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SENATE

EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
REFERENCES COMMITTEE

(SUBCOMMITTEE)

Reference: Education of students with disabilities

FRIDAY, 6 SEPTEMBER 2002

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SENATE
EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
REFERENCES COMMITTEE

Friday, 6 September 2002

Members: Senator George Campbell (*Chair*), Senator Tierney (*Deputy Chair*), Senators Barnett, Carr, Crossin and Stott Despoja

Substitute members: Senator Allison for Senator Stott Despoja

Participating members: Senators Abetz, Boswell, Buckland, Chapman, Cherry, Jacinta Collins, Coonan, Denman, Eggleston, Chris Evans, Faulkner, Ferguson, Ferris, Forshaw, Harradine, Harris, Hutchins, Johnston, Knowles, Lees, Lightfoot, Ludwig, Mason, McGauran, Murphy, Nettle, Payne, Sherry, Watson and Webber

Senators in attendance: Senator Carr (*Subcommittee Chair*) and Senators Allison and Tierney

Terms of reference for the inquiry:

To inquire into and report on:

The education of students with disabilities, including learning disabilities, throughout all levels and sectors of education, with particular reference to:

- a) whether current policies and programs for students with disabilities are adequate to meet their education needs, including, but not limited to:
 - i) the criteria used to define disability and to differentiate between levels of handicap,
 - ii) the accuracy with which students' disability related needs are being assessed,
 - iii) the particular needs of students with disabilities from low socio-economic, non-English speaking and Indigenous backgrounds and from rural and remote areas,
 - iv) the effectiveness and availability of early intervention programs,
 - v) access to and adequacy of funding and support in both the public and private sectors,
 - vi) the nature, extent and funding of programs that provide for full or partial learning opportunities with mainstream students,
 - vii) teacher training and professional development, and;
 - viii) the legal implications and resource demands of current Commonwealth and state and territory legislation
- b) what the proper role of the Commonwealth and states and territories should be in supporting the education of students with disabilities.

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Subcommittee met at 9.01 a.m.

CHAIR—I declare open this public hearing of the Senate Employment, Workplace Relations and Education References Subcommittee. On 13 March 2002, the Senate asked this committee to inquire into the education of students with disabilities. The inquiry will include learning disabilities through all levels and sectors of education, with particular reference to whether our current policies and programs for students with disabilities are adequate to meet their educational needs.

Before we commence taking evidence today, I wish to state for the record that all witnesses appearing before the committee are protected by parliamentary privilege with respect to their evidence. Parliamentary privilege refers to special rights and immunities attached to the parliament or its members and others necessary for the discharge of parliamentary functions, without obstruction or fear of prosecution. Any act by any person that disadvantages a witness on account of evidence given before the Senate or any of its committees is a breach of privilege. I welcome all observers to this public hearing.

CONNOLLY, Ms Fiona, Queensland Parents for People with a Disability Representative to the Ministerial Task Force on Inclusive Education

KALMS, Ms Sandra, Executive Coordinator, Queensland Parents for People with a Disability

O'FLYNN, Ms Michelle, Member, Queensland Parents for People with a Disability

SPEED, Ms Anita, Member, Queensland Parents for People with a Disability

TOMKINSON, Mr Phillip William, Vice-President, Queensland Parents for People with a Disability

CHAIR—Welcome. The committee has before it your submission, which we have numbered 151. Are there any changes or corrections that you would like to make?

Mr Tomkinson—Yes. We would like to make a minor correction. As far as addressing the terms of reference, if you look at page 3 where it says, 'This section addresses the inquiry's term of reference 1(a)(i),' that should read, '1(a)(i) and (ii)'. Consequently, all other headings should move one number forward so as to align them properly with the terms of reference. We apologise for that small oversight.

CHAIR—The committee would prefer all evidence to be given in public. Although the committee will consider any request for all or part of your evidence to be given in camera, I point out that such evidence may subsequently be made public by order of the Senate. I invite you to make a brief opening statement.

Mr Tomkinson—Thank you for the opportunity to appear before this inquiry. We hope we can provide some information and some insights into the situation for kids with disabilities in Queensland. I apologise for the fact that we have lost a couple of our members due to sudden family and work related emergencies. We have for you a copy of a book we have recently published titled *Daring to Dream*. It is about parents of kids with disabilities and their experiences. I know time for senators is short. If you have to prioritise, I suggest that you read chapters 7 and 8. We should acknowledge that Education Queensland is currently undergoing a review of many of its policies that affect students with disabilities. We also acknowledge the establishment of the Ministerial Taskforce on Inclusive Education, at which Fiona is our representative. Our expectations are that there will be some real changes that will flow from this process, but this group has been in the advocacy business for 21 years and we know what a rare thing real change is.

We have read Education Queensland's submission and will quickly mention a couple of things to you that Education Queensland may forget to mention. Section 3.6.1 of their submission states:

Currently 80% of students with disabilities enrolled in Queensland state schools attend regular schools, or regular schools with special education units ...

That may possibly be interpreted to mean that these kids are part of the main school, but that may not be the case. The unit may be a completely separate building with high fences around it and there may be no traffic between it and the main school. Or the complete opposite could be true: the unit might exist in name only and all the kids will be in mainstream classes all the time. It is not possible to predict how a unit may be operating at any particular location or at any particular time. Section 3.1.8 deals with the draft standards around the DDA. We will not comment on Education Queensland's position but will merely state ours, which is that we reject these standards, as we believe they are ineffectual in eliminating discrimination. We have categorised some things as myths, and I will let Michelle quickly deal with those.

Ms O'Flynn—The first myth we would like to deal with is the myth that parents are in a litigious state of mind or that the antidiscrimination legislation protects students with disabilities. Transcripts from cases from ADCQ and HREOC show that a student's right to enrol in the school of their choice is rarely upheld. Even when their rights are upheld, the divisions in the community caused by litigation make the family's position untenable. The Scarlett Finney and X cases support this. In the more common situation where parents lose the right to enrol the child at the school of their choice, they lose more than expected. In the case of L, the student was forced to relocate to a special education unit, with the promise that the instruction would be of such quality that, after a time, there would be a review of that position and the child would be returned to a regular classroom. That promise and others were never kept. This is probably why the 300 respondents to the DDA survey indicated that they would never lodge a complaint again, no matter how bad things got.

The next myth is around choice. It is wrong to assume that all students in segregated schools and units are there because their parents choose this. We have evidence at QPPD around the placement policy of students in schools to show that in many instances parents are pressured to accept segregation. The word parents frequently use to describe their negotiation with Ed Queensland over placement is 'blackmail'. We believe that some parents are moving from the public to the private system directly in response to this pressure. They are searching for inclusive schooling for their child in the belief that it is not supported by the state. Many parents feel that their children would fail in the regular system rather than believe that the system will actually fail the child.

Another myth is that inclusion can happen anywhere, that it is the program not the placement. But to be included in life, school and community one must belong and be present. We believe that occasional visits to mainstream schools—for example, split placements—only serve to increase the message that people with disabilities do not have a legitimate place in our community. Part of this myth is the belief that segregated settings and programs provide something that cannot be done elsewhere. We direct the senators to submission No. 227, where the parent states that the child gets a better education at the day care centre than they do at the special school.

Another myth is that teaching to different levels cannot be done. Inclusive teaching practices and curriculum adaptation are more to do with a creative mind-set than extra workload and do not necessarily constitute reams of separate work for different students. The last myth is that only more dollars will address the needs and dysfunctions within the system. This is the major thrust of the majority of submissions before this inquiry. QPPD believes that it will take more

than money to remove deep-seated prejudices based on ignorance and fear that prevent our children from being welcomed and educated with their peers.

Currently in Queensland we have the notion of clustering of resources, which leads to clustering of students usually by disability type or label. That leads to congregation of like types which leads to a one-size-fits-all teaching style, thereby moving away from the notion of teaching to diversity, which is the whole process needed for inclusion. It also leads to escalation in behaviour management difficulties because of the congregation. We believe that there is probably a decrease in the number of students being included in regular classes supported by visiting teachers, with increasing numbers of special facilities being built or maintained within regular schools.

CHAIR—Thank you very much. In your submission you refer to the Commonwealth funding that you have received as an advocacy group since 1990. Under what program have you received moneys?

Mr Tomkinson—The funding is from the federal Department of Family and Community Services.

Ms Kalms—It is through the National Disability Advocacy Program.

Mr Tomkinson—Yes.

CHAIR—Are you able to tell us how much you receive?

Ms Kalms—I can tell you approximately how much. It is around \$220,000.

Mr Tomkinson—It is \$224,000.

CHAIR—And you have received that for 12 years. Do you know how big that program is? How many organisations receive support under that program?

Ms Kalms—In Queensland I believe there are only four or five advocacy programs who receive money.

CHAIR—We will have to make inquiries in that respect.

Ms Kalms—The Commonwealth and the state have a joint responsibility for providing advocacy to people with disabilities across whole of life. So our advocacy is not just around children and education; our advocacy is around adults and families across the whole of life.

CHAIR—Does that apply to the other four or five groups in Queensland?

Ms Kalms—Yes, it does. There are two different streams of advocacy. One provides individual advocacy which actually provides it for the individual—an advocate standing beside them. But QPPD does what is called systems advocacy, and that is looking at the system to try and advocate against things that are wrong within the system.

CHAIR—Thank you very much for that. Your submission goes to the issue of discrimination, and that is one of the concerns that I have about the effectiveness of the Disability Discrimination Act. It struck me as odd that there have been so few prosecutions. You commented today about some of the reasons for that. In your view, is it fair to say that there is no discrimination against people with disabilities in the education systems in this country?

Mr Tomkinson—No. The information that we have from our own survey and from the DDA survey indicates that discrimination is definitely a lot more subtle than it was, but it is still rife in both the public and private sectors.

Ms O’Flynn—For some students it would happen on a daily basis. Discrimination has been proven in many cases but it has been upheld as an unjustifiable hardship for the school to maintain their support, even though they have been found to have discriminated against the student.

CHAIR—Can you give us some examples of that?

Ms O’Flynn—In the case of L—that was the first case in Queensland which came under the Anti-Discrimination Commission—discrimination was certainly found to have occurred. The school claimed that they had no other records as it was a matter of placement. They did not want the student there because they did not believe that they could support the student. Basically the argument was that it caused undue hardship to have the student at the school.

CHAIR—So ‘undue hardship’ is grounds for exemption, is it?

Ms O’Flynn—Yes, and that was interpreted by the person who heard the case. I guess, for many parents in this state, taking your case to the Anti-Discrimination Commission would be seen as taking a lucky dip. What is seen as undue hardship by one person is not by another. In the instance of L, even though the student had 20 hours per week of teacher aide time and advisory visiting teacher support, the fact that the child had a toileting issue—the child was required to go to the toilet on an hourly basis, which included breaks such as lunchtime, but the number of visits to the toilet were not that many—was one of the things seen as a disruption and was therefore seen as a hardship to the school. They are the types of things that are interpreted as being a hardship.

CHAIR—I was wondering if you could provide the committee with any documentation on this, even a summary of the case, so that we can make further inquiries about that. Are there any other cases that you are aware of where you believe there is demonstrable evidence of discrimination?

Ms O’Flynn—Yes. There was another case in Brisbane against a private school. I think it was the case of K. The child had been at the school for five years. It is a very small school. There were only 80 students at the time. According to the parents, there was a mind-set change of the board with a change of board members. Even though the child had already been there for five years, it was seen as a hardship to maintain the enrolment. I cannot give you exact details of the reasons behind it but, yes, the child had to leave.

CHAIR—In your opinion, was this reflective of a broader pattern of discrimination or was it just one or two individual cases?

Ms Connolly—The whole placement policy is a discriminatory policy. It only applies to people with disabilities. No other child goes to their local school and is told, ‘Sorry, before we allow you to be enrolled, you need to go through a placement process.’ Very likely, as a result of that, they will be directed to go to another school. It will be one that is not where their siblings go or their neighbourhood friends go. It will be the one that is most convenient—where resources, as Michelle pointed out, have been clustered. If that is not fundamentally discriminatory—

Ms O’Flynn—I point out that our QPPD phone-in survey gained a lot of evidence from parents whose children are placed in special facilities—classes, units or special schools—where the resources are meant to be but where the quality of that resource use and the quality of teaching have been a major disappointment to the students and the parents.

CHAIR—The departmental officials would no doubt give us the defence—and they give it to us in other states—that there has to be some rationalisation of resources. There has to be some means of making sure that students with disabilities actually get resources. If resources were spread too thin it might disadvantage students. What do you say to that?

Ms O’Flynn—It is a matter of what they call resources. If resources are only seen as specialists and aid time then it is about using what resources are available to them—and that does not count other resources available to the school. Many schools have some very good teachers. In many cases, where regular schools have units attached to them, the regular teachers are not allowed the authenticity and authority to program for students with disabilities. It is left to the so-called specialists in the units or classes. Sometimes that can be a good thing; sometimes it is not such a good thing. Unfortunately, because we have had the special and separate system for so long, it is guarded rather jealously rather than there being a sharing of expertise. If there were more mentoring about how to adapt programs and how to teach to diversity we would have a better-skilled work force in schools. We also have the notion of peer tutoring and buddying among kids who have different areas of difficulty in certain subject areas—but we do not utilise that in a coherent fashion. Where schools are inclusive—and we know that this does happen—they take into account all of the resources available—voluntary resources and those in the classroom. They co-teach and collaborate rather than operate in isolation from one another.

CHAIR—I will draw your attention to some figures that the Australian Parents Council have put to us in their submission. That is the group that represent parents in private schools. They say that 1.5 per cent of enrolments in independent schools are people with disabilities; the figure for Catholic schools is 2.2 per cent of enrolments and for government schools 3.9 per cent of enrolments. There is quite clearly a discrepancy there. From your experience do you know of any reason that would account for this discrepancy?

Mr Tomkinson—Can I first add something to that. The straight figures are misleading in that if you took the population of students with more profound disabilities you would find a vastly different set of figures. Ed Queensland might be able to help you there, but I have seen figures that indicate that 97.5 per cent of the kids with more significant disability are still in the public

system and 1.5 per cent are in the private system. That leaves one per cent missing—and that is what they are: missing from the system. They are kids that Ed Queensland has lost track of.

CHAIR—There is clearly a marked discrepancy between the sectors, whether that is based on these figures or the ones you have given. How do you account for that discrepancy? What explanation could you offer the committee as to why there is such a discrepancy?

Mr Tomkinson—One factor would be that disability and poverty go hand in hand. Parents who are supporting a child with disability and are involved with trying to get them a decent education do this work at the cost of their own employment. There is no choice for those people and to pay fees is simply beyond their reach. While there is a quite clear movement of the kids with less significant disabilities across to the private sector, the kids with the more significant disabilities, those who are more profoundly affected, are definitely not welcomed in the private sector.

CHAIR—You say they are not welcomed. What evidence do you have of that?

Mr Tomkinson—Only from the experience that we have and the stories from our own members. But we could also use the Scarlett Finney case, which I think is indicative of the attitude of private schools. The commissioner that decided that case was quite critical of the school and the way they saw the child in a worst-case scenario to boost the cost of making the changes that would be necessary to accommodate the child. For example, they allowed for the cost of widening doorways to give access to the classroom, but the child could actually step out of the chair and walk a short distance so that was not a necessary modification that they had to make. The child's disability in the spectrum of other disabilities was quite minor, but the private school saw it as a major hardship. We have a transcript here.

CHAIR—These are state antidiscrimination cases, are they?

Ms O'Flynn—The Scarlett Finney case was federal.

Ms Kalms—It was HREOC. The early cases that Michelle referred to are state.

CHAIR—Do you have a list of cases that you are aware of in regard to HREOC that we could draw upon, that we could make further inquiries about?

Mr Tomkinson—We have transcripts of most of the major—

Ms Kalms—Just a list?

CHAIR—Obviously, there is a limit to what we can process, but if you have a list of cases, if there is a synopsis of the cases, that would be terrific.

Ms O'Flynn—Some of the general feeling from parents who have given us anecdotal feedback about private schools is that generally the Catholic system has been more welcoming of students with disabilities, whereas other non-denominational or independent schools seem to have the notion that they require special facilities in order to take children with disabilities, even

though the reason that people approach those schools in the first place is usually to avoid special facilities.

Personally, I have sought two different placements, at a primary school and a high school, through the private sector. The Catholic school was already overflowing but otherwise they were very welcoming. They would have made accommodation if we had pressured them. But in the high school instance I had applied three years before my child would have been ready for high school and she was refused purely on the grounds of her ascertained number. They knew nothing about her other than a number assigned to her name.

CHAIR—Where was this refusal?

Ms O’Flynn—That was from Redlands College.

Senator ALLISON—What is the number? What does that refer to?

Ms O’Flynn—My daughter was ascertained as having intellectual impairment level 6. In Queensland’s submission they made a few admissions that they have never made to us before. They actually referred to the fact that they do differentiate between level of disability, where they have always stated that ascertainment was only about level of need and that many students have different levels of disability but may require the highest level of need, with level 6 being the highest level. My daughter does not have the most severe disability but she still has the same number as somebody who does. This sends very confusing signals to people perhaps in the independent schools system that: ‘Number 6 is the highest; we couldn’t possibly take this child.’

CHAIR—I am having trouble with this concept. I understood that under the discrimination act it was actually illegal to refuse people—

Ms O’Flynn—Yes.

CHAIR—Is that not clear evidence of discrimination? Obviously, in your view it is.

Ms O’Flynn—Yes.

CHAIR—Did you contest it?

Ms O’Flynn—No. We had already been through a court case ourselves. For many years post Anti-Discrimination Commission we have lived with the legacy of having done that and found that it was far more trying than arguing the case.

CHAIR—What is the nature of this legacy that you speak of?

Ms O’Flynn—The treatment: the fact that you are demonised by the educational community, the school and the district; the rumour-mongering—schools do network, especially in metropolitan Brisbane. We contested placement and tried for many years after being sent to a special ed unit to have our case reviewed, but we were told by two schools that if we were to

push the issue they would put the staff out on strike. Given that we had already been through a court case, and with the media and that sort of rubbish and the demonising of our daughter, there was no way in the world I was going to put her through that again. These are the kinds of things parents face if they dare to complain.

Ms Kalms—Two years ago QPPD gathered together three families who had been involved in cases in Queensland, and all three stated that they would not ever go through the process again. They felt that the victimisation they had suffered afterwards was worse than the process of going through the court case. In fact there is a culture in Queensland where parents often advise other parents not to complain, because of the risks involved.

Mr Tomkinson—I have had contact with a number of people who certainly have quite clear grounds. They ask about the history of the cases that have already been decided. They can see quite clearly from Scarlett Finney that the case dragged on for such a long time and that the atmosphere between the parents and the school community became so poisoned that, even after they had won the case, that was the last place that parents wanted to go. In the Purvis case, the child was too old to go back to school by the time the case was decided, and it was overturned a year later anyway. The grounds in L's case seem to be a little strange to some people. People look at these things when they are considering taking action and they do not get a picture that their action will achieve some positive results for them.

Ms Connolly—If we go back to what 'inclusion' is, it is to be welcomed somewhere. You get told no at the door, and we are talking about a child who is vulnerable. There are not many parents in this world who would send their child into that situation, a smile on their face and saying, 'You go and deal with the consequences of us deciding that we're prepared to battle on this one.' Once that child is inside those school gates, there is not necessarily anybody there to look after them. There are many reasons why parents may not take it any further.

Ms O'Flynn—From personal experience, I did not find the Anti-Discrimination Commission threatening. In fact the conciliation process was very helpful, and we almost had an agreement. We were given days to consider it, but somebody blew that to the media and, therefore, the offer of conciliation was withdrawn by the minister at the time. Bearing that in mind, I do not want to give the impression that the Anti-Discrimination Commission was not a worthwhile or viable alternative. The trouble is that there is no recourse before that, other than within the system. Most parents do not want to have a conflict escalated to that degree. You would much rather settle things quietly because, if it reaches the courts, the media get hold of it and, once you become a public figure in your community, albeit for only a short time, it is remembered for a long time.

Parents would much rather have some alternative mechanism. At the moment you have to deal with people at the ground level at the school where the conflict is happening. Beyond that you go to a district office, which often has already had a fair amount of coaching from the school about the parent and the system. By the time you get to them they already have a mind-set about what has gone on. The only alternative after that is to write immediately to the minister, which has worked out for some parents but is a long, slow process—this can take 12 months. Many students are sitting out of school for six to 12 months in the meantime, waiting to get some recourse.

CHAIR—You mentioned that the Catholic education system is more welcoming. It still has only half the number of students the government sector has, and the independent school sector has considerably fewer again. Mr Tomkinson, I am told that among grammar schools in Queensland there are schools with no students with disabilities at all. Is that true?

Mr Tomkinson—We do not have precise figures on that. We are not in the business of collecting figures, and I find it very hard to imagine that a grammar school would actually tell us that information. The information we have from parents who have tried to enrol a student with a disability in what we might consider elite schools—and I just have a few examples; I do not have a large body of evidence to support this—is that they are initially told that it is possible but there would be additional costs. They are virtually asked to sign a blank cheque so that the school can provide what they consider sufficient resources. The thought of an open-ended financial commitment, one with no limits, is enough to discourage them.

CHAIR—Do you think the non-government sector is pulling its weight?

Ms O’Flynn—I think they have moved. For example, one college down my way which was considered quite elite, in that it used to set entrance examinations so that it got the cream of the crop, does take some students with disabilities, but usually only if they are the second or later sibling. If one child passes all of the requirements and gets in and a family member with a disability later attempts enrolment, they are accepted, but only because they already have a family member there.

CHAIR—Mr Tomkinson, do you share that view about the level of effort?

Mr Tomkinson—I cannot produce evidence that backs up the implication you might draw from those figures that that sector is actively discriminatory. I go back to my previous statement: the limited income of parents of students with disabilities means that they are not even considering any such education.

Senator TIERNEY—Is your organisation, Queensland Parents for People with a Disability, the only advocacy group in Queensland for people with disabilities in schools?

Ms Connolly—We certainly deal with education far more than any of the other advocacy groups.

Senator TIERNEY—But are there any other educational advocacy groups for people with disabilities, or are you the only group?

Ms O’Flynn—SPELD is a group that deals with students with learning difficulties and disabilities. Other than that, I think, we are it.

Mr Tomkinson—There was a broad group—in, I think, Maryborough—but I have not heard from them for some time.

Ms O’Flynn—It is APA—Australian Parent Advocacy—in Bundaberg. But they do not really deal with educational issues; it is more disability in general.

Senator TIERNEY—How many members does your organisation have?

Ms Kalms—We have a mailing list of nearly 900.

Senator TIERNEY—Do people formally join—do they pay membership fees and things like that?

Ms Kalms—We have two levels: one where people financially support the organisation and one where people want to be on the mailing list to be kept informed.

Senator TIERNEY—How many financially support the organisation?

Ms Kalms—We probably have 220.

Senator TIERNEY—Out of the 900?

Ms Kalms—Yes.

Senator TIERNEY—How do you make policy in your organisation?

Ms Kalms—It is done collectively. We gather once a year to review our policies. We have a management committee that is made up solely of parents, so it is governed by parents and parents only. They meet with the members once a year. In fact, it is happening tomorrow and the next day. It is at that time that they set priorities for the organisation about what we will work on.

Senator TIERNEY—And that body makes the policy decisions?

Ms Kalms—Yes.

Senator TIERNEY—How many turn up to that meeting usually?

Ms Kalms—Tomorrow we are having 83 turn up during the day, for a certain part of our work. We are having 67 tomorrow night and we are having a similar number the next day.

Senator TIERNEY—So roughly 10 per cent of your membership turns up to the policy forums.

Ms Kalms—But in between we have monthly state-wide teleconferences which people can participate in. We have gatherings and conferences where people will come together to work on things and work on ideas. We have run campaigns where people have written in. We have a large network with support groups such as the Down Syndrome Association, the autism group, the Asperger's group, the SPELD group. We network with numerous organisations across the state which are parent based, including Parent to Parent, which is a network in Australia and in Queensland.

Senator TIERNEY—In Queensland, what is the balance, in terms of numbers, between children with disabilities in an inclusive situation and in special schools? We are trying to compare this with other states.

Mr Tomkinson—That was in the figures I quoted before from Education Queensland's submission. In section 3.6.1, they state that 80 per cent of students with disabilities are in regular schools or regular schools with special units, and 20 per cent are in special centres.

Ms Connolly—However, with that 80 per cent, we do not know how many of their schools operate in a very exclusive manner, even within that regular setting. They may well be in a unit that has six-foot fences and there is no traffic between those environments. From that, we do not really know how many are included.

Senator TIERNEY—I am trying to work out the policy of your organisation in terms of parents who want their children in a special situation and not in an inclusive one. What is your attitude to that?

Ms O'Flynn—We would support parents to try to argue for the best education that their children can receive. Many parents who have children in special settings answered our phone-in survey last year disillusioned with the promises that had been made to them about what their children would get in a special setting. The notion is that there are smaller class sizes and all of this therapy available, when in fact special schools do not actually receive any more therapy time than, say, special education classes or units. There is no such thing as one-to-one therapy. If children need therapy, then more often than not they have to be taken to a private provider.

Senator TIERNEY—In Queensland, what would be the pupil-teacher ratio in special schools where children have an autistic condition?

Mr Tomkinson—In a special school, it would be five or six to one.

Senator TIERNEY—You have said that parents complain that they do not receive what they expect in a special-school situation. What about in an inclusive situation? Do you receive complaints from parents that they are not receiving the sort of education that they expected in an inclusive situation?

Mr Tomkinson—Yes.

Senator TIERNEY—What is the nature of those complaints in Queensland, in a nutshell?

Ms Connolly—That they are being excluded.

Mr Tomkinson—Yes, basically the main complaint is about an attitude that the children do not have a right to be there. And the resources issue is a constant.

Senator TIERNEY—So what is the resource issue?

Mr Tomkinson—That there is insufficient teacher aide time or insufficient assistance granted to the classroom teacher by the specialist teachers.

Ms O’Flynn—Sometimes it is just that they are not getting work adapted. The children cannot do the work that is provided to them because no accommodation is made to change or adapt that work. Sometimes they are just left on their own—neglected, isolated—even within a so-called inclusive setting.

