

The Senate

Education and Employment
References Committee

Access to real learning: the impact of policy,
funding and culture on students with
disability

January 2016

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RECOMMENDATIONS

Recommendation 1

4.75 The committee recommends that the government commits to funding schools on the basis of need, according to the Gonski Review.

Recommendation 2

4.76 The committee recommends that the government fund all students with disability on the basis of need by reversing its cuts to final two years of the Gonski Reforms.

Recommendation 3

4.77 The committee recommends that the government heeds the warnings of witnesses that linking school funding to the Consumer Price Index will result in funding cuts in real terms and reduce access to education for students with disability.

Recommendation 4

4.78 The committee recommends that the government keeps its commitment to use the Nationally Consistent Collection of Data on School Students with Disability to deliver more funding for students with disability based on their individual needs in 2016.

Recommendation 5

4.79 The committee recommends that the government release the results of the Nationally Consistent Collection of Data on School Students with Disability for 2015, and previous years, as a matter of urgency.

Recommendation 6

5.38 The committee recommends that a dedicated Disability Discrimination Commissioner be reinstated to the Australian Human Rights Commission.

Recommendation 7

5.39 The Committee recommend that the government works with states, territories and school systems to:

- (a) Establish a national approach to ending the bullying of students with disability. This should be supported with programs and resources for schools, teachers and students.
- (b) Make it mandatory for all initial teacher education courses to ensure beginning teachers enter the classroom with best-practice

skills in the inclusion of students with disability. The government should also work with states and territories to ensure current teachers, principals and support staff are supported to develop inclusive education skills in areas such as universal design for learning, differentiated teaching and cooperative learning.

- (c) Investigate the establishment a national qualification standard for teacher aids and assistants to ensure they have the knowledge and skills required to support learning for all students. States and territories should also provide guidance on the role of support staff in inclusive classrooms.
- (d) Prioritise the development of a national approach to modifying the curriculum for students with disability. This should include implementation tools and professionals development support for teachers to ensure that all students are supported to learn to their fullest potential.
- (e) Better support school systems, teachers and principals to continually improve the accuracy and effectiveness of the Nationally Consistent Collection of Data on School Students with Disability program.

Recommendation 8

5.40 In light of the limitations of the evidence presented, the committee recommends the government work with states and territories to establish a process for the collection and publication of information about levels of access and attainment for students with disability. This should include information about:

- (a) whether students attend school part or full time;
- (b) rates of home schooling and distance education;
- (c) educational attainment;
- (d) rates of restrictive practices and seclusion;
- (e) suspension and expulsion rates;
- (f) school completion;
- (g) availability of specialist support for teachers and principals;
- (h) workforce skills and the availability of professional development in inclusive education for teachers and principals;
- (i) access to allied health and interdisciplinary support; and
- (j) bullying and wellbeing.

Recommendation 9

5.41 The committee recommends the government work with states, territories, experts, stakeholders, school systems, parents and students to establish a national

strategy to improve the education of students with disability. The strategy should aim to:

- (a) recognise all students with disability as learners and drive the cultural change required to achieve this, particularly at a school leadership level;**
- (b) define the goals and priorities for improving the educational outcomes of students with disability, set clear timelines for their achievement and report publically on progress;**
- (c) increase school participation and access rates for students with disability;**
- (d) close the gap in Year 10 and Year 12 completion;**
- (e) ensure all students with disability can access adjustments and interdisciplinary support that will maximise their learning potential;**
- (f) ensure all students with disability benefit from evidence-based, best practice programs which lead to improvements in access and attainment;**
- (g) improve the accountability at a system and student level for ensuring better learning outcomes for students with disability;**
- (h) support schools, teachers and principals to close the gap between research and classroom practice;**
- (i) establish best-practice ongoing professional development for teachers, principals and others who work in the school system;**
- (j) include students with disability and their families in the development of the educational plan for their child, and encourage the meaningful ongoing engagement of parents;**
- (k) establish a national inclusion measure for schools; and**
- (l) establish independent review and complaints mechanisms so parents, teachers and students can have full confidence in the system.**

Recommendation 10

5.42 The committee recommends the government works with states and territories to end restrictive practices in schools, consistent with the recommendations of the 2015 Senate Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including the gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability.

CHAPTER 1

Background to the inquiry

Reference

1.1 On 17 June 2015, the Senate referred the following matter to the Education and Employment References Committee for inquiry and report:

- (a) current levels of access and attainment for students with disability in the school system, and the impact on students and families associated with inadequate levels of support;
- (b) the social, economic and personal benefits of improving outcomes for students with disability at school and in further education and employment;
- (c) the impact on policies and the education practice of individual education sectors as a result of the More Support for Students with Disabilities program, and the impact of the cessation of this program in 2014 on schools and students;
- (d) the future impact on students with disability as a result of the Government's decision to index funding for schools at the consumer price index after 2017;
- (e) the progress of the implementation of the needs-based funding system as stated in the Australian Education Act;
- (f) the progress of the Nationally Consistent Collection of Data on School Students with Disability and the findings, recommendations and outcomes from this process, and how this data will, or should, be used to develop a needs-based funding system for students with disability;
- (g) how possible changes as a result of the Nationally Consistent Collection of Data on School Students with Disability will be informed by evidence-based best practice of inclusion of students with disability;
- (h) what should be done to better support students with disability in our schools;
- (i) the early education of children with disability; and
- (j) any other related matters.

1.2 On 10 September 2015 the Senate granted the committee an extension of time to report from 3 November 2015 to 3 December 2015.

1.3 On 10 November 2015, the committee received from the Senate a further extension to table its final report by 15 January 2016.

Context of the inquiry

1.4 Australia, as a nation, has allowed educational outcomes for students with disability to be poor as a consequence of failing to consider what outcomes we want for children with disability. Without defined goals or outcomes for students with disability, there has been long-term policy confusion around expectations of the school system in general and individual students in particular. What is needed, therefore, is greater consideration given to what would be the optimal educational outcomes for students with disability, and then an effort made by governments at both commonwealth and state/territory level to put into place the policies, practices and funding that would lead to these outcomes.

1.5 While it has long been a topic of intense concern for the families involved, Australia's funding of additional support for students with disability in the school system, along with broader questions about the education of students with disability, has in recent years attracted greater public attention as the shortcomings of existing systems have become more apparent.

1.6 The Gonski Review of Funding for Schooling, released in December 2011, highlighted that disability is one of the major determinants of educational outcomes in Australian schools (along with socioeconomic background, English language proficiency, indigeneity, and school size and location), and recommended an additional loading for all students with disability, based on nationally consistent data and being sector-blind in its approach.¹

1.7 The Nationally Consistent Collection of Data on School Students with Disability (NCCD), a process recommended by the Gonski Review, in 2015 had its first full nationwide collection, with a view to informing school funding for 2016.

1.8 The previous Labor government also established the More Support for Students with Disability (MSSD) program as a temporary measure until the full roll-out of NCCD-based funding based on the Gonski Review's model. Designed to raise awareness and understanding within the education sector of the rights and needs of students with disability in schools, the MSSD was independently evaluated by PhillipsKPA, who found that the initiative:

As a modest, short-term investment the MSSD initiative achieved its major objective to build the skills of teachers and increase school capacity to better meet the educational needs of students with disability. There was general agreement across the jurisdictions that the MSSD initiative was a significant catalyst for change. The initiative provided opportunities for

1 *Review of Funding for Schooling*, pp xvi-xvii, <https://docs.education.gov.au/system/files/doc/other/review-of-funding-for-schooling-final-report-dec-2011.pdf> (accessed 21 December 2015).

authorities to get planned activities underway, or more broadly distributed, and to develop or refine innovative approaches.²

1.9 Broader context for this inquiry also comes from the launch in July 2013 of the National Disability Insurance Scheme (NDIS), itself a consequence of a Productivity Commission review which found that the existing systems for funding and supporting people with disability, along with their carers, were inadequate. While the NDIS is not specifically concerned with education and school funding, it is a central component of the increased attention given to Australia's policy settings in relation to people with disability.

1.10 Given the above policy initiatives and broad context, the Senate saw that it was an appropriate time to hold an inquiry into the access and attainment levels for students with disability in the school system, along with the progress and impact of the various initiatives and models recently introduced in the area.

Barriers to education

1.11 Throughout the course of this inquiry, the committee received overwhelming evidence regarding the many barriers faced by students with disability and their families. Access to education is a basic human right, but for many students with disability in Australia, it is a right which they are prevented from accessing.

1.12 Barriers take multiple forms, including difficulties enrolling, failure of schools to provide the reasonable adjustments required by students, exclusion from school activities, a shortage of services in rural and remote areas of Australia and low expectations of students with disability from school staff and others, leading to a failure to take seriously the educational needs of students.

1.13 In particular, the committee found that, while educational outcomes for students with disability are not strong for any students, the experiences of students in the school system varies widely: the family's financial means, geographical location and indigeneity all affected what level of education students with disability could access.

1.14 The practice known as 'gatekeeping', whereby families of students with disability are informally and unofficially discouraged from enrolling their child at their school of choice is another major barrier. For many families, merely enrolling their child in a school was the first of many battles they have to fight in order to ensure their child receives anything like an adequate education.

2 PhillipsPKA, *Evaluation of the More Support for Students with Disabilities Initiative, 2012-2014: Final Report (June 2015)*, Department of Education and Training, p. 9, https://docs.education.gov.au/system/files/doc/other/phillipskpa_mssd_screen_reader-final_report_20_july.pdf (accessed 21 December 2015).

1.15 This tied in with another major theme that became apparent during the inquiry: a key determinant in the quality of education students with disability receive at school was the culture of the individual school, starting with the principal and manifest in classroom teachers. For many students, the difference between positive and negative educational experiences could be traced directly to the extent to which individual principals and teachers understood the importance of providing real educational experiences for all the students in the school or class, including those with disability.

The consequences of failing students

1.16 The committee heard from numerous submitters and witnesses that barriers placed in front of students with disability have severe and compounding consequences – for the student themselves, their family and the whole Australian society and economy. Neglecting the education of students with disability at school will have long-lasting effects.

1.17 For the students themselves, inadequate education access at school will result in their diminished capacity for the rest of their lives. Under-education leads to unemployment, lower levels of health, social isolation and a lifetime of disadvantage.

1.18 For their families, the consequences include significant financial costs – both through the school years and beyond, if the students are never able to achieve employment – and an overwhelming emotional burden. Parents told the committee of their exhaustion and the emotional strain on families and relationships of having to fight on an ongoing basis to achieve for their child the level of education that most families take for granted.

1.19 Both individual families and the broader Australian workforce suffer too, when schools fail these students, effectively forcing one parent to give up the paid workforce to care for, and try to educate at home, their child.

1.20 The wider Australian society also pays the price of failing to adequately educate students with disability, not only from the loss of that student from being able to contribute as a worker later in life, but often from a reduced involvement from the families of these students. Beyond that, adults with disability whose education did not prepare them for workforce participation will also contribute to government income support spending.

1.21 The consequences, therefore, of Australia's low levels of educational access and attainment for students with disability are serious and multifaceted. Failures in this area produce long-lasting and severe problems for the students, their families and the entire Australian society.

The conduct of this inquiry

1.22 Details of the inquiry were made available on the committee's website. The committee also contacted a number of organisations inviting submissions to the inquiry.

1.23 The committee called for submissions by 21 August 2015. Submissions were received from 294 individuals and organisations, as detailed in Appendix 1.

1.24 The committee held the following public hearings:

- in Sydney, on 18 September 2015;
- in Brisbane, on 25 September 2015; and
- in Melbourne on 29 September and 20 November 2015.

The witness lists for the hearings is available in Appendix 2.

Acknowledgement

1.25 The committee thanks those individuals and organisations who contributed to the inquiry by preparing written submissions and giving evidence at the hearings.

Note on references

1.26 References in this report to the *Hansard* are to the official *Hansard*.

CHAPTER 2

Difficulties with accessing education

'I had no idea schools could decline a child with a disability in mainstream school placement'.¹

Introduction

2.1 Throughout the course of this inquiry, the committee heard from submitters and witnesses about the many challenges facing students with disability and their families in adequately accessing education. The committee also received evidence that difficulties in accessing education leads to disenfranchisement later in life when a person seeks to participate in higher education, training or employment.

2.2 Australia has obligations, under the *United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)*, to ensure that inclusive education is available to all children, regardless of their level of ability. The UNCRPD stipulates that:

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:
 - a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
 - b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
 - c) Enabling persons with disabilities to participate effectively in a free society.
2. In realizing this right, States Parties shall ensure that:
 - a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
 - b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
 - c) Reasonable accommodation of the individual's requirements is provided;

1 Mrs Georgia Talbot, *Committee Hansard*, 18 September 2015, p. 1.

- d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.²

2.3 Thus it is clear that Australia has obligations to ensure inclusive education is available to all children. Yet, in spite of this unequivocal obligation, the committee heard from numerous submitters and witnesses that access to education for students with disabilities proved to be difficult, time-consuming and required substantial efforts and energy on the part of parents and carers.

2.4 Australian Lawyers for Human Rights (ALHR), a national network of over 2600 human rights lawyers, academics and judicial officers, argued that:

... schools or government policies which fail to provide equal and inclusive educational opportunities to children with disabilities are in breach of the United Nations Convention for the Rights of Persons with Disabilities.³

2.5 People with Disability Australia argued that Article 24 of the UNCRPD 'must be the basis of our educational framework':

Our educational framework does need to be based on the rights of the child: the rights of the child to receive education; the rights of the child to participate in their communities; the rights of people with disability to be free from violence when they are in whatever setting they might be, including schools; the rights of children and people with disability to make complaints about their experiences; their rights to participate politically; and their rights to be involved economically in the community as children, young people and as adults.⁴

2.6 Ms Stephanie Gotlib, Chief Executive Officer of the major advocacy group Children with Disability Australia (CDA), commented:

CDA does not deny that there are good pockets of education practice, but it is just not right that this is the exception rather than the norm. I do not think I know of one child with a disability, including my own, that has not had to have significant compromises in their education experiences. To have any chance of accessing your basic education rights in Australia, students with disability must rely on fierce advocacy—usually by families and the stars aligning. Usually, the magical combination is also dependent on a strong school leader who is unwavering in their commitment that all students should access an education. The chance of accessing a quality education

2 United Nations Convention on the Rights of Person with Disabilities, Article 24, <http://www.un.org/disabilities/convention/conventionfull.shtml>, accessed 29 October 2015.

3 Australian Lawyers for Human Rights, *Submission 134*, p. 1.

4 Ms Ngila Bevan, People with Disability Australia, *Committee Hansard*, 18 September 2015, p.10.

when you are a student with a disability is likened to that of winning the lottery.⁵

2.7 ALHR expressed their concerns with the current approach to education in Australia and concluded:

ALHR holds grave concerns that the current education systems in Australia fail to provide inclusive education to children with disabilities and as a result, children with disabilities are being denied their fundamental human rights.⁶

2.8 The committee believes that it is unacceptable that so many Australian children are being denied their basic human right to access education.

Barriers to education access and attainment

2.9 A key theme from the evidence presented to this inquiry was that the experience of students with disability in the school system in Australia varies widely, depending on multiple factors, including the family's financial means, geographical location and indigeneity.

2.10 The next chapter will address more specifically the costs borne by families of students with disability, including the financial expenses they face as a consequence of seeking the best possible education outcome for their children. However, the nature of this problem is, amongst other things, a question of equity.

Financial means

2.11 Simply put, the committee heard evidence from multiple witnesses that illustrated the point that students from families with greater financial means can have options and opportunities unavailable to children from families without such means.

2.12 This is inherently unfair and creates 'classes' of students with disability, whereby some have a greater chance of educational attainment, and therefore success in later life, and some have much lesser prospects.

2.13 However, even for those families with the financial means to afford additional support for their children, this creates significant financial burdens. Regardless of the outcomes, parents and families of students with disability face substantially higher costs in accessing education for their children than other parents do, and with no guarantee that their child will attain a better education outcome.

2.14 One instance of this relates to the provision and use of assistive technology – such as laptops or tablets – which allow students to engage more in the classroom setting. For many students with disability, access to a device to help them

5 *Committee Hansard*, 29 September 2015, p. 8.

6 Australian Lawyers for Human Rights, *Submission 134*, p. 12.

communicate and learn is a necessary and reasonable adjustment, which therefore the school is obliged to provide.

2.15 However, as the committee heard, parents and families are often forced to pay for these adjustments themselves. One parent told the committee that, on top of all the other expenses incurred in having their child's disability diagnosed and alongside expensive additional tuition costs, they were told by their school that their resources did not allow for these necessary adjustments:

When our children were diagnosed, we went to the school to try to get support, intervention and assistive technology. We were told, 'There's no resources and no funding,' so we have funded that ourselves. I have two children who are dyslexic. The report was \$800 apiece, none of which could be claimed. Prior to having them diagnosed as dyslexic, because we knew nothing about dyslexia, we put them through an extensive occupational therapy program, which totalled \$3,200. Private tuition for my daughter this year is costing us \$13,000. We funded the technology and the assistive tech for both of our children, and that has been in the vicinity of \$3,000 or \$4,000 so far.⁷

2.16 One of the components of the More Support for Students with Disabilities National Partnership Agreement was funding to enable schools to purchase resources including assistive technology, as well as to fund training for teachers to increase their skills with technology devices.⁸ However, that program's completion in 2014 may result in more families having to bear the cost of such devices.

Geographical location

2.17 Since school education remains a state responsibility in Australia, variations are significant between Australian states in terms of access and outcomes. The result of this non-uniform approach is that students with similar disability issues may face very different education systems depending on where they live. Again, the committee heard compelling evidence that this leads to significant inequities between students.

7 Ms Jane Woodley, Gold Coast Dyslexia Support Group, Committee Hansard, 25 September 2015, p. 40.

8 Council of Australian Governments, *National Partnership Agreement for More Support for Students with Disabilities*, p. 4, http://www.federalfinancialrelations.gov.au/content/npa/education/more_support_for_students_with_disabilities/national-agreement.pdf (accessed 17 December 2015).

2.18 Government funding for students with disability varies dramatically across the states and territories. The averages demonstrate the notably different levels of support students can receive depending on which state's education system they enrol in.⁹

2.19 Another illustration of how education experiences differ from state to state is the different levels of support provided by therapists and other specialists in schools.

2.20 Epilepsy Action Australia, for instance, noted variance between the states in their testimony before the committee. In some states students with epilepsy could qualify for additional funding and support; in other states they cannot.¹⁰

2.21 Occupational Therapy Australia provided evidence that the use of occupational therapists (OTs) in schools varied considerably from state to state. In Queensland, the Department of Education and Training employs nearly 70 full-time equivalent OTs to work in state schools, while other states have limited access for privately engaged OTs to schools at best.¹¹

2.22 Similarly, Speech Pathology Australia described the:

... significant variation in eligibility criteria for individualised targeted funding across the states and territories of Australia, and inconsistent definitions and criteria in particular for speech, language and communication disabilities.¹²

2.23 The committee heard from parents who made the life-changing decision to move their family interstate in the hope of improving the education outcomes for their children. The committee finds it completely unacceptable that families need to move across the country so that their children can be educated. Such a move affects all members of a family and may negatively affect employment and financial prospects for the parents.

2.24 For instance, Mrs Theresa Duncombe told the committee about the different experiences her son had in three states:

Ben attended a local school in Western Australia where, after rigorous assessment for funding, Ben's classroom level of support was 0.8 or four full-time days until the end of year 8. We worked closely with the school

9 Australian Council for Educational Research, *Assessment of current process for targeting of schools funding to disadvantaged students, July 2011: a report prepared for The Review of Funding for Schooling Panel*, p. 40, http://research.acer.edu.au/cgi/viewcontent.cgi?article=1009&context=policy_analysis_misc (accessed 7 December 2015).

