ASSOCIATION OF INDEPENDENT SCHOOLS OF VICTORIA

SUBMISSION TO THE:

SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION REFERENCES COMMITTEE

INQUIRY INTO THE EDUCATION OF STUDENTS WITH DISABILITIES

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EXECUTIVE SUMMARY

AISV welcomes this Senate Inquiry particularly in the context of the need for policy reform in the funding of the educational needs of students with disabilities.

Parents of students with disabilities should have available the same choice in education as the community as a whole. AISV believes that this principle is restricted because of the inadequate and inequitable Government funding policies in respect of students with disabilities.

Independent schools provide an extensive range of programs for students with disabilities (in Victoria more than 1,200 students with disabilities receive Commonwealth targeted funding), however, independent schools' ability to provide for students with disabilities is hindered by the funding policies of Government.

The level of Government funding provided for students with disabilities attending Government schools is considerably higher than that provided to students attending independent schools.

The additional costs of educating students with disabilities should be borne by the community as a whole through appropriate Government funding. Funding for students with disabilities should not depend on the school sector in which the student is educated.

Government funding allocated to students with disabilities should be adequate to meet the education needs of the student and should follow the student to the school where the parent believes the best educational programs for his or her child is available.

As the "States House", the Senate should focus not just on the Federal Government's role in the provision of funding and services for students with disabilities, but on that of each State/Territory.

This is because for too long State Governments have failed to fulfill their constitutional responsibility for the education and funding of all students with disabilities.

While the Federal Government's *Disabilities Discrimination Act* has placed obligations upon the independent schools sector in respect of the enrolment of students with disabilities, neither it nor the State Government have provided the necessary public support, from taxation revenue, to assist in the implementation of the Act.

In the first instance, it is critical that the State Governments ensure that all children within a State receive adequate and equitable disability assessments, financial assistance and support services.

A significant commitment will be required by Governments to ensure equitable funding arrangements for students with disabilities. As a result, the Association believes that the funding

arrangements for students with disabilities need to be reformed in an incremental manner over a period of five to ten years.

Because the needs of each student with a disability is different, this submission calls for a student based funding model whereby each child is assessed for his or her individual disabilities and receives adequate funding to support their disability regardless of their school sector or whether they are enrolled in a special or regular school. In order to treat students with disabilities equitably, it is essential that policies focus on the individual's needs.

The Association therefore recommends:

- 1) The funding arrangements for students with disabilities be reformed in an incremental manner over a period of five to ten years.
- 2) All State Governments make a commitment to provide a student based funding entitlement for students with disabilities, regardless of whether the student attends a Government, Catholic or independent school. It is more critical in the first instance to redress the inequality of funding for students with disabilities within each State before attempting to resolve the definitional and resourcing anomalies between States.
- 3) All State/Territory Governments through their respective Department of Health budgets should accept responsibility for the provision of disability assessment reports for all children deemed to be in need of assessment. Presently the cost of these services in Victoria are provided by the Victorian Government to families of students with disabilities in government schools. Families choosing non-government schools are required to pay for these services themselves, prior to being eligible for Commonwealth or State special education support.
- 4) The Federal Government tag a proportion of States' GST funds from 2008 onwards for the purposes of providing equitable levels of funding assistance and support services to students with disabilities in government and non-government schools, based on the level of resources each State provides to students with disabilities in their government schools.
- 5) The Federal Government explore the introduction of a limited tax deduction of \$1,000 for gifts of a recurrent nature associated with the education of students with disabilities. Such a move would allow schools the opportunity to offer parents, grandparents, extended families and benefactors incentives for private recurrent investment in the education of school aged children presently enjoyed by universities but not schools.

1. INTRODUCTION

The Association of Independent Schools of Victoria Incorporated (AISV) was established in 1949 to represent and promote the interests of Victorian independent schools.

AISV has a membership of over 200 Victorian independent schools, enrolling more than 105,000 students. More than 98 per cent of all independent schools in Victoria are members of the Association. Member Schools enrol over 99 per cent of all independent school students in Victoria.

Each independent school is an autonomous and legally incorporated body, responsible at law and to its school community for its philosophy, structure, management and operation, including the expenditure of private and public income and the employment of staff. As such, the Association is not a system authority; rather, it is a non-profit service organisation to its membership. The Association represents the interests of its Member Schools to Governments and the community on a wide range of issues.

AISV has long regarded the education of students with disabilities as a priority area for policy reform. Current funding policies in respect of students with disabilities limit the education options available to students with disabilities, students who are among the most vulnerable in our community.

For these reasons, AISV welcomes this Inquiry by the Senate Employment, Workplace Relations and Education References Committee. AISV expects that the Inquiry's outcomes will make a significant contribution to improving Governments' policies in relation to the education of students with disabilities.

Independent schools work innovatively to deliver quality educational outcomes for all students. Independent schools provide students and families with choice in the environment in which their child is educated. Parents of students with disabilities should have no restrictions on the availability of choice in education.

Victorian independent schools (including regular and special schools) enrol over 1 200 students with disabilities¹. The need for schools to ensure quality learning outcomes for students with disabilities is recognized and embraced by the independent schools community. However, the capacity of independent schools to provide for students with disabilities is hindered by the funding policies of Governments.

Because the needs of each student with a disability is different, this submission calls for a student based funding model whereby each child is assessed for his or her individual disabilities and receive adequate funding to support their disability regardless of their school sector or whether they are enrolled in a special or regular school. In order to treat students with disabilities equitably, it is essential that policies focus on the individual's needs.

¹ This is the number of students with disabilities who qualify for Commonwealth funding.

2.1 AISV'S ROLE IN RELATION TO STUDENTS WITH DISABILITIES

In addition to AISV's role of representing the interests of independent schools to Governments and the community, the Association undertakes specific activities associated with the education of students with disabilities.

Firstly, AISV administers on behalf of the Commonwealth Government Specific Purpose Funding for students with disabilities. In 2001, nearly 1,200 students in 180 schools received Commonwealth funding assistance through this Program. The Association also administers on behalf of the Victorian Government funding for students with disabilities under its School Support Services Program. In 2001, nearly 900 students received assistance under this Program.

