

Inquiry into the education of students with disabilities, including learning disabilities, throughout all levels and sectors of education

A response from the University of Newcastle

Context

The higher education sector works within the following context - disability is defined by the Department of Education, Science and Training (DEST) and falls into six categories of impairment: vision; hearing; learning; medical; mobility; other.

Universities aim to comply with the Disability Discrimination Act, the '*Australian Vice-Chancellors' Committee Guidelines for Students with Disabilities*' and the '*Students with Disabilities: Code of Practice for Australian Institutions*'. The University of Newcastle has implemented its own '*Disability Action Plan*' and '*Policy for Students with Disabilities*'.

There are increasing numbers of students with disabilities entering the University of Newcastle. The access and participation rates for students with disabilities are well above the state and national averages. This may, in part, be due to the changes in eligibility for the Disability Support Pension. With job seeking and/or enrolment in education as conditions of eligibility for the pension, more and more students with disabilities are entering the higher education sector and are at risk of failing because they are not adequately prepared for the demands of higher education. The cost of supporting such students is high, in terms of the human and material resources in the disability support and learning support areas.

(1) (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

The criteria as defined by DEST are inadequate. The six categories are broad and can be interpreted in different ways. For example, should multiple sclerosis be defined as a mobility or medical impairment; where does psychiatric impairment fit?

The definitional criteria used by the school sector and the TAFE sector differ from those used in the higher education sector. To be meaningful, the definitions should be based on functional impairment in the educational setting and be consistent across the sectors.

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

The accuracy with which students' disability related needs are being assessed is poor. There is no specialised training in the provision of disability services for workers outside the school education system, and only then for teachers trained in special education. Similarly, there are no guidelines for medical practitioners for the types of adjustments that are appropriate or desirable for students with disabilities in the educational environment.

In regional areas, including major centres such as Newcastle, there are insufficient local services to provide assessment for learning disabilities; hence there is no objective indicator of academic ability.

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

Students with disabilities who fit into more than one equity target group are seriously disadvantaged. Disabilities alone can create a financial and emotional burden on individuals and families. When disability is coupled with a lack of infrastructure outside metropolitan areas; learning English as a second or other language; health problems in remote indigenous communities or other socio-economic factors, the chance of success for the student is diminished.

iv) The effectiveness and availability of early intervention programs

This University is not in a position to comment on early intervention programs.

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

The level of funding to support disability is inconsistent across the sectors. The school sector is seriously under-resourced. The TAFE sector has a much higher level of resourcing, including dedicated funds for disability support. The higher education sector is under-resourced as compared to other countries, including New Zealand. In New Zealand, for example, funding for disability services is provided per EFTSU.

Australian universities typically rely heavily on funding from the Higher Education Equity Program (HEEP) for disability support funding. 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.

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

This University is not in a position to comment.

vii) Teacher training and professional development

This University is not in a position to comment.

viii) The legal implications and resource demands of current Commonwealth, state and territory legislation

The biggest problem with disability legislation is that the Disability Discrimination Act is complaints-based legislation. This creates a reactive rather than a proactive approach to disability support.

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

The role of the Commonwealth, states and territories should be to provide an overall strategy for meaningful outcomes for students with disabilities. There is a community expectation of K-12 education for all students, followed by some sort of tertiary education.

Currently, this is not the case. Some students with disabilities have unrealistic expectations about what they are able to achieve. Others have the ability but fall through the net. There is some pressure on universities to compromise their standards by letting marginal students pass because they have a disability. The temptation to pass students is usually in response to litigious threats from students or the fear of litigation. University academics are strongly opposed to this type of veiled harassment. The universities need the Federal Government to support them in their stance to maintain academic standards.