

Submission for Senate Inquiry into the Education of Students with Disabilities.

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Background

The Tertiary Education Disability Council of Australia (TEDCA Ltd) is the peak body for regional network groups of service providers and consumers concerned with the education and employment needs of people with disabilities in post-secondary education. Provision is made through TEDCA's Constitution for two councillors to represent the higher education and vocational education and training sectors in each state and territory. State/Territory networks usually nominate the people for these positions from their membership. Generally, Council meetings are held via teleconference. However Council does try to have at least two face-to-face meetings a year.

Significant initiatives supported by TEDCA include:

- National Clearinghouse on Education and Training for People with Disabilities (NCET)
- austed-list
- *Pathways* Conferences: Pathways 4 – Perth 1998; Pathways 5 – Canberra 2000; and Pathways 6 – Sydney 2002.

The following steps were taken to prepare this submission.

- The austed-list server was used to advise subscribers of the Inquiry and its Terms of Reference.
- Subscribers were invited to suggest issues that they felt should be raised in a submission. A number of responses to this invitation were received from individuals and groups of service providers.
- These issues were then summarised and posted to the list in order to elicit further comment or information.
- Finally the response to the Terms of Reference was circulated, again by the list, to provide people with an opportunity to comment and signal their support for the submission.

The comments and issues raised also reflect issues that have been raised by state or territory representatives at Council meetings or by subscribers to the austed-list and are not necessarily those of the author of the submission.

Introduction

People with disabilities aspire to participate fully in and make valued contributions to the life of the communities in which they live. In this way they are no different to anyone else. The difference however, lies in whether they will have the same opportunity as people without disabilities to realise their potential. Providing for their access to and participation in the educational community where they can acquire essential knowledge and skills that will enable them to enter the workforce can significantly assist this process. Too often, people with disabilities are seen as welfare recipients who are a liability to the community and a drain on the economy. Participation in tertiary education has the potential to change people's lives and dispel these myths.

Numerous initiatives and reports have provided the foundations of the policy framework within which tertiary institutions operate today. Some of these include: the United Nations' International Year of Disabled Persons in 1981; *A Fair Chance for All* (1990); *Commonwealth Higher Education Equity Program*; *FlexAbility, A strategic Framework for people with disabilities in TAFE 1994 – 1996* (1992), *Students with Disabilities: Code of Practice for Australian Tertiary Institutions* (1998) and *Bridging Pathways* (2000). Tertiary education

institutions seek to foster attitudes and provide services that enable students with disabilities to pursue their personal, academic and vocational goals.

Response to Terms of Reference

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,

While some of the issues raised below relate to the way in which data is currently gathered about people with disabilities engaged in programs in the tertiary sector, it is important to emphasise that one should not make assumptions about either the potential of a student with a disability to participate in tertiary education or the nature of the support that they may require to facilitate their access and participation, based on their identification of having a particular impairment or condition.

The following issues have been raised in response to this term of reference.

- **The need to use a consistent definition of disability and to identify common disability categories across the tertiary sector – higher education and vocational education and training.**

It would be useful to extend this across all sectors as it is difficult to discuss issues, examine trends and make comparisons when different areas within the same sector and different sectors cannot share data and identify common performance indicators.

- **The need to encourage students to disclose their disabilities at every step of the admissions process; from application to enrolment.**

It is critical for universities and vocational education and training providers to have this information well in advance in order to effectively plan service delivery. The wording of questions requesting information about disability should be clear in their intent and encouraging in their tone.

- **Expand scope of data collected.**

Until recently, data collected has not been able to describe the complexity of the support provided for individual students with disabilities. The recent implementation of the DEST program to provide additional funding for students with high cost support needs will begin to provide a more comprehensive picture the nature of support that is being provided to students and the costs of this support. However, it is only part of the picture and it may be useful to consider the nature of additional data that may be collected that would illustrate the complex support provided to students who do not incur high cost support but whose support requires intensive input from the Disability Officer. For example: the numbers students with mental illnesses and neurological conditions engaged in higher education seem to be increasing and support for these students can require a significant investment of time and energy by Disability Officers.

- **Engage in a more meaningful analysis of data**

It would also be useful to engage in a more comprehensive analysis of data related to the enrolment trends and outcomes for students with particular disabilities. There is anecdotal evidence from Disability Officers that suggests that they are seeing increasing numbers of students with mental illness and learning disabilities. More detailed analysis of trends would be useful to inform forward planning and resource allocation.