Secondly, AISV provides an extensive range of professional development and support services for independent schools in relation to students with disabilities. For example, in 2001, 343 teaching staff participated in a variety of workshops relating to the needs of students with disabilities.

2.2. BACKGROUND

AISV strongly endorses the principle that parents should be provided with choice when it comes to enrolling their children into school education. This principle is enshrined in Article 26 of the Universal Declaration of Human Rights, stating that "parents have a prior right to choose the kind of education that shall be given to their children". This principle should apply without restrictions to parents with children who have disabilities.

Research² on Victorian Voter Attitudes commissioned by AISV in 2001, found that

74 per cent of respondents said that students with similar disabilities should get the same amount of government money, no matter where they went to school.

The research also identified four principles on which public attitudes to school funding rests:

- All children should be, in some way, treated as equal and should be allocated the same basic amount of money by 'government' for their education, no matter where they go to school.
- If parents pay their taxes, they are entitled to share in the money allocated by the state for the education of the nation's children.
- It is the financial situation of parents, rather than that of the school, that should determine the basis on which government money is distributed to non-government schools.
- The three sectors of schooling Government, Catholic and Independent are interdependent and were non-government schools to disappear, in the short term at least, the burden on government funding of the state system would be extraordinarily heavy and the education system would be in great danger.

² Undertaken by Irving Saulwick and Associates and Denis Muller and Associates.

While significant recent Commonwealth schools funding reform has resulted in more equitable funding arrangements for independent schools, the Government funding of students with disabilities remains inadequate.

The following comments, made by Pastor Andrew Gear, Principal of Victory Christian College, provides the perspective of a low fee Christian school in confronting the inadequate Government funding for students with disabilities³.

"We are most concerned at the inequitable treatment afforded to students with disabilities through the current government funding mechanism. As a community college, we have worked hard to provide for parents who wish to have a Christian education for their whole family. On compassionate, moral and ethical grounds (let alone legislative ones) we would not like to see families enrol their children in different schools simply because of lack of economic support for a child with a disability...

"...Our College has endeavoured to provide education for children with disabilities and recognize that recurrent funding is provided from Commonwealth and State governments. We appreciate this most sincerely. However, this funding is inadequate for children with special needs who often require additional supervision and care. The school has provided this support as best it could, given its limited resources, and have drawn upon volunteer assistance to do so. It is an indictment on the structure of the funding mechanism to think that a child could attend another school 'down the road' and receive huge increases in government funding support...."

These comments point to the urgent need for additional Government support for students with disabilities in independent schools in order to offer increased opportunities for some of the most vulnerable in our community.

³ In 2001, Victory Christian College received Commonwealth funding for 5 students with disabilities and/or impairments

2.3 STUDENTS WITH DISABILITIES IN INDEPENDENT SCHOOLS

Victorian independent schools are committed to providing all students with the opportunities to develop a broad range of skills which will enable them to realize their potential and have long recognised the diverse needs of students. In this context, the number of students with disabilities enrolled in Victorian independent schools has significantly increased. The following table outlines the number of Commonwealth funded students with disabilities in independent schools over the past eight years.

YEAR	Commonwealth (SAISO) funded students with disabilities
1995	671
1996	836
1997	857
1998	986
1999	1,022
2000	1,134
2001	1,186
2002	1,2454

The increase in enrolments of students with disabilities at regular independent schools is evidenced by details in relation to the Nyora campus of Hillcrest Christian College, which are outlined in Attachment 1.

In addition to the 170 regular schools which enrol students with disabilities, there are nine independent special schools in Victoria. In 2002, these schools have enrolled approximately 280 students. Details of these special schools and the disabilities for which they cater are outlined in Attachment 5.

The importance of special independent schools in the provision of education is exemplified by the fact that a number of these schools have maintained maximum enrolments for close to ten years. For example, at present, The Currajong School has waiting lists for all but the infant group.

Victoria's special independent schools cater for students with specific needs and are often the recipients of students who have failed to adapt and achieve in a range of other school settings.

The costs to schools of adequately meeting the specific educational needs of students with disabilities is very high; for these costs to fall exclusively on students' families or their individual school community is unreasonable. They should be borne by the community as a whole.

⁴ This figure is correct as at 14 April 2002. Enrolment figures vary throughout the year due to a number of factors.

AISV believes that greater government support is required in order to provide the best possible education for the increasing number of students. The amount of Government funding for students with disabilities has not increased at the same rate as the increase in the number of students.

3. AISV'S RESPONSE TO THE TERMS OF REFERENCE

This section addresses each of the Terms of Reference for the Inquiry. As the "States" House, the Senate should focus its consideration of the Terms of Reference not just on the Federal Government's role in the provision of funding and services for students with disabilities but on that of each State/Territory.

a) Whether current policies and programs for students with disabilities are adequate to meet their education needs

AISV concludes that the current policies in respect of the funding of students with disabilities are clearly inadequate and inequitable.

Whilst the programs provided by independent schools are outstanding, the capacity of independent schools to provide for students with disabilities is hindered by the funding policies of Government, particularly those of the State. For too long State Governments have avoided their constitutional responsibility for the education and funding of all students with disabilities.

i) the criteria used to define disability and to differentiate between levels of handicap:

Victorian independent schools currently use the Victorian Government's definition of disability in order to identify students with disabilities for statistical and funding purposes. Examples of the documentation and assessment procedures required in order to qualify for Commonwealth Special education funding at independent schools are outlined in Attachment 6.

It is noted that each Australian State and Territory has its own definition of disability for funding purposes. This has the potential for significant confusion, especially for students who transfer interstate and has implications for equity in terms of Government funding allocated to students with disabilities.

Commonwealth funding for students with disabilities should be allocated in accordance with a nationally agreed definition. AISV notes that previous attempts to reach agreement on an appropriate national definition have not been successful, however, believes that further work in this area should be supported.

Nationally consistent criteria for the identification of students with disabilities would enable consistent and equitable funding arrangements to be established in the longer term.

