



ASSOCIATION OF INDEPENDENT SCHOOLS OF WESTERN AUSTRALIA Inc

Submission to the Inquiry into the Education of Students with Disabilities

Background

- The Association of Independent Schools of Western Australia is a voluntary association of 136 schools located in metropolitan Perth and rural and remote areas of Western Australia. Member schools are a diverse group of non-government schools serving a range of different communities. Included in the membership are:
 - Schools affiliated with larger and smaller Christian denominations, for example, Anglican, Baptist, Catholic, Lutheran, Presbyterian
 - Non-denominational Christian schools
 - Islamic schools
 - A Jewish school
 - Community Schools
 - Montessori schools
 - Rudolf Steiner schools
 - Indigenous community schools
 - The Speech and Hearing Centre

Among the membership are schools with common aims and educational philosophies that are governed and administered as small systems, for example Anglican Schools Commission schools and the schools of the Swan Christian Education Association.

- Only one member school could be classified as a special school catering only for the needs of students with disabilities, namely The Speech & Hearing Centre. There are three schools which have units for students with disabilities namely Christ Church Grammar School (primary and secondary classes), Methodist Ladies' College (one secondary class) and The Beehive Montessori School (one primary class). All other students with disabilities are integrated into mainstream classes. This number is increasing annually.
- The Association does not hold data on the total number of students with disabilities enrolled in member schools. Data is held only in respect of those students whose schools apply for SAISO funding each year. Hence the figures available are an under estimate since the funding is so inadequate that schools in which the students are classified as having a mild disability do not apply knowing that funding will not be available. The Association estimates that there are approximately 500 students with disabilities. In addition between 5-6% of students have been diagnosed and receive medication for ADD/ADHD. It is impossible to estimate the number of students with learning difficulties, but this is probably in the order of the percentage identified in OECD studies.

Criteria used to define disability and to differentiate between levels of handicap

- Within schools, the broad definition used in the Disability Discrimination Act 1992 is accepted and includes physical, sensory, intellectual, learning, behavioural, social/ emotional disabilities.
- State funding for independent schools is based on the list of students who receive Strategic Assistance for Improving Student Outcomes Program (Commonwealth supplementary funding – formerly Commonwealth Targeted Programs), hence the Commonwealth definition determines the eligibility. Until 2001, the definition for *disability* has been:

“A student who is attending a government or non-government school and who has been assessed by a person with relevant qualifications as having intellectual, sensory, physical, social/emotional or multiple impairments to a degree that satisfies the criteria for enrolment in special education services or programmes provided by the government of the State or Territory in which the school or centre is located...A student or



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student whose only impairment is a specific learning difficulty or for whom remedial education or remedial support is appropriate is not eligible.”

This immediately prevents students with learning disabilities such as dyslexia, or ADD/ADHD and those with Otitis Media applying for funding.

- For the 2001 – 2004 quadrennium, the definition is less precise but the independent sector cannot afford to broaden the original definition until there is a considerable increase in funding to include all other disabilities, in particular learning disabilities. The present funding is consumed in meeting the physical needs of students and is inadequate for this purpose so those with learning needs, even if related to intellectual disabilities, cannot be funded.
- This quadrennium also saw the Federal Government combine Literacy/ Numeracy and Special Needs funding into the Strategic Assistance for Improving Student Outcomes, (SAISO), Programme. It was argued that this amalgamation of funding would provide greater flexibility to meet student needs. This argument might hold good if there were sufficient funds available to meet the needs in each of the separate programme areas but this is not the case in Western Australia. Nevertheless AISWA decided to allocate a further \$100,000 to Special Needs in order to address some of the shortfall. This has, of course, resulted in reduced funding for Literacy Projects which, given the needs of the Aboriginal Independent Community Schools for support in improving student outcomes in literacy and numeracy, has created its own problems. Further, a far greater amount than that applied would be required to address the needs of students with disabilities. The result of the SAISO initiative is to mask the problem rather than address it.
- It is generally acknowledged that it is very difficult to differentiate between different levels of disability. The Association uses a 5 point system – 1 borderline 2 mild 3 moderate 4 severe 5 profound/ multiple.

