



The Hon Michael Gallacher MLC
Leader of the Government in the Legislative Council
Minister for Police and Emergency Services
Minister for the Hunter
Vice-President of the Executive Council

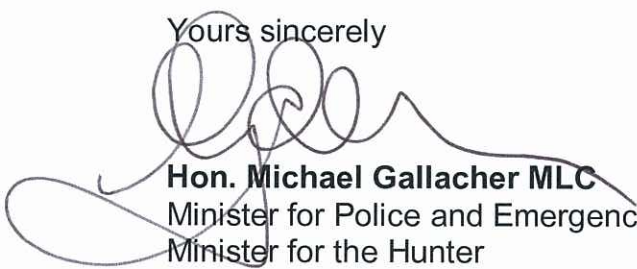
Mr David Blunt
Clerk of the Parliaments
NSW Legislative Council
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Mr Blunt

Please find attached the NSW Government response to the inquiry into: *'Transition support for students with additional or complex needs and their families'*.

I now provide them to the house to be published.

Yours sincerely



Hon. Michael Gallacher MLC
Minister for Police and Emergency Services
Minister for the Hunter

NSW GOVERNMENT RESPONSE: TO THE INQUIRY INTO TRANSITION SUPPORT FOR STUDENTS WITH ADDITIONAL OR COMPLEX NEEDS AND THEIR FAMILIES

1. Background

The NSW Government welcomes the report of the inquiry into transition support for students with additional needs and their families. The Government is strongly committed to the provision of high quality education services for all students, including support for transitions in education. The Government also acknowledges that students with additional or complex needs will benefit from support that meets their specific individual needs to achieve successful transitions.

A wide range of services and programs is in place to support students with additional or complex needs, including at transition points, as identified in the inquiry report. However, the NSW Government recognises that more can be done. That is why this Government has begun implementing important reforms in a number of areas that are directly relevant to many of the issues highlighted in the inquiry report. These include significant reform in the provision of education for students with additional learning and support needs, including disability in NSW public schools, and also in the provision of disability care and support services for children and young people with disability and their families in NSW. More information about these reforms is outlined below. These activities are being implemented against a background of important national agendas in education and disability care and support that intersect for many of the students highlighted by this inquiry.

The current reforms in education for students with additional learning and support needs and in the provision of disability care and support services reflect the Government's policies, key strategies and priorities for ensuring that New South Wales can achieve improved services over time within the limits of its financial resources. These include the devolution of authority and accountability from central to more local units, specifically in the areas of education and health, and partnerships between the public and not for profit sectors in implementing government programs, including disability services.

Many recommendations from the inquiry are consistent with the policies, strategies and priorities of the Government and these are supported, either fully, or in principle. These include recommendations for improvements to the way that information relevant to transition support is made available to families (recommendations 1, 2 and 7), how and when processes that support effective transitions occur (recommendations 4, 6, 8, 21 and 24), service access or service provision arrangements (recommendations 9, 10, 11, 13, 15 and 18) and training for school staff (recommendation 17).

Recommendations that are not consistent with the Government's policies and priorities are not supported. These include recommendations that are predominantly in the private domain of parent and family responsibility (recommendation 3), that have funding or resource implications (recommendations 5, 12 and 16), that are not consistent with professional educational practice (recommendation 14) or that call for increasing centralisation of services (recommendations 19, 20, 22 and 23).

2. Definition of students with additional or complex needs

The NSW Government acknowledges that students may have additional or complex needs for a wide range of reasons relating to the characteristics and educational needs of individual students, and the socio-economic circumstances and life experiences of families. These needs may be short term or ongoing throughout schooling.

It is noted that the inquiry has not defined 'additional or complex needs' in making its recommendations, although it has focused largely on the experience of students with additional educational needs that arise from disability, difficulties in learning and/or behaviour.

All education providers in Australia, both government and non-government, are obligated by the Commonwealth *Disability Discrimination Act 1992* and its subordinate legislation, the *Disability Standards for Education 2005*. These require, among other things, that all education providers must ensure that students with disability are able to access and participate in education activities on the same basis as all other students. This includes obligations to provide 'reasonable adjustment' where necessary, in consultation with the student or their parent, to enable this access and participation. These obligations also apply to educational support for transitions.

Disability is defined broadly in the above legislation and includes a wide range of physical, sensory, cognitive and neurological functional impairments, in addition to illness or disease, and disorders or malfunctions that result in the person learning differently or impacting on their behaviour.

For these reasons, this response has interpreted 'students with additional or complex needs' as referring primarily to students with additional learning and support needs due to disability as defined under the Commonwealth *Disability Standards for Education 2005*, unless otherwise specified.