10 Ms Lisa Todd and Ms Carol Ireland, Epilepsy Action Australia, *Committee Hansard*, 18 September 2015, p. 45.

11 Occupational Therapy Australia, answer to question on notice 29 September 2015 (received 30 October 2015)

12 Speech Pathology Australia, *Submission 275*, p. 12.

and allied health professionals in a collaborative relationship to achieve a strengths-based approach to inclusive Ed. When we relocated to New South Wales, after multiple appeals, funding applications gave Ben 11 hours a week. How can two state systems be so vastly different in the level of support for the same student? Funding does make a difference to the education of students with disabilities, but I have to clarify that, as parents, our expectations do not necessarily equate to one-on-one teacher's aide time with children. There are innovative programs in Australian schools, and, again, this is why we have relocated to Queensland.¹³

2.25 While few students with disability have access to adequate levels and forms of education, regardless of where they live, even within a single state, students can experience vastly different education outcomes as a consequence of the area in which they live.

2.26 Most sharply, students in remote or regional areas are likely to have considerably fewer options than their city-based counterparts. The difference in access to education between those living in Australia's major cities and those in rural or remote areas was described to the committee:

There is a recognition in Australian education that one of the great divides is actually metropolitan and non-metropolitan students.¹⁴

2.27 The difficulties facing students and families from regional areas were emphasised by the submission from the National Disability Coordination Officer Programme, who included a case study of a small regional town to highlight the problems involved:

This limited engagement with professional services and supports particularly affects students with disability who may not have access to skills and experienced early intervention, educational support, transition pathway services such as disability employment services, mainstream employment services, transition to work programs, day services and respite care. The reality usually involves travelling the 3-4 hour round trip to the regional centre. This time away from school further impacts on the student and their educational outcomes. Whilst the local shire council is aware of the above as an on-going issue, and is continually working on lifting the profile of the town and attracting people to meet the skills needs, they are very much concerned that this trend will not change in the near future. In fact the community is concerned that the introduction of the NDIS may exacerbate the situation.¹⁵

13 Mrs Theresa Duncombe, *Committee Hansard*, 25 September 2015, pp 1-2.

14 Mr Ross Fox, Executive Director, National Catholic Education Commission, *Committee Hansard*, 18 September 2015, p. 56.

15 National Disability Support Officer Joint Submission, *Submission 153*, pp 7-8.

2.28 A central concern for students and their families in regional and remote areas is the difficulties involved in finding or maintaining qualified teaching staff, as the Isolated Children's Parents Association Queensland noted:

The recruitment and retention of specialised staff in rural schools in Queensland is an ongoing challenge. Lack of cultural and social opportunities, coupled with sub-standard telecommunications services in many rural areas, are a significant deterrent when attracting suitable professionals such as learning support teachers and guidance officers. Due to the inability to attract specialist staff in the rural and remote environment, the learning support responsibilities in many instances fall on the teacher aide and in one teacher schools where multi-level classrooms are common, this expectation is simply unworkable.¹⁶

2.29 The committee heard from the School Council from Acacia Hill School, in Alice Springs, which provides 'an intensive and inclusive educational program' for students with disability. Given the absence of designated special schools in central Australia, some students at that school have left their families and communities to attend – some now live 12 hours' drive from their families.¹⁷ While the committee commends the Acacia Hills School and other schools like it for their programs and commitment to providing education for all students, it notes the high emotional price some students and their families pay in order to access education in remote parts of Australia.

2.30 A particularly concerning problem for students in regional and remote areas on which the committee received evidence was that of transport to and from school. CDA noted that some students are spending up to four hours per day in transit – meaning that they leave home before 7.00am and return after 5.00pm. Aside from missing out on time with family and friends or playing, for some students with disability, this can cut sharply into their available time for therapy and support. Students are often frequently unable to use the toilet or eat during those hours on school buses, causing further distress or illness.¹⁸

2.31 Ms Catriona Gunn, who provides advocacy and support services for students with disability and their families, also noted that inconsistencies are rife within a single state. She provided an illustration of a family she knows of who moved from rural South Australia to Adelaide in order to better support their child's needs. This has involved substantial emotional and financial upheaval for the entire family.¹⁹

2.32 The committee also received evidence that, even within a particular city, certain schools or districts were notable for their approaches to educating students with disability. To a large extent this reflects an issue to be discussed below, of the

16 Isolated Children's Parents Association Queensland, *Submission 22*, p. 1.

17 Acacia Hill School School Council, *Submission 284*, pp 1-2.

18 Children with Disability Australia, *Submission 257*, pp 41-2.

19 Ms Catriona Gunn, *Submission 138*, p. 1.

importance of the culture within each individual school in influencing how a student with disability would be able to attain education outcomes, but this further highlights the point that, for many students, the quality of the education they receive at school is a consequence of where their family lives.

Indigenous and multicultural students

2.33 While geographic considerations were found to play a real and significant role in the education options available for students with disability, the committee also heard that many of the problems associated with education access and attainment for students with disability are exacerbated for indigenous students with disability. While most students with disability struggle in the education system, it is much worse for Aboriginal and Torres Strait Islander students.

2.34 The First Peoples Disability Network noted that 'inclusive education', as a concept for indigenous students, has cultural elements, alongside the meaning inclusion has for students with disability and that it was crucial that education addressed both perspectives:

... when thinking about what an inclusive education looks like for an Aboriginal or Torres Strait Islander child, you need to consider both the cultural and disability perspectives. These are different. Cultural inclusion is about understanding the cultural obligations that an Aboriginal or Torres Strait Islander child has with their community, whereas inclusiveness from a disability perspective is about recognising the child's specific learning needs related to that impairment and creating a positive learning environment for them. If you have both cultural and disability perspectives, you are setting them on the right path. If you have one but not the other, you are addressing some but you are nonetheless leaving in place substantial barriers to their learning. If you have neither, then you risk a progressive and total disengagement from education and set them on the sadly inevitable path away from education and towards things like the justice system, a life of limited employment prospects, low wealth and all the poor social outcomes associated with that.²⁰

2.35 As Speech Pathology Australia noted, children from indigenous communities may be in most need of additional support, yet are the least likely to receive it:

[Speech pathologists] are usually based in urban areas (Darwin or Alice Springs) and 'access' for remote students is at best a consultative service from a visiting speech pathologist. This means that indigenous students in remote communities often have the most limited access to speech pathology services – when they are often the students who need it most due to the high rates of communication impairment resulting from the epidemic of otitis

20 Mr Scott Avery, First Peoples Disability Network, *Committee Hansard*, 20 November 2015, p. 10.

media (ear infections) in the Aboriginal and Torres Strait Islander child population.²¹

2.36 A further aspect of disadvantage pointed out by the First Peoples Disability Network is that educators' expectations of indigenous students may prevent them from recognising that a particular student has a disability:

... we need to understand that disability and learning impairments occur on a spectrum, and it is often those with moderate disabilities who are at greatest risk. This is because their disability or learning need might not be immediately visible and therefore might not be identified or supported. We have heard examples where children who have hearing problems are being punished because of their impairments and because they are struggling to keep up, and when that happens a child gets branded. We call that the 'bad black kid syndrome', where they think that they are being naughty, but rather it is actually a physical effort that they cannot keep up with their schooling.²²

2.37 Some of these issues also impact upon students from non-English speaking (NES) and culturally and linguistically diverse (CALD) backgrounds. The Multicultural Disability Advocacy Association (MDAA) noted that parents from NES or CALD backgrounds are often unaware of the rights of, and supports available to, students with disability. Families from these backgrounds suffer from a lack of a voice in decision-making processes.²³

2.38 Furthermore, as MDAA noted, poor experiences for students with disability from NES or CALD backgrounds have flow-on impacts including social isolation:

Where children and young people with disability are excluded from school for disciplinary reasons or experience other barriers to attending school with their peers, especially in communities which are not traditionally open to discussing disability and in which academic performance is highly valued, families can become isolated.²⁴

Committee view

2.39 The committee is concerned that variables such as financial means, geographic location and cultural background can make such a profound difference to the availability of education for students with disability. This poses significant questions of equity in Australia's education system, which create and maintain systemic disadvantages for some groups of Australians.

21 Speech Pathology Australia, *Submission 275*, p. 12.

22 Mr Scott Avery, First Peoples Disability Network, *Committee Hansard*, 20 November 2015, p. 10.

23 Multicultural Disability Advocacy Association, *Submission 199*, p. 4.

24 Multicultural Disability Advocacy Association, *Submission 199*, p. 5.

2.40 While acknowledging that the reality of Australia's geography makes it difficult for those living in regional, rural and remote areas to access services, there is no excuse for not providing all children with an appropriate education. The committee is particularly concerned that indigenous students with disability fall through the cracks because educators lack sufficient training to recognise when children have a disability and require support.

Gatekeeping

2.41 The experience of numerous parents in submissions to this inquiry was that many schools find ways to unofficially exclude students. This pattern is referred to as 'informal gatekeeping'.

2.42 This is in direct contravention of the *Disability Discrimination Act 1992*, the National Disability Standards for Education 2005 and state legislation, which oblige all Australian schools to accept the enrolment of students regardless of their level of disability.

2.43 Asked what was the greatest barrier in education for their own children, and for children with disabilities in general, parents told the committee that merely enrolling their child caused significant problems:

I would say getting in the door, because you cannot even get in the door.²⁵

I would agree. It is getting in the door, but it starts even before you get in the door.²⁶

When you walk into a school, you get greeted by closed doors as soon as they know you have a child with disability... it is no good having policies, guidelines, disability standards and all the various acts and the human rights if at the school gate it does not happen.²⁷

2.44 Lifestart, an advocacy and support-provision group in New South Wales, found from their experience that unofficial gatekeeping takes many forms, including:

- refusal to enrol a child because of their disability or delay;
- only offering part-time hours;
- calling parents to pick their child up early or take their child late;
- suspending / expelling a child from school;
- having a child spend extended periods of time outside the classroom;
- not including a child on excursions, in assemblies or other school activities;

25 Mrs Ros Talbot, *Committee Hansard*, 18 September 2015, p. 5.

26 Ms Melissa Smith, *Committee Hansard*, 18 September 2015, p. 5.

27 Ms Theresa Duncombe, *Committee Hansard*, 25 September 2015, p. 3.

- a child being ostracised in the playground; and
- the use of restrictive / restricted practices.²⁸

2.45 All of these practices, Lifestart noted, 'preclude a child from achieving their educational outcomes, set them apart from their peers, [and] lead to a sense of social isolation and low self esteem'.²⁹

2.46 Ms Melissa Smith, the parent of a child with disability, told the committee that she had trouble enrolling her daughter in both primary and secondary school as a consequence of such practices:

[The primary school counsellor] then proceeds to tell me that they will give it a go, but we know it is not going to work. She even took the time to get me the enrolment forms for the local specialist school to save me time.

...

I am now enrolling Lily in high school. I have had one school say no and another maybe, and here it is again that I have an issue with the current role of school counsellors. Even before asking what high school I was looking at, the school counsellor told me that, if I were actually putting Lily's needs first, I would be looking at a special school or, at the very least, a high school that has a unit. After I mentioned that I was looking at just a mainstream high school, she told me that she did not realise they take kids like Lily—like Lily is some other form of child. This conversation was also directly in front of Lily.³⁰

2.47 Other parents commented that, while their chosen school was unable to officially reject their child's enrolment, the process was draining and made to feel like a battle. For parents and families of students with disability, they are always made acutely aware of the costs and troubles the school will incur in providing education, in a way that other parents are not

From the outset it was made very clear to us in all other settings outside of the special school – there is insufficient resources to support Scarlett.

We were clearly advised that she would not be able to have access to a full time aide (by both public and Catholic schools) – despite the serious concerns about her safety and the safety of other children.

This made us feel like we had to fight from the outset as we were aware, and all of the support people in her life (kinder, Paediatrician, Early Intervention, Speech Pathologist) were also aware that her safety would be significantly at risk if she did not have an adult capable of supervising her at all times, including at play times, when she started school.

28 Lifestart, *Submission 237*, p. 3.

29 Lifestart, *Submission 237*, p. 3.

30 Ms Melissa Smith, *Committee Hansard*, 18 September 2015, pp 2-3.

It was also devastating as from the outset it made us feel like Scarlett was a burden and we were a burden. The conversation would inevitably turn to money – which again reinforced that we were a burden. This also had an impact on our elder daughter who did not understand why it was such a big deal for Scarlett to come to school – and that’s a significant point – children and families without disabilities do not need to have these conversations. They are welcomed, knowing it will take resources to support them, but that’s ok, but for those with disabilities the systems has already deemed that the resources required are too much (as they are not available), and as such – the systemic discrimination exists before you even set foot within a school.³¹

2.48 Another parent noted that for students whose disability does not attract additional funding, this practice of gatekeeping can be particularly pronounced:

When the school was given the official diagnosis the very first words from the Principals mouth were 'what funding is available?' When no funding was available for [Tourette's Syndrome] the school quickly became disinterested in assisting my son in any way or accommodating his needs. School became a constant battle and instead of assistance it felt as if every effort was being made to make us want to take our son elsewhere as they simply did not want to, and were incapable of offering the assistance required. We had a very negative experience.³²

2.49 Ms Sue O'Reilly, of Down Syndrome Victoria, told the committee that gatekeeping is one of the major issues her organisation hears about from families. As noted above, parents of students with disability are frequently told that providing an education to their children is too expensive for their school, and thus are discouraged from enrolling them:

The biggest hurdle that families have is enrolling their child into their local mainstream school—that is very stressful for them—and then keeping them in a mainstream school. Some are told point blank that their child should be at a special school, or they are not given the enrolment details, or they are given the financial story around why the school cannot accommodate their child.

...

For families, once their child is born with Down syndrome, the whole starting school process from preschool is incredibly stressful. We have three education consultants who work with families during that time, trying to make them aware of their legal rights and advocate for them. But, ultimately, we do not have a lot of power, apart from trying to support them. That is the most frustrating thing for families. We know of schools that are openly doing the wrong thing, but they are not accountable.³³

31 Ms Monica Kelly and Mr Murray Turner, *Submission 216*, p. 2.

32 Trudy Whitcombe, *Submission 103*, p. 6.

33 Ms Sue O'Reilly, Down Syndrome Victoria, *Committee Hansard*, 20 November 2015, p. 3.

2.50 Family Advocacy, a New South Wales-based advocacy organisation for people with disability, also reflected on this issue, and pointed out that, while contemporary discrimination is more veiled than it once was, discrimination against students with disabilities still occurs:

Discrimination continues in a much more subtle way than it once did. Education providers may not inform families of children with disabilities that they have a choice to be enrolled in the regular class and that there are special measures to provide appropriate support. Often families will be heavily persuaded to enrol their child in a support unit or segregated school and told by multiple school professionals such as principals, teachers and school counsellor that by considering a regular class for their child would be detrimental to both their child and the other 'non-disabled' children.³⁴

2.51 Reflecting on her research in the area, Dr Rozanna Lilley, who has published on the topic of parental experiences of gatekeeping in schools, noted:

The practice of informally discouraging families from sending their children with autism to mainstream schools continues in all three sectors of the NSW education system – government, Independent and Catholic. Maternal narratives of school exclusion suggest that mothers were often actively pushed around by school gatekeepers who adopted a range of strategies to keep out children diagnosed with autism.³⁵

2.52 This practice, Dr Lilley found, had flow-on effects beyond the actual difficulties parents faced in enrolling their children in schools:

The ongoing and pervasive stigmatisation of students with autism and their families by some school gatekeepers and educators has a very negative emotional impact. Mothers' school exclusion narratives point to the salience of experiences of stigmatisation in the lives of families of children with autism.³⁶

2.53 Referring to other research done in the area, Dr Lilley noted how a common finding was that autism becomes, for students on the spectrum, a 'master status', whereby it serves to override other elements of the child's personality.³⁷ In other words, a student's autism is seen as their primary, or only, characteristic.

2.54 The consequence of this, then, is a tendency for children with autism to be rejected by the school system:

When a parent mentions the word 'autism', the process of enrolment is often entirely redefined. School gatekeepers respond in a variety of ways, many

34 Family Advocacy, *Submission 135*, pp 6-7.

35 Dr Rozanna Lilley, *Submission 94*, p. 2.

36 Dr Rozanna Lilley, *Submission 94*, p. 2.

37 Rozanna Lilley, 'It's an absolute nightmare: maternal experiences of enrolling children diagnosed with autism in primary school in Sydney, Australia'; attachment to *Submission 94*, p. 6.

indicating panic at the potential disorder that may be unleashed on their school by the mythicised student with ASD. There is concern that the student will use up already stretched resources with their learning difficulties and behaviour problems. Perhaps most fundamentally, gatekeepers are uncertain about what a diagnosis of autism implies for a child's ability to learn and to conform. In this situation, many react defensively with an effort to keep the child out. Parents who are advocating for their child may encounter a mild display of slights, snubs and untactful remarks. Or they may experience a series of hostile and concerted efforts to move them elsewhere in the system.³⁸

2.55 Parents also reported to the committee that they could be given the impression from schools that their child was less entitled to an education than other students. Asked if the school would view her daughter as entitled to an education, like any other, one witness told the committee:

I think they would say that, but it is that contradictory nature of it; you can say what you want until you are blue in the face but if you then also say, 'We want to enrol her part-time,' that tells me that you treat her differently from every other person in that school.³⁹

Committee view

2.56 The committee notes with great concern that this practice serves to further discriminate against and isolate children with disability and their families.

2.57 It is the view of the committee that far more needs to be done to enforce the law prohibiting the prevention of enrolment of students.

Culture of the school

2.58 A point made repeatedly to the committee during the course of this inquiry was that the biggest difference between students having strong educational attainment and outcomes and not, is the culture of the school they attend. Very often, this culture comes directly from the school principal and other leaders making a priority of inclusive education for students with disabilities.

2.59 Witnesses from People with Disability Australia spoke of the importance of the school's culture in making a difference in that school's ability to offer strong education outcomes to students with disabilities:

I think it is also about the general culture or approach to disability in schools. For example, are there people with disability on the board of governors of schools or not? Are there people with disability on staff, and

38 Rozanna Lilley, 'It's an absolute nightmare: maternal experiences of enrolling children diagnosed with autism in primary school in Sydney, Australia'; attachment to *Submission 94*, p. 6.

