms Patricia Winter, Disability and Professional Services, SA Department of Education and Children's Services, *Hansard*, Adelaide, 3 Hobart 2002, p. 559

69    Dr Paul Whiting, *Hansard*, Sydney, 2 July 2002, p. 53

70    ibid., p. 57

are falling through the net…We are hearing only the stories of a very few survivors who have managed to negotiate a very difficult system. The stories our organisation has heard have only been of those who have survived. We are not hearing the stories of all the people and all the students who have found it too difficult to survive within the system and then have had to pull out because it had simply become too difficult for them.[71]

4.66 The committee heard conflicting evidence about appropriate support for students with learning disabilities. Some advocates argued that a learning disability may not be corrected by the standard methods of remedial intervention, such as reading recovery programs.[72] Such advocates argue that there is 'a lack of awareness and understanding' of the real nature of learning disability in the education sector. The Australian Learning Disability Association advised:

> A fact with learning disability is that because it is a neurological impairment and a functional disability, a person's functional learning abilities are impaired. You can provide—and I have heard this from about 100 students probably and others that I have talked to all around the country—as many remedial classes and exercises as you like and you will only move a person's skill a small amount upwards; there needs to be some compensatory strategies.[73]

4.67 Referring to the university sector, which better addresses the needs of those with learning disabilities, it was explained to the committee that technological assistance could be used in primary and secondary schools:

> … some of the great successes we have had at the University of Tasmania involve providing access to information for a person with a learning disability who cannot do as you or I can do: look at a lecture, listen to a lecture and take good notes at the same time—it is impossible. We provide them with peer notes in an electronic format so they can sit down in front of a computer, which are in the schools, with a speech synthesis program. They can read the information visually and hear it as the computer is saying it at the same time. This takes care of just about all of the language-affected people with learning disabilities. Again, it is that thing about appropriate access to information.[74]

4.68 Other witnesses supported the use of remedial programs. When asked about their appropriateness, Dr van Kraayenoord replied:

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71 Mr David Pearce, *Hansard*, Hobart, 3 September, 2002, p. 359

72 For a history of the debate see C. van Kraayenoord and J. Elkins 'Learning Difficulties in Regular Classrooms', Chapter 5 in A. Ashman and J. Elkins (eds), *Educating Children with Special Needs*, 3rd edn, Prentice Hall, 1998. See Mr Michael Spurr, Australian League of Disability Associations, *Hansard,* 3 September 2002, p. 334 for an advocate's view.

73 Mr Michael Spurr, *Hansard*, Hobart, 3 September 2002, p. 335

74 ibid.

I am not sure that I fully concur with the statement that these children need a completely different diet or series of programs. I believe that many of the instructional practices that we know about that have been well researched do equally well for children with learning difficulties and learning disabilities as for normally achieving children.[75]

4.69    A mother of a dyslexic child gave the following positive account about the use of remedial support for her son:

I then went to a friend of mine who taught in this field and whom I had spoken to and she said, 'Bring him to me and I'll work with him.' She taught him to read in a couple of months. She had the specialist training to know what to do. By this stage he was running away from school. He could not cope because his teacher was saying, 'Write neatly. Stay in at lunchtime and write out your spelling list a hundred times because you can't do it properly. You can't copy off the board correctly.' There are all of these other issues that are going on at the same time. You spend your time keeping the kid's head above water so that they can survive in the school. But once you find some specialist support, once you find somebody who understands, it makes it much easier. His life changed when we found this other woman to help him. She supported him. She told him he was bright. In the end his IQ test is up in the gifted and talented range but he was just not showing that at school.[76]

4.70    The committee notes the obvious need for schools to provide support for students with learning disabilities through the use of assistive technology, remedial tuition and teacher aide support, depending on individual circumstances. The committee also notes that learning disabilities need to be seen in the much wider context of learning difficulties. The proportion of students in this cohort is very large, and their interests should not be overlooked in any attempt to assist those whose learning disability arises from a neurological condition which puts them in a recognised disability category. Students with learning difficulties, as distinct from those with learning disabilities, are also educationally disadvantaged. The cause may arise from many circumstances, but is most likely to be poor socio-economic circumstances or serious family disruption. The UNICEF report on comparative school performance, referred to in chapter four, adds weight to the committee's concern. Many students with mild disabilities who do not qualify for support under state disability programs, are also educationally disadvantaged. The committee would not like to see funding directed towards students with learning disabilities at the expense of students with learning difficulties.

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75    Dr Christina van Kraayenoord, University of Queensland, *Hansard*, Brisbane, 6 September 2002, p. 459

76    Ms Kerry Mitchell, SPELD NSW, *Hansard*, Sydney, 2 July 2002, p. 66

## *Scotopic Sensitivity*

4.71    Scotopic Sensitivity Syndrome is a visual-perceptual problem that occurs in some people with learning/reading disorders, autism, and other developmental disorders. People with Scotopic Sensitivity/Irlen Syndrome experience 'perceptual stress', which can lead to a variety of perceptual distortions when reading or viewing their environment. It is triggered by one or more components of light, such as its source, luminance, intensity, luminance, wavelength or colour.[77] A submission argued that the New South Wales education system had failed to meet the needs of one student with this disorder. As one witness with Scotopic Sensitivity wrote:

> When I was diagnosed it validated that I was not stupid only struggling to learn within my limited capabilities due to my disability, finally I believed the same education system that had failed me could assist.
>
> I was wrong. The severity of such symptoms are only classified by the Board of Education as a learning "DIFFICULTY" and all the school is required to do to assist is present me with one blue overlay to place over my work. This is insufficient.[78]

## *Attention Deficit Hyperactivity Disorder*

4.72    Attention Deficit Hyperactivity Disorder (ADHD), or Attention Deficit Disorder (ADD), is recognised under the Disability Discrimination Act as a disability, but like a number of similar impairments is not recognised by most state and territory education departments as requiring special funding. It is estimated that between 2.3 per cent and 6 per cent of the population suffer ADD to a significant extent. Around half of the childhood sufferers of this problem have associated disabilities, which entitles them to special assistance.[79]

4.73    The committee was informed that children in Queensland with ADHD were not well looked after by the education system. In general, teachers do not have a sound understanding of learning difficulties and it is largely left to parents to insist on school assessments of the needs of their children with ADHD. The policy of appraisement was not working in the interests of ADHD students. Submissions to the committee on this disability were few, but one from the North Queensland Attention Deficit Disorder Support Group was quite emphatic:

> Many mothers report very negative experiences when dealing with teachers concerning their child's ADD and or learning disability.   Many professionals blame the mothers of children with ADD and almost everyone

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77    Edelson, M. Centre for Study of Autism, Salem, Oregon, http://www.autism.org/irlen.html, (accessed: 18 November 2002)

78    Submission No. 2, Ms Olivia Baczynskyj, p. 2

79    Submission No. 137, North Queensland Attention Deficit Disorder Support Group, p. 1

has an opinion on ADD, even though they will tell you they do not know much about it.[80]

## *Neurofibromatosis*

4.74    Neurofibromatosis (NF) is a name given to two distinct genetic disorders which primarily affect the nervous system. The most common of these (NF1) occurs in 3,000–4,000 live births and in the majority of cases the disorder is regarded as mild. The committee noted from the submission from the Neurofibromatosis Association that the physical and intellectual complications of this disorder are highly variable and cover a wide scope of behaviour. In some cases the physical symptoms of the disorder do not result in any learning difficulty, though this does not seem to be the norm.[81]

4.75    The physical manifestations of NF include curvature of the spine, an enlarged head, a liability to bone fractures, optic tumors, impairment of gross and, or, fine motor skills, and lumps involving groups of nerves. Children with these conditions can experience learning disabilities and the physical manifestations of NF can result in the social isolation of children with this condition. Some children with NF1 may also be diagnosed as having Attention Deficit Disorder, and may be disruptive in class. The submission from the Neurofibromatosis Association instanced case study experiences of a number of families in finding sympathetic and accommodating schools for their children. The committee notes the similarity of these stories across all disability areas. The submission from the Neurofibromatosis Association described the experience of a family whose three year old child suffering from NF1 was refused enrolment at pre-school because the school had already filled its quota of special needs children. The submission stated:

> … a child may have no learning disabilities but may have educational restrictions imposed on them simply because a school is aware of the diagnosis of NF. A quandary for many parents of young children with NF, who does not present with any obvious learning disability problem at a young age, is the concern that by disclosing to the child's school the fact that the child has NF and therefore may have such a disability, will in some respects be self fulfilling. The concern is that the child's education will suffer because of the disclosure and the assumptions that may then be made about the child's abilities, irrespective of whether any actual learning disability is found to exist.[82]

4.76    The committee regards such arbitrary decisions as likely to result from ignorance and a failure in many cases of community-based organisations to act in the interests of the community. Such attitudes provoke the demand for more central supervision of local operations, which would not necessarily result in an improvement to services.

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80    ibid.

81    Submission No. 154, Neurofibromatosis Association of Australia, pp. 2–3

82    ibid., pp. 5–6

## Transition to work or further study

4.77    While the opportunities available for students with disabilities to access higher education are generally good, there is a serious concern about the limited opportunity for students with disabilities to find employment after leaving school. In its submission the Australia National Training Authority wrote that nearly one-fifth of the working age population with a disability left school before they turned 15.[83] This suggests that schools are failing this group. Data shows that student with high support needs are being squeezed out of Commonwealth employment support programs into state and territory day activity programs. This lamentable situation, as it is described in one submission, is often analogous to 'child minding.'[84]

4.78    Professor Parmenter submitted that one of the factors impeding the effective transition from school to work or higher study, is the highly structured support given to students in school. This resulted in students having to make few decisions for themselves and made them less independent. His observation was supported by a number of submissions, including that from the University of Sydney:

> The University of Sydney's experience is that students within the school sector often provided with intensive staffing support that does not encourage independent management of their condition. The lack of experience in the independent management of their disability and study may result in significant difficulties in the University environment.[85]

4.79    Professor Parmenter argued that in the post-secondary sector, the focus of control shifts to the student; the student is required to negotiate their own support network. As an example he described how students with disabilities would take several consecutive TAFE courses with little planning as to their expected employment outcome. A further recommendation in the submission was that the transition planning process should start early in the student's secondary school life, with decision making skills built into individual transition planning processes. In this way, students are encouraged to become increasingly responsible for initiating their own support networks.[86]

4.80    Research has indicated that students in schools with well-structured work experience program have better employment outcomes, post school.[87] The committee was told that in New South Wales there was an unfortunate gap in the support base for young adults attempting to access skills to make them workplace ready:[88]

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83    Submission No. 192, Australia National Training Authority, p. 9

84    Submission No. 240, Professor Trevor Parmenter, p. 3

85    Submission No. 207, University of Sydney, p. 2

86    Professor Trevor Parmenter, op. cit., p. 3

87    ibid., p. 4

88    Mrs Sandra Johnston, Royal Blind Society, *Hansard*, Sydney, 2 July 2002, p. 28

> The current focus for my son at this time is to gain skills to make him workplace ready, and this has projected us into a whole new realm of discovery which requires a strong constitution and an exceptional sense of humour. There is apparently a yawning gap in the support base for young adults attempting to access skills to make them workplace ready.
>
> When we made inquiries to ascertain where the responsibility for assistance for accessing workplace training lay, we became very quickly aware that at this point in time there appears to be no protocol in place to effectively address this issue. After consultation with all the key people who we had perceived would be a part of this process, we were amazed to discover that, in fact, nobody within the department was willing to take responsibility for such issues.
>
> When it came down to it, it was a whole new area for the careers adviser at the school: he had never been in a situation where he had to place a child who had a disability in a workplace for a short period of time.[89]

4.81    A literature review of the transitional arrangements existing between schools and the community for students with disabilities, concluded that students, parents, schools, communities and various departmental agencies needed to work as a partnership to improve the experience and post-school outcomes of students with disabilities.[90]

4.82    Both the Australian National Training Authority and the Enterprise and Career Education Foundation also identified a need for greater collaboration across all levels of government and non-government agencies. Both agencies were advocates for early intervention strategies. The Enterprise and Career Education Foundation argued for the involvement of disability employment agencies in the transition planning for students with disabilities. It was argued that these agencies have close involvement with industry and understand employer expectations. The foundation argued for better collaboration between the Commonwealth Department of Family and Community Services, Department of Education Science and Training and state governments to expand the jurisdiction of employment agencies to include the school sector.

4.83    The Enterprise and Career Education Foundation stressed the importance of linking VET teachers with special education or disability support teachers in the school system as part of an individual's transition planning. Unfortunately, the submission acknowledged that in reality this rarely happens.

4.84    The committee regrets that it was unable to give more attention to the transition of students with disabilities into the workforce. Although only a handful of submissions addressed this issue, the committee was left with the strong impression

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89    ibid., p. 31

90    Riches, V., 'A Review of Transition from School to Community for Students with Disabilities in NSW', *Journal of Intellectual and Developmental Disability,* 21, 1996, p. 71

that schools need to invest much more effort into helping students prepare for this change. This issue warrants an inquiry of its own.

**Recommendation 9**

**The committee recommends that the transition of students with disabilities from school to further study, employment and lifelong learning should be the subject of further inquiry.**

# Chapter 5

# Teacher Training and Professional Development

5.1     A consistent message delivered to the committee in most major submissions, and in the most persuasive advocacy of witnesses, was the inadequacy of pre-service professional training of teachers in relation to special education, and the poor provision of professional development programs. The committee noted that trainee teachers might never be exposed to the theory and practice of special education even over four years of undergraduate training, and that even when professional development courses were offered there was considerable doubt about their effectiveness given their brevity.

5.2     The committee noted the views of some witnesses which questioned the relevance of mandated special education components within the Bachelor of Education degree. Whatever the validity of this view it has not resulted in the provision of mandated intensive professional development courses conducted for teachers in the early years of their service when the relevance of skills attainment should be evident. Overall, the committee concludes that professional training and development for teachers who now routinely deal with students with a variety of disability needs to be considerably improved.

5.3     The need for improvement arises from the fact of wholehearted community acceptance of the need to bring into mainstream schools students who would once have been separated into special schools or units. The successful implementation of such a policy requires supplementary training of teachers to deal with new classroom demands. While the committee is aware of the diverse pressures applied to schools, to school systems, and to the teaching profession, it nonetheless appears inexplicable that something as fundamental to the operations of the school and the dynamics of the classroom should have been subject for so long to an obvious skills gap and to a virtual training vacuum.

## Teacher training

5.4     A looming crisis in the supply of teachers has been predicted for some years, and recent projections of teacher supply and demand have confirmed the likelihood of the serious future teacher shortage predicted in the 2000 Preston Report sponsored by the Australian Council of Deans of Education. The broad findings of an earlier report of the Deans of Education, making similar projections, were endorsed by this committee in its 1998 report into the status of the teaching profession.[1]

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1     Chapter 8, *A Class Act*, Senate Employment, Workplace Relations, Small Business and Education References Committee, March 1998

5.5     The effect of a teacher shortage on the education of students with disabilities is likely to be more significant than on the education of children who have no disabilities. There will be a loss of experienced general and specialist teachers as they reach retiring age. The situation was explained to the committee by a special school principal intending to retire within five years:

> The lack of trained staff is affecting not only specialist schools but all schools. In initial basic teacher training there needs to be quite a large component where young teachers are taught how to manage students with disabilities and impairments, especially students with challenging behaviour. The age population of the teaching work force means that many teachers with expertise who have done quite a bit of university training in special education will be leaving the work force within five years.
>
> That will leave an enormous gap in expertise because the training programs for teachers are not currently there across Australia. There is no initial training so teachers come out with no skills.[2]

5.6     By the late 1980s, a number of university programs that had previously provided teacher training and research in this field were experiencing difficulty in sustaining viable levels of student enrolment. In the period from 1987 to 1997, five university teacher training programs closed, and in the same period four out of seven existing teacher education programs related to sensory disabilities closed.[3] Changing priorities for course management and delivery in universities exacerbated this difficulty. Minimum enrolments in both undergraduate and postgraduate programs have risen steadily since that time. The committee sought evidence on the decline in participation in coursework degrees relating to student disabilities. It was told:

> The evidence is in enrolment of students in postgraduate coursework degrees. In the education faculties of some universities, the introduction of full fees for those courses has virtually wiped out their postgraduate courses. That is not true at a university like Sydney, but then Sydney is very different from the others, and when this happens people tend to look around and think, 'Where will I spend my money if I have to spend it.' But when you couple that with the fact that the Department of Education in New South Wales, for example, no longer supports teachers when they enrol in postgraduate coursework degrees, as they used to, you can see that there is a considerable disincentive for teachers to enrol in such degrees.[4]

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2     Mr Peter Symons, member, Australian Education Union, *Hansard*, Melbourne, 13 August 2002, p. 244

3     Associate Professor Greg Leigh, Assistant Chief Executive (Educational Services), Royal Institute for Deaf and Blind Children*, Hansard*, Sydney, 2 July 2002, p. 16

4     Dr Paul Whiting, Treasurer, Australian Federation of SPELD Associations (AUSPELD)*, Hansard*, Sydney, 2 July 2002, p. 57

5.7    The committee, not surprisingly, found education faculties in universities offering a wide variety of courses. All of them had the capacity to offer course components in special education. Only in New South Wales and Western Australia are such units mandatory.

5.8    The committee asked the NSW Department of Education and Training about its requirements of education faculties in universities in the state. It was told that since 1995, all undergraduate teacher training programs in New South Wales must provide a mandatory component of special education within the training program. The department claimed a contribution to course design, with components being endorsed by the department when they were amended. Any graduate from any of the state's universities which did not have a mandatory component in special education was not employable by the Department of Education and Training.[5] The department repeated its assurance that regular consultation took place between the universities and the department over special education course content, while making the point that universities treated the content in ways they believed to be most appropriate.[6]

5.9    The committee notes these assurances in the light of evidence it received from Dr Paul Whiting, an academic on the staff at the School of Education at the University of Sydney:

> …the New South Wales government said to the University of Sydney and to all of its universities, 'If you do not have an appropriate course, we will not employ your graduates,' which is a pretty strong incentive for a university to comply. But in the last 10 years nobody has looked at the content of those courses; nobody knows what is in them. The first director of special education who was involved in implementing that mandate actually went to and inspected every university to see what was involved in these courses, but it has not been done for 10 years.[7]

5.10    While the committee has no interest in further investigation of these competing claims, it is concerned that faculties of education may, through lack of funding and staffing stringencies, be giving less than the full measure of quality teacher training in special education, and that this trend may not be sufficiently identified by employing authorities.

5.11    Dr Whiting had other observations to make in regard to the training of teachers in which components of special education had to be included. Some of the consequences of 'slimmed-down' and 'lean and efficient' training came as a surprise to the committee:

> … now with four-year training for teachers there is no way that we can run the courses that we used to run when we had three-year training for teachers.

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5    Mr Brian Smyth King, op. cit., p. 175

6    ibid., p. 190

7    Dr Paul Whiting, op. cit., p. 100

> We have had to cut courses, in which I have been personally involved. In dealing with children with specific needs, we have had to cut courses in half in terms of the hours that we allow for them, because we have gone to four-year university training, instead of three-year college training. That is very largely a matter of funding: universities cannot pay the staff to do it.[8]

5.12    The committee was later told that so much more was required to be taught in general areas of the B.Ed degree, and that contact hours in the former colleges of advanced education exceeded the current load because lecturers are now expected, in the different environment of the university, to devote more time to research. They are also more expensive to employ in the current university funding regime.

5.13    Despite the fact that the requirements for effective work in special education were not demanding, they were not being met, according to Dr Whiting:

> There is no question that teachers are still not being trained to recognise these learning disabilities. That is all that we ask of teachers: that they are able to recognise a learning disability when they see it and not to confuse it with mental retardation, intellectual disability or misbehaviour.[9]

5.14    The committee regards such comments as a depressing comment on the standards of teacher training courses. Nonetheless, it is mindful of comments it heard from a Queensland academic, who said that while he thought it appropriate to include material on disabilities in undergraduate courses, this might not be related to any practice teaching student teachers might do, and that the main concern for practice and new teachers was classroom management and communication. Undergraduates were not very receptive to instruction about the very high levels of skills required to deal with students with disabilities. The committee assumes that developing such skills is easier to tackle in this area when teachers have gained some general experience in the classroom.[10] The knowledge and skills would then appear to be far more relevant. Alas, the committee received no information on the availability of professional development courses which might effectively extend the theoretical and practical knowledge of experienced teachers.

5.15    The only other state to make undergraduate units in special education compulsory is Western Australia, following the implementation of its Disability Services Plan 1995. All teachers trained in Western Australian universities must complete an educational support unit in their first year of study. The core compulsory units are typically for two hours of lectures and tutorials per week over 14 weeks.[11]

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8    ibid.

9    ibid.

10    Professor John Elkins, Fred and Eleanor Schonell, Special Education Research Centre, University of Queensland, *Hansard*, Brisbane, 6 September 2002, p. 463

11    Submission No. 244, Department of Education, Western Australia, para. 3.7

5.16     One school principal informed the committee of her misgivings about placing students with disabilities in mainstream classes without adequate support. It was claimed that class sizes are too large for their needs, and despite the fact that they are not independent learners, they are forced to be such, as a result of the teacher needing to spend time with other students:

> These students are being placed in classes with teachers who are not trained in [special education].  This is a highly specialised field.  Our teachers should not be expected to [have] this knowledge and expertise.  Such an expectation devalues the specialist teacher who spends several years studying how to work with students with disabilities and accumulating resources and expertise.  Mainstream teachers cannot hope to achieve this. The solution is for the class teacher to attend a day's course on the particular disability.  Clearly this is inadequate.[12]

5.17     The vast gap in experience and expertise will be all the more stark because in many cases those retiring will be the last of the comprehensively trained special education teachers. The training programs which produced them were long ago disbanded and skills are no longer taught. A special school principal informed the committee of the implications of this neglect:

> Recently I spoke to a group of exit students at a university and asked 30 of them, 'How many of you expect to be teaching a student with a disability next year?' and no-one put their hand up. I informed them that they would not only have one student with a disability but five or six. The fact that the institution had not even moved in that area to provide those skills was going to cause those teachers frustration. Training is not only for teachers but also for support staff—teacher assistants—as well. Much of the funds that actually go through to schools are paid to the support staff person without any training at all. In actual fact in lots of regular schools that person is the person who delivers the program.[13]

5.18     All areas of disability suffer from a shortage of properly trained teachers. A submission from the parent of a deaf child, who has a strong professional interest in education, has identified a problem for deaf children. He claims that at present a very high number of teachers of the deaf know little or no Auslan, and when faced with a deaf child who does know Auslan, they cannot teach this child.[14] The committee agrees with the submission which calls for efforts to be made to train new teachers of the deaf with the full range of skills required.