3. Local Schools, Local Decisions

On 11 March 2012, the NSW Government announced Local Schools, Local Decisions, a significant reform to improve teaching and learning in NSW public

schools by increasing the authority of local schools to make decisions about how they deliver education to students.

There is now a strong international evidence base that draws on results in the Program for International Student Assessment (PISA) that increasing school authority over resources leads to better student outcomes.

Local Schools, Local Decisions is providing a framework of accountability and local decision making that will improve student and school outcomes.

The Local Schools, Local Decisions policy sets out how over time schools will be given more control over local decisions. It provides government schools in NSW the opportunity to respond to the needs of their students based on their specific circumstances and enables decisions by those closest to the people that they affect.

Key features of Local Schools, Local Decisions include:

- The shift in decision making responsibility from head office to school level
- The management of school budgets by school principals (including staffing and non-staffing resources)
- Schools will manage more than 70% of the total public school education budget
- A new resource allocation model will fund schools directly and funding will reflect complexity as well as student numbers
- Schools will determine the number of temporary and permanent staff within their budgets and principals will have an increased say in filling vacancies in their schools
- One school plan, one annual report and one budget all linked to student learning outcomes

More information about Local Schools, Local Decisions is available from <http://www.schools.nsw.edu.au/news/lslld/index.php>.

4. Every Student, Every School: Learning and Support

On 27 March 2012, the NSW Government announced Every Student, Every School, an important strategy for developing high quality learning and support for all students and their teachers through a framework for learning and support in all NSW public schools. This learning and support framework was developed by the NSW Department of Education and Communities and is based on foundation elements that are required for high quality learning and support for every student with disability in every NSW public school. Its implementation will ensure that every student is provided with the best possible education and build the capabilities of teachers to meet the educational needs of students with disability and additional learning and support needs.

Every Student, Every School is needed because in 2012 there are around 90,000 students with additional learning and support needs, including disability, in 2,240 public schools across the state. This represents about 12% of the total school population in NSW government schools. It includes students with and without a formally diagnosed disability, including students with difficulties in learning and behaviour from a range of causes. Almost 80% of these students attend regular schools, reflecting the enrolment choices and preferences of their parents. They are being taught in more than 50,000 classrooms across the state, every day.

We need to make sure that every student is provided with the best possible learning experience and build the capabilities of teachers and support staff to meet the educational needs of students because of legal obligations under the Commonwealth *Disability Discrimination Act 1992* and its Education Standards.

More than 20 integrated projects will be implemented through Every Student, Every School over the 2012 and 2013 school years to develop the learning and support framework in all NSW public schools. These projects are being implemented through existing NSW Government funding for students with special needs, and are supported by the Australian Government under the national partnership agreement, *More Support for Students with Disabilities* through an additional \$47.9 million over the next two years.

The Catholic and Independent schooling sectors in New South Wales are also benefitting from the national partnership agreement through their own funding agreements with the Australian Government.

More information about Every Student, Every School and the learning and support framework is available from <https://www.det.nsw.edu.au/every-student-every-school>.

5. Stronger Together: improving supports for people with disability and their families in NSW

Strengthening transition supports for children and young people is a key focus for Ageing, Disability and Home Care, NSW Department of Family and Community Services. This approach is realised under Stronger Together, the NSW Government's ten year plan 2006-2016 to reshape and improve support for people with a disability, their families and carers. Through Stronger Together, a range of initiatives are being implemented which focus on providing the right support at different stages across the lifespan which is flexible, person centred and maximises community inclusion.

In line with the lifespan approach reflected under Stronger Together, Ageing, Disability and Home Care's transition support initiatives for children and young people with a disability span from the early childhood years through to completion of school. For children with a disability aged 0 to 8 years, a key focus of these reforms is the promotion of access to mainstream supports available to all children and

families. This approach is based on evidence which demonstrates improved longer term life outcomes are achieved for children and young people with a disability and their families when holistic supports are provided within mainstream settings in the early childhood years. While the initial focus is on the 0 to 8 years age group, it is anticipated that this will have a flow on impact for older age groups over time. For example, if children are supported in mainstream services in the early years, they are more likely to access mainstream schooling and other mainstream activities and services, with additional support as needed, and look to mainstream employment, training and further education options when they leave school.

5.1 Improving the transition into school

Commencing in 2012, Ageing, Disability and Home Care will work in collaboration with Early Childhood Intervention Australia (NSW Chapter) to develop a transition to school package and consultancy approach to support young children with a disability and their families as they move from the early childhood setting to school. This project will provide for effective and smoother transitions at the early stage when families encounter decisions about where their child will attend formal schooling and consider how they want their child supported in the next phase of their education, consistent with the life span approach of Stronger Together.