39 *Committee Hansard*, 20 November 2015, p. 3.

why wouldn't there be? In terms of teaching and teacher training, it is also about disability awareness and having disability awareness and disability confidence throughout the person's teaching experience so that when a new teacher starts a job at a new school and they see all of these steps going up to the main gates, they think, 'Why do we have all these steps? This school is not accessible,' and they say something about it rather than just not notice it, for example. If a teacher has a new student and that student has a hearing impairment or is deaf, they do not think: 'What am I going to do? I don't know how to deal with this.' They just think, 'Okay, that is another student,' and they are confident in knowing how to approach that situation. That is as opposed to what I think happens a lot at the moment, where disability is seen as this extra thing that has to be done—extra work, extra funding or extra cost. It is always an add-on that needs to be addressed, rather than just a part of life.⁴⁰

2.60 In giving evidence for this inquiry parents often spoke of the differences they had experienced between different schools as coming down to the attitudes they encountered, underpinned by a philosophy of genuine inclusion:

This school is following Georgia's lead and sees itself as part of a team. They run a unique program. They have a support class, but the support class does not operate as a support class. It is part of the school. There are no fences; there is no separate area. The kids do not belong in one classroom. Georgia is in mainstream but she accesses the English and the literacy classes, but they are proper English and literacy classes. There are other kids that come and go. If you go to the school, there is a big panel and each child has their own program. It would be the learning enrichment centre of the school. It should not be called a support unit. It is a learning enrichment centre, because other people come and go, and teachers will come in there and get information. If any other teachers need help with modification, with the curriculum out in mainstream, they will come to the specialised staff in this area, but they all do not belong in that area... It is the philosophy of inclusion done in a very unique and diverse way.⁴¹

2.61 Another parent, asked what made one school different from another, answered:

Attitude and culture. It was acceptable. I know primary school is a lot different from high school. I firmly believe it is the attitude of the principal to education. At that very first greeting, even at the admin desk, having a child with disability should not be the issue; the issue must be the education. We come to educate our kids. We are tired of having it put to our faces that the only placement for our children is in supported education or special schools. That is the first thing you get. 'Have you been to the district

40 Ms Ngila Bevan, People with Disability Australia, *Committee Hansard*, 18 September 2015, p. 13.

41 Mrs Ros Talbot, *Committee Hansard*, 18 September 2015, p. 3.

office, thought about supported education units or special schools?' Actually, I do not want that for my son. That is not the right setting.⁴²

2.62 A student who spoke to the committee described one school he had attended:

That was good—actually, 'good' is an understatement. It was fantastically brilliant. I learnt lots, had fun, contributed and made great friends. The school and the principal, Mr Warren, believe that all kids should learn. They were good at recognising the extra support I needed, and I just felt like I belonged like all the other kids. We had our moments, but Mr Warren would always listen to me and give me a fair hearing. If he thought I was being unreasonable, he would tell me why, but he would also change things or send in the cavalry if I needed it. I felt safe and well liked.⁴³

2.63 CDA commented that examples of good practice in the education of students with disability tend to be 'the result of leadership from specific individuals or schools rather than a system wide approach'.⁴⁴

2.64 Asked by the committee how to avoid the problem of a school's attitude towards students with disabilities resting so heavily on the priorities of one individual, Down Syndrome Australia responded:

It is complex because this is, ultimately, about cultural change. I go back to the National Disability Strategy. It talks beautifully to the nature of the cultural change that needs to occur in this community.⁴⁵

Committee view

2.65 The committee notes that school principals have an important role to play in establishing a culture of support and inclusion in their school, and commends those who do this. The committee heard evidence of many principals and schools who demonstrate what is possible – educational practices that provide the best possible options for students with disability – and illustrate how schools can be beacons in the community for their inclusion of students with disability.

Education rather than babysitting

2.66 A related concern shared by multiple parents, advocacy groups and other submitters was a belief that children with disabilities received babysitting, rather than an education, from the school system.

2.67 This is in part a consequence of low or, in some cases, no expectations of students with disabilities – that educators and other students fail to recognise students

42 Ms Theresa Duncombe, *Committee Hansard*, 25 September 2015, p. 3.

43 Mr Danny Dickson, *Committee Hansard*, 29 September 2015, p. 1.

44 Children with Disability Australia, *Submission 257*, p. 23.

45 Ms Monica Kelly, Down Syndrome Australia, *Committee Hansard*, 20 November 2015, p. 6.

with disabilities as capable of learning. As will be further discussed below, another factor is that teachers are unaware of how best to educate students with disability, and therefore may not adequately take into account the different learning needs of these students.

2.68 CDA, in discussing Australia's 'systemic culture of low expectations', argued that:

Ableism is evident in the Australian education system, which has a deeply entrenched culture of low expectations regarding students with disability. The value of education, which is so highly thought of and applied to children without disability, is often seen as inapplicable or irrelevant for students with disability.⁴⁶

2.69 Similarly, advocacy group JFA Purple Orange noted the importance of students with disability receiving an education which will prepare them for a 'valued and productive adult life', but pointed out that too often this does not happen, as 'Students and their families are often beset with messages from others about what is not possible, about having lower expectations because of the circumstances of disability'.⁴⁷

2.70 Ms Stephanie Gotlib of CDA discussed the negative effects on students when their learning needs are not taken seriously:

The next school he went to—another autistic-specific school—asked me why he needed to learn how to read. Why did I want my child to learn how to read? His educational program was put in his bag on a hook. Throwing a ball—I can remember showing it to a very strong advocate, who you will see later this morning. She thought I had done it as some joke where his whole half year was to put his bag on his hook, put his lunchbox in his bag after lunch, washing his hands 20 times—things you teach your kid at home. But there were such low expectations.

We finally moved him in grade 2 to his local primary school for a range of reasons, and he was given the opportunity to learn to read and write. The principal quips that it helps if you are taught, and it is true. He was never taught. He has got very low literacy. He has got significant developmental delay—I know that—but he has functional literacy and numeracy. I do not need to justify why he should be able to learn how to read and write. His world is greatly enriched through his learning but he was denied the opportunity because of these assumptions that someone with a cognitive impairment should not learn. It was disgraceful.⁴⁸

2.71 Witness from Down Syndrome Australia also commented on this issue when providing evidence to the committee:

46 Children with Disability Australia, *Submission 257*, p. 14.

47 JFA Purple Orange, *Submission 277*, pp 19-20.

48 *Committee Hansard*, 29 September 2015, p. 6.

Similarly, the biggest predictor of success of a child with an intellectual disability—and it is the same for Aboriginal people as well, in fact, any child—is that people around them have expectation of them. This is where it is about changing the way people approach things and it is about having inclusive practices—not treating children as different and separate or about supporting them as a need. It needs to be about a whole-of-school, whole-of-system approach.⁴⁹

2.72 The committee noted that low expectations of – and therefore reduced options for – students with disability was a recurring point:

CHAIR: I was reading through some of the horrific examples that you gave us. It came up a couple of times that a curriculum was modified without any assessment being made of the child's ability to handle a full curriculum. I am just wondering, how often does that happen—where it is automatically assumed that the curriculum has to be modified but where there is no actual test or any rigor to that assessment? What is your experience of that?

Ms Evans-McCall: Quite a few times, but also it is quite often just that assumption—regardless of whether it is around curriculum—around aspiration as well. So quite often, the young people do not even get to choose certain subjects because they have already made the assumption that they are not going to be able to do it—rather than letting them have a go.⁵⁰

2.73 As the Gold Coast Dyslexia Support Group noted, students with disability can grow frustrated, embarrassed and ashamed of their difficulties with aspects of learning, leading to poor educational outcomes and will often lead to the student 'disengag[ing] from learning'.⁵¹

2.74 Another parent noted that after their son moved from a mainstream school to an autism-specific school the approach to his education changed significantly, and for the worse:

Of course with the changes, the curriculum has changed. My son no longer has literacy and numeracy as part of his education. Also gone are any subjects of interest, such as science, history and geography. There is very little to engage my son at school now, so he won't learn much, but at least he gets to enjoy trampolining at Bounce, rock climbing or other fun activities. His class is often told to pick a book of the shelf and read quietly, tax payer dollars wasted! I did ask if my son could do comprehension and maths work instead of reading and the teacher was willing but had to order worksheets for him. They do have some good programmes to teach life skills, such as travel training, but I'm not happy with the school as I see very little to prepare my son for the future. His funding is wasted as it's not helping him as it should. I have no real options when it comes to schools as

49 *Committee Hansard*, 20 November 2015, p. 6.

50 Mrs Andrea Evans-McCall, National Disability Coordination Officer, *Committee Hansard*, 20 November 2015, pp 20-21.

51 Gold Coast Dyslexia Support Group, *Submission 21*, p. 6.

none will prepare my son for a productive future. I consider school as respite, and if my son learns anything, well then I'm thrilled. He complains that he never learns anything and he is worried about his future too.

...

It's distressing for me to think so much money is going to my son's school to support and educate my son and I see very little benefit for him and his future.⁵²

2.75 Yet another parent told the committee of how her son's school experience largely consisted of sitting in front of children's movies:

There are issues of the constant use of DVDs as a learning tool. Ben at 16 years of age was watching *Frozen* and *The Lion King*—totally inappropriate.⁵³

2.76 A further way in which this failure to take seriously the education of students with disability is manifest is through schools refusing to accept students on a full-time basis. While for all students, full-time enrolment is both the legal obligation and the norm, many parents found that, for students with disability, this obligation was not met.

2.77 CDA's submission noted numerous instances of this practice, as schools found ways to exclude students with disability from full-time attendance, and therefore a meaningful education. Some of the examples included were:

My son...has only attended school 2.5 days per week this year, as that is all his school says they can do to meet his needs. The flow on effects to families (earning ability, stress etc.) are horrible – Parent.

I had a terrible experience with my son's high school last year they would only allow him at school for two hours per day – Parent.

The school won't let (my daughter) attend past 12 noon when aide time 'runs out' – Parent.

A Catholic primary school said he could no longer attend full time because half his funding was being given to another child. The second primary school said he couldn't attend full time because he would run around or sit at the front of assemblies and also could not attend when the school had visitors (because he was a) disruption. The third NSW primary school was one hour's travel and wouldn't allow him to retreat to the classroom when he became overwhelmed during breaks – Parent.⁵⁴

2.78 Similarly, the Association for Children with a Disability reflected on the experiences of parents whose child was 'only allowed to attend for the equivalent time that an aide is present with their child at school' and that some parents have had to quit

52 *Submission 143*, p. 1.

53 *Committee Hansard*, 25 September 2015, p. 1.

54 Children with Disability Australia, *Submission 257*, p. 21.

the paid workforce 'because the school has called them so often to take the child home'.⁵⁵

Committee view

2.79 The committee is shocked and saddened by the evidence provided of schools failing to recognise their responsibilities to educate all children and disappointed by the underlying assumption of some that students with disability do not require or deserve to have their future life, especially career prospects, taken seriously.

Lack of awareness and understanding

2.80 Multiple submitters told this inquiry that a significant barrier for students with disability in accessing education, is widespread ignorance of the Disability Standards 2005 (the Standards) or the right of all children to have access to education.

2.81 The Standards were developed under the *Disability Discrimination Act 1992*, and set out the obligations of education and training providers in relation to providing access to education for students with disability.⁵⁶

2.82 The key provision of the Standards requires all education providers to 'make reasonable adjustments to assist students with disability to participate in education on the same basis as other students'.⁵⁷

2.83 The aspects of education included in the Standards are:

- enrolment;
- participation;
- curriculum development, accreditation and delivery;
- student support services; and
- elimination of harassment and victimisation.⁵⁸

2.84 The Standards are reviewed every five years, including in 2015. The 2015 review made a number of key findings, including:

- The Standards remain an important component of a wider policy landscape seeking to ensure people with disability are able to access and participate in education on the same basis as others. Stakeholders provided near universal support for the Standards as a regulatory tool to set down the rights of people with disability and obligations of education providers;

55 Association for Children with a Disability, *Submission 279*, p. 4.

56 Department of Education and Training, *Submission 246*, p. 5.

57 Department of Education and Training, *Submission 246*, p. 5.

58 Department of Education and Training, *Submission 246*, p. 5.

- Awareness among educators and education providers is relatively high, although there remains a need to continue effort on supporting development of the skills to interpret and apply the Standards in practice. Educators are generally positive about the value of the Standards to their work and the reference point they provide. However, some aspects of the Standards are less clear than others, and there is room to clarify areas of ambiguity;
- Awareness of the Standards among people with disability and their associates is patchy, and is likely to be lower among groups who experience additional disadvantage, including people who are Aboriginal or Torres Strait Islander, from new communities, from low socio-economic backgrounds or who live in rural and remote Australia; and
- A large number of submissions were received from parents of school-aged children with learning disabilities who expressed frustration at the limited effective supports available to their children. Many submissions referred to school-based practices that on face value breach the Standards and had resulted in a significantly negative impact on their child.⁵⁹

2.85 As the Redfern Legal Centre noted:

The introduction of the Disability Standards in 2005 represented a positive commitment to address concerns over access to education for students with disabilities. However, in the years since their development, there has not been significant adoption or adherence to the standards, with many advocacy groups suggesting the standards are too vague or that education providers are not sufficiently cognisant of obligations arising under the standards. As a result, many education providers can misinform parents or carers that they do not have the facilities or capacity to appropriately provide education to students with disabilities, and therefore deny enrolment, apparently unaware that the standards require education providers to be responsible for the implementation of necessary adjustments.⁶⁰

2.86 Ms Therese Sands, of People with Disability Australia, argued that the Standards are not having as strong an affect as they should do because:

I think it is still true to say that they are not well understood systemically—across the schooling system. And how to apply them is also an issue. So if they are not understood, they are not well known and it is not clear how they are applied—it means they exist in law, but they are not being

59 Urbis, *2015 Review of the Disability Standards for Education 2005: Final report*, 17 July 2015, pp ii-iii, <https://docs.education.gov.au/system/files/doc/other/final-report-2015-dse-review.pdf> (accessed 7 December 2015).

60 Redfern Legal Centre, *Submission 101*, p. 7.

implemented in practice. But there are also aspects of the standards that need constant review.⁶¹

2.87 Aside from the specific Standards, multiple submitters/witnesses argued that many in the education system are unaware of, or do not consider, the right of children to receive education in a form suitable to them.

2.88 This point was made by the Redfern Legal Centre, drawing on Australia's Disability Discrimination Act (1992):

Disability Discrimination Legislation makes clear that education should be accessible and inclusive for all students, including those with a disability, and the Disability Standards provide significant guidance to assist education providers to adhere to this legislation and understand their obligations. Given this, it is inequitable that students, parents and caregivers should be required to bear the burden associated with ill-equipped or noncompliant schools.⁶²

2.89 More broadly than understanding of legal obligations under the Standards, another barrier identified was of teachers' lack of understanding or willingness to implement adjustments for students. A frequently made point was that many in the school system – regardless of sector – lacked awareness of the issues involved in education for students with disability, and that this problem needs to be addressed by adding to or improving teachers' training on disability-related issues.

2.90 One parent identified teachers' unwillingness to accommodate the recommended adjustments as the greatest barrier for their child's education:

For me it would be the school denying adjustments written by specialists. They either set them aside or they just flat-out say no.⁶³

2.91 Another parent, who is also a Clinical Psychologist, related a similar experience:

I have heard clients in my professional practice, as well as from other parents of special needs children, say time and time again that the school or teaching staff are either unwilling or unable to provide adequate understanding and commitment to support children with disabilities at their schools. In our personal experience, we have heard a school official state that in primary school, the students with disabilities 'can just get by' by doing alternative activities at school, rather than adjusting the academic curriculum for those with disabilities. If individuals are to have any chance at a productive life, we need to plant the seeds in the early childhood years.⁶⁴

61 Committee Hansard, 18 September 2015, p. 10.

62 Redfern Legal Centre, *Submission 101*, p. 10.

63 Mrs Leonie Ponder, *Committee Hansard*, 25 September 2015, p. 6.

64 Dr Lisa-Marie Scott, *Submission 132*, p. 1.

2.92 Witnesses from Down Syndrome Australia commented on the problem of teachers and other school staff being unable, or unwilling, to access resources which could help them meet the education needs of students with disabilities:

I think that the Department of Education across Australia have done great things, obviously with the national collection of data. They have put a lot of money into developing the resources for the teachers, but a lot of them are not being used. I will go into schools and ask teachers if they have accessed any of those resources, and some of them have not. They are not aware of them. We hold professional development days for teachers. A lot of them cannot get access to that because they are not given release time.⁶⁵

Or you might have an educator going out there to talk to the educator in the school about giving them some strategies to work with the child. They are not given any class release time. Our educators might be chasing them around on their lunchtimes trying to impart this information, because it is not valued. That is of great frustration to us. We have this service that we can get being funded by the Victorian education department and we are going into schools trying to impart this knowledge, but the teachers say, 'I've got all of these other kids here that I have to teach. You're talking to me about one child.' That sort of attitude is very difficult.⁶⁶

2.93 Submitters noted that students would benefit simply by teachers being more aware of issues students with disability face, which would allow the teachers to focus more on education than on behaviour management.

2.94 Asked what should be the top priority for teachers, Mrs Andrea Evans-McCall of the National Disability Coordination Officer program suggested:

It is the whole disability awareness factor, especially under the autism spectrum, because a great focus is on behaviour management rather than actually teaching the individual how to learn. And that point of view is really just ignorance, and partially fear based, because you will do anything to avoid the conflict in the classroom, and behaviour management—it is just human nature.⁶⁷

2.95 Similarly, People with Disability Australia argued strongly that understanding of disability standards and inclusive education practices in a broad sense should be central to teacher education and training:

If we are going to say that inclusive education should be at the core of our education system then it should be at the core of our teacher training... It should not be an optional extra or a selective stream that a student teacher might decide to undertake. If we are saying that there needs to be an outcome of inclusive education and there needs to be data collected that shows we are achieving it, that there are indicators that show we are

65 Ms Sue O'Reilly, Down Syndrome Victoria, *Committee Hansard*, 20 November 2015, p. 6.

66 Ms Ruth Webber, Down Syndrome Australia, *Committee Hansard*, 20 November 2015, p. 6.

67 *Committee Hansard*, 20 November 2015, p. 25.

achieving it, that schools have to demonstrate it, that it is built into our testing and our standardised testing across schools, then it becomes something that is not just an add-on; it becomes something that is critical to the education of teachers and it is embedded in the curriculums.⁶⁸

Committee view

2.96 The committee notes that a key barrier to students' achievements at school is a lack of even basic awareness in some schools of the rights and needs of students with disability. This lack of awareness has significant and unacceptable impacts on the education of students.

2.97 The committee is of the view that awareness of the rights and needs of students with disability should be a uniform and key component of all initial and ongoing teacher and school administrator training.

Teacher-family communication

2.98 A related issue raised by submitters to this inquiry is of the importance of a relationship between teachers (and schools more generally) and the families of students with disabilities. Multiple parents shared their frustrations at not being adequately consulted about – or often even informed of – decisions made regarding their children's education.

2.99 As the Redfern Legal Centre noted:

A crucial area demonstrating the lack of adherence to the Disability Standards is in the area of communication between education providers and the parents of students with a disability. The requirement for consultation between education providers and students with a disability, or an associate of the student, is evident throughout the Disability Standards. These standards recognise the important perspective students and their parents can contribute in determining strategies and approaches to the provision of education to specific students with a disability. This is of particular concern for students with a disability, who may, in some circumstances, have difficulty communicating to their parents any difficulties or concerns they are experiencing. Parents and caregivers will therefore be even more reliant on consultation with education providers to grasp an accurate sense of the student's experience.

Despite this, RLC has encountered multiple clients who have felt insufficiently consulted on matters relating to students with a disability, and, frequently, are only contacted once situations have escalated to a more serious level. This can cause significant distress for students, parents and education providers, and could be avoided through close adherence to the requirements for ongoing and detailed consultation between education providers and associates of the student.

68 *Committee Hansard*, 29 September 2015, p. 11.

2.100 Some parents reported that their relationship with their child's school was based on feeling shame, rather than a productive relationship concerned with education:

I was working with a family not that long ago and I was struck by something the mother said. She said that every time the phone rings she gets the shivers, because the only reason the school calls is when her son has thrown a chair. For her the relationship with the school was around shame. That is how she experienced it—and that there was no relationship built outside of just those key incidents. Because we do not have support for students at the earlier levels, that is what the system is relying on—a more punitive approach, which just further excludes students.⁶⁹

2.101 Lifestart made as one of their main recommendations that schools need to prioritise improving both formal and informal communications with parents and carers. They pointed to the resources developed by The Education Institute at the University of Canberra in collaboration with the Department of Education and Training to help teachers identify the best ways to forge collaborative relationships with parents.⁷⁰

Restrictive practices

2.102 The committee received multiple submissions from parents and carers which described the use of restrictive practices, such as physical restraint or isolation in separate rooms, and abuse in schools against students with disability. While not strictly falling within the terms of reference for this inquiry, and noting the recent Senate Community Affairs References Committee report into violence, abuse and neglect against people with disability in institutional settings, the committee strongly condemns this practice.⁷¹

2.103 Further, the committee notes that students suffering violence, abuse or neglect in the school setting will face significant and concerning barriers in their access to education, alongside the other barriers discussed in more detail in this chapter.

