

THE ASSOCIATION OF INDEPENDENT SCHOOLS OF QUEENSLAND INC.

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Submission

to the

Senate Inquiry into the Education of Students with Disabilities

PREAMBLE

The Association of Independent Schools of Queensland Inc. (AISQ) welcomes the opportunity to contribute by submission to the Senate Inquiry into the Education of Students with Disabilities. AISQ is a collective of 154 independent schools offering education in a variety of combinations involving preschool, primary and secondary education. The majority of independent schools in Queensland provide a Preschool to Year 12 curriculum. A further 8 independent schools access Commonwealth and State government funded programs for schools through The Association which administers these programs on behalf of the Queensland independent school sector. Only two independent schools in this state are recognised by the State government as Special Schools, however, three schools which were previously supported as non-school organisations have sought and were successful in receiving non-state school status in recent years. This trend has placed considerable demands on an already under-resourced

provision. Independent schools have responded to the Commonwealth government priority of mainstreaming students with disabilities over the past decade with significant increases in the enrolment of students with low incidence disability.

See [Appendix A]

Similar increases have occurred in the provision of English as a Second Language programs, focused intervention and general intervention programs for indigenous students and support for students from rural and remote areas. Special Needs coordinators and specialist teachers are employed in many schools to facilitate the educational provision for students with disabilities including students with learning disabilities often resulting from medical conditions as opposed to diagnosed impairments.

CONTEXT AND STRUCTURE OF SUBMISSION

The operation of independent schools and access to support and resources to obviate educational disadvantage in respect of students with disabilities is influenced by State government decisions and definitions with eligibility for support under the Commonwealth Special Education component of the SAISO program reliant on comparability of disability for enrolment in a state special education facility. It is in this context that the submission has been framed.

The structure of the submission follows the Terms of Reference for the Inquiry.

DEFINITIONAL CRITERIA

In the administration of support funding to schools from both Commonwealth and State government sources in respect to the education of students with disabilities, AISQ has implemented parallel procedures to those in place in Education Queensland and allocates grants following a rigorous validation process. To establish eligibility a diagnosis of one or more of the seven impairment areas, vision, hearing, physical, speech-language, intellectual, social-emotional and Autistic Spectrum Disorder is determined.

Modifications to mainstream classroom programs required to provide individual

education programs (IEPs) to meet the educational support needs of these students, also form part of the eligibility. A copy of the level descriptions is included at Appendix B. Criteria relating to the determination of levels within specific impairment areas has been published in *Ascertainment Procedures for Students with Disabilities*, Education Queensland, 1998. Criteria associated with social-emotional impairment assessment were established by the three Queensland education sectors in 2001 with AISQ as the lead agency. A copy is included at Appendix C.

Criteria of disability identification and assessment frequently differs under different government departments. For example, in Queensland Departments of Health and Families have different definitions from those used by education.

The lack of a set of nationally agreed definitions and criteria for the determination of severity of impairment has resulted in significant variance between states and territories and eligibility for the attraction of support funding to schools to provide quality education for students with special needs. Independent schools experience a high level of mobility of students between states and territories and often parental expectations of the capacity to access government support funding becomes problematic.

No formal attempt is made collectively to determine levels of learning disability resulting from medical and environmental conditions in Queensland independent schools as there is no designated government support program for the education of these students. Many individual schools draw on their own resources to establish learning disability levels and provide programs to meet the educational support needs of these students.

A number of schools have released teachers for appraisal training programs to assist them to prepare appropriate educational intervention and modified programs as part of their commitment to students' education. This professional development draws upon the published work undertaken by Education Queensland and other agencies. Despite the lack of funding support for the education of students suffering from disorders such as ADD and ADHD, Queensland independent schools continue to have increased enrolments of these students.

Criteria used to determine English language proficiency levels used to determine grants to schools with established English as a Second Language programs AISQ operates an extensive program of teacher professional development in the application of testing instruments such as the NLLIA (ESL) bandscales.

ACCURACY OF ASSESSMENT

Comparability of ascertained levels of impairment and educational support needs of students between the three education sectors in Queensland is maintained through a moderation process conducted in regular intersystemic meetings. Unfortunately there will always be a level of subjectivity as judgements are made in respect of students with borderline impairments, however, the monitoring process ensures cross-sector agreement. As indicated above, there is significant variation between states and territories.