Senator TIERNEY—So you obviously have strong views on this and you have put in a report, and the education department, on the QPPD report, has not implemented any of your recommendations. Have you had a dialogue with them in relation to that?

Mr Tomkinson—We have a continuing dialogue with Ed Queensland.

Senator TIERNEY—Why are they not implementing your recommendations? What are they saying about that?

Mr Tomkinson—They are in the process of reviewing a number of policies. We have had some input and we have had some minor wins in changes that they are making. We have a very broad consensus in proceeding towards inclusive education, but the definition of what is inclusive remains a difficulty.

Senator TIERNEY—Can we just tease that out a little further. You have 80 per cent of children in an inclusive situation already.

Ms Connolly—Correction: we do not know how many are in an inclusive situation.

Senator TIERNEY—Okay.

Ms O’Flynn—Very mainstream schools—

Senator TIERNEY—Sorry, I am working off your figures—80-20.

Ms Connolly—No. They are Education Queensland figures that we are quoting.

Ms Kalms—They are Education Queensland’s figures.

Senator TIERNEY—As a matter of fact, it is a higher proportion than in states like Victoria. So what are you saying? Do you want to see that as a higher figure? Do you want to see 100 per cent inclusion; is that your policy?

Mr Tomkinson—We leave kids too long in their own communities. Might I add that for most of rural Queensland that is the only option.

Senator TIERNEY—So does your organisation believe that children for example with an autistic condition should be in mainstream classrooms?

Ms O’Flynn—Some of them are.

Mr Tomkinson—My daughter is and she is—

Senator TIERNEY—With high level need students—I mean all of them.

Mr Tomkinson—My child is doing nicely under those situations, yes.

Ms O’Flynn—The notion is that, unfortunately, people who have believed that their children would not cope in a regular system have, I guess, been sold on the idea that a segregated setting would be more protective, would be more welcoming and kind to their children. Some people have found that not to be true, but I guess the problem is that continually propping up the segregated setting does not address the issues in the regular setting. We suggest that if they actually addressed what is needed to support the most vulnerable student, regardless of their label, in a regular setting then it would make schools better for everybody.

Senator TIERNEY—Given that we have had inclusive education—it varies across states—

Ms Connolly—We have never had it.

Senator TIERNEY—Sorry, can I finish my question. These have been the policies of governments around Australia for somewhere between 10 and 20 years. What we are seeing around Australia is a lack of resources to support that policy. In the last example, when we actually tied it down, I think we got it close to the normal classroom teacher having no support in the classroom for at least 50 per cent of the time. That was a rough sort of figure we came up with. So, if we can turn to the education of all children, how could such an inclusive policy, given the lack of resources, work for the education of all the children in the classroom? And I am not just talking about children with disabilities; I am talking about the gifted as well, because there are not many resources for them either.

Ms O’Flynn—I guess what I would say to you is that when we talk about curriculum adaptation we do not just mean modifying work for students with intellectual or cognitive disabilities. We say that if you have a mind-set about teaching to diversity then you can reach all levels of learning within the classroom. If teachers can get used to the idea that the classroom is not their exclusive domain and they are prepared to work in teams with others, to invite people to learn with them and to change their teaching style—and I know that that takes a lot for people to do—then we take those first few steps towards making the changes that are required. Resources are not just about specialist teachers, dollars or teacher aide time. If another teacher in another classroom has expertise and is able to co-work with somebody else who does not have that expertise, they go a long way towards solving that problem of management. If children are also allowed a stake in their own education, that goes towards addressing some of the behavioural issues.

Senator TIERNEY—Unless Queensland is radically different from any other state, what we are discovering right round Australia is that the teachers have virtually no expertise in this area. In a lot of states they receive absolutely no pre-service training for special education; they receive virtually nil in-service training. So how on earth can teachers who are not trained in this

area, and who receive very little support, teach right across from the gifted to the profoundly disabled and achieve educational outcomes for all the children in the classroom now?

Ms O'Flynn—Ed Queensland actually provides and has provided, through workshops and seminars, some expertise in teaching to diversity. I can name who they were: they were Jacqueline Thousand and Richard Villa.

Senator TIERNEY—How many teachers receive such instruction, and what proportion of the year do they spend on that?

Ms O'Flynn—As many as they like can go if they are prepared to go.

Senator TIERNEY—Are you sure of that?

Ms O'Flynn—I met teachers who were there—

Senator TIERNEY—Are you sure the education department provides the resources for that amount of in-service training?

Ms O'Flynn—These teachers went on their own behalf because they wanted to, in their own time and at their own expense.

Senator TIERNEY—We are talking about the whole system, not just about one or two teachers. We would dearly love all this to work. I am an educator and I have a PhD in education; I cannot see that what you are advocating would actually work, given the track record of education departments across Australia in putting resources into this.

Mr Tomkinson—I acknowledge that it is a difficult area, but—

Senator TIERNEY—If teachers are properly trained and properly in-serviced, if you have got proper support levels—what 20 years have shown us is that right across the country education departments have shown no inclination to put that level of resources in to support this.

Mr Tomkinson—Are there sufficient resources to build a special school in every small country town, everywhere where there is a child with a disability? Are the resources available to build a segregated setting for that child? For most of Queensland there is no alternative. What alternative is there for the one child with a disability in the small country town?

Senator TIERNEY—I understand those difficulties. The whole nature of Australia's population structure creates huge problems in doing this. What is the attitude of the teacher organisations to your inclusive policies?

Ms Kalms—I want to respond to what you said earlier, which was that we had had 10 to 20 years of inclusive education.

Senator TIERNEY—In that direction; I am not saying that they are doing it.

Ms Connolly—We have not even come close to having inclusive education.

Ms Kalms—Have you ever called it inclusive education?

Ms Connolly—No. We have perhaps tinkered around integration for a very long time. It is not the time to be assessing inclusive education when we have not come even close to having it. Until all children sit in a room without somebody standing up the front and saying, ‘There is the disabled one, there is the non-English speaking background one, there is the gifted and talented one,’ we do not have inclusive education. That is my response on that.

Senator TIERNEY—Given the lack of willingness of departments of education around the country to support this—and I really, seriously ask this question—are we doing the best for children with disabilities in those settings, if the resources are not provided and education departments around the country have shown that they are not willing to provide those resources?

Ms Connolly—Is their education any better in segregated settings?

Senator TIERNEY—That is something we are trying to assess too.

Ms Connolly—I would say no.

Mr Tomkinson—The complaint that we have from parents is very strongly no; that they are very unhappy with segregated settings. There was that parent who complained about a better education at the day care centre being quite difficult—

Senator TIERNEY—We are out of time, so could I return to the basic question of the attitude of the normal classroom teachers who have to implement this. What are their associations, unions saying about this issue? Do you dialogue with them on these things?

Mr Tomkinson—The Queensland unions are cautious on the issue. They are anxious to protect their members from stress, and we understand that. The teaching community is quite strongly divided on this. A large number of teachers out there are willing to have a go, to be part of an inclusive process and are not making totally unrealistic demands about resources; on the other hand, there is a small percentage whose demand for resources we will never be able to meet.

Senator ALLISON—I would love to ask lots of questions, but we are running out of time. Ms O’Flynn raised the question of management problems with the congregation of students with disabilities. Can you expand on what you mean?

Ms O’Flynn—Certainly. For example, if you stick half a dozen kids who are nonverbal together, they are not really going to learn to speak. You can put in as much speech therapy as you like, but they do not have role models to learn from. Similarly, if you put children who have behavioural problems together, they usually learn how to escalate their behavioural problems right through the roof. They are then seen as very different and very unmanageable. At my daughter’s primary school—this is quite a good analogy—a fairly significant number of non-English speaking Asian students came to the primary school. They gravitated to the unit

because the teacher's aide spoke both Chinese and Mandarin. They only ever did that before and after school; they said their hellos and goodbyes and off they went. Within 12 months they were speaking not just English but Australian, with all of the slang that you could imagine. Yet I know another Chinese boy who went to the English immersion school at East Brisbane who, after 18 months there, still did not have a grasp of English and was sent to a tutor outside of school to try to learn English. The guidance officer who sent him to the tutor said, 'I don't want him to go to a Chinese speaking tutor; I want him to go and see an Australian tutor and have him mix with Australians so that he will learn to be an Australian.' This applies across the board. In most areas of disability the issues come down to communication and understanding. In many ways, behaviour is just another form of communication.

Senator ALLISON—I take that point. This subcommittee has heard a lot of evidence about the lack of training of teachers and the lack of specialist teachers, but you are, I think, suggesting that specialist teachers, at least in those segregated contexts, are not doing as well with students in terms of outcomes. How do we get teachers who are able to teach the diversity you talk about when they have 30 in a classroom? In your view, what level of training is needed? Or do you simply ascribe the issue here to attitudinal problems?

Ms O'Flynn—They are the fundamental bases of the majority of problems. It seems to work best of all where schools work collaboratively—and they may well have access to specialist teachers who mentor their co-workers. At the moment a notion of productive pedagogy is being circulated in the districts. Unfortunately, people go off to seminars, hear about these terms and go back to their classes and carry on doing the same. If they are in a team teaching position, where there is a certain amount of transparency to their colleagues, then there is at least an expectation that they would try to change and improve what goes on in their classrooms. This would be seen not so much as scrutiny but more as support for one another. We believe that specialist teachers who are used in isolated special facilities have been allowed to stagnate some of their talents because they have not been accountable to the rest of the school; they have been able to operate with a great deal of autonomy.

Our evidence from our phone-in is that a lot of time in the units and classes is spent on time wasting, nonproductive activities. If this were opened up and became part of the whole school, rather than being separate, that would not be allowed to go on. My daughter is having a better time in high school now than she ever did—she is in grade 8 this year—simply because the high school does not have a unit; it has a special ed class, and she is withdrawn to that. Because there is much more accountability, it seems, in her high school, she is actually getting some reasonable instruction. I guess she did have a couple of moments in primary school, but it depended on who was there. A lot of teachers come and go from units. In other places you could have the same teacher for seven years, and if that teacher does not have quality teaching practices then you are stuck with that for an awfully long time.

CHAIR—Thank you very much for coming to talk to us today.

[10.03 a.m.]

HARTLEY, Ms Judith Anne, Acting President, Tertiary Education Disability Council of Australia; Manager, Student Equity Services, Griffith University

CHAIR—Welcome.

Ms Hartley—I have been involved in preparing the Tertiary Education Disability Council of Australia's submission and also the Griffith University's submission.

CHAIR—We have those submissions, numbered 104 and 102. Do you wish to make any changes or corrections to either of those submissions?

Ms Hartley—No, thank you.

CHAIR—The committee would prefer all evidence to be given in public, although the committee would also consider any request for all or part of your evidence to be given in camera. I point out that such evidence may subsequently be made public by order of the Senate. I now invite you to make a brief opening statement.

Ms Hartley—Firstly, I thank the committee for inviting our organisations to have this input into the process of the inquiry and to take the opportunity to perhaps reiterate some of our key points and common themes—the two submissions reflect similar issues. The first point is that tertiary education has the potential to empower people with disabilities. People with disabilities aspire to participate fully in making valued contributions to the life of the communities in which they live. They are no different to anyone else in that perspective. However, the difference often lies in whether people with disabilities will have the same opportunity as people without disabilities to realise their potential. Too often people with disabilities are perceived as welfare recipients who are a liability and a drain on limited resources in the economy. Participation in tertiary education has the potential to change people's lives and to dispel these myths. An equitable access to education in every sense is the cornerstone of Australia's future. The cost of not capitalising on the potential of every Australian will be far greater than the expenditure required to turn much of the rhetoric into reality.

The second point is that people with disabilities should not be seen as a homogenous group but as individuals whose requirements will vary from environment to environment and context to context. It is important to emphasise that we should not make assumptions about the potential of an individual student with a disability to participate in tertiary education or the nature of the support that they may require to facilitate their access and participation based on the identification of them belonging to a particular category of disability. It needs to be acknowledged that the disadvantage that people with disabilities experience is compounded by many factors such as having limited financial resources or perhaps other equity related issues such as belonging to Indigenous communities in remote areas. It is also important to recognise that many commonly accepted educational practices reflect outmoded attitudes to people with disabilities that are in fact forms of indirect and systemic discrimination.

The third common theme from the submissions is that there is an importance in defining the role and responsibilities of tertiary institutions in creating inclusive learning environments. It is very important to recognise that the tertiary environment usually involves students with disabilities in mainstream accredited educational activities. There is an emphasis on maintaining a certain rigour involved in these programs. Many of them lead to some form of professional registration or recognition. The tertiary education environment is very different and that is something that needs to be taken into consideration. The needs of students in the tertiary sector are often assumed to be very similar to the needs of students in primary and secondary schooling years.

The fourth point is that quality outcomes depend on the quality of the inputs. The tertiary education sector is a constantly changing environment. It is becoming increasingly complex. We are seeing increasing numbers of students with disabilities participating in tertiary education. The environment has changed with the introduction of many innovations such as flexible learning. It is essential that we ensure that there are highly trained and skilled staff involved in the process of coordinating the service provision for students with disabilities.

Our final point is that the issues are not unique to particular sectors or individual institutions, and many require a nationally coordinated response. Collaborative approaches to common issues will achieve far more than ad hoc attempts to address significant systemic issues. Any approach needs to include all stakeholders. There is a need to examine how our society and its structures exclude people with disabilities and take steps to change these rather than to fit the person with a disability into the system. Such innovative approaches may then command the consideration of alternative practice frameworks within the tertiary sector. There are a number of points that we have addressed in our submissions which would reflect the need for a more national approach to issues such as teacher education, funding models, funding levels, the identification of inherent requirements and so on.

Senator ALLISON—I would like to turn to the section on Indigenous students with disabilities in your submission, which I found both alarming and interesting. You say:

Over 85% of the total number of indigenous students enrolled in tertiary academic programs in the Northern Territory identify as students with a disability.

Can you comment on what the nature of those disabilities tends to be? This committee did an inquiry into Indigenous education and found that there is a lot of deafness in communities. Is that the disability responsible for most of the 85 per cent, or are there others?

Ms Hartley—I think there are many others. While hearing impairment and deafness are significant within the Indigenous community, there probably has not been sufficient investigation to tease out the nature of the disabilities within the communities. The information provided by the Regional Disability Liaison Officer, the RDLO, in the Northern Territory is that there is so much more to do to understand the issues. Often the disability related issues are not seen as a priority within the communities, because the people with the disabilities are accommodated very well within the Indigenous communities; they are not excluded from the everyday social structures and events. But, when it comes to education, that is often when the impact of a disability becomes evident. So I cannot comment on the exact breakdown of disability.

Senator ALLISON—The last dot point under the Indigenous students section in the submission says:

There is a need for a Disability Liaison Officer in each of the Indigenous Tertiary Education sectors within the Northern Territory.

Are they not provided now?

Ms Hartley—No. There are obviously people within the individual organisations and institutions providing the education, such as Batchelor or within NTU, but the region is so vast that that is not necessarily what is happening. There is only one Regional Disability Liaison Officer in the Northern Territory and that person has an extensive portfolio to manage.

Senator ALLISON—On the subject of DLOs, it has been suggested in a couple of submissions that they are not as independent as they might be, that they are in fact there to protect the institution from legal action. Is that your experience?

Ms Hartley—No, I do not think so, personally speaking. I have worked as a disability liaison officer, or coordinator, within both the vocational education training sector and the higher education sector. I think the disability officer is often seen as the meat in the sandwich, if you like. Sometimes there is confusion about their role. As to whether they are seen as an advocate for the individual is something that I think needs to be further discussed. Certainly you are working within your organisation's structure and ability to provide the services that are required, and you are obviously promoting and raising awareness and identifying the needs of students with disabilities at a strategic level within your organisation, but you may not advocate on behalf of an individual student. So that may be where there are some issues about identifying what the role is.

One of the issues that we also raise is that sometimes there is a great variation in the positions of the disability liaison officers across institutions and sectors. You see some very well resourced areas and others that are quite underresourced. Perhaps the position is not paid at a level that should remunerate a higher level of skill, knowledge and experience, because they may be viewed as a person who is simply linking service A with person B and that type of thing; the role is much bigger than that.

Senator ALLISON—You point to 'inconsistencies in the rules between students who need to study part time because of their disability and who are on youth allowance and those who are on Austudy'. Can you spell that out for the committee? I do not think this has been raised with us so far.

Ms Hartley—Many of us have come across students who are not necessary eligible for disability support pensions and are then thrown back into looking at income support through either Austudy or youth allowance. With Austudy, if a student is aged over 25 and so on, issues about their concessional workload are factored into that. A full-time workload on both of these benefits is usually considered to be 75 per cent of the recognised full-time workload. But under Austudy a student can go down to 66 per cent and then further down to 25 per cent of their workload, and it is quite a seamless process. They identify through the disability officer at Centrelink and then that is taken into consideration.

Students on youth allowance have to satisfy the activity tests that are required for them to receive their benefits. If they are engaged in part-time study, they then have to present information about their incapacity to study at a full-time level. Some students with episodic disabilities may reduce their workload for a period of three or four months—it may be six months—and may in a subsequent semester go up to a full-time workload. These are the inconsistencies, because they are constantly being asked to provide medical documentation—every three months, I think—to confirm that they are unable to engage in work related activities, in seeking employment or in full-time study.

Senator ALLISON—So this is clearly within the Commonwealth's jurisdiction.

Ms Hartley—It is.

Senator ALLISON—Is there a recommendation that you would like to make to the committee to fix this problem?

Ms Hartley—It is one of those issues that I think needs to be discussed much more, because it goes to one of the last terms of reference of the committee, which was to look at the role of government. I think that the government need to be very careful that they consider the requirements of people with disabilities when they are actually creating their policies at the front end and not responding to them, as this would be, at the other end. It could be a process of gathering some case studies to support this type of information. The AV-CC produced *Paying their way* document, researching the financial situation of students, does reflect many issues for students with disabilities, and I think there is a number of things that need to be brought together to advise future decision making.

Senator ALLISON—It might be useful for the committee to have case studies if they are already documented.

Ms Hartley—We can certainly ask the network. We have a process, we have an e-list, so we can see whether there are specific case studies.

CHAIR—Thank you very much. I have a couple of questions. A number of themes run through our inquiries. One goes to the issue of funding. Another goes to the issue of Commonwealth responsibilities in regard to leadership—you draw those issues out. The other goes to the question of definitional issues, and Senator Allison and you touched on those matters. The MCEETYA task force, which has been operating for five years, has failed to come up with an agreed formula, definitions or standards. I understand that there are two task forces operating: one through DEST and one through the ministerial group. Are you familiar with the work of those committees?

Ms Hartley—In specific areas we are, particularly in the development of standards that have come out of the Disability Discrimination Act and so on.

CHAIR—It is put to us that the reason for the delay, when we cut through all of the nonsense, is about the cost implications of determining a set of standards which the state—be it in the form of the Commonwealth government or state government—is then obliged to measure its

own performance against. How do you respond to that proposition that this is all about cost and has very little to do with legalities as such?

Ms Hartley—It is probably a combination of factors. I feel that, when the people from the tertiary sector initially looked at the development of standards, issues about the role of the institutions in providing certain services and support were identified. That was the difference between providing support to students within a compulsory education setting and a post-compulsory education setting. That was raised very early on, back in about 1998, when the first discussion papers were sent out.

There are a lot of complexities within the tertiary environment. There is the vocational education training sector, ANTA, at the national level. Flowing into the state is how they operate and resource ANTA's policies and strategies. I think, from an organisational level, many organisations take on board that it is not just the legal imperative but the social imperative to provide equitable access.

CHAIR—That is all very well, but for five years these complexities have gone around and around. A few months ago the matter was supposed to have been signed off. I understood the working party had pretty much reached an agreement, but they went off to the ministers and were sent back again. This is a recipe for perpetual movement. Every time a proposition is put up, it gets sent back again because there is always some complexity that has not been addressed. I come back to this point: isn't this an issue of costs rather than of legalities?

Ms Hartley—I cannot comment. The other side of that is that I have tried to access the MCEETYA web site recently to look at the status of the standards—we became aware that they were either almost ready to be signed off or were ready to be signed off—but it has been archived.

CHAIR—I have it already.

Ms Hartley—The latest discussion paper has not come out on the web site, so we are not even sure what the final version of the standards looks like.

CHAIR—Is there a case here for Commonwealth legislation?

Ms Hartley—In terms of?

CHAIR—Sorting out these standards.

Ms Hartley—Would you say that the legislation already exists and that we do have the act?

CHAIR—It clearly does not work.

Ms Hartley—No. It has a lot to do with the level of consultation. When you say there has been consultation for some time—

CHAIR—For five years; there is a fair bit of consultation over five years.

Ms Hartley—Often, it has not come back to the sectors in that time. We have provided input on two occasions but probably not in the last two years.

CHAIR—For a minister of education, the truth of the matter is that if you consult with the sector, the answer is invariably, ‘We want more money.’ So I do not know whether that would produce a great result. The issue here, surely, is whether or not the resources will be made available.

Ms Hartley—There is a need for further resources. Also, the Commonwealth government should be looking at what is already being done as good practice within the sectors, because some of their programs do not necessarily recognise good practice.

CHAIR—We are going around in circles. Your submission says there is a lack of a consistent definition. Isn’t that the case? Isn’t that the proposition of the Tertiary Education Disability Council of Australia’s submission? I could find the reference for you, if you like, but I thought that was what your point was: the lack of consistent definition of what a disability was.

Ms Hartley—Yes. That particular point is that it varies from sector to sector. Quite clearly the tertiary sector accepts the definition in the legislation—and we do not argue that—but within the secondary sector or the education sector you will find the issue of ascertainment being raised. We do not necessarily tag resources.

CHAIR—Between the public and private sectors there is further inconsistency. If you are a parent or a person with a disability you may find all of this a little frustrating.

Ms Hartley—Yes, but I think the strength of the definition lies in the legislative definition of ‘disability’. It is a very broad definition. It is a definition that is also reflected in many states’ antidiscrimination legislation.

CHAIR—So are you saying that you prefer the Commonwealth’s definition, as it currently stands? Is that what you are saying to us?

Ms Hartley—Yes.

CHAIR—How should that be done?

Ms Hartley—I think people have to be made aware of it within their sectors from the point of view of the implications of the range of disabilities that are highlighted in that definition and how they are described.

CHAIR—So is it one option for the Commonwealth to make it mandatory that that definition be applied?

Ms Hartley—My assumption was always that that was the definition we came back to.

CHAIR—I can tell you that is not the case.

Ms Hartley—If it were put to a point, I think that would be the definition that would stand.

CHAIR—If that were the case, is the Commonwealth therefore obliged to fund administrative systems to that standard?

Ms Hartley—I think there are different levels here. I know that the Commonwealth government does not necessarily allocate resources to implement legislation, as specifically stated—that point has often been made to us in the sector—and that, again, the responsibilities are with the state as well as with the institutions to implement that. I think it is a shared responsibility.

Senator ALLISON—Earlier on in your opening remarks you touched on the difficulty associated with the fact that tertiary institutions are providing courses that are ultimately vocational or accredited. Can you expand a bit on what is going on at the tertiary level with regard to the attainments of people with disabilities and whether there is a measure in educational institutions for the effectiveness of the programs for people with disabilities? Can you tease out some of those issues a little more for the committee?

Ms Hartley—There are a number of related issues. I think one is the fact that in developing the curricula in VET or in higher education many of the professional bodies and industry groups in fact have input into that process. One of the issues that we raised was that they often identify inherent requirements for employment that are not necessarily reflective of the current situation of where people with disabilities are at. An example of that may be fairly simple in that years ago it was assumed that people who acted as secretaries perhaps answered the phone and so people who were deaf were not considered for those types of roles because they could not answer the phone. But our technology has changed, so the way that you do things has changed. Sometimes professional bodies are not aware of these changes in direction and technologies in the accommodations that can be made for people with disabilities.

Sometimes that does impact quite clearly on how a course or a program is developed. In the delivery of it you are often looking at programs that are taking on far more work related activities, such as work and industry placements. Then the concerns that are reflected are often about the person with the disability participating in those. While there are accommodations that can be made, the discussion often revolves around where the duty of care lies and issues about occupational health and safety. I think universities and the vocational education and training sector are actually trying to develop resources that will assist staff to become more aware of identifying the inherent requirements of programs and of making appropriate and reasonable accommodations so that they are not perpetuating previous practices that perhaps were discriminatory. There has been this subtle shift that we refer to to more vocationally oriented outcomes for people participating in tertiary education. We have got to reflect on why people are participating—the nature of work is very different now from what the programs were originally perhaps designed for.

CHAIR—Thank you.

Proceedings suspended from 10.29 a.m. to 10.48 a.m.

DAVIS, Mr Peter James, Secretary, Australian Federation of Special Education Administrators

ENCHELMAIER, Dr John Fredrick, Vice-President, Australian Federation of Special Education Administrators

RADFORD, Mrs Margot Ross, President, Australian Federation of Special Education Administrators

SYMONS, Mr Peter Thomas, Treasurer, Australian Federation of Special Education Administrators; and Principal, Barwon Valley School

CHAIR—I welcome representatives of the Australian Federation of Special Education Administrators. Do you have any comments to make about the capacity in which you appear?

Mrs Radford—I have been the principal of a special school—from R to 12—for 15 years. I am currently the manager of hospital services for hospitalised students in South Australia.

Dr Enchelmaier—I am the principal of a special school in Brisbane.

Mr Davis—I am currently the principal of Ipswich Special School; I have been in that position for 13 years.

CHAIR—The committee has before it submission No. 145. Are there any changes or corrections that you would like to make?

Mrs Radford—No.

CHAIR—The committee prefers all evidence be given in public, although the committee will also consider any request for all or part of your evidence to be given in camera. I point out that such evidence may subsequently be made public by order of the Senate. I now invite you to make a brief opening statement.

Mrs Radford—Thank you, as president that has fallen upon me, of course. First of all, I would like to touch briefly on the role of AFSEA. AFSEA has been developed from a grassroots approach by special education leaders who recognised the need for a national voice to represent the issues of special education in a manner similar to the four peak bodies of primary, secondary, independent and Catholic. We are currently negotiating a meeting with Dr Nelson as well as proposing interaction with MCEETYA, APAPDC and other similar bodies with a view to offering our expertise as a valuable national advisory body, as there are many challenges common to all states.

