

SUBMISSION BY ANDREW VAN DIESON, DISABILITY
OFFICER, VICTORIAN TAFE STUDENTS AND APPRENTICES
NETWORK.

TO THE SENATE EMPLOYMENT, WORKPLACE RELATIONS AND
EDUCATION REFERENCES COMMITTEE

INQUIRY INTO THE EDUCATION OF STUDENTS WITH
DISABILITIES.

Submission prepared by:

Andrew Van Dieson - VTSAN Disability Officer
Maurice Sibelle - VTSAN Coordinator

More Information:

Andrew Van Dieson - VTSAN Disability Officer
101 Lansell Terrace
Bendigo Vic 3550
Ph: (03) 5442 7697
E-mail: avandie@hotmail.com.au
Maurice Sibelle - VTSAN Coordinator
VTSAN Office
Box 49, Trades Hall,
54 Victoria Street,
Carlton South, 3053
Ph: (03) 9639 6442

A submission in response but not limited to the following:

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,*
- ii) the accuracy with which students' disability related needs are being assessed,*
- iii) the particular needs of students with disabilities from low socio-economic, non-English speaking and Indigenous backgrounds and from rural and remote areas,*
- iv) the effectiveness and availability of early intervention programs,*
- v) access to and adequacy of funding and support in both the public and private sectors,*
- vi) the nature, extent and funding of programs that provide for full or partial learning opportunities with mainstream students,*
- vii) teacher training and professional development, and*
- viii) the legal implications and resource demands of current Commonwealth and state and territory legislation; and*

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

ABOUT VTSAN

This submission is an individual submission by Andrew Van Dieson, Disability officer for the Victorian TAFE Students & Apprentices Network inc. We have not been able to put this submission to the VTSAN council. However, the submission is based on the policy adopted by the VTSAN Council.

The Victorian TAFE Students and Apprentices Network (VTSAN) is the peak body of TAFE student organisations in Victoria. It represents students on eight of Victoria's TAFE institutions. Those institutions include:

Bendigo Regional Institute of TAFE
Chisholm Institute of TAFE
Gordon Institute of TAFE
RMIT TAFE Division
South West Institute of TAFE
Swinburne University of Technology
Victoria University of Technology
Wodonga Institute of TAFE

On three institutions there are student organisations that are not members of VTSAN. The University of Melbourne has a small TAFE division. Ballarat University has a student association that was a member of VTSAN until last year. Kangan Batman TAFE has a student organisation that is part of the student services department of the institute.

There are no student organisations on eight TAFE institutions. These institutions have on occasion had a representative structure like a high school SRC. For example the management at Holmesglen TAFE established a "student association" with a budget of \$1000 in 2001.

VTSAN cannot claim to represent every student throughout Victoria. Any student organisation has to recognise the diversity of its membership and acknowledge that its membership is not homogeneous. However, VTSAN is the only organised representative body of TAFE students in Australia. Its work over the last fourteen years has established its credentials as an authoritative voice of students in Victoria. In the absence of a national body it has had to play the role of a national voice for TAFE students. It has become the repository of experience in establishing student organisations. It has conducted valuable research into student opinions. It has gathered input from member organisations and through its network on every campus for substantial submissions to State and Federal enquiries.

If the VTSAN network is incomplete, it has been the result of a concerted government policy to exclude students and their representative bodies from having a say in the development of the VET system in Victoria and Australia.

Background

VTSAN was established in 1987 by the three existing metropolitan student organisations in TAFE (Box Hill, Prahran and RMIT) to facilitate the development of student organisations across Victoria. The state government established a Ministerial Working Party on Participation which worked with students to source funding and develop guidelines for the establishment of Student organisations throughout Victoria. VTSAN assisted in the establishment of over twenty student organisations.

In 1994 the newly elected government introduced anti-student union laws which restricted the activities of student organisations. The laws and the debate surrounding them encouraged TAFE managements to wind up their student organisations or curb their activities. The VSU laws, as they became known, restricted the expenditure of Compulsory Non-Academic Fees (CNAF). Expenditure on representative functions was prohibited. The result was a sharp drop in the number of student organisations. Those that survived and managed to maintain some independence remained members of VTSAN or rejoined.

The VSU laws were amended to lift restrictions on expenditure in 1999. However, managements are still moving to restrict the representative activities of student organisations. This has taken the form of meddling in their internal affairs and seeking to undermine their independence. It has also taken the form of effectively reducing the funding to student organisations and seeking to use CNAF funds to supplement their budgets. The latest examples of that include Bendigo, Chisholm, Holmesglen and South West TAFE.

VTSAN believes the educational needs of students with disabilities are as follows:

Students/apprentices with disabilities do not want to be treated as either 'privileged', or as a 'problem' that needs to be managed in isolation. Students/apprentices with disabilities should always have the same rights as other students/apprentices. Separation, by student organisations and vocational educational institutions, of disability issues from other important concerns that student's face can lead to opportunism and tokenistic activity that has no real benefit to the community that is meant to benefit.