Transitions at this stage require timely planning and coordination, sharing of information across early childhood and school settings and support to facilitate continuity of program implementation within the school context. The project will identify current processes in NSW and support the development of a package of resources to be applied across settings to improve coordination and continuity of supports for families, children, prior to school and school settings. 300 places will be supported through a phased implementation approach state-wide over three years, 2012/13 – 2014/15.

5.2 Improving secondary transition planning – a joint approach

The Transition Support Project is an initiative aimed at supporting young people (from Years 9 and 10) with a disability to decide what they want to do when they finish school. Through this project, eligible young people will be supported to develop personal transition plans that will set them on their way to achieving their post school employment, further education and training goals. As well as developing a plan, young people will be able to choose different kinds of supports like mentoring, work experience, Aboriginal and culturally specific supports and / or vocational education, that will help them prepare for life after school.

Ageing, Disability and Home Care and the education sectors (NSW Department of Education and Communities, Catholic Education Commission of NSW and Association of Independent Schools of NSW) are working collaboratively to make sure that the additional transition support provided through this project complements and enhances current transition practices already occurring in schools. The

Transition Support Project aligns with the Department of Education and Communities' Every Student, Every School: Learning and Support initiative and supports the capacity of schools to deliver good practice transition planning processes for young people with a disability.

6. Response to Recommendations

The following response to each of the recommendations is provided within the context of the activities outlined above.

Recommendation 1: That the NSW Government create a central online access point for information about transition support for students with additional or complex needs.

Response:

Supported.

The NSW Government recognises that some families may find it difficult to locate online information about transition support for their children. In addition to the information provided by agencies such as Ageing, Disability and Home Care, NSW Department of Families and Communities on its websites, schools are an important conduit for information for families.

Every Student, Every School will deliver a new website and resources by the end of 2013 to improve access to clear and easy to understand information for students, parents and teachers about how best to support students with additional learning and support needs, including disability, and the services available to support them. Options for addressing the provision of information about transition support will be considered through this project.

Recommendation 2: That the NSW Government establish statewide workshops and online forums for families of children with additional or complex needs to share their transition stories and experiences.

Response:

Supported in principle.

The NSW Government recognises that many parents benefit from sharing their stories and experiences with each other. The Government provides funding to a wide range of organisations for ongoing support for parents to share their experiences, including parents of children with disability and other special needs. This includes, for example, Carers NSW, the Parent Line and a wide range of advocacy and information services.

For example, Carers NSW provides a range of services for carers, including carer support groups that allow carers to meet on a regular basis to discuss their caring

situation, socialise, share information and offer each other support. There are specific carer support groups for parents of children with disability.

Parent Line is a telephone counselling, information and referral service for parents of children ages 0 to 18 who live in New South Wales. It also provides parenting information on its website including information sheets, parenting stories and links to other resources, including specific information relevant for parents of children with special needs.

Family Advocacy provides information for parents of young people with a disability about planning for the post school years. These workshops, 'After School What Then', are an important feature of the support network for families. Each year the workshops have been held in rural/remote and metropolitan locations. For the first time in 2012, Ageing, Disability and Home Care piloted the use of webinars for families that were not able to attend the face to face workshops. This new way of receiving information was a success and will be continued in 2013.

The Raising Children Network is a parenting website funded by the Australian Government that provides information that can help parents with day to day decisions on raising children and to also help parents and carers to look after their own needs. It includes information relevant to schooling and also to students with disability or special needs. The site also gives users the ability to connect with others in their own locations.

The Government will consider ways to promote the findings of the inquiry to the services that it funds that provide or facilitate parent to parent support.

Recommendation 3: That the NSW Government create an ongoing electronic record of the strengths, abilities and supports required for individual students with additional or complex needs that can be accessed by relevant providers with the consent of the student (or their parent/guardian if under 18 years of age).

Response:

Not supported.

The provision of an electronic record system for certain individuals' raises significant and complex privacy concerns in addition to significant cost factors. Parents hold primary responsibility for information about their child and for decisions about who that information is shared with.

However, the Government recognises that the availability of information about the strengths, abilities and needs of individual students with additional learning and support needs is important to support student learning and outcomes. That is why Every Student, Every School includes important work over the 2012 and 2013 school years to develop new tools and materials for teachers to profile the skills, abilities

and needs of their students and to develop personalised learning and support plans to meet those needs, in collaboration with parents.