5.19     The committee accepts that the basic theoretical and practical knowledge of education to which trainee teachers need to be exposed at university must cover a very broad field, and that the 'overcrowded curriculum' is a particular feature of one year courses like the Diploma in Education. The committee believes, nonetheless, that as

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12     Submission No. 29, Mrs Glenda Parkin, p. 3

13     Mr Peter Symons, op. cit., p. 244

14     Submission No. 234, Mr Richard Taffe, p. 4

the challenge of dealing with students with disabilities, including gifted children with disabilities, is now more commonly recognised, there must be acknowledgment of this in university education courses. The committee believes that what is current practise in new South Wales and Western Australia should be followed in other states and in the territories, and urges education departments and other employing authorities to negotiate with universities on the provision of special education units.

**Recommendation 10**

**The committee recommends that all university teacher training courses include a mandatory unit on the education of atypical students (including students with a disability and gifted students), to familiarise trainee teachers with classroom methods appropriate for students across the spectrum of ability.**

# Professional development

5.20    One recent study of special education has made the observation that, in the short term, professional development is likely to make a more significant contribution to the preparation of class teachers who need to deal with the learning problems of students with disabilities. There is evidence of increased demand for such courses, particularly in the area of behaviour management, which are associated with learning difficulties.[15]

5.21    The balance of effort on providing effective undergraduate training and effective post-graduate professional development was a matter addressed by Professor John Elkin. The committee was told that trainee teachers did not easily grasp concepts about teaching for differences, which meant that much more attention needed to be paid to professional development. Professor Elkin lamented the fact that there was nothing post-registration that required a teacher to demonstrate increased knowledge or skill. The evidence continued:

> That is not to say that lots of professional development does not happen, and a lot of teachers of their own accord go about getting extra knowledge. But the reality is that some things, such as teaching the hard to teach kids, do not make a lot of sense in the undergraduate program. Undergraduate teachers are just not experienced enough; they have not wrestled with these kids enough. One of the things that I argue is that, as it is true in a number of other places in the world and as it is true in other professions in Australia, one's registration ought to be conditional upon meeting some quantum of professional development upgrading.[16]

5.22    It is not surprising that professional development programs are so much sought after by practising teachers. While teachers are sceptical about the value of learning theory, the foundation of teacher training courses, they may understand its

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15    Jenkinson, J., *Special Education: A Matter of Choice, Australian Education Review No. 46,* ACER, 2001, p. 106

16    Professor John Elkin, op. cit., p. 461

relevance to practice once they have experienced some hard realities in the classroom. The aim of teacher education, it may be assumed, is to lay down a foundation of theory, the principles of good curriculum, and instil some sound, basic teaching method. Experience will build on this and, in particular, make much more intelligible the connection between theory and practice. We have now agreed that four years is adequate for initial training, with subsequent career-long growth of knowledge and understanding. When asked how long teacher training should be, one witness told the committee:

> You could probably train them for six years! That is what it feels like sometimes when you look at what you would like a teacher to learn. If I could go to my own experience, I was experienced as a science teacher and, when I went to do my school counsellor training course, I can remember looking at the person teaching us about behaviour management and thinking, 'That's where all that psychology falls in. That's how it makes sense in the classroom.' I had had four years of study in psychology but had not related it to my classroom practice until this specialist stood there and said, 'This is what you do.' It clicked and all made sense. Until you have been in front of a class, perhaps, it is very difficult to make sense of it too.[17]

5.23    In the committee's view, this sentiment sums up the reasons why a odd few days each year is an insufficient commitment to a kind of learning which is far more useful and enriching than twice the equivalent number of days in undergraduate teaching units.

5.24    The problem, as the committee found, is that professional development remains an add-on service provided to teachers by school systems which are either reluctant to spend money on it, or which cannot afford to. The difficulty for system administrators is that most often, the outcomes of professional development are difficult to measure. These and other observations made in this section apply generally to professional development, but have particular relevance to the need of teachers dealing with students with disabilities.

5.25    Apart from the state education departments and some other employing authorities, no person addressing the committee in any other capacity had any praise for the efforts put into professional development in the field of special education. The committee places little credence in the assurances of state education officials when they justify the adequacy of current provisions. The committee takes this to mean that the programs are maintained more or less as they have been over a number of years. The committee cannot think of any way in which it can assess, for the purposes of this inquiry, the quality of current professional development programs in the teaching of students with disabilities, and more significantly, it does not believe that state and territory education departments have the capacity or the will to do so either. Raw data may be available in some form, but assessment of quality would be difficult, measured against the ideal model set out below.

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17    Mrs Lynn Booth, *Hansard,* Sydney, 3 July 2002, p. 100

5.26    Even if every teacher entering service had exposure to theory and practice in dealing with students with disabilities as a result of having done a B.Ed course, continuing professional development would still be required to keep these teachers up-to-date and committed to good teaching practice. Interestingly, some research done in 1995 by Dr Chris Forlin showed that as teachers developed experience that were less likely to want to have students with disabilities in their classes.[18] It is generally agreed professional development programs need to focus directly on the real classroom needs of teachers, and teachers themselves must have input into the planning and running of the programs. Research indicates that a number of elements need to be included in courses if they are to be effective. These are summarised in a recent study:

- acknowledgment of participants' fears and anxieties related to students with disabilities and inclusion of students in regular classroom settings;

- the introduction of new skills in areas such as the individualisation of instruction, collaboration and classroom management;

- learning a variety of classroom approaches; the opportunity to observe other teachers working in situations where inclusion is successful;

- opportunities for collaboration between specialists and classroom teachers; and

- opportunities for cooperative teaching between general and special education teachers.[19]

5.27    The committee notes that a great deal of time would need to be invested in any professional development courses which included all these necessary characteristics, and it doubts whether any course currently conducted anywhere would match these criteria.

5.28    The committee broadly concurs with the view expressed by the Australian Education Union that the provision of professional development is extremely inadequate throughout education, and that the area of disabilities is no exception.[20] The AEU has urged that professional development include awareness raising courses covering the benefits of inclusion and ways of bringing it about, including components on occupational health and safety, stress management and instruction in physical restraint and other matters to do with difficult students.[21]

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18    Truen, M., van Kraayenoord, C. and Gallaher, K., 'Preservice Education and Professional Development to Teach students with Disabilities', in van Kraayenoord, Elkins *et al*, *Literacy, Numeracy and Students with Disabilities*, vol. 4, Department of Education Training and Youth Affairs 2000, p. 14

19    ibid., p. 17

20    Submission No. 198, Australian Education Union, p. 12

21    ibid.

## *State programs*

5.29    Professional development programs are broadly similar across all states and territories. There has been a trend toward school-based global budgeting, which included provision for teacher release and fees for courses. Regional or district level funding is also available in some states, for instance in South Australia. Up to five days each year is typically allowed for professional development leave, although this varies slightly across systems, and not all teachers would take their full allocation. While teachers in South Australia are obliged to spend five days a year on training because of an award bargain, teachers from Victoria, for instance, are under no such obligation. In that state, each school determines its expenditure priorities based on program and staff development need.[22] Courses are not always mandatory, except in cases where teachers are being introduced to major system-wide curriculum initiatives. Nor do teachers necessarily have the opportunity of attending courses of their choice as they may not be offered.

5.30    Education Queensland has recently instituted locally organised 'staff colleges' to coordinate professional development and take responsibility for contracting instructors and teaching teams. It appears to the committee that this is simply an administrative arrangement that must have existed in some form for many years. In all respects Queensland appears to run its programs in a similar way to other states.

5.31    The committee did not seek lists of courses offered by the various agencies around the country on inclusive or special education. It heard anecdotal evidence of the popularity of courses offered on classroom management issues and dealing with difficult behavioural problems, and considers it unlikely that there would have been a strong demand for courses related to the inclusive curriculum, or that such courses would have been promoted by schools and systems. Certainly, no evidence was presented to suggest any other conclusion. Nor was any evidence presented on the participation rate in professional development programs on inclusive education or any related educational topic. Such information may not exist.

5.32    The Tasmanian submission proposed that the Commonwealth demonstrate a commitment to the education of students with disabilities by providing targeted funding for intensive professional development courses in special education. It also suggested that the Commonwealth provide one-off funding to enable a small number of teachers to be trained to deal with students having low-incidence disabilities.[23]

5.33    University education faculties are key providers of expert instruction for systemic professional development programs. This is despite the fact that academic staff numbers are dropping and some areas of specialisation are without instructors in some states. Education Queensland has submitted that there is evidence of a significant decline in the professional development functions of universities, with

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22    Ms Susan Tait, General Manager, Students and Communities, Victorian Department of Education and Training, *Hansard*, Melbourne, 13 August 2002, p. 318

23    Submission No. 184, Tasmanian Department of Education, p. 17

reduced opportunities for teachers to access courses, and the capacity of universities to offer viable courses.[24] The committee heard in Adelaide that the South Australian Department of Education funds 20 postgraduate certificate places each year at Flinders University.[25]

5.34    In the area of special education there are some shining beacons, and there are doubtless many more outstandingly successful yet unknown and unsung schools of excellence. One of the unfortunate characteristics of education systems is the reluctance of their administrators to give too much praise and recognition to particular schools and school principals least it reflect adversely on the overall standards achieved by the system. Some schools have come to the attention of the committee. It notes that the Mater Dei School at Camden NSW, a special school run for the Wollongong diocese, is currently providing professional development courses for teachers from mainstream schools in the diocese. This involves teachers spending a week at Mater Dei, working with teachers, observing behaviour management programs in action, preparing individual student learning programs and taking part in parent meetings to establish and agree upon learning outcomes for students.[26] This would seem to be an idea worthy of adoption in all systems.

5.35    One submission pointed to the different professional development needs of primary and secondary schools. The committee gained a general impression that, notwithstanding difficulties with early diagnosis of disabilities, primary schools and teachers were probably more successful in dealing with disabilities in the classroom. It could also be argued that in many respects it is easier to handle most forms of disability with pre-adolescent children. Secondary schools are more complex organisations, in which the increased exercise of student choice becomes a part of the learning process. Teaching becomes more specialised, and this has an effect on teacher workloads and priorities. The committee is aware that some designated professional development days for secondary teachers are frequently taken up by systemic programs relating to new curriculum. While the committee is not in the position to comment on this need, it has concerns about the fact that such matters are dealt with at the expense of new teaching method, particularly in dealing with 'difficult to teach' students. It suggests that professional development priorities in the secondary schools may need to be reassessed.

5.36    The additional pressures faced by secondary teachers in accessing professional development courses was explained by an Independent Education Union official to the committee in Melbourne:

> Can I also make the point in relation to professional development for teachers that, as these students with disabilities—particularly the students we have in our school—move up through school and into secondary school, the gap in their learning becomes wider, and it impacts more profoundly on

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24    Submission No. 213, Education Queensland, p. 9

25    Ms Patricia Winter, *Hansard*, Adelaide, 9 September 2002, p. 963

26    Submission No. 30, Mater Dei School, p. 6

secondary teachers than those in the primary school curriculum. Secondary school teachers have a much wider range of students within their classrooms with needs that have to be met within that classroom situation. Also, considering that our secondary system is I think a very top-down system and that we are heading students towards VCE studies, there is a huge range of areas that schools are expected to cover curriculum-wise now and a huge range of areas that teachers have to undertake professional development on to be experts as such in their fields so as to deliver proficient programs to students in schools.[27]

5.37    Finally, should a teacher find time to attend a properly staged and structured professional development program, conducted by expert curriculum practitioners, there is still one important consideration to bear in mind before applying for or accepting a place. It is important to consider whether the focus on inclusive principles and practices conforms to the culture of the school from which the teacher comes. Research from the United States suggests that even when teachers are well-trained in inclusive teaching practice, these concepts and skills are likely to be abandoned in favour of the prevailing attitude in the school.[28] For this reason alone, professional development properly remains a matter for whole-of-school decision, so that time and resources are not wasted on sending teachers to courses facilitating ideas and skills which have no immediate application.

5.38    The committee believes that there is no more important expenditure priority in special education than the task of developing an effective national professional development scheme. The evidence seems to point to the existence of an *ad hoc* arrangement in most states and territories. Much more time is needed for professional development: time not only for method instruction but for mentoring and for reflection. As one school principal told the committee:

> The training available to teachers in schools—and I call it bandaid training—is an hour and a half, two hours or something like that after school. It is usually run by another professional. In actual fact, it is very difficult to resolve a long-term problem with a very short-term training program. You might pick up a couple of good strategies but not get to actually understand the philosophy behind letting a person with an intellectual disability have time to make their decision.[29]

5.39    The committee has heard assurances from the states that a range of courses are on offer to teachers but no evidence of how well they are attended, how seriously schools take advantage of opportunities available, and whether there is much, or any, effort made by schools to have specially tailored courses in handling disabilities run for them. While the committee understands the practical need for school autonomy in making decisions as to professional development requirements, it believes that take-up

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27    Ms Delma Wootherspoon, Victorian Independent Education Union of Australia*, Hansard*, Melbourne, 13 August 2002, p. 237

28    van Kraayenoord, Elkins *et al.*, op. cit., p. 8

29    Mr Peter Symons, op. cit., p. 250

rates by individual schools need to be closely monitored by officials at the relevant level. In theory, making schools responsible for their own professional development arrangements should work to the advantage of schools, and allow a more strategic approach to whole-of-school teaching skills programs. Whether or not this is happening is beyond the capacity of this committee to assess.

5.40   The committee notes that the Commonwealth program, *Teachers for the 21st Century—Making the Difference*, may be reaching the end of its funding life. The committee recommends that this program be extended, with augmented funding, but be specifically directed to a national professional development scheme targeted at lifting the performance outcomes of teaching and learning in inclusive education. The committee recommends that the Commonwealth, through MCEETYA, should set some broad guidelines on the duration and structure of courses, and establish an appropriate evaluation process.

**Recommendation 11**

**The committee recommends that the *Teachers for the 21st Century—Making the Difference* program should be extended as a national professional development scheme, with funding augmented to target improved performance outcomes for teaching and learning especially for atypical children in all education settings.**

**Recommendation 12**

**The committee also recommends that the Commonwealth, through MCEETYA, should set out broad guidelines on the duration and structure of courses to be implemented through this national professional development scheme, and establish an appropriate evaluation process.**

## Specialist skill shortages

5.41   The committee has conducted a number of education inquiries in recent years in which it has drawn attention to the training deficit. This is no more evident than in the field of special education where skill shortages will become apparent over the next five years when beneficiaries of the training 'boom' of the 1960s and 1970s are due to retire. School counsellors are in a strong position to understand this problem. One of them told the committee:

> Because of their own training school counsellors are very rarely trained to that level in psychology and they do not have people that they can refer to. Basically in most professional areas you would expect that if people do not have the expertise then they refer to people who do have the expertise. That is part of the Australian Psychological Society's code of conduct; it is part of the Early Childhood Association's recommended practices. Most true professional organisations have that model, but it is very difficult if your school counsellors cannot refer the child to somebody who has the relevant knowledge—just the same as if GPs and psychiatrists cannot refer these

children to people who can provide and advise on the appropriate treatment. That is the current situation: there is simply no-one to refer them to who has the expertise.[30]

5.42    One bright spot on the training front is in New South Wales, where the committee commends the initiative of the NSW Department of Education and Training in providing postgraduate cadetships in special education for teachers working in or wanting to work in that area. It notes that since 1999, 351 teachers have been trained through this program. Teachers are paid their full salaries while undertaking full-time study. The committee acknowledges that this is expensive, but notes that departmental officials have described the program as 'very valuable'.[31]

5.43    The Royal Institute for Deaf and Blind Students told the committee that across the country there is a trend towards generic training of both mainstream teachers for special education, and those who intend to specialise. This trend was based on the incorrect assumption that inclusion in mainstreaming created a need for broader based and more generic teacher education. The Institute was opposed to this development because it would not work in the case of children with sensory disabilities. There is, on the contrary, a need for highly specialised, highly technical teacher training to support the needs of such children, especially given the advances in technology in areas such as cochlear implementation and adaptive technologies for children with vision impairment. Funding and infrastructure support for such specialised training need to be improved.[32]

5.44    The Institute reminded the committee of the reason for the likelihood of continued shortages in specialised training:

> In the period from 1987 to 1997, some five university based teacher training programs closed across the country. In 1987, there were seven specialist teacher education programs relating to the education of students with sensory disabilities; in 1997, there were just three. In one of those cases, our program—in affiliation with the University of Newcastle, which is the largest and most comprehensive in the country—is almost entirely supported through the charitable sector. In the case of the other two programs, one program at the University of Melbourne is substantially supported by independent funding, and the other program is wholly included within the university's program.[33]

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30    Mr Robert Buckley, Vice President, Action for Autism, *Hansard*, Canberra, 11 September 2002, p. 617

31    Mr Brian Smyth King, op. cit., p. 175

32    Associate Professor Greg Leigh, Assistant Chief Executive (Educational Services), Royal Institute for Deaf and Blind Children, *Hansard*, Sydney, 2 July 2002, p. 16

33    ibid.

5.45    The training of specialists receives little encouragement in most states. As the committee was told in relation to the supply of specialists in visual impairment in Victoria:

> One problem in getting teachers of the deaf is getting teachers to do the postgraduate qualification. You have young grads coming out after four years and, with so many jobs now available in mainstream schools where they can get about $40,000 a year, the idea of doing a fifth year as a postgraduate qualification—at the end of which you are not going to get any more money and will have paid an extra year of HECS—is not attractive; there are just no incentives. Additionally, advertised teacher-of-the-deaf jobs are usually for just 12 months. Warrnambool has not been able to get someone to go down there, but they have been only offering a 12-month tenure. Are you really seriously going to attract people down there by just offering a job for 12 months? We have got to look at incentives for getting specialist trained teachers of the deaf into areas of need, particularly in rural and regional areas, and we have got to be creative in finding ways to encourage them to do the training and then to take up jobs.[34]

5.46    Less populous states like Tasmania are particularly affected by the trend away from specialist training. For reasons to do with the static population growth and an ageing population, the demand for specialist education courses in Tasmania has diminished to a point where they have been discontinued, and vacancies where they remain have to be filled from the mainland. There is a destructive spiral evident in the training of specialists. As demand for their services diminishes, so does the capacity and for further training. As a Tasmanian education official explained to the committee:

> One of our problems as a small system is that we simply do not have the numbers to support training people for very specialist fields. We cannot train teachers of the visually impaired or the hearing impaired. We do not train therapists in this state. This is a major issue for us but we accept the fact that there are simply not the numbers to generate the need for those kinds of courses to be available. That is a very big issue for us. We would love to have ways in which we could access specialist training for those kinds of people.[35]

5.47    A brave face is made with the inevitability of needing to introduce more broadly-based courses at university:

> To be fair to the university, one of the main reasons they had to close down one of their courses was that they had very small numbers and it was very difficult for them to do them as separate courses. They have combined them and now they are going to stream through into an education stream. We

34    Mrs Marilyn Dann, Membership Secretary, Australian Association of Teachers of the Deaf (Victoria), *Hansard*, Melbourne 13 August 2002, p. 295

35    Ms Alison Jacob, *Hansard*, Hobart, 3 September 2002, p. 392

have to be optimistic in this. We believe we will get some good graduates coming out of it.[36]

5.48    There were complaints that itinerant specialist teachers do not always have the full range of skills that their tasks required. An example was given of the case of itinerant vision teachers, whose basic training could have ranged from kindergarten to HSC maths:

> There is no consistency in their training. They come into the specialist vision training from any background then they work with a child of any age. So you could have a maths trained high school teacher training and teaching a kindergarten student or vice versa: Some of them have no background in technology but are specialists in braille. Some of them have great experience in braille but no experience with low vision. It is a broad range of skills that they are required to have, but no one person can have all those skills—and certainly no one teacher ever does. The problem is that they do not tend to refer to specialists in their areas…So you (can) have a teacher with a background in infants teaching and braille who has no idea about workplace issues, work experience, independence training for teenage vision impaired students—they do not have the background. Some do. Some do well; some do not do well.[37]

5.49    The committee was told that vision impairment was such a low incidence disability that there are not enough teachers going through in each state for many universities to want to run a course; and that there is probably a need for a national initiative for training these teachers, possibly with distance delivery with a residential component.[38] The committee concurs with this view.

5.50    The committee was also told of parents particular concern about unavailability and inaccessibility of, adaptive technology specialists in education for the visually impaired. Parents were aware that there were IT consultants within the system, but knew nothing about their expertise or availability to work with adaptive technologies. Parents could perceive this to be a lack of understanding on the part of school or system authorities of the importance of skills required by students in relation to their sighted peers.[39]

5.51    The Royal Institute for Deaf and Blind Students' submission identifies a need for government support to subsidise the provision of highly specialised and high quality training options in this area. It argues that reliance on generic training in

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36    ibid.

37    Mrs Robyn Dagwell, Team Leader, School Aged Services, Royal Blind Society, *Hansard*, Sydney, 2 July 2002, p. 34

38    Mrs Helen Lunn, Manager, Child and Family Services, Royal Blind Society, *Hansard,* Sydney, 2 July 2002, p. 34

39    Mrs Sandra Johnston, Parent Representative, Royal Blind Society, *Hansard*, Sydney, 2 July 2002, p. 33

special education or training for teachers of children with other disabling conditions cannot be considered as a substitute for such requisite specialised training:

> …appropriately specialised professional training for teachers in these fields is extremely resource intensive with appropriately low-level demand. In order to sustain this provision and to ensure that such quality programming is made available and accessible nationally, there is a need to ensure adequate government support for training initiatives such as the one undertaken by joint venture between the Royal Institute for Deaf and Blind Children and the University of Newcastle. This cooperation has produced Renwick College, a centre for professional training and research in the education of children with sensory disabilities.[40]

5.52    The number of specific university special education programs in the area of sensory disability fell from seven in 1987 to just three in 1997. A response in some other post-graduate special education programs was to offer limited numbers of coursework units in sensory disability within the context of a general special education degree program. National and international experience, however, clearly indicates that the specialist skills required to operate effectively as a teacher of the deaf or teacher of students with vision impairments cannot be adequately covered in the context of a generic special education program.[41]

## *Rural and regional shortages*

5.53    The shortage of specialised education services is particularly acute in non-metropolitan regions. A number of submissions to this effect came from Victoria, which may reflect the higher level of effectiveness of community organisations in that state. The committee considers it unlikely that the regional shortage of specialists is more acute in Victoria than elsewhere.