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

It is not possible to respond to this term of reference with a simple statement that indicates that students' disability related needs are being assessed accurately or not.

It is probably more important to understand:

- why it is necessary to ascertain a student's support requirements in the context of the program of study that they are undertaking;
- how this be done effectively; and
- the role that the tertiary education provider has in the assessment process.

Most, if not all, **tertiary education providers request students to provide documentation** that outlines the nature of their disability and how their impairment or condition impacts upon them, specifically in the educational context. This is not done to categorise students and confirm their eligibility for support or to exclude them from particular programs of study. It is essential though because it is most important that the student, the Disability Officer and academic staff/trainers consider the impact that the person's impairment or condition has in the context of the specific program of study that they are undertaking and the inherent requirements that have been articulated for that program. It is vital that high quality information in the form of reports and assessments informs this discussion.

The 'assessment' that the Disability Officer engages in is not diagnostic. It is one of review, evaluation and collaborative problem solving and draws upon the knowledge, skills and experience of the Disability Officer. Therefore it is important that tertiary institutions ensure that staff employed in these roles have the necessary skills to be able to discharge their duties effectively. This point needs to be emphasised because there is anecdotal evidence to suggest that these role of the Disability Officer has become marginalised in some institutions. This may be due to the role and support provided being viewed as being a drain on limited resources. However there are institutions where the role is valued and any expenditure is seen as an investment in positive outcomes for the student and in the long-term for society.

The variations in position descriptions and remuneration that occur from system to system, state to state and institution to institution have the effect of creating inconsistencies in service delivery across the sector. This in turn creates uncertainties for students with disabilities. For instance, a student may be receiving support from a specialist teacher consultant in one educational environment. However they may relocate to another region or state and the support may change completely.

As was mentioned earlier in this discussion, **the quality of the assessments that the student has access to**, influence the discussion about their support requirements. The issue that emerges here is that for some impairments, assessments can vary in quality greatly. One area of concern is that of assessments for students with learning disabilities. A 'good' quality assessment should not only identify the nature of the impairment but also examine how that impairment will impact on the student in the learning environment and provide

strategies that both the student and the institution can implement in order to facilitate the acquisition of knowledge and skills for the student and their demonstration of this knowledge and skills. Students need to be able to access information about the nature of particular assessments so that they can evaluate the quality of services provided by those offering assessment services. There also needs to be wider discussion among professionals about what constitutes good practice in the assessment for a number of disabilities.

The question that is often debated particularly in relation to students obtaining assessments for learning disabilities, is '**Who is responsible for bearing the cost of the assessment**, the tertiary education provider or the student?' Persuasive arguments can be mounted supporting a range of contentions from the educational provider to the individual student. Rather than simply trying to argue that one perspective is right or wrong, effort may be better expended if attention is focused on investigating alternative options that will assist in the offsetting of the costs. Previously canvassed options as well as new funding options need to be explored. For instance, where do students generally source their documentation and how do they pay for it? Those students with impairments and conditions for which medical documentation can be obtained would rely on the Medicare system. Perhaps there is merit in exploring whether there is the scope to include assessments done by psychologists on the schedule of services covered by Medicare. Are there other options and/or funding models that need further consideration.

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

This term of reference covers a huge range of issues and perhaps the best option for the Committee is to consider research that has been done in relation to the needs of students with disabilities who are members of these other groups. It might be that there is a dearth of useful research, in which case this clearly suggests that resources need to be allocated so that research can be undertaken that will inform policies and programs in the future.

It is important to make the following points:

- People with disabilities may identify with one or more of these groups.
- The disadvantage that people with disabilities experience is compounded by many factors including those identified here.
- The 'needs' of a person with a disability who identifies with another disadvantaged group may be very different to the 'needs' of another person with a disability in the same group. It is just not possible to generalise.

The following are specific issues that have been raised in relation to this term of reference.

- **Students with disabilities from low socio-economic backgrounds.**

It would be useful for the Committee to refer to the report prepared by Yvette Devlin, *Paying their Way: A survey of Australian undergraduate university student finances* http://www.avcc.edu.au/news/public_statements/publications/final_report_rev_22_oct_01.pdf)

The report has an extensive number of tables where **the findings for students with disabilities are compared with those for students without disabilities**. The following information comes from the report.