Unless detailed levels and associated criteria are established nationally and a program of training for independent professionals, system and school-based assessors, then accuracy of assessment has little meaning in a national context.

No attempt is made to determine related therapy needs which have significant impact on the needs of students with disabilities in participating in and achieving outcomes in educational programs. While it is accepted that this area is critical to success, the separation of government portfolio responsibility precludes independent schools from access to such support for their students. Limited access is accessed through the non-school organisation state committee.

Inconsistency of reporting of numbers of students with disabilities in the Commonwealth census between sectors results in under-funding of support funds to the independent sector. For example, Education Queensland counts all students ascertained at Level 4, while independent schools include only those with vision, hearing and physical impairments at level 4 and ASD, II, SLI and social-emotional at levels 5 and 6.

Every effort is pursued to validate the English proficiency levels of ESL students. Difficulties associated with appropriate material for assessment of English proficiency indigenous students and ethnic based school students continues to pose some problems. Currently a set of Bandscales for use with indigenous students is in the trial phase.

EDUCATIONALLY DISADVANTAGED GROUPS

The particular needs of students with disabilities from low socio-economic, non-English speaking and Indigenous backgrounds and from rural and remote areas fall into two categories – low incidence impairment and learning disabilities.

The Association has identified specific problems in ascertaining the level of educational support need of students from low socio-economic and indigenous backgrounds. Instability of responsibility of parents/care-givers, frequent changes of schools and often spasmodic attendance makes specialist diagnoses and school reporting extremely problematic. Intrusive assessment of students at risk, including homeless, abused, indigenous and repeat offending students, creates a problem in determining levels of impairment following the same procedures as applied to other students. As more religious and community affiliated facilities providing education for these young people gain non-State school status in Queensland, the necessity for the independent sector to vary procedures to include these atypical groups increases.

Independent schools are struggling to stretch lean resources to address learning difficulties associated with medical conditions presented by students with educational disadvantage. Currently the only avenue of government support is through project application to access funding through the Literacy component of SAISO (including support for ESL programs) and the Country Areas Program if the school meets the geographical location requirement of the Commonwealth guidelines. Where students need to attend boarding schools or schools with hostel or host family arrangements to access specific curriculum or educational opportunities, support for the education of remote and rural students cannot be accessed through this program as the school is not

located in a rural or remote area. The Priority Country Area Program operated on a cross-sector basis as a state-based program in Queensland which draws upon the Commonwealth Country Areas Program funding does not extend to all areas identified by the Commonwealth guidelines and excludes some schools including independent schools.

Schools which have indigenous community status can access the range of Commonwealth programs for the educational support needs of indigenous students. However, as the majority of independent schools have no 'system' status even by religious affiliation, they are unable to access these support programs to meet the needs of their indigenous students.

EARLY INTERVENTION PROGRAMS

AISQ recognises the enormous benefit of early intervention programs for students with disabilities.

While the Non School Organisation Committee funds early intervention programs for kindergartens and preschools which are not operating as a "pre-year 1" level of a regular school, independent schools would need to fund such programs through their own resources and the recurrent special education component of SAISO cannot cover these programs.

ADEQUACY OF FUNDING

In 1994, the Commonwealth government reorganised the Funded Programs for Schools under the National Equity Programs for Schools (NEPS). Previously independent schools had applied to a State-based committee to access Special Education Non-Government Schools support funding and to the Department of Employment, Education and Training (DEET) for grants to support ESL programs.

The NEPS administration included a devolvement of administration to Catholic Education Commissions and the state and territory Associations of Independent Schools, including the South Australian Independent Schools' Board.

