

**Senate Employment, Workplace Relations and Education References
Committee**

**Inquiry into the Education of Students with
Disabilities**

**Submission from
Education Queensland**

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**Queensland
Government**
Education Queensland

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1. PURPOSE

- 1.1. The purpose of this submission is to respond to the Senate Employment, Workplace Relations and Education References Committee's invitation for organisations wishing to express views on the education of students with disabilities, including learning disabilities.

2. EDUCATION QUEENSLAND'S STRATEGIC APPROACH TO THE EDUCATION OF STUDENT'S WITH DISABILITIES

- 2.1. Queensland State Education 2010, Education Queensland's strategic policy document, identifies the organisation's commitment to students with disabilities and states that equity programs will focus on the right of all students to access education that leads to learning outcomes consistent with their potential. It also states that Education Queensland should *provide and support quality services to students with low incidence disabilities; and provide support, advice, and guidance and where necessary, alternative programs for special needs.*
- 2.2. The Queensland State Education 2010 agenda is aligned with this strategy through its reference to one of the purposes of public education as: *Inclusiveness – providing the opportunity for students irrespective of their personal circumstances, background and starting-point, to participate fully in the education and social experiences offered by schools and achieve outcomes according to their potential.*
- 2.3. The *Queensland Government Strategic Framework for Disability 2000-2005* provides the foundation for planning, policy and service development across all government departments to meet the needs of people with a disability and their families.
- 2.4. This agenda ensures that Education Queensland conceptualises and delivers education services to students with disabilities and other at risk students within a coherent philosophical and strategic framework.
- 2.5. A statement on the education of students with disabilities was announced recently in the Queensland State Parliament. The 7 points outlined in the statement announced:
 - I. The establishment of an Education Queensland Taskforce on Inclusive Education, Students with Disabilities.
 - II. The development of an Education Queensland Action Plan for students with disabilities.
 - III. The establishment of a Staff College, Inclusive Education to provide professional development for teachers and other personnel providing education for students with disabilities in state schools.
 - IV. That a Forum on Inclusive Education will be held in June 2002.
 - V. The development of a strategic plan for a five-year capital works program to ensure that schools adequately cater for the needs of students with disabilities.
 - VI. The trial of a Certificate in Post Compulsory School Education to recognise the achievements of students with disabilities.
 - VII. The realignment of Education Queensland Central Office to support inclusive education.

3. RESPONSES TO SENATE INQUIRY TERMS OF REFERENCE

3.1. The criteria used to define disability and to differentiate between levels of handicap

- 3.1.1. *Ascertainment* is the method currently used by Education Queensland to identify the educational support needs of students with intellectual, physical, hearing, visual and speech-language impairment and students with autistic spectrum disorder. Students are ascertained levels 1 to 6 in each of these six impairment categories depending upon the severity of the impairment and its impact on the students' capacity to access education.
- 3.1.2. Education Queensland resources the educational needs of students in these six categories using ascertainment data. Only levels 4, 5, and 6 generate resources in terms of teachers or teacher aides to support students' special educational needs. However students ascertained at levels 1, 2 and 3 can receive additional support from existing school based resources and visiting specialists. Currently there are 12,617 school-aged students with ascertained needs at levels 4-6. This represents 2.87% of the total student population.
- 3.1.3. Some students with impairments or conditions that impact significantly on their capacity to achieve successful educational outcomes are not resourced using ascertainment. These include students with mental health disorders, serious health issues, challenging behaviours or newly emerging disorders. The special education support resources for these students are managed through other processes and funding sources.
- 3.1.4. Education Queensland provides specialist services such as physiotherapy, speech-language therapy, occupational therapy and nursing to enhance educational programs and outcomes for students. Physiotherapy, occupational therapy and nursing services are provided to students with disabilities. Speech-language therapy services to students with disabilities and to other students with special needs in communication.
- 3.1.5. *Appraisalment* is the method used by Education Queensland to identify the educational support needs of students with learning difficulties and learning disabilities. The Appraisalment process is a school-based process that consists of the identification of a student who may have learning difficulties or learning disabilities, data gathering about the student, the recommendation of a *Program Type* and the construction of a *Support Plan* by the class teacher and support teacher: learning difficulties to meet the needs of the student.
- 3.1.6. Students with learning difficulties and learning disabilities represent approximately 12% of the student population. Education Queensland defines students with learning disabilities as: *one small group of students with learning difficulties who because of the neurological basis of these difficulties, have persistent, long term problems and high support needs in one or more areas of literacy, numeracy and learning how to learn.* These students do not have generalised intellectual

impairments but rather demonstrate idiosyncratic learning styles that are determined by the nature of their specific disorders and inhibit their learning at school.