Recommendation 4: That the NSW Department of Education and Communities consider adopting a tool similar to the Victorian Transition Learning and Development Statement, to facilitate the sharing of information about a student's learning and development.

Response:

Supported in principle.

In 2011, responsibility for early childhood education and care was transferred to the NSW Department of Education and Communities. The Department acknowledges that a statement of the learning and developmental achievements of children at key pathway points could promote successful transitions for **all** children across the continuum of learning environments - including from early childhood education into school - and supports this recommendation. The Department will consider the feasibility of developing a transition statement that could be applied in early learning settings.

Recommendation 5: That the NSW Department of Education and Communities allow families to submit placement panel applications at either their local school or a School for Specific Purposes.

Response:

Not supported.

Under the *Education Act 1990* (NSW), every child is entitled to enrol in the government school that is designated for the area where their home is situated and that they are eligible to attend. The NSW Department of Education and Communities is required to ensure that every eligible local child has a place at the local government school.

Conversely, support classes provided by the Department in regular schools and special schools are a regional resource established according to local demand and based on an annual regional planning process. They are not available in every school community or geographical location across the state.

For this reason, the Department must manage equitably and fairly the available places in support classes for those students and their families seeking access.

The regional placement panel is the Department's process to facilitate access for students to a range of specialist support provisions and the registration and enrolment of students with disability into support classes in regular and special schools.

Where a student is enrolled in a public school, applications for access to specialist support provisions to the regional placement panel are made via the principal, in consultation with the child's parents/carers.

Where a student is not enrolled in a public school, these applications are facilitated by student services staff in regional offices or the local public school that they are eligible to attend.

There are no plans to amend this process at this time, while the implementation of Local Schools, Local Decisions is in progress.

Recommendation 6: That the NSW Department of Education and Communities introduce a policy that standard placement panel decisions should be made by the beginning of Term 3 of the year prior to school entry, and that it publicises the date that placement outcomes will be notified throughout the community and on the central online access point for information.

Response:

Supported in principle.

The NSW Department of Education and Communities' understands the benefits for parents and schools where placement panel decisions about access to a support class are made well ahead of time and where information about placement outcomes is readily available.

While decisions about placements in support classes by panels are made as early as possible, many factors impact on the timing of placements that are outside the control of the Department. These include circumstances where preferred placements are not immediately available and students are considered for subsequent placements that become available through unexpected movement of students or the establishment of new classes during the second semester of the school year.

The Department promotes the advantages of seeking access to specialist provisions, including support classes, as early as possible, in a range of ways, in effort to support timely decision making about support class placements. For example, the booklet, *Getting ready for school: a guide for parents of a child with disability*, recommends that parents make contact with their local school or regional office 12 months prior to their child starting school. This allows time for discussions about children's specific learning and support needs and for requests for access to specialist provisions to be made and considered early.

The booklet *Moving into Year 7 in a NSW government school in 2013* provides parents and carers of all students with information to support their decision about secondary schooling and processes to seeking placement in Year 7 at a government school, including placement in a support class.

The procedures for secondary school enrolment and transition from Year 6 to Year 7 set out timelines for key actions, commencing from February/March when all schools arrange Year 6-7 transition activities and continue throughout the school year including placement offers commencing from Term 2.

To further support consistent, transparent and timely regional placement panel processes, the Department is developing Placement Panel Guidelines. In finalising these guidelines, the Department will take steps to ensure that they clarify responsibilities for advertising to school personnel each region's schedule of placement panels, including meeting dates, at the beginning of each school year and provide standardised timelines for actions associated with placement panel processes. This includes standard timelines for making offers to parents of placements in support classes and for notifying principals of referring and/or receiving schools, within five working days of the panel meeting.

Recommendation 7: That the NSW Department of Education and Communities standardise application dates across all regional placement panels, and publicise these dates throughout the community and on the central online access point for information.

Response:

Partially supported.

The NSW Department of Education and Communities does not support the standardisation of dates for applications for access to specialist support provisions. It is essential that requests for access to additional support are able to be made at any point in time in response to student need.

However, as noted above in recommendation 6, the Department's Placement Panel Guidelines will clarify the responsibility of regions to advertise to all school personnel its regional schedule of placement panels, including meeting dates, at the beginning of each school year.

The Department will consider further ways to support the accessibility of information for parents and carers about processes for seeking access to specialist support provisions and placement panel timelines through the development of the website through Every Student, Every School (see recommendation 1).

Recommendation 8: That the NSW Department of Education and Communities introduce a policy that post school transition planning for students with additional or complex needs should commence at 14 years of age.