Table 3.4: Students with disabilities are more likely to be on Government income support (35% cf 32.7%)

Table 4.2: Students with disabilities are more likely to have taken out a repayable loan (16.4% cf 10.3%)

Table 5.2: Students with disabilities are less likely to pay HECS up front (21.9% cf 27.3%)

Table 6.2: financial circumstances are more likely to have influenced the choice of course (18% cf 10.6%)

Table 6.3: financial circumstances are more likely to have influenced the choice of university (24.2% cf 17%)

Table 6.4: financial circumstances are more likely to have influenced the choice of mode of study (33.6% cf 22.6%)

Table 8.3: Students with disabilities are less likely to be in paid employment (64.5% cf 76.8%)

Table 8.5: if in paid employment during semester, students with disabilities are more likely to miss classes 'frequently' or 'sometimes' (46.7% cf 36.8%)

Table 8.7: if in paid employment during semester, students with disabilities are more likely to have their study adversely affected due to work (25.9% cf 18.8%)

Table 9.3: for those with dependents, students with disabilities are more likely to miss classes because they cannot afford child care (30.4% cf 20.1%).

In summary, the report found evidence of students with disabilities being relatively disadvantaged on all the major financial indicators compared with other students.

There are inconsistencies between the rules for students who need to study part time because of their disability and who are on Youth Allowance and those who are on AUSTUDY. Many students with disabilities are not eligible for Disability Support Pension, so they need to claim Youth Allowance or Austudy. Students with disabilities on Austudy are able to undertake a concessional workload. However this is not the case for students with disabilities claiming Youth Allowance. This seems to be further complicated by the age of students, those under 21 and those between 21 and 24, and the workload being undertaken - above or below 66%. This is something that needs to be investigated further and perhaps specific case studies need to be used to highlight the inequalities of this system.

Concern has also been expressed in relation to **post-graduate students with disabilities** who have taken up higher degree research under the research training scheme. If students, due to an on-going or temporary disability, cannot complete their course in the prescribed time, their funding support is being withdrawn.

It is also important to note that there are **few Commonwealth and private sector scholarships** available to assist students with disabilities to meet the real and significant costs associated with their studies. Such costs include those associated with the purchase of assistive technology and human support.

- **Students with disabilities in regional, rural and remote areas.**

Another issue that has been raised is that of the **limited access that students with disabilities have to specialised support services in regional and remote areas**. For example, it is difficult for educational institutions to access qualified sign language interpreters outside of major metropolitan centres. A briefing paper that outlines some research that was undertaken for TEDCA is attached for reference. The impact of such limited access is that students either need to move to major metropolitan centres in order to continue their studies or examine whether there are other options available for the programs that they wish to undertake, such as online education. Regardless of the final decision, there are costs associated with any such decision. For example if a student with a disability moves to a metropolitan centre to continue their study there are costs associated with moving to and living in the city. They also have to re-establish personal support networks that are invaluable to them. Should a student with a disability decide to explore the online learning option, they may incur significant costs setting up the necessary assistive technology. Then there is the genuine concern that they are missing out on the benefits of socialising with their peers and engaging in the academic community.

On a similar theme, concerns have been expressed that there are a number of **misconceptions about the benefit that online education for students with disabilities**. The broader issues related to online education are canvassed in a paper written by Dr Yoni Ryan (QUT) for the conference: *Online Learning in a Borderless Market* (www.dest.gov.au/highered/eippubs/eip01_7/01_7.pdf)

While not referring specifically to students with disabilities, Dr Ryan asks the question, 'Are our Students Prepared (for Online Education)?' She refers to their disposition towards online learning and their competence and concludes that the push for online education has been supply-driven rather than being demand-driven. She points out that the research suggests that 'the real potential of online education is for those already socialised into the community through work or domestic links.' (Ryan, 2001:29) The reason for raising this issue is not to say that online education should not be seen as an option for students with disabilities but rather that **it should be seen as just one of a number of options** that students with disabilities should consider. Their options should not be restricted simply because they live in a regional or remote area or have high support needs.

Another issue that arises for students with disabilities in rural and remote areas is that they may have **limited access to an institution's disability support staff**. This may be the case when institutions have large multi-campus operations spread over a wide geographic area. While there may be a number of strategies that could be implemented to ensure that disabilities services are provided on each campus, the result is often that students with disabilities at these smaller campuses may find it more difficult to access this support than their peers in metropolitan institutions.

- **Indigenous students with disabilities**

The following points have been made in relation to indigenous students particularly in the Northern Territory. (Information is from the Regional Disability Liaison Officer for the NT)

- Over 85% of the total number of indigenous students enrolled in tertiary academic programs in the Northern Territory identify as students with a disability.
- Any policies or programs need to take into consideration the cultural and linguistic diversity of the many communities and regions.