AFSEA will also welcome dialogue with universities regarding current teacher training, which we see as a critical factor. The generic course for teacher training does not, we believe, include an adequate component relative to special education. This leads to difficulties for newly

emerging teachers, especially those taking up positions in remote and isolated settings. They do not have the adequate skills to manage the curriculum access requirements of many of the special needs students, nor do they have the knowledge base on which to develop further specialised expertise.

This brings me to special education leaders. There will, by natural attrition, be a shortfall of leaders across the whole field of education. Three of us will be gone in two years. Therefore, this is of concern. Postgraduate courses and leadership training need to be redefined in view of the changing enrolment patterns in special schools and special education student needs generally. Research needs to be undertaken to ensure the current requirements are identified and addressed. My colleague John will talk about this shortly. In conclusion, I would like to propose the development of a nationally based revitalised in-service for current practitioners that both provides a broad base of expertise and increases specialised training in all fields of special education. This should be available across the spectrum of service providers: for principals, teachers, school service officers or teacher assistants and any other personnel who are involved in the education of students with disabilities.

Dr Enchelmaier—Thanks, Margot. The area that I think is of critical importance to all education, not just special education, relates to research. I will briefly run through some points we would like to make that will complement what we have already put to you in our submission. I assume the committee would be aware that in the United States President Bush commissioned—I think it was in October last year—a White House inquiry into special education. The results of that were delivered to the White House as recently as July. I will quote briefly from them, because I think the situation in this country mirrors exactly what is being said, although obviously the context and the history are very different. Finding No. 8 of that inquiry states:

Research on special education needs enhanced rigor and the long-term coordination necessary to support the needs of children, educators and parents. In addition, the current system does not always embrace or implement evidence-based practices once established.

The recommendations of the commission were very simple and were three in number. The recommendations in summary were focus on results not on process, embrace a model of prevention not a model of failure and consider children with disabilities as general education children first. We would endorse those totally but not, obviously, to draw the conclusions that we are in a similar situation to the United States. That is the context.

We believe that we have some real renewal of research to do and that the Commonwealth could have a leadership role in this—not necessarily just dollars. I think a lot of the incentives that we lack in this country can be achieved without necessarily being attached to dollars. We have the capacity in this country for research, but we have not had a quantum of special education research for a number of years for a number of reasons that we probably do not have time to go into here.

We have always had, in education, a knowledge-practice gap. I do not think in the future we can afford that gap to be the length of time that it has been in the past. There is a second kind of gap which relates to the specific knowledges, in a future oriented system, of what do we really mean by educational outcomes for people with special needs—not just disabilities. So we are not just talking about two or three per cent; we are talking about a need for a totally revised

notion of special education. The problems we have had with finance have all been tied to definitions as gates and barriers: ‘You’re in and you’re out; you get money and you don’t.’ That has led to a plethora of concerns that we really have to do without in the future.

The research that we see from this point on must be quality research and it must involve partnerships, and partnerships derive from the ground up. Universities cannot do it alone and should not do it alone. Teachers cannot do it alone, although increasingly they are being asked to do an ever-expanding list of things. In our own state, for example, we are encouraging action research of teachers. That is fine if they are prepared to do that, but they cannot and should not do that alone if we are looking to value add.

Commonwealth incentives for partnerships can be put in place. We seem to have been the victims of universities where special education departments have gradually disappeared for a number of reasons. There has been a movement over the past 20 years of greater inclusion in the mainstream. There has been a view that all teachers have to deal with students in a broader range and that has, I think, led the universities to be driven by the market. This says that our market for the production of teachers is for people who know a little bit about a lot and we are starting to suffer from that. There is all the difference in the world between an inclusive education philosophy and the need to maintain expertise but we need research to identify what expertise, particularly with the future’s orientation. If we do not achieve that, we are going to be in trouble for at least 30 per cent of our students—not just a small number. But we are particularly interested in the small numbers as well.

I think the situation is that inclusion has been focusing on place, yet we are ideologically driven rather than research driven. We can look to other countries, we can look at the materials from the United States, but in this country we have not got a set of well-grounded quality research that tells us about inclusion. I think all of us want inclusion at a philosophical level; we are not all convinced about the means to achieve that. Research has got to be a part of solving that problem. I probably could go on for a long time about this, but I will not.

Mr Davis—I want to speak about full service schools, which we raised briefly in our submission. Parents and carers are seeking ease of access to an array of community services that their child and their family will need for support. Currently these services are, in the main, non-aligned and uncoordinated, resulting in parents and carers becoming frustrated, angry, financially stressed and stretched, and exhausted as they move from one agency to the other in an attempt to obtain support. To achieve positive educational outcomes for students with disabilities requires harnessing multiagency skills to support both families and students. This requires a commitment by governments at both federal and state level to free up resources so that they are available on the ground where the services need to be delivered rather than tied up with bureaucratic processes, philosophical differences and competing goals of agencies.

Research from Canada by people such as Fraser Mustard and Dan Keating indicates that services are best provided from a community hub and, in many instances, the local school or the local specialised service has that capacity and is an ideal location for this. Parents, carers and families would have a localised point of service which is on the ground, from which they could access the seamless array of services that would be provided. This could lead to a breaking down of the barriers and the confusion associated with some services, and it could actually bring services together so that people would not be accessing services from location for health,

one location for disability services, one location for education. The Canadian research resulted in more effective use of public and community resources; improved parenting and family approaches; improved health nutrition, which impacted on improved educational outcomes; improved approaches to behavioural support, leading to a more focused educational outcome; strengthened community trust; a reduction in service overlap; focus on individual children and families; and the blending of both private and public services.

Mr Symons—I would like to talk about three things. One is our definitions. We have talked about the inconsistency of definitions across the nation. The inconsistency of definitions is causing a disparity in individual funding between states. If you are supported in one state, it does not necessarily mean that you will be supported in another state. That inconsistency in definition is also causing disparity in funding to states because of the different number of students who are identified. We very strongly and firmly believe that inclusions should not be based on place but that the basis of inclusion should be focused on the outcome of programs, regardless of where those programs are delivered.

I have another point on allocation models. Each state has an allocation model of funding for students, but they are all different. States seem to be precious and competitive about their models. A universal, nationwide allocation model would be far more transparent and efficient in that support structures in each state would not be required. We need a higher percentage of the same funding to get to the practitioner and student immediately, without being lost in each state's infrastructure for the distribution of that funding.

In conclusion, AFSEA are suggesting that our federation trial service model support from specialist schools to local networks schools an outsourcing resource centre, a hub, including paramedical resources, speech and occupational therapy, physio, behavioural management counselling opportunities and health support services. We believe that this model could be duplicated across the nation where equity would be guaranteed. Our federation would need some federal support for this partnership, which would be outcome-focused on a small pilot program in a number of states.

CHAIR—Thank you very much. I will not ask many questions. Mr Symons, you talk about the question of national definitions and national inconsistency, which is the hallmark of the great federation of Australia. A working party has been operating for five years to try to reach agreement on this question. It seems to me to boil down to a question about costs. Would you agree that this is really the substantive issue here, that it is really a question of costs rather than the complexities of the definitional regime?

Mr Symons—Yes, I think it is cost to a certain degree, but I think in each state the definition is moved around—I do not know whether 'manufactured' is exactly the word—a little bit so that it can actually fit the budget that has been allocated to that state or that that state has allocated itself.

CHAIR—That is how most bureaucratic systems work, isn't it?

Mr Symons—Yes; but in actual fact, if there were a definition that was accepted across Australia as being the definition which was not to be changed or to have subtle inferences put into it, I think there would be less use of that as a cost gaining mechanism.

CHAIR—There are some genuine issues here about costs and this question of the availability of resources. So there is surely no point in the Commonwealth coming up with a model that cannot be paid for.

Mr Symons—No; we agree.

CHAIR—So how do you get through this logjam? Do you suggest there is a need for legislation or is there some other mechanism? You are suggesting a trial program, a pilot program—but that can easily be ignored, surely? Why would that necessarily be a solution?

Mr Symons—Not a five-year pilot program.

CHAIR—The MCEETYA task force is a pilot program in a sense.

Mr Symons—An outcome-focused program on an agreed definition of disability across several states could have a timed pilot so that you could baseline beforehand and then evaluate on completion, to demonstrate that this model works on this definition.

CHAIR—So the power of persuasion would then get state treasuries to come to the party, would it?

Mr Symons—I think the state treasuries would probably need to be called in to the federal sphere and guided.

CHAIR—Does your organisation support national legislation to implement the definitions as set out in the Disability Discrimination Act 1992?

Mrs Radford—I believe we have to.

Mr Symons—Yes.

Dr Enchelmaier—We need some unifying force. There is a counter to that and that is, if we continue to ask the wrong questions, we will continue to get the wrong answers. If we go to a model that is a medical deficit categorical model, there will always be incentive to limit that or to change it or for these new emerging community groups to form and advocate to get in or out. If we lock ourselves into that, we are always going to have this problem. We have had a classic example in Queensland, where we have a formal ascertainment process. We designated six ascertainment categories some years ago. Inevitably, there were other categories, such as psychological disturbance, and speech and language disorders, that were not included in those categories. Yet, from the social justice and equity point of view, the people advocating for their children with special needs had a case. We then changed the categories. We could not be inclusive, but we saw a tremendous increase in the number of students in those new categories. But there are still people who could go to New South Wales and be in their definitions yet are not included in the Queensland definitions. If we continue down this list, where does the list stop and where does the list start? That has financial implications.

CHAIR—Your submission says that the World Health Organisation definition of disabilities should be proposed.

Dr Enchelmaier—We cannot get away with having no definition at all, because there is a need for one.

CHAIR—I would have thought so, but my friends in state administrations—and I still have one or two—tell me that the big problem we have is that, no matter what categorisation you use, the people actually teaching children will always want to have the highest level of resources. The parents of those children will want to have the highest level of resources. The same state administrators are in the business of trying to make sure that resources are spread efficiently and effectively across a whole state. They may not have the same interest in lifting the level of categorisation, particularly at the lower levels. You might agree on a scale of seven or five or whatever it might be. The people at the top end of the scale would be unarguable, by and large. The problem is at the bottom end of the scale. What is a one or a two? What is a two or a three and so on? How do you overcome that problem?

Mr Davis—One of the things we are saying is that the knowledge base is already in the schools. The issue is being able to effectively connect that knowledge base. We find that often knowledge is locked in a particular school and the flexibility does not exist to move that knowledge—

CHAIR—This is exactly the problem I was alluding to. The knowledge is in the schools but any principal worth his salt is going to try and get as many dollars as possible into that school. Mr Symons, I am sure that you will be making sure that the maximum resources go into your school. Is there not an incentive for you to lift the students' assessment into a higher scale just to get the resources?

Mr Symons—One of the points is that, regardless of the resources, if you have not got qualified people to implement the program, you can put a lot of resources in and it will be an inefficient outcome. One of the points we talked about before was the lack of trained people in this field and the fact that in a couple of years time there will be a lot fewer. Regardless of whether it is state money or federal money, if it is not delivered through a trained person, the outcome is not going to be the best possible outcome. We are talking about trying to get the most money in for the resources, but it can only be delivered effectively if the people who are on the delivery have had adequate training.

Senator ALLISON—I want to go to the people you represent. You came in for a bit of a bashing—to say the least—by the parents' group this morning. There were suggestions made that particularly special education teachers in special units or in special schools were not focused on educational outcomes. In other words, there is a lot of teaching about coping and about life skills and not much more than that. I know you have not seen the transcript, but can I invite you to respond to that? How serious are we about getting outcomes in special education environments?

CHAIR—Can I put it more bluntly than you have, Senator Allison?

Senator ALLISON—Is that possible?

CHAIR—We have been told today that special schools should be closed down. What is the argument for keeping them?

Mrs Radford—I believe that the expertise in the special schools is not to be found in the regular schools—or whatever is the political word for schools that are not special schools—and I believe that that expertise should be utilised in the other areas. If we do not continue with the training of people who have that knowledge, we are just not going to be able to provide outcomes for students with special needs or disabilities down the track. As we say in South Australia, we need lighthouses of expertise. Other schools will come in and borrow my staff and use them. Outsourcing is a possibility, and I think that is a very real use for special schools. In terms of maintaining a range of options, there are some students that I do not believe will ever be catered for effectively in any setting other than a special school. So that would be my response: there will always be a need.

Mr Davis—Can I just make a comment about parental views. We have a range of parental views in the community. Some parents are very committed to a mainstream setting, and members of our association support that, and we have members that run services in mainstream settings. We have other parents who are very happy with the outcomes that they receive in a segregated special school. They see that that outcome is entirely suitable for their child—and their outcomes in terms of moving into the community are worth while. We really need to come to grips with the range of parental views, and we need to acknowledge that there must exist a range of programs to provide for that. We as an association believe that quality programs across all settings are imperative—not just quality programs in special schools but quality programs in mainstream schools, which are just as vital to the outcomes for students.

Dr Enchelmaier—There are some real paradoxes at the moment. On the one hand, we are saying that all kids are different and have a right to develop to the extent that their individual differences allow. On the other hand, we have some philosophical ideologically driven things which say that all kids are the same and they should be subjected to the same kind of education as everyone else. Those two things are in conflict. I do not disagree with parents who are very concerned that the quality of outcomes must improve. As professionals, we are dedicated to doing that. In special schools, though, we have a major change in the quality and the quantity of the population. Ten years ago, my school had 120 students who were mildly intellectually impaired and had no other disabilities. Most of that cohort are in mainstream schools now. My school now has 42 students who are profoundly disabled, with multiple disabilities—many of whom have spent their first seven years of schooling in the mainstream and who have got to a secondary level. Parents have said, ‘I cannot put up with the state that my child is coming home in. I want an environment that is appropriate.’ There is the view that Peter referred to.

Again, a one size fits all approach is not going to do the job for us. There is a lot of emotion around it, and there is a lot of angst about the fact that, if a student goes to a regular school, they are somehow normal and, if they go anywhere else, they are not. In education generally, we are at pains to say that in the regular environment there is a range required within that system. So the fundamental rethinking of what is schooling as opposed to what is education has to go on apace. Schooling has not got the prerogative of total education. It is one place where students learn parts of things. That is, unless we totally rethink the patterns and the partnerships. We have to get parents on board and have them support that. I have no problem with parents saying, ‘I need better quality outcomes for my students.’ As a profession, we would endorse that 100

per cent. We have not engaged in good dialogue with parents, and we have allowed the emotive, political, headline grabbing stuff to rule. We will suffer if we continue down that track. We do need genuine partnerships; we need to talk to parents and get them on board. They have an educational responsibility, as we have. But a one size fits all approach will never work.

Senator ALLISON—How much do we move teachers through the two different systems? That was suggested this morning as one of the cruxes of the problem—that teachers in special education do not actually know what kids are learning in mainstream schools and that that is an issue.

Dr Enchelmaier—I would have to object to that. I think teachers in special schools are infinitely aware of that and have, in fact, been leading a lot of the curriculum developments that have happened. A lot of the changes in curriculum reflect what special education has contributed to education generally over the past 30 or 40 years. The task analysis approach, individualisation, work experience, vocational stuff—all of that commenced in special education, driven by ground forces saying, ‘We’ve got to do something with practical outcomes for these students.’ We cannot look to the past; we have to look to the future and take account of a whole different set of conditions in education now.

Mr Symons—Some parents have an entrenched view of our type of school. To have an entrenched view of anything—to disregard the possibility that another model has benefits—is totally wrong. When parents go to a regular school, most are seeking aide support—how much aide time there is going to be and whether there is going to be an aide with their son or daughter all the time. Studies have already demonstrated that the ‘velcro aide’ syndrome does not develop independence; in fact, it develops dependence on someone being there to do things for you all the time. We are about preparing education for life.

In answer to your question, Senator Allison, about the crossing of expertise between schools, teachers in special schools do understand about educational programs, because all students have individual goals and we understand what the priorities are for a student at a particular time—they are short-term goals leading into long-term goals. In the regular school system, in many cases, an untrained teacher aide is responsible for delivering a program. I can understand the frustration of some parents who say, ‘I want my child in a regular school and I think everybody else’s child should be there too,’ but we are not saying that there should be only one approach; we are saying that the expertise in the system, which is not huge, should be used most efficiently. We are talking about a model where the expertise in a specialist school networks with regular schools and becomes a resource centre—a hub. That is the pilot scheme on which we would like to present some documentation to you.

Senator ALLISON—Is this the Canadian model?

Mr Davis—It is drawn from those Canadian models. To come back to your point about the capacity of teachers to move across settings, I think our association would endorse that. One of the things we find in our feedback from teachers who leave special education is that they often feel alone and unsupported in mainstream settings, so there is clearly a need to link.

Senator ALLISON—In respect of the disabled student in their class?

Mr Davis—Yes, but also in respect of having dialogue with colleagues. Often the teacher who provides programs for students with disabilities can be just as isolated as the student. For a first- or second-year graduating teacher, say, that dialogue with a mentor who is a skilled practitioner in the area of disability is something that is missing. One of the things we are talking about in our models is the importance of linking and developing expertise so that we do not lose expertise. We cannot continue to have that occur. We have the twin problems of a group of teachers leaving the profession, ready to retire, and a loss of teachers at the graduate level. Those two things are going to come into play within the next five to 10 years.

Senator ALLISON—What is the reason for that loss of teachers at the graduate level?

Mr Davis—They are leaving the profession because of issues around dealing with students with disabilities, feeling isolated in a particular setting and not getting the support they need. That is mirrored in the United States—there are similar sorts of trends.

Senator TIERNEY—Thank you for your evidence today. I would like you perhaps to comment on what we heard from the first witnesses today. Were you here at that point? Were you here to listen to the evidence from Queensland Parents for People with a Disability? Perhaps Mr Davis, being a Queensland, might want to comment on this one as well. They were putting to us the position that what they would really like to see is all children integrated into mainstream classrooms. When I probed this they were also including children with autism. I ask broadly your view on the practicality of that, given the history of integration over the last 10 to 15 years in this country. What I am asking really is: what are the limits of integration? How far can this go to produce desirable educational outcomes?

Mr Davis—I think our view would be that the limits are very much dependant on the individual student. If you take an individual student focus, the majority of students should be receiving educational programs in mainstream settings. That is largely what is occurring in Queensland. If we use the example of students with autism, the majority of those students will be operating in mainstream settings but they will require support structures and their teachers will require support structures. There are some students who are autistic who have great difficulty operating in mainstream settings. The behavioural patterns that they exhibit put at risk other students and them. There is a need to, if you like, work those behavioural issues through and develop behavioural patterns and social patterns. I am not saying that that student may in fact not go back to a mainstream setting. What I am saying is that we need to have flow between settings. I guess that, in regard to the issue that you raised about the two systems, we have to move towards an integrated system, acknowledging the expertise across all settings and linking that expertise.

Dr Enchelmaier—What the United States is finding is exactly that. Students with disabilities are general education children first and anything you do to support and supplement them is based on that premise, rather than that you have two separate systems. I think we have a long way to go to have better horizontal and vertical integration of expertise, but we are locked into a 19th century model of a school. We have support structures and allocated models which in fact prop up the site by site isolation, instead of looking at a higher level and saying, ‘How do we aggregate and how do we spread resources?’ These are very serious things. Technically, if you could provide sufficient resource levels we could close all so-called segregated facilities. I do not like that term, incidentally. I think we are all included in the community and my school is

very much in the middle of a community. My students spend most of their time trying to learn how to access that community, which includes the high school next door.

Senator TIERNEY—When we received evidence last week in Tasmania we were trying to pin them down to exactly how much of a classroom teacher's time is actually supported by a teacher's aide or specialist intervention. I suppose the rough figure we came up with was that half the time the teacher is on their own and that there is no help. I would just like you to comment on how you feel about that figure, seeing you represent a number of states. Given that there is very little in-service training of teachers provided for special needs—given that pre-service training is virtually nonexistent and in-service training is virtually nonexistent—how on earth can an integrated philosophy work when teachers are all by themselves half the time and they are not trained to do this?

Dr Enchelmaier—I think the simple answer is that it cannot. You can go into a typical classroom now of—let us say an arbitrary figure—25 students, and it is quite conceivable that of those 25 you will have five students with a real mixture of even mild disabling conditions. In fact, in some of our so-called units we have moved rapidly from specialised units where we might have had a cohort of perhaps hearing impaired students to a unit where a teacher with perhaps one or two years experience is dealing with two hearing impaired children, a child with visual impairment, a child with Asperger's and some other children with multiple disabilities which include physical disabilities. If that teacher is 50 per cent of their time on their own, or even 10 per cent of their time on their own, the outcomes for those students with disabilities must be questioned. But what about the effect on the other 20 students? Is there not a push for those other 20 students equally to obtain from that teacher the best possible learning environment that she or he can create?

Senator TIERNEY—This committee has had two inquiries in rapidly quick succession: one on gifted children and one on children with disabilities, so we are looking at atypical children. We came across this philosophy of inclusiveness. What we discovered was that teaching gifted children is easy compared with teaching children with disabilities, but even then teachers were having great difficulty teaching gifted children. They would say, 'Fred can do the work.' Sure, Fred can do the work and then he spends half his time twiddling his thumbs. So that was not working at that end. We are looking now at the other side of atypical—children with disabilities—and we are not really seeing that that is working very well at all. So what does this say about the philosophy of inclusiveness in terms of delivering sufficient educational outcomes for all children? It just seems that both ends of the middle miss out in this approach.

Dr Enchelmaier—It comes back to what we were focusing on before: if inclusion is limited to a perception of the physical location and place, that is about two per cent of what an inclusive philosophy is about. We have not really tested that and we have not really encouraged the community to think in depth about what it means. We still are driven by the attraction of an ideology that no-one can really disagree with. We all want the kids to be included; that is why we exist. We have limited that to say: if they are in the same place as their non-disabled peers, somehow inclusion automatically occurs. I do not think we believe that, and I do not think there are any outcomes that we have researched which demonstrate that that is happening—in fact to the contrary.

Senator TIERNEY—Dr Enchelmaier, I am not sure if it was you or Mr Davis who said that this is all ideologically driven, not research driven.

Mr Davis—I think we talked about the research, yes.

Senator TIERNEY—Can you expand on that a little.

Dr Enchelmaier—Education throughout the world has been the benefit of a lot of broader social movements. That has given some necessary incentives to make sure that in this country, for example, we do not question anymore the right of all kids to have an education—that is not a debate. We do not question anymore their right to participate in society—that is a given, and I think we have a fine Australian tradition of that. But we have not fully explored some of the social rights kinds of things in any depth in relation to education. We have confused some participation ideas with very simplistic notions of place.

If you go back to the United States situation and the court case of *Brown v. Board of Education of Topeka*, the judge said: ‘A separate provision is inherently unequal.’ He was not talking about schooling; he was talking about racism. But the people who were interested in that piggybacked their notions into education and made a quantum leap that said something that is separate is therefore inherently unequal. That was never tested, and certainly in education I think we are finding that it is the wrong debate. We must be driven by outcomes, we must be driven by individual needs, we must be driven by teachers being able to create learning environments wherever they occur—not necessarily in one school, in one room, in one place but by a combination of people and resources that we have not got. Institutionally, we are creating silos that need to be broken down. I think we have some expertise issues, but I am sure we also have expertise locked up that is not supporting that kid with autism in a class of 25, where that teacher is on their own for 50 per cent of the time.

Senator TIERNEY—I think, Mrs Radford, that comes back to your idea of a lighthouse approach. We did strike this in Victoria at one special school we went to in that they were assisting surrounding schools. How widespread is that across the country? I am sure that there are examples of it, but is this comprehensive or is it just isolated spots?

Mr Symons—Isolated specialist schools are doing it.

Dr Enchelmaier—There is not a lot of system incentive to do it.

Mr Symons—No. To actually support a network of neighbourhood schools who are loath to pay fee-for-service, you actually need to reduce your own core of expertise to skill up people in the network. But that is the model that will work.

Senator TIERNEY—Is it funded anywhere or are people doing this out of the goodness of their heart?

Mrs Radford—I think they are sweetheart deals mostly. They say, ‘I will lend you my special ed teacher if you lend me your high school teacher with this particular area of expertise. We can trade.’

Senator TIERNEY—So it is a trade.

Mr Symons—Or they say, ‘If we can participate in art, drama, woodwork and music, we will upskill your staff in behaviour management and individual goal writing.’

Senator TIERNEY—Is there any state where this sort of lighthouse approach and sharing of expertise is funded? This is such a great idea, but no-one anywhere is funding it?

Mr Davis—There was some research done in Queensland in 1996-97 where we actually looked at special schools as support for mainstream settings. There was a report done on that, which I have here, by the Wright Consultancy. They looked at a range of models that could be used from a special school base. That report showed that there is potential with those models. I question whether we just talk about special schools; it was about centres of expertise or lighthouse programs where you could have expertise and test your different strategies for dealing with students with disabilities, which would go across all settings.

Senator TIERNEY—But we are swimming upstream on this, aren't we, if we are shutting down special schools in the country?

Mrs Radford—May I make one quick comment there. While I respect the point of view of the parents who have come and said that the best thing to happen is to close them down, I could probably bring you an equal number of parents who have said that the best thing has happened—

CHAIR—Do not overreact to that emphasis. It is evidence put; I am not certain how widely it ensued in the committee. We do not need to dwell on this.

Dr Enchelmaier—It is one of a legitimate range of views

Mrs Radford—Absolutely.

Senator TIERNEY—What is happening with the special schools in Queensland? Are they tending to be shut down?

Mr Davis—There is a gradual reduction in the number of special schools over a period of time.

Senator TIERNEY—Tell us over 10 years what has happened.

Dr Enchelmaier—In 1990 we had 87 special schools, I think.

Senator TIERNEY—How many now?

Dr Enchelmaier—A total of 47.

Senator TIERNEY—Almost half of them. What about special units within comprehensive schools?

Dr Enchelmaier—They have increased—no doubt about that.

Mr Davis—There are something like 200.