Students/apprentices with disabilities, as a bare minimum, require that their learning institution provide:

- appropriate and inclusive planning for their needs
- appropriate, effective and readily available policy and procedure
- appropriately trained and supported teaching and general staff (sensitivity to the barriers that students with disabilities face in accessing education as well as practical training in use of equipment where appropriate etc.)

- information about their rights
- access to mentors / people with disabilities as role models
- access to advocates without fear of retribution
- sensitive, supportive and flexible learning provision (not more internet and less face-to-face teaching as a *cost-saving* device)
- coordinated, appropriate, accountable and effective student support services

The adequacy of current policies and programs for students with disabilities to meet their education needs

COMMON ISSUES AND CONCERNS

- Certificate of work education - students with disabilities are pushed into this course.
- Accessibility to support services for “Regular courses” is difficult and inflexible
- Disability Liason Officers(“DLO”) are not able to relate to students with disabilities; they are part of the administration system therefore students cannot go to them with their problems/issues.
- Health issues sometimes addressed.
- Lack of emergency policies - eg. Fire drills,, lifts etc. - major occupational, health and safety issues.
- Disability support fund - strict guidelines not flexible.
- Compared with other non-disabled students - “we offer what we offer other students”.
- Described as “challenging behaviour”.
- Disability Support Funding Guidelines set out what can be offered i.e. Disability support funding as supplementary - However Colleges have no responsibility to adequately provide support funding.
- Attendant care funding not provided.
- Equipment, computers, adjustable tables, attendant care - these are provided mostly through FFYA, TAFE won’t provide but they should have some responsibility for it.
- Disabled toilets are not in each building - only in one block.
- “We’re not paid to do that” RE: ATTENDANT CARE.
- Long lead time to provide supports.

- Difficult to find out what individual funding is i.e. transparency, accountability - words but no action.
- Information sought re: needs - detail but no provision.
- Needs of students - staff directed - not student directed - where is the funding going?
- PRIVACY & CONFIDENTIALITY _ Information in a student's file should not be passed onto another facility without the student's permission if a student moves.
- Regular equipment such as adjustable tables should be provided.
- Notetaker's ethics - notetakers cannot take notes if student is not present in class.
- Attendance record - not flexible for people with disabilities.
- Disempowerment - supports not student driven.
- Communication between staff and executive poor.
- Psychological warfare - Guilt, vulnerability, fear, "blame the victim".
- Process for issues?
- Policy/process to aid college not student
- Lack of flexibility re: "course load" at campus / institutional venue - invisible disabilities ignored.
- Risk management - re: Disability Discrimination Act.
- Admin versus teaching staff - sometimes supportive.
- Intolerance by admin staff of students with high/extra support needs.
- D.L.O.'s too thinly spread.
- No direct communication - requests take too long to go through the system.
- People discouraged from being assertive and demanding support.
- Fees - people on disability pensions cannot afford them - Effect of G.S.T. on pre-vocational courses / transport.
- DLO's need alternate ways of providing disability support.
- Other students can go to alternative facilities to do subjects of their choices. But students with disabilities cannot do this because of transport limitations and costs.

- Transport & Access a big issue - Night time transport is not possible for students with Disabilities.
- Cultural and social experience of disability denied.

ISSUES AND CONCERNS RELEVANT TO THE PARTICULAR NEEDS OF STUDENTS WITH DISABILITIES FROM LOW SOCIO-ECONOMIC BACKGROUNDS:

- All other issues and concerns multiplied due to lack of money.
- Innovation, creativity and risk taking denied due to financial considerations.
- Participatory options and choices limited due to financial considerations

ISSUES AND CONCERNS RELEVANT TO THE PARTICULAR NEEDS OF STUDENTS WITH DISABILITIES FROM NON-ENGLISH SPEAKING AND INDIGENOUS BACKGROUNDS:

- Cultural needs not addressed in deference to disability needs.
- Support staff inadequately trained to deal with cultural issues.
- Involvement of family members and other cultural nuances disallowed by inflexible study structures.
- Students with disabilities often disallowed cultural and social experiences by, at times, well-meaning support staff.

ISSUES AND CONCERNS RELEVANT TO THE PARTICULAR NEEDS OF STUDENTS WITH DISABILITIES FROM RURAL AND REMOTE AREAS:

- Choices and opportunity limited by location of student and educational institute.
- Lack of support staff.
- Locational and distributional inequalities.
- No support means no possibility to do courses –re-invigouration of can –do and can't, therefore, won't mentality –dis-empowering..
- Lack of necessary facilities and appropriately trained support staff.

The role of the Commonwealth and states and territories should be in supporting the education of students with disabilities.

VTSAN would like to see the Commonwealth, States and Territories adopt a model Charter of minimum standards of educational service for students/- apprentices with disabilities. This charter would be an agreement between the students and the teaching staff and decision-making structures of the learning institution. The agreement requires all participants in the process to work cooperatively, by positively and effectively advancing the educational and general well being of the Institute.