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

The task of assessing a student against the criteria for funding purposes rests at the school level. Victorian independent schools undertake this responsibility with great care. AISV believes that there is in place sufficient procedures to ensure that schools undertake the assessment process in a fair and responsible manner. In Victoria, identification for funding purposes requires diagnosis by a relevant professional.

Of concern to the Association is the fact that families of students attending non-government schools are required to meet the costs of assessment services. For families of students in Government schools, the Victorian Government provides the cost of these services.

All State Governments should accept responsibility for the provision of disability assessment reports for all children deemed to be in need of assessment. This could be achieved through the budgets of the Department of Health in each State/Territory.

It is also noted that schools are subject to audit in relation to the classification of students with disabilities in relation to their Commonwealth schools census return. Some Commonwealth funding for students with disabilities is based on this census.

Schools have in place a range of tools and processes to assess the individual needs of students. These processes may extend beyond the assessment of students for Commonwealth and State funding purposes. For example, students with learning disabilities are not eligible to receive Commonwealth and State funding for students with disabilities, however, this does not mean that schools do not closely monitor the needs of such students.

Taking into account students with learning difficulties (for which there is no statistical data in the independent schools' sector) and the number of students with disabilities where no application is made for Commonwealth or State targeted funding (for various reasons), it would be expected that the number of students with disabilities in the independent sector would be significantly larger than that currently recorded.

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

The inadequate funding provided by Governments for students with disabilities in independent schools has a significant impact for those schools providing for students with other disadvantages such as low socio-economics, non-English speaking, Indigenous backgrounds and students from rural and remote areas.

This impact arises from the need for the school and its community to provide the additional resources required to meet the needs of these students and the limited capacity of those schools to provide the additional resources.

The evidence provided in Attachments 1 and 2 to this submission clearly outline the difficulties for schools in addressing multiple disadvantage.

iv) the effectiveness and availability of early intervention programs:

Given the importance of pre-school education, it is vital that effective early intervention programs are available for students with disabilities. The outcomes of such programs will have an impact on the needs of students as they proceed through the school years.

Many independent schools now provide pre-school education and AISV believes that the same funding principles should apply to pre-school education as for school education. In other words, funding for government and non-government providers should be the same and the funding should be based on the individual needs of the student without reference to the sector attended.

- v) access to and adequacy of funding and support in both the public and private sectors: and
- vi) the nature, extent and funding of programs that provide for full and partial learning opportunities within mainstream students:

The funding implications of seeking to integrate students with disabilities into mainstream education are fundamentally different between government and non-government schools.

Additional Government school costs, beyond those covered by Commonwealth funding, are met by the respective State or Territory Government. For independent schools, the heavy additional costs beyond those covered by Government funding must be met by the parents of other students. Under the *Disability Discrimination Act*, schools cannot charge additional fees (beyond the norm for other students) from the parents of students with disabilities.

An examination of the current funding arrangements provides a clear insight into the significant differences between levels of public funding to government schools, as compared with independent schools.

<u>Overview of Current Commonwealth and State Funding Arrangements for Victorian Independent</u> <u>Schools</u>

Financial support for students with disabilities in independent schools is, at present, limited. In order to assist students with high resource needs, limited targeted funding is available through the Commonwealth's Strategic Assistance for Improving Student Outcomes (SAISO) Program and the Victorian Government's Support Services Program. However, more often than not schools must draw on their own resources to ensure that individual needs are met.

The numbers of students with disabilities enrolled in Victorian independent schools has increased significantly. The following Table outlines the number of Commonwealth and State supported students with disabilities along with the available targeted funding.

YEAR	Commonwealth (SAISO) funded students with	Commonwealth SAISO funds Available	State funded students with disabilities	State Funds Available
	disabilities	\$		\$
1995	671	2,115,918	303	634,280
1996	836	2,170,480	393	663,560
1997	857	2,411,889	571	679,080
1998	986	2,697,733	646	685,695
1999	1,022	2,790,630	743	711,750
2000	1,134	2,866,860	905	713,944
2001	1,186	3,096,900	906	810,243
2002	1,245	3,113,905	990	812,100

Despite an almost 100% increase in the number of students eligible for Commonwealth SAISO funding during the period 1995 to 2002, the funding available has increased by less than 50%. The limited increase in funding available results principally from movements due to price increases, not to the number of students.

Similarly, the number of State funded students has increased by more than 200% since 1995, whilst the increase in available funding has been less than 30%.

Commonwealth support

Independent schools currently receive the following Commonwealth support for students with disabilities.

General Recurrent per capita funding: Students with disabilities in regular schools attract the same general recurrent per capita rate as other students in that school; students in special schools receive the maximum available level of Commonwealth General Recurrent funding.

Strategic assistance per capita (students with disabilities): Schools receive \$589 of additional funding for each student with a disability.

Special education compensation funding: This is a transition measure due to terminate at the end of 2004. Not all students are eligible for this assistance and the level varies widely with a maximum of some \$2 600 for eligible secondary students

Targeted funding under the Strategic Assistance for Improving Student Outcomes Programme: AISV administers this funding on behalf of the Commonwealth. Due to the increase in the number of students with disabilities, the maximum allocation is \$3,000 per student per annum.

Victorian Government Funding

Independent schools currently receive the following Victorian Government support for students with disabilities.

General Recurrent per capita funding: Students with disabilities enrolled in regular schools are funded at the same level as other students in that school; students in special schools are funded at the maximum available level of State General Recurrent funding.

State Support Services Program: The State Government makes available limited funding (currently \$812,000 per annum for all independent schools) to assist with support services such as speech therapy, visiting teachers for the vision, hearing and physically impaired⁵.

The State Support Services Program is the only additional funding provided by the State Government for students with disabilities in independent schools. The Program has proved to be inadequate in the level of funding provided and the resulting funding support for individual students.

As outlined in the below Table, the level of funding per hour of service support for students with disabilities has declined from \$40 per hour in 1995 to \$18 per hour in 2002. The current rate for purchasing service provision is approximately \$55 per hour.