The Queensland independent sector was severely disadvantaged by the process of historic dispersement as schools had for a number of years found it extremely difficult to access funding from the State-based committee. With a proliferation of funded non-school entities such as toy libraries, alternate education facilities without non-state school status, parent groups often linked to state schools and therapy programs which serviced students with disabilities in state and Catholic schools, together with tied funding to the two independent special schools and the inability of independent schools to access funding, inadequate funding was provided to AISQ. The funding allocation has not been redressed since 1994 despite an annual increase of enrolments of students with validated ascertainments of low incidence impairment and high educational support needs. The funding has only been supplemented on an annual basis for all sectors. As stated above, the inadequacy of sector support funding is reaching a critical level with the alternate religious and community affiliated facilities receiving non-school (independent) status. Queensland non-government schools receive additional support funding in respect of the educational needs of low incidence students with disabilities through a State program administered by AISQ and QCEC. Even so, combined Commonwealth and State grants to schools fell short by over \$21000 per enrolled severely impaired student to additional funding provided to public special schools and special education units. Lack of access to resources and funding in the non-government schools reduces the potential of effectiveness of educational provision for these students.

As indicated above, support for the educational programs for students with learning disabilities, is not included in Special Education funding criteria applied to Education Queensland. Schools can apply for small project grants under the Literacy component of SAISO and the Country Areas Program (where applicable). Since the incidence of significant learning disability is higher for educationally disadvantaged students there is a major deficiency of funding to support intervention programs to allow schools to work

towards the National Goals for Schooling and benchmarks. State recurrent funding to schools includes both a needs based element and a component derived by a basket-nexus process related to funding of state schools for state curriculum initiatives and intervention programs. (Previously this State program was administered by AISQ and QCEC targeting educational disadvantage, but now is a per capita allocation.) Increased Commonwealth support funding is urgently required to allow schools with large numbers of socio-economic students and other educationally disadvantaged students to receive intensive instructional programs in order to achieve the national benchmarks.

TEACHER TRAINING AND PROFESSIONAL DEVELOPMENT

The Association believes that professional development for all mainstream teachers to provide an inclusive education program is essential. All pre-service teacher training programs should include aspects of inclusivity.

The significant increase in students with impairment and learning disabilities enrolled in mainstream independent schools necessitates and urgent demand for teacher training and professional development to prepare, deliver and monitor individual education programs to these students.

Current programs such as those provided by The Association for the training of school personnel in the ascertainment of students with a low incidence disability impairment and educational support needs, in the English proficiency testing of ESL students and the identification, and development of, learning disability are imperative to ensure comparability of grant allocation and in the development and delivery of appropriate, quality educational programs. While the Queensland independent sector has established a history of success in the preparation of secondary school students with disabilities to access and participate in school-based traineeships and apprenticeships this results in significant additional resource demands to that for the rest of the cohort..

Schools are unable to devote further resources to this end, given the existing inadequacy of resource support.

LEGAL IMPLICATIONS AND IMPACT OF LEGISLATION

The Commonwealth and State and Territory legislation, particularly in respect of the Commonwealth Disability Discrimination Act 1992 and the State Anti-Discrimination Act(s), frequently result in independent schools accepting enrolments of severely impaired students and high needs, students with learning difficulties associated with medical conditions where there are inadequate resources to meet their educational needs or a reduction of educational provision to the rest of the school community. The Privacy Act legislation makes the gathering and sharing of medical and psychological data for ascertainment purposes problematic.

ROLE OF GOVERNMENTS

The role of the governments at national, state and territory levels is to accept that the mainstreaming of students with low incidence disability and/or significant high learning disability brings additional resource requirements to normal public and private funding for the provision of educational programs for the majority of students. Adequate disability support funding should be on an established incidence basis to the state and territory education sectors for allocation to schools to provide adequate educational programs for validated eligible students. This funding should be ongoing rather than on an initiative or working towards sustainability basis. Such funding acknowledges the access rights of every child to a quality education, the additional resourcing required to support these students educational need and the role of government in compliance with current legislation.

SUMMARY

Queensland independent schools have increasing enrolment of students with impairment and learning disabilities,

The lack of nationally consistent definitions and criteria of ascertainment currently results in an unacceptable variance in the identification of eligible students and allocations of program funds at the state, territory and sector levels.

AISQ as the administering authority for Commonwealth Targeted programs on behalf of Queensland independent schools, ensures comparability of ascertainment of low incidence disability with the other two sectors. A program of professional development and training is provided each year to assist schools with ascertainment and proficiency testing and to help schools to develop, deliver and monitor individual education programs for students with disabilities.