- 3.1.7. Under Section 31 of the Disability Discrimination Act (DDA) provision exists for the development of Disability Standards in relation to a range of areas including the education of persons with disabilities. MCEETA has commissioned the development of *Disability Standards for Education*. Standards are subordinate legislation and are the subject to the objects of the DDA. The primary purpose of the Standards is to clarify and make more explicit the rights of people with disabilities, and the obligations of education and training service providers, to avoid unlawful discrimination in the provision of education and training.
- 3.1.8. For students with disabilities, the Standards work to make more explicit their rights of access to educational opportunities under the DDA. The Standards however, have a potential impact of increasing costs if the Standards expand the current range of students identified as having a disability. One assumption shared by some service providers is that the combined population of students with high need disabilities and learning difficulties is about 18%. Currently Education Queensland supports about 15% of students across this range.
- 3.1.9. The majority of students with disabilities attend government schools. The proportion of students with disabilities reported for Commonwealth targeted funding purposes varies across the states and territories, but amounts nationally to 3.4% of all school students. For this funding a student with disabilities means:
- *A student who is attending a government or non-government school and who has been assessed by a person with relevant qualifications as having intellectual, sensory, physical, social/emotional or multiple impairments to a degree that satisfies the criteria for enrolment in special education services or programmes provided by the government of the State or Territory in which the school or centre is located. (A student whose only impairment is a specific learning difficulty or for whom remedial education or remedial support is appropriate is not an eligible enrolment for the purposes of calculating per capita funding).*
- 3.1.10. Variations in definitions exist across the Commonwealth and states and territories. This makes identification of need and reporting on outcomes difficult. There is a need to develop a common definition of disability to overcome these difficulties.

3.2. The accuracy with which students' disability related needs are being assessed

- 3.2.1. The Queensland Director-General of Education commissioned an independent review of ascertainment and resource allocation for students with disabilities in 2000. This review recommended that the ascertainment system be retained substantially as it is at present to identify the specialist educational needs of students with disabilities. However the review recommended that the existing model be made

more efficient and effective. Particular recommendations were made to assist resource distribution.

- 3.2.2. These recommendations included a trial of the profiling of educational need of students with disabilities using instruments similar to those used in other states. A working party and reference group convened in 2001 to implement this recommendation identified that such profiles may be inconsistent with inclusive education principles. A tender has now been called to employ a consultant to work with Education Queensland officers to re-conceptualise profiles as rigorous tools within an inclusive, outcomes-based framework. The trial of the resultant profiling tool is planned for mid 2003 with full implementation from January 2004.
- 3.2.3. National and international trends indicate that about 3% of the student population have special educational needs arising from a disability. Education Queensland has experienced a steady rise in the percentage of students ascertained from 1.64% in 1996 to the current 2.87% and expects that this will stabilise at 3% in 2003.
- 3.2.4. There may be an upward trend in this prevalence rate after the consequences of the development and implementation of the Commonwealth *Disability Standards for Education* are apparent. Refer to 3.1.7 – 3.1.9.

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

- 3.3.1. Students, families and the community have the right to expect that all children can achieve educational outcomes to their full potential. Evidence exists that there is educational disparity between groups of students. Significant differences can be seen across the states and territories of Australia. More individual issues such as the socio-economic background of students' families or whether the student is indigenous or non-indigenous or from a city or rural and remote area are also influential. There is also evidence that educational achievement is different between schools irrespective of the characteristics of the student population.
- 3.3.2. It has long been known that people with disabilities experience less favourable life outcomes in areas such as health and employment. It is now recognised that there are interrelated and cumulative social, cultural, geographic and economic impacts on all communities and indeed individual members of school communities such as students with disabilities.
- 3.3.3. Education Queensland's *Framework for students at educational risk - Building Success Together* aims to focus on those students most at risk of not engaging in learning and school life or achieving to their potential, and not completing their schooling. The actions of this policy requires staff in schools and other sections of Education Queensland to provide the scaffolding for schools to develop innovative and flexible ways of responding to educational risk in their communities. This framework encourages individual schools to make a difference by working closely

with other agencies and after enlisting the goodwill, skills and resources of their communities to create an inclusive learning community.

- 3.3.4. In the case of students with disabilities this task is a complex one for schools. Completing schooling is not necessarily an indicator of positive educational outcomes for students with disabilities. It may be more an indicator of the lack of post-school options for students and their families. The presence of a family member with a disability is known to impose economic hardship on families. Students may require access to expensive specialised equipment such as adaptive technology and specialised devices to support their participation in education. The question of who pays for these is a vexed one. This cost is even higher for families and schools in rural and remote areas even if they have ready access to specialist personnel and suppliers. Providing culturally sensitive and appropriate services for students with disabilities and their families also adds an additional layer of responsibility for schools because of the variety of ways that different cultures view disability. The cost of and logistics involved in providing such support services is significant for Education Queensland because of the decentralised and diverse nature of the state.
- 3.3.5. There is a need for national research into the needs of students with disabilities who may be at risk of further disadvantage because of low socio-economic, non-English speaking and Indigenous backgrounds and/or living in rural and remote areas.

