



**AUSTRALIAN PARENTS COUNCIL** Incorporated  
*The National Federation of Organisations Representing Parents  
of Non-government School Students*

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**To: THE SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION  
REFERENCES COMMITTEE**

**INQUIRY INTO THE EDUCATION OF CHILDREN WITH DISABILITIES  
SUMMARY OF RECOMMENDATIONS**

**The Australian Parents Council (APC)**

The APC is the national voice representing parents of children at non-government schools throughout Australia. Established in 1962, it has statewide affiliates in all the States and the Northern Territory.

This is a summary of the recommendations contained in our submission

**The APC recommends that this Inquiry**

- 1) Endorse the statements in Article 26 of the Universal Declaration of Human Rights concerning everyone's right to education, the nature of education and the right of parents to choose the kind of education that shall be given to their children;
- 2) Accept that governments have an obligation towards all children with disabilities as set out in the Convention on the Rights of the Child and recommend the non-discriminatory distribution of public resources to support that obligation;
- 3) Recognise the vast discrimination gap in current public funding arrangements for children with disabilities attending government schools and those attending non-government schools in Australia;
- 4) Recommend the establishment of a consistent, transparent method of calculating the real, total, national average government school recurrent cost for the education of children with disabilities which includes **all** elements of expenditure on government school education of children with disabilities;
- 5) Recommend that government funding arrangements for the support of children with disabilities be expressed and paid as a proportion of the national average recurrent cost of the education of children with disabilities in government schools;
- 6) Recommend that in the interim, eligible children with disabilities (those who meet the Commonwealth guidelines for funding) attending non-government **regular** schools, receive general recurrent funding which is three times the current per capita funding amount;

- 7) Recommend that in the interim, eligible children with disabilities (those who meet the Commonwealth guidelines for funding) attending non-government **special** schools, receive general recurrent funding which is three times the current per capita funding amount; (approximate cost \$15 million);
- 8) Recommend that non-government school children with disabilities remain entitled to access to Commonwealth targeted program funding and any other current funding arrangements in place for non-government school children with disabilities at both the State/Territory and Commonwealth level;
- 9) Recommend that governments maintain and increase investment in the professional development of teachers;
- 10) Recommend that teacher training and in-service courses provide information on learning disabilities and difficulties as a compulsory unit of the curriculum
- 11) Recommend that teacher training and in-service courses provide information on the effect of parent partnership on their children's learning outcomes to support the research on the understanding of the context of family and parenting as complementary to teachers' work
- 12) Explore the potential of primary school sites as the place to develop parenting resource centres for parents of children in the early years
- 13) Recommend investigation and research on the best way to implement partnerships between parents and teachers, homes and schools.

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April 2002  
J Lonergan  
Executive Director



**TO: THE SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION  
REFERENCES COMMITTEE**

**APC SUBMISSION  
INQUIRY INTO THE EDUCATION OF CHILDREN WITH DISABILITIES**

**1 The Australian Parents Council (APC)**

The APC is the national peak body representing parents of children attending non-government schools of all types and denominations throughout Australia. Established in 1962, it has statewide affiliates in all the States and the Northern Territory. The APC aims to foster choice in schooling, improvement in school education and equity in the distribution of government funds available for school education.

This submission is concerned with the situation of school children with disabilities attending non-government regular and non-government special schools. It notes the large increase in enrolment of children with disabilities in regular non-government schools over the past ten years and the increase in levels of impairment of those children whose parents choose non-government special schools for their children. It highlights the gap in public funding between government and non-government school students with disabilities and the great difficulty in establishing comparative costs, and calls for this to be addressed.

The APC believes that in the long term, funding for each student with a disability should be based upon that student's educational and support requirements and publicly funded. The present position is far from this. However, there is plenty of evidence to support the immediate provision of improved funding for children with disabilities attending non-government schools and non-government special schools.

The submission also refers to the comprehensive research that points to the importance of building partnerships between parents and teachers, homes and schools for the benefit of the schooling outcomes of all children.

**2 Principles**

The principles underpinning the work of the APC in education are as stated in Article 26 of the Universal Declaration of Human Rights, which sets out the imperative for education and the nature of that education.

