

Senate Committee: Education and Employment

QUESTION ON NOTICE Budget Estimates 2015 - 2016

Outcome: Schools and Youth

Department of Education and Training Question No. SQ15-000438

Senator O'Neill, Deborah asked on 04 June 2015, Proof Hansard page 146

Access to school for students with disability

Question

Senator O'NEILL: I refer you to Minister Pyne's radio interview on RN Drive, on Tuesday, 2 June, with Patricia Karvelas, in which she put to the minister some questions around the matters that I have raised here this evening, with regard particularly to refusal of enrolment and part-time enrolment. The minister said: 'I think that children with disabilities should never be denied access to any school, but at the end of the day it is a matter for the state and territory ministers who license the schools to police. It is not something the Commonwealth government polices.' The minister went on to say, 'We are providing the funding the states and territories need to make sure that children with disabilities are being properly catered for in schools.' Then Patricia Karvelas said, 'But isn't it your job to push them, given it is not happening?' The minister's response was, 'But I do push them.' When the minister says he pushes states to ensure that students with disability are being properly catered for in schools, what does that mean?

Senator Ryan: I will take on notice whether the minister would like to provide me with further information.

Senator O'NEILL: Thank you.

Senator Ryan: But I will say this: the minister speaks about this publicly a great deal and has spoken about it at the Education Council a great deal. One of the most important roles of a Commonwealth education minister, given that we do not run the schools, is to have what Teddy Roosevelt used to call the bully pulpit in bringing public attention and pressure on issues, and I think the minister has done that very effectively. But I will take on notice whether he would like to add anything to that about his specific interactions.

Answer

The Australian Government has developed the Disability Standards for Education 2005 (the Standards) to ensure that students with disability can access and participate in education on the same basis as other students. The Standards explain the obligations of education and training providers, including schools, towards students with disability.

The Standards were formulated under the *Disability Discrimination Act 1992 (DDA)* and came into effect in August 2005. Part 4 of the Standards contains enrolment standards which give prospective students with disability the right to enrol in educational institutions, including schools, on the same basis as prospective students without disability.

The Government also continues to work in partnership with all state and territory government and non-government education authorities to implement the Nationally Consistent Collection of Data on School Students with Disability (NCCD). The NCCD process also reinforces school obligations towards students under the DDA and the Standards.