Senator TIERNEY—In Tasmania we found a rather intriguing position, in that they did not oppose such units but there were not any in Tasmania, which is what we were trying to figure out.

Dr Enchelmaier—We have got to be careful that the establishment of units is not equated necessarily with inclusion. Inclusive practices can be based in such a dispersal of expertise and students, but it is not a given. Unless there are some incentives and some environmental support for it, you will not get inclusion.

Senator TIERNEY—Could you get the best of both worlds in that situation? They do get some special assistance and they are included in other classes.

Dr Enchelmaier—Exactly. The better units are brilliant examples of the best of both worlds. But, again, there are some systemic and allocative models that make that very difficult, because a unit in a school can be much more isolated than a separate segregated facility, quite frankly. In terms of the social integration of the students it may be totally inappropriate for the very disabled autistic student to even attempt to have some kind of a laissez-faire social interaction without some support.

Senator TIERNEY—Finally, could you give us a broad view on the reaction of classroom teachers to all of this. There has been an inclusive philosophy around for 10, 15 years. Now they are in the situation where they have got to manage that with inadequate resources. What are they saying about it? What are the teachers federations or unions saying about this?

Dr Enchelmaier—I think there is a willingness to do it. I think they feel totally unempowered to cope with it. I do not think there is any philosophical disagreement that for some students it is appropriate, but they feel that they just have not got the skills, they have not got the time, they are not resourced. There is a real problem with that.

Mrs Radford—And, at the end of the day, they do not have a choice.

Mr Davis—In fact, they can be overwhelmed by it. We have set up a situation where the possibility of inclusion has potential; it may be overwhelmed by all of the other issues and in fact your possibility goes out the window.

CHAIR—Thank you very much for coming today. It is very good of you.

[11.35 a.m.]

McDONALD, Mr Steve, General Manager, Australian National Training Authority

SCOLLAY, Ms Moira, Chief Executive Officer, Australian National Training Authority

CHAIR—Welcome. The subcommittee has before it submission No. 191. Are there any changes or corrections that you would like to make?

Ms Scollay—No.

CHAIR—The subcommittee prefers all evidence to be given in public, although the subcommittee would also consider any request for all or part of the evidence to be given confidentially. Such evidence may subsequently be made public by order of the Senate. I now invite you to make a brief opening statement.

Ms Scollay—I appreciate the opportunity to attend today on behalf of ANTA. Our key message is whole of government, whole of community, whole of life. I am sure you have heard that before. We hear lots of talk about whole of government approaches to service delivery, and the logic of these approaches is undeniable. However, the Australian Disability Training Advisory Council—if you do not mind I will call it ADTAC from now on—which is the advisory committee to the ANTA board on training matters around people with a disability has taken this notion of whole of government a bit further and described it as a whole of life approach. It is similar to the whole of government approach but it looks at it from the individual client or learner perspective. This is outlined in the ADTAC paper we provided to the committee with our submission, entitled the *Whole of life, all of life* approach. The impact of failing to take this approach is graphically illustrated in the case studies contained in that paper. However, there is one positive story in the paper which outlines the results that can be achieved when a whole of life approach is taken. We have to find better and cleverer ways to apply this approach if we are really going to make a difference to the lives of people with a disability and harness their contribution to the community. These views are based not just on social inclusion and social justice principles that are clearly important but also on sound economic reasons.

In 2000, ANTA asked the Institute for Research into International Competitiveness to undertake an economic and social analysis of increasing opportunities for people with a disability in VET. This research gave us preliminary estimates that there will be economic benefits in the region of \$2.7 billion per annum if we increase the participation and the employment outcomes of people with a disability in VET. However, we need to say up-front that statistics tell us that while participation in VET is fairly stable, employment outcomes following training are declining for people with a disability. People with disabilities are most likely to be undertaking AQF levels 1 and 2 at 34 per cent in 2001 compared with 29 per cent of total students. We also know that in 2001, one-third of students with a disability undertook VET in multi-field courses compared with 14 per cent of all students, which means they are not in the training package job specific competencies area. The proportion of TAFE graduates with a disability employed after training declined from 50 per cent in 1997 to 43 per cent in 2001.

Over the same period the proportion of total TAFE graduates employed after training increased slightly from 71 per cent to 73 per cent.

Clearly this decline in outcomes is of major concern to ANTA and other partners with whom we work collaboratively to improve opportunities for people with disabilities. There are a number of possible reasons for that, including the increasing number of students with a disability who say they are undertaking VET for non-vocational reasons and the increasing age profile of students in VET who have a disability. While the unemployment rate for graduates with a disability is improving, the proportion of students who say they are not in the labour force is increasing significantly. While we do not know the reasons why students with a disability identify as not being available for the labour force, this could be a reflection of disenchantment with gaining access to the work force.

I refer you to our *Whole of life, all of life* document in which there is a little table where we talk about community expectations which feed into an emotional response of disempowerment; also, infrastructure barriers. Our ADTAC committee is clearly concerned with the issue of community expectations of the participation of non-labour force people with a disability. That has the emotional response that people do not set themselves that expectation and, therefore, they are out of the process of participation. That is a very powerful social reinforcement loop that our ADTAC committee is focusing on. However, there are a number of opportunities ahead of us to try and turn this around. Senators, you might like another copy of that document; I am not sure that you have it in front of you.

CHAIR—That would be very helpful.

Ms Scollay—It is an attachment to our submission. We may have a few more copies that we could hand across the table. We believe there are a number of opportunities ahead to turn this around. We have a blueprint for implementing the national strategy, and I am sure you have seen those documents. The Bridging Pathways strategy is for increasing opportunities for people with a disability in VET. It was endorsed by ministers in June 2000 and it outlines a detailed plan of action, with accountabilities and time lines clearly set out. It is based on the partnerships and collaborative models which underpin the whole of government approaches that we have spoken of. You might therefore ask why there has been a decline in outcomes for people with a disability if we have blueprint in action. There could be several reasons, as I outlined earlier. In addition, the blueprint, while it was endorsed in June 2000, did not really get under way until well into last year. The ANTA board's advisory committee, ADTAC, was not formed until October 2000, and it really only commenced its formal role of monitoring and driving forward the implementation of the blueprint late last year. I guess it is likely that a national plan of action with many partners may take some time to bite, but we have confidence that it will.

There is also an opportunity ahead to take a look at the possible reasons for reduced employment outcome through the mid-term review of the blueprint, which is now under way. When ministers endorsed it, they directed that a mid-term review take place by the end of this year. The review is being independently conducted and will consist of qualitative and quantitative evaluation of the impact of the blueprint and whether it needs adjustment for the changing contexts. Like any strategic document, it needs to be forward-looking and able to be adjusted to meet changing environments and the changing nature of the world of work.

Secondly, we have an opportunity which enables us to really focus on making a difference for people with a disability in that the subject is greatly heightened this year in the annual national priorities in the VET system for 2003. In May this year, MINCO endorsed the ANPs, and I have a copy here that I can table. I refer you to Annual National Priority D. You will see that it commits jurisdictions to achieving the 2003 outcomes set out in the blueprints for both people with a disability and Indigenous Australians. There is an explicit link between training and employment outcomes, and this is very significant as it builds equity outcomes into the VET planning process and ensures that equity is at the heart of the achievements of the system. You would know that through the whole VET planning and reporting system, which happens around these annual national priorities, there will be a requirement for the states and territories, the Commonwealth and ANTA to report against those in 2003.

Finally, I want to mention the opportunity provided by the next national strategy for VET. In May this year, MINCO agreed to the development of a new national strategy from 2004. We are intending to use the findings of the mid-term review of the blueprint and also whatever we are able to achieve through the annual national priorities for 2003, and all those should be able to form the platform to be integrated into the new national strategy to take us to 2010.

CHAIR—Thank you very much for your submission, although I note that it is probably a bit light on by comparison to normal ANTA submissions, and perhaps that is to do with what I would call the appalling situation. On the back page of the version I have, appendix 1 lists the disability numbers as a percentage of total VET population, which you say is static. It is actually less than the school system, which is in itself a pretty damning figure. With regard to the new apprenticeships, it is almost as bad as the independent schools sector, which is in itself an extraordinary achievement for VET, given that the great strengths of the vocational education system have been its accessibility, equity, objectives and capacity to reach out to people who are normally disenfranchised in this society. And you have told us today that the situation seems to be getting worse.

Ms Scollay—In terms of employment outcomes, yes.

CHAIR—When it is all said and done, one of the key features of the VET system is to try to encourage improved employment outcomes, to use the jargon.

Ms Scollay—I would agree with you.

CHAIR—Would you agree that this is a pretty dismal situation?

Ms Scollay—I would certainly say that the figures are not what we would like to see in terms of participation, which has been static. As a proportion of the population—

CHAIR—I see there is a decline in 1999-2000. It is static if you look at 1998 to 2000, but if you look at 1999-2000 you see that there is a decline.

Ms Scollay—I believe that the figures in 2001 will show 3.9 per cent, so it is relatively static. This is recognised by the VET sector as a performance that has to be fundamentally improved and perhaps approached differently. That, together with the issue of Indigenous Australians, is really the basis for having taken this major focus. The annual national priorities in 2001-02 did

not have anything like the focus that they will have in 2003. From my personal perspective, it is certainly something that I am determined to see ramped up.

CHAIR—I am pleased to see that, and I accept your sincerity in that regard. It is nowhere near satisfactory by the normal standards under which ANTA would operate. I also note, though, that on page 12 of your submission you talk about the legal implications and resourcing demands of the current Commonwealth, state and territory legislation. Of course, the key piece of legislation that we are concerned with is the Disability Discrimination Act. Is there not evidence in these figures that there may well be institutional discrimination occurring against people with disabilities?

Ms Scollay—I do not know how to answer that.

Mr McDonald—I would not have thought so. My understanding is that within infrastructure areas there are requirements that are being abided by in the building—

CHAIR—That is the capital, and that is because the Commonwealth has obviously made a huge impact in terms of capital provision. But now we are told that if we apply a set of standards it could be unaffordable, that we cannot afford to move to a nationally consistent set of standards for disabilities assessment.

Ms Scollay—I do not believe that that is the case. I do not have a lot of hard evidence for that statement, but in the consultations that happened over the seven years in which the standards for the disability act have been under development we have on several occasions gone out to providers, ITABs and many of those in the system to see whether or not they believe there would be a huge cost impact as a result of the implementation of the new standards, and they believe that they are doing a lot of it already and there would not be a major impact.

CHAIR—They do not see it as a problem.

Ms Scollay—They do not see it as a problem. If there were a huge outcry about the introduction of the standards, that might be some indication that they were not being met at the moment.

CHAIR—I am pleased to hear that, because a number of state governments refuse to sign up to the proposed standards set out in the MCEETYA working party on the grounds of cost.

Ms Scollay—I think that the last MCEETYA decision of July is more hopeful in that respect—I was at that meeting—and the resolution reflects this. I will read it out to you:

Ministers express concern over the delay in finalizing draft Standards, but agree that outstanding legal and financial issues will be further addressed by December 2002 prior to the introduction of the legislative amendments to the Disability Discrimination Act if necessary and to the implementation of the Standards and urge all jurisdictions to work cooperatively on this matter.

An issue has been raised that the standards are broader than what is contained within the Disability Discrimination Act and a view held that there may need to be legislative change in order to encompass the breadth of the standards. But there is another legal opinion that suggests

that that is not going to be required, which is why the ‘if necessary’ is in the resolution there. It was certainly indicated to me that the MCEETYA ministers were anxious to get on with this.

CHAIR—The Queensland government’s submission at 3.1.8 states:

The Standards however, have a potential impact of increasing costs if the Standards expand the current range of students identified as having a disability. One assumption shared by some service providers is that the combined population of students with high need disabilities and learning difficulties is about 18%. Currently Education Queensland supports about 15% of students across this range.

As I read the Queensland government’s submission, it implies that there is considerable concern about the question of costs. You are saying that that is not reflected in the VET system?

Ms Scollay—Not as far as I know from the information that has come to us. Has that been reflected at ADTAC?

Mr McDonald—The ADTAC issue comes at it from a slightly different angle, which is the piece of research that Moira referred to. The whole of life aspect of that is about the individual. Their disability starts when they wake up and finishes when they go to bed and not unusually continues through the night. The issues about their participation in vocational education and training are directly related to their ability to live a life. The ADTAC view then is that the productivity issue and the issue around cost is limited because it is being argued within a VET silo; it is not being argued across whole of government, which is the net savings of people living productive lives and the self-esteem they get.

CHAIR—I understand that, but that is not the way RTOs tend to function. They want to know who is paying the bills. State administrative systems and the independent schools system will want to know—and I am sure the Catholic schools will want to know.

Ms Scollay—You may recall from our submission that we have, as part of the implementation of the blueprint, commissioned a project looking at the current funding arrangements and the possible future funding models. As you would be aware, in this glorious federation of ours there is not a great deal of uniformity in how the states—

Senator TIERNEY—You are talking Senator Carr’s language.

CHAIR—That is true.

Senator TIERNEY—That is a very worthwhile comment, I would have thought!

Ms Scollay—I was not aware that it was your language, Senator Carr.

CHAIR—Great minds think alike!

Ms Scollay—It is certainly an issue that we cannot be clear on what is happening across the states and territories in terms of funding arrangements and learning support. In relation to funding arrangements we have that project due for completion by the end of the year, and the learning support one will be started shortly. That should then give us the basis on which to have discussion with the states and territories about what these issues are, what the cost implications

are, whether that is a barrier to the employment of more people and the participation in VET of people with disabilities.

CHAIR—Can I get a copy of that resolution that you referred to from the last MCEETYA meeting?

Ms Scollay—Yes.

CHAIR—Where is that?

Ms Scollay—It is in a briefing note I have; it is just a quote.

CHAIR—Can we get a photocopy and take the rest out of it, so it does not cause you any difficulty? We just want the resolution; we do not want the rest of your notes.

Ms Scollay—Yes.

Senator ALLISON—We have heard consistently from witnesses that there needs to be a consistent definition of disability—can you comment on that? And can you comment on it in relation to learning disability, which appears to disappear when it comes to additional funding? The Tertiary Education Disability Council told us earlier this morning that they are looking for much better data collection by universities and TAFE institutes, so that that data can assist in determining what level of support is needed by students in various categories. Can you comment about your data collection and, in particular—perhaps they are two different questions—disability, learning disability and definition?

Ms Scollay—In our submission we did discuss this a little bit. Disability is clearly an issue for all of us. In consultation with the National Training Statistics Committee—which is another committee of the ANTA board—ADTAC has tried to realign the definition to be consistent with the International Classification of Impairments, Disabilities and Handicaps published by the World Health Organisation. In our submission, page 6 covers learning difficulties and mental illness in terms of that definition.

I was interested in listening to the discussion of the group that you had appearing before you when we were here in the last session. It is of note that our new definition is now the AVETMISS standard, which is the VET reporting system across the states and territories. The advantage of the national system in vocational education and training is that we do have one national system of reporting. That is a new definition to be in place from 2002, which would also be the definition for the purposes of VET in Schools, once the schools become AVETMISS compliant over the next 12 months. It would be nice to think that there is some possibility that that consistent definition will flow more broadly into the other sectors, seeing as it is agreed at state and territory level across the VET sector.

Senator ALLISON—It flows into VET in Schools. Would it not then go on to be a standard definition in schools generally?

Ms Scollay—Not necessarily.

Senator ALLISON—Why not?

Ms Scollay—Because the activity of VET in Schools is funded by ANTA to the tune of \$20 million a year, and the schools are required to meet a range of guidelines in return for receiving that money. They are required to report against our definition and become compliant with our reporting by 2003. That is why they will do it for VET in Schools.

CHAIR—On this very point, you are talking about national definitions. The resolution you have referred to says, ‘prior to the introduction of legislative amendments to the Disability Discrimination Act’—that is a Commonwealth act you are talking about, presumably?

Ms Scollay—Yes.

CHAIR—Why couldn’t that mean a watering down of the definitions?

Ms Scollay—Do you believe there is a watered down definition in the act?

CHAIR—No, I am saying that it could be an introduction of legislative amendments for a reduction in the standards. Why couldn’t it be read in that way?

Ms Scollay—I had not read it in that way, and that was not the context in which I understood that resolution was passed. I understood it to be—but this would be something that you could raise with MCEETYA—

CHAIR—We will, don’t worry. But you were there, and you—

Ms Scollay—My understanding was that, if anything, the standards, as they have been developed, are somewhat broader in scope than the Disability Discrimination Act is. There was an opinion from New South Wales that if the standards were to be implemented, and given their broadness in relation to the act, there may be some problem with implementation that did not have a very tight legislative base. There was one view that, no, it would not matter if the standards were broader in their intent than the actual act which underpinned them. But the New South Wales view was that investigation was required to see whether the act needed to be expanded in its scope to underpin the breadth of what the standards have now become. That was my understanding of the context for the resolution. But that would have to be checked with MCEETYA.

Senator ALLISON—I go back to VET in Schools and the requirement to report by 2002 and to be compliant by 2003. Is that accurate?

Ms Scollay—They are required to be compliant by 2003. Some are reporting now. But they will not be reporting against that until they are compliant in 2003.

Senator ALLISON—Won’t this mean that by 2003 there will need to be some assessment of all students in all secondary schools with regard to learning disability—

Ms Scollay—I am not sure. That would be a logical assumption.

Senator ALLISON—as well as mental illness, intellectual disability and so on—all of the four categories here?

Ms Scollay—I believe that will be a consequence. One of the issues for us is that there is no consistent tool at the moment. There is debate within the ADTAC itself as to whether or not it would be desirable or possible to have a national assessment tool for determining disability related needs. At the moment, this is done on a RTO-by-RTO basis—a RTO is a registered training organisation—and in some cases, on a state-by-state basis. Some schools are registered training organisations for the purposes of delivering VET in Schools. It depends on the state and territory as to how they go about the process—and TAFEs have different arrangements again—of assessing the needs of people with disabilities, whatever those disabilities are. What is being hotly debated at the moment within the ADTAC is whether or not it would be possible or desirable to develop, against that set of categories of disability that have been identified, a national assessment tool.

Senator ALLISON—The committee has been told that the tool for identifying learning disability may cost a thousand dollars a pop and that it is not possible to do it without expertise. How do you see that fitting in? Does the tool allow you to identify those kinds of problems and disabilities just because there is a phrase somewhere that describes them?

Ms Scollay—I think you have highlighted that this will raise issues for the schools that are RTOs at the point at which they try to become compliant with this definition.

Senator ALLISON—What percentage of schools are RTOs?

Ms Scollay—That varies across Australia. In South Australia only two schools are RTOs. In Queensland all of the schools are RTOs.

Senator ALLISON—Is there a schedule somewhere which indicates that? That might be useful.

Ms Scollay—Yes, I can get that for you.

CHAIR—There are 10,000 schools in Australia. As a percentage of the total number of schools, I would have thought it would be very high.

Ms Scollay—Yes. I can work that out from the numbers. We do have the actual numbers state by state that are. But many are in partnerships with TAFEs or other providers. So, even if they are a RTO, they may well also have the services of a TAFE or another RTO. For students with a disability, it may well be that the TAFE system that they have a partnership with may be better able to do the kind of assessment that TAFEs have always done for people with disabilities, and that may be the way they approach this issue.

Senator ALLISON—One would hope it was not the final approach, however, given that a lot of the evidence before this committee is that learning disabilities are ignored through primary school and it is often not until students leave school that they discover that this has been their underlying problem throughout.

Ms Scollay—We find people in the work force who have numeracy and literacy problems but who are completing tasks perfectly satisfactorily in the workplace. It is at the point at which they want to formalise their work into a qualification that we may find that they have all along had learning difficulties that have never been identified or they have never been prepared to speak about.

Senator ALLISON—You would not disagree that we need to identify those earlier?

Ms Scollay—No, not at all. The VET system would be very grateful to the school system if many of the people that are in the VET system now, or are moving into the VET system as school leavers, had had those issues identified earlier rather than later.

Senator ALLISON—Thank you. This is a most interesting development in terms of learning disabilities.

Senator TIERNEY—You said that the employment rates for people with disabilities who go through VET are declining. That is intriguing, given that unemployment is still trending downwards generally. I am trying to get a hold on what might be happening in that change. Is there any evidence of a change in the nature of people with disabilities? In other words, are there more severe types of disabilities coming through over time that are making it more difficult? Is there any evidence of that?

Ms Scollay—We do not have that evidence and, given that there has been a further decline to 2001, this is something that ADTAC will have to research. I put forward that there are a few possible reasons. One, as you have suggested, may well be that, if we are more successful in terms of participation rates for people with more severe disabilities in VET, that might be leading to fewer employment outcomes. Certainly, the statistics indicate that we have people with disabilities more likely to be doing certificate I and II, which would not be as likely to get you to an employment outcome. We are moving down the path of implementation of training packages, where a person with certificate III is seen more as—in the old language—a qualified tradesperson, and this could be disadvantaging people with a disability, particularly where some industries might be saying, ‘We do not have a lot of need to employ people with certificate I.’

Senator TIERNEY—So the changing structure of industry, where higher skill levels are now required, could be a contributing factor?

Ms Scollay—Yes. One of the things that came out of an equity conference that we ran earlier this week was a suggestion of the potential demise of certificate I because of its lack of take-up by industry, and the extent to which that would be a severe disadvantage for people with a disability who are now successfully completing certificate I and finding fulfilling employment doing a variety of work at certificate I level. We should be looking at horizontal acquisition of qualifications across a broader range of certificate I level work so they have variety, rather than seeing it necessarily as a need for a vertical career path. That is something we really need to look into. Also, we should consider the extent to which people with a disability are enrolling in what we call ‘multifield’, which is again a sort of general, generic education qualification. It is not an industry specific qualification in a training package. Again, it is not really tied to an employment outcome.

Senator TIERNEY—Is it more catch-up on what they might have missed at secondary school?

Ms Scollay—It may well be. It may well be that they are needing a range of what we would call foundation skills before they feel that they can participate. That is another reason.

Senator TIERNEY—So it is basic English and computing and these sorts of things that might help them jump to the next level?

Ms Scollay—That is right and a third of people with disabilities do those programs compared with 14 per cent in the population generally. We also have an ageing disability participation rate.

Senator TIERNEY—Which could also account for the decline. Employers are less likely to pick up people who are older generally, regardless of disability.

Ms Scollay—It may well be that people who are much older are participating in VET with no intention of it being an employment outcome.

Senator TIERNEY—Your research indicated that 20 per cent in VET leave school before the age of 15 so I assume in a lot of states it is 14 years and nine months and at the first opportunity they are out of the school system. It seems to me that VET and the TAFE system are ideally positioned to pick these people up and assist them in areas where they might have missed general education or specific skills education. I would have thought that ANTA is in a unique position in relation to encouraging that through various sticks and carrots across the whole sector. There are not too many other bodies in the education system that are positioned like you are—

Ms Scollay—No, none, anywhere in the world.

Senator TIERNEY—that have a billion dollar carrot that you can use. I would like to explore that. I know you would try to get agreements across all the states before you did anything. But I would assume that given that you do control that sort of level of funding, in theory there seems to be an opportunity here to actually move the technical colleges, or any sort of VET training, forward in assisting people with disabilities. For example, you mention that there is a million dollar program in training. Is ANTA exploring other ways in which they can encourage, through sticks and carrots, the states and various VET bodies to assist people with disabilities more and achieve higher participation rates?

Ms Scollay—You have asked a very broad question. Certainly through the blueprint and the projects that we now have going about how the funding happens and what the learning support needs are, ANTA is in a position to influence the priorities. We do that mainly through collaboration to get agreement around those things and having that information on the table is usually a very powerful stimulus to getting action. I am anxious to see the results of those two projects to know what it actually means. The issue of 19.1 per cent of people with a disability leaving the school system before they turn 15 is extremely worrying and I would need to get behind those figures which I have not done. I am not entirely sure it is because people have reached 14 years and nine months. We certainly know that Indigenous people are leaving as soon as grade 5 in primary school at age 11—

Senator TIERNEY—Particularly the males.

Ms Scollay—Particularly the males and this is another area of huge concern to us in the Indigenous strategy. We are looking at the prospect of VET in Schools, for years 7 to 10 at least, in that context although any employment relationship is very difficult for anyone under 15 because of the legal age for work. That is something that we are acutely aware of. This is floating a possibility that I now want to research but we have had a project running in the Indigenous area called the Koori Shame project. It indicated to us that it is at 11 years that kids in grade 5 really start to discriminate around difference. It is the point at which Indigenous kids feel that their difference is highlighted to them by other kids and in some cases they leave. While that may be tied up with issues of prejudice that may not happen in the area of disability, it may be a parallel that we now need to investigate.

Senator TIERNEY—There is also a parallel thing happening with cumulative disadvantage in terms of literacy skills by mis-schooling. By the time you get to year 5, it is just too difficult.

Ms Scollay—Catching up is too hard. There may be a whole range of reasons for that, but ANTA has very little leverage on the school system, as you would understand.

Senator TIERNEY—They could have a lot of leverage on the TAFE system.

Ms Scollay—We have a lot of leverage on the TAFE system.

Senator TIERNEY—One of the things we have found across this inquiry is that with state primary and secondary schools very little is put into professional development of teachers in terms of disabilities. So, if we turn to TAFE, apart from the \$1 million you have put into professional development, can you draw us a picture of what the states are doing in terms of professional development of TAFE teachers as it applies to teaching people with disabilities?

Ms Scollay—I am not sure that I can answer that right now.

Senator TIERNEY—You might want to take it on notice.

Ms Scollay—I think that will come out in the evaluation of the blueprint, because the professional development of teachers is one of the strategies in the blueprint that is being investigated now in terms of the states and territories letting us know where they are at with the implementation of those strategies. We would be more likely to know at the end of the year, when that evaluation comes in.

Senator TIERNEY—You have actually put money into professional development—\$1 million out of \$1 billion, which is a dollar in every \$1,000 or one per cent of one per cent of the ANTA budget. It is not a high amount. I was wondering what the rationale was for \$1 million, whether you were thinking that you should expand on that and how you would apply that to improve professional development across TAFE in relation to disabilities.