*Article 26*

*1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible on the basis of merit.*

*2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms.*

*It shall promote understanding tolerance and friendship among all nations, racial or religious groups and shall further the activities of the United Nations for the maintenance of peace.*

*3) Parents have a prior right to choose the kind of education that shall be given to their children.*

### ***Recommendation 1***

The APC recommends that this Inquiry

Endorse the statements in Article 26 of the Universal Declaration of Human Rights concerning everyone's right to education, the nature of education and the right of parents to choose the kind of education that shall be given to their children;

## **3 Obligation of Governments to children with disabilities**

Article 23 of the Convention on the Rights of the Child to which Australia is a signatory, sets out the obligation of states parties in relation to children with disabilities.

### **Article 23 (2 and 3)**

*2) States Parties recognise the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.*

*3) Recognising the special needs of a disabled child, assistance extended in paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child and shall be designed to ensure that the disabled child has effective access to and receives, education, training, health care services and rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.*

The Convention recognises the right and responsibility of parents to educate their disabled child in accordance with their own spiritual and cultural beliefs. It also recognises that, while individual family circumstances need to be taken into account, whenever possible that education shall be provided free.

### ***Recommendation 2***

The APC recommends that this Inquiry

Accept that governments have an obligation towards all children with disabilities as set out in the Convention on the Rights of the Child and recommend the non-discriminatory distribution of public resources to support that obligation;

## **4 Governments' recurrent funding for children with disabilities in Australia**

**Public funding for government school children with disabilities**

In the government school sector, States and Territories, assisted by the Commonwealth, provide general recurrent funding for children with disabilities enrolled in regular government schools, special facilities and special schools at levels which appear to be on average three to five times the actual average government school recurrent cost of educating regular children in government schools of about \$8,000 per student.

Although it has been impossible in the past to extract state/territory information on the average government school recurrent cost for children with disabilities, recent ongoing research by the National Council of Independent Schools' Associations (NCISA) reveals the following:

- In WA the estimated average per student recurrent cost of educating children in government education support schools and centres was \$26,344 in the 2001-02 financial year.
- In Queensland the estimated average per student recurrent cost of provision of services in special education facilities in government schools is \$21,901 for the 2001-02 financial year.
- In the ACT the estimated average per student recurrent costs of special education provision delivered by government special schools is \$37,695 in the 2001-02 financial year. The estimated average per student recurrent cost of special education delivered in mainstream settings is \$19,307.
- In Victoria the inclusive level of charges for full fee paying international students with disabilities attending government schools for the six levels of disability defined by the Victorian Government range from \$11,689 per student with level 1 impairment to \$36,074 per student at Level 6 (the highest level of impairment).

**Similar information from other states is currently being researched and when derived, could contribute to the calculation of an Australian annual average government school recurrent cost for children with disabilities.**

Average Government School Recurrent Cost (AGSRC) for the education of children attending regular government schools has long been available, and is the basis of calculating per capita Commonwealth recurrent funding for children attending non-government schools.

***Public recurrent funding for non-government school children with disabilities, Commonwealth***

***Non-government regular schools***

Children with disabilities attending non-government schools are allocated

- the same general recurrent per capita funding amount as regular children at the school, that is from 13.7% (\$737 primary and \$973 secondary) to 70% (\$3765 primary to \$4971 secondary) of the Average Government School Recurrent Cost (AGSRC) for regular children attending the school. Plus

- Strategic assistance of \$589 for each student with disabilities.

(There is also a transition funding measure in place for some children to offset changes to funding for children with disabilities in schools formerly categorised in levels 1 to 9. This program applies only to children who were eligible for special education funding in the year 2000 and will phase out in 2004)

- access to targeted funding under the Commonwealth's Strategic Assistance for Improving Student Outcomes Program. This funding is administered by non-government school authorities

at at the state/territory level on a carefully constructed formula of the needs of each student according to levels of individual impairment.

The Commonwealth funding available for the former special education component of this program has not kept pace with the rising numbers of children with disabilities attending regular non-government schools, which has increased by some 78% since 1995.

The Strategic Assistance for Improving Student Outcomes Program combines the former special education funding program and literacy and numeracy funding program. The objectives of the Strategic Assistance for Improving Student Outcomes Program are not limited to children with disabilities.