Key ID	Borderline IQ: 70-79	Mild IQ: 55-69	Moderate IQ: 54-40	Severe IQ: 39 and under	Profound IQ: 25-20 and under	Multi
PI		<ul style="list-style-type: none"> • some adjustments to school environment /curriculum • individual coaching 	<ul style="list-style-type: none"> • gross motor, fine motor impairment eg. muscular dystrophy, spina bifida, cerebral palsy 	<ul style="list-style-type: none"> • mobility severely restricted • therapy necessary 	<ul style="list-style-type: none"> • severely physically disabled • severe restriction • condition of student necessitates daily adjustments 	<ul style="list-style-type: none"> • primary disability severe and secondary disability (or disabilities) at least moderate
VI		<ul style="list-style-type: none"> • 6/18 visual acuity • print modification needed 	<ul style="list-style-type: none"> • low vision aids and/or print modification 	<ul style="list-style-type: none"> • blind or functionally blind 		
HI		<ul style="list-style-type: none"> • flat loss 30dB 	<ul style="list-style-type: none"> • flat loss 31dB-60dB 	<ul style="list-style-type: none"> • 61dB – 90dB 	<ul style="list-style-type: none"> • 90dB – 120dB 	
			<ul style="list-style-type: none"> • special support required in withdrawal group or special class 	<ul style="list-style-type: none"> • behaviour so disordered as to warrant psychological and/or psychiatric supervision 		
Points	1	2	3	4	5	

- KEY :**
- ID:** Intellectual Disability
 - PI:** Physical Impairment
 - VI:** Visual Impairment
 - HI:** Hearing Impairment;
 - EBD:** Emotionally and Behaviourally Disturbed



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- Schools must complete a detailed application form to receive the funding but it is difficult to compare and assess solely on the basis of paper submissions. Consequently, a panel of psychologists, the special education consultant and executive members of staff from six schools spend 2 days on the task of assessing applications with the special education consultant making the assessment for late applications.

Schools must provide documentary verification of the student’s disability.

Intellectual disability	Psychologist/Paediatrician
Visual impairment	Ophthalmologist
Physical disability	Paediatrician/Physiotherapist/Specialist
Hearing impairment	Audiologist/Ear, Nose and Throat Specialist
Severe language disorder	Speech Pathologist
Severe emotional disorder	Psychiatrist/Psychologist
Autism spectrum disorder	Autism Assessment Panel/Paediatrician

The panel relies heavily on the information provided by such documentation. For example, schools which have not previously enrolled students with disabilities may perceive a student’s disability to be severe, when comparatively it may be quite mild. The needs of the student, rather than the label, determine the level of support and the points allocated.

- The socio-economic status of the school is also factored into the funding so that those on lower levels receive significantly higher rates than the wealthier schools.

Accuracy with which students’ disability related needs are being assessed

- The diagnosis of disability is fairly reliable because professionals are involved. However, many teachers believe there are students with minor behavioural or learning difficulties who are too readily being diagnosed as having ADHD or ADD.
- Students with little English are difficult to assess due to the cultural and language bias of most tests. In some cases, we do not know if the students behaviours are associated with traumatic experiences in a war torn country or if the student has a disability. Professionals can be reluctant to make an early judgement and would prefer to give the student time, but in the meantime the student cannot access funding and it is difficult for the class teacher to know how to approach the student’s learning.
- Diagnosis of students with learning disabilities is another contentious area because the definition is subjective. In Australia, the term *learning difficulty* is used more often than *learning disability*. It is very difficult to determine the definition of *learning disability*. Does a student with a low average IQ have a learning disability? Must the student have average or above average intelligence but specific learning problems in only some areas? It could be assumed that dyslexia was a learning disability, but there is still widespread scepticism regarding its validity. Many psychologists would refer to the problem as being a learning difficulty rather than use the label *dyslexia*.
- There are also students enrolled in member schools whose parents refuse to have any formal diagnosis because they do not want their child labelled. Assessment cannot be made without parental permission.
- It can also be difficult to assess educational needs, because there are many ways of meeting them as well as differing perspectives, and different values. Different professionals make different assessments, and these may differ to those made by parents. Once the Standards associated with the Disability Discrimination Act (DDA) come into effect, this will be even more evident.

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

- The Association has students from this category enrolled in a number of schools. These include 15 Aboriginal community schools and 4 Islamic schools in addition to those enrolled in the breadth of member schools.