Committee view

2.104 The committee is deeply concerned at the number of barriers which can face students with disability and their families as they attempt to access education, including financial means, geographic or cultural considerations, the gatekeeping practices and lack of awareness of students' needs faced by many families and the

69 Mr Sebastian Cordoba, Australian Association of Social Workers, *Committee Hansard*, 29 September 2015, p. 40.

70 Lifestart, *Submission 237*, p. 8.

71 Community Affairs References Committee, *Violence, abuse and neglect against people with disability in institutional and residential settings: Final report*, November 2015, http://www.apf.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Violence_abuse_neglect/Report, accessed 7 December 2015.

failure of some in the education system to take seriously the rights of all students to a proper education which will set them up for life.

2.105 The committee recognises the challenges faced by students with disability, their families and sometimes their schools. However, it is the firm view of the committee that each and every child deserves an education and that further attention is required to address the concerning issues raised in this chapter.

CHAPTER 3

The true costs of difficulties with accessing education

'It has been 15 years since I left school and I am now 26. I have not once had a job. I fear the only way I can work is to work as self-employed because then at least I won't reflect badly or embarrass anyone'.¹

Introduction

3.1 The barriers to education faced by students with disability and their families are significant and inevitably incur costs. The committee heard evidence about costs affecting students, families and the broader Australian community throughout this inquiry, and this chapter will highlight some of the more significant of these.

3.2 It is important to remember that these costs are not limited to financial costs, but are many and varied. They include social, developmental, intellectual and emotional costs.

3.3 By failing to properly educate students with disability in their school years, Australia is setting up these students for a lifetime of disadvantage, unemployment, low levels of mental and physical health and social isolation, along with ongoing welfare dependence. Poor education access at an early age will have long-term effects on the students, their families and the broader Australian community. For these reasons, the committee is convinced that access to education for all students must be improved.

Costs to students

3.4 The variety of effects on students who have been unable to sufficiently attain educational outcomes from the school system is wide and includes issues such as intellectual and social development and future employment or earning potential. This is of concern because it suggests that students with disability may be condemned to a lifetime of disadvantage because of early failures to gain an education.

3.5 Mr Sebastian Cordoba from the Australian Association of Social Workers told the committee about why this issue is so important:

There are marked and profound benefits across the life span when students with a disability have a positive experience with their schooling. When students are fully engaged with their education they can develop a greater sense of self-worth, improved mental health outcomes and better career pathways and create strong social support networks that lead to greater independence and less reliance on welfare and disability services.²

1 Ms Emma Wilson, *Submission 215*, p. 1.

2 *Committee Hansard*, 29 September 2015, p. 37.

3.6 The Redfern Legal Centre outlined some of the benefits, and the converse costs, of students' capacity or otherwise to access suitable levels of education:

Outside of the clear imperative to ensure all students have access to education, including students with disabilities, having inclusive access to education providers also plays a crucial role in students' social development, as they interact with staff and peers. While this is of paramount importance for all students, this is of particularly significance for students with disabilities who may face social exclusion as a result of their disabilities. Currently, students with disabilities in mainstream schools experience incidents of bullying at a higher rate than other students. Education providers should be alert to the additional support needs of students with disabilities, particularly in responding to bullying. Appropriate response and training in this area can lead to a more inclusive education environment for students with disabilities.

It is also worth noting that, while inclusive educational experiences can produce positive social, economic and personal benefits for students with a disability, the converse is also true. That is, a failure to provide adequate access to education will be actively detrimental to the wellbeing of students with a disability, causing significant psychological and social harm with long-term effects.³

3.7 The Australian Association of Social Workers similarly noted the benefits of improved educational outcomes for students with disabilities:

There are marked, profound benefits across the life span in all domains when students with disabilities have a positive personal and learning experience in school, and further education, training and employment.

Social workers involved in this field observe that when students with disabilities are seen as valued/valuable members of society, there are far-reaching, predictable consequences. These include:

- students with disabilities grow up with a sense of self-worth and optimism at school and in the community, linked to better social experiences and mental health outcomes;
- the school community benefits from a cohesive student body;
- the message to society is that all people are valuable, impacting positively on social capital, inclusion and acceptance of diversity;
- education/learning becomes a positive experience and students are more likely to seek lifelong learning opportunities, impacting on their access to employment and reducing welfare dependency;
- positive relationships in the school and broader community result in social capital and informal support structures being established and maintained, leading to less reliance on funded disability supports;

3 Redfern Legal Centre, *Submission 101*, pp 10-11.

-
- appropriate levels of support in school lead to the development of better system-wide pathways to streamline referrals and structures. As a result, fewer students fall through the gaps in post-school transition.⁴

3.8 Down Syndrome Australia noted that Australia, currently and historically, has not done well in this regard, with the consequence that:

Whilst this is very hard to talk about—it can be depressing, and it is, no doubt, complex—I also want to bring to your attention the fact that this is doable. There are other countries in the world who have done a better job at this. In fact, Australia has one of the lowest educational attainment rates in the OECD countries and, therefore, not surprisingly, has one of the lowest employment rates of people with a disability in the OECD. Clearly these are related.⁵

3.9 Witnesses from People with Disability Australia, a major advocacy group, after noting shortcomings in the education opportunities for students with disability, pointed out the problems caused by failing to set these students up for life:

... as a result of these multiple failures within the educational system, children with disability turn into young people with disability and adults with disability who have greatly reduced life chances, life choices and opportunities. Those are not just opportunities within the education system—for example, the ability to transition to vocational education and training, TAFE, university but also employment. People with disability face a continuous struggle to gain and maintain employment throughout their lives. So poor educational opportunities and outcomes can lead to poor and lower economic security in adult life and it reinforces the low expectations that there are of people with disability and it reinforces a life experience of inequality and poverty. It is mentioned in our submission briefly, but the recent employment figures for people with disability show that only 54 per cent of people with disability between the ages of 15 and 64 are employed, as opposed to about 83 per cent of people without disability. Forty-five per cent of people with disability live at or near the poverty line. A recent OECD statistic states that Australia is 21 out of 29 countries for employment of people with disability.⁶

3.10 National Disability Services further illustrated this point with the following statistics on education attainment for students with disabilities:

- 26% of people with a disability do not go beyond Year 10, compared to 18% of people without a disability;
- 36% of people aged 15 -64 years with reported disability had completed year 12 compared to 60% of people without a disability; and

4 Australian Association of Social Workers, *Submission 137*, p. 2.

5 Ms Ruth Webber, Down Syndrome Australia, *Committee Hansard*, 20 November 2015, p. 2.

6 Ms Ngila Bevan, People with Disability Australia, *Committee Hansard*, 18 September 2015, pp 9-10.

- 38% of young people aged 15–24 years with disability either work, study, or do a combination of both on a full time basis compared to 56% of young people without disability.⁷

3.11 On that point, Mrs Andrea Evans-McCall, of the National Disability Coordination Officer programme, noted that the career options for students with disability are often subtly dismissed within the school system and individual schools:

And in a school, the person in charge of the young people with a disability is quite often a support worker, not someone with a qualified education background. Quite often, we even find that in the careers area: because they have a disability, the careers teacher does not deal with them; the person who is the support worker does, and they do not have a career development qualification. So they are just sort of left to be looked after by someone who is probably loving and caring but does not necessarily have the qualifications that they need to.⁸

3.12 Clearly this does not acknowledge the rights and needs of individuals to be provided with the skills to manage life after school.

3.13 The St Vincent de Paul Society National Council noted that people in Australia with a disability face significant levels of exclusion and structural disadvantage:

For example, people with a disability are less likely to participate in the labour force, and more likely to be unemployed. If employed, on average, those living with disability earn less than those without a disability. People with disability are also far more likely to experience abuse, including sexual abuse, and also face worse housing outcomes.⁹

3.14 The St Vincent de Paul Society National Council also pointed out that disability tends to intersect with other 'indicators of vulnerability', including gender and indigeneity:

For example, women with disabilities are less likely than their male counterparts to receive a senior secondary or tertiary education, and over 51% of women with a disability earn less than \$200 per week compared to 36% of men with a disability. Similarly, one in three Indigenous Australians is likely to experience discrimination in any year, compared with one in five members of the general population.¹⁰

3.15 After pointing to research on the issue, Dr Lisa-Marie Scott, a Clinical Psychologist who was worked in the disability and mental health sectors for nearly two decades, noted that:

7 National Disability Services, *Submission 172*, p. 2.

8 *Committee Hansard*, 20 November 2015, p. 21.

9 St Vincent de Paul Society National Council, *Submission 112*, p. 1.

10 St Vincent de Paul Society National Council, *Submission 112*, p. 1.

those with disabilities want to be involved in both education and employment activities. It does not take referencing from numerous research papers for us to understand that most people want to feel included and needed in society. Children and adults with disabilities are no exception.¹¹

3.16 In her submission to this inquiry, a former student with disability wrote of the ways in which the attitudes she encountered affected her:

[I] was banned from going on work experience, so instead I was forced to remain at school doing odd jobs around the school grounds with the school staff, such as laundry, gardening, library, etc. These actions have scarred me for life. Because of these events I have been given the impression and message that I cannot hold down a job, I will reflect poorly on myself and my employer and I am of no use in the community, so despite my desire to have a job the treatment I received at school has left me terrified and unable to work.

It has been 15 years since I left school and I am now 26. I have not once had a job. I fear the only way I can work is to work as self-employed because then at least I won't reflect badly or embarrass anyone. School has left me feeling ashamed and worthless and I wonder if I will ever be able to work.¹²

Committee view

3.17 The committee notes with concern the wide range of costs borne by students with disability whose education fails them. School should be an experience which sets students up for the rest of their lives, but for many students with disability, this is not the case.

Costs to families

3.18 The committee also received evidence of the associated costs to families. These take two primary forms: financial impacts and emotional impacts.

Financial impacts

3.19 A major theme in submissions to this inquiry from parents and advocacy groups was that families of students with disability can incur substantial and often ongoing costs connected to education access. For most families, this can result in financial hardship, but it also highlights concerning questions around equity, since the capacity of families to bear these costs varies widely.

3.20 The committee heard that parents with the means to be able to do so could spend considerable sums to improve their children's access to education:

11 Dr Lisa-Marie Scott, *Submission 132*, p. 2.

12 Ms Emma Wilson, *Submission 215*, p. 1.

Some of the women that I interviewed over three years were providing one-on-one support. These were wealthy families, basically. One mother I spoke to was providing more than \$25,000 a year in wages to a paraprofessional within the system. Part of that is to do with therapy choices in autism—people who go for applied behavioural analysis. This costs an enormous amount of money. It is a gold-standard treatment. The model of that is that you have 40 hours a week in the home of one-on-one. Then you continue some of that through school, and then hopefully you gradually fade that out. Parents who are committed to that and able to afford it were often continuing that in the government system.¹³

3.21 However, not all families are financially able to support their children's additional needs in the same ways or to the same extent. As Dr Lilley pointed out:

Current inequalities in access to support and services for students diagnosed with autism are of great concern. Some families whose children attended government schools were either providing funds to pay for extra paraprofessional support or employing their own staff to work one-on-one with their child through much of the school day. There is a clear inequity to situations in which the socioeconomic positioning of families may be an important determinant of the resources and supports a student receives, even in the government sector.¹⁴

3.22 For instance, the committee heard from the Association for Behaviour Analysis Australia, who noted that ongoing therapy from a behavioural analyst, while it can provide considerable benefit for the child, would cost 'an absolute fortune':

The early-intervention ages where therapy is recommended generally are 30 to 40 hours a week, and that cost could be around \$50,000 a year for the parent, which is a massive amount. Some parents can sustain that for a year, two years or three years. Others can only do a few months of that.¹⁵

3.23 Another parent told the committee of the costs she had incurred and the impact that has had on their family:

I am a sole parent with three children. My son NEEDS to see a psychologist on a weekly basis and he NEEDS speech therapy sessions on an ongoing basis. So this is what we must 'choose' to pay for. The money for these interventions comes after rent and food. We don't have anything left for swimming lessons, play centre visits, blueberries, new shoes, holidays, haircuts..... My son's funding covers the cost of an aide for three days so he cannot go to school for the other two days a week.¹⁶

13 Dr Rozanna Lilley, *Committee Hansard*, 18 September 2015, p. 41.

14 Dr Rozanna Lilley, *Submission 94*, p. 2.

15 Mrs Alex Brown and Dr Alayna Haberlin, Association for Behaviour Analysis Australia, *Committee Hansard*, 18 September 2015, p. 51.

16 *Submission 164*, p. 2.

3.24 Speaking on behalf of the Gold Coast Dyslexia Support Group, parents broke down some of the costs commonly borne by families:

Many children are so distressed by their school or at school that they require clinical psychologists for anxiety disorders and chronic depression. Parents outlay large amounts of money to provide support that does not occur in our schools. An assessment with an educational psychologist can cost anywhere from \$800 up to \$2,000. Private tuition with a specialist teacher costs between \$70 and \$120 per hour. None of this is subsidised under Medicare or can be claimed as a tax deduction. This financial cost is worn solely by the families.¹⁷

When our children were diagnosed, we went to the school to try to get support, intervention and assistive technology. We were told, 'There's no resources and no funding,' so we have funded that ourselves. I have two children who are dyslexic. The report was \$800 apiece, none of which could be claimed. Prior to having them diagnosed as dyslexic, because we knew nothing about dyslexia, we put them through an extensive occupational therapy program, which totalled \$3,200. Private tuition for my daughter this year is costing us \$13,000. We funded the technology and the assistive tech for both of our children, and that has been in the vicinity of \$3,000 or \$4,000 so far.¹⁸

3.25 Aside from the additional costs incurred, many families also experience a substantial drop in total household income as a consequence of their efforts to improve their child's access to education.

3.26 Most particularly, this occurs because one parent – often the mother – leaves the paid workforce in order to homeschool their child (or children) who has been otherwise unable to access education through the school system. One mother explained the consequences of this for her and the whole family to the committee:

Homeschooling means that I cannot work, I cannot save, I have no future and I cannot study, because it is one on one—there is no down time.¹⁹

3.27 Another parent noted that consequence of the inadequate support their son was receiving at school was that:

I gave up my fulltime job as a Senior Environmental Health Officer, which I had held with the Local Council for 13years, to be home to support and battle for my son's education.²⁰

17 Mrs Karen Ross, Gold Coast Dyslexia Support Group, *Committee Hansard*, 25 September 2015, p. 39.

18 Ms Jane Woodley, Gold Coast Dyslexia Support Group, *Committee Hansard*, 25 September 2015, p. 40.

19 Mrs Leonie Ponder, *Committee Hansard*, 25 September 2015, p. 2.

20 Mrs Tracey Scott, *Submission 114*, p. 2.

3.28 A further parent noted that, because her child received inadequate support at school, she had to leave her executive-level job to home-school her child, while also incurring additional support costs.²¹

Emotional impacts

3.29 As substantial as these financial costs are for many families, witnesses gave evidence about the emotional impacts on their families as a consequence of the struggles they faced in attempting to improve the educational prospects of their children with disability.

3.30 For many parents and other carers who shared their experiences with this committee, the battle to improve their children's education access – and therefore prospects – dominated their time, energy and emotional reserves. Many parents and carers recounted how their own experiences led them to found or join advocacy or support movements for families in similar positions. In many cases, involvement in these groups also served as an information-sharing service, often the only way parents could learn more about their child's education options and prospects.

3.31 As noted by a parent and advocate, Mrs Leonie Ponder:

I ran an ASD [Autism Spectrum Disorder] support group on the Sunshine Coast. When I started there were 250 families; there are now over 700. For about three years in a row we had, on average, a family a week drop out of education and go into home schooling because it was just failing kid after kid after kid. And there are marriages failing because of it, as well. The stress is huge.²²

3.32 Another parent pointed out to the committee that the difficulties they faced in accessing education for her daughter were on top of all the other struggles faced by parents of children with disability:

You are talking about families. It is really hard to go watch your child on life support. Lily has epilepsy. She stopped breathing. She has had brain damage. We have had such traumatic experiences. Then I have to turn up to school on the Monday and smile and fight more, when you are constantly—and it is not just education; you are doing it in health; you are doing it in all facets. That is not to mention the 90 per cent divorce rate for families.²³

3.33 This was echoed by other parents, who wrote of the widespread sense of exclusion and the consequent emotional toll felt by the whole family:

From the outset, this transition has been a very stressful and isolating process for our family. We have already experienced discrimination in other parts of our life such as sporting clubs, and that's one of the issues that is

21 Ms Tara Hannon, *Submission 285*, p. 1.

22 Mrs Leonie Ponder, *Committee Hansard*, 25 September 2015, p. 5.

23 Ms Melissa Smith, *Committee Hansard*, 18 September 2015, p. 4.

hard for others who don't experience it to see... feeling like we are a burden, and thus less welcome is not the exclusive domain of schools. This occurs in many aspects of our daily lives and the individual experiences each take a toll, but the collective experience leaves us feeling exhausted, overwhelmed and at times feeling like we can barely get through the day. These feelings do not come from Scarlett, or from Down syndrome. We have a beautiful daughter who is the light of our lives. These feelings come almost entirely from the social experience of having a family member with disability in our society.²⁴

3.34 The emotional impact on the students themselves will rarely be limited to the school setting, as the Australian Association of Social Workers noted of students with disability who have not received adequate support at school:

Typically the child's negative experience at school will spill over into the home environment, adding to family stress. At the same time, the family is stretched to commit additional time and effort to advocate for their child's support needs in the school environment.²⁵

3.35 The committee also heard that some families, after many years of struggling to access education for their children, eventually find themselves unable to continue to fight:

They are told that they can have that dual enrolment with the special school and the mainstream, but they are excluded from things like excursions and camps. So they are not really part of the whole school community. The pressure is really on them to move across to the special school. We have a really low success rate in secondary school. The transition into secondary school is made much harder... We have had a boy who has been at a really good secondary school in Melbourne, and he has gotten through year 7 and year 8, but the family has given up now. It has been a constant battle for us trying to work with that school to keep him there. They have had SSGs and the local specialist school representative there to meet with the family without even advising the family that he was going to be there. So the pressure has been on from day 1. The family has fought that battle, but they have given in. They are just battle-weary now. They also have other children they have to think about. It is just so unfair that any family should have to go through that stress.²⁶

3.36 A further consequence of these long battles on behalf of their children is that many families suffer negative effects across other areas as well, most particularly health:

Notwithstanding the stress, that puts other pressures on the system. That leads to ill health and that costs money. That is what I am saying to you. It

24 Ms Monica Kelly and Mr Murray Turner, *Submission 216*, p. 3.

25 Australian Association of Social Workers, *Submission 137*, p. 1.

26 Ms Sue O'Reilly, Down Syndrome Victoria, *Committee Hansard*, 20 November 2015, p. 7.

is bad enough at this point, when we are still in the process of wanting to advocate strongly. But when you get to the point where you feel like you are giving in, how does that feel? What are the compounding impacts of how you have felt over many years on the entire family? It is not just the person with the disability; it is the whole family. Again, I will remind you—and you are probably well aware—that the health of carers in this country is amongst the worst as well, and these are the reasons why. It may not be a cost to the education system, but it costs money elsewhere in the system.²⁷

Committee view

3.37 The committee notes with concern the severe financial stress placed on families as they seek the best educational outcomes for their children. The committee was dismayed to read and hear the evidence from so many families whose financial position has been negatively affected in this way. For many families, the costs of educating one or more of their children has impacted on the whole family, potentially disadvantaging all of them in both the short and long term.