#### *Non-government Special schools*

Children attending non-government special schools are allocated per capita general recurrent funding at the highest level, - 70% of AGSRC which is approximately \$3,540 per primary school student and \$4,636 per secondary school student in 2002.

These children are also eligible to receive an additional amount of Commonwealth funding from the Commonwealth Strategic Assistance for Improving Student Outcomes Program along with those children with disabilities attending regular non-government schools. These amounts will vary according to the level of funds available .

#### State/Territory

At the State level, non-government school children with disabilities receive per State/Territory capita funding amounts which in most states varies with the school attended and is generally about one half of the Commonwealth general recurrent funding. States also provide additional benefits and these vary from state to state.

#### **Funding Summary**

**Governments' general recurrent per student funding for non-government school children with disabilities even at the highest level, would rarely exceed the real average per capita cost of regular education in a government school, less than one third of public funding for some government school children with disabilities. (The notable exception is in Western Australia where some 11 non-government children with severe disabilities are funded at a special per capita rate of \$18,578.)**

**In the non-government schooling sector, the funding short fall for the education of children with disabilities - in some cases amounting to many thousands of dollars, has to be found from fees paid by parents and/or the support of the school community in the particular school attended.**

The funding short fall in non-government special schools tends to be worse as these schools increasingly enrol the most impaired children with the highest costs. In the overwhelming majority of cases parents are unable to contribute financially in a significant way. The special schools rely heavily on charitable donations and fundraising to continue their vital work.

#### **5 Enrolments of children with disabilities in the schooling sectors**

Independent School Sector - The National Council of Independent Schools Association (NCISA) estimates that in the year 2000, 5,659 children with disabilities (1.5% of enrolments) were being educated in the independent school sector. Some 1,214 of these children attended independent special schools.

Catholic School Sector - In the Catholic sector, there were 14,157 children with disabilities representing 2.2% of total enrolments, with 645 of these children attending special schools.

Government School Sector - In the government sector there were 89,807 children with disabilities, some 3.9% of full time children.

## **6 Australian Legislation**

At the Federal level, the Disability Discrimination Act 1992 makes discrimination on the basis of disabilities unlawful with respect to a range of life opportunities, including access to education services. States also have anti-discrimination legislation relating to people with disabilities.

Under Section 22 of the Disability Discrimination Act 1992, it is unlawful for an educational authority to discriminate against a person on the ground of the person's disability by refusing to accept the person's application for enrolment for education, in the terms and conditions of admission to the institution, or, once the person is a student, by denying the student access to any benefit, expelling the student or imposing any other detriment.

Section 22 (4) raises the possibility of exemption from the provisions of the legislation if services required by the student with a disability would impose 'unjustifiable hardship' on the educational authority.

The meaning and application of the test of 'unjustifiable hardship' have been canvassed frequently in court. No clear precedent has been established due to the unique impact of the impairment of each student and their particular circumstances.

**The current legislative regime places the onus of compliance and associated costs squarely on the educational authority and the school communities.**

The non-government schooling sector has demonstrated willingness to provide education for children with disabilities in integrated settings. However, the financial resources and specialist help required to diagnose and provide properly for the student, is not guaranteed from the public purse, as is the case in the overwhelming majority of situations in the government school sector.

In the non-government sector, these costs have to be provided by parents and the school community out of resources for the other students.

In the 1999 Adelaide Declaration on National Goals for Schooling in the Twenty-First Century, Australian Governments, State, Territory and Commonwealth, made a commitment to schooling for all students which develop fully their talents and capacities and which is socially just. According to the Declaration, students' outcomes from schooling should be "*free from the effects of negative forms of discrimination based on sex, language, culture and ethnicity, religions and disability; and of differences arising from students' socio-economic background or geographic location.*" (The Adelaide Declaration on National Goals for Schooling in the Twenty-First Century, 1999, Ministerial Council on Education, Employment, Training and Youth Affairs.)

Steps must be taken to correct this discriminatory treatment of those who choose non-government school education for their children with disabilities. The urgent need for additional government funding assistance for children attending non-government special schools, where levels of impairment are highest and where reliance for funding is placed on decreasing charitable donations should also be addressed.