Urgent support is required to ensure that mainstream teachers have access to regular professional development to enable them to prepare and deliver inclusive educational programs.

The allocative mechanisms of historic dispersment of funding to support the educational needs of students with low incidence of disability in non-government schools used in 1994 continues to result in significant underfunding to the Queensland independent sector.

The resourcing cost to prepare students with disabilities to access school-based traineeships and apprenticeships should be recognised within government support funding allocations.

The Commonwealth and State and Territory governments have a responsibility to provide adequate support funding to ensure that schools can meet the additional resource

requirements for the inclusion of students with disability in accordance with the relevant legislation.

Parents of students with disabilities are entitled to the same support for their educational programs and the same right of choice of educational delivery as other parents.

APPENDIX A

	Autistic/Spectrum Disorder	Speech/Language Impairment	Intellectual Impairment	Physical Impairment	Hearing Impairment	Vision Impairment	Social/Emotional Impairment
1996	50	56	52	17	4	2	1
1997	61	58	51	20	11	4	2
1998	81	112	82	38	20	1	4
1999	164	140	99	30	19	6	3
2000	173	166	123	32	19	9	3
2001	260	233	135	54	21	12	22

APPENDIX B

Educational support for students may be provided:

- from within the student's current school or by transfer to another school;
- from sources outside a school, for example, an advisory visiting teacher, therapist or guidance officer.

Six levels of specialist educational support are available. Level 1 involves initial data collection and providing interim support if necessary. Levels 2 to 6 are differentiated by increasing levels of intensity of specialist educational support.

Level 1: Data gathering, consultation, referral and interim support.

Level 2: Monitoring student performance.

Level 3: Consultation and resource support.

Level 4: Shared development and implementation of student's program. Some Program modification maybe necessary.

Level 5: Shared development and implementation of student's program. Major Program modification is necessary.

Level 6: Individualised negotiated program for instruction.

While the ascertainment process is the same across all disability areas, variations will occur in the type of support provided to each group of students with a disability. This is because each group will have specific educational needs related to their disability. The six levels of specialist educational support for each disability area are described in section 2, 'Related Material'.

Recommendations for specialist educational support must be made on the basis of the educational needs of the student rather than on the available resources.

If a student appears to require specialist educational support at Levels 4, 5 or 6, a statewide representative who has expertise and experience in the disability area represents the Director-General, and assists local personnel in making a recommendation. This provides a consistent approach to determining levels of educational support throughout the State.

Where disagreement occurs regarding the recommended level of specialist educational support, the issue must be referred by the principal for the consideration of the Manager – Education Services in the district which currently provides support.

Social Emotional Disorder

Criteria

When a student is presented for ascertainment under social emotional disorder, it is necessary to substantiate a documented diagnosis made by a specialist (eg child psychiatrist, clinical child psychologist, social worker with clinical experience). The student may be admitted to a special program (eg psychiatric facility) as an outpatient/inpatient. A severe psychiatric condition should be present for at least six months.

The students with these disorders are characterised in school programs by emotional responses so different from appropriate age, cultural or ethnic norms that the responses adversely affect educational performance, including academic, social, vocational and personal skills.

These responses are:

- (i) not modified by direct interventions as applied in general education, and/or the condition of the student is such that general education interventions would be insufficient.

and

- (ii) consistently exhibited in at least two different settings, eg home and school