- Strong local networks are central to the provision of appropriate support and successful outcomes for indigenous people with disabilities.
- There are a number of issues related to the disclosure of disability including:
 - Concern about ramifications of disclosure;
 - May not identify that they have a disability because they are unaware of the impact that their impairment or condition may have on them in the learning environment;
 - Not used to seeking support from outside of their traditional networks;
 - Don't wish to be a burden by asking for assistance.
- Many young indigenous people with disabilities do not attend compulsory schooling and so do not have the necessary skills to participate in the tertiary learning environment.
- There is a need for a Disability Liaison Officer in each of the Indigenous Tertiary Education sectors within the Northern Territory.

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

Issues have been raised in relation to the adequacy of funding for

- institutions to support students with disabilities; and
- for students themselves.

There is no doubt that even if there was not a trend towards increasing numbers of students with disabilities participating in tertiary education, institutions would still be facing quite **significant increases to the cost of providing supports for students with disabilities**. Salary increases and changes in pricing policies for some private service providers (e.g. (NILS) have underpinned these increasing costs. Also there are increasing costs in relation to equipment upgrades. However, these increasing costs have not been accounted for in either the funding programs of governments or disability service budgets of many institutions.

In addition it is unusual to find a budget that takes into account the increasing operational costs for the delivery of disability services. For example, are the expenses incurred by disability support staff engaged in cross-campus service delivery taken into account or does the staff member indirectly bear the burden of these costs (wear and tear on private vehicles etc, including traveling time into the overall hours worked)?

The **additional funding for students with high cost support needs** that is being provided by DEST for higher education institutions is a small step in the right direction. However, there are concerns that:

- The threshold above which the reimbursement of expenditure will be made may vary from semester to semester depending on the demand for the funding.
- The percentage of additional funding to be reimbursed has also not been specified and may also fluctuate.
- There may not be continuity of funding given that there is already talk of changed Federal Government budget priorities.
- The program does not recognise or encourage the development of cost-effective models of service delivery.

Another area where funding is currently inadequate to meet the needs of the sector is the **allocation of research funding**. There is a real need for funding to be made to enable the research that is necessary to shape future policy and practice to be undertaken.

Some of the specific issues as they relate to the adequacy of funding for students with disabilities have already been outlined. It is widely acknowledged that having a disability imposes additional costs on an individual. From the cases that Disability Officers become aware of on a daily basis it would seem that the **options for income support or assistance to undertake tertiary study are inadequate to meet the needs of students with disabilities**. It is also important to bear in mind that while many students find it necessary to supplement their income with part-time employment, students with disabilities are perhaps less likely to be in a position to be able to do so.

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

One of the issues that has been raised in relation to this term of reference is the fact that **there are significant differences in the nature, extent and funding for programs in the tertiary sector and for students with disabilities in the sector**. This results in different levels of service provision for students with disabilities in tertiary education between states, sectors and even institutions in the same sector. This issue in itself is quite complex because it reflects differences in funding models, resources allocated, personnel available and their roles and how these are valued. For example students with disabilities undertaking programs in one state in the vocational education and training sector may have access to specialist teacher consultants to facilitate their inclusion in mainstream programs. This however, may not be the case in another state or territory. These differences can also be seen within the same institution. For example in states and territories where there are tertiary education providers that operate across sectors, then students with very similar support requirements at the same institution may have their support funded from different sources.

The differences between the programs available to provide for inclusion in the learning environment also extend to **programs by other federal and state government departments**. For example students with disabilities who require assistance with personal care may be eligible for very differently funded programs. Tertiary education providers provide participation assistants to facilitate participation in course related activities such as laboratories etc. However, the provision of personal care is seen to be outside of the services that should be provided by tertiary education providers as this type of support relates to whole of life/lifestyle support and so regardless of what activities a person with a disability engages in after completing their compulsory education, they would require personal support. That is they would require the support to participate in higher education activities, training,

employment and leisure and recreational activities as well as day-to-day activities. However each state and territory has different programs with different eligibility criteria. There are instances where students with personal care requirements qualify for support, but their need is seen to be of a lower priority so they are still unable to engage in educational activities without the support of family or friends. There are other instances where the allocation of support hours is not sufficient to allow the student to undertake their study at the level that they could manage. For example a student may only have enough hours to cover their care requirements for two courses a semester at university rather than the three with which they may be able to cope. This impacts on students with disabilities in other ways in that the funding for such personal support is unlikely to be portable. If a student decided to undertake their study in a different state/territory they would be unlikely to be able to take their funding with them and then they may find that they might be ineligible to receive funding elsewhere because of the criteria applied for that funding.