3.38 While the committee commends those parents and carers who have founded or joined support movements, advocacy groups or other organisations, helping both themselves and others, this widespread need indicates that the support offered to families of children with disability is inadequate. The emotional impacts on parents, carers and other siblings, as well as on the children with disability themselves, cannot be overstated.

Costs to society

3.39 There are broader social costs in addition to the personal costs faced by students who have been unable to fully access education because of their disability and their families.

3.40 Most particularly, as discussed earlier, students without an adequate education will find attaining employment difficult. While this primarily affects the individual and their family, a further result is that they require welfare support for the rest of their life, thereby becoming a net burden on government revenue. As the National Independent Special Schools Association argued:

School leavers with a disability such as Autism find it very difficult to secure and then maintain employment without the provision of support networks. This means that they are more susceptible to being welfare recipients rather than wage-earners and tax payers. One parent will often have to give up work to become a full-time carer, again increasing the welfare burden.²⁸

27 Ms Monica Kelly, Down Syndrome Australia, *Committee Hansard*, 20 November 2015, p. 7.

28 National Independent Special Schools Association, *Submission 84*, p. 2.

3.41 Submitters also pointed out the lost resources Australia faces as a consequence of failing to educate its children:

The irony is that many children who are on the higher end of the Autism spectrum are extremely intelligent, but are unable to utilise this intelligence due to their autistic traits being so strong. With the correct supports in place, these children could achieve so very much – without the support, their intelligence is wasted.²⁹

3.42 CDA noted that improved access to education for all students will benefit society at large 'both socially and economically':

The OECD has cited 'social cohesion and wellbeing' as two social impacts of education. Further, the same report found that high numbers of people who do not experience the benefits of education in a society is associated with higher costs regarding health, unemployment and income support.³⁰

3.43 Following on from this, society as a whole also loses from the paid workforce those parents who are forced to resign their job in order to home-school their child after finding inadequate support in the school system. Parents who wish to work, and who have valuable skills for the workplace, are also lost to the system because of inadequate support for students with disability in many schools.

Committee view

3.44 The committee notes with deep concern the many costs and impacts on students with disability and their families as a consequence of difficulties accessing education. This wide range of costs can affect individuals and families in both the short and long term, and can entrench systemic disadvantage.

3.45 The committee further notes that these problems should be of concern to all Australians, not just on the grounds of our obligation to provide the best chance in life for all children, but also because of the ongoing costs to taxpayers of failing to set students up for life during their school years.

3.46 The committee recognises that the barriers faced by students with disability in the school system results in further losses to the wider Australian community, as the lifetime of disadvantage which these students face is coupled with the number of parents who leave the workforce to homeschool or care for their children. Thus both parent and child are prevented from attaining their full potential.

29 Change the Criteria, *Submission 97*, p. 2.

30 Children with Disability Australia, *Submission 257*, p. 50.

CHAPTER 4

Funding

Introduction

4.1 The funding of additional supports for the education of students with disability is a complex area. In addition to the other issues raised in relation to funding by the topic, Australia's federal model of government and diverse schools systems means that there is not one single model for funding.

4.2 Each sector of the schools system in each state has its own methods for determining the use of this funding, in addition to the model used by the Commonwealth to allocate funding to each of the states for their expenditure.

4.3 For those reasons, this report will not attempt to discuss in fine detail these existing models, but will instead focus on specific issues raised in evidence to this inquiry. Such issues include the concerns raised about the government's policy of indexing funding for future years according to the consumer price index, the problematic nature of funding when the data is unreliable or otherwise flawed, the use of the Nationally Consistent Collection of Data on Schools Students with Disability, the need for accountability and certainty in approaches to funding and arguments for needs-based or transferable funding.

Funding models and the indexation to consumer price index

4.4 The previous government, prompted by the Gonski Review, introduced the National Plan for School Improvement (NPSI) via the *Australian Education Act 2013* (the Act). The Act legislated that the Commonwealth Government would calculate school funding allocations on the Schooling Resource Standard (SRS) – a base amount of funding per student, with additional loadings for various measures of disadvantage, as specified in the model, including disability. The base SRS indexes annually at the rate of 3.6%.¹

4.5 Before the 2013 election, then-shadow minister for education, Mr Christopher Pyne MP, announced that:

If elected to Government the Coalition will continue the data collection work that has commenced, which will be used to deliver more funding for people with disability through the 'disability loading' in 2015. We note the Government has again advised today that there will be an interim disability loading next year, as part of the new school funding model. I very much

1 Supplementary Explanatory Memorandum, *Australian Education Bill 2013*, pp 2-3.

look forward to continuing this valuable work if we are fortunate enough to be elected on September 7.²

4.6 Shadow Minister Pyne also announced that a Coalition government would follow the same funding model as introduced by the then-government:

So Tony Abbott and I made a decision some weeks ago that we would ensure that the debate about education moved to a higher plane by matching Labor's funding model dollar for dollar. So you can vote Liberal or Labor and you'll get exactly the same amount of funding for your school except you'll get \$120 million more from the Coalition because in this policy today we are announcing a number of measures, modest measures, prudent measures, but ones that will address some of the key issues that we think are important.³

4.7 However, following the September 2013 election, then-Education Minister Christopher Pyne MP announced that the new government would change the funding model for schools.⁴

4.8 The 2014 Budget announced that schools funding from the Commonwealth would, from 2018 on, 'be indexed by the Consumer Price Index (CPI), with an allowance for changes in enrolment'.⁵

4.9 Multiple submitters and witnesses to this inquiry commented this decision. The majority of this commentary argued that indexation to the CPI would result in less money being spent on funding the education of students with disability in the school system over the coming years, thus decreasing the likelihood of these students achieving educational outcomes that would set them up for the rest of their life.

4.10 The committee also heard evidence from witnesses to the effect that, over the medium to long term, this funding decreasing in real terms would result in cuts to staff levels in schools.

4.11 The Australian Parents Council were critical of the decision, arguing that:

There is little doubt that the decision to index school funding at the consumer price index and enrolments after 2018 will not meet the needs of students and schools. With an average annual increase over the past decade

2 Christopher Pyne MP, 'Bi-partisan support for nationally consistent data collection – students with disability and learning difficulty', Media release, 23 August 2013, <https://www.pyneonline.com.au/media-centre/media-releases/bi-partisan-support-for-nationally-consistent-data-collection-students-with-disability-and-learning-difficulty> (accessed 6 January 2015).

3 Transcript of joint press conference, the Hon. Tony Abbott MHR and the Hon. Christopher Pyne MHR with the Hon. Barry O'Farrell MP, Penrith New South Wales, 29 August 2013, p. 2.

4 See, for instance, 'Education Minister Christopher Pyne breaks pre-poll promise on school funding', *The Sydney Morning Herald*, 26 November 2013, <http://www.smh.com.au/federal-politics/political-news/education-minister-christopher-pyne-breaks-prepoll-promise-on-school-funding-20131125-2y6mz.html> (accessed 5 January 2016).

5 Budget 2014-15: Budget Measures, Budget Paper No. 2, p. 91, http://www.budget.gov.au/2014-15/content/bp2/download/BP2_consolidated.pdf (accessed 5 January 2016).

of 5.4% in the actual costs of running a school and the consumer price index sitting at about 2.8%, school funding after 2018 will fail to keep up with the actual costs of educating a child.

This will impact on children with disabilities, especially in the non-government sector where already individual public funding is a proportion of the amount available to students in government schools.⁶

4.12 National Disability Services also noted that indexing school funding to the CPI does not take into account the experience that education costs generally increase beyond the CPI:

The impact of indexing funding solely on the Consumer Price Index (CPI) is likely to reduce the resources available to children with disability in future. It is a short sighted cost-containment strategy. There will be considerable pressure on wages for disability teacher aides and specialist disability therapists due to the increased demand for disability expertise and support workers throughout the implementation of the NDIS. This will likely result in wages increasing at a higher rate than the CPI.⁷

4.13 The Australian Education Union expressed their concern that indexing funding to the CPI could see a real-terms reduction of funding of as much as \$2.7 billion, or enough money to fund 20,000 additional teachers across the country.⁸

4.14 The National Independent Special Schools Association warned that failure to adequately fund additional support for students with disability in schools could have damaging effects on special schools in particular:

Funding for student with disabilities is inadequate at present. Therefore, if current levels are maintained, increasing only with CPI, there will be no improvement in the quality and effectiveness of educational provision for these vulnerable young people and their families. In effect many independent special schools would no longer be able to exist.⁹

4.15 Autism Spectrum Australia (Aspect), which developed and delivers a specialised education program for students with an autism spectrum disorder at eight schools plus over one hundred satellite classes in mainstream schools in New South Wales, also highlighted their concerns and drew attention to the consequences of funding according to CPI:

Currently funding for student with disabilities is inadequate. Therefore, if current levels are maintained, increasing only with CPI, there will be no improvement in the quality and effectiveness of educational provision for these vulnerable young people and their families...

6 Australian Parents Council, *Submission 155*, p. 6.

7 National Disability Services, *Submission 172*, p. 4.

8 Ms Correna Haythorpe, Australian Education Union, *Committee Hansard*, 18 September 2015, p. 15.

9 National Independent Special Schools Association, *Submission 84*, p. 3.

... the implementation of using the CPI to index funding will result in a reduction of the funding to schools compared to the increasing costs in the education sector. This could threaten the financial viability of the Aspect schools and other independent special schools. This sector is known for its research and innovation into the education of children with special needs. A loss of this sector will be to the detriment of Australian Education.¹⁰

4.16 Similarly, the National Catholic Education Commission (NCEC) suggested that this model would place their schools under considerable financial pressure and argued that: 'we do not believe the consumer price index is a good reflection of school costs'.¹¹

4.17 In their submission, the NCEC elaborated on that point, noting that the consequences of insufficient funding would be severe:

In addition to CPI indexation not keeping pace with real cost increases, the funding shortfall relative to student need in 2017 will be compounded over time. In the future, adequate indexation will be required to close the gap between funding and need.

...

Without sustainable funding, fees will increase, schools could close and the quality of education will be compromised.¹²

4.18 The committee also notes that, in late December 2015 the government confirmed that it would not be proceeding with the final two years (2017 and 2018) of the Gonski funding model, thus leaving the future funding of all Australian students under a cloud of uncertainty, especially those most vulnerable, including students with disability.¹³

Committee view

4.19 The committee notes the criticisms of the government's plans to tie school funding to the consumer price index, and calls on both state and Commonwealth governments to adequately fund schools so that students with disability are able to receive appropriate additional support.

4.20 In particular, the committee was concerned by evidence from numerous witnesses and submitters across different school systems and sectors about the likely funding problems which will arise from the government's failure to fund the fifth and sixth years of the Gonski funding model and its plan to index school funding according to the CPI. As multiple witnesses pointed out, this policy will see school

10 Autism Spectrum (Aspect), *Submission 85*, pp 3-4.

11 Mr Ross Fox, National Catholic Education Commission, *Committee Hansard*, 18 September 2015, p. 54.

12 National Catholic Education Commission, *Submission 255*, p. 6.

13 'Hopes dashed by Coalition decision to dump Gonski school funding model', *The Guardian*, 29 December 2015, <http://www.theguardian.com/australia-news/2015/dec/29/hopes-dashed-by-coalition-decision-to-dump-gonski-school-funding-model> (accessed 5 January 2016).

funding decrease in real terms and with it, the opportunities for education access and attainment for students with disability will fall.

4.21 The Government's current position means no school will be funded according to the individual needs of students after 2017. That means any changing needs - including for students with disability - will never be met. The committee is deeply concerned about this policy, and calls on the government to reconsider.

Incomplete data

4.22 A number of witnesses suggested that the allocation of funds for education access for students with disabilities is complicated by issues surrounding the numbers of students with disabilities in schools in Australia. In short, since the data on students with disabilities is incomplete, inconsistent and inadequate, governments at both state and Commonwealth levels will struggle to suitably fund the education of students with disabilities.

4.23 The Gonski Report pointed to one of the key factors relevant to this problem, which is that different states and territories adopt different definitions of disability (as discussed in chapter 2), meaning that the existing state-by-state figures cannot be compared or simply added to give meaningful national totals.¹⁴

4.24 That issue aside, a more substantial problem is that the number of officially recognised students with disability in the school system understates the actual number of students who require additional support because of a disability. As the Gonski Report noted:

In 2010, there were around 172 300 students who met state and territory eligibility criteria for receiving disability funding, representing 4.9 per cent of total student enrolments... The 2009 [Australian Bureau of Statistics] survey data shows that 8.8 per cent of people in Australia aged 5 to 14 years had a disability, based on a broader definition of disability.¹⁵

4.25 Therefore, even when compared to the ABS data, only around half of the school-aged population in Australia with a disability attracted additional funding. As the data collection for students with disability is improved and can provide the basis for meaningful comparison, the true difference between the proportion of Australia's school students with disability and those who attract funding to meet their additional needs will become more apparent.

Non-qualifying disabilities

4.26 One dimension of the problems with data, as raised by multiple submitters to this inquiry, is that current funding models have failed to adequately fund the

14 *Review of Funding for Schooling*, p. 119, <https://docs.education.gov.au/system/files/doc/other/review-of-funding-for-schooling-final-report-dec-2011.pdf> (accessed 21 December 2015).

15 *Review of Funding for Schooling*, p. 119, <https://docs.education.gov.au/system/files/doc/other/review-of-funding-for-schooling-final-report-dec-2011.pdf> (accessed 21 December 2015).

education of students with disability because they have taken too narrow a definition of disability. If a student's disability is not recognised as such in the funding model, that model clearly cannot provide the financial assistance necessary to properly assist that child's access to education.

4.27 In his submission, one parent illustrated the consequences for his family of his child falling outside the definitions and categories in their state's funding model:

Our child Abbey is an amiable, social and well behaved child who has severe expressive, receptive language and gross motor skills delays.

There has been no definitive diagnosis or underlying cause identified, despite reviews by a number of expert clinicians in a range of fields.

Abbey has attended a speech pathologist since 2 years old, she is now 8 years old. She has also attended 2 years of occupational therapy. She is attending tutoring for numeracy.

We have not qualified for nor received government funding support as she cannot be 'categorized', rather the term 'global development delay' is used to describe her issues. Government systems designed to lend support cannot cope with a no label scenario.

You can appreciate the financial burden it places on us as parents and a family.

Abbey started school in 2013 in a mainstream class. She has progressed in both speech and reading skills.

The School is as supportive as practically possible, however they have not qualified for nor received government funding/support services to provide one on one support in the classroom.

Abbey is now in Year 2 and is academically falling behind her peers.¹⁶

4.28 Another example brought to the committee's attention is that of dyslexia, which despite inclusion in the *Disability Discrimination Act 1992* and the Disability Standards for Education 2005, has been described as 'the forgotten learning disability'.¹⁷

4.29 The Gold Coast Dyslexia Support Group argued that dyslexia, in addition to not attracting specific funding in all states, is often under-diagnosed.¹⁸

4.30 This, it was argued, is also an issue of equity:

Since dyslexia is an unverified disability, it will not be included in the National Disability Insurance Scheme (NDIS) and is not eligible for any subsidies or financial assistance. However, educational institutions expect a 'diagnosis' from an educational psychologist before granting any adjustments. A psychologists report is expensive and this is beyond the

16 Mr Greg Brandtman, *Submission 140*, p. 1.

17 Gold Coast Dyslexia Support Group, *Submission 21*, p. 1.

18 Gold Coast Dyslexia Support Group, *Submission 21*, p. 1.

financial capacity of most families. For students in regional and remote areas, access to an educational psychologist is very limited and there is the added expense of travel.¹⁹

4.31 A submission from a team of neuropsychologists from the Sydney Children's Hospital argued that, for students in the position of having an unverified or unfunded disability, options for support and adequate learning are minimal, however well-intentioned the school or individual teachers might be, and with negative outcomes:

Due to the inadequate support in the current school environment families are required to repeatedly advocate for their child's needs. This is particularly true for students who do not qualify for a diagnosis of intellectual disability (or any of the other specific funding categories) and hence must attend mainstream classes without teacher's aide support. The impact of this in practical terms is that even if an IEP (Individual Education Plan) is formulated by the school based on the child's individual needs, recommendations are not always able to be implemented due to lack of support staff. Meanwhile, the child continues to struggle at school and often vents their frustrations through inappropriate behaviour or 'acting out', either at home or at school. The end result is a maintenance or worsening of the child's behaviour and a stagnation of the learning process, resulting in unsatisfactory outcomes for all.²⁰

Committee view

4.32 The committee was concerned by evidence to this inquiry suggesting that many students have fallen through funding cracks because of limited information or narrow definitions of disability used in school systems, resulting in a failure to recognise need. An appropriate level of funding for students with additional needs in schools begins with adequate data on those students.

Data on indigenous students with disability

4.33 The First Peoples Disability Network pointed out that the data on indigenous students with disability is particularly prone to problems:

We do not know prevalence data of disability in our communities. The 2011 census said that 50 per cent of our people have some form of disability or long-term health condition. It has always been believed, anecdotally, that the prevalence was about twice that of the rest of the Australian population. All our anecdotal evidence would suggest that that is true. In fact, this 50 per cent is considered to be a conservative figure because it does not have a measure on the prevalence of psychosocial disability or mental illness, for example, in our community. So disability is an untold story in many ways. There is very little research into this area.

If we were talking today about Aboriginal health, no problem; there would be a lot of research there. But it is an area that is not well understood. We need to urgently address this. It needs to be done in a very sensitive way

19 Gold Coast Dyslexia Support Group, *Submission 21*, p. 5.

20 Dr Robyn Boyle et al, *Submission 161*, pp 2-3.

because a lot of our families are very unlikely to come forward and necessarily say that they have a family member with a disability and there are a lot of reasons for that. One of the reasons is that in traditional language there was not a comparable word for disability. That is actually a wonderful thing in the sense that people are not labelled.

Sometimes parents are very reluctant to come forward because they do worry about being judged as bad parents, and we see the consequences play out all the time today. In Victoria, for example, we have more Aboriginal kids in out-of-home care than ever before and these sorts of risky engagements with authority are another reason why we do not have family members necessarily coming forward. So there is an urgent need to better understand the actual prevalence data across the broad spectrum of disability. Then we have new, emerging disability types like foetal alcohol spectrum disorder, which we do not really have a prevalence measure on either.²¹

4.34 In particular, as the First Peoples Disability Network noted, cultural issues play a role in rendering disability data for indigenous people inadequate:

If you look at where the main data comes from, the main data sources around here might come from either the census data, the National Aboriginal and Torres Strait Islander Social Survey, and the Survey of Disability, Ageing and Carers. They all come up with very different answers because they have very different approaches. What is missing from that approach is that it starts off with the question: do you have a disability? So it requires someone to be aware that they have a disability and that they are comfortable enough in voluntarily disclosing that, that they have that, and, if so, what kind. So a lot of the prevalence data that you would be seeing from organisations like the Institute of Health and Welfare come from that medical model. It does not really capture that social aspect, that if there is a stigma attached—something like foetal alcohol spectrum disorder, which applies to the mother and the child—then they are very unlikely to voluntarily disclose that.

We would say that there is an under identification of disability or an undercount. You can see that just by comparing the results for those three main data sources around it. If you compare it to, say, the census data on how many Aboriginal people are in Australia, there is a lot of work around validating that census data, but there is not that kind of work around validating some of the data that is coming out around disability and getting some input around some of the social reasons why people might be doing it. We would say that anything you see coming out of the Australian Bureau Statistics, or originating from that, would be a vast understatement.²²

21 Mr Damian Griffis, First Peoples Disability Network, *Committee Hansard*, 20 November 2015, p. 12.

22 Mr Scott Avery, First Peoples Disability Network, *Committee Hansard*, 20 November 2015, p. 12.

Committee view

4.35 The committee notes that indigenous students are particularly vulnerable to incomplete and inadequate data when it comes to quantifying disabilities, and expresses its hope that all governments in Australia will work better with indigenous communities and groups to resolve this problem.