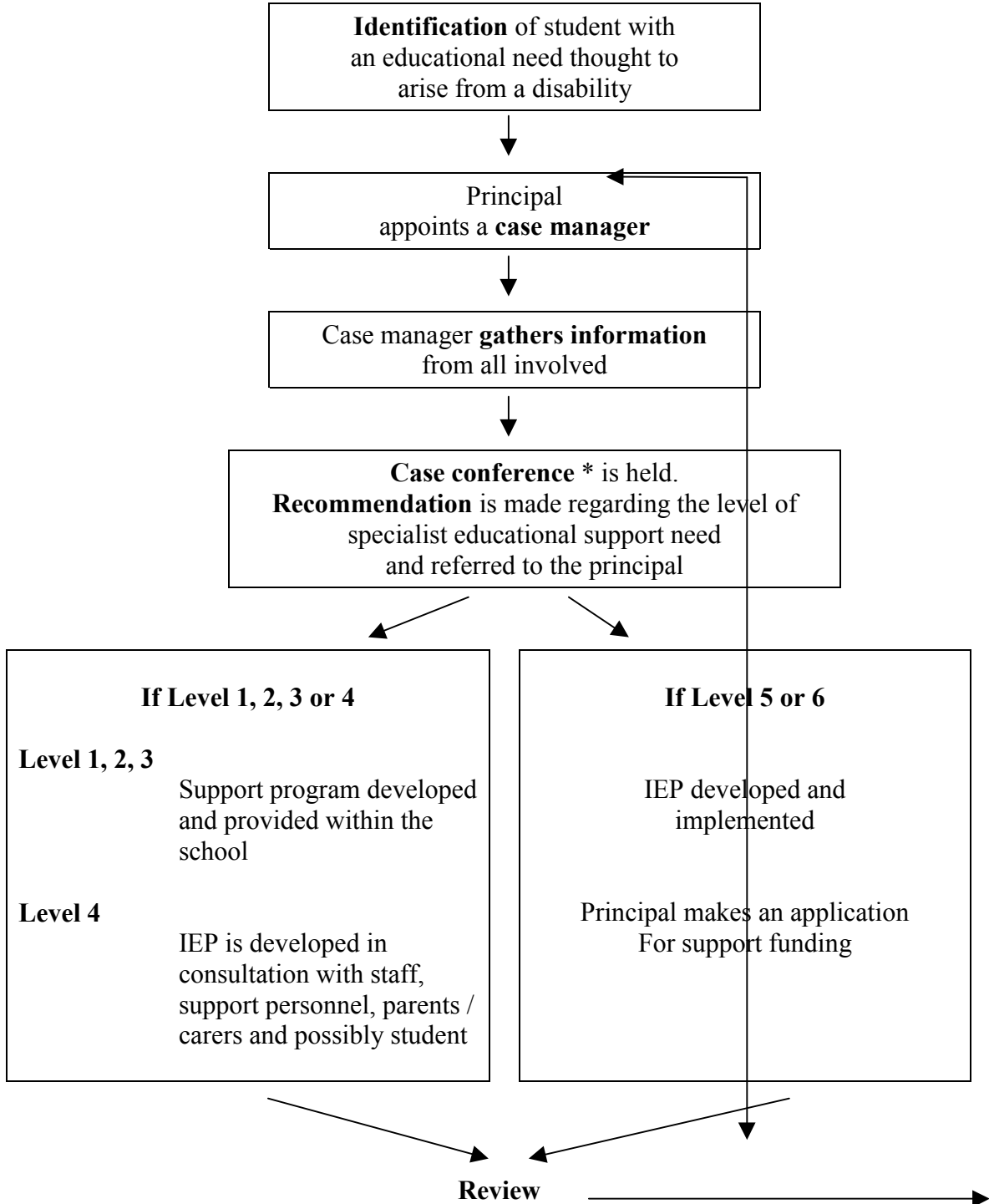
and

- (iii) disproportionate, highly predictable and manifested in an exaggerated way to internal or external stressors.

and maybe

- (iv) will require close supervision. Some cases may present an ongoing safety concern.

Ascertainment Process for Students With a Social Emotional Disorder



* Case conference includes staff (teaching and administrative), support personnel, parents / carers and possibly student

Expanded Descriptors of Levels of Support

Level 4 Expanded Notes	Level 5 Expanded Notes	Level 6 Expanded Notes
Class teachers, specialist educators (counselors, therapists) and parents / caregivers work together to plan programs / assessment	Class teachers, specialist educators and parents / caregivers plan and implement IEP* / IBO* / ITP*	Class teachers, specialist educators and parents / caregivers plan and implement IEP* / IBP*/ ITP*
Specialists provide direct assistance in implementing educational programs / assessment / evaluation strategies	Specialist educators have major input into the implementation of the program / assessment / evaluation strategies	Transdisciplinary ** model of operation with all members contribution to the IEP with a team of professionals delivering the program
An IEP to identify priority assessment / evaluation goals / strategies for the student	An IEP to identify priority goals / assessment / evaluation strategies for the student	An IEP to identify priority goals / assessment / evaluation strategies
Specialised teaching strategies / methods appropriate to the student/s needs	Specialised teaching strategies / methods appropriate to the student's needs and identified in IEP	Specialised teaching strategies / methods specifically chosen for the student through the IEP will be used extensively
Modifications to program / assessment will need to occur relevant to the student's individual needs	Major modifications to the program / assessment will need to occur relevant to the student's needs	An individualized, negotiated program specifically devised