5.54    One particular case can be highlighted as illustrating the problem of specialisation shortages away from metropolitan areas. An interesting submission on behalf of the South West Hearing Support Group describes the efforts of this organisation to influence the Victorian government to maintain minimum services from a visiting teacher for the deaf to schools in the Warrnambool–Portland region. It was pointed out that the region supported four teachers of the deaf ten years ago, a figure reduced to one in 1999. Recently, the regional Department Education and Training (DET) office had decided to reduce the level of services even further, but could find no specialist willing to work an 11 month contract on a 0.8 workload. Parental pressure on the Minister for Education and Training resulted in the department's decision being overturned.[42]

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40    Submission No. 99, Royal Institute for Deaf and Blind Students, p. 13

41    ibid.

42    Submission No. 229, Mr Greg Lee, p. A8 ff

5.55     The committee makes no comment on the merits of decisions made, but a question arises as to why the regional DET assumed that it would be possible to find a specialist teacher prepared to work under the conditions offered. It is likely that the DET office had to make hard decisions about the allocation of scarce resources, especially under new budgeting arrangements. A lesson to be learnt from this may be that non-metropolitan regions require financial support from the centre in order to provide the incentives needed to attract specialists.

5.56     What has been a problem in Warrnambool is also a problem in Wodonga. One submission states that parents in rural areas are often faced with untrained teaching staff, mostly making good attempts at learning about deafness: 'But no amount of kindness can substitute for the necessary specialist language skills required to teach a deaf child to be literate in English. Often the parents are the ones teaching the staff.'[43] The submission continues:

> In country areas, schools advertise for staff and position criteria are usually not met by applicants. Clearly there is a shortage of trained Teachers of the Deaf (TOD) especially in rural areas. Visiting Teachers (V.T.) are required to travel vast distances and expected to know all things about all disabilities. In some cases, children whose first language is Auslan receive visits from VT's who possess minimal signing skills. *If* an interpreter is deemed to be required, one may not be readily found. Moreover, if an interpreter is found they are often untrained and unqualified. By this, I mean that the 'interpreter' may or may not have had any formal training in studying Auslan as a language nor have been formally accredited as an interpreter. Often the interpreter/aid has some 'basic skills' in signing. These signing skills may not even be in Auslan, but some other simple language coding system such as Makaton.[44]

5.57     Wodonga parents need to travel to the Shepparton deaf facility for specialist attention, a distance of around 200 kilometres. It was pointed out to the committee that historical circumstances has lead to a concentration of specialists and services for deaf people in the cities and major regional centres. It is now unacceptable to parents to consider sending their children to boarding schools for the deaf, as they did many years ago and, indeed, these schools no longer exist. It is now expected that deaf children will be educated locally: hence the demand for regional services.[45]

5.58     The committee views sympathetically the points made by parents of children with disabilities living in areas outside metropolitan regions, and again makes the point that if regional cities in such relatively closely settled areas as Wodonga and Warrnambool suffer from such a shortage of specialists, the situation in many other rural centres must be far worse. The committee considers that MCEETYA should

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43     Submission No. 235, Mrs Cristina Taffe, p. 2

44     ibid.

45     Submission No. 234, Mr Richard Taffe, p. 2

undertake a study of this problem with a view to addressing an overall shortage of specialist educators.

## *Specialist services to remote areas*

5.59    Provision of specialist services to children with disabilities in remote communities poses additional challenges. Reports in submissions concentrated on the provision of specialist services to indigenous remote communities. As discussed briefly in Chapter 5, indigenous communities are the recipients of targeted services in some states.  These are subject to the difficulties imposed by distance and isolation, multiplied by the disproportionately high number of individuals affected, and then by cultural difference.

5.60    The submission from the Northern Territory government referred to a recent independent review, *Learning Lessons,* which noted as a starting point that education provision to indigenous communities was a major challenge, with 118 remote schools having 40.05 per cent of the indigenous population enrolled.[46] The delivery of equitable and appropriate services to the disabled in indigenous communities raised the need for even more specialised teacher professional development and specialist services.  The high incidence of otitis media was a key resource challenge, compounded by the expense of providing support to remote locations and the irregularity of service provision.[47] A submission reporting the provision of services, or lack of them, to Torres Strait Islanders also mentioned the need to cater for disabilities arising from foetal alcohol syndrome.[48]

5.61    A major issue for these communities is screening for the identification of disability. The South Australian government noted its submission that: 'There is a difficulty in separating broad educational disadvantage issues from cultural and disability specific issues'.[49]  Mr Trent Wheeley, a Guidance Officer with Education Queensland located at the Torres Strait, identified two different components in this. On the one hand, under diagnosis was occurring because:

> The burden of proof for intellectual impairment is much greater here due to the perceived inappropriateness of standardised tests of intelligence for this community.  This has resulted in a severe under-diagnosis of disability (0.75% vs. 2.45% statewide).[50]

5.62    Meanwhile, there was under diagnosis resulting from language difficulties, caused by continuing difficulties in addition to those of remoteness, subsequent lack of educational opportunities, and follow-up assessment:

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46    Submission No. 222, Northern Territory Government, p. 6

47    See Submission no. 222, Northern Territory Government; No. 37, Deafness Forum of Australia ACT; Submission No. 20, Mr Trent Wheeley.

48    Submission No. 20, Mr Trent Wheeley, p. 1

49    Submission No. 238, South Australian government, p. 11

50    Submission No. 20, op. cit., p. 1

ESL factors are a major issue especially in the identification of students with Language difficulties. A lack of appropriate testing instruments and of staff who are trained in analysing language usage has resulted in no students across the district being identified as having Speech/Language Disabilities. Remoteness is a large issue especially as students with disabilities reach high school age. There are only two high schools in the district and for students from the other 15 schools this means they will have to board on the mainland or on Thursday Island. Unfortunately there are no boarding facilities that cater for the special needs of students with disabilities. This has caused some parents to refuse to send their children to high school. Additional factors related to remoteness are the excessive cost of flying special education teachers to the students they are expected to be working with and the lack of medical services for the diagnosis of disability. We're yet to have a paediatrician visit this year.[51]

5.63    A basic problem is the shortage of people appropriately qualified to carry out the testing. The Northern Territory government submission, for example, noted that the 'availability of personnel in remote areas who are seen as culturally appropriate is minimal'.[52]   One submission remarked that, while there is a larger training budget for professional development for indigenous teachers than for many counterparts in Queensland, it was likely that training for specialist education would be 'quite insignificant'.[53]

5.64    In this regard, the Northern Territory government has implemented programs to boost training for specialist indigenous and remote teachers, as an outcome of the *Learning Lessons* review.[54]   The Committee considers that if problems of identification and treatment of disabilities in remote indigenous communities are to be addressed, similar programs should become a focus for relevant state education departments.

**Recommendation 13**

**The committee recommends that MCEETYA undertake a study to identify deficiencies in service provision for students with disabilities in rural, regional and remote areas, as part of a project aimed at addressing the overall shortage of specialist educators.**

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51    ibid., p. 1

52    Submission No. 244, op. cit., p. 8

53    Submission No. 20, op. cit., p. 2

54    Submission No. 244, op. cit., p. 9

## *Conclusions and recommendations*

5.65     The committee acknowledges that it is likely that the shortage of specialised teachers is partly due to the changing role of specialists over the past ten years as special schools have closed in line with a more inclusive approach to the teaching of students with disabilities. Specialists are now far more likely to find themselves in an itinerant support role. It has been claimed that the move to inclusive schooling has been resisted by specialists. Many have been trained for classroom work and are said to be less comfortable in the role of consultant.[55]

5.66     Pressure is also added to specialist teachers by questions about how to place traditional concepts of special education in the context of key competencies, a new focus on vocational relevance of the curriculum and quality issues generally. The committee has received no advice on how schools and employing authorities are responding to such tensions, or whether post-graduate university courses training the diminishing number of specialists are taking these trends into account.

**Recommendation 14**

**The committee recommends to MCEETYA that research be undertaken to evaluate the effects of changes in the role and employment conditions of special education teachers, and to assess the adequacy and appropriateness of current specialist consultation models.**

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55     Jenkinson, op. cit., p. 108

# Chapter 6

# Disabilities and Post-Secondary Education

6.1     Students with disabilities are under represented in post-secondary education. The committee acknowledges however, that participation rates in higher education are improving. The introduction of the Disability Discrimination Act and policy initiatives such as the 1990 *Higher Education Equity Plan* have been influential in providing better access to universities for people with disabilities. In 1996, 1.9 per cent of domestic students enrolled in university identified as having a disability. By 2000, this rate had increased to 2.7 per cent.[1]

6.2     Students with disabilities are under-represented in the vocational education and training (VET) system: in 2000, 3.6 per cent of total students in the VET system identified as having a disability. These students are more likely to be enrolled in a general education course than a course with a vocational focus.[2] The committee was not surprised to learn that employment and income outcomes for VET students with a disability are substantially lower than for other students[3] and agrees that such inequality requires attention.

6.3     The focus of this chapter will be on universities and this reflects the weight of evidence from the post-secondary sector. The committee regrets that it was not able to give adequate attention to problems that students with disabilities have to overcome when they move from the education sector to the workforce. This issue may warrant an inquiry of its own.

## Outcomes for students in the vocational education and training sector

6.4     The committee considers the depressing figures on the proportion of TAFE students with disabilities employed after training to be a serious indictment of the capacity of the VET sector to respond to the needs of its graduates with disabilities. The ANTA chief executive told the committee that the proportion of graduates with disabilities who are not in the workforce is increasing significantly. There is no known reason for this: only speculation about disenchantment with job prospects.[4] The committee makes the point that disability numbers as a percentage of the total VET population is lower than that of the independent school sector, in which participation rates are very low.

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1     Submission No. 178, Department of Education Science and Training, p. 22

2     Submission No. 191, Australian National Training Authority, p. 3

3     Submission No. 124, National Centre for Vocational Education Research Ltd, pp. 7–8

4     Ms Moira Scollay, CEO, ANTA, *Hansard,* Brisbane, 6 September 2002, p. 445

6.5    The committee believes that for people with disabilities the range of options in the VET sector should offer a realistic choice – and chance – for employment and career success. One of the great strengths of the system is the flexibility of its enrolment processes, enabling those with a chequered history of formal school education to make a fresh start. The committee was therefore concerned about the under representation of students with disabilities in this sector. The proportion of the people aged between 15 and 64 with a disability is 16.7 per cent yet the proportion of the VET population, aged between 15 and 64 with a disability is 3.6 per cent.[5] The Australia National Training Authority (ANTA) estimates that the shortfall in the participation rate of people with a disability in VET was nearly 178,500 people in 1998, and without changes to the system will reach more than 215,000 by the year 2005.[6] Clearly there is a need to address the systemic barriers that face students with disabilities in the VET system.

6.6    The committee is concerned that employment and income outcomes for VET students with a disability are substantially less than for other students. Only 43 per cent of graduates who reported having a disability were employed in 2001 compared with 73 per cent of all graduates[7]. Research by the National Centre for Vocational Education Research Ltd (NCVER) reveals that new TAFE graduates are significantly less likely to obtain employment compared to other TAFE graduates. Further, students with a disability who are successful in securing employment after graduation, are less likely to receive the same level of income as Australians as a whole, after allowing for factors such as field of study, occupation and level of qualification obtained.[8]

6.7    ANTA told the committee that the prospect for employment for students with disabilities was reduced because they were more likely to be enrolled in a general education course rather than a course with a vocational focus. Other reasons included a changing age profile of students with disabilities in VET and reasons for study:

> …employment outcomes following training are declining for people with a disability. People with disabilities are most likely to be undertaking AQF levels 1 and 2 at 34 per cent in 2001 compared with 29 per cent of total students. We also know that in 2001, one-third of students with a disability undertook VET in multi-field courses compared with 14 per cent of all students, which means they are not in the training package job specific competencies area. The proportion of TAFE graduates with a disability employed after training declined from 50 per cent in 1997 to 43 per cent in

5    *Bridging Pathways: A National Strategy from 2000 to 2005*, Australian National Training Authority, p. 5

6    ibid., p. 5

7    *ANTA Annual Report, 2001–2002*, p. 74

8    *Australian Vocational Education and Training Statistics 2000: Students with a Disability in Vocational Education and Training*, NCVER, p. 10

2001. Over the same period the proportion of total TAFE graduates employed after training increased slightly from 71 per cent to 73 per cent.[9]

6.8    TAFE Directors told the committee:

> …the reason why employment outcomes have declined for students with a disability is the programs that we currently offer, that are funded, do not focus strongly on employment outcomes. That is an area that needs as much attention as any other part of dealing with students with a disability.[10]

6.9    The committee heard that training packages developed under the Australian Qualifications Framework did not meet the needs of students with disabilities. Course content was described as inadequate, while the workplace delivery of these packages did not cater well for students who were not employed. The committee was told that despite the New Apprenticeship Scheme, only 1.8 per cent of new apprentices in 2001 had disabilities:

> With regard to traineeships, they have not served students with a disability well for a number of reasons. One reason is that they tend to favour people who are employed in the workplace. Another reason is that there has been little funding available for TAFE institutes to develop programs which can strengthen people's opportunities of gaining employment through traineeships and apprenticeships. Most of the educational programs that are conducted in vocational education in secondary schools tend not to have clear vocational outcomes and are focused at the Certificate I level rather than the Certificate II level.[11]

6.10    TAFE Directors suggested that there is a need for state and Commonwealth governments to agree on some key programs to improve vocational outcomes for students with disabilities. The committee supports this view and will closely monitor the implementation of the Australian National Training Authority's policy strategy, *Bridging Pathways*. This strategy aims to increase opportunities for people with a disability in vocational education and training.

## Assessing the needs of students in universities with disabilities

6.11    The committee received submissions and heard from a number of universities, student associations, advisory councils, academics and university students. The evidence indicates that universities have generally developed consistent frameworks for supporting the needs of students with disabilities. Universities operate under the inclusive definition of disability under the Disability Discrimination Act while the *Students with Disabilities: Code of Practice for Australian Institutions* establishes principles and guidelines for planning and delivery of services to students with

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9    Ms Moira Scollay, op. cit., *Hansard*, p. 444

10    Mr Bruce Mackenzie, Deputy Chair, TAFE Directors Australia, *Hansard*, Canberra, 11 September 2002, p. 628

11    ibid., p. 624

disabilities across the sector.[12] It recommends national minimum standards of service and support, and identifies and documents examples of good practice in institutional responses to students with disabilities.[13] The Australian Vice-Chancellors' Committee has also produced guidelines relating to students with disabilities. These guidelines act as advice on good practice, with the aim of assisting institutions to fulfil their responsibility to students with disabilities through strategies and arrangements which are appropriate to local circumstances.[14]

6.12     More than half of Australia's universities developed action plans under the Disability Discrimination Act. These voluntary plans provide institutions with the opportunity to indicate how they intend to overcome perceived discriminatory practices in the longer term. The Human Rights and Equal Opportunity Commission consider them when making determinations in relation to unjustifiable hardship.[15] The Disability Advisory Council of Victoria argued that action plans had become a powerful tool for change:

> We are seeing some really positive changes. Things like the action plan are a good example. That was a fairly minor part of the DDA, but the action plan itself has become a very powerful tool of change for many institutions in many places, at least in giving a time line where change can be introduced.[16]

6.13     Typically, universities have a specialised unit to administer and deliver support to students with disabilities. The Disability Discrimination Act requires that reasonable accommodation is made for students with disabilities to enable full access to learning opportunities. Examples of strategies used by universities include: note taking, interpreting, practical assistants, readers, transcription of material into alternate formats, individual examination provisions, mentor programs, tutoring program, prospective student interview programs, disability integration rooms, support groups, alternative methods of assessment and the provision of specialised computer facilities.

6.14     While the evidence suggests that universities have policies and procedures designed to support students with disabilities, the committee was told that many continue to be disadvantaged. There are substantial costs associated with a disability, for example, the cost of attendant care, transport and assistive technologies. Meeting

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12     Submission No. 70, University of Newcastle, p. 1

13     *Students with Disabilities: Code of Practice for Australian Tertiary Institutions*, http://www.qut.edu.au/pubs/disabilities/national_code/code.html (access: 18 November 2002)

14     *Guidelines Relating to Students with Disabilities,* Australian Vice-Chancellors' Committee, December 1996, http://www.avcc.edu.au/news/public%5Fstatements/publications/gldisab.htm (access: 17 November 2002)

15     *Register of Disability Discrimination Act Action Plans,* Human Rights and Equal Opportunity Commission, http://www.hreoc.gov.au/disability_rights/action_plans/Register/register.html (access: 18 November 2002)

16     Mr Martin Fathers, Chair, Education Working Party, Disability Advisory Council of Victoria, *Hansard*, Melbourne, 12 August 2002, p. 216

these costs are especially onerous for those students who are unable to work part time. Students with disabilities also have to invest considerable time and energy to overcome numerous difficulties relating to their condition. The Monash Students Association told the committee:

> These kinds of difficulties are manifest in the extra investment of time, energy and financial resources by students. They are also manifest in the time lags between identifying a need for a service or a support and the actual achievement of that service or support, in the significant capital infrastructure investment that students with disabilities are required to make in order to succeed at a tertiary level and, of course, in the ongoing additional costs that students with disabilities suffer.[17]

6.15    Blind Citizens Australia, on the same issue, told the committee:

> Students are still expected to personally negotiate with each and every teacher about their needs, badgering lecturers for advance copies of reading lists, chasing up teachers who repeatedly forget to put handouts on disks, searching for textbooks in alternate formats. This is happening in each subject year after year.[18]

## The role of disability liaison officers

6.16    Disability liaison officers are employed by universities to provide assessment, advice, advocacy and services to students who have a disability; and to ensure that those students have equal access to programs and facilities. They are also required to support, educate and advise institutional staff and the wider community regarding disability. Disability liaison officers are also responsible for assessing students' disability related needs. Although there are documents to assist this process, it is generally left to the judgement of the disability liaison officer to make appropriate recommendations for meeting student needs. The evidence suggests that the quality and appropriateness of support varies across the sector.

6.17    Access rates published by Department of Education Science and Training suggest that certain institutions are far more attractive to students with disabilities than others. Access rates[19] varied from 0.0 per cent for Marcus Oldhan College in Victoria to 8.1 per cent in the National Institute of Dramatic Art in New South Wales. Universities with high access rates included the University of Wollongong (7.5 per cent), Flinders University of South Australia (5.6 per cent) and Batchelor Institute of Indigenous Tertiary Education in the Northern Territory (5.5 per cent). Universities with particularly low access rates included the Australian Defence Force Academy

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17    Miss Rebecca Tomilson, President, Monash Student Association, *Hansard*, Melbourne, 13 August 2002, p. 255

18    Ms Karen Knight, Board Member, Blind Citizens Australia, *Hansard*, Brisbane, 6 September 2002, p. 475

19    Access is the proportion of commencing students that report that they have a disability on their enrolment form.

(1.0 per cent), Swinburne University of Technology (1.3 per cent) and Curtin University of Technology (1.3 per cent).[20] On the other hand, success and retention rates do not vary as widely across institutions. Once students with disabilities commence their courses, they continue with their studies and succeed at rates that are, on average, only marginally lower than for other students.[21]

6.18    The committee was told that although some disability liaison officers have a professional background or extensive years of experience, many do not. There are no formal training requirements for disability liaison officers. While Griffith University has prepared the curriculum for a *Graduate Certificate/Master of Disability Service Managements in the Tertiary Setting,* the committee notes that it has been unable to secure funding to offer the program. There is no standardised training course or qualification available in Australia. Consequently no uniform assessment tools and processes are being used across sectors or states resulting in inconsistent support practices.[22]

6.19    Griffith University argued the need for consistent assessment procedures. In its submission the university wrote that in some universities the role of the disability liaison officers was being marginalised, or downgraded. This was effecting on the quality of support provided to individual students with disabilities:

> In some places (universities) the role (of the disability liaison officer) is marginalized and performed in conjunction with other equity-related tasks. In others, the position may have been downgraded during restructuring to be at a basic administrative level.  There is also a trend for these positions to be casualised and in some instance there can be a high turn-over in staff.  These trends are of concern because of the potential negative impact that they may have on the participation, retention and success of students with disabilities in the tertiary sector. [23]

6.20    The Royal Melbourne Institute of Technology suggested a process of professional registration and minimal competency standards as one means of achieving consistent approaches across the sector:

> For several years professional groups (state and national) representing Disability Liaison Officers have been discussing developing a process of professional registration and minimal standards for DLO's in order that some national consistency can be expected. It is important that government recognises the contribution made by DLO's in the overall learning support for students with a disability.[24]

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20    *Characteristics and Performance Indicators of Australian Higher Education Institutions, 2000*

21    *2000–2002 Triennium Equity Plans,* Department of Education, Science and Training, p. 16

22    Submission No. 60, Tasmanian Tertiary Education Disability Advisory Council, p. 2

23    Submission No. 102, Griffith University, p. 7

24    Submission No. 129, Royal Melbourne Institute of Technology, p. 2

6.21    The committee believes that the development of minimum competency standards is a matter for national coordination: an appropriate role for the Australian Vice-Chancellors' Committee.

## Assessing  learning disabilities

6.22    Under the Disability Discrimination Act an educational institution must make reasonable adjustments to give a student with a specific learning disability access to the curriculum. Across the education sectors however, there appears to be a lack of willingness to formally assess a learning disability. Most school authorities do not differentiate between a student with a learning difficulty and a specific learning disability. The committee believes it important to reach national agreement on the definition of learning disabilities.