The issue of availability of programs that will assist prospective **tertiary students with disabilities who have been educationally disadvantaged** during their schooling and who do not have the pre-requisite knowledge and skills necessary to participate in tertiary studies has also been raised. People with disabilities who have previously not had access to the necessary support that would enable them to participate in mainstream programs may find it difficult to find programs that will assist them to develop the necessary core skills and personal management skills to facilitate their transition to study at a tertiary level. One area of particular concern is the fact that there are few programs available to assist people with disabilities to develop competence in using assistive technologies that have the potential to facilitate their participation in further studies.

vii) *teacher training and professional development*

There are three specific issues that have been raised in relation to this point.

There is a need for professional development activities for staff in the Disabilities Services area. This is particularly urgent as the quality of support provided to students with disabilities is related to the knowledge, skills and experiences of the disability support staff. People come into these roles from diverse backgrounds and bring a wealth of experiences and skills, however what is essential is that they apply these skills to their work in the tertiary education environment. This requires a level of understanding about how the sector works etc that often is developed over years of experience but which may need to be developed quickly in staff new to the area. Current professional development resources need to be reviewed and accredited training opportunities promoted and funded.

The need for developmental work to be done in relation to innovative approaches to the delivery of professional development for academic and general staff that assist them to facilitate the inclusion of students with disabilities in a constantly changing and very demanding learning environment.

Once again there is an **urgent need for funding for accredited training programs for specialist support personnel**, e.g. sign language interpreters so that there is a qualified pool of people able to work not only in the metropolitan areas but also the regional and rural areas. It is recommended that there be an audit of the

type of skills that are required by the sector and either existing training programs extended to meet the unmet demand or appropriate training programs be developed.

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

One topic of frequent discussion on the austed-list server is that of **the legal implications of having some students participating in work placements** and just what would be considered 'reasonable' accommodations in particular contexts. This is such a complex area. A coordinated national approach needs to be taken to work through the issues with various professional bodies so that the parameters and implications of all related legislation (eg Workplace Health and Safety and specific legislation that regulates particular professions) can be taken into consideration. This issue is also central to discussions that need to take place about the inherent requirements of programs that lead to professional registration.

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

There is a great need for all sectors of government to coordinate their funding and support so there are fewer gaps in the system through which students with disabilities can fall. People need to be able to access information about all of their entitlements easily and the conditions for accessing support need to be consistent from state to state, sector to sector. Otherwise the opportunity for students with disabilities to participate in tertiary education activities and the resulting benefits for the individual and for society more broadly will not be realised.

A final word relates to the need for all levels of government to ensure that the policies and programs that they develop do not perpetuate long-standing systemic discriminatory practices that have evolved over the years. While policy cannot be developed without consideration of the resources that are available for its implementation, a more long-term perspective needs to be taken about the benefits to people with disabilities and to society, if people with disabilities have the opportunity to participate in and achieve successful outcomes from tertiary education. Perhaps the only question this Inquiry needed to ask was 'Do students with disabilities have access to the same opportunities as students who do not, to access education at all levels?' The answer to this should drive future policy and practice.

Attachment

Briefing Paper drafted on behalf of TEDCA on the issues related to the se of sign language interpreters in the tertiary sector. (electronic version)

Useful Resources

- *Students with Disabilities: Code of Practice for Australian Tertiary Institutions* (February 1998)
http://www.qut.edu.au/pubs/disabilities/national_code/code.html
- *AV-CC Guidelines Relating to Students with Disabilities*
http://www.avcc.edu.au/news/public_statements/publications/gldi_sab.htm
- Long, M. and Hayden, M. (2201) *Paying their Way: A survey of Australian undergraduate university student finances*

http://www.avcc.edu.au/news/public_statements/publications/final_report_rev_22_oct_01.pdf

- *Online Learning in a Borderless Market* (2001)
www.dest.gov.au/highered/eippubs/eip01_7/01_7.pdf
- Andrews, R and Smith, J. (1993) *Additional Costs of Education and Training for People with Disabilities*, AGPS, Canberra.
- NBEET, (1994) *Guidelines for Disability Services in Higher Education*, AGPS, Canberra.
- *Bridging Pathways* (2000 - 2005) A national strategy for increasing opportunities for people with disabilities in vocational education and training.
<http://www.anta.gov.au/dapBridging.asp>

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