3.4. The effectiveness and availability of early intervention programs

- 3.4.1. Research has identified that the provision of early intervention leads to long-term economic, educational and social benefits, not only for the child and family but also for the community. Recently, there has been pressure for early special education services to evolve in response to community and philosophical changes.
- 3.4.2. The information paper entitled *The Provision of Early Intervention Services and Early Special Education Services* endorsed by Queensland Cabinet in 1993 recognises that a range of government departments and non-government agencies provides early intervention services to young children with disabilities.
- 3.4.3. Early intervention services provided by Education Queensland are referred to as early special education services. Education Queensland has an articulated policy on the provision of these services that outlines the entitlements for students aged zero to three years, and four to six years respectively.
- 3.4.4. Early special education services focus on the cognitive, language, social, emotional and physical development of the individual child and are provided to young children from birth to six years with severe to moderate disabilities in the areas of physical, intellectual, hearing, vision, autistic spectrum disorders and speech-language impairment or multiple disabilities. This relates to students suspected of, or diagnosed as having a disability.

- 3.4.5. For children birth to three years, programs are primarily home-based and for children three to six years, programs are primarily provided at an early special education centre or through advisory visiting teacher support to early childhood programs.
- 3.4.6. Many children require services from more than one agency, and agencies may differ in terms of policy, funding and eligibility. The Framework Implementation Committee of the *Queensland Government Strategic Framework for Disability 2000-2005* has identified the need to develop inter-sectorial planning and communication processes.
- 3.4.7. Recently there has been pressure for early special education services to evolve in response to community and philosophical changes such as:
 - 3.4.7.1. Young children with disabilities increasingly access community based services such as kindergartens, crèche and childcare centres, and private preschools;
 - 3.4.7.2. Increased use of family-centred models of service delivery, with emphasis on family-chosen educational goals;
 - 3.4.7.3. A shift away from deficit-driven models of special education that focus on what a child cannot do, with resultant provision of services that build more on the child's abilities and interests;
 - 3.4.7.4. Development of the Education Queensland *Preschool Curriculum Guidelines* that describe the essential elements necessary to plan, implement and evaluate play-based learning that is individually appropriate, socially relevant and culturally inclusive;
 - 3.4.7.5. Involvement of a number of agencies, thus requiring a commitment to cooperative and collaborative planning and service delivery, at an interagency level, and at an interdisciplinary level; and
 - 3.4.7.6. Increased pressure to provide evidence-based teaching and therapy services to young children with disabilities.
- 3.4.8. There are variations in how early intervention for children with disabilities is provided using Commonwealth, state and territory resources and services need to evolve in response to community changes and evidence based practices.

3.5. Access to and adequacy of funding and support in both the public and private sectors

- 3.5.1. The most significant revenue contribution to the education of students with disabilities in Queensland comes from the state government.
- 3.5.2. All states in Australia and all countries with special education systems have faced issues of increasing numbers and resource demand over the last decade. Each is responding in a variety of ways to examine costs

while simultaneously endeavouring to provide appropriate and equitable services to students with disabilities.

- 3.5.3. As stated in 3.2.3, Education Queensland has experienced a steady rise in the percentage of students ascertained from 1.64% in 1996 to 2.87% in 2002 and forecasts 3% in 2003.
- 3.5.4. To maintain the level of support for each student with a disability increased resources have been provided. Education Queensland has resourced students with disabilities according to a consistent departmental ratio since 1999. Education Queensland has provided a total of 544 additional teachers and 11651 hours per week of additional teacher aide time to support students in the past two staffing cycles in 2001 and 2002.
- 3.5.5. There are 619 support teachers; learning difficulties in primary schools, 322 support teacher/resources teachers in secondary schools to assist principals and classroom teachers to support the needs of students with learning difficulties and learning disabilities. In addition there are 377 guidance officers and 300 behaviour management teachers.
- 3.5.6. There are systemic initiatives that assist schools to meet the needs of students of students with learning difficulties:
 - 3.5.6.1. The *Year 2 Net*: the *Year 2 Diagnostic Net* is a process of monitoring and reporting on children's literacy and numeracy development during the early years of schooling and it identifies and provides additional support for those children who are experiencing difficulties.
 - 3.5.6.2. The *Queensland Year 5 Test*: this test examines aspects of students' literacy and numeracy and identifies those students in the lowest 15% of the state.
- 3.5.7. These initiatives enable intervention funds to be provided to schools to assist in developing intervention programs for identified students. These funds are complementary to existing school funds and resources and include:
 - 3.5.7.1. *Reading Recovery*: this is an early intervention program designed to reduce the number of children with literacy difficulties. It is specifically designed for children who are at the lowest level of reading and writing to provide them with a second chance to acquire early literacy skills.
 - 3.5.7.2. *Strategic Assistance for Improving Student Outcomes*: Schools receive funding for literacy and numeracy projects to enhance outcomes for students from low socio-economic and disadvantaged backgrounds. Schools use this funding to meet the prioritised needs of students within their school communities.