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- The majority of Aboriginal schools are located in rural and some of the most isolated of areas of the State. Their isolation means that there are major difficulties accessing health services. It is therefore almost impossible to get a diagnosis and support documentation to substantiate that a student has a disability. In addition there are no therapy services available to support the student or school. Consequently, only one student in an Aboriginal school receives a small amount of funding through SAISO. The Special Education Consultant and the Principals of these schools suspect that a number of students have foetal alcohol syndrome, but have no way of verifying this.
- Conductive hearing loss would be regarded as a disability under the Disability Discrimination Act if it has a substantive effect on a student's life. It certainly has a significant impact on learning and results in many students underachieving simply because they cannot hear sounds in words or instructions which impacts on literacy and behaviour. 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, (WAIDE), the visiting teacher service of the State Education Department which also supports independent schools, does not support students with conductive hearing loss. If the Education Department does not provide a service, schools are also unable to access Commonwealth funding.
- Students with a conductive hearing loss can become permanently hearing impaired if the condition remains untreated. Government departments not only offer extremely limited services in the isolated areas of the State, but also do not co-ordinate their services. State Government Departments such as Education and Health need to work together to solve the health problems that affect the education of our students.
- Schools also require increased funding in order to train their staff to cope with the health and educational problems of their students with disabilities. It is extremely expensive either to bring experts into the schools or for the staff to come to Perth to learn new skills. Indeed it can be impossible to release teachers for appropriate professional development, since relief teachers are not available to schools in remote areas. If the programme is thought sufficiently important the only option is to close the school for a significant period of time as travel even to a regional centre can require one day on either side of the professional development. A further complication is the high turnover of staff which means that there is a continual need for professional development.
- Support for teachers in schools with high ESL numbers is desperately needed. Upon arrival in Australia, students no longer have intensive English lessons before they go to schools. The Federal government has acknowledged that students in detention centres are difficult to educate because they come from such diverse backgrounds, many with no formal education, and there is great difficulty in assessing and meeting their needs. Member schools of the Association which enrol significant numbers of students who are classified as refugees face this same problem every day and attract very little support or funding.

Effectiveness and availability of early intervention programs

- Programmes that are offered are highly effective but again are limited by lack of funding, both in the education and disability sector. For example schools that offer early childhood education cannot access SAISO funding until the year the student turns five. This is too late.
- Disability support organizations including the Autism Association and Government funded organizations, such as Therapy Focus or the Disability Services Commission's Autism Centre, are also limited by lack of funding. It is generally acknowledged that early intervention is the key to helping students with disabilities achieve their potential in every area and ultimately saves millions of dollars in the future provision of health and educational needs. This is at odds with the guidelines for State and Federal Government funding.
- The Speech & Hearing Centre provides a highly successful early intervention service yet struggles to survive financially. Much time is devoted to fund raising and writing submissions to apply for funding, much of it Government derived, from a multitude of different sources. It only survives due to some generous benefactors in the Perth community and the determination of the Principal.



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- Western Australia suffers from the same problem as other States – a lack of therapists available. Therapy Focus has had positions vacant due to lack of applicants. For many parents this is the only source of support as they cannot afford to pay for private providers.

Access to and adequacy of funding and support

- This is the most significant problem facing independent schools. To give just one example there is no funding available for students with ADHD, ADD or learning disabilities, yet there are substantial numbers of such students needing direct instruction.
- There are four sources of funding available to independent schools for students with disabilities in Western Australia:
 - Additional State per capita funding
 - SAISO supplementary funding (Commonwealth)
 - Strategic Assistance per Capita funding for Students with Disabilities
 - State funding for students with severe/ profound disabilities who would be eligible to attend State Special Schools
- **Additional State per capita funding:** Students with mild disabilities receive an extra 30% per capita funding; moderate – 50% and severe – 70%. In 2002, a student with a mild disability would receive between \$282 - \$591, moderate \$471- \$980; severe \$658 - \$1379. Students in remote areas would receive between \$543 and \$2065, but for the reasons outlined in the assessment section, we have no students in this category. In order to be eligible for this funding, students must be on the SAISO list.
- **Targeted funding under the SAISO (Strategic Assistance for Improving Student Outcomes) Programme:** Applications must be forwarded to AISWA each September. Once allocations are made for the following year, all funds are exhausted. New enrolments can only be funded if another student leaves. Most students with mild disabilities receive from \$75 to \$750, depending on the socio-economic status of the school. The ranking used is that developed by the Commonwealth Government for the purposes of allocating per capita funding. The majority would receive lower amounts. Half the students with moderate disabilities receive aide time for one or two days. The remainder receive approximately \$1000 each. The students with severe/ profound disabilities receive aide time for 2 to 4 days. (Aide time is based on a salary of \$24,000 which is acknowledged to be an underestimation). Only 11 students receive 4 days' aide time, mainly due to severe physical disabilities such as the latter stages of muscular dystrophy, or severe emotional problems likely to lead students to cause injury to themselves and other students. To be eligible for aide time, the student must need adult assistance for toileting, feeding, communication, mobility or safety.
- AISWA has some 37 teacher assistant positions and token monetary amounts to distribute to 330 students in the 72 schools that apply for this form of funding. All but a few of these students are in mainstream classes, so resources cannot be consolidated into a single class to achieve economies of scale. The funding available is grossly inadequate in these circumstances. 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.
- The funding provided is rarely used for equipment, resources, capital items or professional development because aide time is a priority in schools. Meeting physical needs such as toileting, eating and moving around the school must take priority over other forms of support if a student is to be successfully integrated into the school.