Year	Funding per hour
1995	\$40 per hour
1996	\$40 per hour
1997	\$30 per hour
1998	\$28 per hour
1999	\$25 per hour
2000	\$25 per hour
2001	\$21 per hour
2002	\$18 per hour

AISV estimates that the State Government would need to provide additional funding of at least \$2.2 million in order to fund the currently eligible students at an acceptable hourly rate. This does not account for the estimated large number of students which do not submit applications for funding.

⁵ This Program replaced the previous Visiting Teacher Program operated by the Department of Education in 1995.

Government Funding comparisons between the Government and Independent Schools Sectors

There is a significant disparity in the level of Government funding provided for students with disabilities between Government schools and independent schools.

The Victorian Department of Education and Training currently funds students with disabilities in its schools on the basis of six levels of additional support depending on the level of disability.

The Table below presents the six levels of additional support applying in 2002.

Level 1	\$3,928
Level 2	\$9,084
Level 3	\$14,338
Level 4	\$19,570
Level 5	\$24,760
Level 6	\$29,979

This level of support is additional to the funding provided to schools on an individual student basis.

As a comparison, a "Level 6" student in an independent school would receive a maximum of \$3,000 in Commonwealth SAISO funding plus Commonwealth special education per capita funding of \$589⁶. Limited State Support Services funding might also be available. Clearly, the funding available to a student in an independent school is considerably less than that available to a student in a government school.

To further illustrate this disparity of funding, the following is an example of a student who has made application to access funds through a government school as well as an independent school. Even though the difference in funding levels is significant, the parents chose an independent school.

Student	Disability	DOE Salary	DOE Additional Supports
		Support	
Sally	Hearing Impaired	\$14,338	Visiting Teacher of the Deaf
			2 hours per week @ \$60/hr
		Independent	Independent Additional
		Salary Support	Supports
Sally	Hearing Impaired	\$2,000	VT Hearing Impaired 2 hours per
			week @ \$21/hr

⁶ During the period 2001 to 2004, Commonwealth Special Education per capita compensation funding may also be applicable.

It is inequitable that the same student would receive significantly different levels of funding dependent upon the sector of the school the student attends.

For independent schools, particularly special schools, many enrolments come as a result of government schools recommending their school to a student and/or the parents and the school can no longer manage and an alternative school has been sought out.

The following Table outlines the estimated percentage of enrolments in various independent special schools resulting from transfers from Government schools.

School	Percentage of total 2002 student body originally from the government sector
Berengarra	68 per cent
The Currajong School	54 per cent
Frank Cheshire Education	93 per cent
Centre	
Rossbourne	47 per cent

Source: the above percentages have been calculated based on information provided by each individual school.

Attachment 2 provides evidence from a Victorian independent school illustrating the extensive catchment area from which students come, and the problems faced by parents in finding an appropriate educational setting for their child.

Integration at Independent schools

Independent schools must draw on their own resources to ensure that individual needs are met.

Independent schools provide integration assistance in numerous ways, including:

- Specialists, in conjunction with classroom teachers, develop programs to target specific areas of concern for individual students or small groups. Students might be withdrawn from the classroom on a regular basis in order to engage in intensive work
- students are continually monitored so that programs can be altered as necessary and students will move in and out of the withdrawal groups, as their individual needs change
- specialist staff work in the classroom, with the teacher, to assist groups of students, usually in the areas of literacy and numeracy
- specialist and classroom teachers develop appropriate teaching and learning strategies and materials to ensure that students with learning difficulties are included in all aspects of the curriculum

Some independent schools have special units in order to accommodate the needs of students with disabilities and/or impairments. These include Methodist Ladies College, Yarra Valley Grammar, Tintern Schools, Billanook College and Hillcrest Christian College. Two of these

units are for students with severe to profound hearing loss, one for students with severe language disorders, one for those with social and emotional disorders and one for those with intellectual disabilities. The units provide trained specialist teachers and staff such as therapists and note-takers to support students in the regular/mainstream classroom and provide individual instruction as necessary.

Attachment 3 outlines examples of integration assistance provided by one independent school.

The Impact of the Current Funding Arrangements

The inadequacy of Government funding arrangements for students with disabilities in independent schools has a number of important implications including:

- Jeopardizing the quality of the education for these students
- Restricting the capacity of parents to exercise choice in schooling of their disabled children
- Placing undue financial pressure on individual schools and their communities

The contribution made by the independent schools in educating students with disabilities is invaluable and recognized by the education and broader communities. This contribution should be reciprocated with adequate Government funding in order to assist in this vital role. Instead, disparity limits the capacity of individual schools to provide adequate resources for disabled students. This is occurring even while an increasing number of students with disabilities and/or impairments are attending independent schools.

vii) teacher training and professional development:

The availability and quality of teachers with a professional understanding and knowledge of the needs of students with disabilities is an important factor in improving the educational outcomes for students with disabilities.

Teachers need to be trained in best practices to support the needs of students with disabilities.

AISV notes anecdotal evidence of a decrease in the number of qualified teachers in the area of disabilities and impairments. Trends in this area will need to be closely monitored in the future. The following example illustrates the difficulties involved.

The Currajong School is the largest service provider in Victoria in the area of social, emotional and behavioural disorders of young students aged between 5 and 13. The Currajong School keenly requests student teacher placements. Despite this, they have received only one student teacher placement between 1997 and 2002. This is in contrast to having three student placements in 1994, five in 1995 and one in 1996. This trend raises concerns that teachers currently receiving training are not interested in the area of students with disabilities and may not have the experience to handle students with disabilities.

Attachment 4 provides further evidence of the difficulties faced in finding special education trained teachers.

AISV believes better educational outcomes for students with disabilities could be promoted by making 'learning styles' (or an equivalent) a compulsory unit of teaching courses. On-going professional development for teachers should also be encouraged.

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

Commonwealth and State legislation⁷ makes its unlawful for schools to discriminate against students with disabilities.

The legislation places an obligation on schools to provide the appropriate facilities and programs for students with disabilities. This can result in significant resource costs for the school and its community without the sufficient level of Government funding support.

Commonwealth and State legislation quite rightly sets out the community's expectations in relation to the provision of education without discrimination for students with disabilities. Given the community's expectations, Governments have an obligation to provide the necessary resources to achieve the objectives of the legislation. Governments do not currently provide the required level of resourcing in respect of independent schools.