3.6. The nature, extent and funding of programs that provide for full or partial learning opportunities with mainstream students

- 3.6.1. Currently 80% of students with disabilities enrolled in Queensland state schools attend regular schools, or regular schools with special education units and classes attached; the remaining 20% attend special schools. All students with learning difficulties and learning disabilities attend regular schools.
- 3.6.2. Education Queensland's reform agenda of progressing an inclusive education framework will move the emphasis from the identification and possible segregation of children who have disabilities to the identification of barriers to learning for all children and the mobilisation of resources within and across learners, teachers, schools, communities and government.
- 3.6.3. Inclusive education can be viewed as a framework that recognises the unique learning needs of all children and seeks to develop collaborative strategies to meet those needs. The paradigm of support moves from a framework of automatically attaching potentially marginalising support mechanisms such as teacher aides to students with disabilities, to a framework of supporting schools with resources to meet the learning needs of all students. This enhances opportunities for students with disabilities to learn with "mainstream" students.

3.7. Teacher training and professional development

- 3.7.1. Teachers have teaching qualifications and registration as the minimum requirement to work in Education Queensland schools. Many teachers in Education Queensland's workforce have specialist qualifications that contribute to and enhance their teaching practices to improve the learning outcomes for all students. Guidance Officers, in addition, require post-graduate studies in Guidance and Counselling or the equivalent.
- 3.7.2. Staff training and development issues have been recently been considered by Education Queensland as part of its inclusive education agenda. A Project Team identified significant needs in training, learning and development opportunities of personnel providing education to students with disabilities.
- 3.7.3. Pre-service training in special education provided through universities appears to be highly variable and generally non-compulsory. Teachers report that they are inadequately prepared to teach students with disabilities in an inclusive framework.
- 3.7.4. There is evidence of significant decline in the professional development functions of universities, in terms of opportunities available for Education Queensland staff to access courses, and the capacity of universities to provide viable programs.
- 3.7.5. Education Queensland published an *Education of Students with Physical Impairment* multimedia package in 2001. This package includes six modules written at a masters level and is now used by a Queensland university as a component of their Master of Special Education course. These packages have also generated interstate interest.

- 3.7.6. Education Queensland recently established Staff College - Inclusive Education offers an enhanced capability to respond to training, development and learning needs of staff. This state-wide college will liaise with local Staff Colleges to identify and access local training sources, coordinate services relevant to the district, and to be a point of brokerage for specialist services and providers in the area of students with disabilities. The Staff College will also have a critical role in liaison with tertiary institutions on professional development and training program development and delivery.

3.8. The legal implications and resource demands of current Commonwealth and state legislation

- 3.8.1. The *Queensland Government Strategic Framework for Disability 2000-2005* provides the foundation for planning, policy and service development across all government departments to meet the needs of people with a disability and their families. It reaffirms the Queensland government's commitment to the Queensland Disability Services Act 1992 and identifies priorities for responding to identified needs. The *Framework* operates within a legislative context that provides a safeguard to an individual's basic rights as identified in legislation such as the Commonwealth Disability Discrimination Act (1992), the Queensland Disability Services Act (1992) and the Queensland Anti-Discrimination Act (1991). The Framework applies to all people with a disability that:
- is attributable to intellectual, physical, psychiatric, cognitive, neurological or sensory impairment;
 - leads to a substantial reduction in the person's capacity for communication, social interaction, learning or mobility;
 - is permanent, or likely to be permanent; and
 - results in the person requiring support.
- 3.8.2. The Queensland Education (General Provisions) Act 1989 obliges the Minister for Education to provide 'a program of instruction in such subjects and of such duration as the Minister approves that has regard to the age, ability, aptitude and development of the student concerned ... (and) takes account and promotes continuity of the student's learning experiences' (Sect 14(1)). This legislation ensures that education of students with disabilities is planned and resourced to meet their unique needs.
- 3.8.3. Please refer to section 3.1.8 – 3.1.9 of this submission for Education Queensland's response to the implications of the Disability Standards for Education under the Disability Discrimination Act.