Nationally Consistent Collection of Data

4.36 An attempt to address the current, inadequate information held by governments on the number of students in the school systems is the Nationally Consistent Collection of Data on School Students with Disability (NCCD), a joint initiative of all Australian governments and all state and territory government and non-government education authorities. Its aim is to collect comprehensive and nationally comparable data about students with disability in Australian schools.²³

4.37 The NCCD model is based on teachers providing data on:

- which of their students are being provided with a reasonable adjustment because of disability, consistent with definitions and obligations under the *Disability Discrimination Act 1992* (the DDA) and the Disability Standards for Education 2005;
- the level of adjustment that students with disability are being provided with, in both classroom and whole of school contexts; and
- the broad category of disability under which each student best fits.²⁴

4.38 The NCCD was progressively implemented between 2013 and 2015, and from 2015 all government and non-government schools will participate annually in the data collection.²⁵

4.39 The current government has confirmed that Commonwealth funding for students with disability in the school system, from 2016 on, will be 'informed' by the NCCD.²⁶

4.40 While there was general agreement amongst submitters that more accurate data on students with disabilities in the school system is a laudable goal, the

23 Department of Education and Training, 'What is the Nationally Consistent Collection of Data on School Students with Disability?', <https://www.education.gov.au/what-nationally-consistent-collection-data-school-students-disability> (accessed 2 December 2015).

24 Education Council, 'Nationally Consistent Collection of Data on School Students with Disability: The data collection model', http://www.schooldisabilitydatapl.edu.au/#thedatacollectionmodel_1 (accessed 2 December 2015).

25 Department of Education and Training, 'What is the Nationally Consistent Collection of Data on School Students with Disability?', <https://www.education.gov.au/what-nationally-consistent-collection-data-school-students-disability> (accessed 2 December 2015).

26 Mr Tony Cook, Department Education and Training, *Committee Hansard*, 29 September 2015, p. 49.

committee heard from various witnesses that the processes, purposes and uses of the NCCD have been unclear to both educators and parents.

4.41 For instance, the Gold Coast Dyslexia Support Group supported the goals of the NCCD:

The NCCD should provide the evidence base to inform the distribution of the funding loading for students with disability based on student need under the DDA and the Standards. Finally the NCCD provides formal recognition and inclusion of students with dyslexia. These students are no longer the forgotten learning disability and for the first time they have an opportunity to receive appropriate instruction and adjustments they are entitled to.²⁷

4.42 However, they warned that having educators provide the data for the NCCD may lead to under-representation, particularly for disabilities such as dyslexia which may not always be apparent:

A widespread lack of understanding of dyslexia in our education system may lead to many children at risk not being included in the NCCD.

We currently have schools in Australia that claim to have no students with dyslexia. We also have teachers that believe after 20 years in education they have never taught a student with dyslexia. These are not isolated comments and one has little faith in the ability of our educators to identify a child at risk of reading difficulties.²⁸

4.43 CDA shared these concerns, and noted that many parents were not informed of, or even aware of, the NCCD when it came to their own children:

We do not have a lot of data, and I think we have outlined that very clearly in our submission. We need better data. It is ridiculous. There is no defined problem while there is no data. I think the consultation process with families around the nationally consistent collection of data has been very poor. I am concerned for schools that the emphasis is solely on them to provide this data. There is an obligation to consult but it is not happening in practice. I thought the response in our survey was really telling. There were really high statistics of people who did not know what it was and know if their child was included, let alone know what data they have included.²⁹

4.44 Another witness, a school principal, noted that the NCCD data collection model does not appear to be best practice:

No, we do not have confidence in a process where schools can say whatever they want and that is then a basis for resourcing. It needs to have a little bit more rigour behind it than that. From talking to my colleagues, I know the way that has been carried out in schools is very different. What we do is that my head of special education sits down with every teacher in the school

27 Gold Coast Dyslexia Support Group, *Submission 21*, p. 11.

28 Gold Coast Dyslexia Support Group, *Submission 21*, p. 11.

29 Ms Stephanie Gotlib, Children with Disability Australia, *Committee Hansard*, 29 September 2015, p. 13.

individually. They talk about their class, look at the needs profile, talk about the interventions that are in place and have a decent discussion about that so they can record what is happening. I know that in other schools it is just a quick survey that is put around to all of the staff—'tick and flick', almost—where there is not really an in-depth understanding of what is happening... our other concern with this data collection is that it is a snapshot of what is happening now, and what is happening now is not necessarily best practice, because it has not been funded properly, in our opinion. It is a snapshot of what is happening under limited resources.³⁰

4.45 As Vision Australia pointed out:

... the data being collected will not provide information on the current unmet needs of students with disability, as it does not allow students or their families to provide information on their own needs. Any data on the student with disability's needs is instead being reported by school principals. In order to develop an accurate needs-based funding system, it is important that parents and students themselves have an avenue to report their support needs and that this information is taken into consideration when making any funding decisions.³¹

4.46 Concern was also raised about the fact that the NCCD was not originally intended to be the basis for funding decisions:

... point (f) in the terms of reference refers to the Nationally Consistent Collection of Data and looking at how that might be used to develop a needs based funding system for students with disability. I think we need to approach this with a very, very high level of caution. Firstly, the intent, originally, of the Nationally Consistent Collection of Data was to have some consistent definition across all states and territories of Australia as to what constituted the needs arising from disability. We have four levels of support—from 'can be accommodated with well differentiated professional delivery of teaching' through to 'some additional supports, supplementary supports or extensive supports'. These are very ill defined. Right now, 2015, is the first time that we will have captured all schools in submitting this data. I just think it is far too early to say whether the data is really going to provide the information needed to base funding on.³²

4.47 Despite the criticisms made of it, other witnesses argued that the very existence of the NCCD, and the requirement that all teachers provide input into it, has in itself had a positive effect:

Nationally consistent collection of data for school students with disabilities needs to be congratulated in raising awareness of this cohort of students. There has been an increase in the way schools are working with families to

30 Mr Michael Ward, *Committee Hansard*, 25 September 2015, pp 58-9.

31 Vision Australia, *Submission 167*, pp 9-10.

32 Mrs Julie Fardell, National Independent Special Schools Association, *Committee Hansard*, 18 September 2015, p. 30.

identify the needs of these students, and this will only lead to a greater outcome for all of these students.³³

4.48 One of the primary aims of the NCCD is to more accurately reflect the actual additional needs of students in the school system. Thus the data collected refers to the number of students who require adjustments in the classroom, rather than those who have appropriate formal medical diagnoses.³⁴

4.49 Therefore, the application of the NCCD will reduce dependence on these diagnoses which, as discussed in the previous chapter, can come at considerable cost to families.

4.50 The committee also notes the development, after the close of submissions and hearings for this inquiry, whereby the Council of Australian Governments Education Council (the Education Council) decided not to release the 2015 data. As reported in *The Australian*:

Education ministers discussed the near-final data collection at their Council of Australian Governments education council meeting last week but the survey — which has reached 99 per cent of schools — has not been released publicly and there was no mention of the discussion in the communique.

A new way of funding students with disability was recommended by the Gonski education review, yet while the rest of the reform was funded for four years, a disability loading was postponed until data about unmet need could be collected from every school.

A confidential agenda item from Friday's meeting, obtained by *The Australian*, shows the results of that project. About 18 per cent of all students, 673,693, have a disability according to the survey, although most of these — 12.5 per cent of all students — would need 'supplementary, substantial or extensive' support, requiring more teacher support and money.

The federal government indexed current funding for disabilities with \$1.2 billion provided this year alone. At present, about 5 per cent of students have funded support at school.³⁵

4.51 This development goes against the commitment repeatedly made by the Commonwealth Government to deliver funding for schools in 2016 based on the NCCD data collected in 2015.³⁶

33 Mrs Rowena Perritt, Autism Spectrum Australia, *Committee Hansard*, 18 September 2015, p. 25.

34 Department of Education and Training, *Submission 246*, p. 8.

35 'Delay on student disability funding 'just cruel'', *The Australian*, 15 December 2015, <http://www.theaustralian.com.au/national-affairs/education/delay-on-student-disability-funding-justcruel/news-story/e0500a3303af3b0589ed5a307b14e030> (accessed 4 January 2016).

36 See Department of Education and Training, *Submission 246*, p. 8; Mr Christopher Pyne MP, 17 June 2015, House of Representatives Hansard, p. 6731; Senator Simon Birmingham, 24 March 2015, Senate Hansard, p. 2148.

4.52 The Education Council has commissioned a review into the quality of the data, to report in March 2016.³⁷

Committee view

4.53 The committee recognises the concerns expressed by witnesses and submitters about the method and use of the NCCD, but expresses its hope that once the system has resolved initial concerns and methodological problems, the NCCD will provide a solid, evidence-based foundation for funding models to support the additional needs of students with disability in the school system.

4.54 The committee is deeply concerned by the failure to adequately fund disability loading for students in Australian schools. If the additional needs of students with disability are not funded, barriers will continue to exist, preventing those students from genuinely accessing education.

4.55 The committee also draws attention to the reported fact that the NCCD data, while it may be incomplete at this stage, illustrates a far higher level of students with disability in the Australian school system than has been previously reported or funded, thus confirming the concerns expressed by witnesses and submitters to this inquiry. The committee notes that this information is drawn from media reports, not from an official release of data by the government.

Accountability

4.56 The committee heard that a substantial concern related to the funding of education for students with disabilities was the lack of transparency and accountability over how existing money is spent within school systems.

4.57 CDA suggested that improvements in the education access and outcomes for students with disabilities would only occur if funding were more closely monitored:

I think if we are going to get serious we need to have some very clear links to funding—that if you do not do this stuff you are not going to get funded. So show your inclusion plan and make sure it ticks off on and meets appropriate standards based on evidence. Show what you are doing to ensure that students with disability can access your school when your school has the capacity to adequately meet their needs. There needs to be some consequences if you do not do that. At the moment, there are not really any consequences.³⁸

4.58 Disability Advocacy Victoria made a similar point, recommending that 'the Commonwealth tie any funding to the States to measurable and meaningful outcomes for students with disabilities'.³⁹

37 'Delay on student disability funding 'just cruel'', *The Australian*, 15 December 2015, <http://www.theaustralian.com.au/national-affairs/education/delay-on-student-disability-funding-justcruel/news-story/e0500a3303af3b0589ed5a307b14e030> (accessed 4 January 2016).

38 Ms Stephanie Gotlib, Children with Disability Australia, *Committee Hansard*, 29 September 2015, p. 9.

39 Disability Advocacy Victoria, *Submission 117*, p. 2.

4.59 Others noted, however, that this system can work to the advantage of some students and schools. Where students have additional needs but have not attracted additional funding, schools can pool the money they do receive to provide additional support to all students with additional needs.

4.60 One parent of a student with dyslexia, for instance, told the committee of how they used the additional support allocated to other children:

My son has followed children with verified disabilities through school. So, when he finished prep, we worked out where the children with verified disabilities would be placed and we put my son in that class, because then we could borrow teacher aide time. It is a real shame. Luckily, some of the children with verified disabilities cope quite well in the classroom. They attract the extra funding because of their label not because they necessarily need the extra teacher aide time, so we were able to borrow some one-on-one time early on. Unfortunately, that was not effective, because the intervention that they put into place was inappropriate for a dyslexic child, but that is how we have gone through school. We have followed the children with the verified disabilities, because, according to the schools, there was no money to pay for the support that my son needed.⁴⁰

4.61 However, the converse of this was given in evidence to the committee: that in some cases a school will have to manage students with disabilities who do not attract support using funds received for those who do, therefore minimising the support available to both students.⁴¹

Certainty

4.62 Another issue brought to the committee's attention is that funding for students with disabilities in schools is frequently an area fraught with uncertainty. Neither schools nor parents can plan ahead with any certainty given the often ad hoc nature of funding systems.

4.63 Mr Kevin Bates of the Queensland Teachers' Union argued that the funding of additional support to students, and therefore to schools, on a series of temporary, year-by-year bases precludes the sort of long-term planning that would most benefit students with disability:

One of our key concerns is to ensure that schools have certainty of funding in the long term. When schools get funding on an annual basis, their only option is to employ people on a temporary contract basis or use casual employment to fill gaps. If schools get certainty—in New South Wales again, for example, they have a four-year funding horizon, so that schools know four years in advance how much money they are going to get—that is a valuable planning tool for schools, to be able to say, 'I know I have got four years of funding for that service, so I can continue to engage that

40 Mrs Victoria Butler-Lind, Gold Coast Dyslexia Support Group, *Committee Hansard*, 25 September 2015, p. 42.

41 Mrs Leonie Ponder, *Committee Hansard*, 25 September 2015, p. 5.

person.' They can risk-manage at a school level. Principals are capable of doing that, but only if the resources are available.⁴²

4.64 The Australian Special Education Principals' Association (ASEPA) made a similar argument:

Funding needs a longer-term and needs based solution. Students with disability require a long-term investment to demonstrate value for money spent. Short-term solutions give short term and limited outcomes. Long term funding with ensure certainty for schools and families and could generate a better understanding of the potential of students with disability.⁴³

4.65 Likewise, the NCEC argued that certainty of funding is necessary for the ongoing development of education for students with disability in the Catholic schools system.⁴⁴

4.66 One aspect of this issue was raised by the Australian Parents Council, a national organisation representing parents of students at non-government schools. They noted that countless reviews and inquiries have been held into the state of education access and outcomes for students with disabilities, yet significant and long-lasting change has been hard to find:

Despite numerous previous inquiries and reports having sought to improve schooling access and outcomes for students with disabilities, many are still missing out. It seems to be the case that while those initiatives have been embarked upon with the best of intentions, the resourcing for disability in schooling has fallen so far behind that, once the true cost of achieving equity for students with disabilities becomes apparent, solutions are sought through compromise and the implementation of half measures.⁴⁵

4.67 The committee notes the evidence it received that a key element of a successful and useful funding model for students with disability in the school system is certainty and ongoing funding that would allow principals and others to make long-term based decisions.

Needs-based funding

4.68 The committee heard from multiple witnesses about the benefits of funding models being based on a needs-based approach. The *Australian Education Act 2013* provides for needs-based funding arrangements, wherein the Commonwealth Government's contribution to funding (for students in both government and non-government schools) is based on the Schooling Resource Standard (SRS).⁴⁶

4.69 The SRS provides a base amount for all students, on top of which extra funding is allocated for targeted disadvantaged groups, including students from lower

42 *Committee Hansard*, 25 September 2015, p. 18.

43 Australian Special Education Principals' Association, *Submission 221*, p. 3.

44 National Catholic Education Commission, *Submission 255*, p. 5.

45 Australian Parents Council, *Submission 155*, p. 4.

46 Department of Education and Training, *Submission 246*, p. 3.

socioeconomic backgrounds, Aboriginal and Torres Strait Islander students and students with disability. It also considers factors such as school size and location.⁴⁷

4.70 As discussed in chapter 2, however, the additional loading calculated for each student is dependent on the criteria in operation in each state. For that reason, the Commonwealth cannot establish the principle that additional funding is calculated for all students at the same rates.

4.71 A related issue is when students move from one part of the system to another. As the First Peoples Disability Network pointed out:

[the transition between one phase of a child's development and the next] is not well coordinated presently between government agencies, and I think this is an area where we see focused action could give great gains. We do not understand how difficult it is for various government agencies at various levels to work together, but that is where some big gains could be made. Children are particularly vulnerable moving from one part of the system to another. It is almost like they have to reset the clock. Unless there is an assertive family member or an advocate who can help navigate through the system—say, from early childhood into health, and from health into education—there could be a backward step at those times.⁴⁸

Committee view

4.72 The committee is of the view that all governments in Australia must work together to adequately fund additional supports for students with disability in the school system.

4.73 The first step in adequately funding students with disability's required supports is collecting accurate and relevant data. The committee notes the concerns expressed by some witnesses about the NCCD, and recognises that the model is not yet perfect, but expresses hope that it will provide the foundation for improving funding for students with disability in Australian schools of all types.

4.74 The committee is particularly disappointed that the Education Council regarded the 2015 data collection as insufficiently robust and has not publicly released the information, and that the Commonwealth government will not be funding additional loading for students with disability, given the clear need for more funding.

4.75 The committee accepts the evidence of witnesses that certainty and long-term funding models are of paramount importance for planning and supporting of students with disabilities in schools and trusts that governments at both state/territory and Commonwealth levels will work to ensure that this happens.

Recommendation 1

4.76 The committee recommends that the government commits to funding schools on the basis of need, according to the Gonski Review.

47 Department of Education and Training, *Submission 246*, p. 3.

48 Mr Scott Avery, First Peoples Disability Network, *Committee Hansard*, 20 November 2015, p. 11.

Recommendation 2

4.77 The committee recommends that the government fund all students with disability on the basis of need by reversing its cuts to final two years of the Gonski Reforms.

Recommendation 3

4.78 The committee recommends that the government heeds the warnings of witnesses that linking school funding to the Consumer Price Index will result in funding cuts in real terms and reduce access to education for students with disability.

Recommendation 4

4.79 The committee recommends that the government keeps its commitment to use the Nationally Consistent Collection of Data on School Students with Disability to deliver more funding for students with disability based on their individual needs in 2016.

Recommendation 5

4.80 The committee recommends that the government release the results of the Nationally Consistent Collection of Data on School Students with Disability for 2015, and previous years, as a matter of urgency.

CHAPTER 5

How to better support students with disabilities in schools

Introduction

5.1 The committee received numerous suggestions from submitters and witnesses on what, other than increased funding, could be done to better support Australian students with disability in the school system. While funding is of critical importance, it is not the only block for students with disability in the school system. This chapter will outline some key ideas and debates highlighted through this inquiry.

Mainstream inclusion v. special schools

5.2 One of the most prominent debates regarding the education of students with disabilities is the question of which sort of education produces the best outcomes for students: inclusion in 'mainstream' schools or classes or via special-purposes schools.

5.3 While this debate is largely about issues other than funding, it is worth noting that there is a disparity in terms of funding of students with disability depending on which type of school they attend:

Students with disability at a mainstream school attract a students with disability loading of 186 per cent of the base per student amount; those at a special school attract a students with disability loading of 223 per cent.¹

5.4 Approximately 90 per cent of students with disability in Australia attend mainstream schools.²

5.5 Inclusive education refers to the philosophy of not just enrolling students with disability into mainstream classrooms but about designing education environments and teaching strategies to include all students. Students with disability may require additional adjustments, tied to the specific needs of individuals, but the teaching approaches employed in a genuinely inclusive classroom should benefit all children.

5.6 As will be discussed further below, research in the area has consistently shown that best-practice teaching for students with disability is in fact best-practice teaching for all students.

5.7 Dr Kathy Cologon, of the Children and Families Research Centre in the Institute of Early Childhood at Macquarie University noted that the weight of evidence is firmly on the side of mainstream inclusion:

1 Department of Education and Training, *Submission 246*, p. 4.

2 See, for instance, Children with Disability Australia, *Submission 257*, p. 5; Dr Rosemary Butt, *Submission 36*, p. 1.

... inclusive education is important because it results in the best possible outcomes for everyone involved. As outlined in a recent extensive review of the literature, inclusive education results in more positive outcomes for all students – students who do and students who do not experience disability... Inclusive education also results in greater personal and professional satisfaction for educators and assists educators in becoming more skilled and flexible as they expand their ability to provide multiple forms and modes of engagement, thus leading to higher quality education for all students.³

5.8 However, other submitters just as firmly advocate for attendance at special schools, wherein students can be taught in purpose-built environments, by teachers specialising in the education of students with disability and amongst a class of other students with disability.