6.23    The identification of a learning disability and an assessment of what is an appropriate compensatory level of assistance has been particularly difficult because of the prohibitive cost of assessments. For disability support at university, students are responsible for providing documents outlining the nature of their disability and its effect on their studies. In most instances documents are provided by a medical professional, the costs of which may be claimed through Medicare. In the case of learning disabilities, an assessment by an educational psychologist is appropriate. For many students, the cost of this assessment is prohibitive:

> A useful assessment from professionals such as educational psychologists, that clearly identifies appropriate strategies to overcome the impact of a learning disability may cost up to $1000…Currently, in most states, the student and/or their family carry the cost of a professional assessment and its accompanying report.[25]

6.24    The committee believes that it is regrettable that many students with learning disabilities are not appropriately assessed because of the prohibitive costs of assessments, and considers that options for financial assistance should be investigated.

## Meeting technological needs

6.25    Advancing technology is easing the burden for students with disabilities in accessing higher education. The past decade has seen unprecedented technological change affecting disability assistance. The advantages of technology for students with disabilities include improved mobility and communication and access to information. New technologies can greatly enhance a student's level of independence, and allow a student to achieve academic success with little or no disadvantage. For instance, for a person with a mobility impairment, computers, CD ROMS, and the Internet make possible the task of undertaking research and independent study in a wheelchair. The development of screen reading software allows students who are blind or vision impaired, or those that have learning disabilities, to benefit from developments such as the Internet, on-line library catalogues, and searchable electronic databases. The

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25    Submission No. 54, National Regional Disability Liaison Officer Initiative, p. 2

application of computerised methods to the production of braille, large print and E-text formats has led to radical changes in the way materials can be produced.[26] The committee is aware that accompanying these developments are a number of challenges. Assistive technologies, for all the advantages they provide, are expensive for universities to support and require changes to administrative processes and teaching routines.

## *The provision of transcription services*

6.26    Universities lack strategic direction in the use of assistive technologies.[27] The evidence suggests that they are struggling in their attempts to provide efficient and effective transcription services. Services are *ad hoc*, often duplicated and there is a lack of coordination across the sector.

6.27    The committee was told of long delays, usually of three months, to provide reading materials in Braille:

> At present there is a 3-month lead-time required to arrange for brailing of textbooks.  In order for a student who requires study materials to be brailled to access study materials at the start of each term, text books at least must be available 3 months ahead of time.  Currently it is often the case that titles of textbooks are not known 3 months ahead of time, or alternatively the textbooks are not available for purchase in time.[28]

6.28    Some universities have an in-house production capacity,[29] but most universities use the transcription services provided by the National Information and Library Services (NILS). This year, the organisation moved to full cost recovery. Because the cost of providing transcription services had previously been subsidised, the move to full cost recovery is expected to have significant financial implications for universities. Table 6.1 gives an indication of the magnitude of expected cost increases for universities.  These figures are based on the transcription services provided to Griffith University in 1999 and 2000.

6.29    In response, the Human Rights and Equal Opportunity Commission (HREOC) held a forum in May 2002 to develop strategies for addressing the availability of accessible tertiary materials for students with print disabilities. The forum agreed that the Australian Vice-Chancellors Committee and the commission should establish a working party to investigate the feasibility of a national approach to the acquisition and production of accessible materials for students. The committee supports this initiative.

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26    *Storm or Sea Change: Meeting the Challenges of Providing Tertiary Materials in Accessible Formats for Students with Print Disabilities*, A Discussion Paper, HREOC, May 2002, p. 9

27    *Storm or Sea Change: Meeting the Challenges of Providing Tertiary Materials in Accessible Formats for Students with Print Disabilities*, A Discussion Paper, HREOC, May 2002, p. 9

28    Submission No. 116, Central Queensland University, p. 3

29    For example, the University of Newcastle

## *Lack of training*

6.30    American literature as reported by Leung *et al* concludes that a lack of commitment to training for new technologies is a major barrier in its use.[30] Increased awareness about new technologies has placed large demands on expertise in the evaluation and selection of appropriate assistive technologies.[31]

**Table 6.1: Subsidised charges and actual costs for BRAILLE transcription services[32]**

| Semester and Year | Number of students requiring BRAILLE | Total fees charged | Total actual costs |
|---|---|---|---|
| 1/99 | 3 | 1 875 | 51 024 |
| 2/99 | 1 | 625 | 18 100 |
| 1/00 | 3 | 1 875 | 34 783 |
| 2/00 | 1 | 625 | 91 319 |

6.31    An Australian study reported that lack of training and a difficulty in keeping abreast of assistive technology developments is a matter of concern for both disability liaison officers and students.[33] The study concluded that access by students to assistive technology depended mainly on knowledge acquired haphazardly by disability liaison officers. The role of academic staff who had knowledge of the student requirements was also important.[34] The study found that some disability liaison officers had minimal training or less in the use of adaptive technologies.[35]

6.32    Both the University of Sydney and Griffith University raised concerns about the limited exposure that students in schools appear to have in the use of assistive technology. Sydney University argued that the intensive staff support provided to students with disabilities in schools fails to encourage independent management of a disability. The National Library and Information Service agreed with their assessment:

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30    Leung, P., *et al*, *Assistive Technology: Meeting the Needs of Students with Disabilities in Post-Secondary Education,* Department of Education, Training and Youth Affairs, November 1999.

31    ibid., p. 10

32    Submission No. 102, Griffith University, p. 18

33    ibid., p. 35

34    ibid., p. xi

35    ibid., p. 26

> Although universities provide adaptive equipment for students with disabilities, it is often useless to the students because they have not been trained in how to use it during secondary schooling years.[36]

6.33    While this evidence suggests a need to expand the use of assistive technologies in schools, the committee agrees that universities have a responsibility to train their disability liaison officers and academic staff in the use of assistive technology. The committee believes that regional disability liaison officers should be proactive in assessing the assistive technology needs of students with disabilities before enrolment to ensure a smooth transition from school to university.

## *The cost of new technologies*

6.34    Whilst the growth in adaptive technologies has improved the educational opportunities for many people with disabilities, the committee was told that it has also increased the costs of studying for students with disabilities. For instance, it had cost one witness over $5,000 to purchase a laptop computer and screen reading software:

> The program for the speech that you hear—depending on exchange rates—costs about $1,700. This laptop was about $3,500 a couple of years ago.[37]

6.35    Students from low socio-economic backgrounds find it hard to afford the purchase of computers and assistive technologies for home use. While most universities provide students with disabilities with access to computers on campus, use of these computers is not an option for all students. Central Queensland University submitted that:

> A common need reported by students is for a home-based study station, which offers appropriate ergonomic and adaptive technologies. Often the cost of setting up a computer work station at home is prohibitive for students requiring specialised equipment. At the same time, it is difficult for students with impairments and chronic medical conditions to physically access the computer labs provided on campus by CQU.[38]

6.36    A number of submissions recommended that the Commonwealth should make one-off grants at the time of enrolment to allow students to purchase their own equipment for home use. This equipment could then be used in the workplace at the completion of training:

> The use of such equipment can greatly enhance the educational outcomes for students with disabilities and can result in the development of broader skills that are readily transferable to the workplace. Federal funding is available for people with disabilities who require assistance and equipment

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36    Ms Jane Evans, General Manager, National Information and Library Service, *Hansard*, Melbourne, 13 August 2002, p. 274

37    Ms Karen Knight, op. cit., p. 477

38    Submission No. 116, Central Queensland University, p. 4

in the transition to the workplace. There would be significant benefits to providing equipment to University students where appropriate such that a familiarity with equipment use can be developed, minimising barriers to employment for people with disabilities who have to apply separately for funding for equipment in the workplace.[39]

6.37    The committee concludes that the establishment of a scheme to assist students with disabilities to purchase assistive equipment will further enhance their independence and improve their ability to complete their courses.

**Recommendation 15**

**The committee recommends that the Department of Education, Science and Training explore options for the establishment of a scheme designed to assist students with disabilities to purchase assistive equipment.**


## Professional development and teaching

6.38    The committee was provided with a number of instances of a lack of awareness about disability issues by some academic staff. Blind Citizens Australia provided the following example.

> Decisions that may seem small to educators can have an amplified impact on a student's capacity to learn and their access to a quality education. For example, a decision to provide a handout containing complex information in electronic format rather than in braille can mean that a student spends hours brailling it by hand. This is not time spent studying; it is time spent preparing to study. Blind students' valuable remaining vision is being put at risk by educators who provide reading materials in inappropriate formats, sometimes out of ignorance but often because it is the cheapest option.[40]

6.39    While many universities adopt the principle of inclusive teaching practices, the practical implementation of these strategies appears to be a problem. Teaching qualifications are not required for university teaching. As a consequence, lecturers and teachers are reliant on professional development programs to raise their awareness about disability matters.

6.40    A number of submissions from the higher education sector explained that even when programs were made available, the increasing workload of academic staff meant that it was not always easy to attract lecturers to these workshops. Of the

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39    Submission No. 186, University of Melbourne, p. 7

40    Ms Karen Knight, op. cit, p. 475

962 permanent staff at the University of Western Sydney, only 150 had attended workshops designed to address disability related issues.[41]

6.41    The Students Union of Monash University – Gippsland campus, reported that the university's professional development unit did not deliver training sessions in inclusive practices. They also reported that staff were not encouraged to seek training and development in providing academic support to students with disabilities.

6.42    Although the role of disability liaison officers includes the provision of professional development to staff on inclusive practices, the evidence suggests that professional development and training is managed reactively rather than proactively. A regional disability liaison officer wrote that neither regional disability liaison officers nor disability liaison officers had sufficient time to devote to professional development. A number of other universities wrote that academics usually only sought help when they were confronted with a specific disability issue. The University of Western Sydney submitted that:

> There are workshops that staff can be involved in. I would have to say that most staff do not really think about it until they are actually facing an issue, and then the disabilities advisers are there to work with staff and to help them make various arrangements or accommodations.[42]

## Funding students needs

6.43    The committee agrees that universities are responsible for the provision of an environment and pedagogy suitable to all students. However, the cost of recovering from a history of institutionalised discrimination is considerable. The cost of meeting the needs of individual students is also increasing as the number of students enrolling in university with high support needs grows. The University of Melbourne commented on this issue:

> Over the last four years, they (the number of students with disabilities) have increased by nearly 60 per cent. Over the same period of time, the amount of expenditure on support for students with disabilities that has been provided by the University of Melbourne has increased by 140 per cent.[43]

6.44    With the exception of the Australian National University, Australian universities are established under state or territory legislation and have a high degree of financial and academic autonomy. Commonwealth funds are paid under the *Higher Education Funding Act 1988*. Further support for students with disabilities is provided through the Higher Education Equity Program (HEEP). Funds under this program are

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41    Ms Sandra Norris, Counselling and Disability Services, University of Western Sydney, *Hansard*, Sydney, 3 July 2002, p. 151

42    Associate Professor Marsha Durham, Dean of Students, University of Western Sydney, *Hansard*, Sydney, 3 July 2002, p. 151

43    Ms Lin Martin, Vice-Principal and Academic Registrar, University of Melbourne, *Hansard*, Melbourne, 13 August 2002, p. 261

linked to universities' equity performance and are allocated as part of their operating grant. The program aims to encourage universities to develop strategies to increase the participation of a number of equity groups, including students with disabilities. In 2002, $5.8 million has been provided to universities under this program.

6.45    In the 2001/2002 budget, the government introduced new Commonwealth funding to provide support for high needs students with disabilities. Funding is provided under the *Additional Support for Students with Disabilities Program.* The program will allocate $8 million over three years. Funding applies retrospectively and will contribute to the cost of providing educational support services or equipment to students with disabilities.

6.46    While the majority of universities welcomed the new funding initiative, the committee was told that significant increases in the cost of purchasing transcription services would offset the financial gain of the new funding arrangement. Several submissions were also critical of the new funding arrangements, arguing that by, contributing to the cost or providing disability support to individual students the Commonwealth was encouraging reactive rather than proactive management of students with disabilities:

> The recent Federal Government initiative for additional funding for students with disabilities could act as a disincentive for providing ongoing quality service. Rather than setting up ongoing systems, policies and resources for students with high support costs, the universities could claim retrospective payment for services for individual students and not look for cost effective ways to manage the needs of students with high support costs.[44]

6.47    Having heard the evidence and read the submission, the committee formed an impression that universities were generally adopting reactive approaches to the management of students with disabilities. The introduction of the Disability Discrimination Act has meant that universities are being held accountable for failures to meet the needs of students with disabilities. Avoiding litigation plays a significant part in the management of disability support.

6.48    The evidence suggests that budgetary constraints are restricting the ability of universities to develop long-term strategies to address systematic discrimination, despite the preparation of action plans. The committee agrees that without appropriate funding for long term applied research and implementation of systemic changes, universities will continue to function reactively, crisis managing individual cases rather than making systematic changes.

6.49    The committee agrees that the Commonwealth has an obligation to assist universities undertake systematic reform to enable them to be more responsive to the needs of students with disabilities. To this end it recommends that the Commonwealth

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44    Submission No. 70, University of Newcastle, p. 2

provide base funding to allow universities to develop long-term strategies to improve both the physical environment and pedagogy of universities to ensure equality of access for students with disabilities. This funding should be in addition to HEEP funding.

**Recommendation 16**

**The committee recommends that the Commonwealth fund universities to develop long-term strategies to improve the physical environment and pedagogy of universities to ensure equality of access for students with disabilities.**

# Chapter 7

# The Disability Discrimination Act and the Role of the Commonwealth

7.1 The Disability Discrimination Act has markedly affected the way our schools operate by providing legislative support for inclusive education. By giving a broad definition to disability, it has raised questions about whether our schools adequately provide for all those who are protected by its provisions. The proposed disability education standards will make the rights of these students more transparent. Inconsistencies between the definition of disability under this Act and those that determine funding eligibility for disability support programs in schools have already been discussed in Chapter 2. This definitional issue and its funding consequences underpins the reluctance of some educational authorities to finalise education standards. This chapter focuses on the broader funding implications of the Disability Discrimination Act and in particular the proposed education standards. It will examine the adequacy of current Commonwealth funding arrangements for students with disabilities in light of the proposed new education standards and consider the level of financial responsibility that the Commonwealth should accept to ensure that all students can fully participate in education.

7.2 The Disability Discrimination Act, along with similar state and territory laws, makes it unlawful to discriminate against a person on the ground of the person's disability. The Act imposes a general obligation not to discriminate in education and provides a corresponding right to complain of unlawful discrimination, either to the Human Rights and Equal Opportunity Commission (HREOC) or the Federal Court. It is unlawful to discriminate in areas relating to admission, access to benefits provided by the educational authority or to student expulsions. The obligation upon an educational authority is to avoid direct and indirect discrimination. In the case of indirect discrimination, an educational authority is only required to make reasonable adjustments to allow the student with disability to participate, but it is not unlawful for an educational authority to refuse an enrolment that would impose an unjustifiable hardship upon the authority.

7.3 The Disability Discrimination Act has been a catalyst in the integration of most students with disabilities, and in response, educational authorities have had to develop new funding mechanisms to support integrated education in government schools. These mechanisms were discussed in Chapter 2. However, the Act applies to a wide range of educational institutions regardless of the sector, and this has resulted in greater demand for enrolment of students with disabilities in non-government schools and systems. For example, in the independent school sector[1] enrolments have

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1 Independent schools are a diverse group of non-government schools serving a range of religious or other communities.

increased by 89 per cent since 1995, compared to a 26 per cent increase in total full time enrolments.[2] The Catholic school sector estimates that, in 1985, students with disabilities made up only 0.2 per cent of the total enrolments, yet by 2000 this figure had increased to 2.2 per cent of enrolments.[3] The cost of supporting these students has had financial implications for the non-government school system.

7.4    The National Council of Independent Schools' Association (NCISA) had the following to say about the effect of the Disability Discrimination Act:

> NCISA is concerned that while the *Disabilities Discrimination Act 1992* has introduced a rights-based model for students with disabilities, current government funding arrangements for students with disabilities inhibits its implementation. It potentially places an inequitable burden on the families in those independent schools which have students with disabilities enrolled. The problem is particularly acute for independent schools since they are generally not able to draw on the state services to assist in meeting the needs of students with disabilities nor can spread the cost over a student population wider than at their own school.[4]

7.5    Similarly, the Catholic system argued that the cost of meeting the needs of an increasing number of high support students was problematic:

> As NSW Catholic schools enrol more students with greater support needs, funding support cannot be expanded rapidly enough to address all identified learning needs.   For example, simply arranging for a student to be catheterised or otherwise toileted at school can cost up to $6,000 per year.

> Similarly, as the number of students who enrol in NSW Catholic schools, particularly those with higher support needs, increases so do total support costs.   All eleven NSW Dioceses have indicated that the cost of support provision for students with disabilities is far greater than the Commonwealth and state funds attracted by the student's enrolment.   The cost of essential support for a student with a disability in a regular school can vary from $1,600 to $32,000, depending on the level of need of the particular student. Available Commonwealth funds typically meet no more than 40% of service provision costs for students with mid-range service support needs.[5]

7.6    The recent and well publicised anti-discrimination case involving the Hills Grammar School[6] will increase the pressure on non-government schools to accept students with significant disabilities. In 1997 the parents of a girl with spina bifida attempted to enrol their daughter in kindergarten for 1998 at the Hills Grammar School. After some discussion about her needs, the school eventually refused the

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2    Submission No. 175, National Council of Independent Schools Association, p. 5

3    Submission No. 149, National Catholic Education Commission, p. 1

4    Submission No. 175, op.cit., p. 8

5    Submission No. 183, Catholic Education Commission, NSW, p. 7

6    *Finney v Hills Grammar School* [2000], EOC 93–087

enrolment. This decision was made on the basis that the school was not adequately resourced to look after the girl, given her special needs. The parents took the matter to the Human Rights and Equal Opportunity Commission. The Commissioner found that the school had unlawfully discriminated against the girl on the grounds of disability. An appeal by the school was lost in the Federal Court.

7.7     The Finney v Hills Grammar School[7] case was particularly important as it tested the extent to which the non-government school sector can argue that the enrolment of student with a disability places an unjustifiable hardship on the school, and consequently refuse the enrolment. The unjustifiable hardship exemption provides educational authorities with the ability to argue that the services or facilities required by a student with a disability seeking admission to an institution would result in significant costs, or cause major difficulties, and consequently lead to unjustifiable hardship.

7.8     It was found that it would not have been unjustifiable for a non-government school to have enrolled a child with spina bifida given the specifics of the case. While the Commissioner agreed that the enrolment of the student would place a 'hardship' on the school the hardship was not considered to be unjustifiable. The Commissioner took into account the *benefits* and detriments for the student, the school and the community, and balanced these against the hardships which would be encountered:

> …the concept of "unjustifiable hardship" connotes much more than just hardship on the respondent. The objects of the Act make it clear that elimination of discrimination as far as possible is the legislation's purpose. Considered in this context, it is reasonable to expect that the School should have to undergo some hardship in accepting Scarlett's enrolment. It is clear from the evidence that this would have occurred, as Scarlett required services and facilities not required by other students. The nub of the issue is whether such hardship was unjustifiable. In paragraph 6.16 and 6.17 I have set out the benefits and detriments to all concerned, including the effects of Scarlett's disability and the financial implications for the School. Determination of this question requires me to decide if, in the context of these benefits and detriments, the hardship caused would have been unjustifiable. I find the defence of unjustifiable hardship has not been made out by the School.[8]

7.9     The non-government education sector was not only concerned because the Commissioner found against the school, but because the case did little to clarify the meaning of the term 'unjustifiable':

> While the requirement to enrol students with disabilities is apparently softened by the "unjustifiable hardship provision" there continues to be uncertainty about the precise legal obligation this entails for schools, with

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7     ibid.

8     ibid., s.7.6

the assessment of "unjustifiable hardship" depending on the particular facts of each case.[9]

7.10    The committee notes that the unjustifiable hardship exemption is only available to a school when it is considering a student's application for enrolment. The proposed education standards will extend this exemption to apply post enrolment. Some representatives from the disability sector were concerned about the apparent loss of rights that this extension would cause, while the non-government sector supported the extension of the exemption. Whether this will affect the rights of students with disabilities is debateable. Currently it is open to a school accused of indirect discrimination to argue that its decisions or actions were not unreasonable under the circumstances; alternately, they can argue that the demands of the aggrieved person were unreasonable.

7.11    Universities and Technical and Further Education (TAFE) colleges have been struggling with appropriate strategies to implement the obligations imposed by the Disability Discrimination Act. A number of universities have developed action plans to develop strategies for ensuring equity and access for their students with disabilities. These are considered by HREOC when making determinations in relation to unjustifiable hardship. Banks and Kayes reported that long standing use of disability action plans in the TAFE sector might be responsible for disability discrimination being less of a problem in that sector.[10] The committee notes that, at the time of writing this report, 22 universities and 18 TAFE Colleges or Institutes of Technology had lodged action plans with HREOC.[11]

7.12    As noted in Chapter 6, the committee has little doubt that funding these strategies has proved difficult for the post-secondary sector. The University of Melbourne wrote in its submission:

> There are significant resource implications for the University in providing an educational environment that is free of disability discrimination, as mandated by anti-discrimination legislation. In a climate of reducing reliance on government funding, the University has to allocate its resources responsibly and cannot afford to alter its environment and practices to comply with anti-discrimination legislation in a short time frame. The cohort of students with disabilities in the University environment has increasing numbers of students with high support needs which will result in increasing demand for time and financial resources. There will continue to

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9    Submission No. 175, National Council of Independent Schools Association, p. 8

10   Banks, R. and Kayes, R., *The Disability Discrimination Act: Working Towards Compliance in Education,* A discussion paper for Disability Discrimination Act Standards Project, July 1999, p. 9

11   *Register of Disability Action Plans*, Human Rights and Equal Opportunity Commission, http://www.hreoc.gov.au/disability_rights/action_plans/Register/register.html#educ (access. 12 November 2002)

be barriers towards the participation of students with disabilities if the funding made available to Universities is not increased.[12]

## The draft disability standards for education

7.13    The Disability Discrimination Act makes provision for the Attorney-General to formulate education standards. Standards made by the Attorney are subject to parliamentary approval and possible amendment.[13] Once in force, the Act provides that it will be unlawful for a person to contravene a disability standard. Standards will set out how education and training are to be made accessible to students with disabilities and include measures that, if implemented by educational authorities, will be evidence of compliance with legal obligations. However, some state government and many non-government authorities have raised concerns about the cost implications of this approach for the school sector, given the broad and generally untested scope of the Disability Discrimination Act.