Ms Scollay—The role of ANTA in professional development has in the past been quite small. We commit \$3.5 million to Reframing the Future and something in the same order—maybe \$5 million—in the area of training teachers generally in new technologies.

Senator TIERNEY—But this one here is specifically related to disabilities.

Ms Scollay—Yes, and so that is the totality of what ANTA is doing at the moment in relation to professional development generally in the VET sector—those two national projects and this one.

Senator TIERNEY—How do you apply this one on disabilities? What is that \$1 million spent on?

Ms Scollay—I actually have the project plan for this, if you would like it. It spells out exactly the amounts of money. There is \$70,000 to be spent on improving the workplace trainer and assessor package and \$60,000 for research and evaluation. There will be a range of workplace learning projects, which will be \$690,000. ITAB training in order to make sure that the ITABs are properly integrating disability issues is another \$20,000. Changes to the AQTF, the quality training framework, making sure that there are proper guides for teachers of people with disabilities is \$170,000; and for picking it up within a flexible learning context, another \$20,000. So that is where it is planned that the \$1 million will go. You can have a copy of that plan.

CHAIR—Thank you very much for coming today.

Proceedings suspended from 12.18 p.m. to 1.33 p.m.

ELKINS, Emeritus Professor John, Fred and Eleanor Schonell Special Education Research Centre, University of Queensland

VAN KRAAYENOORD, Dr Christina Elizabeth, Director, Fred and Eleanor Schonell Special Education Research Centre, University of Queensland; Senior Lecturer, School of Education, University of Queensland

CHAIR—Welcome. Do you have any comments to make about the capacity in which you appear today?

Prof. Elkins—I have recently retired from the University of Queensland, where I was professor of special education.

CHAIR—The committee would prefer all evidence to be given in public, although the committee will also consider any request for all or part of your evidence to be given in camera. However, I point out that such evidence may subsequently be made public by order of the Senate. I now invite you to make a brief opening statement.

Prof. Elkins—I do not think I have anything I specially want to say.

Dr van Kraayenoord—I am quite happy just to answer questions.

CHAIR—Is it right that there was no written submission?

Dr van Kraayenoord—Yes.

Prof. Elkins—That is correct.

CHAIR—So we are flying a bit blind here. The committee appreciates that you are both renowned experts in your field, so we are interested to hear your views on a number of the issues that have been put to the committee from a range of sources. I think that the best way for us to approach this is to get you to comment on some of those matters.

One of the issues that has been put to us concerns the question of definitions. How do you actually identify the extent of disabilities and the extent to which funding is appropriate to meet the needs? There has been a working party established now for five years through the MCEETYA processes. It has recently had its work sent back for further consideration. We have been advised that this should not be treated as a matter for disquiet, that there will be an end to this process soon. Could either of you comment on the interpretation that DETYA uses for eligibility requirements and the extent to which that definition allows for the independent system or the Catholic school system to offer a range of services different from the public education system?

Prof. Elkins—The issue of definition is difficult because professional opinions at the margin tend to differ anyway, and it is particularly true for the sorts of students who have been causing

schools more difficulty recently, such as those with autistic spectrum disorder, ADHD or speech language impairment. So I think there is almost inevitably going to be constant attention around the margin of disability.

The Commonwealth with respect to adults has a broader definition of ‘disability’ than school systems generally do, in that psychiatric disorders are typically not considered. They are much less common in children anyway, but they tend not to be within the meaning of ‘disability’. On learning difficulties, a large group of students, perhaps 10 per cent, are not within the Commonwealth’s view of ‘disability’ with respect to funding. What this means, for example, is that bright students who have learning difficulties and come to university are eligible for support as long as it can be shown that they have a learning disability.

Senator ALLISON—Is this a disability or a difficulty?

Prof. Elkins—That is often part of the question, but at least there is the potential for support because a learning disability—which I would say is relevant to a subset of children with learning difficulties—has rarely been treated as part of disability within school systems. I think I am right in saying that for a long time, going way back to the Schools Commission, federal support for children with disabilities has not included support directly for children with learning difficulties or learning disabilities in the way that the other major disability categories have been handled. So that issue is a sort of mismatch.

Dr van Kraayenoord—In addition, I think one of the areas of difficulty is that—because of the way in which the Commonwealth makes a distinction between adults and children in terms of disability and the definitions thereof—states have used the Commonwealth definition to then say that the children are either in or out in terms of funding. Therefore, certain states let certain groups in, whereas the same groups may be left out in another state. So the fact that there is not the same regime throughout the different states is also a compounding issue.

With respect to your question about whether or not state schools offer something different from Catholic or independent schools, I think it is our experience, based on our research, that the state takes the bulk of students with severe disabilities. Although the Catholic education system is increasingly taking children with high support needs, I believe that independent schools, because of their independent nature, are able to select students much more carefully and may, in fact, seek ways of precluding students from attendance or enrolment in their schools, despite the antidiscrimination legislation.

CHAIR—The obvious question follows, then: is this not a breach of the law?

Dr van Kraayenoord—I think there is a real issue around the wording ‘undue hardship’. I think that is often used by schools, sometimes in an unspoken way, to preclude children from enrolment.

CHAIR—I understand you have authored a report entitled *Literacy, numeracy and students with disabilities*.

Prof. Elkins—We have both worked on that.

CHAIR—Your argument there is that the non-government sector is not pulling its weight. Is that true?

Prof. Elkins—I think that is a little bald.

Dr van Kraayenoord—It is a bit bald, but it is true.

CHAIR—We tend to be that way.

Prof. Elkins—I think the issue is that the Commonwealth and, to some extent, the states provide additional funds for students who are identified as having a disability. I think that has enabled non-government schools, particularly independent schools, to see their participation in supporting students with disabilities as being conditional upon that extra funding being provided. In many ways that is reasonable, but I think it would also be reasonable to have those schools see it as part of their responsibility to share a little in the support.

CHAIR—The truth, though—and I think you can confirm the figures that we have been given—is that of the total enrolments: 1.5 per cent are in the independent sector; 2.2 per cent are in the Catholic system; and 3.9 per cent are in government schools. The discrepancy is stark.

Prof. Elkins—It is, and I do not think that attendance at non-government schools by students with disabilities has been fully explored. Part of it could come about from the fact that there are very few special schools run by either the Catholic sector or the independent schools. So that students with high support needs are more likely to be found in special schools, and they are predominantly provided by the state education systems. But the question is: need it be so? Could it be that students with disabilities could be—

CHAIR—I think that is right, but two issues arise from that. The first is that the students in special schools, even within the state system, are in the minority. Isn't it the case that their numbers are only small, compared to the total number of students with disabilities?

Prof. Elkins—Yes.

CHAIR—We are told that they constitute at least three per cent of the school population—three per cent is a very large number of people. The second issue is that, given that the non-government sector is financed to the extent that it is—and we may quibble about the precise numbers but we are talking about comparable levels of funding if you include state governments and fees and the whole kit and caboodle—there are very large sums of money involved. Do you think it is possible to improve on those figures of 1.5 per cent and 2.2 per cent, to bring them up to something closer to the government numbers?

Prof. Elkins—I think it would be possible, but I am not sure how far we would get. I suppose part of that comes from the fact that, in terms of the sector of the population that it serves, the independent school sector probably is not quite the same as the state system. I think it could be improved, but I am not sure that absolute parity across the three systems is possible.

CHAIR—With that in mind, what can the Commonwealth do to improve it?

Prof. Elkins—I do not know enough about the way in which it works at the administrative level but I would have thought that, in seeking federal moneys for supporting students with disabilities, it ought to be incumbent upon non-government schools to demonstrate what they are bringing to the party. They need to say, ‘We are doing this and this; we can manage this to provide the extra support, and we would like funding from the Commonwealth to bring this up to an appropriate level.’ I am really not bashing the non-government school sector here. It is just that I think that the way systems work affects what organisations do.

CHAIR—The point is that, in terms of the States Grants Act, two-thirds of the Commonwealth money goes to the non-government sector, and yet the numbers would indicate that there is room for improvement. We are talking about a Commonwealth program here—that is the nature of this committee—and I guess that is the reason I am pursuing this line of inquiry.

Prof. Elkins—Yes, and in my earlier remarks in response to this, I said, ‘I do not think we have actually studied this issue enough.’ As a person who is not involved in the non-government school sector at a personal level, I am not sure that I understand it from their perspective.

Senator ALLISON—I have a question about learning disability. This is your field, is it not?

Prof. Elkins—Yes, we both have quite a lot of interest in that.

Senator ALLISON—Excellent. I notice that one of your publications is *Literacy, numeracy and students with disabilities*. Other witnesses have said in their submissions that you cannot give students with learning disabilities more of the same—you cannot just trot out the sorts of programs for literacy that we have seen, because they are the ones that will help students with difficulties, not those with disabilities. Is that your view and can you tell us about your research and what it suggests about how teachers need to be equipped to deal with students with learning disabilities?

Dr van Kraayenoord—I am not sure that I fully concur with the statement that these children need a completely different diet or series of programs. I believe that many of the instructional practices that we know about that have been well researched do equally well for children with learning difficulties and learning disabilities as for normally achieving children. However, I do believe that it is teacher practices that make a difference, and I think that people need to start making distinctions between programs and practices for intensive support for students with learning difficulties. I think it is the nature of the practice—for example, the level of interaction between teacher and student, the type of engagement that occurs; I think it is the intensity; I think it is the sustainability of the teaching. I think it has to do with targeting the instruction more closely to the identified needs. I think those kinds of things are as important as—or perhaps more important than—saying that we must have a totally different approach.

Senator ALLISON—Are these practices intuitive in teachers?

Dr van Kraayenoord—No, I do not believe they are intuitive. I think that teachers can learn how to do these things. Professional development and good preservice education can make people aware of and develop experience with these kinds of strategies. When there are particular ways in which instructional support and intervention have been conceptualised, I do think that teachers need to know about them. For example, where there are programs like

Reading Recovery or Success for All or any of those so-called programs, I do think that teachers need to be aware of those; they need to be aware that people have packaged up a series of practices into programs. Teachers need to become critically aware of what their features are and what might make them efficacious. Although I do not think you would immediately see this in schools or in awareness among the public, I think there is a shift now towards not just looking at programs for children with learning difficulties or disabilities but also looking at the type of pedagogy that the teachers deliver and the way in which the children respond and so on. This is a shift.

Senator ALLISON—Still on the same subject, another theme for us has been that in some cases in undergraduate teaching courses teachers do not get more than six weeks instruction in how to deal with students with disabilities right across the field—special needs students. Do you believe there is a necessity for that to be a distinct study within a course or are you saying that we have changed the way we approach teaching and now teachers will do it automatically?

Dr van Kraayenoord—I certainly do not think they will do it automatically. In terms of learning about students with learning difficulties and disabilities, I do not know how many hours students get, because I think that varies from university to university.

Senator ALLISON—In some cases, they get none, judging from our inquiry.

Dr Van Kraayenoord—I think that preservice teachers need to know about literacy, numeracy and their components and the pedagogy surrounding those things. They also need some content knowledge about the range of diversity that children might have. Whether or not you believe that classroom teachers should have teaching programs that focus exclusively on different groups and how to teach them is purely an issue of the model that you work in or the time period that you work in. The Commonwealth government has a view that we are moving towards inclusive education. Certainly here in Queensland there is a very pronounced statement regarding inclusive education and therefore there has been a shift to the idea that in their preservice courses classroom teachers need to be prepared for teaching a range of students. It may be that they develop specialisations in those other areas later. I am not sure whether that is a good thing or not. It is a political and philosophical position that is being pursued and university courses are therefore becoming more generic in looking at a whole range of diversity in how children might be taught.

Prof. Elkins—I think that there are a couple of other things. Having run our teacher education program for a few years, I am aware that there are—

Senator ALLISON—What is that program?

Prof. Elkins—It is the Bachelor of Education program at the University of Queensland.

Senator ALLISON—Is that an undergraduate program?

Prof. Elkins—We have an undergraduate entry and we also have a graduate entry, so there are two versions of it. The first one is four years long and the other one, if people have another degree, is two years long. It is almost inevitable that the reality of responding to the differences in students is something that the preservice student does not really grasp. I believe that they will

all need more help, but at the moment there are no ways in which the skills of the teaching force must be upgraded. In Queensland, where you have teacher registration, you are registered as a teacher after your preservice program. There really is nothing that requires a teacher to demonstrate increased knowledge skill et cetera. That is not to say that lots of professional development does not happen, and a lot of teachers of their own accord go about getting extra knowledge. But the reality is that some things, such as teaching the hard to teach kids, do not make a lot of sense in the undergraduate program. Undergraduate teachers are just not experienced enough; they have not wrestled with these kids enough. One of the things that I argue is that, as it is true in a number of other places in the world and as it is true in other professions in Australia, one's registration ought to be conditional upon meeting some quantum of professional development upgrading.

Senator ALLISON—To what extent should that be determined by state or Commonwealth bodies? In other words, should there be a grand plan which says, 'At least a third of our teachers need to do special education and another third ought to be focusing on something else'? It seems to me that postgraduate courses and education choices are very idiosyncratic. Given that we do not sufficiently reward teachers who do serious postgraduate work—that is, we do not give them any more money and often they have to do the work in their own time and that sort of thing—it seems to me that we have not got a vision or a strategy in place for improving the skills of our teachers.

Prof. Elkins—I agree with you. I am not sure that I would want a rigid plan imposed, but I would like a plan that involved employers and what they recognised as needs et cetera. Boards like the Board of Teacher Registration here in Queensland are the sorts of people who could contribute to the development of a plan such as that, which would give us an up-to-date profession as distinct from one that is possibly not, particularly given that many teachers, being women, have a period away from the classroom—and in many cases when they come back they get no additional support and have to update themselves or perhaps do not update themselves.

Dr van Kraayenoord—Just to pick up on the issue of dealing with learning difficulties, the other thing that is happening as a consequence of teachers not having sufficient skills or not being required to update their skills is that they are saying, 'The only way we can survive in the classroom is if you give us support in the form of, for example, a teacher aide.' Then a teacher aide, who is probably even less qualified than the classroom teacher, comes and supports the child. As our findings have shown, we are very concerned about the number of our hardest to teach children getting the bulk of their instruction from a teacher aide, a parent volunteer or somebody else. I am not wanting to bash or criticise the role of volunteers, parent helpers or teacher aides, but they are not bringing expertise. That is another area where there needs to be a lot of work done. There also needs to be a reorientation of thinking so that principals—I mean the principals themselves and the administration—recognise that you really need to provide these hardest to teach children with the most qualified staff. In relation to your terms of reference, one concept that John and I have talked about is flying squads for rural and regional children. John, do you want to talk about that?

Prof. Elkins—We exist in a resource limited environment, so the question is: how do we get the support that teachers need to the ones in greatest need? At the moment, we have not developed a plan for doing that. It will not be easy, but if we do not have enough money to have perfection then we have to be strategic about the way that we bring that support. The notion of

flying squads, in a sense, means doing the professional development in that school or classroom, helping those people function and then moving on.

Dr van Kraayenoord—That would be on the basis of a particular need that they have identified or children that they have identified. We are often called on to do this. For example, this weekend my colleague is flying to Longreach, where we know of two or three children with Down's syndrome whose teachers do not have any support. She is meeting with them in particular. They rang us up and told us this and by chance, because of her husband's business interests, she and her husband were going to Longreach. During the weekend she will meet with some classroom teachers to work with them in regard to three particular children. It is that kind of notion that we are talking about.

Senator ALLISON—I want to ask one other question, although I know I am going on a bit. We talked about resources—they are not endless. We talk a lot about teachers having to teach to individual students but we have still got the same number of kids in a classroom. Is it your view that we need to reduce class sizes in order to allow teachers to fulfil that promise of teaching to every student's capacity?

Dr van Kraayenoord—I do not know if you can. I believe that there is some research evidence to suggest that smaller class sizes do help support children. But I am not sure that that is entirely realistic, because it is almost impossible to imagine the research figure for the recommended number of children ever being able to be achieved. If you look at the American research, the figure is roughly 18 to 20 children—or between 15 and 18 children if you are looking at the Kentucky data or whatever. I think the cost to the public purse would just be too great. I do not think that that should be an excuse for not doing good things in terms of classroom facilities, material resources, teacher pedagogy, assessment and those kinds of things. It would be wonderful, and I think that where we can have smaller classes in the first years of schooling that is terrific and we should really go for it. But the reality is that we are not going to get that.

Senator TIERNEY—The Schonell centre and the University of Queensland have a world leading reputation in special education. Historically, academics like writing things, professors particularly, so I wonder why you did not put in a written submission.

Prof. Elkins—We have something prepared and it has been left behind. It will be supplied post haste.

Senator TIERNEY—So you do have a written submission.

Prof. Elkins—The other thing that we might say is that professors are noted for being absentminded so perhaps that is an explanation. It will be in the mail, as they say, when we get back to the office this afternoon.

Senator TIERNEY—Professor, I suppose the most disturbing thing you have said this afternoon relates to the applicability of material about special education to teaching undergraduates. I found that curious. We have had special education courses for undergraduates for some time. We certainly do not take that view in teaching our doctors. We do not say, 'The procedure is a bit difficult. I am not going to teach you anything about it before you get out—you will have to

learn it all on the job.’ I find it curious that you do not think there is some body of pedagogy that will give them some assistance when they get out into the classroom.

Prof. Elkins—I do not think that is what I intended to imply. I intended to imply that the receptivity to these very high level skills is much less in an undergraduate who has not been facing a class of students five days a week. There is a big difference between a person who has done some teaching practice and a person who has been teaching for a few years. I fully support the notion of including material in undergraduate programs that relates to teaching students with disabilities and learning difficulties.

Dr van Kraayenoord—And we do that.

Prof. Elkins—We do that, but we also know that it is constrained by two things. One is that we do not know very much about what practice teaching experiences they are going to get. In many cases, it is hard for them to apply this knowledge, because their main concerns when they go out on teaching practice are things like classroom management, discipline and being able to express ideas clearly to students. Being able to do that for the diversity of children is a pretty tall order for an undergraduate, so I do not think we can expect to get the results we need if our only strategy is preservice education.

Senator TIERNEY—In Queensland, what length of preservice training do classroom teachers receive in this area? I am not talking about people who are training as special education teachers.

Prof. Elkins—In our graduate entry program, the students do one complete subject, which is really a case study of a student with special needs. They do it right at the end of their program. We define ‘special needs’ a bit more broadly than disability—it might refer to ESL or to an Indigenous student, but most of them are students with learning difficulties.

Senator TIERNEY—How many hours do they spend on special education?

Prof. Elkins—Roughly three hours a week for a semester. It is roughly the equivalent of an ordinary subject.

Dr van Kraayenoord—However, we do have courses that the students will pick up that look at diversity. Rather than having separate courses, they are integrated throughout the program. Students do meet those courses throughout their degree and they have an awareness of and are confronted with issues which relate to students with diverse needs, so that they do think about how to accommodate and how to adapt the instruction. But it is not a set course.

Senator TIERNEY—You hope that happens, I assume.

Dr van Kraayenoord—We have done some examination of our courses in order to know that that is true, in the same way that we have in relationship to literacy and how literacy gets permeated through our courses and degrees.

Senator TIERNEY—Regarding the course that you said took about three hours per week for one semester, is that a course relating to children with disabilities or to atypical children? Do gifted and talented students come into that?

Prof. Elkins—It does not usually relate to gifted and talented students but it is about atypical students. The scope of the program I am referring to is broader than students with disabilities—it includes students with special educational needs. In many respects, the special educational needs of a student who has limited English proficiency or who comes from a prejudicial set of societal or home background circumstances are not very different from those of a student with disabilities. It is a matter of the teacher having the ability to identify what is causing blockages for the student and having the creativity to find ways through those.

Dr van Kraayenoord—We also have an introduction to special education course, which many teachers in the graduate program take. However, that is an elective. Most of them do take it because they know that in order to be registered in the state of New South Wales you must have taken at least one course about children with diverse needs. Therefore, many of those who are trying to maximise their teaching opportunities will take that course.

Senator TIERNEY—What about other universities in Queensland? Do they all take your approach or do some universities have teacher preparation courses where this is not a compulsory element of the course?

Prof. Elkins—It is hard to be sure of the answer to that question. My guess is that some teachers who train for rather specialised roles like teaching music or art or physical education—although they do a pretty good job with physical education—are the ones who are most likely not to get it.

Senator TIERNEY—The secondary teachers?

Prof. Elkins—Some secondary teachers.

Senator TIERNEY—So they arrive at the schools, and you mentioned that it is better that they pick up a lot of this pedagogy when they are actually wrestling with the problems: what is your view about the way this is approached in-service in Queensland? What level of in-service training relating to the teaching of children with disabilities are teachers likely to receive?

Prof. Elkins—I think it is rather catch-as-catch-can.

Senator TIERNEY—Do you mean it is sporadic, patchy and very light?

Prof. Elkins—It is sporadic and patchy. In some cases it is of very high quality and in other cases it may be totally absent.

Senator TIERNEY—But there would be a large body of teachers who would not come across any in-service training?

Prof. Elkins—I think so. The national professional development situation these days is that employers do not provide a lot of training and when they do they are very much targeting what they do and the responsibility is really left to the individual teacher. As was mentioned, there are very few pay-offs for that extra effort.

Senator TIERNEY—So we have a work force of teachers who get a small amount of preservice training—maybe— and probably no in-service training; they come into a situation where, on average percentages, they have at least one child with a disability in each class; you say, Dr van Kraayenoord, that teacher practices make all the difference: how on earth do they pick up the necessary skills? Take the primary school situation, where they might be in isolated classrooms. How do they pick the skills up?

Prof. Elkins—We know there are ways to do it. Whether that happens is very difficult to tell.

Senator TIERNEY—That is really what we are interested in: what is happening?

Prof. Elkins—It is in the hands of school principals at the moment. Such moneys as the government provides for professional development is largely in the hands of the schools to deal with, so it depends on what a particular school decides the money should be spent on—and possibly the principal is an important person in that. At the moment there is a lot of interest in literacy and a bit of interest in numeracy.

Dr van Kraayenoord—Technology is another one.

Prof. Elkins—And technology.

Senator TIERNEY—I put it to you that, if the principal of a school decided to put all the money for in-service training into disabilities, it still would be nowhere near adequate given the level of funding that is provided to teachers. Would that be a fair assessment of what is happening in Queensland?

Prof. Elkins—I do not think I am close enough to the situation to know what the answer is.

Senator TIERNEY—You made a statement that one of the ways it could be handled in schools is by giving the best teachers to the hardest to teach. From my experience of schools, it actually works the other way around. I suppose the argument could also be made that the gifted should get the best teachers as well. Do you really think that is a practical strategy?

Dr van Kraayenoord—No, I was talking about when you were providing additional support or intervention. The reality is that it would not be possible, in the course of running a school and normal timetabling, to organise in that way. My reference was only to where additional support or intervention is given—then we should make sure that those children are getting the best trained teachers.

Senator TIERNEY—From my recollection, Fred Schonell received his recognition for the testing and identification of children with disabilities. Given that you are painting a fairly bleak picture of the skills of teachers in classrooms, how on earth can teachers identify children with

disabilities, including some who are not quite so obvious, if they do not understand disabilities and get very little training in identifying children with disabilities?

Prof. Elkins—There are about 1,000 support teachers in Queensland—about 300-plus in high schools, which is not enough, and nearly 700 in primary schools. One of their roles ought to be to work cooperatively with teachers to develop teachers' skills. Teachers have been given a lot of help around the year 2 level, through the year 2 diagnostic net. So there are some areas where things are quite good, but there are other areas—upper primary school and secondary school—where there has been no comparable delivery of knowledge in the assessment area.

Senator TIERNEY—For the last 10 or 15 years, the philosophy of integration has been predominant in schooling. We had a parent advocacy group here this morning saying that all children should be integrated, and I questioned them on this in terms of autistic children, for example, and they said, 'Yes, they should be integrated as well.' The key question is: what are the practical limits to integration in classrooms? We did have the view that we should integrate everyone; I just wonder what your view on that is.

Prof. Elkins—It would be possible, but an awful lot of things would have to work properly for that to be true.

Senator TIERNEY—Such as?

Prof. Elkins—A complete reorienting of education, from a system in which children are expected to fit what is offered to one where the education system was designed to fit each and every child. That is what it would require, and we are somewhere in between.

Senator TIERNEY—Do you think that is a realistic objective?

Prof. Elkins—Asking whether it is realistic is different to asking whether it is possible. There are places in the world that have reportedly gone completely to an inclusive operation. It is said that Italy did it some 10 or 15 years ago. I have never been to Italy to look, so I am not certain what it meant there. Some states and some school districts in the United States claim they have done this and that it is working very well.

Senator TIERNEY—Should the parents be left with the choice of saying, 'I want my child integrated in this classroom,' or 'I want my child in a special school'? Should it be the right of parents to make that decision?

Prof. Elkins—While it is very useful to think about this in terms of rights, it is not the most productive way of thinking about it. If it is to work well, the parents of all the other children in the school have to share the vision. So I am not sure that the answer is always to say that the student has a right to be there and that is the end of it; the student is there—live with it. I do not think that is what inclusive education is. Inclusive education is about a view of society generally and of the school as a microcosm of society that believes that all children ought to be interacting with one another. Ultimately, children who do not have disabilities, who do not have friends with disabilities and who do not understand what disability is are being restricted as well.

Senator TIERNEY—But, if on the ground that interaction is creating very negative outcomes for that child, should the parent, having tried that and found that their child is miserable and not learning anything in that situation, have the right to say, ‘This is not working. I want to send my child to a special school.’

Dr van Kraayenoord—I do not think it is a question of rights; it is a question of going back to look at what is happening in that school to create a situation where a child is so miserable. It would suggest to me that there is something going on in that school that has not embraced the view of inclusion.

Senator TIERNEY—That could well be. Are you then assuming that the authorities in a school can change that culture? What if they cannot? I suggest to you that that is the most likely outcome in that case.

Prof. Elkins—Part of the problem is that we are not designing the world from scratch. We live in a historical context. We had a period where kids with disabilities did not go to school and they were hidden. Then we had a period of special schools. That created certain assumptions in the community as a whole that special schools were the right thing, that the best thing for kids with disabilities was to have them go to special schools. Now we are moving towards another vision, but the reality is that it is not cut and dried.