5.9 One of the primary drivers of families choosing to enrol their child in a special school is a consequence of the practice, discussed in chapter 2 of this report, of informal gatekeepers at mainstream schools discouraging the enrolment of students with disability on the ground that the school would be unable to properly accommodate that child's needs.

5.10 The Australian Bureau of Statistics' 2012 Survey of Disability Ageing and Carers (SDAC) found that for students with profound or severe disability, those attending mainstream schools received significantly less support than students with the same level of disability in special schools.⁴

Committee view

5.11 The choice of which school to enrol a child in is one of the main decisions parents have to make, and the committee notes that different families will have different preferences and opinions on what environment will best suit their child, especially if that child has a disability. For all students, whether they have a disability or not, a 'one size fits all' approach is not necessarily the best. Differing views from parents and carers about the best options for their children should always be respected.

5.12 The committee also notes that all schools in Australia are obliged by the Standards to make reasonable accommodations to students with disability to assist their access to education. The committee notes that the evidence presented by witnesses and submitters demonstrated that far too often, this was not the experience for students with disability.

3 Dr Kathy Cologon, *Submission 278*, p. 1.

4 Australian Bureau of Statistics, *Submission 228*, p. 4.

Professional development for school staff

5.13 A key theme highlighted by multiple submitters and witnesses to this inquiry was the importance of teachers and all school staff receiving training in teaching practice for students with disabilities. As discussed in chapter 2, many submitters and witnesses to this inquiry believed that too many teachers were inadequately aware of issues surrounding the education of students with disability, including the rights of students to an education and the necessity of additional adjustments and support for some students.

5.14 While teacher preservice education standards differ from state to state, the AEU's submission notes that many teachers report feeling underprepared when it comes to educating students with disability: 37% of teachers thought that the level of training and professional development they had undertaken gave them the skills and knowledge to teach students with disability, while 63% said it had not.⁵

5.15 The AEU's nationwide survey of preservice training revealed that, while most universities include a course on education of students with disabilities in their teaching courses, only New South Wales requires accredited teaching courses to include a stand-alone unit on special education.⁶

5.16 To address this, the Gold Coast Dyslexia Support Group, for instance, recommended that both pre-service and in-service training and development for teachers should include information on 'identifying and supporting the range of learning differences in a classroom', 'the importance of early identification and early intervention for students 'at risk' and 'the implementation of appropriate adjustments for students with learning difficulties'.⁷

5.17 The Autism Collective Research Centre's (Autism CRC) survey of parents, teachers and specialists of students with autism found that the top two barriers to students with autism's access to education identified were a lack of funding for additional support and the lack of 'suitable education and training for staff'. Noting, therefore, the benefits of additional training and professional development for educators, they argued:

The capacity of Australian schools to deliver a quality education to students with autism will be enhanced by better training and professional development for teachers and other school staff. This will lead to a more inclusive and accepting school community where diversity is recognised and actively embraced. Teachers will have enhanced coping mechanisms and will feel more satisfied and confident that they can manage and relate to the needs of students with autism with access to more appropriate resources, training and tools. They will feel more empowered to make a

5 Australian Education Union, *Submission 206*, pp 31-32.

6 Australian Education Union, *Submission 206*, p. 32.

7 Gold Coast Dyslexia Support Group, *Submission 21*, p. 15.

difference in children's lives as better facilitators of children's learning. The educational approaches utilised to enhance the learning of students with autism will also have a broader application and will be able to be successfully applied and utilised with all learners in classrooms using universal design for learning principles.⁸

5.18 People with Disability Australia made some specific recommendations for the types of additional education and development areas for teachers that would benefit both teachers and students:

- an emphasis on improving [teachers'] knowledge and understanding of disability-related issues and suitable curriculum design, skills assessment, positive behaviour support and instructional strategies;
- all training courses and professional development programs for teachers and integration aides be subsidised and compulsory, undertaken regularly and incorporated into general education training rather than by way of separate disability-specific sessions;
- increased resources to support teachers; and
- ensuring teaching programs include exposure to direct and structured interaction with students with disability in addition to formal instruction.⁹

5.19 Mr Michael Ward, principal of Aspley East State School in Brisbane, argued that professional development for teachers needs to be a priority, but also that it needs to be done well and as an ongoing practice:

What I have discovered is that you cannot just send your teachers to the latest autism workshop that is on down the road for half a day and have them come back with the same two or three strategies that we have all heard many, many times before. They need something on a different level to that altogether. They need professional development that exposes them to the top thinkers in this area in the country and even internationally. They need to be challenged as professionals, engage in that higher level professional dialogue, understand what the research is saying and really, I guess, be treated like professionals, but engage as professionals who have something credible to say themselves too. I think teachers have been treated quite badly over the years in that regard, and their skills, knowledge and everyday experience of this need to be included in the discussion, but they need to be exposed to that much higher level discussion and research.¹⁰

5.20 Teachers, of course, are not the only staff employed in the school system, and therefore the committee regards it as important that this focused professional development be made available and obligatory for all staff in schools, including teachers' aides, administrative and support staff and anyone else whose work brings

8 Autism CRC, *Submission 227*, p. 11.

9 People with Disability Australia, *Submission 253*, p. 4.

10 *Committee Hansard*, 25 September 2015, pp 56-57.

them into contact with students on a regular basis. It is vital that all those in the school system recognise the needs and rights of students with disability and have the opportunity to develop their professional skills in this way.

Committee view

5.21 The committee was impressed to hear from witnesses that examples of strong educational practice do exist in Australian schools, and commends those individuals, schools and specialists who have prioritised these practices.

5.22 It is important to ensure that everyone in the school environment is equipped with the best knowledge to meet the needs of students with disability. For that reason, the committee notes that there is a clear need for teachers and all school administrators to receive more-focused education on the rights and needs of students with disability as part of their qualification process, along with continued professional development throughout their career.

Research-practice gap

5.23 The committee heard from numerous witnesses that a problem in the education of students with disabilities is the gap between research in the field and practice in schools and classrooms. In short, while much research exists on the best-practice approaches to teaching students with disability, many of these practices have not yet become widespread in their use in Australian schools.

5.24 The Macquarie University Special Education Centre (MUSEC) made this case based on research they undertook:

Research carried out by MUSEC with special education teachers in Australia to determine the level of use of evidence-based instructional strategies found that some evidence-based practices were used regularly, but many practices that have been shown to be ineffective were also used weekly or more by about half the teachers we surveyed. We also found a substantial minority of teachers reported that they never or rarely used some effective strategies. Other research we have carried out shows that schools may often use practices that have no research support and that such practices may be supported or passively condoned by education authorities. As long as schools and teachers continue to waste time and resources on interventions that are known to be ineffective, in preference to those likely to be effective, the education of students with disability will be compromised.¹¹

5.25 Similarly, Professor Rodger of the Autism CRC noted to the committee that the 'complexity' of the issues raised by educating students with disability, along with the time pressures on all teachers, leads to a 'research-practice gap'.¹²

11 Macquarie University Special Education Centre, *Submission 52*, pp 3-4.

12 *Committee Hansard*, 25 September 2015, pp 36-37.

5.26 Professor Rodger also highlighted the extremely well-developed modules and teaching resources developed through the Positive Partnerships program¹³ which is funded by the federal government and provides:

- professional development for teachers, principals and other school staff to build their understanding, skills and expertise in working with children and young people on the autism spectrum
- workshops and information sessions for parents and carers of school-age children and young people on the autism spectrum
- a website providing online learning modules and other resources.

5.27 The consequence of this research-practice gap is that sub-optimal teaching practices are still widely used in Australian schools. Education for all students, but especially for those with disability, could be substantially improved by a greater application of research findings and practical teaching strategies demonstrated to lead to better educational outcomes.

5.28 The committee heard from multiple witnesses that the teaching methods supported by research as being best practice for students with disability are based on solid pedagogical evidence as being beneficial for all students. For this reason, there should be a greater utilisation of these methods in all classrooms.

5.29 As an example, MUSEC noted that:

There is considerable overlap between effective school practices generally and the practices that improve the academic performance of students with disability. Research-based tiered approaches such as Response to Intervention (RTI), particularly for literacy instruction and Schoolwide Positive Behaviour Intervention and Support (<http://pbis.org/research/default.aspx>), provide a framework that supports all students. In these tiered approaches, all students are screened and their progress towards clearly defined goals is regularly monitored so that under-performance is identified and addressed early. Research-based assessment and teaching strategies are in place for all students, and are implemented with fidelity.¹⁴

5.30 The Autism CRC, discussing their universal design for learning approach, noted that the practices it entails are intended to be of benefit to all school students:

Many of Autism CRC's research projects are underway and utilise universal design for learning approaches to address writing, transitions, classroom structure and more enabling environments. Our research projects aim to support all children in mainstream classrooms, not just those on the autism spectrum. Many students need assistance with getting organised, writing stories and making friends—again, not just those on the autism spectrum.

¹³ *Committee Hansard*, 25 September 2015, pp 36.

¹⁴ Macquarie University Special Education Centre, *Submission 52*, p. 4.

Hence, aids to learning form a part of a whole-of-classroom approach rather than an additional responsibility for teachers directed to a few.¹⁵

5.31 A parent and representative of the Gold Coast Dyslexia Support Group spoke about some of the techniques they had encouraged teachers to adopt:

Less reliance on text. For example, in the high school, in a history class, the normal way of delivering a particular piece of information would be for the class to get a 15,000-word article and read it, summarise it and hand it in. So when we spoke to the history teacher, who was on side, instead of doing it that way, she gave the article to the children in groups. Each of them read and discussed a paragraph of the article, then they all discussed the whole article as a class and then they mind-mapped it. This was just a suggestion from me; that all came from her. It is not a radical change, really, and the children are still getting the same information, plus it is more interesting for them. All the kids love being in that class.¹⁶

5.32 Ms Karen Ross from the Gold Coast Dyslexia Support Group also mentioned the DVD *Outside the Square* and described it as a great resource which 'every school and teacher should have'.¹⁷

5.33 Evidence therefore suggests that educational outcomes could be improved for all students, regardless of whether or not they have a disability, by greater application of research findings to classroom practice. Many of the teaching strategies found to be helpful for students with disability would benefit all students, and therefore should be encouraged.

Committee view

5.34 The committee accepts the evidence presented to this inquiry which suggests that the education of students with disability in Australian schools could be substantially improved by closing the research-practice gap which currently exists.

5.35 The committee further notes that good teaching strategies for students with disability are often equally useful for all students, and therefore encourages teachers and others in the school environment to recognise that some practices currently considered adjustments for students with disability may in fact become standard teaching practice for all students.

15 Mr Andrew Davis, Cooperative Research Centre for Living with Autism (Autism CRC), *Committee Hansard*, 25 September 2015, p. 33.

16 Ms Jane Woodley, Gold Coast Dyslexia Support Group, *Committee Hansard*, 29 September 2015, p. 43.

17 Ms Karen Ross, Gold Coast Dyslexia Support Group, *Committee Hansard*, 29 September 2015, p. 46.

Committee view

5.36 The committee notes that additional funding for support for students with disability is a key aspect of education access and attainment. While additional funding is necessary to improving educational outcomes, it is also important to monitor and account for how that funding is used.

5.37 The committee recognises that the majority of research and evidence presented to this inquiry supports the proposition that mainstream-based inclusive education leads to the best outcomes for students. However, the committee also notes that choice is important and that some families prefer, for a variety of reasons, to enrol their children into special schools.

5.38 Following on from concerns raised earlier in this report, the committee notes that providing teachers, both as part of their qualification process and throughout their career, with additional education on the education of students with disability would benefit both the teachers themselves and the students. Improving access to such training and development should be made a priority.

5.39 The committee accepts that currently a substantial research-practice gap exists in Australia. It commends those researchers seeking to improve the educational outcomes of students with disability, and encourages all educators to ensure that their teaching strategies are grounded in evidence-based practices.

Recommendation 6

5.40 The committee recommends that a dedicated Disability Discrimination Commissioner be reinstated to the Australian Human Rights Commission.

Recommendation 7

5.41 The Committee recommend that the government works with states, territories and school systems to:

- (a) Establish a national approach to ending the bullying of students with disability. This should be supported with programs and resources for schools, teachers and students.**
- (b) Make it mandatory for all initial teacher education courses to ensure beginning teachers enter the classroom with best-practice skills in the inclusion of students with disability. The government should also work with states and territories to ensure current teachers, principals and support staff are supported to develop inclusive education skills in areas such as universal design for learning, differentiated teaching and cooperative learning.**
- (c) Investigate the establishment a national qualification standard for teacher aids and assistants to ensure they have the knowledge and skills required to support learning for all students. States and**

territories should also provide guidance on the role of support staff in inclusive classrooms.

- (d) **Prioritise the development of a national approach to modifying the curriculum for students with disability. This should include implementation tools and professionals development support for teachers to ensure that all students are supported to learn to their fullest potential.**
- (e) **Better support school systems, teachers and principals to continually improve the accuracy and effectiveness of the Nationally Consistent Collection of Data on School Students with Disability program.**

Recommendation 8

5.42 In light of the limitations of the evidence presented, the committee recommends the government work with states and territories to establish a process for the collection and publication of information about levels of access and attainment for students with disability. This should include information about:

- (a) **whether students attend school part or full time;**
- (b) **rates of home schooling and distance education;**
- (c) **educational attainment;**
- (d) **rates of restrictive practices and seclusion;**
- (e) **suspension and expulsion rates;**
- (f) **school completion;**
- (g) **availability of specialist support for teachers and principals;**
- (h) **workforce skills and the availability of professional development in inclusive education for teachers and principals;**
- (i) **access to allied health and interdisciplinary support; and**
- (j) **bullying and wellbeing.**

Recommendation 9

5.43 The committee recommends the government work with states, territories, experts, stakeholders, school systems, parents and students to establish a national strategy to improve the education of students with disability. The strategy should aim to:

- (a) **recognise all students with disability as learners and drive the cultural change required to achieve this, particularly at a school leadership level;**

- (b) define the goals and priorities for improving the educational outcomes of students with disability, set clear timelines for their achievement and report publically on progress;
- (c) increase school participation and access rates for students with disability;
- (d) close the gap in Year 10 and Year 12 completion;
- (e) ensure all students with disability can access adjustments and interdisciplinary support that will maximise their learning potential;
- (f) ensure all students with disability benefit from evidence-based, best practice programs which lead to improvements in access and attainment;
- (g) improve the accountability at a system and student level for ensuring better learning outcomes for students with disability;
- (h) support schools, teachers and principals to close the gap between research and classroom practice;
- (i) establish best-practice ongoing professional development for teachers, principals and others who work in the school system;
- (j) include students with disability and their families in the development of the educational plan for their child, and encourage the meaningful ongoing engagement of parents;
- (k) establish a national inclusion measure for schools; and
- (l) establish independent review and complaints mechanisms so parents, teachers and students can have full confidence in the system.

Recommendation 10

5.44 The committee recommends the government works with states and territories to end restrictive practices in schools, consistent with the recommendations of the 2015 Senate Inquiry into violence, abuse and neglect against people with disability in institutional and residential settings, including the gender and age related dimensions, and the particular situation of Aboriginal and Torres Strait Islander people with disability, and culturally and linguistically diverse people with disability.

Senator Sue Lines

Chair

Coalition Senators' Additional Comments

1.1 Coalition Senators would like to provide additional information to the Chair's Report to this inquiry to ensure there is a fair accounting of the facts regarding levels of Commonwealth funding.

1.2 Coalition Senators acknowledge that the barriers to education faced by students with disability and their families are significant. Evidence presented throughout this inquiry shows that the challenges faced by students with disability and their families in accessing education can have a detrimental impact on their lifelong learning goals and future employment prospects.

1.3 However an important point that the Chair's Report failed to acknowledge was that, although the Commonwealth provides a substantial financial contribution to school education, it is not the primary funder of schools in Australia. The fact remains that the Commonwealth provides one-third of recurrent school funding while the states and territories are responsible for the majority two-thirds portion.

1.4 In relation to Recommendations 1 and 2 of the Chair's Report, Coalition Senators reiterate that the Government is already committed to supporting students with disability on the basis of need and has committed record levels of funding. The Commonwealth is contributing more than \$5 billion from 2014-2017 rising by \$100 million each year: \$1.1 billion in 2014; \$1.2 billion in 2015, \$1.3 billion in 2016 and \$1.4 billion in 2017. The funding is applied according to Students with Disability Loading (SWD) introduced by this Government, which is exactly the same as the loading formulated by the previous Labor Government in accordance with the *Australian Education Act 2013*.

1.5 States and territories are responsible for the overall quality of school education in their jurisdictions. The Committee heard that some states do a better job of supporting students with disability.¹ School leadership, improved teacher training, best-practice teaching and an inclusive culture within schools are all significant factors which contribute to better outcomes for students with disability and Coalition Senators support the recommendations in the Chair's Report which address these issues. There was concerning evidence presented to the Committee that a number of schools, across jurisdictions and sectors, were blatantly disregarding the Disability Standards. This needs to be addressed as a matter of urgency by state and territory governments to ensure that schools comply and that students with disability do not experience discrimination or exclusion from the education system.

¹ *Committee Hansard*, 25 September 2015, p. 13.

1.6 As a nation we expect all Australian children should be afforded similar opportunities including access to a quality education regardless of where they live and their socioeconomic background. Coalition Senators commend the Government for the projects being undertaken to develop resources to support principals and teachers.²

Senator McKenzie

Deputy Chair

² *Committee Hansard*, 29 September 2015, p. 49.