Response:

Supported in principle.

The NSW Department of Education and Communities' supports in principle the commencement of planning for post school transition at around 14 years for students with additional or complex needs, as for all students.

The Department's Middle Years Strategy (Years 5 to 9) acknowledges that continuity across primary and secondary schooling makes a significant difference to student outcomes. This particular strategy recognises the importance of creating meaningful connections with parents, other schools, local businesses and industry, government agencies, community organisations, tertiary providers and others within the community in order to provide relevant, real-world learning opportunities, effective student support and expanded career horizons. The Strategy articulates actions taken by the Department to support students with their transitions.

Through Every Student, Every School, from the start of Term 3, 2012, every regular NSW public school now has in place a specialist teacher who works directly in the school to support students with additional learning and support needs and their teachers. This strategy, together with enhanced professional learning for all teachers to better understand and respond to the additional learning and support needs of their students will further support teachers in all areas of education practice for students with additional learning and support needs, including transitions.

Every Student, Every School will also deliver new tools and materials to support teachers to identify the specific learning and support needs of their students in collaboration with parents, and to develop personalised learning and support plans for those students who need adjustments. The Department will consider the inclusion of transition planning in this work, due for completion by the end 2013 school year.

In addition, the Department is working collaboratively with Ageing, Disability and Home Care to pilot the new Transition Support Project. This pilot project will support personalised transition planning for students with disability in Years 9 and 10 that will set them on their way to achieving their post school employment, further education and training goals. It will also provide supports for students participating in the pilot to help them prepare for life after school.

Recommendation 9: That the NSW Ageing, Disability and Home Care Agency undertake assessments for the Transition to Work and Community Participation programs in Year 11, and that students be notified of outcomes by the end of Year 11.

Response:

Supported in principle.

See also recommendation 11: recommendations 9 and 11 are both addressed through the Transition Support Project funded under Stronger Together and implemented with support from the NSW Department of Education and Communities, the Catholic Education Commission of NSW and the Association of

Independent Schools of NSW. Ageing, Disability and Home Care will invest \$4.6M over five years in the delivery of 700 places to support earlier and improved transition planning for young people with a disability.

Instead of focusing on earlier assessment and entry into specialist disability programs such as Transition to Work or Community Participation programs, the Transition Support Project builds on existing transition strategies within the school system at an earlier stage (in Years 9 and 10). Through this project young people are supported to develop personalised transition plans, and trial different support options that will assist them to achieve their goals post school.

The principles underpinning the Transition Support Project align with the NSW Department of Education and Communities' Every Student, Every School initiative. From initiation of the project, Ageing, Disability and Home Care has partnered closely with the Department of Education and Communities to ensure that the capacity to deliver good practice transition planning for young people with a disability is consistent with directions in Every Student, Every School, in addition to the NSW Association of Independent Schools and the NSW Catholic Education Commission's person-centred approach to transition planning.

Recommendation 10: That the NSW Ageing, Disability and Home Care Agency consider developing a blended service that would allow people to transfer between the Transition to Work and Community Participation programs if a participant's needs change.

Response:

Supported.

The Community Participation and Transition to Work program guidelines currently provide the opportunity for people with a disability to transfer as their needs change. This is particularly relevant within the context of employment and supporting people with a disability to be able to transition to work with a safety net of return if employment is not sustainable. Through Stronger Together, these types of approach to blend and mix program elements are being strengthened as supports move towards a more person centred and holistic approach to service delivery.

Recommendation 11: That the NSW Department of Family and Community Services' Ageing, Disability and Home Care enable students with disability to trial Transition to Work and Community Participation programs from Year 10.

Response:

Supported in principle.

This recommendation is being realised through the Transition Support Project (see recommendation 9). Ageing, Disability and Home Care is working in partnership with

the NSW Department of Education and Communities, the Catholic Education Commission of NSW and the Association of Independent Schools of NSW to support eligible young people with a disability to trial different kinds of supports from Year 9 and 10. This approach gives young people with a disability the option to trial the types of activities and support they would typically receive in the Transition to Work and Community Participation programs at an earlier stage while remaining engaged in education until the completion of Year 12 and during the compulsory years of schooling.

Importantly, the kinds of supports trialled will reflect each young person's unique aspirations and transition goals and will align with their transition plans developed through the school-based transition planning process. This approach recognises the rights of young people with a disability to trial a variety of post school pathways to assist them in making the decision around what they wish to do after leaving school, rather than directing them into a disability specific program from an earlier stage. Through this project, young people with a disability are able to trial a number of supports including employment in-reach programs (Transition to Work, open, or supported employment); work experience; mentoring; vocational education, TAFE supports; and Aboriginal or culturally appropriate supports.