7.14    The Victorian Department of Education and Training summarises the position of a number of authorities:

> A number of government school and VET [Vocational Education and Training] systems, along with Catholic and independent school systems, have expressed concern at the potential cost of implementing the standards. The Commonwealth has argued that as the standards simply codify the Act, there should be no additional costs generated by the standards. Attempts to undertake a cost benefit analysis of the standards have not been successful.[14]

7.15    The committee agreed with those witnesses who argued that education standards would give greater certainty about equity entitlements for students with disabilities. The committee also believes that because the Disability Discrimination Act is drafted in very general terms and applies to a broad range of areas, the standards will be important for providing greater certainty and clarity about the responsibilities of education institutions. Teachers, schools and education authorities have had to rely on interpretations from case law to clarify the expectations of the anti-discrimination provisions.[15] The committee is concerned, however, that after a process of six and a half years, the standards have yet to be finalised.

7.16    The Disability Discrimination Act acknowledges the importance of consultation with relevant parties and, in particular, state and territory governments, because it requires the comments of relevant state and territory ministers to be taken

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12    Submission No. 186, University of Melbourne, p. 8

13    See *Disability Discrimination Act 1992,* subsection 31 (3)

14    Submission No. 212, Victorian Department of Education and Training, p. 33

15    Keeffe-Martin, M., 'Legislation Case Law and Current Issues in Inclusion: An Analysis of Trends in the United States and Australia'*, Australia and New Zealand Journal of Law and Education*, Vol. 6, 2001, p. 33

into account before making standards that are enforceable at law.[16] As a consequence, the Ministerial Council for Education, Employment, Training and Youth Affairs (MCEETYA) established a taskforce to develop disability standards for education in 1995. The taskforce was chaired by the Commonwealth and comprised representatives from the states and territories, the DDA Standards Project[17] and stakeholder groups within the education and training community.

7.17    The outcome of that process was a set of draft disability standards for education. These were considered by MCEETYA in July 2002. The standards dealt with the areas of: enrolment; participation; curriculum development, accreditation and delivery; student support services; harassment and victimisation, and set out the rights, or entitlements, of students with disabilities, consistent with the rights of the rest of the community. They describe the legal obligations of educational authorities, institutions and other education providers, and include examples of compliant measures that are performance based. The meeting made the following resolution on the standards:

> Council expressed concern over the delay in finalising the draft Standards but agreed that outstanding legal and financial issues be further addressed by December 2002 prior to the introduction of legislative amendments to the Disability Discrimination Act if necessary, and to the implementation of the Standards, and urged all jurisdictions to work co-operatively on this matter.[18]

7.18    The committee sees the development of disability education standards as one of a number of steps necessary to address the discriminatory practices identified in this report. It agrees that all Australians should be protected by nationally agreed disability standards with respect to education, and consequently shares the concerns of the Physical Disability Council of Australia which had the following to say about the outcome of the July 2002 MCEETYA meeting:

> As the convener of that [*DDA standards*] project and as the executive officer of the Physical Disability Council of Australia, we would like to say that we were extremely disappointed to see that the standard was referred to yet another task force for further work, especially since we understand that the advice that was received from the Commonwealth Deputy Chief Counsel should have allayed any fears about the actual draft standard exceeding the legislation. The Physical Disability Council of Australia even questioned whether the standards would ever be finalised.[19]

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16    See *Disability Discrimination Act 1992,* section 132

17    The DDA Standards Project was established to coordinate disability sector input into the development of disability standards under the Disability Discrimination Act. The Attorney-General's Department funds the Standards Project.

18    Mr Tony Greer, Group Manager, Schools Group, Department of Education, Science and Training, *Hansard*, Canberra, 11 September 2002, p. 651

19    Ms Sue Egan, Executive Officer, *Hansard,* Brisbane, 6 September 2002, p. 469

7.19     The formulation of education standards is an essential part of the overall legislative scheme developed to reduce discrimination in education. While existing law will be able to deal with matters contained in the standards, the committee has learnt that the Act by itself is not necessarily the most effective or efficient means of achieving this aim.

7.20     Compliance with the current law often depends on a parent lodging a complaint against an educational institution with the ultimate resolution of the problem relying on a court decision. The committee found a level of dissatisfaction with this process, particularly the time taken to deal with complaints, the stress endured during the process and the final outcome of the process. In Brisbane, Queensland Parents for People with a Disability (QPPD) told the committee:

> Two years ago QPPD gathered together three families who had been involved in cases in Queensland, and all three stated that they would not ever go through the process again. They felt that the victimisation they had suffered afterwards was worse than the process of going through the court case. In fact there is a culture in Queensland where parents often advise other parents not to complain, because of the risks involved.[20]

7.21     Although the Disability Discrimination Act has been in force since 1992 it has become evident that, in its application to education, the objectives of the Act are yet to be fully realised. Evidence provided to the committee suggests that there is considerable variation in legislative compliance among the states and territories as well as differences in compliance between the government and non-government school sectors. The Independent Education Union describes the situation in relation to the non-government sector:

> …many of the submissions received from members reflect their real concern at not being able to meet these obligations. The consistent and strong feedback from members is that the resources and funding arrangements for students with disabilities in non government schools are not adequate and that schools are therefore vulnerable to being in breach of the Act.[21]

7.22     Further, the committee was told that in 2000, only 1.5 per cent of students enrolled in the independent school sector and 2.2 per cent of students in the Catholic school sector had a disability. This compared to 3.9 per cent of total students in the government school sector.[22] While the committee accepts that there has been a trend towards increasing enrolments of students with disabilities in non-government schools, the magnitude of the disparity between the enrolment numbers of the government and non-government school sectors raises questions about equity of

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20     Ms Sandra Kalms, Executive Coordinator, Queensland Parents for People with a Disability, *Hansard*, Brisbane, 6 September 2002, p. 415

21     Submission No. 215, Independent Education Union, p. 1

22     Submission No. 14, Australian Parents Council, p. 6

access. Following her study into numeracy and literacy for students with disabilities Dr Christina van Kraaynoord had the following to say:

> …I think it is our experience, based on our research, that the state takes the bulk of students with severe disabilities. Although the Catholic education system is increasingly taking children with high support needs, I believe that independent schools, because of their independent nature, are able to select students much more carefully and may, in fact, seek ways of precluding students from attendance or enrolment in their schools, despite the anti-discrimination legislation.[23]

7.23    The Queensland Parents for People with a Disability told the committee:

> Some of the general feeling from parents who have given us anecdotal feedback about private schools is that generally the Catholic system has been more welcoming of students with disabilities, whereas other non-denominational or independent schools seem to have the notion that they require special facilities in order to take children with disabilities, even though the reason that people approach those schools in the first place is usually to avoid special facilities.[24]

7.24    In the government sector, students with 'traditional disabilities' are reasonably well catered for under funded programs, although some parents would argue that until education is fully inclusive many students with disabilities will continue to be discriminated against; this issue was explored in Chapter 3. Mary Keeffe-Martin reports that Australia has not experienced a 'flood' of special education litigation because of complex complaint-based appeal processes, unwanted expense and publicity, the exemption clause of unjustifiable hardship and the stress of lengthy court cases.[25] She also reports that there is a growing body of evidence to suggest that this trend is changing. Parents, students, teachers and advocacy groups have raised awareness about discriminatory practices in schools. During 2000–2001, 82 complaints were made to HREOC about discrimination in education.[26]

7.25    Of particular concern is the extent to which students with 'less traditional disabilities' are managed. The legislation relies on the concept of reasonable adjustment being made to provide substantive equality for students with disabilities. For some disabilities such as conductive hearing losses, learning disabilities, and some behavioural disorders this is clearly not happening in all instances. The Australian Association of Teachers of the Deaf had the following to say about the management of conductive hearing losses in Victoria:

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23    *Hansard*, Brisbane, 6 September 2002, p. 457

24    Ms Michelle O'Flynn, Queensland Parents for People with a Disability, *Hansard*, Brisbane, 6 September 2002, p. 413

25    Keeffe-Martin, M., op. cit, p. 40

26    *Annual Report for the Human Rights and Equal Opportunity Commission 2000–2001*, Part 2

> We believe that the eligibility criterion should be broadened to include these students in recognition that their hearing impairment places them at risk for language, communication and literacy development. These students have complex needs and access to a learning environment with trained Teachers of the Deaf will provide them with an appropriate supported learning environment. [27]

7.26    The Independent Schools Association of Western Australia described the situation in Western Australia:

> Many students in member schools, particularly the Aboriginal schools, suffer from this.  It is estimated that 40–80% of Aboriginal students are affected in member schools whether they are in urban, rural or remote setting.  Schools cannot access specialist support because the Western Australian Institute for Deaf Education, the visiting teacher service of the State Education Department which also supports independent schools, does not support students with conductive hearing loss. [28]

7.27    One witness explained that it was not until she began studying at university that appropriate and reasonable accommodations were made to allow for her learning disability, scotopic sensitivity:

> This is my first year at University and the first time my disability has ever been validated. I have had substantial support, lighting has been changed, photocopied are my sheets, I am not marked down for only being able to read a certain amount of work, extensions on assignments, the list seems endless.

> I did not attend a bad school nor have heartless teachers. My teachers were merely ignorant of my disability and this is a result of poor training in the area of Scotopic Sensitivity. They followed all guidelines set down by the Board of Education, although these guidelines did not meet any of my needs as a student with a disability. [29]

7.28    Many witnesses told the committee, or wrote in their submissions, about the lack of assistance provided in schools to students with dyslexia. As one dyslexic wrote:

> It does not appear that the NSW Education Department has established a clear policy position on dyslexia or a framework for delivering practical and effective assistance to dyslexic children, most of whom will not complete their education, and many of whom will continue to swell our prison and

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27    Submission No. 110, *Australian Association of Teachers of the Deaf*, p. 1

28    Submission No. 118, Association of Independent Schools—WA, p. 5

29    Submission No. 2, Ms Olivia Baczynskyj, p. 2

juvenile justice systems, which are comprised mainly of people with reading and learning difficulties.[30]

7.29    As discussed in Chapter 5, even where established programs provide funding support for students with 'traditional disabilities', equality is not always assured in a mainstream setting if teachers and teacher aides do not possess the necessary skills, or are not available, to give students with disabilities appropriate access to curricula.

7.30    Evidence was given to the committee about the negotiation process which has eluded MCEETYA for more than six years. It was explained that there was a great deal of resistance to the adoption of the standards. The convenor of the Disability Discrimination Act standards project group told the committee that it is unlikely that any agreement would be reached in 2002, and that resistance was coming from states which 'deemed' that inclusive education was too expensive.

7.31    The report[31] prepared by the Standards Working Group for the July 2002 MCEETYA meeting, sets out points of legal contention that were also reported to have delayed the adoption of standards. The report discusses a number of legal issues raised by one state government. In particular, it addresses issues to do with the legal basis for the standards, and whether some provisions seek to extend the application of the Disability Discrimination Act. Evidence provided to the committee indicates that one solution to the uncertainty surrounding the legal basis of the standards, is to amend the Disability Discrimination Act to ensure that the standards will be within power. This will ensure that once adopted, the standards will be beyond legal challenge.

7.32    The committee agrees that the finalisation of the standards is long overdue. It also agrees that Australia's education system should be underpinned by an agreed set of national standards setting out the equity entitlements of students with disabilities. In the event that MEECTYA cannot reach agreement about the proposed standards, the committee believes that the Commonwealth has no alternative but to take a unilateral step and bring into force the Disability Standards for Education 2002. These have been available in draft form for some months.

**Recommendation 17**

**The committee recommends that the Attorney-General formulate the Disability Standards for Education 2002, under paragraph 31 (1) (b) of the *Disability Discrimination Act 1992*; it also recommends that the Commonwealth take the necessary legislative action to put the education standards beyond legal challenge.**

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30    Submission No. 190, Mr James Bond, p. 5

31    Department of Education, Science and Training, answer to question on notice taken Canberra, 11 September 2002

## *Cost implications of the standards*

7.33    The committee is concerned about the claims made by a number of witnesses that cost considerations have also hindered progress in finalising the standards. However, it does not believe that these considerations should hinder the finalisation of the standards.

7.34    The Commonwealth argued that the education standards should not impose any significant financial burden on educational authorities because they clarified existing obligations and did not extend the ambit of the Act.[32] That is, provided education authorities were meeting their current obligations under the Act, there should be no need to extend or modify current programs and processes. The Commonwealth also advised that state and territory jurisdictions had indicated that they complied with the requirements of the Disability Discrimination Act. In a speech to a disability and research seminar the Deputy Disability Discrimination Commissioner had the following to say on this matter:

> The extra costs argument is hard to understand. On the one hand the States assert that they are currently complying with the provisions of the DDA in this area. However they assert that the draft Standards, which with a few minor exceptions do not extend the DDA in my view, will cause them major extra costs. This is hard to understand if one accepts their first assertion, and the fact that all of them have had similar State legislation, in some cases for twice as long as the DDA has been law.[33]

7.35    The committee is aware that the New South Wales government did not share this view and was concerned that the standards exceeded the Act in application. As a consequence the New South Wales government predicted that the introduction of the standards would have significant cost implications.

7.36    The Tasmanian Department of Education supported the introduction of the standards. They argued that because their department's policies and practices met current legislative requirements, the standards would not impose any additional costs They also told the committee that some other states were less than compliant with current requirements, and consequently concerned about possible costs implications:

> Other states would agree, I think, that at this point in time they are not necessarily meeting their full requirements under the act and that has been highlighted in relation to the DDA standards. It is the difference between the standards and the act—that is, the gap in funding—that is difficult. If the

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32    Department of Education, Science and Training, answer to question on notice taken Canberra 11 September 2002

33    Graeme Innes, Deputy Disability Discrimination Commissioner, *Presentation to Disability Studies and Research Seminar*, 19 July 2002
     http://www.hreoc.gov.au/disability_rights/speeches/ris.htm (access. 24 October 2002)

standards are implemented, it is going to raise a profile in relation to the act and recognise that discrepancy.[34]

7.37    The South Australian government estimated the cost for the state of introducing the standards would be in the order of $19.3 million.[35] It predicted that the state will be required to extend support to the cohort of students that came within the definition of disability under the Disability Discrimination Act, but were not currently provided for under the department's policies and programs. The department also expected additional costs to be incurred from:

- the provision of professional development in relation to the obligation of educators under the Education Standards;

- the adaptation and production of curriculum support materials following the development of individual education plans for all students with a disability;

- the provision of timely support services especially to isolated areas;

- the additional costs for technology-based services and laptop computers with specialised software programs.[36]

7.38    The Victorian government was also concerned about the largely untested scope of the definition of disability under the Disability Discrimination Act. At issue is the extent to which students that fall within the broad definition disability under the Disability Discrimination Act are covered by existing disability arrangements. As the Victorian Department of Education and Training explained:

> The issue confronting providers in an environment where the dedicated program (in Victoria's case the Disability and Impairment Program and Commonwealth Targeted Program funding) does not cover the whole population covered in the statute, is whether the adjustments made as the result of other program initiatives (eg Special Learning Needs, Reading Recovery) or allocation of additional resources by an individual school, will satisfy a tribunal or court that a reasonable adjustment has been made.[37]

7.39    The Victorian government made the following assessment of the cost of implementing the education standards:

> …should it become evident that there is a requirement to provide the same type and level of adjustment to all students who meet the Act's definition, it

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34    Ms Kerry McMinn, Department of Education, *Hansard*, Hobart, 3 September 2002, p. 387

35    Ms Stephanie Page, Department of Education and Children's Services*, Hansard*, Adelaide, 9 September 2002, p. 553

36    Submission No. 238, Department of Education, Training and Employment, South Australia, p. 29

37    Submission No. 212, Department of Education and Training, Victoria, p. 32

has been estimated that costs in Victoria will increase by approximately $100m per annum for government schools alone.[38]

7.40    Education Queensland wrote:

> The Standards however, have a potential impact of increasing costs if the Standards expand the current range of students identified as having a disability. One assumption shared by some service providers is that the combined population of students with high need disabilities and learning difficulties is about 18%. Currently Education Queensland supports about 15% of students across this range.[39]

7.41    The committee agrees that a full and independent cost assessment of the impact of the draft education standards is required to give support to the claims made by state education departments. The committee obtained a copy of the draft regulation impact statement prepared for the July 2002 MCEEYTA meeting and it is concerned about the basis of the estimates. The regulation impact estimates the cost of introducing the standards to be $328.3 million to $334.3 million for schools ($310.2 million) and the VET sector ($18.1 to 24.1 million). Of this $141.3 million to $147.3 million was identified as recurrent costs, $5 million as recurrent costs for five years, $2 million as one of costs with the remaining costs unspecified.[40]

7.42    The committee is sceptical of the estimates for two reasons: not all states contributed to the costing exercise; and some estimates were based on the assumption that 18 per cent of school students would fall within the Disability Discrimination Act definition of disabilities. This figure is inflated by the inclusion of students with learning difficulties, many of whom would not fall within the definition of disability under the Act. While the number of students that fall within the definition of the Disability Discrimination Act is unknown, the committee notes that the Australian Bureau of Statistics (ABS) found that in 1998, 277,400 children aged 5–17 years, or 8 per cent of all children in this age group had a disability.[41] While the definition of disability under the Disability Discrimination Act is much broader than the definitions used for funding eligibility support under state programs, it is unlikely that all students falling within the broader definition would require significant, if any, educational adjustments.

7.43    The Disability Discrimination Act gives a new responsibility to the Commonwealth government. To ensure the objectives of the Act are achieved, the committee agrees that the Commonwealth will have to accept a level of financial responsibility for the implementation of the education standards in government

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38    ibid., p. 212

39    Submission No. 213, Education Queensland, p. 258

40    Department of Education, Science and Training, answer to question on notice taken Canberra, 11 September 2002

41    *Australian Social Trends 2000 Education—Participation in Education: Disability and Schooling*, Australian Bureau of Statistics, p. 2

schools. The committee agrees that the cost of implementing the standards should not prevent their finalisation, but rather that these cost considerations should be addressed jointly by the Commonwealth and state and territory governments. The extent to which this responsibility should be shared between the Commonwealth, states and territories is a matter that is most appropriately decided by MCEETYA. Importantly, because the committee agrees that all governments have a responsibility to ensure that the object of the Act is achieved, the provision of additional Commonwealth funds to assist in the implementation of the education standards should be contingent on finalisation of those standards. Such funding would be over and above those funds currently provided to state governments for the education of students with disabilities.

**Recommendation 18**

**The committee recommends that Commonwealth, state and territory governments share the cost of implementing the education standards. MCEETYA is the appropriate forum to determine the extent that these costs should be shared.**

# Commonwealth funding for the school sector

7.44     The committee examined current Commonwealth funding arrangements in schools to determine whether Commonwealth funding is being effectively targeted to meet the needs of students with disabilities.

7.45     General recurrent grants are the principal Commonwealth funding source available to government and non-government schools. This funding is based on the average recurrent cost of educating students in Australian schools (AGSRC index). The AGSRC index includes the costs associated with educating students with disabilities and in the case of non-government schools grants are also based on the capacity of a school community to support its school. These funds are allocated on a per student basis and it is estimated that the Commonwealth will provide in recurrent funding $9.2 billion to the Catholic system, $5 billion to the independent sector and $5.7 billion to the government schools over the 2000–2004 quadrennium.[42]

7.46     Traditionally, the Commonwealth has provided funds for specific purposes, such as disability education and attempted to limit their use to that purpose. However with the passage of the *States Grants (Primary and Secondary Education Assistance) Act 2000* this approach was discarded, and a new accountability framework introduced that focussed on improving student outcomes. As a condition of funding, state and territory authorities were required to commit to the National Goals of Schooling and to achieve any performance measures, including targets, incorporated in the Act.

7.47     Under the revised arrangements, funds previously provided under the literacy and numeracy grants program were combined with special education support grants to

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42     Department of Education, Science and Training , answer to question on notice taken Canberra, 11 September 2002

fund a new program, known as the *Strategic Assistance for Improving Student Outcomes (SAISO) Program*. This program aims to provide educational authorities with funds to improve educational outcomes for students who are educationally disadvantaged. Funds may be directed at school students from kindergarten to year 12 who are educationally disadvantaged in terms of their educational participation and learning outcomes, particularly in numeracy and literacy. This may be associated with a range of factors such as disability, a language background other than English, Aboriginal or Torres Strait Islander background, low socio-economic background and learning difficulties. As education is primarily a state responsibility, the funds are not intended to meet all of the costs of meeting the needs of educationally disadvantaged students, but are meant to be used strategically, to improve educational outcomes over time.[43]

7.48    The program is designed to give educational authorities the flexibility to make decisions about which schools have the greatest need for additional assistance to achieve improved outcomes. These authorities have the responsibility to distribute SAISO funds throughout the sector and determine appropriate funding amounts for schools. These are required to provide the Commonwealth with details about how the funds are managed. The committee accepts that the current funding arrangements are administratively simple, and allow authorities to address the needs of students with multiple educational disadvantages without being constrained by artificial divides between programs. However, these new arrangements result in a loss of transparency about the use of Commonwealth funds to support students with disabilities. The problem is that there is no corresponding mechanism to measure improvements in educational outcomes for students with disabilities; that is, until as discussed in Chapter 2, performance measures for this group can be developed.

7.49    Figure 7.1 sets out the total level of funding provided under SAISO to each sector. Included is that part of SAISO funding that is allocated on a per capita basis to students with disabilities. It includes an amount of $116 for every government student and $589 for every eligible non-government student. These funds must be directed towards those students that meet the eligibility criteria outlined in paragraph 2.7. For the reasons set out above it must be assumed that only a portion of *total* SAISO funds are directed towards students with disabilities.