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- **Strategic Assistance per Capita funding for Students with Disabilities:** Schools must include the students with disabilities on their Commonwealth Census forms in August each year in order to receive \$589 per student regardless of disability level. In the past, schools received Category 12 funding which for many schools was substantially more. Compensatory amounts are in place until 2004 for students who were enrolled before the change was made but not for new enrolments.
- **State funding for students with severe intellectual disabilities:** Since 2000, the State Government has provided \$19,200 for students who are eligible to attend special schools but would prefer to attend a Catholic or independent school. AISWA currently has 8 full-time and one part-time (0.2) students receiving this funding. The Association is very grateful to the State Government for providing this funding because it has alleviated some of the pressure on the SAISO funding. It has not resulted in an increase in student numbers, however, because funding levels, resources and skills in this area are still far superior in Government schools.
- The funding situation is complex, resulting in confusion in schools; raises questions as to whether it is worth applying for when the sum available is so small in many cases and does not meet student or school needs in most cases. This results in the independent schools and the parents meeting shortfalls in costs of equipment, teacher assistant time and resources in the majority of our schools.
- AISWA has one Special Education Consultant to support the 144 schools which are eligible for funding through SAISO. There are no equipment or resource pools. Independent schools can access the Department of Education's Vision Impairment Service and Hearing Impairment Service, both of which are invaluable. These services are stretched to the limit, and there are often calls for the service to be discontinued to independent schools. If this eventuates, then it is likely that these students will move from the independent sector and enrol in government schools in order to access services. While students from independent schools are also eligible for services from Government Departments such as Therapy Focus and the Health Department the therapists there have caseloads of over 200 each and have to prioritise. Independent schools are rarely able to access these services.
- The result of this funding situation is that most parents feel they have no choice but to send their children to educational systems that have more funding support behind them than any individual school can offer. Parents cannot understand why funding is not consolidated, attached to the student, and transportable regardless of which sector or setting the parents choose for their child. They point out that they are taxpayers too, so should not be denied access to funding simply because they choose to send their children to an independent school. Despite lobbying by the parents of children with disabilities enrolled in independent schools and by the Association there has been no improvement in funding levels.



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Nature, extent and funding of programs that provide for full or partial learning opportunities with mainstream students

- Many parents today choose to have their children included full time in mainstream classes but in the independent sector they attract very little funding in order to support this philosophy effectively. Particularly in Year 4, when the focus starts to be on written work, the gap becomes more obvious. To gain support, parents have little choice other than to remove their children from the sector and access a special education unit or class in one of the systems. By Year 8, as students with disabilities are entering secondary school, the gap is significant. Only a few schools can afford to provide a learning difficulties teacher in senior school, and they are spread thinly trying to cope with the workload.

Teacher training and professional development

- Professional development offered in Perth is excellent and there are abundant opportunities for teachers and parents. The biggest problem for independent schools is the cost of the course, as well as the cost and interruption to the school of replacing a teacher for one or more days. Teachers in regional or remote areas have great difficulty accessing professional development because most professional development is Perth based and in addition to course costs must pay for airfares or other forms of transport and accommodation. In these areas it is often the case that replacement teachers are not available.
- It is not compulsory to do a special education unit in all universities because, as yet, the department of Education does not require this of new teachers. The majority of teachers in independent schools have not had any Special Education training in their pre-service courses and must rely on professional development and the support of the Education Consultant.