Recommendation 12: That the NSW Department of Education and Communities fund additional Support Teachers Transition to ensure that all schools have adequate access to their services, particularly in rural and regional New South Wales.

Response:

Not supported.

The NSW Department of Education and Communities acknowledges that all schools need to have adequate access to advice and support for their students with additional learning and support needs. The Department provides a range of services to support students and their teachers as they plan for post school transitions, including Support Teachers Transition. These specialist teachers provide additional assistance to schools and students with the development of transition plans for individual students with disabilities.

The Department does not plan to fund additional Support Teachers Transition. As noted earlier, the mechanisms for providing specialist support in public schools are changing in order to better support around 90,000 students with additional learning and support needs located in schools across the state.

By providing a specialist teacher allocation to every public school through the Every Student, Every School initiative, there has been an increase of over \$69 million in

NSW Government resources directly allocated to schools to support students with additional learning and support needs.

More than 400 schools have a specialist teacher working directly in the school for the first time through this strategy. It brings the total number of Learning and Support Teacher positions working directly in schools to 1,814.

In addition, the Department's Support Teacher Transition positions will continue.

Recommendation 13: That the NSW Department of Education and Communities provide ongoing funding and support to establish transition programs for newly arrived refugee children and young people, such as the 'Beginning School Well' pilot .

Response:

Supported in principle.

Newly arrived students from language backgrounds other than English, including students from refugee backgrounds, are provided with English language instruction to support their transition into school in Australia.

In addition to the range of transition programs that support all students in NSW government schools, including refugee students, a number of initiatives are being implemented in schools with high refugee enrolments to provide additional learning and bilingual support for refugee students and their families during key transitions. These transitions include transition into kindergarten, transition into primary school, transition from intensive English programs into mainstream high schools and transition to post school pathways. The programs have been funded continually since 2008, expanding each year to include greater numbers of regions, schools, families and students. There are no plans to change this ongoing support.

Recommendation 14: That the NSW Government develop a standard assessment process for all newly arrived refugee children and young people to determine their skill and education level, so that they can be placed in the most appropriate educational setting based on their capabilities and educational needs rather than age.

Response:

Not supported.

It is the usual practice in NSW Government schools to place students from refugee backgrounds in age appropriate year groupings upon enrolment. This practice is informed by the research which indicates that all students learn better in class groupings that reflect their age and level of maturity rather than their level of educational achievement. It would not be appropriate, for example, to place a fifteen year old student who has never been to school in a kindergarten class, based on the

student's literacy and numeracy skills levels.

Students from refugee backgrounds are assessed on enrolment to determine their educational level and welfare needs as well as their English language proficiency. If required, intensive English language support is provided by specialist English as a Second Language teachers. Counseling and referrals to other specialist services are made as required.

In addition to diagnostic and ongoing assessment practices, which are essential components of the professional practice of all teachers, a number of formal assessments occur at key stages of schooling in NSW public schools. These include the *Best Start Kindergarten Assessment*, designed to identify each student's literacy and numeracy skills and understandings at the beginning of Kindergarten and the NAPLAN assessments, which track students' language, literacy and numeracy skills as they move through the stages of schooling. The assessments provide teachers with valuable insights into the needs of their students, including refugee students, and help to inform the provision of targeted support and resources.

Recommendation 15: That the NSW Government consider ways to increase transition support services for students with additional or complex needs and their families in rural and regional New South Wales.

Response:

Supported.

As outlined above, Every Student, Every School provides every regular NSW Government school with specialist teacher resources and flexible funding to support students with additional learning and support needs and their teachers. More than 400 schools have a specialist teacher allocation for the first time through this strategy. This includes many small schools in rural and regional New South Wales.

Recommendation 16: That the NSW Government amend the Supervisor Subsidy Scheme so that funding continues while a student is enrolled in school, even after the student turns 18.

Response:

Not supported.

The Supervisor Subsidy Scheme subsidises the salaries of full-time teachers/supervisors employed in non-government special schools catering for students with moderate to severe intellectual disability and students with autism.

There are currently 23 non-government special schools that qualify for assistance under the scheme and schools are provided with funding on a term to term basis. In 2012/13, \$27.7 million has been allocated to provide subsidies under this scheme.

In 2009, the former Treasurer approved subsidy payments to be made for all eligible students until they attain 18 years of age and schools attract subsidy until the end of the term that the student turns 18. The maximum age for subsidy prior to this approval was 16 years of age.