The legislative requirements have particular implications for non-systemic providers such as independent schools where resourcing is not shared across a system of schools.

It is noted that MCEETYA is currently considering Education Standards under the *Disability Discrimination Act*. These Standards have the stated objective of clarifying the rights of students with disabilities and the obligations of education providers. Independent schools are concerned that the impact of the proposed Standards, particularly in relation to the costs on providers, have not been closely examined. There are particular concerns about the implications of the Standards for non-systemic providers.

In order to implement the Standards, Governments will need to recognize the need to provide a higher level of resources and funding to education providers such as independent schools.

⁷ Commonwealth *Disability Discrimination Act* and the Victorian *Equal Opportunity Act*.

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

The National Goals of Schooling, endorsed by the Ministerial Council for Education, Employment, Training and Youth Affairs (MCEETYA) contains the important goal that "the learning outcomes of educationally disadvantaged students improve and, over time, match those of other students".

It is implicit in the National Goals, supported by all Education Ministers, that students with disabilities which adversely affect their learning will receive the support they need to succeed at school.

As a result all Governments have a responsibility to ensure that students with disabilities receive the necessary support to ensure quality educational outcomes. This applies without reference to the education sector of the student.

In order to achieve the policy reforms required to ensure the adequate resourcing of students with disabilities a high level of cooperation between State/Territory Governments and the Federal Government is required.

AISV welcomes the commitment of the current Federal Government in this regard, as outlined in its policy statement for the 2001 Federal election;

"We will work with state and territory governments to improve funding arrangements and funding for students with disabilities." (The Coalition, Schooling Higher Standards – Opportunities for all, page 2)

AISV also welcomes the commitment of the current Victorian Government as evidenced by its its Policy, *Supporting Non-government Schools*, at the 1999 Victorian State Election:

"Labor is committed to the integration of students with disabilities and impairments, including the training and provision of integration aides.

Labor will continue to uphold the right of the parent/guardian to determine the placement of a child with disabilities, including the freedom to choose a non-government school.

Labor will ensure students with disabilities and impairments achieve their potential in non-government schools."

(The Victorian ALP, Supporting Non-government schools, page 6)

Despite these commitments, the funding provided by Governments for students with disabilities in independent schools remains inadequate.

Funding provided by Governments should meet the full cost of providing for the educational needs of each child as assessed for that individual. Further, the funding should be provided in

respect of the individual student and should not be varied, regardless of the education sector or the funding level of the school attended. This would ensure both the necessary resourcing and educational choice.

Students with disabilities belong to us all as a society and as a consequence we all share the responsibility for their education. What school they attend and/or the personal circumstances of their parents is an irrelevance in this context; all students with similar disabilities should receive the same level of Government financial assistance towards their education. That funding should follow the student to the place where the parent, following professional advice, believes the best educational programs for his or her child is available.

Through such a system Governments have an important role to play in facilitating parental choice in education and extending it to parents of students with disabilities. In order to achieve the desired outcomes for students with disabilities, the Association believes that the funding arrangements need to be reformed in an incremental manner over a period of five to ten years.

In the first instance, it is critical that the State Governments ensure that all children within a State receive adequate and equitable disability assessments, financial assistance and support services.

In this regard, all State Governments must make a commitment to provide a student based funding entitlement for students with disabilities, regardless of whether the student attends a Government, Catholic or independent school. It is more critical in the first instance to redress the inequality of funding for students with disabilities within each State before attempting to resolve the definitional and resourcing anomalies between States.

Further, all State/Territory Governments through their respective Department of Health budgets should accept responsibility for the provision of disability assessment reports for all children deemed to be in need of assessment. Presently the cost of these services in Victoria are provided by the Victorian Government to families of students with disabilities in government schools. Families choosing non-government schools are required to pay for these services themselves, prior to being eligible for Commonwealth or State special education support.

At the Commonwealth level, the Association believes that the Federal Government should tag a proportion of States' GST funds from 2008 for the purposes of providing equitable levels of funding assistance and support services to students with disabilities in government and non-government schools, based on the level of resources each State provides to students with disabilities in their government schools.

In addition, the Federal Government should explore the introduction of a limited tax deduction of \$1,000 for gifts of a recurrent nature associated with the education of students with disabilities. Such a move would allow schools the opportunity to offer parents, grandparents, extended families and benefactors incentives for private recurrent investment in the education of school aged children presently enjoyed by universities but not schools.

4. CONCLUSION

Currently the amount of Government funding provided to a student with a disability depends on whether the student is educated at a Government or non-government school. Students in independent schools receive less Government funding than students attending Government schools.

Given the accepted community principle of choice in education and Government legislation which eliminates discrimination against students with disabilities, this funding differential needs to be urgently addressed.

Government funding for students with disabilities should be provided to meet the additional costs associated with the provision of specific educational needs of the student and should follow the student irrespective of whether the student is educated in a Government or non-government school.

Such a student based funding model would result in equitable funding for students with disabilities and would enhance the capacity of independent schools to provide quality educational opportunities for students with disabilities.

Both the Commonwealth Government and State/Territory Governments should in partnership share the responsibility of ensuring that the needs of students with disabilities are met. It is not acceptable that individual schools and their communities meet the additional costs for this disadvantaged group.

Reform of the current funding policies to a student based funding model would result in significant improvement in the education opportunities and outcomes for students with disabilities.

Commonwealth and State/Territory Governments should work in partnership to achieve the necessary policy reform and to increase the funding to students with disabilities in independent schools.

EVIDENCE: Hillcrest Christian College, Nyora Campus⁸

Hillcrest Christian College commenced operation as a mainstream independent school in 1981. The school identified a significant need for programs for students with disabilities, including students with learning difficulties. In response to this need, the school developed an annexe program which provides specialist, intensive and flexible education tailored to the student's specific needs. This individualised approach allows teachers to manage the student's disability and to recognise and cultivate talents.

As a result of the program's success, Hillcrest's reputation has evolved and the demand to take on students with disabilities is becoming overwhelming. Often these students have limited education alternatives and without Hillcrest, would be deprived of an education that is best suited to their needs.