Legal implications and resource demands of current Commonwealth and State legislation

- There is a gross discrepancy between funding and legislative requirements, with independent schools and parents being largely left to fund students from their own resources. The broadest of all definitions of *disability* is used in the Disability Discrimination Act while, in contrast, a very narrow definition is provided for in assessing eligibility for funding.
- Independent schools in Western Australia are affected by Commonwealth legislation - the Disability Discrimination Act (1992), Equal Opportunity Act (1986); and State legislation reflecting Commonwealth legislation – Equal Opportunity Act 1984 and Disability Services Act 1993. The Education Act (2001) also has an impact on schools in Western Australia.
- The Disability Discrimination Act gives schools little indication of responsibilities. It may soon be supported by Education Standards which are more specific in their outlining of the education sector's responsibilities to students with disabilities. This will raise parental expectations but will not define the boundaries because there is a reliance on the interpretation of the term *reasonableness*. The Standards make responsibilities clearer, but have already heightened concerns in independent schools. How can schools in the independent sector meet the needs of students with disabilities when systems are struggling? For example, in Section 8,

Student Support Services, schools must provide:

- *specialised equipment such as adaptive technology, assistive devices and equipment, including applications of emerging technologies*
- *appropriately trained support staff such as specialist teachers, interpreters, note-takers and teachers' aides.*

At this stage we do not support any students by providing adaptive technology, have few trained specialist teachers across the sector, and only a few interpreters and note-takers.

- The same legislation applies to all education sectors, as much to the Department of Education as to an independent school of two hundred students or less. This causes great concern in our sector because



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Principals must enrol students with disabilities and parental expectations are that students will receive the same support as they would in a Government school. Yet the school has limited resources to meet needs. While it may be able to redirect resources to cope with one student with high support needs, it could face a situation where it has several. On average across the sector 70% of school income comes from school fees. Increases in fee levels to provide support may make the school financially inaccessible to parents of children with disabilities who usually have considerably more expenses in supporting their child.

- The only grounds for appealing against enrolling a student with disabilities is *unjustifiable hardship*, but schools have no way of knowing where the boundaries of this term lie. How big does a school need to be, how much income and assets push them over the boundary? No school wishes to be the next test case with the stress involved for the student, family and school, and the associated national negative publicity!
- Schools want to include students with disabilities in their schools. They see them as valuable community members with a lot to offer and to receive from their school communities. Religious schools in particular want to enrol students, but often feel that they are disadvantaging the students simply because they cannot match other sectors.



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What the proper role of the Commonwealth and States should be in supporting the education of students with disabilities

- Commonwealth and State Governments should allow all students with disabilities to access the same levels of funding, regardless of which educational sector or setting they are attending. For example, if a student with severe autism can access funding for a full-time aide in the Government sector, the same access should prevail in the Catholic or independent sector. Parents should not have to choose schools on the basis of the sector's ability to access funding. These parents pay taxes and deserve to gain the benefits equitably.
- All Government funding should be consolidated and distributed to the student according to need. Independent ascertainment committee/s should make the decisions. The funding should remain in place until a set time of review or until needs increase, regardless of the educational sector or setting. A student with a mild disability should receive the same levels of funding in a special education class as in a mainstream class.
- This includes students with learning disabilities who outnumber students with other disabilities, but receive little support and no funding. Many of these students could achieve better educational outcomes if early intervention could take place.
- Additional funding should be allocated to students with non-English speaking backgrounds and students in isolated areas.
- Government departments must co-ordinate their funding, knowledge and efforts in order to tackle the massive health and educational problems facing our indigenous population.
- Early intervention programs should be funded, an investment which will save Australia millions of dollars and massive resources in the future.
- Teacher training in universities must be updated to ensure teachers are equipped to meet the needs in the classrooms of today. There should be particular emphasis on differentiation, catering for the needs of the diverse learners that teachers will work with in their classrooms. This includes students who have learning difficulties, disabilities, different learning styles, behavioural and emotional challenges, and who come from non-English speaking and/ or indigenous backgrounds.
- A national inquiry into the diagnosis of ADHD is needed, either to assure the public that current medication levels are justified, or to look for alternatives that will also alleviate pressure on the health budget.

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