The scheme is a generous one and funding under this scheme is only provided for non-government schools with intellectually disabled students. It is not available to schools with students with other disabilities.

The Government will not be making any further funding enhancements to this scheme.

Recommendation 17: That the NSW Department of Education and Communities provide training to all school staff on their obligations regarding students with additional or complex needs, and that the training include a section on the importance of transition planning and support. Further, that the Catholic and independent school sectors be encouraged to review and where appropriate, introduce similar training to staff in the schools they operate.

Response:

Supported.

The NSW Department of Education and Communities supports the provision of training for all school staff on their obligations regarding students with additional learning and support needs, including transitions.

Every Student, Every School will deliver a range of professional learning options for teachers and support staff working with students with additional learning and support needs in all NSW government schools, through the national partnership agreement, More Support for Students with Disabilities. This includes:

- more than 300 new scholarships for teachers to gain post graduate qualifications in special education,
- enhanced access to a range of online professional learning courses that are available to all staff in NSW government schools to support their understanding of the needs of students with additional learning needs and disability and their skills in meeting the needs of students, including at transitions, and
- training in the national Disability Standards for Education through an e-learning package of resources currently being developed by the University of Canberra. The development of this training package is a collaborative project between the Department and other education jurisdictions nationally, including the NSW Catholic Education Commission.

Recommendation 18: That the NSW Department of Education and Communities review its Disability Criteria to consider including children with a mild to moderate disability.

Response:

Supported in principle.

The NSW Department of Education and Communities supports the provision of services and programs for students with a wide range of disability in accordance with its obligations to provide reasonable adjustments for students with disability under the Commonwealth *Disability Discrimination Act 1992* and *Disability Standards for Education 2005*.

The Department supports students with mild and moderate disability through a wide range of specialist provisions in its regular and special schools. This includes:

- targeted services and programs that provide additional support for students with disability, and
- those that provide specialist resources directly to schools to support students with disability who have low level additional learning needs.

The Disability Criteria are used to determine access only to targeted specialist provisions that are not available in every school.

Every Student, Every School provides learning and support resources, including specialist teachers and flexible funding, directly to every regular NSW government school to support students with low level disability and additional learning and support needs.

The principal, through the school learning and support team, has the flexibility to decide how best to use these resources to meet the specific needs of their students, in collaboration with parents. This may include how specialist teacher time is used in the school and how flexible funding is used for extra teacher time or school learning and support officer (teachers' aide) time.

Students do not need a formal diagnosis or confirmation against the Disability Criteria to access support through these resources. This includes students with difficulties in learning or behaviour, such as significant reading difficulties and dyslexia, mild intellectual disability, 'high functioning' autism spectrum disorders and some mental health disorders such as attention deficit hyperactivity disorder (ADHD).

Students with disability, who have moderate and high level support needs with intellectual disability, mental health disorders and autism, and physical and sensory disability, continue to be supported under current programs providing targeted support in regular and special schools.

Recommendation 19: That the NSW Government ensure there is a dedicated section within the NSW Department of Education and Communities that has authority to collaborate with other state government agencies to provide dedicated transition support for students with additional or complex needs. Further, that the section engage in ongoing dialogue with the Catholic and independent school sectors to improve the sharing of information for students with additional or complex needs who transfer across sectors.

and

Recommendation 20: That the NSW Government fund the NSW Department of Education and Communities to provide adequate and timely case management through the dedicated transition section to support students with additional or complex needs through key transitions.

Response:

The establishment of a centralised transition support system is not supported.

The NSW Government is strongly committed to giving greater decision making control for school decisions to principals, teachers and school communities for the benefit of their school and improved education outcomes for their students.

At the same time, the Government is also strongly focused on creating person-centred services through increased use of individualised funding arrangements for disability services, in partnership with non-government organisations and other government agencies. Prevention and early intervention in the provision of family and community services is also a focus of current directions in service provision.

As noted earlier in this response, there are around 90,000 students in NSW Government schools who require adjusted learning and support. Every Student, Every School is an important strategy for building the capacity of all public schools to ensure that every student receives a high quality educational experience and that teachers have the capabilities to meet the diverse needs of their students.

Through the provision of a specialist teacher working directly in every regular public school, the NSW Government is increasing the funding for schools to support students with additional learning and support needs by \$69 million. This brings the NSW Government total spend on learning and support to almost \$220 million.

Local Schools, Local Decisions will also provide over time greater control to school communities for making decisions about their resources to respond to the specific educational needs of students.