Senator TIERNEY—Do you believe there is a place for special schools in the system—for disabilities?

Prof. Elkins—I would say that for the time being this is inevitable, because this is what we are moving from. I think it would be extremely difficult, unless the values of Australian society supported it, to close down all special schools.

Senator TIERNEY—But, judging from the way you are now drawing out the argument, your vision seems to be the same as that of the group we met this morning: you really feel we should not have separate schools at all.

Prof. Elkins—In the best of all possible worlds, that is probably true, although I am not sure that there is not room for certain specialised things, like intensive language development for young children. I think in the early childhood area there may be a justification for targeted sorts of things.

Senator TIERNEY—Finally, as we do live in the real world and given what a philosophy and broad approach of inclusion has delivered over the last 10 to 15 years and how grossly inadequately resourced it is in terms of support, how realistic do you think it is that such an approach could become a reality?

Dr van Kraayenoord—I think your statement is perhaps not quite accurate. I do not think we have been working for 10 to 15 years and having a delivery of integration. I do not think that has been happening.

Senator TIERNEY—No, but that has been the philosophical direction.

Dr van Kraayenoord—We are coming towards it.

Senator TIERNEY—Yes, exactly. I am not saying it has been there for 10 or 15 years.

Senator ALLISON—In some of the material you have provided to the secretariat about your work on research, it is interesting that you see the link between poverty and disability and that in some respects this can be explained by alcoholism and its common association with poverty—I hope that is correct. It has also been suggested that we are not reducing the number of children who are born disabled. Is there an increase, in the research you have seen? Can we find the causes of that? Is there a paper you have produced that might help us understand this?

Prof. Elkins—Not really but, providing that public health is of high quality, we should not be increasing the numbers of students with major disabilities. But we are clearly having a blow-out in that grey area of ADHD and, to some extent, autistic spectrum disorder. It is very difficult to tell whether this is due to a real increase in prevalence or to an improved sensitivity to the existence of these children. I do not know the answer.

Dr van Kraayenoord—And I think the issue of poverty and disability is one that is an ongoing thing in particular groups. For example, among children in Aboriginal groups where there are continued poor levels of health, you will get an increase in things like hearing impairment and vision impairment. We have good data on that. There is information about that, and that will be continuing, I imagine.

Senator ALLISON—What about drug abuse? Is that also producing some side effects of this sort?

Dr van Kraayenoord—There is no Australia data that I am aware of.

Prof. Elkins—That is moving out of my field of competence, I think.

CHAIR—Thank you.

[2.25 p.m.]

EGAN, Ms Susan Wendy, Executive Officer, Physical Disability Council of Australia

CHAIR—Welcome. The committee has before it submission No. 112. Are there any changes or corrections that you wish to make to that submission?

Ms Egan—No. I have an additional statement.

CHAIR—The committee would prefer all evidence to be given in public, although the committee will also consider any request for all or part of your evidence to be given in camera. However, I point out that such evidence may subsequently be made public by order of the Senate. I now invite you to make a brief opening statement.

Ms Egan—Thank you for inviting me here this afternoon. The initial submission was put in from the Physical Disability Council of Australia, as you are aware. I am also the convener of the Disability Discrimination Act—DDA—standards project, which is responsible for the education standard that has been developed.

CHAIR—Is that the MCEETYA science group?

Ms Egan—Yes. I come from the perspective of the consumer push rather than from government push. As the convener of that project and as the executive officer of the Physical Disability Council of Australia, we would like to say that we were extremely disappointed to see that the standard was referred to yet another task force for further work, especially since we understand that the advice that was received from the Commonwealth Deputy Chief Counsel should have allayed any fears about the actual draft standard exceeding the legislation. That is all I need to say.

CHAIR—You referred to the Commonwealth legal advice. Do you have a copy of that?

Ms Egan—Not with me, no.

CHAIR—Could you get a copy for us?

Ms Egan—Yes.

CHAIR—Thank you. I am particularly interested in your opinion as to why the work of the task force was referred back again.

Ms Egan—My understanding—I am not the expert on this; I can, however, find the information that you would need to verify this—is that the education minister in New South Wales was concerned that the draft standard exceeded the legislation, the DDA itself. I understand that those fears should have been, in a letter prior to the meeting in Auckland, allayed by both the Human Rights and Equal Opportunity Commission and the Commonwealth

Deputy Chief Counsel, who apparently sent a letter to all the members of that particular MCEETYA task force.

CHAIR—Did the working group you were on ever see this letter?

Ms Egan—Yes, I believe it has.

CHAIR—Have you personally seen the letter?

Ms Egan—Yes. I have seen all the information that was tabled. I understand that it was very difficult to get that information and a lot of pressure had to be applied, and it was very last minute—within 24 hours of the Auckland meeting.

CHAIR—Right on the eve of the meeting in effect. Are you satisfied with the explanation given by the New South Wales representatives as to why the protocols should not have been signed off at that time?

Ms Egan—It is not about my personal satisfaction. As the convenor of the project I can say that the project team is not satisfied.

CHAIR—I appreciate that. You have an area of expertise or I would have thought you would develop a level of expertise as the chairperson. How long have you been working in that capacity?

Ms Egan—As the convenor for about two years and as the deputy convenor for about two years prior to that.

CHAIR—You have been with the project for almost its entire duration?

Ms Egan—No, not quite its entire duration.

CHAIR—No, it is a five-year project and you have been there for four years. That is a reasonable length of time to get an assessment of how it is going. Do you think that it is possible the matter will be signed off in December?

Ms Egan—No.

CHAIR—Why not?

Ms Egan—There is too much resistance. It is a very similar process to that which has happened in the past with the transport standard. There are a lot of blockages along the way and reasons are found along the way to stall the whole process because it is deemed that inclusive education is too expensive.

CHAIR—Do you see it as a question of cost rather than legal interpretation?

Ms Egan—Yes, I do. That is what is actually being tabled. It is too costly.

CHAIR—When do you think this matter will be resolved?

Ms Egan—I understand that in December the work that the project was referred to do has to be tabled again. It has to be completed by December, so I would assume that it would be looked at once again. But I think that there will be other issues that will probably arise.

CHAIR—You think that another delay will emerge shortly before the meeting?

Ms Egan—Yes.

CHAIR—Do you have any expectation of how long this piece of string might be?

Ms Egan—This system is much more complex than the transport standard and the transport standard is in parliament at the moment after eight years. This is a baby compared to the transport standard.

CHAIR—Is your group prepared to recommend a legislative response from the Commonwealth?

Ms Egan—Yes.

CHAIR—Have you done that?

Ms Egan—No, not yet. We have been lobbying all the ministers and senators to get support for the education standard. While most of the state based ministers of education will say that they support in principle the DDA legislation and the DDA standard, when it comes to sitting at the table and talking about the cost factors, that is the difficulty.

Senator ALLISON—What are the cost factors? Are amounts of money thrown around?

Ms Egan—I do not know the exact figures—I would have to find that out for you—but it is institutional reform in terms of teaching programs. The curriculum would have to be changed to cater for kids with disabilities, and there are infrastructure changes for many of the schools and universities and so on. Changes to the infrastructure alone would cost a great deal. The infrastructure to schools comes under the access to premises standard, which is simultaneously being considered, and that one has not got as far as this. There are all of those issues to take into account when you are talking about education of children with disabilities. The whole factor of education has been put into the ‘too costly to do this’ basket.

CHAIR—The following motion was carried:

The ministers have expressed concern over the delay in finalising the draft standards—

well they might; according to you, they are responsible for the delay—

agreeing that outstanding legal and financial issues be further addressed by December 2002 prior to the introduction of the legislative amendments to the Disability Discrimination Act, if necessary, and to the implementation of the standards in urging all jurisdictions to work cooperatively in this manner.

Is this all sophistry? Are you aware of the nature of these proposed legislative amendments to the DDA?

Ms Egan—If they are referring to the legislation that has to be in place in the DDA itself to allow for the standard to be accepted, then, yes, I do know. But I am not sure what other legislation they would be referring to in that statement. That had to be done for the transport standard: there had to be a change to the DDA itself so that the transport standard could become enshrined under the DDA.

CHAIR—Do you think there is any reason for concern that there may be a watering down of the standards?

Ms Egan—Absolutely, yes.

CHAIR—Why do you say that?

Ms Egan—It is the history. The history that comes from the disability sector itself shows that it starts with a very strong position in terms of the draft standard. It does not matter which standard it is; we start with a very strong position and consistently over a period of years it is then watered down because it is all too hard to do, it is too expensive, it is not possible, they are not willing to do it and so on. At the end of the day you get a standard, or a piece of legislation or a policy—no matter what it is—that is not as strong as it was intended to be in the initial stages. So, yes, I do think that the education standard would be watered down.

CHAIR—This is very disturbing evidence that you are providing to the committee, and I thank you very much.

Senator ALLISON—I think this is the most important thing you could have told us, somehow.

CHAIR—Yes, it is extraordinary. The reason we are so struck by your evidence—speaking for myself, I have been of the view that that fact was likely to be the outcome. You are the chairperson of the working group, and if anyone were to be close to it I would presume that person would, arguably, be you. Has any work been done with advocacy groups about these issues?

Ms Egan—Yes, always. Nothing is done within the standard process in isolation, because it is a federally funded project. Part of the contract is a requirement that you consult with the disability sector; that is part and parcel of the contract and how we work. So all the work that is done by the DDA standards project is done in consultation with the disability sector, which goes across all disabilities.

CHAIR—Have your views been made known to the Commonwealth Department of Education, Science and Training?

Ms Egan—Yes. We have had three representatives sitting at the table during the MCEETYA task force process in getting to this point. We have had representatives sitting at the table negotiating with all of the other ministers since its inception.

CHAIR—Is there any difference in your assessment from those other Commonwealth representatives?

Ms Egan—No, the issue is the same. The position of the project has been fairly consistent over that period of time, but the position that comes from the state ministers is that of reluctance. There has been some embracing by Tasmania, I understand, which I am led to believe has a very good system of inclusion. But New South Wales has been one of the stumbling blocks, and I think it is matched with another state—which one escapes me at the moment—that is equally unhappy with the whole process. I think they would prefer to abandon the standard, which was done with the employment standard.

CHAIR—Just abandoned?

Ms Egan—Yes, it was too hard.

Senator ALLISON—What opportunities are there for hiving off the expensive bits, such as physical access?

Ms Egan—Physical access is in fact hived off, as you call it; it will come under the access to premises standard. It was established approximately two years ago that that fell under the jurisdiction of a different standard. A letter was sent to the MCEETYA task force asking whether they felt that it should be brought up under the education standard. MCEETYA said, 'No, we feel this should be an access to premises standard.' So that finalised things and made it black and white, and it will be looked at in the course of events. The access to premises standard is not far enough along yet to be integrating closely with the education standard. The education standard has to simply look at the curriculum and the way that people are included and so on, and I am not sure that you can break that down into different tasks. It is not like the transport standard, for instance, where you could take away the school buses and look at that separately or the smaller marine craft and look at that separately. Education is a fairly inclusive process, and I am not sure which parts of it you could take out and look at separately.

CHAIR—What would you like to see this committee recommend in this matter?

Ms Egan—Is this a wish list?

CHAIR—No. I am genuinely seeking your advice on what you think would be an appropriate recommendation.

Ms Egan—Seriously, the future of Australia is in inclusive education. It has to be inclusive. If the government is serious about mutual obligation, it has to start at the very beginning where children are educated, because children with disabilities grow through society and learn to participate in society. If the children are always being told that it costs too much money to educate them the right way, then you get children who will remain on benefits or the equivalent for life.

CHAIR—Access to buildings is an issue that you have raised. The number of educational institutions that do not have ramps are few and far between, aren't they?

Ms Egan—I have been through the university system and it is not good.

CHAIR—But would any of the ramps have been put in schools if it had been left to the states to do that without some sort of outside encouragement?

Ms Egan—Occasionally you will get a student with a disability and the parents will negotiate with the school for that child to be enrolled. The school may do something through P&C funds or things like that. I do not believe that that should be the way it has to be done. Parents should be able to approach a school and enrol their child in the same way that a child without a disability is enrolled. It is the responsibility of all of Australia to make room for its citizens.

CHAIR—Who should pay for this? It is a reasonable question.

Ms Egan—It should be a combined education and government approach. It is the whole thing. It is the same as if you are talking about this building and that access should have been provided for it, which it was.

CHAIR—If it is a new building, you expect it to be provided.

Ms Egan—That is right.

CHAIR—Has the Commonwealth got an obligation to put its money where its mouth is?

Ms Egan—I certainly think so. It is their legislation. Otherwise it is rhetoric.

CHAIR—Are you also suggesting, along that line of thought, that to break this deadlock—which you are putting to us could continue for some time—the Commonwealth needs to intervene? Does it also need to be able to put some money on the table?

Ms Egan—I think so. I think the Commonwealth is aware, through the federal Attorney-General's Department at least, that it is necessary to put money in to implement some things in the initial stages, until such time as it becomes part and parcel of society and happens automatically.

CHAIR—Thank you very much for your evidence today. We may be back to get further clarification.

Ms Egan—Do you want me to send that information to you?

CHAIR—Yes, I do, along with anything else you have on this matter. That would be very useful to us. It is clearly a critical issue in the inquiry.

[2.48 p.m.]

KNIGHT, Ms Karen, Board Member, Blind Citizens Australia

CHAIR—I welcome Ms Karen Knight, representing Blind Citizens Australia. The committee has before it submission no. 55. Are there any changes or corrections that you would like to make to it?

Ms Knight—No, thanks.

CHAIR—The committee would prefer all evidence to be given in public, although the committee would also consider any request for all or part of your evidence to be given confidentially. However, I point out that such evidence may subsequently be made public by order of the Senate. I now invite you to make a brief opening statement.

Ms Knight—Blind Citizens Australia appreciates this opportunity to provide verbal evidence to the committee. It is our experience that the community generally has a poor understanding of the impact of inaccessible education practices on students who are blind or vision impaired. This has been reflected in some of the evidence presented to this committee. Students who are blind struggle to cope with the demands of an education system which is organised around the visual provision of information. Since the introduction of the DDA in 1992, there has been some improvement in the responsiveness of the education system. However, students are still routinely expected to spend substantial amounts of their time and energy compensating for the provision of information in an accessible format.

Decisions that may seem small to educators can have an amplified impact on a student's capacity to learn and their access to a quality education. For example, a decision to provide a handout containing complex information in electronic format rather than in braille can mean that a student spends hours brailleing it by hand. This is not time spent studying; it is time spent preparing to study. Blind students' valuable remaining vision is being put at risk by educators who provide reading materials in inappropriate formats, sometimes out of ignorance but often because it is the cheapest option. Students are still expected to personally negotiate with each and every teacher about their needs, badgering lecturers for advance copies of reading lists, chasing up teachers who repeatedly forget to put handouts on disks, searching for textbooks in alternate formats. This is happening in each subject year after year.

Blind students are stressed and fatigued and they are tired of being told that the solution is for them to show more initiative and independence. They are also tired of being told that they cannot, like any other student, change their minds about what subjects they would like to study. Associate Professor Marsha Durham, Dean of Students at the University of Western Sydney, called for systemic reform to make the education system more responsive to the needs of people who are blind. We support this and call on the committee to recognise the value of an education system based on the concept of universal design: that is, a system where services and materials are designed to be useable by the greatest number of people, without the need for modification. A system based on this concept would be better able to accommodate the occasional hiccup—for example, a lecturer changing the required reading or a student changing subjects.

Systemic change such as this will require increased funding to education providers, at least in the short term. Since the introduction of the DDA, real funding to universities has fallen. This has meant that, at the same time that universities began to be held accountable for failing to meet the needs of blind students, the funding they needed to provide this support diminished. It is true that universities are responsible for meeting their students' disability related support needs. However, the federal government also has a responsibility to provide an adequate level of resources to allow universities to meet their obligations to all students.

A fundamental re-evaluation of what it costs to provide education must be undertaken. In the past the cost of education was artificially lowered by exclusive practices that restricted the access of a significant proportion of the population to education services and by a reliance on charities to meet some of the funding shortfall. This is no longer good enough. The education of students who are blind cannot be left to charities. Our public funding to schools, TAFEs and universities must acknowledge the reality that, at least in the short term, it will cost more to meet the requirements and the spirit of the DDA. This, not the previous artificially low level of funding, is the real cost of providing education services in Australia.

Another essential first step is introducing legislation similar to the legislation relating to the accessibility of instructional materials that was introduced in the United States by congress this year. The subcommittee has already heard evidence from the National Information Library Service about how similar legislation introduced in Australia could dramatically improve the capacity of producers of alternate materials to provide materials in a timely fashion. We urge you to consider recommendations that legislation be introduced that requires publishers to provide to a central body suitably formatted electronic copies of texts published in Australia. Even if these measures are introduced, students who are blind will need access to skilled specialist teachers. The shortage of teachers skilled in braille, particularly in the codes used for music, maths and science, is an area requiring urgent attention from this committee.

Finally, the subcommittee has heard evidence about the difficulties people who are blind experience gaining practical work experience and finding part-time employment while studying. Blind Citizens Australia used to offer an employee information service, a national mentoring program that matched people who were blind and who had skills and work experience in particular areas with people who were blind and who were seeking to gain skills or employment in that area. The program was highly successful, but unfortunately it did not receive ongoing funding and had to be abandoned. We recommend that the committee give consideration to recommending that this program be refunded.

CHAIR—Thank you very much for that.

Ms Knight—I have brought my laptop along to give you a very quick demonstration of how JAWS works. You have probably heard about this software in many of your presentations.

The software was then demonstrated—

Senator ALLISON—Do you get sick of the monotone voice?

Ms Knight—Particularly if the documents are long, you get very sick of it. You drift off, and your concentration is limited. It is a sad, tired computer and it takes a while.

CHAIR—What does it cost you to purchase this equipment?

Ms Knight—The program for the speech that you hear—depending on exchange rates—costs about \$1,700. This laptop was about \$3,500 a couple of years ago.

Senator ALLISON—So you can put this program on a regular laptop; it does not need to be put on special equipment?

Ms Knight—That is right. Then you need a fair bit of support to learn how to use it. It is booting up now. So people with some vision often use a program that is related to this called ZoomText which makes everything on the screen much larger. People with no vision would use something like this one. I will quickly open up this file and show you how it would read.

CHAIR—Have you modified this computer, or is this a specially designed piece of hardware?

Ms Knight—No, this is just a normal Toshiba laptop, and they loaded the specialist software on it for me.

CHAIR—I see that you have modified the keys.

Ms Knight—Sometimes in the packet you get little dots that you can use to help guide you. I have put the little dots on things like the ‘f’ and the ‘j’ so that when I am typing I can get my fingers on the home keys quickly. Also, I use the dots on the up and down arrows and on things that I would use frequently.

Senator ALLISON—There is now text up on the screen.

Ms Knight—Yes. Then you can master the features of the normal word processing program. It is called JFW—JAWS for Windows, and ‘JAWS’ stands for job access with speech. But having something like JAWS takes a lot more memory on your computer, so you have to make sure that there is ample memory for whatever you need. Often things like laptops, as you know, cannot readily be upgraded, so their life is limited.

Senator ALLISON—That program reads any document you put onto the computer, obviously.

Ms Knight—It does, but anything with any diagrams it won’t read of course. The program has some problems with some formats like PDF—it won’t read those files—so you have to convert those kinds of things. Generally speaking, yes, it does.

CHAIR—Thank you. We will now go back to our places.

Senator ALLISON—Can I start with your recommendation that the government work with the ABS and the Institute of Health and Welfare to obtain accurate data on the incidence of blindness and vision impairment. What is missing from the data at present? Why is this information not already collected and available?

Ms Knight—There are a few reasons. A lot of the time people who are blind or vision impaired do not identify as such. They may not identify with that very readily during their education and it may only come out later on. So, when funding formulas and things are worked out, they do not compensate the needs of those people. Secondly, there are certain benefits for people in terms of government support, but because there are so many conditions that can lead to deteriorating vision often there is no awareness out there that it is worth identifying.

Senator ALLISON—Your submission goes into the question of availability of braille and shortage of brailers and braille experts generally. Do you have any views about why people are not moving into this field?

Ms Knight—It is quite complex and there are a number of reasons. Firstly, those who are likely to be teaching braille to children obviously need to know the code well themselves. While there are opportunities for teachers to learn those things at college, they may not necessarily automatically get to use them when they get into the workplace. It depends on the student load they get—it may not be appropriate for their particular students to learn braille. You often find that a number of years elapses between training as a teacher and having to teach braille, so teachers may feel a bit reticent about it. Sometimes, in the primary and secondary school areas, parents do not necessarily want their children to learn braille.

Senator ALLISON—Are we talking here about mainstream schools or teachers who are teaching children with vision impairment in the first place? Are these the teachers you are referring to?

Ms Knight—I am referring to the specialist teachers—the ones who go into the mainstream schools to teach braille because the teachers in the mainstream schools do not have any knowledge of braille at all. And that is another thing: in mainstream schools, if a child can cope in any way with large print or any other format then that is preferred, because the classroom teacher has much more ready access to what the child is learning. We have found it to be very often the case that, as the students get older, they lose residual vision, and so even if they could read quite large print before they no longer can and they become functionally illiterate. As the statement that I just read mentioned, there are specialist braille codes. There are few people that know them, can teach them well and transcribe them. There are a lot of factors that deter people from learning braille. But, from my personal experience, this is the format that really enables you to have the best education that you can have, because you are actually reading things yourself. Although you might listen to a tape or you might listen to a computer, there is nothing like reading something yourself.

Senator ALLISON—One of the central themes in our inquiry has been segregated learning for students with disabilities of various sorts. Is it the view of your organisation that there is a place for special education for blind students?

Ms Knight—We look at integrated education favourably, but we believe that the mechanisms must be there to support blind people in gaining specialist skills. We argue that a blindness-specific curriculum has to be built into the main curriculum. That might be done by taking the students out for a certain amount of time per week or a week every semester or something like that to learn skills in the ways that are going to be best for a blind person. These could include honing braille skills or orientation and mobility—learning to use a cane and move around in the

environment confidently—or other activities in daily living. These are not things that you can get in a regular school. We really believe that, for people to lead lives that are productive and well integrated later on and where they can participate to an optimal level later down the track, it is very important that they get access to a blindness-specific curriculum.

Senator ALLISON—The subcommittee has heard a lot of evidence about tertiary students and students at TAFE colleges and the like having difficulty accessing notes in advance so that they can get them translated into braille, but it has not heard a great deal about what goes on in schools. Are all texts available to blind students in primary and secondary schools or what needs to be done to make them so?

Ms Knight—A lot of textbooks are not available. Many issues at tertiary level apply to primary and secondary schools. It varies a bit from state to state in terms of the mechanisms that are supported to help that happen in the school context. Often it comes down to support teachers—like the visiting teacher service—rushing in to do what they can at the last minute to get something ready. It comes down to parents supporting their children by reading something onto tape or brailleing it. Often there are not a lot of materials available so there is a lot of ad hoc production of them.

Senator ALLISON—So in a typical secondary school if a blind person comes in at year 7 doesn't that give the school notice that for the next six years that student is going to need text in braille? What typically happens? Other students go off and get their booklists and buy their texts, but what happens for the blind student?

Ms Knight—That information would be made available to the resource centre in that particular area. Some of them are state-wide resource centres. They then do what they can to produce that material but sometimes it is not done on time. They obviously search around to see if it has been done before and if it has then that is a bonus. They try to liaise with the teacher about the order in which the teacher is going to move through the text—whether it is going to be sequential or whether they will jump from one place to another—then they try to meet those needs as appropriate by doing certain chapters before others. Although, technically speaking, they should know that for the next few years they will have someone to cater for, it does not tend to happen like that. Certainly as technology has improved some things have improved but, while things occur much more quickly than they used to, it still means that students are sometimes getting material that is not of the highest quality.

Senator ALLISON—What about written work such as assignments and the like? How does a blind student submit work to a teacher who does not read braille?

Ms Knight—They have a couple of options. They can use technology so that when they braille something it prints out for the teacher to read. They often use some very old technology called the Perkins braille and they do it in double spacing so that the specialist support teacher has to get the exam paper or assignment and write underneath it—and that takes time—and then give it to the classroom teacher to correct. It depends upon the format that the student chooses to use. It depends on how they do it. Sometimes they do it using tape, sometimes they do it using a computer and sometimes it is a combination depending upon the subject, the material and the student's skill in using those particular formats. We often find that not enough notice is taken of the need for extra time to do exams and things like that. It is very important to give a student

extra time to read and to comprehend what they have to do and to then use the particular technology or the format that they need to answer questions.

Senator ALLISON—One of your recommendations is that the Commonwealth, together with Blind Citizens Australia, develop ‘national standard core competencies’ for tertiary disability support staff or DLOs. In your experience, do these DLOs tend to specialise in tertiary institutions so that you do get specialisation or should all DLOs have some grasp of how to help a blind student?

Ms Knight—I think that all DLOs should have a grasp, because, depending upon the institution, there may only be one or two of them and they do not really have the option of specialising. I think that each DLO should have at least an understanding of what needs to happen and that there should be some mechanisms in place to help that happen. That becomes fairly extensive when you look across disabilities, but certainly things in the field do change in that it is a combination of knowledge, the ability to gain new knowledge and a commitment to improving your own competencies as you go. I have had experience as a DLO. I found that you really do need to have lots of knowledge across disabilities.

CHAIR—Blind Citizens Australia have approached me in Melbourne concerning the failure of the Commonwealth to actually meet the increasing costs of transcription services. They have drawn to my attention the fact that the \$8 million announced last year to be spent over three years on high-needs students is considerably less per capita than is actually required for the services. Have you had made any progress in your representations to the Commonwealth on this matter?

Ms Knight—No, not that I am aware of. At this point we are still working on it.

CHAIR—The effect of the change announced in recent funding announcements when compared with the reductions in the other services that are provided, for instance, by the blind institute in Victoria and, I presume, by equivalent organisations across the country which will be faced with similar problems has been put to me and that there are in fact 1,500 high-needs students drawing upon that \$8 million and that on a per capita basis that is the equivalent of \$1,778 per year or \$889 per student per semester, which is in fact about \$500 less than is actually required to meet the cost of the transcription services. Is that your understanding of it?