### ***Recommendations 3-8***

The APC recommends that this inquiry:

Recognise the vast discrimination gap in current public funding arrangements for children with disabilities attending government schools and those attending non-government schools in Australia;

Recommend the establishment of a consistent, transparent method of calculating the real, total national average government school recurrent cost for the education of children with disabilities which includes all elements of expenditure on government school education of children with disabilities;

Recommend that government funding arrangements for the support of children with disabilities be expressed and paid as a proportion of the national average recurrent cost of the education of children with disabilities in government schools;

Recommend that in the interim, eligible children with disabilities (those who meet the Commonwealth guidelines for funding) attending non-government **regular** schools, receive general recurrent funding which is three times the current per capita funding amount;

Recommend that in the interim, eligible children with disabilities (those who meet the Commonwealth guidelines for funding) attending non-government **special** schools, receive general recurrent funding which is three the current per capita funding amount; (approximate cost \$15 million);

Recommend that non-government school children with disabilities remain entitled to access to Commonwealth targeted program funding and any other current funding arrangements in place for non-government school children with disabilities at both the State/Territory and Commonwealth level.

## **7 Other Support Measures for Non-government School Children with Disabilities**

Availability of levels and types of support for students with disabilities varies from state to state. In the absence of a consistent, national approach to the definition of students with disabilities, this will continue to be so.

The APC is not in a position to provide data on the availability of specialist and other support services for the diagnosis and ongoing support of children with disabilities. Anecdotally, parents report difficulties of cost and access to specialist services. They also report withdrawal of teacher aides due to lack of funds. These difficulties ought to be addressed.

Also parents report difficulties for schools in finding the funds for adapting or providing suitable facilities.

As far as the provision of capital is concerned, most capital provision in the non-government schooling sector, (more than 85%), comes from parents and school communities, while in the government school sector, capital is provided in the main by State and Territory governments, with the Commonwealth contributing the rest.

Government school parents are not expected to contribute to capital provision in government schools.



## **8 Improving Learning Outcomes for children (with or without learning disabilities and difficulties) - Partnership between parents and teachers, homes and schools**

The terms of reference for the inquiry seek to take account of a significant minority of Australian school children with learning difficulties. These are an extremely varied group, with cognitive, behavioural, oral language and a range of other difficulties, sometimes accompanied by family disruption, socio-economic disadvantage and/or other social circumstances.

The current Commonwealth definition for eligibility for additional funding in relation to impairments specifically excludes such children.

*"Children whose only impairments are specific learning difficulties or for whom remedial education or remedial support is appropriate, are not eligible"* (Quadrennial Administrative Guidelines P 77)

In the non-government schooling sector therefore, early diagnosis and intervention, support, whether transitory or ongoing, ameliorating the effect on other students and providing any additional resources falls on teachers, parents and the school communities.

A major policy objective of the Commonwealth Government, adopted by State and Territory Ministers in the 1999 National Goals, has been to provide all children with strong foundational literacy and numeracy skills. There is no doubt that such a policy objective ought to be continued as its achievement for all children overcomes a range of educational disadvantage, disability and difficulty.

Achievement of strong foundational literacy and numeracy skills for all students continues to be a major challenge for teachers, schools and families. It requires highly committed, well qualified and skilful teachers who are able to help with learning difficulties. Teacher training and ongoing professional development are essential .

It also requires strengthening partnerships between teachers and parents, homes and schools as a significant way forward in addressing the improvement of educational outcomes for all children.

Parents are the first educators of their children and they, along with other members of the communities in which children live and learn, have a vital influence on children's educational outcomes.

It is generally accepted that the involvement of parents and communities in children's learning has beneficial outcomes for both children and adults. The Federal government has recognised this and there are several current national projects that seek to explore the concept of partnership and its benefits on children's learning outcomes in literacy, numeracy, mental health and resilience.

The need for strong partnerships with parents for the benefit of children with learning difficulties and disabilities is even greater than for regular children. While there are descriptions and gradations for funding purposes for children with disabilities, there is no specific additional public funding for non-government school children with learning difficulties.

Children with learning difficulties are a very broad group with a multitude of different difficulties, emanating from a multitude of causes. APC believes that, as with regular children and children with disabilities, creation of true partnership with parents and teachers, homes and schools goes some way to achieving optimal learning outcomes from the education of children with learning difficulties.