7.50    With eligibility to per capita funding being restricted to the traditional categories of sensory, physical and intellectual disabilities, many disabilities that fall within the broad definition of disability under the Disability Discrimination Act do not qualify for per capita support. Some submissions from the non-government sector criticised this lack of Commonwealth funding support for this group of students:

> I believe (and I have heard from numerous colleagues at conferences) that it is often the students with disabilities who present the least amount of problems in the classroom.  The students with learning disabilities such as

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43    *Commonwealth Programs for Schools Quadrennial Administrative Guidelines 2001–2004,* Department of Education, Science and Training, p. 70

students with ADHD, usually present far more of a challenge—displaying feelings of inadequacy (that they are unable to cope with mainstream curriculum) and taking it out in a number of ways: anger, frustration, bullying etc. Yet, there is no funding for these students.[44]

**Figure 7. 1: Total SAISO Funding $m 2001–2002 – including additional [45]**

**including additional strategic assistance)**

**(to nearest $100,000)**

| | | NSW | Qld | Vic | SA | WA | Tas | ACT | NT |
|---|---|---|---|---|---|---|---|---|---|
| **Government** | Per capita | 3.9 | 2.1 | 2.5 | 1.5 | 1.0 | 0.4 | 0.2 | 0.6 |
| | No. of students | 31,706 | 15,183 | 19,205 | 11,487 | 7,566 | 2,956 | 1440 | 4622 |
| | Total | 83.9 | 39.9 | 53.0 | 19.7 | 20.3 | 7.3 | 2.3 | 4.4 |
| **Catholic** | Per capita | 4.3 | 1.1 | 2.83 | 0.8 | 0.6 | 0.1 | 0.08 | 0.08 |
| | No. of students | 6,507 | 1,661 | 3,314 | 1,206 | 1,008 | 185 | 189 | 87 |
| | Total | 30.4 | 8.2 | 22.4 | 4.6 | 7.2 | 1.3 | 1.0 | 1.1 |
| **Independent** | Per capita | 1.3 | 0.4 | 1.0 | 0.8 | 0.2 | 0.06 | 0.1 | 0.03 |
| | No. of students | 2,013 | 694 | 1,464 | 1,140 | 328 | 118 | 71 | 91 |
| | Total | 13.9 | 4.1 | 11.6 | 3.2 | 3.0 | 0.7 | 0.6 | 0.3 |

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44     Submission No. 215, Independent Education Union, p. 12

45     Table compiled from data provided by the Department of Education, Science and Training, answer to question on notice taken Canberra 11 September 2002

7.51    The committee is concerned that this criticism arises because funds for educationally disadvantaged students have been broadbanded under the new arrangements. Although per capita support is targeted towards students with higher support needs, education authorities have considerable discretion in the use of the vast majority of SAISO funds. Consequently, they can direct funding towards any disadvantaged student, including students that would fall within the broad definition of disability under the Disability Discrimination Act. The committee shares the concerns expressed by the Australian Association of Christian Schools in relation to broadbanding:

> Broadbanding has its up sides. It provides the individual organisation, be it the AIS or the Catholic Education Commission or government education authority, with a range of choices inside a broad band. However, it might mean, for example, in the current broadbanding area that you are referring to, that the bulk of the money could wind up in literacy and numeracy areas and very little of it might find its way into the support of students with disabilities, and that is a major concern.[46]

7.52    The National Council of Independent Schools' Association also criticised the lack of transparency about the current arrangements:

> While the broadbanding has had positive benefits in terms of new approaches to meeting the needs of students with disabilities, it has failed to effectively address the problem of inadequate government funding and has acted to reduce the transparency of the total level of government resources provided to meet the specific additional educational support needs of students with disabilities.[47]

7.53    Submissions questioned the rationale behind the new arrangements. As previously explained SAISO funding has two components; that which must be directed toward students with disabilities and that which must be directed towards educationally disadvantaged students. While specific funding for students with disabilities will increase as the number of students with disabilities in a sector increase, the quantum of funds directed towards educationally disadvantage students remains fixed regardless of the number of students with disabilities enrolled in any sector. The Association of Independent Schools of Western Australia wrote in its submission:

> The original funding distribution was established during the mid nineteen eighties when independent schools across Australia enrolled few students with disabilities. The same historical formula is being used in 2002 and the Department of Education Science and Training has admitted, when questioned, that the funding has 'no formula but only a history'. The allocation certainly does not take into account the cost of complying with

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46    Mr Peter Crimmins, Executive Officer, Australian Associations of Christian Schools, *Hansard*, Sydney, 3 July 2002, p. 164

47    Submission No. 175, National Council of Independent Schools Associations, p. 12

the DDA, the increase in numbers of students with disabilities enrolled in the sector and the costs of providing for these students.[48]

7.54　The committee understands the appeal of broadbanding to schools and to state and territory educational authorities. The difficulty that arises for the committee however, is that under current arrangements it cannot follow the trail of financial assistance from the Commonwealth to the final recipient. Consequently the committee cannot be assured that Commonwealth funds are being used as Parliament intended. Committee members have considerable anecdotal evidence gleaned from visits to schools in their states and of reports to electoral offices that children eligible for funded support are not being supported in a manner that corresponds to the funds provided to the school.

7.55　The committee does not question the rights of schools to determine the use to which funds are put. The choice of employing specialist assistance, purchasing assistive technologies, modifying school environments or implementing a particular strategy designed to assist a student with a disability is most properly decided by those with specific knowledge of a student's circumstance. What the committee does require is evidence that funds are expended in a way that is relevant and appropriate to the educational task that needs to be performed. For this reason, the committee believes that the Commonwealth should require state and territory education departments as well as non-government systems and schools to develop reporting processes that ensure accountability for Commonwealth funds expended at the school level.

7.56　The States Grants (Primary and Secondary Education Assistance) Act 2000 prescribes the general conditions under which financial assistance is to be paid to a state for government or non-government schools. The Act requires that before authorising payments, the Commonwealth must agree with state and territory governments about the conditions on which financial assistance is granted. The committee notes that the current agreement lists financial accountability as a condition for funding. The committee also notes that this condition is met if a qualified accountant provides a certificate stating that the amount received by an education authority has been spent or is committed to be spent for the purposes for which the assistance was granted. The committee is highly sceptical about the adequacy of this measure and agrees that improved accountability mechanisms are necessary to ensure the transparent use of Commonwealth funds for students with special needs.

**Recommendation 19**

**The committee recommends that the conditions on which financial assistance is paid to state and territory education authorities, and the supporting guidelines for quadrennial funding, should be strengthened to include reporting processes that ensure that Commonwealth funds for students with disabilities are spent on students with disabilities.**

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48　Submission No. 118, Association of Independent Schools, Western Australia, p. 5

## *Adequacy of funding in the non-government sector*

7.57    Many submissions raised concerns about the extent to which current funding arrangements allowed schools to meet the expanding responsibilities brought about by the introduction of Disability Discrimination Act and the increasing number of students being diagnosed with disabilities:

> These legislative moves have had wide ranging impact on the capacity of schools to ready themselves for inclusion. The capital component alone, physically restructuring schools to meet all forms of student disability, is well beyond the capacity of school communities to meet. Capital funding has not increased to meet these demands. Classroom curriculum demands, the provision of resource teachers to cater for students with disabilities, are resource intensive. No forward planning to meet this additional resource demand in the form of additional funding has been forthcoming.[49]

7.58    The committee also received evidence from the non-government sector, about the disparity of funding between the government and non-government school sectors. This was a criticism about the level of funding from state education departments as much as it was about Commonwealth funding arrangements. It was argued that the lack of funding restricted the ability of schools to provide adequately for students with disabilities and consequently restricted the educational outcomes of such students enrolled in non-government schools:

> I must admit that, when I did move across from the state system to Catholic and independent schools, I was absolutely horrified at the lack of funding that was made available to students in independent and Catholic schools. Our students in independent schools are funded at one-tenth of what they would get in state schools. An example of this would be that a number of our funded students who are accessing only three hours of support time a week would be funded full time in the state school system. This impacts hugely on learning programs for those students.[50]

7.59    Teachers from the sector argued that they were not getting the support they needed to meet the needs of students with disabilities. It was argued that integration places high demands on education staff and there can be a tension in balancing the needs of the whole class if appropriate levels of support are not in place. They were concerned about the lack of adequate resources available to them to prepare separate curriculum content or manage a wider range of learning needs. As one teacher wrote:

> As a school we are committed to fostering equal access to the curriculum for all students.  This is a labour intensive initiative, not only do we team teach in classes, we modify units of work, set alternative assessment tasks, act as notetakers and conduct intensive reading classes.   This all takes an enormous amount of staffing time.   Consequently the amount of funding

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49    Submission No. 120, Queensland Catholic Education Commission, p. 3

50    Ms Delma Wotherspoon, Victorian Independent Education Union of Australia, *Hansard,* Melbourne, 13 August 2002, p. 231

allocated is never enough and each year one has to be more creative because the demands continue to grow.[51]

7.60     It was also argued that the lack of funding for students with disabilities in non-government schools denied parents the right to choose the type of education that suits their child. This was particularly problematic where a parent wanted a child with a disability to attend the same school as a sibling:

> Another school that wrote recently sought to enrol the sibling of a currently enrolled student. The sibling had Down syndrome. The child arrived at the school, funding could not be found to provide adequate support, and reluctantly they have had to take that child and the sibling out of the school because they wanted both of their children to go to the same school.[52]

7.61     This in itself was described as discriminatory:

> The discrimination is that those students who seek to choose an independent school setting are not able to do so with the same freedom as other students. A child with a disability is discriminated against by not having the same choice as non-disabled students. That is because of the inequities in the funding. It is a structural issue, if you like, rather than a philosophical issue.[53]

7.62     Inequities extended beyond funding support. The evidence suggests that students attending non-government schools do not have the same level of access to assessment services, therapy services or even funded school transport services in some states, as students attending government schools.

## Revised funding arrangements for the non-government school sector

7.63     Submissions from non-government school authorities argued for revised funding arrangements as a means of addressing the inequities previously discussed. Both the NCISA and the National Catholic Education Commission (NCEC) proposed funding models to support the education of students with disabilities in their sector.

7.64     The NCISA advocated that students with disabilities should receive the same level of government support irrespective of the school sector in which they are educated. They argued that this support should include access to state and territory government provided services, such as transport and therapy services, as well as funding. NCISA maintains that the responsibility of providing for students with disabilities should be shared between Commonwealth and state governments, the extent to which the responsibility is shared being a matter of negotiation between governments.

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51     Submission No. 215, Independent Education of Australia, p. 12

52     Mr Stephen O'Doherty, Chairman, Australian Associations of Christian Schools, *Hansard*, Sydney, 3 July 2002, p. 160

53     ibid., p. 163

7.65    In place of the current system of general recurrent grant funding and SAISO funding, the National Catholic Education Commission advocates that government funding for students with disabilities should more closely reflect the cost of educating students with disabilities in the government sector. This model mirrors current arrangements for all students attending non-government schools, but instead of using the AGSRC as the measure for calculating recurrent funding for students with disabilities, a new measure is proposed. As the Catholic Education Commission of NSW explains:

> …in place of the current Commonwealth funding arrangements for students with disabilities…the Commonwealth should allocate funds for each SWD [student with disabilities] in Catholic systems equivalent to 56.2% (51.2% in the ACT) of the national average cost of educating a student with disabilities in regular government system schools.  It is proposed that $20,000 be used as a reasonable estimate for this.[54]

7.66    The Catholic Education Commission of New South Wales goes even further to suggest that this mechanism should be applied to all other non-government mainstream schools, so that they receive for each student with a disability an amount equivalent to their SES percentage of the average cost of educating a student with a disability.

7.67    The committee rejects both the models outlined above. Under the NCISA model the independent school sector accepts no financial responsibility for providing for students with disabilities. While the committee notes that the model proposed by the Catholic sector proposes that this responsibility be shared between Commonwealth, state and territory governments and the sector, it questions the appropriateness of using an average cost of supporting students with disabilities given the enormous heterogeneity of the group.

7.68    Most importantly the committee rejects both models on the basis that their implementation would result in significant funding increases to the non-government sector. Given the competing demands for education funding, and the significant resources available to this sector, the committee does not agree that there is justification for increasing the total quantum of Commonwealth funds provided to this sector. The committee does not accept that the non-government sector lacks the financial resources required to address the needs of students with disabilities. On current funding trends, the Catholic education system will in 2004 have an estimated total income 11.7 per cent higher than the estimated total cost of educating primary and secondary students in government schools. For other non-government schools, estimated total income will be 7.8 per cent higher.[55]

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54    Submission No. 183, Catholic Education Commission, New South Wales, p. 11

55    Information and Research Services, Department of the Parliamentary Library. For methodology please see Appendix 6.

7.69    The committee also notes that the Commonwealth funding formula for the non-government schools sector reflects actual expenditure by the two levels of government on government schools. This includes the funds allocated for students with disabilities and the support services provided. Therefore the Commonwealth funds provided to non-government schools through general recurrent grants implicitly includes a proportion of funding for the education of students with disabilities. Where non-government schools either do not enrol many students with disabilities or where they do not provide appropriate levels of support for students with disabilities, they benefit disproportionately from Commonwealth financial assistance. The committee agrees that the needs of students with disabilities in this sector would be more appropriately served if the sector made better use of its current resources. It therefore makes no recommendations in relation to further assistance to non-government schools. Matters relating to special education may be an issue for the non-government sector in funding negotiation for the 2004–2007 quadrennium.

## Non-government support centres

7.70    The committee heard from a number of non-government centres that provide education, therapeutic or other services to improve the educational opportunities, learning outcomes and personal development of children with disabilities. The committee visited the Cora Barclay Centre in Adelaide and was impressed by the important contribution that this centre made to the lives of many students with hearing impairments. The value of the work by associations such as the Australian Federation of SPELD Associations (AUSPELD), the Autism Association and Royal Blind Society is also well documented in *Hansard.*

The committee regrets that it has not been able to give adequate attention to the funding issues associated with these centres in the time it has had to report. However, the committee is concerned about the extent to which these centres rely on charity to carry out their important work. The committee concludes that appropriate funding arrangements for these centres requires more detailed examination and consideration.

# Appendix 1

## List of Submissions

| No. | Submission From |
|-----|-----------------|
| 1 | Mr Adam Johnston, NSW |
| 2 | Ms Olivia Baczynskyj, NSW |
| 3 | Spastic Centre of NSW, Mr Bradley Dowling |
| 4 | Ms Alison Miller, NSW |
| 5 | Southwest Advocacy Association, VIC |
| 6 | Regent College, WA |
| 7 | John Calvin School, WA |
| 8 | Tintern Schools, VIC |
| 9, 9A | Institute for Family Advocacy & Leadership Development Association Inc, NSW |
| 10 | Mr Brickwood Colley, NSW |
| 11 | South Australian Ministerial Advisory Committee: Students with Disabilities, SA |
| 12 | Mr Greg Frost, VIC |
| 13 | Mr C D Blake, The University of Adelaide, SA |
| 14 | Australian Parents Council, Ms Jo Longergan, NSW |
| 15 | Ms Sharlene Lynch, NSW |
| 16 | Mr & Mrs Brett & Debbie Hughes, WA |
| 17 | Ms Sue Van't Wout, QLD |
| 18 | Mt Petrie State School, QLD |
| 19 | Ms Deborah White, QLD |
| 20 | Thursday Island State School, QLD |
| 21 | Education Support Principals' Association Inc, WA |

| 22 | Adventist Schools Australia, VIC |
| 23 | CONFIDENTIAL |
| 24 | Archdiocese of Canberra & Goulburn, Catholic Education Office, ACT |
| 25 | SCOPE, (formerly Spastic Society of Victoria),VIC |
| 26 | Anonymous |
| 27 | Mr Robert Morrison, VIC |
| 28 | Wimmera Hearing Society Inc, VIC |
| 29 | St Stephen's School, WA |
| 30 | Mater Dei School, NSW |
| 31 | Associate Professor Marsha Durham,University of Western Sydney, NSW |
| 32 | Parents of Hearing Impaired Children, VIC |
| 33 | National Independent Special Schools Association, NSW |
| 34 | Mr David Needham, WA |
| 35 | Mr & Mrs Anthony & Denise de Witte, NSW |
| 36 | Green Point Christian College, NSW |
| 37 | Deafness Forum of Australia, ACT |
| 38 | Centre Santa Teresa School, NT |
| 39 | Mr Tim Bull, VIC |
| 40 | Aboriginal Independent Community Schools' Support Unit, WA |
| 41 | Ms Maria McCaffrey, QLD |
| 42 | Special Needs Education Netword, SA |
| 43 | The Quintilian School, WA |
| 44 | CONFIDENTIAL |
| 45 | Ms Wendy Maher, VIC |
| 46 | Association of Heads of Independent Schools of Australia, VIC |
| 47 | Ms Andrea Gard, QLD |

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| 48 | CONFIDENTIAL |
| 49 | CONFIDENTIAL |
| 50 | National Library of Australia |
| 51 | Furlong Park School & Pre School for Deaf Children, VIC |
| 52 | Ms Helen Heagney, VIC |
| 53 | St Mary's School for Children with Impaired Hearing, VIC |
| 54 | National Regional Disability Liaison Officer Initiative, TAS |
| 55 | Blind Citizens Australia, VIC |
| 56 | VSDC - Services for Deaf Children, VIC |
| 57 | Carson Street School, WA |
| 58 | St Albans East Deaf Facility, St Albans East Primary School, VIC |
| 59 | Cairns North State School, QLD |
| 60 | Tasmanian Tertiary Education Disability Advisory Committee, TAS |
| 61 | UTS Students' Association, NSW |
| 62 | Vision Australia Foundation, VIC |
| 63 | CONFIDENTIAL |
| 64 | Council of Australian University Librarians, ACT |
| 65 | Centrelink, Youth & Student Community Segment, NSW |
| 66 | Ms Liza Timmermans, VIC |
| 67 | Mr & Mrs Andrew & Rosalind Bradley, VIC |
| 68 | Victorian Parents Council, VIC |
| 69 | Mr Gregory Auhl, NSW |
| 70 | Student Support Services, University of Newcastle, NSW |
| 71 | National Council on Intellectual Disability, ACT |
| 72 | Bendigo Deaf Facility, VIC |
| 73 | Traralgon Deaf Facility, VIC |

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| 74 | Parents of Hearing Impaired South Australia, SA |
| 75 | Mrs Meredith Ward, VIC |
| 76 | Australian Associations of Christian Schools, ACT |
| 77 | Gippsland Student Union, Monash University, VIC |
| 78 | Mr & Mrs Chris & Jan Chapman, WA |
| 79 | Council of Australian Postgraduate Associations Inc, VIC |
| 80 | Mrs Gene Reardon, VIC |
| 81 | Deaf Integration Unit and Deaf Integration Support Unit, Methodist Ladies College, VIC |
| 82 | ME/CFS Society (SA) Inc., SA |
| 83 | Australian Association of the Deaf, NSW |
| 84 | TAFE Directors Australia, ACT |
| 85 | Mr Peter Young, QLD |
| 86 | Friends of the Brain Injured (ACT) Inc, ACT |
| 87 | Association of Independent Schools of Tasmania, TAS |
| 88 | Xavier Special School Parents & Citizens Association, QLD |
| 89 | South Pacific Educators in Vision Impairment, QLD |
| 90 | Victorian Early Childhood Intervention Managers, VIC |
| 91 | Mrs Lorraine Morton, VIC |
| 92 | Special Education all Schools Secretariat, SA |
| 93 | Mr Stephen Mysliwy, QLD |
| 94 | Network of Community Activities, NSW |
| 95 | Ms Julie Tolliday, NSW |
| 96 | Yooralla Society Specialist Statewide Services, VIC |
| 97 | St Gabriel's School for Hearing Impaired Children, NSW |
| 98 | Redland District Special Education Developmental Unit, QLD |
| 99 | Royal Institute for Deaf and Blind Children, NSW |

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| 100 | Townsville City Council Community Services, QLD |
| 101 | Royal Blind Society, NSW |
| 102 | Griffith University (Information Services - Equity), QLD |
| 103 | University of Ballarat, VIC |
| 104 | Tertiary Education Disability Council of Australia Ltd, QLD |
| 105 | Citizenship & Multicultural Affairs Division, Department of Immigration and Multicultural and Indigenous Affairs |
| 106 | Australian Guidance & Counselling Association, NSW |
| 107 | Post-Secondary Disability Integration Network Inc, VIC |
| 108 | Early Childhood Intervention Australia - Tasmanian Chapter |
| 109 | Ms Amber Johnson, NSW |
| 110 | Australian Association of Teachers of the Deaf (VIC Branch), VIC |
| 111 | Dyslexia-Speld Foundation WA (Inc) |
| 112 | Physical Disability Council of Australia, QLD |
| 113 | Australian Learning Disability Association, TAS |
| 114 | National Councils of Women Coalition Tasmania Inc, TAS |
| 115 | Learning Links, NSW |
| 116 | Central Queensland University, QLD |
| 117 | ACCESS Inc |
| 118 | Association of Independent Schools of Western Australia Inc |
| 119 | The Association of Independent Schools of NSW Ltd |
| 120 | Queensland Catholic Education Commission Secretariat |
| 121 | Australian Association of Special Education - SA Chapter |
| 122 | Tas Council of State School Parents & Friends Association |
| 123 | The Association of Independent Schools of Queeensland |
| 124 | National Centre for Vocational Education Research Ltd |
| 125 | Victorian TAFE Students and Apprenticeships Network |

| 126 | Association of Independent Schools of Victoria |
| 127 | ACROD, National Industry Association for Disability Services, For Australian Blindness Forum, ACT |
| 128 | La Trobe University, VIC |
| 129 | Royal Melbourne Institute of Technology, VIC |
| 130 | CONFIDENTIAL |
| 131 | Swinburne Student Union, VIC |
| 132 | Ms Cathy Kohlenberg, NSW |
| 133 | Ms Tracy Chaloner, WA |
| 134 | Mrs Jane Warner, QLD |
| 135 | Commonwealth Attorney-General's Department, Civil Justice Division |
| 136 | Student Representative Council, Charles Sturt University, NSW |
| 137 | North Queensland Attention Deficit Disorder Support Group Inc |
| 138 | Ms Sue Hart, (Manager Educational Access and Counselling, Deakin University), VIC |
| 139 | Catholic Education Office, Diocese of Darwin, NT |
| 140 | Ms Cherilynn Gazzola, QLD |
| 141 | The Crippled Children's Association of SA Incorporated |
| 142 | Northern Territory University |
| 143 | Catholic Education SA |
| 144 | Mr & Mrs G.J. & P.A. Fitzallen, TAS |
| 145 | Australian Federation of Special Education Administrators, QLD |
| 146 | Royal Blind Society of SA Inc |
| 147 | Action for Autism Inc, ACT |
| 148 | Timboon P-12 School, VIC |
| 149 | National Catholic Education Commission, ACT |
| 150 | Federation of Parents & Friends Associations of Catholic Schools in SA |