At its inception seven years ago, the annexe program enrolled 28 students. Enrolments at the annexe have nearly doubled since and now represent 41 per cent of Hillcrest's student population. 74 per cent of the Annexe's enrolments have come from Government schools, 13 per cent from the independent sector and 9 per cent from Catholic schools. The Annexe program has also enrolled two overseas students.

In 2002, the retention rate of students in the annexe program is unprecedented. Four annexe students are currently completing the VCE program; three are undertaking the VCE on a part time basis and one other on a full time basis. Those who do not continue their education mostly take on apprenticeships.

The annexe students attend separate classes to that of the mainstream school, though several of the students opt to integrate into mainstream classes for the subjects in which they are confident. This also serves to cultivate friendships between the mainstream and annexe students.

Three teachers are currently employed to work solely with the annexe students. Though annexe teachers are assisted by aides, the demand on their time is constant. At present, the school cannot afford additional staff. In order to cater for their school community, Hillcrest has minimised it fee levels. Even so, many of the families already struggle to make the payments and others are using fee assistance.

Financial pressures presently inhibit the school's capacity to enhance the program.

⁸ This information has been provided by Hillcrest Christian College, Nyora.

EVIDENCE: The Currajong School⁹

Founded in 1974, the Currajong School is Victoria's largest service provider for students with social, emotional and behavioural disorders aged between 5 and 13 years.

Students often enrol at Currajong as a final option and for this reason, families travel for up to two hours each way to attend Currajong. Located in East Malvern, Currajong draws a student population from as far as Upwey, Frankston, Hoppers Crossing and Greensborough. Some families are eligible for a conveyancing allowance of up to \$300 a year, though this amount has not increased for many years.

Of Currajong's student population, 23 have come from government schools, 11 from other independent schools, three from independent special schools, four from Catholic schools and one student who had not attended school for six months or more.

Some of the students will have left a prep class after only a few weeks or months of commencing school. Many will have moved from school to school after having been suspended and/or expelled. In the case of one parent of a Currajong student -

"we approached 32 schools from Doveton, Dandenong, Kilsyth, Mooroolbark, Croydon, Ringwood, Boronia, Mitcham, Box Hill, Collingwood, Richmond, Heathmont, Vermont, Heatherdale, Brandon Park, Malvern and Burwood. We managed to get three interviews out of 32 schools and then we were unable to get a placement into a school."

The aim is to equip these students with the skills to attend a mainstream high school. For those who are unable, the options are limited. The low level of Government targeted funding available to Currajong and to independent schools specialising in social, emotional and behavioural disorders, restricts their ability to ensure appropriate education outcomes for these children.

⁹ This information has been provided by The Currajong School.

EVIDENCE: Brighton Grammar School¹⁰

At Brighton Grammar there is a wide range of boys with disabilities, all of whom are placed in mainstream classes, with financial support provided by both funding from government sectors and from parents.

The structure of the support system includes:

- special education personnel
- speech therapists
- occupational therapists and physiotherapists
- school counsellors

Each funded student is supported by a program support group that works to identify the educational needs of the student and facilitate his educational experience. The facilitation of the integration of students with disabilities relies heavily on financial contributions from whatever sources are available.

Whilst popular philosophies and current practices reflect a belief in the community and in government that students with disabilities should be placed in mainstream schools, the realities of integration warrant much more than simply a belief that it works. Successful integration requires a much greater financial contribution from the government. Currently, a few fortunate parents are financially able to ensure that their child is well integrated into mainstream classes at Brighton Grammar. The vast majority, like those with students in government schools, rely on funding provided by the government. As disabled students in independent schools receive much lower levels of financial support from government agencies than in government schools, the end result is an inadequate and inequitable integration system that discriminates against the disabled student.

Case Studies:

1. "William"¹¹ has Autism but is not eligible for placement in a special school and cannot function independently in a mainstream class. Funding for William (\$2 000) per year, is inadequate to pay for the full time aide that assists William. His parents have agreed to assist with the cost of \$20 000 or more, each year for William's aide. In a government school, much of the aide's salary would be covered by funding. It is unrealistic to believe that schools can fund from within their resources money to pay for such specialist requirements relating to students with disabilities.

¹⁰ This information has been provided by Brighton Grammar School.

¹¹ The names used in points 1 to 4 have been changed in order to protect the identity of the student.

- 2. "Ben" and "Tom" have significant, physical disabilities that require the sharing of a fulltime aide. The aide's salary is paid for by Brighton Grammar. Without the support of the aide, neither boy would be able to attend a mainstream school. If enrolled in a government school, funding would be significantly more substantial. Current levels of funding at Brighton Grammar for these boys are negligible in terms of contributing to the salary of the aide.
- 3. "Steven" has a severe language disorder that requires the implementation of a completely alternate, individualised curriculum. His special education funding at \$1 000 per year, coupled with speech therapy funding of \$720 per year, provide a mere one and a half hours of individualised education per week. Steven's disability impacts upon his education every minute of every school day. Daily access to appropriate intervention is needed.
- 4. "John" has cancer and has suffered debilitating medical treatments that affect his capacity to learn. Funding provides for one and a half hours of special education per week, in addition to one session of physiotherapy per week. This child actually needs constant daily assistance if he is to gain access to the critical Preparatory curriculum.

An increase in funding would further the capacity of independent schools, such as Brighton Grammar, to enhance their integration programs.

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Frank W. Cheshire Education Centre. 1743

8.03.02

Cynthia Merrill Manager Registered Schools Board GPO BOX4367 MELBOURNE 3001

Dear Cynthia,

I write this letter for your consideration to assist us with direction in a matter of considerable concern for our school.

Currently our registration requires our school to employ trained primary teachers with post-graduate qualifications in Special Education. Over the past four years I have found it extremely difficult to employ teachers who have these qualifications and who are suitably experienced teachers and of the temperament to work with children experiencing significant social, emotional, behavioural and learning disabilities.