In the recent work of Cuttance and Stokes, (2000, *Reporting on student and school achievement*, Canberra DETYA), it is suggested that:

*"The rationale for encouraging parents to be active partners in their children's education is built on research findings that show parental encouragement and support for learning activities at home, and parental involvement in schools and classrooms have a positive impact on children's learning..."*

*A particular aspect of parent involvement that is explored in a number of recent studies is the concept of parents as complementary educators or partners with teachers in the learning process.*

*Parents as partners with a shared sense of purpose with teachers provide the basis for improving student learning outcomes." (Pages 3,4)*

Cairney, Ruge, Buchanan, Lowe and Munsie (1995, *Developing Partnerships: The home, school, community interface*. Sydney: University of Western Sydney, Nepean.), note that:

*" Parent involvement in children's education is obviously an important element in effective schooling."*

The importance of establishing partnership and supporting parents as the primary educators of their children extends beyond school age children to their early years.

A report for the Government of Ontario, *Canada, Early Years Study: Reversing the Real Brain Drain*, by Professor Mustard, reviews recent developments in neuroscience and early child development.

He says that to improve the outcomes for all children, there has to be a willingness to support the development and operation of early childhood development and parenting centres. He also recognises the importance of school sites as a resource in the community and as a good site for early childhood development and parenting centres.

Professor Don Edgar, well known teacher and academic and the foundation director of the Australian Institute of Family Studies for fourteen years, echoes this recognition of school sites as important community places when he says in his book , *The Patchwork Nation* (2001), that "governments could designate every primary school as a family resource centre."

*"In particular, parent education programs could be centred around the primary schools, not conducted by school staff but by experts seconded from outside and funded by other departments. But they would work cooperatively with teachers to share their knowledge of family and community problems/needs, as partners in the education provided by the primary schools."*

## **9 What is needed for real partnership between teachers and parent, schools and homes.**

The teacher's role, the degree of professionalism and innovative pedagogical practice teachers bring to their students, availability of appropriate and ongoing professional development,

adequate time for preparation and programs, the quality of their relationships with their students - all are critical to student outcomes.

Teachers of children with disabilities and learning difficulties should have qualifications to recognise disabilities and difficulties and the strategies, resources and experience to deal with students appropriately. This is often not the case in an integrated school setting, with additional strain placed on teachers, students and families as a result.

Resources and training should be available to ensure that teachers are in the best position to draw out the full capacity of each student in their care. Teachers also need to know and understand the value of close partnership with parents in their child's education.

This type of partnership is much more than an umbrella term for all/any sort of school/ parent interaction. It requires a whole school approach to the involvement of parents and a willingness to view parents and the information they have about their children as valuable equals in the education enterprise.

The principles of collaborative partnership with parents according to Wolfenden 1983 mean:

- Abandoning the concept of parents as clients
- Consulting with parents in the same way as professionals are consulted
- Mutual involvement in setting of educational objectives and evaluating outcomes
- Central involvement of parents in educational provision
- Parents and teachers to take joint responsibility for educational outcomes

So schools need to involve parents in decision making about the educational agenda, seek parents' views about their children's needs and actively respond to parents' concerns.

It is essential that initiatives for partnership with parents emanate from the school. It is also important for schools to accept that the information parents have about their children is valuable and can help with improved learning outcomes. Developing and implementing a comprehensive range of strategies for the closer involvement and participation of parents in their children's education is particularly valuable for those schools and their communities where there are high percentages of varieties of educational disadvantage.

#### *Recommendations 9 - 13*

##### ***The APC recommends that this inquiry***

Recommend that governments maintain and increase investment in the professional development of teachers;

Recommend that teacher training and in-service courses provide information on learning disabilities and difficulties as a compulsory unit of the curriculum;

Recommend that teacher training and in-service courses provide information on the effect of parent partnership on their children's learning outcomes to support the research on the understanding of the context of family and parenting as complementary to teachers' work;

Explore the potential of primary school sites as the place to develop parenting resource centres for parents of children in the early years.

Recommend investigation and research on the best way to implement partnerships between parents and teachers, homes and schools.

Jo Lonergan  
Executive Director  
April 2002