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| 151 | Queensland Parents for People for Disabilities Inc, QLD |
| 152 | Pacific Hills Christian School, NSW |
| 153 | SPELD NSW |
| 154 | Neurofibromatosis Association of Australia Inc, NSW |
| 155 | Cora Barclay Centre, SA |
| 156 | Victorian Council of School Organisations |
| 157 | Australian Association of Special Education, NSW |
| 158 | Mr Wayne R Lang, VIC |
| 159 | ACROD Ltd, ACT |
| 160 | Catholic Education Commission of Victoria |
| 161 | Mr A T Keno, VIC |
| 162 | Ms Sue Flynn, VIC |
| 163 | Ms Merridee Pilkington, VIC |
| 164 | CONFIDENTIAL |
| 165 | ACT Council of P&C Associations Inc |
| 166 | Autism Association of NSW |
| 167 | Duplicate submission – no: 146 |
| 168 | Mrs Karen Wilson, NT |
| 169 | CONFIDENTIAL |
| 170 | Physical Disability Council of New South Wales |
| 171 | CONFIDENTIAL |
| 172 | Catholic Education Office of Western Australia, WA |
| 173 | Enterprise & Career Education Foundation, NSW |
| 174 | National Information and Library Service, VIC |
| 175, 175A | National Council of Independent Schools' Association, ACT |
| 176 | Round Table, VIC |

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| 177 | Camaraderie Group, VIC |
| 178 | Department of Education, Science & Training Commonwealth |
| 179 | Head Injury Council of Australia Inc, ACT |
| 180 | Federal Council, Isolated Children's Parents' Association of Australia Inc, NSW |
| 181 | Federation of Parents & Citizens Association, NSW |
| 182 | CONFIDENTIAL |
| 183 | Catholic Education Commission, NSW |
| 184 | Tasmanian Department of Education |
| 185 | ACT Down Syndrome Association Inc |
| 186 | University of Melbourne, VIC |
| 187 | Student Guild, UNSW |
| 188 | NSW Federation of School Community Organisations |
| 189 | People with Disabilities (NSW) Inc |
| 190 | Mr James Bond, NSW |
| 191 | Australian National Training Authority |
| 192 | SBH Queensland |
| 193 | Qld Disability Advisory Committee to the State Training and Employment Board |
| 194 | Mrs Dorothy Morris, VIC |
| 195 | Association of Independent Schools of SA |
| 196 | CONFIDENTIAL |
| 197 | CONFIDENTIAL |
| 198 | Australian Education Union |
| 199 | Queanbeyan Children's Special Needs Group Inc, NSW |
| 200 | The Australian Federation of SPELD Associations |
| 201 | Disability Action |

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| 202 | Lutheran Education Australia, SA |
| 203 | CONFIDENTIAL |
| 204 | Mr Paul Rich & others, VIC |
| 205 | Ms Sue Johnston, NSW |
| 206 | Ms Madonna Grehan & Ms Sarah Drew, ACT |
| 207 | University of Sydney, Professor Gavin Brown, NSW |
| 208 | Action on Disability within Ethnic Communities Inc, VIC |
| 209 | Disability Council of NSW |
| 210 | ME/Chronic Fatigue Syndrome Association of Australia, VIC |
| 211 | CONFIDENTIAL |
| 212 | Victorian Government |
| 213 | Disability Policy & Programs Unit, Inclusive Education Branch, Education Queensland |
| 214 | Anonymous |
| 215 | Independent Education Union of Australia, VIC |
| 216 | Disability Advisory Council of Victoria |
| 217 | Australian Institute of Health & Welfare, ACT |
| 218 | Monash Student Association, VIC |
| 219, 219A | CONFIDENTIAL |
| 220 | Mr & Mrs M J & D M Harden, NSW |
| 221 | Glenleigh Parents, Staff & Friends Association, QLD |
| 222 | NT Department of Employment, Education and Training |
| 223 | Australian Council of State School Organisations, ACT |
| 224 | Lighthouse Christian College, VIC |
| 225 | Australian Caption Centre, NSW |
| 226 | CONFIDENTIAL |
| 227 | Mr Dennis Watt, QLD |

| 228 | Mr John Carr, QLD |
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| 229 | Mr Greg Lee, VIC |
| 230 | Ms Valerie Yule, VIC |
| 231 | NSW Department of Education and Training |
| 232 | Advocacy ACTion, ACT |
| 233 | Princess Elizabeth Junior School for Deaf Children, VIC |
| 234 | Mr Richard Taffe, Murray Education Unit, Faculty of Education, Charles Sturt University, NSW |
| 235 | Mrs Christina Taffe, VIC |
| 236 | The Gippsland Deaf Education Advisory Group, VIC |
| 237 | Mrs Geraldine Morgan, VIC |
| 238 | South Australian Government |
| 239 | Ms Christine Killey, VIC |
| 240 | Professor Trevor Parmenter, Sydney University, NSW |
| 241 | KIDS IN PERTH, WA |
| 242 | Mr Sean Tyrell, VIC |
| 243 | Mrs G Swan, NSW |
| 244 | Student Services, Department of Education, Western Australia |
| 245 | Flinders Christian Community College, VIC |
| 246 | Mrs Diana Brassington, WA |
| 247 | Mr Robert Buckley, ACT |

# Appendix 2

# Hearings and Witnesses

## Tuesday, 2 July 2002, Sydney

**Armstrong**, Mrs Karina Frances, Disability Initiative Coordinator, Enterprise and Career Education Foundation

**Baker**, Ms Beverly May, President, Federation of Parents and Citizens Associations of New South Wales

**Berryman**, Mr John William, Chief Executive, Royal Institute for Deaf and Blind Children

**Dagwell**, Ms Robyn, Team Leader, School Aged Services, Royal Blind Society

**Dunne**, Mr Leo Matthew, President, Australian Parents Council Inc.

**Healey**, Mr William John, Chief Executive Officer, Enterprise and Career Education Foundation

**Johnston**, Mrs Sandra Gail, Parent Representative, Royal Blind Society

**Leigh**, Associate Professor Gregory Ross, Assistant Chief Executive (Educational Services), Royal Institute for Deaf and Blind Children

**Lemme**, Ms Angela, Research Officer, Federation of Parents and Citizens Associations of New South Wales

**Lonergan**, Mrs Josephine, Executive Director, Australian Parents Council Inc.

**Luelf**, Mrs Barbara Jean, Councillor, Special Education Committee, Isolated Children's Parents Association of Australia Inc. and President, ICPA-NSW

**Lunn**, Ms Helen Elaine, Manager, Child and Family Services, Royal Blind Society

**de Mar**, Mrs Karen Elizabeth, Director, Specific Learning Difficulties Association of New South Wales

**Mitchell**, Ms Kerry Elizabeth, Member, Management Committee, Specific Learning Difficulties Association of New South Wales

**Whiting,** Dr Paul Raymond, Treasurer, Australian Federation of SPELD Associations; President, Specific Learning Difficulties Association of New South Wales

## Wednesday, 3 July 2002, Sydney

**Alegounarias**, Mr Tom, Director, External Relations Policy, New South Wales
Department of Education and Training

**Booth**, Mrs Lynn Catherine, President, New South Wales Chapter, Australian
Guidance and Counselling Association

**Bosco**, Brother Cyril, Deputy Chair, National Independent Special Schools
Association

**Clayton**, Dr Mark, Chairman, National Independent Special Schools Association

**Crimmins**, Mr Peter Aloysius, Executive Officer, Australian Associations of
Christian Schools

**Durham**, Associate Professor Marsha, Dean of Students, University of Western
Sydney

**Evans**, Dr David Greig, National Vice President, Australian Association of Special
Education

**Ford,** Mr Adrian John, Chief Executive Officer, Autism Association of New South
Wales

**Gray**, Mrs Geraldine Mary, National Councillor, Australian Association of Special
Education

**McKie**, Mr David, Manager, Student Counselling and Welfare, New South Wales
Department of Education and Training

**Nash**, Mr Phillip John, Deputy Principal, Pacific Hills Christian School, Australian
Associations of Christian Schools

**Norris**, Ms Sandra May, Head, Counselling and Disability Services, University of
Western Sydney

**O'Doherty**, Mr Stephen Mark, Chairman, Australian Associations of Christian
Schools

**Roberts**, Dr Jacqueline Margaret Anne, Director of Education, Training and
Research, Autism Association of New South Wales

**Smyth King**, Mr Brian Uther, Director, Disability Programs, New South Wales
Department of Education and Training

**Thompson,** Mrs Joy, Area Representative, Australian Guidance and Counselling
Association

**Todd,** Miss Emily Mary, Committee Member, National Independent Special Schools
Association

## Monday, 12 August 2002, Melbourne

**Duzen,** Mrs Halime, Turkish Carers Group Facilitator, Adec, through Mr Atef Ibrahim, Interpreter

**Elguindy**, Mrs Laila, Adec Carer Group and Adec Community

**Fathers**, Mr Martin Keith, Chair, Education Working Party, Disability Advisory Council Of Victoria

**Frawley**, Ms Patsie, Executive Officer, Disability Advisory Council Of Victoria

**Killey**, Mrs Christine, Coordinator, Speld Learning Centre

**Lacey**, Mr Damian Lyons, Chief Executive Officer, Usdc Services For Deaf Children

**McKenzie**, Mrs Margaret Mary, Parent Of Learning Disability Child, Speld Learning Centre

**Morrison**, Mr Robert Hector (Private Capacity)

**Taffe**, Mrs Cristina Veronica (Private Capacity)

**Tiplady**, Mrs Sharon, Parent Of Learning Disability Child, Speld Learning Centre

## Tuesday, 13 August 2002, Melbourne

**Bieske**, Mrs Noeleen Mary, President, Australian Association of Teachers of the Deaf (Victoria)

**Bills**, Ms Kaye Patricia, Member, Independent Education Union of Australia

**Dann**, Ms Marilyn, Membership Secretary, Australian Association of Teachers of the Deaf (Victoria)

**Evans**, Ms Jane Susan, General Manager, National Information and Library Service

**Fathers**, Mr Martin Keith, Manager, Disability Liaison Unit, Royal Melbourne Institute of Technology University

**Iezzi**, Mr Tony David, Materials Production Coordinator Melbourne, National Information Library Service

**Keenan**, Mr Tony, State Secretary, Victorian Branch, Independent Education Union of Australia

**King**, Ms Debbie, General Manager, External and Intergovernmental Relations, Victorian Department of Education and Training

**King**, Ms Michelle Angela, Student Rights Officer, Monash Student Association

**Livi**, Mr John, Principal Legal Officer and Manager, Legal Services Branch, Victorian Department of Education and Training

**Martin**, Mr Roy Overton, Federal Research Officer, Australian Education Union

**Martin**, Ms Lin, Vice-Principal and Academic Registrar, University of Melbourne

**McLean**, Dr Patricia, General Manager, Equity and Learning Programs, University of Melbourne

**Norling**, Ms Jeanne Frances, Manager, Student Disabilities, Office of School Education, Victorian Department of Education and Training

**Ritchie**, Mrs Sandra Joan, Member, Independent Education Union of Australia

**Rolley**, Ms Lynne Margaret, Federal Secretary, Independent Education Union of Australia

**Scully**, Ms Madeleine Louise, Manager, Participation Initiatives, Program Development Branch, Vocational Education and Training Division, Victorian Department of Education and Training

**Symons**, Mr Peter Thomas, Member, Australian Education Union

**Tait**, Ms Susan Jane, General Manager, Students and Communities, Victorian Department of Education and Training

**Tomilson**, Miss Rebecca Louise, President, Monash Student Association

**Wotherspoon**, Ms Delma Joan, Member, Victorian Independent Education Union of Australia


## Tuesday, 3 September 2002, Hobart

**Barrett**, Ms Jane Therese, Spokesperson, National Regional Disability Liaison Officer Initiative

**Clark,** Mrs Marguerite June, President, Early Childhood Intervention Australia (Tasmanian Chapter)

**Hardefeldt**, Ms Yvonne Dorothy, Committee Member, Early Childhood Intervention Australia (Tasmanian Chapter)

**Jacob**, Ms Alison, Deputy Secretary,  Department of Education, Tasmania

**McMinn**, Ms Kerry, Manager, Disability Standards, Department of Education, Tasmania

**Onsman**, Ms Yulia, Media Liaison Officer, Tasmanian Council of State School Parents and Friends Association

**Pearce**, Mr David, Vice-President, Tasmanian Tertiary Education Disability Advisory Committee

**Rush**, Mrs Rosemary Elizabeth, Committee Member, Early Childhood Intervention Australia (Tasmanian Chapter)

**Shipway**, Ms Kate, Director, Equity Standards Branch, Department of Education, Tasmania

**Spurr**, Mr Michael William, President, Australian Learning Disability Association

## Friday, 6 September 2002, Brisbane

**Connolly**, Ms Fiona, Queensland Parents for People with a Disability Representative to the Ministerial Task Force on Inclusive Education

**Davis**, Mr Peter James, Secretary, Australian Federation of Special Education Administrators

**Egan**, Ms Susan Wendy, Executive Officer, Physical Disability Council of Australia

**Elkins**, Emeritus Professor John, Fred and Eleanor Schonell Special Education Research Centre, University of Queensland

**Enchelmaier**, Dr John Fredrick, Vice-President, Australian Federation of Special Education Administrators

**Hartley**, Ms Judith Anne, Acting President, Tertiary Education Disability Council of Australia; Manager, Student Equity Services, Griffith University

**Kalms**, Ms Sandra, Executive Coordinator, Queensland Parents for People with a Disability

**Knight**, Ms Karen, Board Member, Blind Citizens Australia

**van Kraayenoord**, Dr Christina Elizabeth, Director, Fred and Eleanor Schonell Special Education Research Centre, University of Queensland; Senior Lecturer, School of Education, University of Queensland

**Mcdonald**, Mr Steve, General Manager, Australian National Training Authority

**O'Flynn,** Ms Michelle, Member, Queensland Parents for People with a Disability

**Radford**, Mrs Margot Ross, President, Australian Federation of Special Education Administrators

**Scollay**, Ms Moira, Chief Executive Officer, Australian National Training Authority

**Skinner**, Mr Barry John, Acting Assistant Director, Disability Policy and Program Unit, Inclusive Education Branch, Education Queensland

**Speed**, Ms Anita, Member, Queensland Parents for People with a Disability

**Symons**, Mr Peter Thomas, Treasurer, Australian Federation of Special Education Administrators; and Principal, Barwon Valley School

**Tomkinson**, Mr Phillip William, Vice-President, Queensland Parents for People with a Disability

**Walsh**, Mr Michael John, Acting Director, Inclusive Education Branch, Curriculum Directorate, Education Queensland

## Monday, 9 September 2002, Adelaide

**Betterman**, Ms Cynthia Felicia, Member, Special Needs Education Network

**Bickford**, Ms Francine, Coordinator, Special Education, Catholic Education South Australia

**Braybon**, Ms Yvonne, Committee member representing non-government organisations providing support for people with disabilities, Ministerial Advisory Committee: Students with Disabilities

**Croser**, Mr Jeff, Principal, Cabra Dominican College, Catholic Education South Australia

**Dalefield**, Mr Richard, Deputy Chairperson, Ministerial Advisory Committee: Students with Disabilities

**Huppatz**, Mr Brian Charles, Senior Education Adviser, Curriculum, Catholic Education South Australia

**McColl**, Ms Margaret, Executive Officer, Ministerial Advisory Committee: Students with Disabilities

**Page**, Ms Stephanie, Executive Director, Student and Professional Services, Department of Education and Children's Services

**Payne**, Ms Eda, Committee member nominated by the South Australian Minister for Education and Children's Services, Ministerial Advisory Committee: Students with Disabilities

**Spargo**, Ms Tricia, Committee member, Ministerial Advisory Committee: Students with Disabilities

**Taylor-Neumann**, Mrs Lorraine Vivienne Nayano, Convener, Special Needs Education Network

**Winter**, Ms Patricia Margaret, Assistant Director, Disability and Professional Services, Department of Education and Children's Services

# Wednesday, 11 September 2002, Canberra

**Baker**, Dr Ken, Chief Executive, ACROD, National Industry Association for Disability Services

**Buckley**, Mr Robert, Vice President, Action for Autism

**Daniels**, Mr Bill, Executive Director, National Council of Independent Schools Associations

**Greer**, Mr Anthony John, Group Manager, Schools Group, Department of Education, Science and Training

**Heneker**, Mr John Reginald, Member, TAFE Directors Australia; and Member, Australian Disability Training Advisory Council

**Jackson**, Mrs Audrey, Executive Director, Association of Independent Schools of Western Australia

**Lyons**, Ms Sara, Adviser, TAFE Directors Australia

**Mackenzie**, Mr Bruce, Deputy Chair, TAFE Directors Australia

**McConchie**, Mr Robert Victor, Executive Officer, Australian Council of State School Organisations

**Morgan**, Dr Ian George, President, ACT Council of Parents and Citizens Associations, Australian Council of State School Organisations

**Parmenter**, Professor Trevor Reginald, Director, Centre for Developmental Disability Studies, University of Sydney

**Peacock**, Ms Dianne, Director, Participation and Learning Section, Participation and Outcomes Branch, Department of Education, Science and Training

**Shaddock**, Professor Anthony John, Professor of Special Education, University of Canberra

**Tchacos**, Ms Elizabeth, Branch Manager, Quality, Information and Equity Group, Department of Education, Science and Training

**Thorn**, Mr William, Branch Manager, Performance and Targeted Programs Branch, Schools Group, Department of Education, Science and Training

**Tudor,** Mr Chris, Chairman, National Council of Independent Schools Associations

**Verick**, Ms Margaret Anne, Policy Officer, ACROD, National Industry Association for Disability Services

**Wilton**, Mr Rob, Vice President, ACT Council of Parents and Citizens Associations, Australian Council of State School Organisations

**Wratten**, Ms Eleanor Margaret, Adviser, TAFE Directors Australia

**Yates**, Mrs Robyn, Director, School Consultancy, Association of Independent Schools of New South Wales

# Appendix 3

# Documents Tabled at Hearings

**Hearing:**      **Sydney, 2 July 2002**

Isolated Children's Parents' Association of Australia Inc (ICPAA):
Case studies [EWRE 40]

**Hearing:**      **Sydney, 3 July 2002**

Associate Professor Durham:
written statement and chart: Disabilities by type at UWS, 2001
[EWRE 140]

Australian Associations of Christian Schools (AACS):
Case studies and correspondence [EWRE 156]

**Hearing:**      **Melbourne, 13 August 2002**

National Information and Library Service: A joint venture of the Royal
Victorian Institute for the Blind (RVIB) and the Royal Blind Society of
New South Wales (RBS):

Materials Production Technical questions and answers [EWRE 276]

**Hearing:**      **Hobart, 3 September 2002**

Australian Learning Disability Association (ALDA):
Disability Rights: frequently asked questions (web document)
University of Tasmania web site: Opening All Options II (draft pages)
[EWRE 334]

Early Childhood Intervention Australia (Tas Chapter):
written statement and ECIA Brochure – Supporting children with
disabilities and their families [EWRE 346]

National Regional Disability Liaison Officer Initiative (NRDLO):
Corrected copy of original submission (no. 54) [EWRE 368]

**Hearing**      **Brisbane, 6 September 2002**

Australian National Training Authority (ANTA):
Annual National Priorities for 2003 [EWRE 445]
Draft Disability Professional Development Project Workplan
[EWRE 455]

ANTA: Resolution from MCEETYA meeting regarding adoption of
draft disability education standards [EWRE 448-9]

| | |
|---|---|
| **Hearing** | **Adelaide, 9 September 2002** |

Special Needs Education Network:
Issues paper by Cynthia Betterman [EWRE 512]

| | |
|---|---|
| **Hearing** | **Canberra, 11 September 2002** |

Department of Education, Science and Training (DEST):
Corrections re: submission no: 178 [EWRE 647]

DEST: Attachment A – state and territory summary of responses on how deans are addressing needs of students with disabilities in both territory and school sectors. [EWRE 669]

# Appendix 4

# Further Information

**Answers to questions on notice:**

| Hearing: | Sydney, 2 July 2002 |
|---|---|
| 2 October 2002 | Enterprise and Career Education Foundation<br>Ms Karina Armstrong, ECEF Disability Initiative Coordinator<br>Enterprise and Career Education Foundation 'Lighthouse Disability Initiative'<br>• Case Study of the 'Work-Out' Project, Central Coast, New South Wales 2002-2001<br>• Case study of the 'GATE' Project, Launceston, Tasmania 2000-2001<br>• Case Study of the 'WAVES' Disability project, Western Metropolitan Adelaide 2000-2001 |
| 9 August 2002 | SPELD (Inc)<br>Dr Paul Whiting, President |
| 14 August 2002 | Federation of Parents and Citizens' Association of New South Wales<br>Ms Sharryn Brownlee, President |
| **Hearing** | **Sydney, 3 July 2002** |
| 11 September 2002 | University of Western Sydney<br>A/Professor Marsha Durham, Dean of Students |
| 29 August 2002 | Australian Associations of Christian Schools<br>Mr Peter Crimmis, Executive Officer |
| **Hearing** | **Melbourne, 13 August 2002** |
| 6 September 2002 | Australian Association of Teachers of the Deaf (Vic)<br>Ms Marilyn Dann, Membership secretary |
| 13 September 2002 | Victorian Department of Education and Training<br>Mr Mark Johnstone, External and Inter-Governmental Relations |
| **Hearing** | **Tasmania, 3 September 2002** |
| 25 September 2002 | National Regional DLO Initiative<br>Ms Jane Barrett, State Disability Liaison Officer |
| 26 September 2002 | Department of Education, Education Strategies, Tasmania<br>Ms Cindy Mills, Executive Support |

| **Hearing** | **Brisbane, 6 September 2002** |
|---|---|
| 26 September 2002 | Queensland Parents for People with a Disability Inc<br>Mr Phil Tomkinson |
| 6 September 2002 | Australian National Training Authority<br>Ms Moira Scollay, Chief Executive Officer |
| 5 September 2002<br>23 September 2002 | Dr Christa van Kraayenoord, (Schonell Special Education Research Centre, Graduate School of Education, The University of Queensland) |
| 17 September 2002 | Blind Citizens Australia<br>Ms Collette O'Neill, National Policy Officer |
| 20 November 2002 | Queensland Government, Education Queensland<br>Ms Anna Bligh MP, Minister for Education |
| **Hearing** | **Adelaide, 9 September 2002** |
| 4 October 2002 | Catholic Education Centre, South Australia<br>Ms Francine Bickford, Coordinator, Special Education |
| 2 December 2002 | Department of Education and Children's Services, South Australia<br>Ms Stephanie Page, Executive Director Student and Professional Services |
| **Hearing** | **Canberra, 11 September 2002** |
| 1 October 2002 | TAFE Directors, Australia<br>Ms Margaret Fanning, Executive Director |
| 25 September 2002 | National Council of Independent Schools' Associations<br>Mr Bills Daniels, Executive Director |
| 27 September 2002 | Commonwealth Department of Education, Science and Training<br>Mr Tony Greer, Group Manager, Schools |

- Literacy and Numeracy Acquisition including the Role of Braille for Students in Australian who are Blind or Vision Impaired
- Papers considered at the MCEETYA meeting on 18-19 July relating to Disability Standards for Education
  - DDA Standardsfor Education – report from the AESOC Working Group
  - Draft Disability Standards for Education 2002- July 2002
  - Disability Standards for Education 2002 – Guidance Notes
  - Letter from the Australian Government Solicitor, 1 July 2002 regarding Standards for Education under the DDA
  - Letter from the Australian Government Solicitor, 3 June 2002 regarding Standards for Education under the DDA
  - Draft Disability Standards for Education 2002 and NSW Department of Education and Training: Memorandum of Advice (June 2002)

1 October 2002    Commonwealth Department of Education, Science and Training
Mr Tony Greer, Group Manager, Schools

- Draft Regulatory Impact Statement – assesses the impact of legislating Disability Standards for Education under the *Disability Discrimination Act 1992*

## Further Information Received

- Additional information to submission 11 (South Australian Ministerial Advisory Committee: Students with Disabilities SA):

  – *Support for Children and Students with Disabilities: Information for Preschool Directors and School Principals*, January 2002;

  – *Schooling Options for Students with Disabilities in South Australia: A Parent Survey*, March 2001;

  – *Social Skills Development for Students with Disabilities*, January 2001;

  – *Secondary Schooling for Students with Autism Spectrum Disorders*, June 2000;

  – *Technology for Learning: Students with Disabilities*, November 2000;

  – *Early Learning: Linking with Education, Health & Disability through Assessment, Access & Support Services*, December 1999;

  – *Effective Funding for Children & Students with Disabilities - Towards a New Practice: Reflections & Recommendations*, November 1997.