The agreement acknowledges that all participants have rights and responsibilities to ensure the successful implementation of this charter towards advancing a high quality of educational support for students with disabilities. The students and staff alike accept to seek and receive information from appropriate departments of the Institute to meet the items stated in this charter.

The Charter of minimum standards of educational service for students/- apprentices with disabilities, are:

1. clean, hygienic, accessible, integrated place as a base for attending to medical needs;
2. appropriate and accessible student space -public and private - for resting and meeting people;
3. individualised orientation, including provision of an appropriately qualified employee of the learning institution for ongoing contact (where it is the explicit preference of the student);
4. adequate personal care provision available on campus;
5. proximity to transport;
6. appropriately trained, paid and resourced teaching and general staff ;
7. appropriate and participatory quality-assurance processes (this might include reviews, interviews and surveys);
8. appropriate modifications for:
 - (a) course structure
 - (b) mode of assessment
 - (c) buildings and environments (eg. access to power points);
9. support provisions for work-experience; field work; employment opportunities;
10. the availability of appropriate, effective, supportive and sensitive flexible-learning options;
11. flexibility in all areas of service delivery - to take into account such factors as the recognition of the need for extra time, fluctuation of a student's condition / disability and energy levels and periods of hospitalisation;
12. appropriate appeals and assessment regulations, particularly in such areas as extensions and special consideration;
13. provision of advocacy service that is independent of the institution without the fear of reprisal;
14. adequate support services so students can participate fully in the campus social life and recreational activities;
15. recognition of the support needs of multi-disadvantaged students;
16. a whole-of-institution understanding of funding allocation;

17. to have allocation of equipment suitable for students with disabilities, and appropriate staff to assist with the use of equipment;
18. confidentiality – recognition that some students do not wish to disclose their ‘disability-status’ (whether they are in receipt of services or not).

Underpinning the above policy items are the following principles for support services, which VTSAN holds as essential.

Principles for Support Services

(1) ENTITLEMENT

Disability support services should be fully funded. Students and apprentice’s support needs should be independently assessed by an accredited assessor.

(2) INDEPENDENT FUNDING

Funding should be a pool of money independent from Training Provider/ Course/ infrastructure / Capital funding. Funding should not create disincentives and should reward successful inclusion of people with disabilities.

(3) INDIVIDUALISED

An accredited assessor should independently assess the disability support needs of a student, ie. Commonwealth Rehabilitation Service; or Family and Community Services funded employment agencies or some other unit.

-

This will require an assessment tool which needs to be realistic, flexible and open-ended as possible.

The Assessment Tool needs to focus on:

- Individual student’s support needs
- Available technology
- Student’s self-assessment of need
- Infrastructure modifications
- Course modification
- Social and “campus life” - not just academic
- Skill development associated with the above
 - both students with disabilities and staff
- Personal preferences re: provision of disability support
- Emotional and developmental support and transitional issues

(4) TIMELY / SIMPLE / TRANSPARENT / REVIEWABLE

There must be guaranteed provision of appropriate support on Day

One of Course (this should include a process for interim approval)

The mechanism for the provision of disability support services should be a One Stop Shop consisting of a collaborative education planning and resource allocation

(5) FLEXIBILITY

Disability Supports must meet the needs of apprentice's with on and off-campus activities including projects, assignments, and off-campus activities

The provision of services must meet changing disability-related support issues particularly people with degenerative type illnesses and people with episodic disability including psychiatric disability

Services must meet a student's changing environment, for example, different classes, rooms, campuses, subjects, courses etc.

Services must meet a range of needs and contingencies, ie. assistance with personal care; classes that go overtime, or student is ill.

(6) NATIONALLY CONSISTANT & PORTABLE & APPROPRIATELY STRUCTURED

This structure should involve Quality and Quality Assurance and meet the three categories as outlined in the Andrews Report 1992

(7) COMPLIES WITH PRINCIPLES OF THE COMMONWEALTH DISABILITY SERVICES ACT (1986)

The provision of disability support services should comply with the service standards as set out in the Disability Services Act

REFERENCES:

Andrews.R and Smith.J, *Additional Cost of Education and Training for People with disabilities*, Department of Employment Education and Training, October 1992

ANTA (1996), *Equity 2001*, ANTA: Qld.

ANTA (1996), *Participation and Attainment of Individual Client Groups within Vocational Education and Training*, ANTA: Qld.

ANTA (1998), *Vocational Education and Training Issues for People with a Disability*, ANTA: Qld.

ANTA (2000), *Bridging Pathways: national strategy. From 2000 until 2005*, ANTA: Qld.

ANTA (2000), *Bridging Pathways: blueprint for implementation. From 2000 until 2005*, ANTA: Qld.

Disability Discrimination Act, 1992 (Cth) (DDA)

Disability Services Act, 1986 (Cth) (DSA)