On several occasions I have had to employ special education trained staff who I would normally not employ due to their lack of skills and experience in classroom practice and curriculum knowledge. I therefore follow the correct pathways of mentoring, support through professional development and in class assistance only to go through the notification period as they are not suitable to continue working in this environment. This is extremely disruptive to the programming of these already at risk children and can be a professionally devastating process for the exiting teacher.

In an attempt to locate qualified staff over the past four years I have been in constant contact with Melbourne, Deakin and Monash Universities who undertake the training of students in the field of Special Education. I have been unable to find suitable applicants even through this process as most of these students are currently employed in the role of a special education teacher.

Our school is part of a welfare organisation, Child and Family Care Network, who cover the considerable deficit that the school runs at each year. This added burden of having to payout a teacher is another burden that the organisation has to carry due to the restriction placed upon us. We currently have fifteen children enrolled, with nine students on a

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waiting list and the capacity to run four classes bringing the student population to twentyfour students.

The existing staff comprise of two teachers with Graduate Diplomas in Special Education, myself as Principal with a Bachelor of Education, Graduate Diploma in Special Education, a Masters of Education Policy and Administration, Graduate Studies in Nursing and current PhD studies. I currently write and present papers relevant to the field of special education. and have previously and currently lectured at Melbourne and Monash University to students undertaking Master's degrees in Special Education. On behalf the Association of Independent Schools I currently deliver Certificate 111 in Education-Integration Aide. In the past twelve-months our school has also added to its' staff the services of a psychologist three days a week, speech pathologist two mornings a week and a sessional movement therapist. I feel that with this diversely skilled staff, within our small environment, we would be able to support a teacher without special education qualifications. Our programmes are case- conferenced on a weekly basis, with daily de-briefing meetings to support all staff. This model of delivery and support I feel would provide more than adequate support and professional development opportunities for the right person to achieve the outcomes that we wish our children to achieve. We also provide supervised practicum placements for students in both the special education and psychology fields, as we are committed to providing quality educational experiences for the students who attend our intervention programme.

It is for all these reasons that I submit this letter to the Board, for consideration for exemption to employment of only special education trained teachers. In asking for consideration in this matter, I would at all times be advertising for both primary trained teachers and those with post-graduate qualifications in special education. I would then appoint the most suitable applicant for this position.

I would keep the RSB informed about the number of teachers employed who do not have special education qualifications should this be required. I reiterate that it is my intention to employ, wherever possible, qualified and suitable special education trained teachers but when this is not possible, I seek permission to employ other qualified teachers.

Yours sincerely,

Gail Preston Principal

Independent Special Schools in Victoria

Autisim Spectrum Disorders

Mansfield Autistic Centre

Vision Impaired

Royal Victorian Institute for the Blind

Intellectual Disabilities and Language Disorders

Rossbourne School

Language disorders and Learning disabilities

Andale School

Social and Emotional disorders

Berengarra School The Currajong School Frank Dando Sports Academy Frank Cheshire Education Centre Kamaruka

ATTACHMENT 6A

Attachments 6B and 6C provide an example of the assessment report procedures required in order to attain Commonwealth Government funding for a student with a Severe Language Disorder. The following outlines the criteria for the six other categories of disability.

An assessment report, tailored to the individual's disability, must be completed in order to prove that the criteria are met.

Intellectual Disability:

Eligibility Criteria:

a) Sub-average general intellectual functioning which is demonstrated by a full scale score of two standard deviations or more below the mean score on a standardised individual test of general intelligence

AND

b) significant deficits in adaptive behaviour established by a composite score of two standard deviations or more below the mean on an approved standardised test of adaptive behaviour

AND

c) a history and evidence of an ongoing problem with an expectation of continuation during the school years.

Severe Emotional Disorder:

Eligibility Criteria:

The student displays disturbed patterns of behaviour to the point where special support in a withdrawal group or special class/unit is required <u>AND</u> the student displays behaviour so deviant as to require regular psychological or psychiatric diagnosis or monitoring

Hearing Impairment:

Eligibility Criteria:

A bilateral sensori-neural hearing loss that is moderate/severe/profound AND where the student requires intervention or assistance to communicate.

Visual Impairment:

Eligibility Criteria

Visual acuity less than 6/60 with corrected vision OR visual fields that are reduced to a measured arc of less than 10 degrees.

Autism Spectrum Disorders

Eligibility Criteria:

- A: Significant deficits in adaptive behaviour established by a composite score of two standard deviations or more below the mean on an approved standardised test of adaptive behaviours AND
- B: a score of two or more standard deviations below the mean for the student's age in expressive and receptive language skills

AND

the severity of the language disorder cannot be accounted for by hearing impairment, social emotional factors, general intellectual disability or cultural factors AND

- C: a score above the cut-off for diagnosis of autistic features OR moderate and severe abnormalities in items 1,3,5 & 6 on an approved standardised test {CARS} for the presence of autistic features in current behaviour.
 - AND

a history and evidence of an ongoing problem with the expectation of continuation during school years.

Physical Disability:

Eligibility Criteria:

A significant physical disability and/or health impairment <u>AND</u> requires regular paramedical support.

ASSOCIATION OF INDEPENDENT SCHOOLS OF VICTORIA INCORPORATED

SAISO PROGRAM FOR SCHOOLS: SPECIAL EDUCATION COMPONENT

SEVERE LANGUAGE DISORDER ASSESSMENT REPORT

Eligibility Criteria:

Eligidi	nty Criteria:
a)	a score of two or more standard deviations below the mean for the student's age in expressive and/or receptive language skills on two of the recommended tests;
AND	
b)	the severity of the disorder cannot be accounted for by hearing impairment, social emotional factors, <u>low intellectual functioning</u> (80 or below) or cultural factors;
AND	
c)	a history and evidence of an ongoing problem with an expectation of continuation during the school years;
AND	
d)	a score at/or above minus one standard deviation from the mean on one comprehensive intellectual test;
AND	
e)	a score at/or above minus one standard deviation on one additional non verbal test of cognitive functioning.