- Additional information to submission 86 (Friends of the Brain Injured (ACT) Inc: *Booklet: Profile May 2002*

- Additional information to submission 102 (Griffith University):

  – *Students with Disabilities: Code of Practice for Australian Tertiary Institutions,* February 1998;

  – *Disability Action Plan for Griffith University 2000-2004;*

  – *Unitaste Vacation School Review: A Queensland Universities Cooperative Project,* December 2000;

  – *AVCC Guidelines Relating to Students with Disabilities,* December 1996;

  – *Information Booklet for Students with Disabilities, Griffith University.*

- Additional information to submission 155 (The Cora Barclay Centre): *Annual Report 2001: The Cora Barclay Centre*

- Additional information to confidential submission 164: A paper from the Victorian Department of Education, Employment and Training, *Better Services, Better Outcomes in Victorian Government Schools (including students with learning disabilities, disabilities and impairments*, October 2001.

- Additional information to submission 167 (The Royal Society for the Blind): *2000/2001 Annual Report.*

- Additional information to submission 173 (ECEF): *Express Autumn 2002 Issue 4.*

- Additional information to submission 191 (Australian National Training Authority):

  – *Bridging Pathways National Strategy from 2000 until 2005* (ANTA);

  – *Bridging Pathways Blueprint for Implementation from 2000 until 2005,* July 2000 (ANTA);

  – *South Bank Institute of TAFE Australian Disability Training Advisory Council Mapping Project*, KPMG Consulting, March 2002;

  – *Australian Quality Training Framework - Standards for Registered Training Organisations, 2001*;

  – *Whole of Life, All of Life Approach to Disability Reform,* 2001.

- Additional information to submission 195 (AISSA):

  – *Flow chart: Students with Disabilities: Enrolment Guidelines for Independent Schools*.

  – *Students with Disabilities: Enrolment Guidelines for Independent Schools,* AISSA, 2001.

- Additional information from Professor Trevor R. Parmenter, Director, Centre for Developmental Disability Studies, University of Sydney: *An Australian Perspective on Quality Outcomes of Inclusive Employment*, Keynote paper presented to the Pacific Rim Conference, March 2002.

- Additional information from New South Wales Department of Education and Training (Submission 231):

  – *Early Intervention Operational Guidelines: Support Classes (ie) and Itinerant Support Teachers (EI)*, NSW Department of Education and Training, 2000;

  – *Physical as Anything: Collaborative Support for Students with Physical Disabilities and Medical Conditions*, NSW Department of Education and Training, 1996;

  – *Special Education Handbook for Schools*, NSW Department of Education and Training, 1998;

  – *Transition to School: An Information Brochure – Multilingual Edition*, NSW Department of Education and Training, 1998;

  – *Who's Going to Teach my Child? A Guide for Parents of Children with Special Learning Needs*, NSW Department of Education and Training, 2002;

  – *Transition to School for Young Children with Special Learning Needs*, NSW Department of Education and Training, 1997;

  – *NSW Department of Education and Training Disability Action Plan 2000 – 2002*, NSW Department of Education and Training, 2000;

  – *Students with Disabilities in Regular Classes: Learning Together -Funding Support 2002*, NSW Department of Education and Training, 2001;

–   *Transition to School: A Guide for Families of Young Children with Special Learning Needs – Multilingual Edition*, NSW Department of Education and Training, 1998;

–   *Vision Impairment: A Reference for Schools*, NSW Department of Education and Training, 1997.

**Further Information Received  -  on file held by Australian Archives.**

# Appendix 5

# State government funding eligibility criteria

## New South Wales [1]

| Category | Eligibility Criteria |
|---|---|
| Intellectual | Students who have an intellectual disability have significantly greater difficulty learning than the majority of students of the same age.<br>IM: mild intellectual disability, IQ range of 56-75<br>IO: moderate intellectual disability, IQ range of 31-55<br>IS: severe intellectual disability, IQ range of < 30 [2] |
| Vision | A current permanent vision loss that is 6/24 or less in the better eye corrected, or less than 20 degrees field of vision. |
| Hearing | A current sensori-neural or permanent conductive hearing loss of 30 decibels or more in both ears. |
| Physical/health impairment | A current physical condition involving the motor system that significantly limits the student's level of functioning and independence in mobility, personal care, or ability to physically undertake essential learning tasks. |
| Psychological | Autism:<br>Students with autism usually have a developmental disability affecting verbal and non-verbal communication and social interaction that significantly affects their ability to learn.<br><br>Mental health problems:<br>Students exhibit behaviour(s) that is characteristic of mental health problems at a level of frequency, duration and intensity that seriously affects their educational functioning and emotional well-being. |
| Deaf/Blind | A current diagnosed vision impairment with a permanent vision loss of 6/60 or less in the better eye corrected, or less than 20 degrees field of vision with a sensori-neural or permanent conductive hearing loss of greater than 90 decibels in both ears. The dual sensory impairment uniquely impacts on learning and communicating. |

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[1] Accessed 25 September 2002,via World Wide Web
http://www.det.nsw.edu.au/disabilityaccess/contacts/abbrscho.htm

[2] Jenkinson, Josephine, 2001, *Special education: a matter of choice*, ACER Press, Melbourne, p. 46

| | |
|---|---|
| Language disorder | Students must have an assessed receptive or expressive language disorder documented within a current speech pathologist's report. The report would include a relevant standardised language test that indicates receptive and expressive language skills. At least one of the scales (either receptive or expressive) must indicate that the disorder significantly affects communication and diminishes the capacity to achieve academically. Difficulties in communication and academic achievement must be the direct result of the disorder. |

# Victoria[3]

| Category | Eligibility Criteria |
|---|---|
| Physical disability | A significant physical disability and/or a significant health impairment which requires regular paramedical support.<br><br>As evidenced by a paediatrician's statement detailing the disability or health impairment AND a statement detailing paramedical service requirements from a registered physiotherapist or occupational therapist. |
| Severe language disorder | A score of two or more standard deviations below the mean for the student's age in expressive and/or receptive language skills and the severity cannot be accounted for by hearing impairment, social emotional factors, low intellectual functioning or cultural factors and there is a history of an ongoing problem with an expectation of continuation during the school years; a score at or above minus one standard deviation on one additional non verbal test of cognitive functioning. |
| Severe behaviour disorder | Student displays disturbed behaviour to a point where special support in a withdrawal group or special unit is required and the student displays behaviour so deviant as to require regular psychological or psychiatric diagnosis or monitoring as evidenced by a formal assessment. |
| Hearing impairment | A bi-lateral sensori-neural hearing loss that is moderate /severe/profound and where the student requires intervention or assistance to communicate |
| Visual impairment | • Visual acuity less than 6/60 with corrected vision; or<br><br>• The visual fields are reduced to less than 10 degrees<br><br>Note: Partial sighted students [<6/18 acuity or < 20 degrees visual fields] may obtain some assistance |
| Intellectual disability | • Sub average general intellectual functioning which is demonstrated by a full scale score of two standard deviations or more below the mean score on a standardised individual tests of general intelligence; and<br><br>• Significant deficits in adaptive behaviour established be a composite score of two standard deviations or more below the mean on an approved standardised test of adaptive behaviour; and<br><br>• A history and evidence of an ongoing problem with an |

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[3] Accessed 24 September 2002, via World Wide Web,
   http://www.sofweb.vic.edu.au/welfare/pdf/2003PSDHandbook.pdf

expectation of continuation during the school years

| | |
|---|---|
| Autism | Significant deficits in adaptive behaviour established by a composite score of two standard deviations or more below the mean on an approved standardised test of adaptive behaviours.

AND

A score of two or more standard deviations below the mean for the student's age in expressive and receptive language skills.

AND

The severity of the language disorder cannot be accounted for by hearing impairment, social emotional factors, general intellectual disability or cultural factors.

AND

A score above the cut-off for diagnosis of autistic features on an approved standardised test (CARS) for the presence of autistic features in current behaviour.

OR

Moderate and severe abnormalities in items 1, 3, 5 and 6 on an approved standardised test (CARS) for the presence of autistic features in current behaviour. |

# Queensland

| Category | Eligibility Criteria |
| --- | --- |
| Autism Spectrum Disorder | Severe and pervasive deficits in social behaviour, attachment patterns and two-way social interactions<br><br>AND<br><br>Impairment in communication. |
| Hearing Impairment | Hearing impairment exists when pure tone thresholds fall outside the normal range (i.e. 20dB HL at any frequency)<br>AND<br><br>Student requires regular specialised support |
| Intellectual Impairment | Significantly sub-average intellectual functioning [two standard deviations or more below the mean score, as measured by appropriate standardised individual test(s) of general intelligence]<br><br>AND<br><br>Significant limitations in two or more related adaptive skill areas: communication; self-care; home living; social skills; community use; self-direction; health and safety; functional academics; leisure; work. |
| Physical Impairment | Significant physical impairment<br><br>AND<br><br>Student requires regular specialised support for access and participation in schooling. |
| Speech language impairment | Significant impairment of expressive and/or receptive language development<br><br>AND<br><br>The severity and/or nature of the impairment cannot be accounted for by the other Education Queensland Disability Categories or socio-cultural factors.<br><br>Note: Significant impairment is demonstrated by scores on standardised, individually administered assessment measures, which are two or more standard deviations below the mean. |

| | |
|---|---|
| Deafblind | Severe functional difficulty in the ability to respond to auditory and visual stimuli<br>AND<br>Student requires additional information from alternative means of communication and/or the use of other senses (e.g. tactile) or aids<br>AND<br>Student requires a program beyond that solely for deaf/hearing impaired or blind/low vision. |
| Vision impairment | Visual acuity that is 6/18 or less after correction<br><br>AND/OR<br><br>Field loss that significantly impairs visual functioning<br><br>AND/OR<br><br>Degenerative visual condition which requires specialised ongoing support. |

# Tasmanian[4] - Category A register

| Category | Eligibility Criteria |
| --- | --- |
| Intellectual | Display functional skills and adaptive behaviours consistent with a moderate to severe/profound intellectual disability; and<br><br>Have a measured intelligence greater than three standard below the mean |
| Autism Spectrum Disorder | A confirmed diagnosis of autism in the upper moderate/severe range and demonstrated functional abilities consistent with diagnosis |
| Physical Disability | An identifiable, severe physical disability which has highly significant implications for a student's learning abilities; and an identifiable, severe medical condition or health impairment which has highly significant learning/educational implications eg severe uncontrolled epilepsy, severe head injury.<br><br>The high level of educational need characterising these students is based on their physical dependence relating to movement and position, communication, eating and drinking, toileting and their ability to perform or participate in basic educational activities. |
| Psychiatric Disorder | Have a confirmed psychiatric diagnosis form a qualified psychiatrist; and<br><br>Have highly significant educational implications resulting from the psychiatric disorder; and<br><br>Be receiving ongoing physchiatric treatment |
| Vision Impairment | Have severe vision impairment as measured through appropriate assessment by an ophthalmologist, optometrist or orthoptist. This means a visual acuity of less than 6/48 or a visual field of 20 degrees or less (after best possible correction and surgical intervention). |
| Deaf and Hearing Impairment | A hearing loss of greater than 60dB in their better ear as measured by an audiologist at 500, 1000 and 2000 hertz. |
| Multiple Disabilities | • Meet the eligibility criteria for the category A register – physical disability and<br><br>• Meet the eligibility criteria for category register intellectual disability or autism spectrum disorder |

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[4] Accessed 24 September 2002, via World Wide Web,
   http://www.education.tas.gov.au/equitystandards/disability/guidelines.htm

## South Australia

| Category | Eligibility Criteria |
|---|---|
| Physical[5] | • Impaired ability to manoeuvre in the school environment (e.g. with a wheelchair, walker braces or orthopaedic devises) and/or<br><br>• Need for assistance and/or training with daily living activities and/or<br><br>• Impaired ability to take notes or do assignments which require movement and to compensate adequately for this impairment and/or<br><br>• Difficulty in communicating in school due to severe speech/motor problems and/or<br><br>• Severe health problems, which require continued monitoring. |
| Intellectual Impairment[6] | • Significantly below average general intellectual functioning which is demonstrated by a full scale score of two standard deviations or more below the mean score on a standardised individual test of general intelligence;<br><br>• Significant deficits in a adaptive behaviour established by either a composite score of two standard deviations or more below the mean on an approved standardised test of adaptive behaviour; or<br><br>• Evidence of significant limitations in at least two of the following skill areas: communication, self care, social/interpersonal skills, functional academic skills, leisure and community. |
| Hearing Impairment[7] | A loss of 20db or greater in the speech range in the better ear |
| Communication and language disability[8] | • Indicated by disordered language; marked difficulties in the development of verbal functioning despite average to above average non verbal functioning and a comprehensive language evaluation reveals a disordered pattern of development and not delay;<br><br>• Abnormal patterns of communication, social perception or adaptive behaviour have been formally assessed and are |

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[5] South Australian Department of Education, Training and Employment Submission number 238, Appendix 5

[6] ibid.

[7] ibid

[8] ibid.

present in most situations;

- Low intellectual ability i.e. overall verbal intellectual functioning within the lowest 7% of the population.

Vision Impaired[9]

- Visual acuity of less than 5/18 (20/70) in the better eye after correction and/or

A restricted visual field.[10]

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[9] ibid.

[10] Accessed 18 September 2002,via World Wide Web, http://www.schools.sa.gov.au/schlparents/

## Western Australia

| Category | Eligibility Criteria |
|---|---|
| Intellectual Impairment[11] | These students demonstrate significant deficits in: <br><br> • Adaptive behaviour; and <br><br> • Academic achievement; and <br><br> • Demonstrate intellectual functioning two or more standard deviations below the mean on an approved measure of cognitive functioning. <br><br> Placement may also be offered to those students with a less significant deficit in intellectual functioning in the order of a standardised score of 75 plus or minus 5 on an approved measure of cognitive functioning. |
| Physical Impairment[12] | Medical reports, parent and school observations |
| Vision impairment[13] | Eligibility is established through ophthalmological examination. It is considered that a student with a visual acuity of 6/18 or less in the better eye, after appropriate correction, requires educational assistance. Visual field restrictions are also considered. |
| Autism[14] | Eligibility is established through referral to the Central Diagnostic Panel at the Princess Margaret Hospital for Children. <br><br> Students with an autistic disorder but with non-verbal intellectual functioning above the range associated with intellectual disability are supported in a regular school. <br><br> Other students with an autistic disorder are offered placement in a facility for students with disabilities in accordance with their non-verbal ability, adaptive behaviour and academic achievement. |
| Hearing impairment[15] | Based on assessment from the Hearing Assessment Centre |

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[11] Accessed 10 September 2002,via World Wide Web, http://www.eddept.wa.edu.au/SAER/policy/intedis.htm

[12] Accessed 10 September 2002,via World Wide Web, http://www.eddept.wa.edu.au/SAER/policy/phydis.htm

[13] Accessed 10 September 2002,via World Wide Web, http://www.eddept.wa.edu.au/SAER/policy/visimp.htm

[14] Accessed 10 September 2002,via World Wide Web, http://www.eddept.wa.edu.au/SAER/policy/autism.htm

[15] Accessed 10 September 2002,via World Wide Web, http://www.eddept.wa.edu.au/SAER/policy/hearimp.htm

# Appendix 6

# Methodology for Projected Funding for Non-government Schools

## Methodology

- The following information uses private and state per capita funding trends over 1996-2000 as published in the annual *National Report on Schooling* (ANR) as the basis for the private and state income projections. Using these figures, the average annual per capita increases in income between 1996 and 2000 were calculated as follows:

  – Catholic education system:               Private income $105.5
  – Catholic education system:               State income $56.5
  – Other non-government schools:      Private income $212.75
  – Other non-government schools:      State income $46.0

- These figures were used to obtain per capita income estimates for 2001 to 2004. The estimates were then multiplied by enrolment projections provided by the Department of Education, Science and Training (DEST) to obtain projections of income from private and State sources.

- Commonwealth income projections are as provided by DEST in an answer to a Question on Notice in Senate committee hearings. These projections are expressed in financial years. Given that the ANR data is expressed in program (calendar) year terms, it has been assumed for the purposes of this exercise that the Commonwealth data for each financial year equates to the second calendar year, ie. 2003-04 equates to 2004.

- AGSRC projections were calculated using movements in the AGSRC from 1996 to 2002.

## Projections

### Projected Income for the Catholic Education System, 2001-04

| Year | Private $million | State $million | C'wealth $million | Total $million |
|------|------|------|------|------|
| 2001 | 1 117.0 | 775.8 | 2 148.2 | 4 041.0 |
| 2002 | 1 196.4 | 820.7 | 2 353.0 | 4 370.1 |
| 2003 | 1 275.5 | 865.2 | 2 549.2 | 4 689.9 |
| 2004 | 1 352.7 | 908.2 | 2 805.6 | 5 066.5 |
| **Total** | **4 941.6** | **3 369.9** | **9 855.9** | **18 167.4** |

**2001-2004**

**Projected Income for Other Non-Government Schools,  2001-04**

| Year | Private $million | State $million | C'wealth $million | Total $million |
|---|---|---|---|---|
| 2001 | 2 427.9 | 470.1 | 1 161.7 | 4 059.7 |
| 2002 | 2 559.1 | 497.6 | 1 274.5 | 4 331.2 |
| 2003 | 2 692.6 | 525.5 | 1 380.0 | 4 598.1 |
| 2004 | 2 821.4 | 552.6 | 1 519.2 | 4 893.2 |
| **Total 2001-2004** | **10 501.0** | **2 045.8** | **5 335.9** | **17 882.7** |

To compare these figures with the estimated total value of AGSRC for 2004 the following methodology was used:

- the average annual increase in AGSRC between 1996 and 2002 was $292 (Primary) and $333.8 (Secondary);

- using the above annual increases, estimated AGSRC in 2004 will be $6 241 (Primary) and $8 137 (Secondary);

- projected enrolments in the Catholic education system for 2004 are 621 631. (DEST answer to Senate Estimates Question E493, 2001-2002 Additional Senate Estimates Hearing). Using the 2000 proportions of primary and secondary enrolments in the Catholic system (per ANR 2000) gives an estimated 2004 enrolment of 347 492 (Primary) and 274 139 (Secondary).

- multiplying these figures by the projected AGSRC for 2004 gives a total projected AGSRC value of $4 399.4 million for a comparable number of students.

- projected enrolments for other non-government schools for 2004 are 441 045. (DEST answer to Senate Estimates Question E493, 2001-2002 Additional Senate Estimates Hearing). Using the 2000 proportions of primary and secondary enrolments in other non-government schools (per ANR 2000) gives an estimated 2004 enrolment of 196 706 (Primary) and 244 339 (Secondary).

- multiplying these figures by the projected AGSRC for 2004 gives a total projected AGSRC value of $3 215.8 million for a comparable number of students.

## Conclusions

- Projected income from all sources over the quadrennium for the Catholic education system will be $18 167 million.

- Projected income from all sources over the quadrennium for other non-government schools will be $17 883 million.

- The projected total income of the Catholic education system in 2004 ($5 067 m) will be $529 million higher than the projected 2004 AGSRC total of $4 538 million for a comparable number of students, while that of other non-government schools ($4 893 m) will be $355 million higher.

- Thus on current funding trends, the Catholic education system will in 2004 have an estimated total income 11.7 per cent higher than the estimated total cost of educating primary and secondary students in government schools. For other non-government schools, estimated total income will be 7.8 per cent higher.