Ms Knight—That is my understanding. In fact, something like the National Information Library Service, or the Royal Victorian Institute for the Blind, as it was, actually meets the needs of a lot of students in other states as well.

CHAIR—So it is actually trying to provide a national service.

Ms Knight—Yes.

CHAIR—The universities are saying that they are required to meet out of their operating grants particular demands for the provision of services to students. Are you aware of any other source of money apart from the \$8 million provided by DEST for students who require transcription services?

Ms Knight—No, I am not aware of any other money.

CHAIR—Maybe the adequacy of that funding is something that our committee will have to take up as well. Have you had any further communications with the minister on this matter?

Ms Knight—Our national policy officer, Collette O’Neil, keeps in quite constant touch with the minister, so no doubt she would have had further discussion. As far as I understand, though, things have not progressed much further at the moment.

CHAIR—Could you on behalf of your association ask whether or not she could provide the committee with a brief as to the current state of play in regard to the work that Blind Citizens Australia is undertaking?

Ms Knight—Certainly.

CHAIR—I have met with Collette in Melbourne, but I have not heard any more about the matter for some months, so I would appreciate any further advice on it.

Senator ALLISON—I have a question regarding the critical shortage of teachers of the vision impaired you point to in your submission. How would you like to see that shortage addressed? What sorts of measures do you think could be taken at the Commonwealth level?

Ms Knight—Perhaps there could be more courses available for teachers to get that sort of training. What sometimes can happen is that teachers can go out as mainstream teachers and then develop an interest. Then they want to further that interest and go into special education, particularly to work with blind and vision impaired students. But there are few courses, and in fact few part-time courses as well. Sometimes, like for example here at Griffith University, a very small number of students are offered the course every second year. When the university takes such limited numbers, and so infrequently, it becomes quite difficult for them to juggle a course program around and to complete a course of study while they are doing a full-time job as well. We would like to see more funding for more courses to train teachers and then more opportunities for them to keep their skills current.

CHAIR—Thank you for giving us evidence today. The subcommittee much appreciates it.

Proceedings suspended from 3.17 p.m. to 3.28 p.m.

SKINNER, Mr Barry John, Acting Assistant Director, Disability Policy and Program Unit, Inclusive Education Branch, Education Queensland

WALSH, Mr Michael John, Acting Director, Inclusive Education Branch, Curriculum Directorate, Education Queensland

CHAIR—I welcome representatives from Education Queensland. The committee has before it submission No. 213. Are there any changes or corrections you would like to make to it?

Mr Walsh—No.

CHAIR—The committee prefers that all evidence be given in public, although the committee would also consider any requests for all or part of your evidence to be given in camera. However, I point out that such evidence may subsequently be made public by order of the Senate. I now invite you make a brief opening statement.

Mr Walsh—Thank you very much. We are happy for all the evidence to be public. In relation to the education provision for students with disabilities in Education Queensland, a provision exists under the Queensland state education 2010 policy which outlines that the purpose of education is to provide the best educational outcomes for all students in Queensland schools. The policy ensures that Education Queensland conceptualises and delivers education services to students with disabilities and other at risk students within a coherent, philosophical and strategic framework.

Within an inclusive education context, Education Queensland has a significant reform agenda. Early in 2002, the Minister for Education announced in state parliament a seven-point plan designed to support inclusive education for all students enrolled in state schools. The seven-point plan consisted of the establishment of an Education Queensland task force on inclusive education for students with disabilities to report to the minister and to provide advice in relation to the implementation of an inclusive education framework within Education Queensland; the development of an Education Queensland action plan for students with disabilities; the establishment of a staff college of inclusive education to provide professional development for teachers and other personnel providing education for students with disabilities in state schools; the conducting of a summit on inclusive education, including representatives from state schools, Catholic schools, independent schools, families and other stakeholders; the development of a strategic plan for a five-year capital works program commencing in 2003-04 to ensure that schools adequately cater for the needs of students with disabilities; the trial of a certificate in post-compulsory school education to recognise the achievements of students with disabilities; and, finally, the reorganisation of services within the department to ensure that they are consistent with an inclusive education framework.

As of February 2002, Education Queensland supported 12,617 students with disabilities. This represents approximately 2.87 per cent of the school age population. Eighty per cent of these students are supported in primary and secondary schools, while the remaining 20 per cent are supported in special schools. Education Queensland has experienced a steady rise in the percentage of students identified with a disability, commencing at about 1.64 per cent in 1996,

to 2.87 per cent in 2002. We are predicting an approximately three per cent identification of students with disabilities in Queensland state schools in 2003.

To maintain the level of support for each student with a disability, increased resources have been provided. Education Queensland has resourced students with disabilities according to a consistent departmental ratio since 1999. Education Queensland has provided a total of 544 additional teachers across the state and 11,651 additional teacher aide hours per week to support students in the past two staffing cycles, in 2001 and 2002. In a recent announcement by the Minister for Education, a commitment was made by the state government for an additional \$60 million over the next four years to support students with disabilities in Queensland schools.

Ascertainment is a method currently used by Education Queensland to identify the educational support needs of students with intellectual, physical, hearing, vision, speech/language impairments and students with autistic spectrum disorder. Students are ascertained at levels 1 to 6 in each of these six impairment categories depending upon the severity of the impairment and its impact on the student's capacity to access learning. Education Queensland's reform agenda of progressing an inclusive education framework will consider moving the emphasis from the identification and possible segregation of children who have disabilities to the identification of barriers to learning for all children and the mobilisation of resources within and across learners, teachers, schools, communities and government.

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

CHAIR—Thank you. I will begin by asking you some questions about the Commonwealth-state funding arrangements. How much in total does the government of Queensland spend on disabilities? You were saying 'an additional \$60 million'. What is the appropriation?

Mr Walsh—In the 2002-03 ministerial portfolio statement, the expenditure in 2001-02 on students with disabilities was \$335 million.

CHAIR—So there is \$60 million on top of that?

Mr Walsh—Yes.

CHAIR—So that makes it around \$400 million all up.

Mr Walsh—Yes.

CHAIR—How much does the Commonwealth contribute?

Mr Walsh—I do not have those figures with me.

CHAIR—If you would not mind, could you get them for me? I take it that that \$400 million in the forward estimates would include Commonwealth moneys as well.

Mr Walsh—Yes, it does.

CHAIR—I would appreciate that; thank you.

Mr Walsh—Can I clarify that: are you asking whether the \$60 million over four years includes Commonwealth moneys?

CHAIR—No, I expect that will be state money. Your total appropriation should be around the \$400 million mark. I would like to know how much of that is Commonwealth money. My next question goes to the issue of the per capita strategic assistance grants under the State Grants (Primary and Secondary Education Assistance) Act. In schedule 8 of that act is a table that says that says non-government schools are being paid \$561 per child and government schools are being paid \$110 per child. Are you familiar with those tables?

Mr Walsh—I know of the tables.

CHAIR—Are you able to tell me how much of the Commonwealth money goes to government schools and how much goes to non-government schools specifically for disabilities?

Mr Walsh—No.

CHAIR—Can you take that on notice as well, please?

Mr Walsh—Yes. So that is of those two amounts—

CHAIR—That is right. Where does the Commonwealth appropriation go? That is the point of my question. Can you identify where that goes, and what are the accountability mechanisms for the way in which that is spent? Are you able to advise me on how that works?

Mr Walsh—In terms of within the states?

CHAIR—Yes. How are the moneys that are sent from Canberra to Queensland for students with disabilities acquitted, or what accountability mechanisms are associated with those moneys? Can you tell me the breakdown in regard to independent, Catholic and government schools? Do you have that sort of information?

Mr Walsh—Do you mean in relation to students with disabilities?

CHAIR—Yes.

Mr Walsh—I cannot give you information on the independents and Catholics, because the department of education do not—

CHAIR—You do not collect that information.

Mr Walsh—No, we do not; they collect that information.

CHAIR—Do you have any method of monitoring the work of independent and Catholic schools in Queensland in regard to the treatment of disabilities?

Mr Walsh—Only that we work cooperatively with them, but there is no mechanism for monitoring.

CHAIR—Everyone works cooperatively with everyone in education, I have found over the years. I am just wondering what that means. Do you have a clue what goes on in Catholic schools?

Mr Walsh—It means that, when we develop ascertainment procedures or new guidelines, policies and so forth, the schools are with us, and they implement those in their own way. But there is no requirement that they have to report to us.

CHAIR—There is no reporting to you. How much state money goes to non-government schools?

Mr Walsh—I will have to find that out when I find out about the Commonwealth money.

CHAIR—Do you have any acquittal process for that?

Mr Walsh—No, it is the same process.

CHAIR—So it is a blank cheque: ‘Off you go; do what you like with it.’

Mr Walsh—It is money provided for them to provide services.

CHAIR—And you have no method of ascertaining performance measurements. Is there any form of accountability for that money?

Mr Walsh—There are no reporting requirements for them to provide information back in terms of how they apply that money to students with disabilities.

CHAIR—That is an extraordinarily flexible arrangement, isn’t it? Would it happen anywhere else in government that you would just hand out money without people—

Mr Walsh—I do not know what the arrangements are with the Commonwealth and the states in terms of what the reporting requirements are, so I do not know whether that happens.

CHAIR—I understand the point you make there, and well may we have questions for DEST about how that is spent, but I am interested to know about the state appropriated moneys. Do you have any accountability mechanisms for the state sourced moneys?

Mr Walsh—There are accountability mechanisms in terms of financial accountability.

CHAIR—So they are not spending it on something else.

Mr Walsh—Yes.

CHAIR—That is fair enough.

Mr Walsh—But there are no reporting requirements in relation to outcomes for students with disabilities.

CHAIR—Will the ministerial review that is looking at these issues be examining accountability?

Mr Walsh—In relation to their terms of reference, they are to provide advice to the minister on any aspect that they wish to identify, so they could.

CHAIR—So theoretically they could.

Mr Walsh—Absolutely.

CHAIR—I may have to come back and ask you some questions, depending on the beating that Senator Tierney gives you, but one of the concerns has come up again and again is the question of definition and the difference in the standards that apply between the sectors. That is in terms of the fact that we have got enrolments at 1.5 per cent in independent schools, 2.2 per cent in Catholic schools and 3.9 per cent in government schools nationally.

Mr Walsh—It is 2.87 at the moment.

CHAIR—Yes, but the figure I am giving is a national one; it is 3.9 per cent across the system. It is put to us that the current application of the definitions means that you can have different standards applied across the system. For example, undue hardship might be a reason for an exemption, or a whole series of other measures might be. My point is: if there are not appropriate accountability mechanisms, how do we know what is actually going on in these areas? Can you help us there at all?

Mr Walsh—There are inconsistencies in relation to definitions in the Commonwealth Disability Discrimination Act and in the Commonwealth Disability Services Act. The definitions in those two acts are not consistent with each other. The Queensland Disability Services Act is consistent with the Commonwealth Disability Services Act, and our definitions are more consistent with the Disability Services Act than with the Disability Discrimination Act. That environment creates a large amount of uncertainty in that we identify students with a disability that some people may say do not have a disability or that we leave out students who some people believe have a disability and we do not include them in our identification of disability.

CHAIR—Mr Walsh, we have heard evidence today from the chair of the MCEETYA task force, Ms Sue Egan, who tells us that she does not expect the matter of the MCEETYA standards to be resolved quickly. We have heard advice from others that the resolution passed at the last ministerial council pointed to the need to have this matter resolved by December. What is the Queensland government view? When will the matter of standards be resolved?

Mr Walsh—We are very supportive of actually resolving the standards. The Commonwealth chair that committee, and we are waiting for them to organise the arrangements for formalising the Disability Discrimination Act standards.

CHAIR—So you say that is a problem for the Commonwealth to fix.

Mr Walsh—No, we say that we are there wanting it to be fixed, and it is the Commonwealth government that is chairing that working group.

CHAIR—But was it not the states that actually said that the recommendation—

Mr Walsh—I thought that it was all of MCEETYA.

CHAIR—Yes, but what was the driving force at the last MCEETYA meeting? Do you know the answer to that?

Mr Walsh—No.

CHAIR—I will put it to you this way: it has been put to us in evidence that submissions were received from New South Wales and one other state that the matter should not be signed off on in New Zealand and that it should come back for further work. Is Queensland that state?

Mr Walsh—I am not able to provide you with the deliberations of MCEETYA; I am not a member of MCEETYA.

CHAIR—We have got a copy of the resolution here, and it says how disappointed the ministers were about finalising the draft standards and that outstanding legal and financial issues were to be further considered in December. It does not actually say that it will be finalised in December; it says it will be considered.

Mr Walsh—Yes, that is the resolution, as I understand it.

CHAIR—My reading of your submission said, however, that there were questions of financial matters that needed to be attended to. Is the issue here really a question of finances, or is it a question of legal matters that need to be resolved?

Mr Walsh—In my opinion, it is both financial and legal. There is not clear identification of what the legal implications are or what the financial implications are.

CHAIR—When do you expect that that matter will be sorted?

Mr Walsh—When the working group convenes to look at those issues. I think the recommendation asked for the working group to include additional people.

CHAIR—We do not have that part of the resolution here with us at the moment. So you think that the working group should be broadened?

Mr Walsh—Yes.

CHAIR—Why?

Mr Walsh—To ensure that the financial and legal implications of the standards are actually adequately addressed.

CHAIR—It says here that legislative amendments to the disabilities act be considered. Are you suggesting that the act be strengthened or weakened?

Mr Walsh—I am not a lawyer, but there is a question in relation to the draft disability education standards—that they may extend the existing act. That has not yet been clarified.

Senator ALLISON—Extended in what way?

Mr Walsh—To extend the definition of disability and the coverage of the act. If the standards extend the coverage of the act then the act has to be amended, otherwise the standards are in conflict with the act.

Senator ALLISON—Wouldn't an extension make it more expensive and increase the legal uncertainty?

Mr Walsh—It could, or it may not.

Senator ALLISON—So why would you do it if they are the imperatives and you would be moving into another level of uncertainty?

Mr Walsh—I would agree with you. There needs to be a resolution as to whether the standards actually extend the act or not. At this point of time, that is not resolved.

CHAIR—Is this a question of you waiting for the Commonwealth to put some money on the table?

Mr Walsh—No, we are waiting for the standards to be finalised.

CHAIR—You say there are potential financial implications.

Mr Walsh—That is not necessarily the case.

CHAIR—There must be, surely. If you are talking about broadening the definitions, that must have financial implications.

Mr Walsh—If the standards extend the act, there is potential for increased financial implications. But if they do not, then there are not necessarily any financial implications.

CHAIR—Why has this matter taken so long? It has been five years. It seems to me an extraordinary cat and mouse game we are playing here. I am having a bit of trouble following why it takes so long.

Mr Walsh—I do not know why it takes so long.

CHAIR—If the states are actually asking for more money, shouldn't they be up front and say, 'This is what it is going to require.'

Mr Skinner—The states have not asked for more money.

CHAIR—They are not asking for more money?

Mr Walsh—The states have not asked for any more money.

CHAIR—What if this committee was to recommend that the Commonwealth act by way of legislation to resolve the deadlock? Do you think there would be a requirement that there be a funding commitment attached to such an intervention?

Mr Walsh—Only if that legislative solution meant that there were additional financial implications for the states for the provision of education.

CHAIR—There is Commonwealth legislation now, and there would surely be no constitutional problem because that would have been challenged long ago if that was the issue.

Mr Walsh—I do not see any problem in the Commonwealth implementing legislation, but if there are financial implications then—

CHAIR—There would be an expectation that they would be met by the Commonwealth.

Mr Walsh—There may be a request that the Commonwealth contribute to the financial costs.

CHAIR—Fair enough.

Senator TIERNEY—According to our program we have Professor Slee.

Mr Walsh—Unfortunately he was called away and had to attend a meeting in Weipa and is unable to be with us. We found that out yesterday.

Senator TIERNEY—Obviously it is far more important than talking to a Senate committee! Couldn't he have rescheduled that? The Senate committee is only meeting once in Queensland.

Mr Walsh—I am unable to comment on that.

Senator TIERNEY—We might follow that up separately later. Looking at what happens in relation to identifying children who have a disability at an early age, we were in Tasmania last week and the Department of Education there has a comprehensive early-intervention program for identifying children between zero and five, before they get to school. What is Queensland doing in relation to early intervention for children before they get to school, in the identification of learning disabilities and perhaps programs to assist those children?

Mr Walsh—We have a number of Special Education Developmental Units, SEDUs, and Special Education Classes, SECs, that are located in preschools around the state. The difference between the unit and the class is simply size. If there are more than two teachers in a location then they become a unit and if there are fewer than two teachers then it is a class. We provide those across the state in order to address the needs of children who have disabilities. We provide it on a sessional basis to children. The ratios for students are eight sessions for five- and six-year-olds, five sessions for three- to five-year-olds, and three sessions for under-threes. That is the program we have in place.

Senator TIERNEY—What percentage of children in Queensland attend a preschool aged between zero and five?

Mr Walsh—I do not have those figures with me.

Senator TIERNEY—Surely you have got an idea?

Mr Walsh—No, but I can get them for you.

Senator TIERNEY—You leave it at a bit of a disadvantage if you do not know such a fundamental fact. Would it be true to say that perhaps the majority of children do not attend a preschool in Queensland? I am just asking—I do not know what the system is up here.

Mr Walsh—In the state education system, a child who comes along to a preschool or an SEDU is accepted. There is no capping or numbers—

CHAIR—Isn't it the case, though, that your early childhood centres are actually associated with the school? They are part of the school?

Mr Walsh—Yes.

CHAIR—So schooling in this state may well start earlier than in other states.

Mr Walsh—A different curriculum is used—

CHAIR—I understand there is a different curriculum. Nonetheless, is it the case that your four-year-olds have access to preschool centres associated with the school?

Mr Walsh—In terms of students with disabilities?

CHAIR—No, all students. Do all children in this state have access to the services provided for four-year-olds adjacent to a school, or often in the same grounds as a school?

Mr Walsh—Yes, that is right—four and five.

Mr Skinner—But the identification of children with disabilities can take place from the time of birth.

Senator TIERNEY—How does that occur?

Mr Skinner—It quite often occurs through paediatricians making a recommendation to a parent that they need to contact the local school or the district office. The district office manages those services to those early childhood areas. The paediatrician will be saying to a parent, ‘You need to make contact with the local district and arrange for people to start providing support to you in the education of your child.’ The way that support happens for the very young children is quite often by a playgroup type arrangement—the very young children might come along to these early childhood centres and be in a playgroup—or it could be that some of our specialists visit them in the home; there are home visits as well.

Senator TIERNEY—Is that done under Education or under Health in this state?

Mr Skinner—Education.

Senator TIERNEY—It is all done under Education. If I have a child out at Longreach and it is identified that the child is having difficulty in speaking—say the child is three and it is very obvious that the child is behind in language skills—what assistance is then provided?

Mr Walsh—Depending on where the child is—

Senator TIERNEY—Longreach.

Mr Walsh—and depending on whether there is an SEDU in the location where the child is, they would be provided with a visiting advisory teacher and/or speech language therapy.

Senator TIERNEY—Assuming it is speech, how much time would that person get? This is in Longreach. Remember, we are talking about regional Queensland here.

Mr Walsh—It is a matter of working that out for each individual student. You cannot just say, ‘This person is going to get one hour’—or two hours or four hours. They may benefit from less or more.

Senator TIERNEY—Say the paediatrician says that this child needs eight hours—would the child receive that under Education Queensland? Would what the professional is recommending happen?

Mr Walsh—I have not seen anywhere where a paediatrician would say that someone needed eight hours of therapy a week.

Senator TIERNEY—It might be an extreme case.

Mr Skinner—Quite often a paediatrician would say that this child has quite an extreme need. We would then do the evaluation with our therapy team to see what sorts of services might be required by that particular child. The amount of hours they receive would then be supplied. It is not always just direct hours to the student; quite often it is support to the teachers and other professionals that might be working with that child so that the whole educational program addresses the speech problems that they might be having.

Senator TIERNEY—When the child arrives at school at the age of five it seems that, increasingly in this state, you would integrate that child into a mainstream classroom. You have 20 per cent in special schools, which is way under the percentage in Victoria, for example. Cutting to the chase, one of the key questions we have been asking people before the committee is this: what are the limits to inclusiveness? Is it the plan of Education Queensland to shut down all the special schools? Do you think that all schools will end up with children with special needs integrated in schools? Is that the program that you are on in Education Queensland?

Mr Walsh—There is no plan to shut down special schools in Education Queensland. There is no evidence or information available in relation to your question as to how many students can be integrated into a regular classroom. The issue is in terms of the local provision of education services working with the local community and identifying the most appropriate way to provide education services for students. In special education units in regular schools the majority of those students would attend regular classes but it does not necessarily mean that if you are in a special education unit attached to a regular school you will at any point in time be in a regular classroom. You can attend the unit and not attend regular classes. It is important that it be recognised that the decision is actually made by the local education community in relation to families, teachers and the child themselves.

Senator TIERNEY—You mentioned that you do not have any plans to shut down special education schools. Evidence we received earlier today indicated that in the last 10 years you have shut down 30 to 40 per cent of them.

Mr Walsh—That would be only in response to local decision making and trends in enrolments and so forth. There is no plan to actually do that.

Senator TIERNEY—Enrolments for children with disabilities are down over 10 years, are they?

Mr Walsh—No. There are an increasing number of students with disabilities.

Senator TIERNEY—So how do we get to a position where such a large number of schools have been shut, at a time of rising need?

Mr Walsh—Because the local communities have requested the department provide services for students attached to regular schools.

Mr Skinner—And as close as possible to the students' homes. I do not have the exact numbers, but in that period somewhere near 200 special education units or special classes have been established in the local regular schools.

Senator TIERNEY—Over that time frame?

Mr Skinner—Yes. There was a decline in the number of special schools—and that has very much balanced out over the last couple of years—but because you have this 80:20 per cent split you have increasing support going to the regular schools to support those students.

Senator TIERNEY—Does that balance out in the sense that the number of students in those special schools that have been shut would be roughly equivalent to the number of students that are in the special units within schools now? In other words, is it just a transition in the delivery of specialist services?

Mr Walsh—No. As I pointed out in the opening statement, the increase in the numbers of students with disabilities has gone from 1.64 per cent of the total student population in 1996 to 2.87 per cent. These are not accurate figures, but that results in 2002 having about 12,600 students identified with disabilities in Queensland state schools and in the year before having about 11,400. The number of students with disabilities is increasing.

Senator TIERNEY—To work out the maths of this: are you saying that parents are choosing to put their children into that situation? Is that basically what is happening?

Mr Walsh—Yes.

Mr Skinner—Across Queensland we have a range of educational options, so for some kids there is support just in their regular school, for some kids there is support in their regular school with a special education unit and for some kids there is support within a special school. Part of the process is to determine which is the most appropriate of those options for a particular student, taking on board parents' wishes and a whole stack of other things—and then decisions are made about where that student might go.

Senator TIERNEY—We have 20 per cent in special schools and 80 per cent in comprehensive schools. Can you reconfigure that in three ways instead of two? There are 20 per cent in special schools—what percentage is in comprehensive schools with special units and what percentage is just in classrooms without special support units in the school?

Mr Walsh—I have not got those figures with me.

Senator TIERNEY—How many support units? You said there were 200 support units.

Mr Skinner—That is additional support units over the recent years.

Senator TIERNEY—We had better define our terms, I suppose. When you say a support unit, this would be for a particular disability—like hearing impairment, for example.

Mr Walsh—They are all coded for particular disabilities, but a unit may have multiple codings. It may not just be hearing impairment; it could be hearing impairment, intellectual impairment and vision impairment. It would depend on the coding.

Senator TIERNEY—You said there are 200 of these?

Mr Walsh—There are more than 200.

Mr Skinner—There have been an additional 200 in recent years.

Senator TIERNEY—It should not be too hard to do the maths on this. You know how many students with disabilities you have got and you know how many units you have got—it should be pretty simple maths.

Mr Walsh—I thought the question was how many students are in regular schools not in units.

Senator TIERNEY—It can be done either way. You can do it either way to end up with the 80 per cent.

Mr Walsh—You are wanting to know the total number?

Senator TIERNEY—I was wanting to know this: 20 per cent of students are in special schools, X per cent are in comprehensive schools with support units and X per cent are in comprehensive schools without support units. What is the breakdown of the 80 per cent—is it 30-50, is it 20-60, what is it? Perhaps someone could do the maths between now and the end of the session here today.

Mr Walsh—How would we do the maths?

Senator TIERNEY—You know how many students with disabilities there are in the state and you know how many units are in the state. Presumably you know how many students are in those units in total.

Mr Walsh—No, we do not have those figures here in terms of how many students are in—

Senator TIERNEY—Surely you do.

Mr Walsh—We can get that.

Senator TIERNEY—All right; take it on notice and we will have a look. Although we cannot do a breakdown, presumably there is a high proportion of children in normal classrooms, and they would get various levels of support. What is the reaction of parents, seeing as this has been going on for 10 or 15 years, to what support is being provided for their child with a disability in a mainstream classroom integrated with other children? Do you do surveys on that sort of thing?

Mr Walsh—We do school satisfaction surveys

Senator TIERNEY—Have you got the results of any of those?

Mr Walsh—We can make those results available. They are in the annual report and that sort of thing.

Senator TIERNEY—If you could make those available to the committee that would be good. I asked the following question in Tasmania, and I do not know if you could figure this out for me as well. Presumably when a child with a disability is in a mainstream classroom with no special unit they will get some sort of support from special education specialists or some sort of support maybe from the teacher's aide. What percentage of time would mainstream teachers be spending in their classrooms with a child with a disability, without any support at all?

Mr Walsh—We do not collect that information because the school can actually organise their resources in a way that they believe best suits the student with a disability and the other students.

Senator TIERNEY—Could you say that where there is a child with a disability—and let us assume that it is a reasonably severe disability—the teacher would have either a specialist support person or a teacher's aide for 100 per cent of the time?

Mr Walsh—I could not say.

Senator TIERNEY—The figure in Tasmania was about 50 per cent of the time. Would that be a fair estimate for Queensland?

