

**Submission
No 222**

**INQUIRY INTO THE PROVISION OF EDUCATION TO
STUDENTS WITH A DISABILITY OR SPECIAL NEEDS**

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Inquiry into the provision of education to students with a disability or special needs

19 February 2010

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Submission to the Inquiry into the Provision of education to students with a disability or special needs

Thank you for providing the Deaf Society of NSW with the opportunity to make this submission to the Inquiry into the Provision of education to students with a disability or special needs.

Background:

The Deaf Society of NSW (Deaf Society) provides services to deaf and hard of hearing people across New South Wales. Established in 1913, it is the principal service provider for deaf people who use Auslan (Australian Sign Language) within NSW. Our clients and stakeholders include deaf people who have had experience with the NSW public school system as both students and parents.

Whilst the Deaf Society is not a consumer association, the Deaf Society does represent the views of a service provider charged with the task of providing for the needs of deaf people once they have left school. As such, we are in a position to offer comments on aspects of school education for deaf people.

As a part of this submission we will make reference to the United Nations Convention on the Rights of Persons with Disabilities (the Convention) recently ratified by the Australian government. The Convention sets out in Article 8, section 2 (b) that the measures for awareness raising include, "*Fostering at all levels of the education system, including in all children from an early age, an attitude of respect for the rights of persons with Disabilities*"

We will comment on selected terms of reference only, namely 1, 4, and 7.

1. The nature, level and adequacy of funding for the education of children with a disability

The nature, level and adequacy of funding for the education of deaf students are a cause of concern for our stakeholders. The Auslan skill level of staff as well as the number of hours deaf students have with access to appropriately qualified teaching staff is currently in need of serious review and has a long way to go to be in line with the conditions set out in Article 24 of the Convention on Education. Teacher training is addressed under point 7.

In TAFE's and universities, students who use Auslan are able to access National Accreditation Authority for Translators and Interpreters (NAATI) accredited Auslan/English interpreters for all face-to-face tuition. Yet in schools there is little or no funding for interpreters. Where "interpreters" are provided, they are usually not accredited by the NAATI, being employed as "learning support officers" or "teacher aides". Even when such staff are provided, they are often not provided for all the face-to-face hours of the child's education. The reason given by schools for this insufficient provision is typically that there is no funding available. This relates directly to article 9.2, section (e) of the Convention where state bodies should take appropriate measures to, "*provide forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings and other facilities open to the public.*"

The structure of such funding is entirely inadequate. If a child moves schools, their parents typically have to begin the process all over again, while their child lags further and further behind through lack of access to information given in the classroom.

Part 2 (a) of Article 24 of the Convention states that State parties shall ensure that, "*Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability.*" In Australia some deaf students are being excluded from equal education in the public education system.

Recommendations:

- a) Funding for Auslan/English interpreting staff for mainstreamed students should be sufficient to allow the employment of NAATI accredited Auslan/English interpreters for the full classroom hours of all students who use Auslan to access the curriculum
- b) Funding for interpreting staff and other support should be attached to the child, not the school

4. The adequacy of integrated support services for children with a disability in mainstream settings, such as school classrooms

Again, the qualifications of support staff working with students who use Auslan are a cause of concern. If staff members who "interpret" for students in classrooms have not been accredited as interpreters then there is no assurance that the child is receiving the same information as his or her peers. If deaf students who use Auslan to access the curriculum are not provided with interpreters at all this represents a serious inequity in the education of deaf students.

Part 4 of Article 24 of the Convention clearly sets out that, "In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities."

Another important support service currently not provided in mainstream environments for deaf students is access to deaf role models and peers. The social aspect to a child's education is vital and the NSW Department of Education and Training (DET) should support this interaction.

Recommendations:

- a) Introduce a requirement that all staff conveying information directly to any deaf child who uses Auslan to access the curriculum must have NAATI Auslan/English interpreter accreditation at least to paraprofessional level.
- b) Introduce a requirement that all deaf students who use Auslan to access the curriculum are provided with teachers who have NAATI Auslan/English paraprofessional level interpreter accreditation or with interpreters who have NAATI Auslan/English paraprofessional level interpreter accreditation at all times in the classroom.
- c) Ensure that deaf students are given regular access to deaf peers and deaf role models as part of their educational socialisation.

7. The provision of adequate teaching training, both in terms of pre-service and ongoing professional training

Teacher training offered through DET for teachers preparing to work with students who use Auslan to access the curriculum is inadequate. Although there is a signing stream in the teacher training program offered through the Renwick Centre, the course is not comprehensive enough to allow for Auslan skills to be taught and the stream is therefore under-utilised as an option for trainee teachers of the deaf.

For teachers to maintain their Auslan language skills they require ongoing access to training and development.

However, there is little ongoing professional training in Auslan skills.

Section 3 (c) of Article 24 of the Convention states that state parties shall take appropriate measures , *"Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development."*

Recommendations:

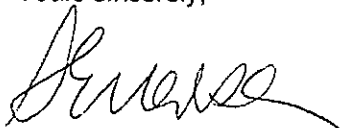
- a) That DET, in consultation with teacher training providers, fulfil its obligation to train and provide teachers of the deaf who are able to communicate fluently without impediment with students who use Auslan to access the curriculum. An appropriate benchmark for fluency would be NAATI paraprofessional Auslan/English interpreter accreditation.
- b) That DET support the ongoing professional development in Auslan for teaching staff working with deaf students.

As a final note, although this enquiry seems to have a focus on the education of students with a disability in primary and secondary school settings it is important that consideration be given to access in TAFE settings. The Department of Education is responsible for ensuring deaf students accessing TAFE can readily access the information through Auslan interpreter provision and notetakers. At present the access for deaf students in TAFE is a serious concern as funding as well as course options are deteriorating.

Again, thank you for providing the opportunity to make a submission to the Inquiry into the provision of education to students with a disability or special needs. We trust that the above-mentioned issues will be given serious consideration and we look forward to a positive outcome.

If you would like any further information I can be contacted by phone or email on 02 8833 3613 or severson@deafsociety.com.

Yours sincerely,



Sharon Everson
Chief Executive Officer

Appendix A

United Nations Convention on the Rights of Persons with Disabilities

Article 24 – Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to:

- (a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
- (b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- (c) Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

- (a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
- (b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
- (c) Reasonable accommodation of the individual's requirements is provided;
- (d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- (e) Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- (a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- (b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
- (c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.