At a central level, the NSW Department of Education and Communities' works collaboratively with a wide range of government and non-government agencies that provide services that support students with disability, including at transitions. This

includes the NSW Department of Family and Community Services' Ageing, Disability and Home Care and NSW Health. The Department also works collaboratively with the Catholic and Independent school sectors, including specific collaborative planning and delivery of training to support educational staff involved in supporting post school transition of students with disability. This collaborative work will continue.

The NSW Government recognises that continuity of support, communication and coordination of services is important for families with a child with disability. In addition to planned improvements to the availability of information and training for school staff outlined earlier in this response, the NSW Department of Education and Communities and the NSW Department of Family and Community Services will continue to explore options for further strengthening continuity and coordination of support for students with disability at transitions through the policies and current priorities of the NSW Government.

Recommendation 21: That the NSW Department of Education and Communities implement a flexible, family-centred approach to transition planning and support for students with additional or complex needs.

Response:

Supported in principle.

The NSW Department of Education and Communities recognises that the learning and support needs of every student are different and supports a flexible approach meeting their specific educational needs.

The framework for learning and support that is being established through Every Student, Every School includes a strong focus on the provision of personalised learning and support for students with additional educational needs, in collaboration with their parents and carers.

Additional training through this initiative outlined in recommendation 17 will also support teachers and other education staff in all NSW government schools to understand their obligations in this regard.

Recommendation 22: That case managers within the dedicated transition section of the NSW Department of Education and Communities develop transition plans for students with additional or complex needs locally with families, schools and other stakeholders. The transition section should have ongoing carriage of and responsibility for these plans.

Response:

Not supported.

The centralised development and carriage of transition plans for students with additional learning and support needs is not supported, as outlined above in

recommendations 19 and 20. Every teacher has a responsibility to ensure that the educational experience for all of their students is of the highest quality, including those with additional learning and support needs. Planning to meet the specific needs of students with additional learning and support needs is more likely to be effective where undertaken by those who know the student well, including their teachers and parents.

Through the provision of a specialist teacher in every public school, together with training and support for teachers in identifying and responding to the adjusted learning and support needs of their students, Every Student, Every School will ensure that students with additional learning and support needs are able to get support when they need, where they need it, every day.

The NSW Department of Education and Communities and Ageing, Disability and Home Care of the NSW Department of Family and Community Services will continue to explore options for further strengthening transition planning through collaborative work on the Transition Support Project referred to in recommendations 9 and 11.

Recommendation 23: That the NSW Government introduce legislation to mandate transition planning for students with additional or complex needs, and that it consider the impact of the legislation on the reasonable adjustment process required under the Disability Discrimination Act 1992 (Cth).

Response:

Not supported.

All students have transition needs in education. There are practical difficulties associated with a mandated approach to provisions for certain students and not others. These include the way that students and their needs are defined for the purposes of legislation.

The current Commonwealth *Disability Standards for Education 2005* (the Standards), subordinate legislation under the *Disability Discrimination Act 1992*, already mandates the provision of reasonable adjustments to accommodate the educational needs of students with disability on the same basis as all other students. This includes adjustments to accommodate the planning and support needs at transition for students with disability.

As noted earlier, disability is defined broadly in the legislation and includes a wide range of physical, sensory, cognitive and neurological functional impairments, in addition to illness or disease, and disorders or malfunctions that result in the person learning differently or impact their behaviour.

While the introduction of legislation to mandate transition planning is not supported, the NSW Government recognises that more needs to be done to support teachers to understand their obligations toward students with disability under the legislation. That

is why Every Student, Every School is being implemented in all NSW Government schools to support education staff to better meet the learning and support needs of their students with additional educational needs. This includes the provision of training and materials to support teachers to identify where a student may need adjustments and to personalise learning and support for students who need it in all aspects of education, including transitions.

Recommendation 24: That the NSW Department of Education and Communities introduce a policy that planning for students with additional or complex needs transitioning between schools should commence at least 12 months prior to transition, and that support should continue for at least six months after.

Response:

Supported in principle.

The NSW Department of Education and Communities' recognises the benefits for students with additional learning and support needs, their parents and schools, where planning for transition commences well ahead of time and supports the student as they settle into their new educational setting.

The Department's *Curriculum Planning and Programming, Assessing and Reporting to Parents K-12 policy* provides explicit advice to teachers regarding all students, including students with disability. In developing classroom learning programs based on Board of Studies syllabuses, teachers build on the knowledge and skills that their students have developed and learned from previous years.

The Department will continue to promote early commencement of transition planning for students with additional learning and support needs in a range of ways through its resources, including those outlined at recommendation 6.