APPENDIX 1

Submissions and Additional Information received by the Committee

Submissions received

- 1 Ms Helen Steele
- 2 Mrs Cheryl McDonnell
- 3 Mrs Sue Cook
- 4 Ms Alicia Round
- 5 Mrs Tanya Stephens-Smith
- 6 Ms Misha Klingstrom
- 7 Ms Lorraine Rodrigues
- 8 Mrs Lois Gearing
- 9 Ms Carol Barnes
- 10 Mrs Vanessa Comiskey
- 11 Ms Julz Grafton
- 12 Ms Rachel Akers
- 13 Ms Tanya Forbes, Outside the Square
- 14 Ms Rachael Sowden
- 15 Ms Mariam Ghosn
- 16 Ms Emma Bird
- 17 Mrs Penny Zajitz-Ceravolo
- 18 Mr Johnny Wapstra
- 19 Mrs Eva O'Malley
- 20 Aspley East State School
- 21 Gold Coast Dyslexia Support Group

- 22 Isolated Children's Parents' Association
- 23 Ms Marie Morrow
- 24 Ms Deb Maio
- 25 Mrs Teresa Restall
- 26 Miss Jodie McMahon
- 27 Ms Jessica Offer
- 28 Ms Elizabeth Websdale
- 29 Ms Susanne Davis
- 30 ACT Disability Aged Carer and Advocacy Service (ADACAS)
- 31 Mrs Mina McCarthy
- 32 Mrs Chantel King
- 33 Supporting people experiencing learning difficulties (Speld QLD)
- 34 Mrs Samantha Powell
- 35 Advocates For Educating Adults with an Intellectual Disability
- 36 Dr Rosemary Butt
- 37 Mrs Christine Woolcott
- 38 Ms Melissa Jenkinson
- 39 Mrs Jodi Birkbeck
- 40 Ms Joanne Barton
- 41 Ms Letitia Duncan
- 42 Ms Kristina M
- 43 Mrs Kate Beattie
- 44 Mrs Lee Ellis
- 45 Mr Gavin Broadley
- 46 Deaf Australia Inc
- 47 Name Withheld

-
- 48 Mrs Joy Boath
- 49 Ms Amy Reid
- 50 Ms Joanna McNamara
- 51 Ms Gayle Skinner
- 52 Macquarie University Special Education Centre (MUSEC)
- 53 Name Withheld
- 54 Mrs Joyce Camilleri
- 55 Mrs Simone Mitchell-Nolan
- 56 Ms Kerry Lawson
- 57 Mrs Sonia Maginnity
- 58 Mrs Nicola Jones
- 59 Ms Christie Campbell
- 60 Ms Rhonda Reddicliffe
- 61 Mrs Vanessa Young
- 62 Ms Pauline Timms
- 63 Autism Advisory and Support Service
- 64 Cairns Autism Spectrum Group Incorporated
- 65 Family Planning Victoria
- 66 Communications Rights Australia
- 67 Name Withheld
- 68 Name Withheld
- 69 Name Withheld
- 70 Name Withheld
- 71 Name Withheld
- 72 Name Withheld
- 73 Name Withheld

- 74 Name Withheld
- 75 Name Withheld
- 76 Name Withheld
- 77 Name Withheld
- 78 Name Withheld
- 79 Mr Andrew McDonald
- 80 Mrs Heidi Terry
- 81 Ms Julie Huysman
- 82 Ms Sandra Tidswell
- 83 Name Withheld
- 84 National Independent Special Schools Association
- 85 Autism Spectrum Australia (Aspect)
- 86 Mrs Lisette Bourke
- 87 Name Withheld
- 88 Barnardos Australia
- 89 Epilepsy Action Australia
- 90 Ms Deborah McInnes
- 91 Ms Rose Hughes
- 92 Ms Kelly Oldfield
- 93 Syndromes Without A Name (SWAN) Australia
- 94 Dr Rozanna Lilley
- 95 Ms Suzanne Apps
- 96 Ms Jodie Towell
- 97 Change The Criteria
- 98 Name Withheld
- 99 Ms Bernadine Pegg

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- 100 Ms Jacqueline Smith
 - 101 Redfern Legal Centre
 - 102 Ms Rebecca Goldspink
 - 103 Mrs Trudy Whitcombe
 - 104 Disability Discrimination Legal Service
 - 105 Mrs Carmel Bragg
 - 106 Australian Blindness Forum
 - 107 Name Withheld
 - 108 Name Withheld
 - 109 Mrs Kate Ballard
 - 110 Australian Association of Special Education (AASE)
 - 111 Ms Karelle Logan
 - 112 St Vincent de Paul National Council
 - 113 CREATE Foundation
 - 114 Mrs Tracey Scott
 - 115 Mallee Family Care Incorporated
 - 116 Mr Paul Derry
 - 117 Disability Advocacy Victoria (DAV)
 - 118 Dyslexia SA
 - 119 United Voices for People with Disabilities (UVPD)
 - 120 Ms Alison Eno
 - 121 Ms Rebecca Hartland
 - 122 Ms Marz Reece
 - 123 Name Withheld
 - 124 Name Withheld
 - 125 Ms Maureen Durney

- 126 Ms Lis Sun
- 127 Name Withheld
- 128 Name Withheld
- 129 Ms Julia Cooper
- 130 Mrs Romana Belson
- 131 Name Withheld
- 132 Dr Lisa-Marie Scott
- 133 Mrs Frances Hunter
- 134 Australian Lawyers for Human Rights
- 135 The Institute of Family Advocacy and Leadership Development
- 136 Ms Stacey Files
- 137 Australian Association of Social Workers
- 138 Ms Catriona Gunn PhD
- 139 Name Withheld
- 140 Mr Greg Brandtman
- 141 Name Withheld
- 142 Name Withheld
- 143 Name Withheld
- 144 Mrs Kylie Ramstadius
- 145 Name Withheld
- 146 Ms Racheal Tamehana
- 147 Mr Peter Lambeth
- 148 Mr Jim Kettle
- 149 Mr Alistair Brown
- 150 Ms Margaret Kyrkou
- 151 Name Withheld

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- 152 Mrs Francesca Glozier
- 153 NDCO Network
- 154 Mrs Donna Richardson
- 155 Australian Parents Council
- 156 Name Withheld
- 157 Ms Catia Malaquias
- 158 Dr Michael Houlbrook
- 159 Name Withheld
- 160 Name Withheld
- 161 Dr Robyn Boyle
- 162 My Three Aspies
- 163 Ms Elizabeth Gillespie
- 164 Name Withheld
- 165 Name Withheld
- 166 Ms Karina Harlow
- 167 Vision Australia
- 168 Name Withheld
- 169 National Association of Australian Teachers of the Deaf
- 170 Ms Sherri Purse
- 171 Tasmanian Disability Education Reform Lobby
- 172 National Disability Services
- 173 Beyond the Maze
- 174 Mr Alex Jones
- 175 Autistic Family Collective
- 176 Name Withheld
- 177 Isolated Children's Parents' Association of Australia

- 178 Mr Mark Burgess
- 179 Mrs Felicity Brown
- 180 Association for Behaviour Analysis Australia
- 181 Australian Primary Principals Association
- 182 Ms Annette Guterres
- 183 Ethnic Community Services Co-operative
- 184 Independent Schools Queensland
- 185 PLEDG
- 186 Name Withheld
- 187 Catholic School Parents Australia
- 188 Mr Chesleigh Hargreaves
- 189 beyondblue
- 190 Name Withheld
- 191 Ms Stephanie Carr
- 192 Ms Jenny Spence
- 193 Mrs Gina Wilson-Burns
- 194 Dr Alison Roberts
- 195 Macedon Ranges Autism Network Inc.
- 196 Independent Schools Council of Australia
- 197 Queensland Catholic Education Commission
- 198 Name Withheld
- 199 Multicultural Disability Advocacy Association
- 200 Name Withheld
- 201 Queensland Association of Special Education Leaders
- 202 Ms Dale Winckel
- 203 Name Withheld

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- 204 Name Withheld
- 205 Queensland Teachers' Union
- 206 Australian Education Union – Federal Office
- 207 Northern Sydney Council of P&Cs
- 208 Name Withheld
- 209 Name Withheld
- 210 Name Withheld
- 211 Chi.L.D. Association
- 212 Name Withheld
- 213 Ms Linda Wemyss
- 214 Mrs Vivienne Dimmick
- 215 Ms Emma Wilson
- 216 Ms Monica Kelly and Mr Murray Turner
- 217 Ms Elizabeth Munro
- 218 Name Withheld
- 219 Insight Education for the Blind and Vision Impaired
- 220 Ms Karen Firth
- 221 Australian Special Education Principals' Association
- 222 Name Withheld
- 223 Ms Narelle McCaffrey
- 224 The Growing Space
- 225 Name Withheld
- 226 A4 Autism Aspergers Advocacy Australia
- 227 Autism CRC
- 228 Australian Bureau of Statistics
- 229 Red Hill Special School P+C Association

- 230 Independent Education Union of Australia
- 231 Ms Meredith Irish
- 232 Name Withheld
- 233 Commissioner for Children (Tasmania)
- 234 Dyslexia-SPELD Foundation in WA (DSF Literacy and Clinical Services) and AUSPELD (The Australian Federation of SPELD Associations)
- 235 Carers NSW
- 236 Occupational Therapy Australia
- 237 Lifestart
- 238 Ms Harriet Korner
- 239 Department for Education and Child Development - Government of South Australia
- 240 Australian Association of Christian Schools (AACCS), Adventist Schools Australia (ASA) and Christian Schools Australia (CSA)
- 241 Ms Sue Hymus
- 242 City of Melbourne Disability Advisory Committee
- 243 UnitingCare Children, Young People and Families'
- 244 The Royal Australian and New Zealand College of Psychiatrists
- 245 Australian Council of Human Rights Authorities (ACHRA)
- 246 Australian Government Department of Education and Training
- 247 Name Withheld
- 248 Australian Government - Department of Social Services
- 249 Maroondah City Council
- 250 Royal Institute for Deaf and Blind Children (RIDBC)
- 251 Australian Paediatric Society
- 252 Melbourne City Mission
- 253 People with Disability Australia Incorporated

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- 254 Name Withheld
- 255 National Catholic Education Commission
- 256 Tasmanian Government
- 257 Children with Disability Australia
- 258 Name Withheld
- 259 Name Withheld
- 260 Name Withheld
- 261 Confidential
- 262 Confidential
- 263 Confidential
- 264 Confidential
- 265 Confidential
- 266 Confidential
- 267 Confidential
- 268 Confidential
- 269 Confidential
- 270 Confidential
- 271 Name Withheld
- 272 Name Withheld
- 273 Ms Meredith Bray
- 274 Ms Theresa Duncombe
- 275 Speech Pathology Australia
- 276 Ms Cathy Basterfield
- 277 JFA Purple Orange
- 278 Dr Kathy Cologon
- 279 Association for Children with a Disability

- 280 Women in Adult and Vocational Education
- 281 Northern Territory Government
- 282 Ms Michelle Sutton
- 283 Mr Julie Black
- 284 Acacia Hill School – School Council
- 285 Ms Tara Hannon
- 286 Confidential
- 287 Confidential
- 288 Confidential
- 289 Confidential
- 290 Mr David Eckerman
- 291 Ms Julie Phillips
- 292 Ai-Media
- 293 Missing School Inc.
- 294 Mr David Roy
- 295 Name Withheld
- 296 Queensland Department of Education and Training

Additional Information

- 1 Additional Information – provided by Down Syndrome Australia at a public hearing in Melbourne on 20 November 2015

Form Letters

- 1 Form letter received from 62 individuals (this number includes variations of the form letter)

Responses to Questions on Notice

- 297 Answer to Question on Notice by People with Disability Australia at a public hearing on 18 September 2015, Sydney

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- 298 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 299 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 300 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 301 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 302 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 303 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 304 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 305 Answer to Question on Notice by Australian Education Union at a public hearing on 18 September 2015, Sydney
- 306 Answer to a Question on Notice by National Independent Special Schools Association at a public hearing on 18 September 2015, Sydney
- 307 Answer to a Question on Notice by Epilepsy Action Australia at a public hearing on 18 September 2015, Sydney
- 308 Answer to a Question on Notice by Association for Behaviour Analysis Australia at a public hearing on 18 September 2015, Sydney
- 309 Answer to a Question on Notice by Catholic Education Commission at a public hearing on 18 September 2015, Sydney
- 310 Answer to a Question on Notice by Speech Pathology Australia at a public hearing on 25 September 2015, Brisbane
- 311 Answer to a Question on Notice by Queensland Teachers Union at a public hearing on 25 September 2015, Brisbane
- 312 Answer to a Question on Notice by Queensland Teachers Union at a public hearing on 25 September 2015, Brisbane
- 313 Answer to a Question on Notice by Gold Coast Dyslexia Support Group at a public hearing on 25 September 2015, Brisbane

- 314 Answer to a Question on Notice by Gold Coast Dyslexia Support Group at a public hearing on 25 September 2015, Brisbane
- 315 Answer to a Question on Notice by Mr Ward at a public hearing on 25 September 2015, Brisbane
- 316 Answer to a Question on Notice by Mr Ward at a public hearing on 25 September 2015, Brisbane
- 317 Answer to a Question on Notice by Ms Garner-Williams at a public hearing on 29 September 2015, Melbourne
- 318 Answer to a Question on Notice by Children with Disability Australia at a public hearing on 29 September 2015, Melbourne
- 319 Answer to a Question on Notice by Children with Disability Australia at a public hearing on 29 September 2015, Melbourne
- 320 Answer to a Question on Notice by Occupational Therapy Australia at a public hearing on 29 September 2015, Melbourne
- 321 Answer to a Question on Notice by Occupational Therapy Australia at a public hearing on 29 September 2015, Melbourne
- 322 Answer to a Question on Notice by the National Disability Insurance Agency at a public hearing on 29 September 2015, Melbourne
- 323 Answer to a Question on Notice by the National Disability Insurance Agency at a public hearing on 29 September 2015, Melbourne
- 324 Answer to a Question on Notice by the National Disability Insurance Agency at a public hearing on 29 September 2015, Melbourne
- 325 Answer to a Question on Notice by the National Disability Insurance Agency at a public hearing on 29 September 2015, Melbourne
- 326 Answer to a Question on Notice by the National Disability Insurance Agency at a public hearing on 29 September 2015, Melbourne
- 327 Answer to a Question on Notice by ACHRA at a public hearing on 29 September 2015, Melbourne
- 328 Answer to a Question on Notice by the Department of Education and Training at a public hearing on 29 September 2015, Melbourne
- 329 Answer to a Question on Notice by the Department of Education and Training at a public hearing on 29 September 2015, Melbourne

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- 330 Answer to a Question on Notice by the Department of Education and Training at a public hearing on 29 September 2015, Melbourne
- 331 Answer to a Question on Notice by the Department of Education and Training at a public hearing on 29 September 2015, Melbourne
- 332 Answer to a Question on Notice by the Department of Education and Training at a public hearing on 29 September 2015, Melbourne
- 333 Answer to a Question on Notice by the National Disability Coordination Officer Program at a public hearing on 20 November 2015, Melbourne
- 334 Answer to a Question on Notice by the National Disability Coordination Officer Program at a public hearing on 20 November 2015, Melbourne
- 335 Answer to a Question on Notice by the National Disability Coordination Officer Program at a public hearing on 20 November 2015, Melbourne
- 336 Answer to a Question on Notice by the National Disability Coordination Officer Program at a public hearing on 20 November 2015, Melbourne

APPENDIX 2

Public Hearings

Sydney, 18 September 2015

Committee Members in attendance: Senators Lines, McKenzie, Peris.

Witnesses

BAKER, Mr Ian George, Director, Education Policy and Programs, Catholic Education Commission New South Wales

BEVAN, Ms Ngila, Manager of Advocacy Projects and Communications, People with Disability Australia

BROWN, Mrs Alex, Head of Committees, Association for Behaviour Analysis Australia

CLARK, Dr Trevor Raymond, National Director, Aspect Education, Autism Spectrum Australia, Aspect

FARDELL, Mrs Julie, Member, National Independent Special Schools Association

FOX, Mr Ross Edward, Executive Director, National Catholic Education Commission

GADEK, Ms Elizabeth, Chair, National Independent Special Schools Association

GOH, Mr John, Principal, Australian Education Union

GRAY, Mrs Geraldine, State Coordinator, Special Learning Needs, Catholic Education Commission New South Wales

HABERLIN, Dr Alayna, President-Elect, Association for Behaviour Analysis Australia

HAYTHORPE, Ms Correna, Federal President, Australian Education Union

IRELAND, Ms Carol, Chief Executive Officer, Epilepsy Action Australia

LILLEY, Dr Rozanna, private capacity

MULHERON, Mr Maurie, Federal Deputy President, Australian Education Union

PERRITT, Mrs Rowena, School Principal, Autism Spectrum Australia

SANDS, Ms Therese, Manager of Advocacy Projects and Communications, People with Disability Australia

SMITH, Ms Melissa, Private capacity

TALBOT, Miss Georgia Rose, Private capacity

TALBOT, Mr David Richard, Private capacity

TALBOT, Mrs Roslyn Gay, Private capacity

TODD, Ms Lisa, Manager, Clinical Governance, Epilepsy Action Australia

TORPY, Mr Dennis, Manager, Wellbeing and Community Partnerships, National Catholic Education Commission

Brisbane, 25 September 2015

Committee Members in attendance: Senators Lines, McKenzie, Siewert.

Witnesses

ANGLEY, Ms Philippa, Executive Officer to the Chief Executive, National Disability Services

ASHTON, Ms Cae, Principal, The Glenleighden School

BATES, Mr Kevin, President, Queensland Teachers' Union

BUTLER-LIND, Mrs Veronica, Private capacity

CARRINGTON, Professor Suzanne, Education Research Program Director,

Cooperative Research Centre for Living with Autism (Autism CRC)

DAVIS, Mr Andrew, Chief Executive Officer, Cooperative Research Centre for Living with Autism (Autism CRC)

DEVINE, Mr John, Business Development Manager, Chi.L.D. Association

DIXON, Mrs Gaenor, President, Speech Pathology Australia

DUNCOMBE, Ms Theresa, Private capacity

MARTIN, Ms Hilary, Chief Executive Officer, Chi.L.D. Association

McCULLOUGH, Ms Julie-Ann, Principal, Australian Education Union

McLEOD, Professor Sharynne, Professor of Speech and Language Acquisition,

Research Institute for Professional Practice, Learning and Education, Charles Sturt University

PONDER, Mrs Leonie Michelle, Private capacity

RODGER, Professor Sylvia, Director of Research and Education, Cooperative Research Centre for Living with Autism (Autism CRC)

ROSS, Mrs Karen, Parent Advocate, Gold Coast Dyslexia Support Group

ROY, Mrs Kimberley, Industrial Advocate, Queensland Teachers' Union

SHULTZ, Mrs Kym Maree, Private capacity

SMITH, Mr Benjamin, Private capacity

WARD, Mr Michael John, Principal, Aspley East State School

WOODLEY, Ms Jane, Private capacity

Melbourne, 29 September 2015

Committee Members in attendance: Senators Lines, McKenzie, Rice, Siewert.

Witnesses

ALBAN, Mr Julian Peter, Senior Adviser, Strategic Projects and Policy Unit, Victorian Equal Opportunity and Human Rights Commission

BOURKE TAYLOR, Dr Helen, Education and Disability Industry Adviser, Occupational Therapy Australia

BRIDIE, Ms Winnie, Information and Policy Support Officer, Children with Disability Australia

CHAN, Dr Sarah, Private capacity

CHAN, Mr Tim, Private capacity

COOK, Mr Tony, Associate Secretary, Department of Education and Training

CORDOBA, Mr Sebastian, Professional Officer Policy and Advocacy, Australian Association of Social Workers

de NATRIS, Mr Peter, Acting Branch Manager, Scheme Integrity Branch, National Disability Insurance Agency

DICKSON, Danny, Private capacity

DIXON, Ms Catherine, Director, Commissioner's Office, Victorian Equal Opportunity and Human Rights Commission

EDMONDS, Ms Dannie, Director, Students with Disability Future Funding, Department of Education and Training

GARNER-WILLIAMS, Ms Ariane, Private capacity

GOTLIB, Ms Stephanie, Chief Executive Officer, Children with Disability Australia

GOTLIB, Ms Stephanie, Private capacity

O'REILLY, Ms Nicole, Board Director, Occupational Therapy Australia

PATTIE, Mr David, Branch Manager, Schools Funding Branch, Department of Education and Training

PHILLIPS, Ms Julie, Manager, Disability Discrimination Legal Service

SKORDIS, Ms Anne, General Manager, Scheme Transition Division, National Disability Insurance Agency

WILKINSON, Ms Glenys, Chief Executive Officer, Australian Association of Social Workers

Melbourne, 20 November 2015

Committee Members in attendance: Senators Lines, McKenzie, O'Neill, Siewert.

Witnesses

ANDERSON, Mrs Pamela, National Disability Coordination Officer Region 16, Western Victoria, National Disability Coordination Officer Program

AVERY, Mr Scott, Policy and Research Director, First Peoples Disability Network

COTTEE, Mr Mark, National Disability Coordination Officer, Northern Victoria, National Disability Coordination Officer Program

EVANS-MCCALL, Mrs Andrea, SkillsPlus LTD, National Disability Coordination Officer, National Disability Coordination Officer Program

GRIFFIS, Mr Damian, Chief Executive Officer, First Peoples Disability Network

IRVINE, Ms Sara, Communications Director, First Peoples Disability Network

KELLY, Ms Monica, Private capacity

O'RILEY, Ms Sue, Executive Officer Down Syndrome Victoria, Down Syndrome Australia

WEBBER, Ms Ruth, Chief Executive Officer, Down Syndrome Australia