Mr Walsh—We do not collect that and I could not say. It is an arrangement that is organised within the school—

Senator TIERNEY—But you know the resources you have got across education in Queensland. It would be unlikely that the teacher would be supported 100 per cent of the time, wouldn't it?

Mr Walsh—In some situations it may be and in some situations it may not.

Senator TIERNEY—If it is a high-level need—

Mr Walsh—It is all locally organised. We can say what sorts of resources go in but we cannot say how they organise those.

Senator TIERNEY—It would be a fair assumption to say that for a reasonable proportion of time the teacher is on their own without any support?

Mr Walsh—I am unable to answer that question because, in terms of special education units, you may have a student with a hearing impairment in a classroom and for some of the time they do not require any other support in the classroom. So they may be without any support and their contact with the special education unit in that school may be that they spend all their time in the regular classroom with support in there. They are never actually separated out—

Senator TIERNEY—Most of the support would be the teacher's aide, wouldn't it?

Mr Walsh—Generally speaking, it is teacher aide support.

Senator TIERNEY—What training does a teacher aide need to assist a child with a disability?

Mr Walsh—Certificate level III.

Senator TIERNEY—How much training is involved in that?

Mr Walsh—I do not have the hours.

Senator TIERNEY—This is a TAFE qualification?

Mr Walsh—Yes, that is right.

Senator TIERNEY—Every teacher's aide must have certificate level III?

Mr Walsh—I would have to confirm that.

Senator TIERNEY—I do not know the course but what is in that course? Is that training for assisting children with disabilities?

Mr Walsh—Yes. I can get you the units—

Senator TIERNEY—Is that predominantly what it is about? Is it a course called that?

Mr Walsh—Yes, it is predominantly for students with disabilities and for dealing with the issues around providing support for students with disabilities.

Senator TIERNEY—What training does the classroom teacher that that person is supporting get in the teaching of children with disabilities—the normal classroom teacher in an integrated classroom situation?

Mr Walsh—It would depend on what qualifications the teacher has actually pursued.

Senator TIERNEY—Let us just assume they have done a normal Bachelor of Education, which at the very most around the country including Queensland we have discovered might have one semester unit. But we have never discovered any course that had any more than that, and a lot do not have any. We even had a professor from Queensland tell us today that it is a bit difficult in preservice because of the complexities, and that you are much better doing it in in-service. When questioned on this, he admitted that you could do some things in preservice—I was very glad to hear that—but he more or less said that the major focus of this is for teachers to have to wrestle with it a bit then get some training and assistance as teachers. So what does Queensland do for the comprehensive classroom teacher in in-service in the areas of disability?

Mr Walsh—Through the staff college that I mentioned—

Senator TIERNEY—Has this started yet?

Mr Walsh—Yes.

Senator TIERNEY—How long has it been going?

Mr Walsh—Since April.

Senator TIERNEY—This year?

Mr Walsh—Yes.

Senator TIERNEY—So until this year, what happened?

Mr Walsh—Until this year there were learning and development funds in schools and teachers would identify what areas they would like to pursue in terms of—

Senator TIERNEY—How much is available per teacher in Queensland?

Mr Walsh—I do not have those figures.

Senator TIERNEY—You must know that, surely.

Mr Walsh—I just do not have them with me. I do not carry them around—

Senator TIERNEY—How many days would a teacher normally expect to get in-service?

Mr Walsh—I do not have those figures with me.

Senator TIERNEY—So, looking at the area you are responsible for, you have come to the need to put up a staff college, presumably because this area of in-service was not being handled well, but you cannot tell me the basis on which that decision was made. Would the average teacher get three days in-service a year, or six days in-service? There must be data for Queensland, surely.

Mr Walsh—I can get you the information about the figures—

Senator TIERNEY—I am amazed you do not know. Let us assume it is X days. What percentage of X days are likely to be for disabilities?

Mr Walsh—Again, that is up to the individual teachers to actually decide which areas they wish to pursue in terms of their learning and development.

Senator TIERNEY—The teachers or the principal of the school?

Mr Walsh—Usually the teachers in terms of what they want to pursue—

Senator TIERNEY—So I am out at Longreach and there is a course in Brisbane on disabilities that is going for two days—I can access that?

Mr Walsh—You would have to negotiate that with your principal.

Senator TIERNEY—And he would have a budget for it?

Mr Walsh—That is right.

Senator TIERNEY—Getting to Brisbane might be a bit costly. Would it be right to assume that up until April this year the amount of in-service for teachers in relation to teaching children with disabilities was minuscule?

Mr Walsh—I do not believe that that is the case.

Senator TIERNEY—Define ‘above minuscule’ for me then.

Mr Walsh—The issue of the creation of the staff college was about ensuring that people knew about learning and development opportunities and that there were ways people could access them which could enhance their access to those opportunities, whereas in the past they may not have known about them. Therefore, it was not about saying that there was insufficient learning and development going on; it was more about whether people knew about what was available.

Senator TIERNEY—Is the staff college just for disabilities or is it all in-service?

Mr Walsh—No, it is not for all in-servicing. It focuses on the areas within the inclusive education area, which are students with disabilities, learning difficulties and learning disabilities.

Senator TIERNEY—It has been operating since April?

Mr Walsh—Yes.

Senator TIERNEY—How many teachers are doing a course at the moment?

Mr Walsh—It is not a college that runs courses or units. It is about facilitating access to professional development. Professional development can be courses run by universities, one-off courses and so forth. To say, ‘How many people are in courses at the moment?’ it is not like a university that runs a course and everyone has to do the same thing.

Senator TIERNEY—What actually happens in this place?

Mr Walsh—It works with the locally-organised staff colleges that are based in districts around the state. The local staff colleges are linked into the schools and the teachers that exist in their local district.

Senator TIERNEY—So you have a number of these around the state that existed previously, and you have now created one that has a focus on inclusion?

Mr Walsh—That is right.

Senator TIERNEY—What is the focus of the others?

Mr Walsh—It is the broad range of all sorts of courses.

Senator TIERNEY—So these staff colleges are your main mechanism for providing in-service training?

Mr Walsh—They do not necessarily provide the training. Learning development resources are in the schools. The staff college does not hold those resources.

Senator TIERNEY—What does the staff college actually do?

Mr Walsh—It ensures that people are aware of the courses that are available.

Senator TIERNEY—It is an administrative mechanism?

Mr Walsh—It can negotiate with providers about developing courses or training.

Senator TIERNEY—It does not run anything itself in the building?

Mr Walsh—Generally speaking, no.

Senator TIERNEY—At this point in time, how many teachers would be involved in disabilities in-service at the institution or in that which the institution has set up?

Mr Walsh—I can get that number for you, but it is a meaningless number because it may be that some people have gone along to a half-day talk and some people are participating in university courses. I can get the number of people it has facilitated access to learning for, but I do not know whether that is a useful number.

Senator TIERNEY—In terms of your total teaching force in any one year, it would be minuscule, wouldn't it?

Mr Walsh—I do not have the number with me. I can get it for you.

Senator TIERNEY—How would you characterise in-service training in disabilities in Queensland?

Mr Walsh—What do you mean?

Senator TIERNEY—We have been told by professors that this should be done while teachers are developing their skills as teachers—when they have got classes in front of them. If that is the way to go, how would you characterise that training for teachers? You have to integrate philosophy. Teachers have to handle a wide range of student ability. It is best done through in-service. How would you characterise the in-service? Is it adequate for what is needed in upskilling your teaching force to do this job?

Mr Walsh—You can always improve in terms of professional development. However, the way that Queensland organises its professional development for teachers gives teachers the best opportunity to identify their own personal learning and development needs, facilitated within the local school, and to identify how they can access those. The resources are in the schools. They are at the lowest point of decision making for schools. They are not centrally held or determined. There is an exceptional amount of support for teachers to be able to—

Senator TIERNEY—An exceptional amount?

Mr Walsh—I believe so, yes. The way that the system organises access to learning development, given that it is a local decision-making process, yes.

Senator TIERNEY—Even though the resources and the training days are few, you can still make that statement with a straight face?

Mr Walsh—Yes, I believe that the way that the systems are organised, with the local staff colleges and the networks that are supported across the state, there is access to learning—yes.

Senator TIERNEY—You do yourselves a disservice. This committee will probably make some unanimous recommendations. We certainly did with gifted and talented, which was another appalling error.

CHAIR—I think there is a good chance that we will make some unanimous recommendations.

Senator TIERNEY—When committees do that, governments tend to listen. One of the recommendations might be for provision of money for in-service training. You do yourselves a great disservice by saying, ‘This is all fine.’

Mr Walsh—I said that we could always do better.

Senator TIERNEY—Are we to report back to the parliament that there is no problem with in-service training and, therefore, there should be no more federal resources provided?

CHAIR—Mr Walsh did not say that there were no problems, Senator Tierney. You must be fair to him.

Senator TIERNEY—He is sure trying to hide them. Parents might choose to put their child into a school situation which is integrated. After a few weeks or months, they might find that it is not working out particularly well. Is it the parents' decision then to access a special school? Can they access a special school, and what are the limits to that?

Mr Walsh—The limits are that the student has to have a disability and has to be at a level that would allow them to be in a special school. A regular student could not go into a special school. But, yes, parents have preferred enrolments and they can say that they want to go to a special school.

Senator TIERNEY—And their child would be accepted?

Mr Walsh—Yes.

Senator TIERNEY—Is there any variation on that in regional Queensland.

Mr Walsh—Do you mean if there is no special school available in the area?

Senator TIERNEY—I appreciate that you probably have a bigger problem than any other state, given the size of your state and the way your population is dispersed. What special problems does that create for people who want to access a special school in Queensland?

Mr Walsh—I think the issue of geographic distribution is a significant issue for us as a state, and we try to deal with that to provide the best service to people by having special education units and classes. What that means is that, because of the low numbers we are dealing with—the low incidence of students; it is three per cent of the student population—in some situations the level of expertise to ensure that a student with a disability is going to achieve their best educational outcome cannot be provided in the local school. So we aggregate resources into special education units and classes and we provide transport assistance to those locations and classes. If a parent wants to send their child with a disability to a school that does not have an SEU or an SEC, they can do that. We would provide some resources to that school in order to support the student. We would ensure that the student got a level of resources that was sufficient for them to be able to access the curriculum. The issue in regional areas is that the further you go out the more difficult it is, because of the smaller number of students.

Senator TIERNEY—I appreciate that. Finally, New South Wales has mandated preservice courses for disabilities. Has Queensland thought of doing that?

Mr Walsh—We are currently working with the tertiary institutions through the staff college to identify what the preservice courses need to contain.

Senator TIERNEY—Do you think it is a good idea to mandate such courses?

Mr Walsh—In a preservice course, I think it is important to identify the range of units and coverage that teachers need to be provided with. The students with disabilities area is one of a number of areas that teachers need to actually have been provided training in. When you look at the length of time in the course, you need to provide access to enough of those units.

Mr Skinner—Senator Tierney, could I add an answer to your question about not having a special school in a particular rural area. What tends to happen in practical circumstances is that some of our units become almost special schools within a unit. They end up offering the alternative program that a special school may offer. In many of those rural circumstances they end up offering that alternative program within the unit. That is how it is covered there.

Senator ALLISON—States seem to have developed completely different systems for funding students according to their level of disability, and you have ascertainment levels 1 to 6. At what level is a student deemed suitable to be enrolled in a special school?

Mr Skinner—Level 6.

Senator ALLISON—So it is only level 6 students who would be? That is the highest level of need, presumably?

Mr Skinner—Yes. I probably just need to go back a little bit. The ascertainment is about determining the type of educational program and the educational needs. What level 6 means is that they require an alternative program. At levels 4 and 5, in many ways, you can modify the program. When you get to level 6, you are really looking at quite major alterations or a complete alternative program, which is what special schools offer, although some students at level 6 do receive that same sort of program in a unit or a regular school. Can I qualify that? That would not be the case for, say, level 6 hearing impairment or vision impairment. We would not necessarily have special schools for those.

Senator ALLISON—So does ascertainment 1 to 6 carry with it a bucket of money for that student? If, for instance, your ascertainment level 6 student is in a special school, does the amount of money which goes to that special school also travel with the student when they move to a mainstream school or in a special unit of a mainstream school?

Mr Walsh—The resources are not velcroed to the student, so they do not follow the student. They are provided to the school in order to look at how best to provide that service to the student. If a student moves from one school to another then there are negotiations in terms of meeting the resourcing needs as the student moves.

Senator ALLISON—So the same amount of money would not necessarily go with the student from a special school into a mainstream school?

Mr Walsh—No. The main reason for that is that the resources are primarily used to employ staff and the amount of resources that would move around if one student moved from a school to another school would not necessarily allow you to employ staff.

Senator ALLISON—That is interesting because that is not the case in other states. It has come to our attention that that money would not necessarily buy speech therapy and a whole range of other services that might be available in a special school. Generally speaking—if you can generalise—would the amount of money which went with the student who used mainstream education be increased on what it would be in the special education environment?

Mr Walsh—Generally speaking, the amount of additional funding that is available for levels 4, 5 and 6—because that is where additional funding is provided, based on the ascertainment of the student—is the same in a special school or a regular school. In levels 1, 2 and 3 they can access resources but they are not based on the ascertainment of the student. There is some variation to that but not a lot.

Senator ALLISON—I thought you said there was a negotiation. Is that not the case?

Mr Walsh—If a student moves?

Senator ALLISON—I am asking about the amount of funds.

Mr Walsh—Some students may be in schools where they are receiving a visiting service. Therefore, if they move schools, there is no need to shift resources. So you do not shift resources at all: students move schools; no resources are shifted because it is still a visiting service. The student may move from a special school to a regular school and the resourcing for the regular school is provided in terms of a visiting service or by teachers coming out of the special school and going into the regular school. It is a matter of organising that in the local context. There is no mandated requirement for funding to move from one school to another when a student moves from that school to the other.

Senator ALLISON—It is dealt with on a case-by-case basis?

Mr Walsh—Yes.

Senator ALLISON—A bureaucrat somewhere determines how that is going to apply?

Mr Walsh—No, not a bureaucrat somewhere; it is a local decision made between the teachers of the schools.

Senator ALLISON—Between the teachers of the schools?

Mr Walsh—The teachers of the schools identify what is the best educational program for that student and then identify how they can best provide the services to that student.

Senator ALLISON—They negotiate that with the principal, who deals with the global budget, so the department itself does not assist that school with extra money to deal with that student. Has this led to a tendency by schools not to wish to integrate students?

Mr Walsh—No.

Senator ALLISON—They would be at some financial disadvantage in taking students—

Mr Walsh—Why is that?

Senator ALLISON—The department does not provide further resources—isn't that what you are suggesting?

Mr Walsh—No. If students are involved in regular schools, then the resources would go to those schools.

Senator ALLISON—I am not following this. That is what I was asking about in the first place, and you are suggesting otherwise.

Mr Walsh—Sorry, I thought you were talking about when a student moves from one school to another school.

Senator ALLISON—Specifically, out of a special education school into a mainstream one—that is what I am trying to work out.

Mr Walsh—In some situations the resourcing may follow or it may not. It would be locally negotiated.

Senator ALLISON—I give up on this one.

Mr Skinner—If they are in a special school at level 6 they get X resources; if they are in a special education unit at level 6 they would get the same level of resources as a special school would get.

Senator ALLISON—Okay, let me put it another way. In some states, when the money travels with the student it goes for different purposes. Typically, it funds an integration aid. Presumably, if you are shifting students out of segregated special schools and into mainstream classes where they need different kinds of assistance—for example, a teacher aide—how is that funded in those schools? You do not need a teacher aide in a special school environment.

Mr Walsh—Yes, you do. It is the same. You have teacher aides and teachers in special schools.

Senator ALLISON—Am I wrong in suggesting that in special schools there are more qualified special education teachers and fewer unqualified teacher aides?

Mr Walsh—No, the resourcing is the same.

Senator ALLISON—I wish to go to the DDA standard. Your submission, at page 4 and at 3.1.8, talks about the likelihood that the standard will increase the population of students with high-need disabilities and learning difficulties from 15 per cent across the range at present to 18 per cent. Can you explain where the difference of three per cent is? Your next point says students with learning disabilities are generally not funded—and this is paraphrasing—except students ‘for whom remedial education or remedial support’ is inappropriate. Is that the difference between the 15 per cent and the 18 per cent?

Mr Skinner—The difference between the 15 per cent and the 18 per cent comes from a couple of factors. One of the factors, and I think we spoke about this earlier, is the broad definition that the DDA has and that the standards—and I suppose this is where the legal

opinion is still undecided—may actually impose a greater impost on states in terms of meeting the standards—

Senator ALLISON—I think we understand that. I am asking you what kinds of disabilities would be swelling that number.

Mr Skinner—There would certainly be an increase in some of the conditions that at the moment are probably funded through our learning difficulties area. That may in fact come into the more high support needs of students, and that might be in some of the psychiatric conditions or some of the acquired brain injury conditions. It would also probably be an increase over the broad spectrum of kids that would be picked up as having learning difficulties that are currently not being picked up.

CHAIR—This goes to what I was asking before. We have had evidence that the costs are not as dramatic as those suggested in this submission and that this is in fact a device by which the states refuse to sign up, a stalling device. That is the submission that has been put to us this afternoon, and I think that is a fair summary of it. How do you calculate that figure? In your assessment, what is the cost here? How much extra money are you looking at?

Mr Walsh—It is difficult to identify that. The definition of disability in the Disability Discrimination Act would identify the fact that I have a disability and therefore I can claim additional requirements in order for me to access education. It is not helpful for an education system to identify me as having a disability because how do we then make the distinction between me and someone who has a significant—

CHAIR—You have an ascertainment process. You have a classification system already, and I thought you said you did not actually ask for any additional money at the last round of MCEETYA.

Mr Walsh—Yes, that is right. The way the current Disability Discrimination Act is written, anyone who does not meet our ascertainment criteria may still argue that they have a disability and would be accepted under that act.

Senator ALLISON—So how is it different? How is the DDA going to make a difference to you?

Mr Walsh—We work more closely with the Disability Services Act, which the Commonwealth also has, where the definition of disability is different.

CHAIR—This is a critical issue for us. You put to us that there is an increased cost—that is what you said, that there is a potential impact to increase costs. What is the impact? We need to be more precise than we have been.

Mr Walsh—They are all based on general incidence figures which are difficult to clearly identify. We would say that there are three per cent of students, for instance, in Queensland who have a disability and 12 per cent who have a learning difficulty or disability. That is how we get our 15 per cent.

CHAIR—I understand the point.

Mr Walsh—Someone else can come along and argue and quite easily present figures that say 15 per cent of students have learning difficulties.

CHAIR—You also say in paragraph 3.2.3 that there has been a steady increase in the rate from 1.64 in 1996 to 2.87. That is under the current regime?

Mr Walsh—Yes.

CHAIR—Why won't that continue anyway?

Mr Walsh—It may. We are seeing a slowing in that growth and we believe, at this time, that it will plateau at around three per cent.

CHAIR—Will you please take this on notice: can you give us a dollar figure on what you expect the increase in cost to be if the full range of services that were put on the table last MCEETYA meeting were adopted? What would be the increase in costs for you?

Senator ALLISON—Who are the students who would receive those extra services? If they are determined to have a disability, they currently have that need for services now. Just because they have become defined as such, what difference does that make on the ground? Why isn't your government recognising that anyway? Is it to do with identifying those students? Is that the extra cost? We have heard variously in this committee that for a learning disability it can cost \$1,000 to do a proper identification of such students and work out how to deal with their education. Is that the extra cost?

Mr Walsh—The extra cost is identifying more individuals—not the cost of identifying them but actually the fact that there would be more to identify.

CHAIR—Increasing demand.

Mr Walsh—Yes. The increase in the number of students.

Senator ALLISON—What do you have to do with those students if you identified them and they fell under the act?

Mr Walsh—Then we would have to provide support.

Senator ALLISON—Do you think that would be unnecessary?

Mr Walsh—No, but with the same number of resources to provide support to an increased number of students we would be providing less per student.

Senator ALLISON—Doesn't it suggest that the need is there, that this need is being ignored at present and that all we are doing with the DDA is identifying the need and saying that the services should be provided.

Mr Walsh—Not necessarily. There is disagreement on who are the students who have disabilities.

CHAIR—That is the point we are trying to get to.

Mr Walsh—We would support an agreement on who are the students who have disabilities.

CHAIR—But you do not want to pay for it. Would that be a fair conclusion? The state of Queensland does not want to have to pay the additional costs.

Mr Walsh—I think that the state would meet its obligations to contribute to the costs.

CHAIR—Of course it will meet its obligations, but the question arises as to whether or not budgetary provision has been made for that. Isn't that the political issue you are trying to come to with us? Why this reference to 'potential impact on increased costs'?

Mr Walsh—Because of the discussions that are happening around what the DDA standards are about—do the education standards extend the number of students and/or do they extend the act?

CHAIR—If you could get to us an assessment of how you have reached that assessment it would be very helpful.

Senator ALLISON—I have a question about the dot point under 3.1.9 where you refer to:

A student whose only impairment is a specific learning difficulty or for whom remedial education or remedial support is appropriate is not ... eligible

Are there students for whom remedial education or remedial support is inappropriate who do get extra funding and extra support? This committee has heard that learning disability is not always assisted by remedial education and that in some cases it takes a completely different approach for these students to learn at all. Are there groups of students with specific learning difficulties or disabilities who do receive extra support other than the generic literacy support programs?

Mr Walsh—There are students who get access to speech language therapy who are not identified as disabled but may have a learning difficulty. So there is not just access to the learning support teachers—which is a term we use for remedial teachers; there is access to learning support teacher assistance as well as speech language assistance.

Senator ALLISON—If the DDA goes through as is currently proposed, what would those students get in addition to what they are currently receiving?

Mr Walsh—If it does not change the act, then it would be the same. There would be no change.

Senator ALLISON—What do you mean by 'if it does not change the act'—if it does not change what act?

Mr Walsh—The Disability Discrimination Act. Then it would be the case that the services that are being provided are complying with the act, so there would be no need to change.

Senator ALLISON—Okay. And if it is found that there is a need to change or rather that the act does change the state system?

Mr Walsh—Then we would have to work out what impact that change has.

CHAIR—That is why I am suggesting that you look at the draft guidelines that were proposed last time—that gives you something concrete to look at—and tell us what the cost implications were for Queensland.

Mr Walsh—Yes.

CHAIR—You need to be able to compare it with something, not a hypothetical.

Mr Walsh—Yes.

Senator ALLISON—ANTA told us earlier today that the definitions they adopt for disability are different from those in schools. However, the VET system in schools for those schools that are RTOs will mean that schools will need to be compliant with ANTA's definitions, including that of learning disability. I am focusing on that but I know there are others—head injuries and so on. By 2003 and by 2004 the schools will actually have to be compliant. Has your department considered this? It seemed to the committee, I think it is fair to say, that this was a fairly big breakthrough in terms of having learning disability recognised as a disability. What is your take on that?

Mr Walsh—At this point in time there are no plans to change our ascertainment process. We are talking with the TAFE sector, but compliance does not actually determine what is to be provided; it determines who is to receive some assistance.

Senator ALLISON—Indeed.

Mr Walsh—We already provide assistance to students with learning difficulties.

Senator ALLISON—You keep using the word 'learning difficulties'.

Mr Walsh—And learning disabilities.

Senator ALLISON—I will go back to the point before—I am sorry to labour this but it seems important to me—that often students go through the system without having their learning disability identified. We have had witness after witness say, 'It was only when I got to the TAFE college I realised this was my problem; I thought I was stupid up until that point. I left school at grade 10.' Firstly, does this mean that the schools would be obliged to do a proper identification of those students? The cost of that identification can be quite high. Secondly, what happens typically in a school where a counsellor or a special education person within a mainstream school—I am not sure what you call them—identifies a student as having a difficulty and wants

to know if it is a disability, dyslexia or the like? Does your system fund the cost of that identification?

Mr Walsh—It does. We have a system that parallels ascertainment called ‘appraisalment’. Appraisalment is undertaken by the learning support teachers. Whoever identifies the student with a problem—whether it is the classroom teacher, a guidance officer or whoever—brings in the learning support teacher, who would work with the classroom teacher and undertake an appraisalment of the student and then identify—

Senator ALLISON—And these are professional psychologists?

Mr Walsh—No, they are professional teachers. There are 619 support teachers in primary schools.

Senator ALLISON—Don’t you need a psychologist to do a proper assessment?

Mr Walsh—Not to do an assessment for a learning difficulty, no. If it is a psychological assessment then yes, you would need a guidance officer.

Senator ALLISON—That was my question.

CHAIR—There are two different sets of tests.

Mr Skinner—In effect, what happens when a parent, the teacher or someone says, ‘Look, we have some real problems with this child,’ is that a whole set of data collection goes on. We have guidance officers in schools and they will get involved to determine whether there may be an intellectual impairment, which will go through a proper diagnostic process, or they will know that in fact the IQ tests and the other tests that the guidance officers have done have indicated there is no intellectual impairment. They will then go into the learning difficulties category and be appraised to determine what their level of need will be. The guidance officer would be involved in that diagnostic process around whether the child has a disability or not or whether it is a learning difficulty.

Senator ALLISON—So you would be confident that every student in a Queensland school who has a learning disability would have had it diagnosed?

Mr Walsh—They would have been able to access a learning support teacher to work with them to develop a program that was suitable for that student, yes.

Senator ALLISON—That is quite some claim; other states cannot do it. On the shortage of specialist teachers: there are clear shortages in rural areas of teachers of the deaf and teachers of vision impaired students. What are the shortages in Queensland? What are you currently looking for? I will extend that to speech therapists and the full range of support.

Mr Walsh—So you want to know how many vacant positions we have in those areas?

CHAIR—Do you want to put your questions on notice?

Senator ALLISON—I think I am just about there. There are a couple we can put on notice.

CHAIR—It is probably the best bet if we can.

Senator ALLISON—Okay.

CHAIR—Mr Walsh and Mr Skinner, thank you very much for coming along today; it is much appreciated.

Mr Walsh—Thank you.

Subcommittee adjourned at 4.44 p.m.