TO BE COMPLETED BY A SPEECH PATHOLOGIST

Student Information:	
Family Name:	Given Name:
Date of Birth:	Age at time of Assessment:
School Name:	
THIS STUDENT HAS:	
(Circles b or c)	

a) a severe receptive language disorder

b) a severe expressive language disorder

c) a severe receptive and expressive language disorder

as indicated by the following test scores.

Test Used	Date Assessed	Receptive Score	Expressive Score	Total Score

NB: Table should show breakdown of expressive/receptive test scores unless the student has a severe expressive AND receptive language disorder in which case Total Language Scores or Language Quotients are appropriate.

Attachment 6B cont.

THE SEVERE LANGUAGE DISORDER CANNOT BE ACCOUNTED FOR BY NON ENGLISH SPEAKING BACKGROUND.

Please comment:

Where Non English Speaking Background may complicate the identification of a severe language disorder please supply reasons why this is not considered to be the primary factor in this case.

THE SEVERE LANGUAGE DISORDER CANNOT BE ACCOUNTED FOR BY CULTURAL FACTORS (OTHER THAN NON ENGLISH).

Please comments:

Where cultural background may complicate the identification of a severe language disorder please supply reasons why this is not considered to be the primary factor in this case.

THE SEVERE LANGAUGE DISORDER CANNOT BE ACCOUNTED FOR BY A HEARING LOSS.

Provide a copy of a recent report from an audiologist, or provide name and position of person who conducted a hearing screen test.

Test conducted by:	Position:
Date:	Results:
Audiogram attached? YES NO	
Where a history of fluctuating conductive hearing los disorder please supply reasons why this is not consid	as may complicate the identification of a severe language ered to be the primary factor in this case.
Comments:	

Attachment 6B cont.

THE SEVERE LANGUAGE DISORDER CANNOT BE ACCOUNTED FOR BY SOCIAL/ EMOTIONAL FACTORS.

Please comment:

Where Social/Emotional factors may complicate the identification of a severe language disorder please supply reasons why this is not considered to be the primary cause in this case.

EVIDENCE OF ONGOING NATURE OF THE SEVERE LANGUAGE DISORDER

Provide test scores of previous assessments, descriptions of intervention programs, summary of service provided to date, and other relevant information.

Provide a detailed statement of how the severe language disorder impacts or will impact on this student's academic achievement and social interactions at school.

Speech Pathologist:		
Signature:	Date:	

Attachment 6B cont.

RECOMMENDED TESTS OF LANGUAGE

Preschool Language Scale - Third Edition (PLS - 3)

I.L.Zimmerman, V.G.Steiner and R.E. Pond Harcourt Brace and Company 1993 Age: Range 0 years to 6 years 11 months

Reynell Developmental Language Scales 3 (RDLS – 3) NFER – Nelson Publishing Company 1981

Age: Range 0 years to 7 years 0 months

Test of Early Language Development (2nd Ed.) (TELD-2)

Hresko Pro-ed Publisher 1991 Age: Range 2 years to 7 years 11 months

Clinical Evaluation of Language Fundamentals - Preschool (CELF-Preschool)

E. Wiig, W. Secord and E. Semel Harcourt Brace and Company 1993 Age: Range 3 years 0 months to 6 years 0 months

Clinical Evaluation of Language Fundamentals - 3 (CELF - 3)

E. Semel, E.H. Wiig and W. Secord Harcourt Brace and Company 1995 Age: Range 6 years to 21 years

Test of Language Development – 3 (Primary) (TOLD – P:3) Pro ed 1997

Age: Range 4years 0months to 8years 11months

Test of Language Development 3 (Intermediate) (TOLD – I:3) Pro ed 1997 Age: Range 8years to 12years 11months

Test of Adolescent and Adult Language (TOAL – 3) Pro ed 1994 Age: Range 12 years to 24 years

N.B. Should a more recent edition of any of the above tests become available it is recommended that the later edition be used.

ATTACHMENT 6C

ASSOCIATION OF INDEPENDENT SCHOOLS OF VICTORIA INCORPORATED

SAISO PROGRAM FOR SCHOOLS: SPECIAL EDUCATION COMPONENT

SEVERE LANGUAGE DISORDER ASSESSMENT REPORT

Eligibility Criteria

Eligibi	my Criteria:
a)	a score of two or more standard deviations below the mean for the student's age in expressive and/or receptive language skills on two of the recommended tests;
AND	
f)	the severity of the disorder cannot be accounted for by hearing impairment, social emotional factors, <u>low intellectual functioning</u> (80 or below) or cultural factors;
AND	
g)	a history and evidence of an ongoing problem with an expectation of continuation during the school years;
AND	
h)	a score at/or above minus one standard deviation from the mean on one comprehensive intellectual test;
AND	
i)	a score at/or above minus one standard deviation on one additional non verbal test of cognitive functioning.
	TO BE COMPLETED BY A PSYCHOLOGIST

GUIDELINES FOR PSYCHOLOGISTS

Please note: Assessment of intellectual functioning is to be completed by a registered psychologist

When assessing the level of intellectual functioning of students with a possible severe language disorder, it is recommended that the primary test instrument should be either:

Weschler Intelligence Scale for Children – Third Edition (WISC III)

or

Weschler Preschool and Primary Scale of Intelligence – Revised (WPPSI – R)

The secondary test instrument for measurement of non verbal cognitive functioning should be selected from the following recommended list:

> Raven's Coloured Progressive Matrices (5 – 11 Years) or Raven's Standard Progressive Matrices (11 – 18 Years) or **Universal Nonverbal Intelligence Test**

The test scores of intellectual functioning and non verbal cognitive functioning are to be transferred to the tables over the page (Attachment 5C).

Attachment 6C cont.

Student Information:

 Family Name:

 Given Name:

Date of Birth: _____

WESCHLER SCORES

		VERBAL		PERFORMANCE			
Test Specify Assessment Tool (WISC III or WPPSI – R)	Date Administered	Sum of Scale Scores	IQ	Percentile Rank	Sum of Scale Scores	IQ	Percentile Rank

NON VERBAL INTELLECTUAL TEST SCORES:

Test D Specify Performance/Non Verbal	Date	Standard Score or Quotient	Percentile Rank

Tests conducted by:

Position:

_____ Date: _____