

DISABILITY COUNCIL OF NSW

Level 21, 323 Castlereagh St, Sydney NSW 2000

SUBMISSION

Issue:

The Senate Employment, Workplace Relations and Education References Committee has called for submissions in respect of an Inquiry into the Education of Students with Disabilities.

The Inquiry's terms of reference are:

- 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 Soc-economic, non-English speaking and Indigenous backgrounds and from rural and remote areas;
 - (vi) 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;
 - (vi) teacher training and professional development; and

(vi) 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.

- 2) That the Committee report to the Senate by the last sitting day in October 2002.

Background:

Established in 1984, the Disability Council of NSW advises the NSW Government on issues affecting people with a disability and their families. The Council's role includes:

- monitoring the implementation of Government policy in relation to people with a disability and their families;
- advising Government on the effect and relevance of services for people with a disability;
- promoting the integration of people with a disability into the community, through community awareness and education programs;
- encouraging diversity, flexibility and innovation in the provision of services; and
- consulting directly with people with a disability and their families.

The Council also functions as the Disability Advisory Body to the Commonwealth, commenting on Commonwealth issues affecting people with disabilities and their families in NSW.

Council's position on education is summarised in its Education Position Statement of 2001, as follows:

EDUCATION POSITION STATEMENT

AIM: *The Disability Council of NSW promotes education that meets the intellectual, physical, social, emotional, cultural, linguistic and diverse needs of all students in age appropriate inclusive learning environments¹.*

CONTEXT: *This position statement relates to education facilities, programs and services provided by government, non-government and private providers within NSW.*

INDICATORS:

All students irrespective of the origin, nature, type or degree of disability are able to exercise full citizenship in learning environments that:

- *Welcome all students*
- *Recognise and value diversity*
- *Implement strategies and programs that ensure full participation*
- *Enable involvement in decision making*
- *Provide numerous opportunities to enhance development*
- *Implement strategies and programs to eliminate discrimination and exploitation*

OUTCOME: *Through access to education, people with disabilities are able to exercise full citizenship in an inclusive society.*

¹ Reference: New South Wales Consolidated Acts-Community Welfare Act (1987) No 52, Section 16, Parliament of NSW-Legislative Council/Procedures Office.
www.parliament.nsw.gov.au

In response to the call for submissions in respect of the current inquiry into the education of students with disabilities, the Disability Council of submits the following information, in light of its Position Statement and related documents. The points made below have particular reference to school students.

Key Issues:

- Definitions of disability frequently exclude children from participation in education programs, rather than identifying their real needs as students.
- IQ assessment is still widely used as an instrument for determining levels of support required – and consequently funding packages – for children with intellectual disabilities. This outmoded practice fails to indicate the subjective needs of children as students in educational environments.
- A more wholistic approach to assessment is required: one that addresses social, curriculum and access issues, as opposed to a focus on “what is wrong with the student”.
- Concerning the needs of students from rural and remote areas, the Committee is referred to the Human Rights & Equal Opportunities Commission (2000) Recommendations of the National Inquiry into Rural and Remote Education. This Report notes that mainstream schools with an inclusive orientation are the most effective means of combating discriminatory attitudes, creating welcoming communities, building an inclusive society and achieving education for all. It further states that such schools provide effective education to the majority of children and improve the efficiency and, ultimately, the cost-effectiveness of the entire education system. From Council’s perspective, it is essential that the recommendations of the National Inquiry be implemented.

- The availability and ownership (ie whether Health or Education Depts, or non-government owned) of early intervention services varies across States. Early intervention approaches and practices likewise vary. There is an immediate need for expansion & standardisation/quality control of early intervention services, using transdisciplinary practices to achieve a wholistic approach. In particular, the emphasis on health indices & outcomes fails to consider the needs of children with disabilities as students.
- There is an enormous and inequitable difference in funding programs between State education and the private school systems. For example, in NSW, private schools access funding through an inadequate Commonwealth grant, as opposed to the better-funded State public school program. Under current arrangements, the difference between students with similar support needs in State and private sector programs could be in excess of \$20,000. This effectively means that parents have no choice in the type of education their children can access, as the support is not adequate in the private sector. It also creates a financial disincentive for private schools to accept students with disabilities.
- Council is opposed to funding programs that provide partial learning opportunities with mainstream students”, insofar as “partial inclusion” implies “segregation”. Regular classroom teachers need appropriate curriculum documents to assist them in the teaching of multi-ability classrooms. Training and development in modifying and adapting curriculum is also required. Teachers may find it difficult to identify or implement an activity for a student with a particular learning need that is congruent with the rest of the class. Unfortunately, there is still a heavy reliance on parallel programming with little resemblance to the whole class activity. This may lead to a heavy reliance on teacher-aide presence and ultimately teacher-aide dependency for the class teacher and the student. Council can only support programs that provide for full participation.

- Most schools are ill-equipped in curriculum modification, technological understanding and general program-planning if a child with a disability is enrolled, leading to token enrolment or the breakdown of the child's enrolment. Most States provide scant evidence of teacher training for multi-ability classrooms. University courses tend to provide a "special education" umbrella subject, which does not develop teacher competencies for supporting students with disabilities in typical classrooms. Such competencies should include a focus on overcoming the stereotypical and negative attitudes of teachers, students, other parents and general school communities towards students with disabilities, in addition to broader teaching practice.
- The role of Government is to co-operatively develop, fund and otherwise adequately resource a program that provides support for students with disabilities in public and private sectors. Such a program must involve public works with regard to total access and include aide support, teacher education, technology requirements and such resources as are necessary to enable full participation of students with disabilities in the schools of their parents' choice. At present, choice is effectively limited to parents' determination of the "least worst" option available.

Community attitudes towards children with disability should be driven by social justice and morality, as well as rights. It is publicly believed and accepted that children belong with families and communities: this must include children with disabilities as well. To be part of a family, to be known and respected as an individual, and to attend the same school and classes as one's siblings and neighbours are not outrageous suggestions. These are things that most families expect as a minimum for their children. However, for families of children with disability these ordinary aspirations remain difficult to achieve.

In summary, Council believes that Commonwealth and State Governments must act to:

- (i) ensure that education programs use assessment protocols to define the child with a disability as a student, in a learning environment, and focus on that student's needs as such;
- (ii) promote the standardisation and accreditation of early intervention programs in education, such that they have clear education outcomes;
- (iii) promote full participation of students with disabilities in the public and private school systems;
- (iv) modify tertiary teacher-education programs, to emphasise a multi-ability classroom model;

and, a matter of urgency,

- (v) remove the anomaly that exists between funding programs in the State and private education sectors.

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For the Disability Council of NSW

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