* IEP (Individual Education Plan)

* IBP (Individual Behaviour Plan)

* ITP (Individual Transition Plan)

** Transdisciplinary team could include: psychiatrist / social worker, school counselor, teacher, support teacher, therapist, nurse, parent, aide

Special consideration should be negotiated with BSSSS for students in Years 11 and 12

Ascertainment Report for Students With Social Emotional Disorders

1. Sources of information provided for this report

(Please underline the people who were involved)

This report has been prepared from reports / information provided by class teacher/s, parent/s, or caregiver, teacher aide, guidance counselor, medical practitioner, speech-language pathologist, occupational therapist, physiotherapist, advisory visiting teacher, learning support teacher, administration staff, nurse, child psychiatrist, clinical child psychologist, social worker with clinical experience.

Others: *(Please list)*

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2. History

(History of the problem including onset and duration; relevant family history including significant life events; schools attended; supports provided; facilities/programs accessed; educational outcomes)

Date	Details

3. Medical Information

(eg. medical history; diagnosis [who made the diagnosis and when], medication)

☐ reports attached

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Procedures for report writing

The report should involve the collation of information currently available on the student. Reports should be collected from teachers, therapists, guidance officers, teacher aides, parents / caregivers, medical practitioners – child psychiatrist, clinical child psychiatrist, clinical child psychologist, social worker with clinical training.

The following pro forma should be used as a guide. There are two major components to the pro forma:

Section 1 relates to the diagnosis of social emotional disorder.

Section 2 relates to identifying the educational support need.

Section 1 *Diagnosis*

To be eligible a student with a social emotional disorder requires a current diagnosis of a psychiatric disorder which impacts on their ability to access the curriculum.

Section 2 *Identifying Educational Needs*

Student Information

(Detail how the student's disorder adversely affects educational performance)

A. Academic

- *Attach teacher reports, school reports, standardized test results etc*
- *Summarise indicators from attached reports*

Social

- *Attach reports (social rating scales, [eg. Gresham, Achenbach, Vineland], teacher reports/checklists)*
- *Summarise supportive evidence*

Vocational/Post School Options (for secondary students)

- *Attach reports*
- *Summarise indicators of support need*

Personal

- *Attach reports/checklists as appropriate (self care skills, personal independence, leisure, recreation, time management skills – Achenbach, Gresham, Vineland checklists could be of assistance here)*
- *Summarise indicators of support need*

B. Demonstrate that the behaviours are not modified by direct intervention applied in general education and/or the condition of the student is such that general education interventions would be insufficient

(evaluation of strategies tried and difficulties encountered [medical history, description of how disability manifests itself despite usual interventions])

Demonstrate that these responses are consistently exhibited in at least two different settings at least one of which is school related

(parent interviews, social rating scales)

Demonstrate that the responses are disproportionate, highly predictable and manifested in an exaggerated way

(medical/educational history)

Demonstrate any major ongoing supervision/safety concerns

(if appropriate)

C. Summary Statement which indicates:

- (1) that the student meets the criteria for social emotional disorder;
and
- (2) summarises the educational needs with a focus on accessing the curriculum and the support structures needed.

This documentation should be dated and signed by the Case Manager.

D. The following should be attached to the Summary Statement:

- (1) a copy of the most recent Individual Education Plan (IEP)
and
- (2) Ascertainment Committee listing appropriately signed and dated.

Student Name _____ Date of Birth _____

Social Emotional Disorder

Ascertainment Committee

Name	Role	Signature

Date of meeting _____ Recommended ascertainment level _____

Signature of Chair