

Submission  
No 635

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

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9 February 2010

**Submission to NSW Legislative Council  
Enquiry into the provision of Education to students with a disability or special  
needs**

Many other submissions will detail the economic and personal cost of not helping children with special needs to reach their potential. For a particularly good summary we would refer you to the report of the *Dyslexia Working Party*. We are taking it as self evident that helping children with Learning Disabilities to reach their potential, makes good economic sense as well as increasing the wellbeing of the community.

**Terms of Reference**

No 1 – Adequacy of Level of funding

The children that come under this act in our opinion fall into three categories.

Category 1:

Those children, who with effective short term remediation, will catch up to their peers, and continue to maintain their progress as long as they receive appropriate teaching.

If children are identified in Kindergarten, and their school has a Reading Recovery Program, they usually have the intensive help they need.

If they are identified later as many are, they get piece meal help through the Learning Assistance Program. Many parents are told to get private tutors, not everyone can afford that

Category 2:

Those who will need continuing specialised support through school to reach their potential **and** are capable of achieving at least basic standards of literacy and numeracy.

These children are seriously underfunded, they also have very limited access to Speech Pathology and Occupational Therapy, both of which they may need to develop their learning skills.

Specialised classes such as Intensive Reading and Language Classes are available to very few. Our Language class will only take a child for one or at the most 2 years. Children with a severe language disability, who are not autistic, then have to struggle with a classroom environment which linguistically is beyond their understanding, exposing them to significant discrimination.

### Category 3:

These children have more severe disabilities and fall into two groups:

- 3.1 Those with moderate, severe and profound intellectual disability, most of whom will need lifelong support. However, best practice will allow them to maximise their independence and quality of their lives.
- 3.2 Those with a severe learning disability, who, in spite of best practice and intensive remediation, may still not achieve basic literacy and numeracy outcomes. These children require specialised support throughout their school career and assistance to compensate for their disability which will allow them to lead normal, meaningful and successful lives.

These children usually have specialised classes or schools. In general, the larger the unit the more facilities are available.

### No 2 – Capacity or Disability

Our group represents families in the southern suburbs of Sydney who have a child with a learning difficulty or disability from “whatever cause”. Our children have labels such as Specific Learning Difficulty, Dyslexia, AD/HD, Autism Spectrum Disorder, Language Disability, Intellectual Disability, Acquired Brain Injury (either pre or post birth) and emotional difficulties which affect the child’s learning, either primarily or secondary to their learning disability. We are concerned that the plethora of labels can lead to exclusion and lack of equity, if funding is available on the basis of the label and not on need. Two children with the same label may have very different needs.

We commend the NSW Parliament for passing the Education Amendment, Educational Support for Children with Significant Learning Difficulties. This act defines a child as having a significant learning difficulty, if a qualified teacher or other qualified educational professional is of the opinion that the child is not, regardless of the cause, performing in the basic educational areas of reading, writing, spelling and mathematics in accordance with the child’s peer age group and stage of learning. This definition removes the need for labels which we commend.

### ***No 3 – Adequacy of Places***

Whilst many parents would prefer a mainstream option, that option may not be the best educational choice for their child. Among our members, lack of choice to attend a special class is a common complaint. As previously cited, special reading and language classes are in very short supply. There needs to be available evidence based information to parents on which to base their choice, and adequate places.

### ***No 4 – Integrated Support Services***

As to the provision of special education places in mainstream, **we believe that integration without intensive support disadvantages our children.** Current levels of support are totally inadequate, particularly in Primary and High Schools.

### ***No 5 – Curriculum for Intellectually Disabled and Conduct Disordered Students***

The use of a mainstream curriculum for moderately and severely intellectually disabled children makes no sense. These children need a functional curriculum which reflects their own special learning needs.

Children with Conduct Disorder, have the ability to be Literate and Numerate, therefore they need to have the same curriculum as others, but a different learning environment to take account of their behavioural and emotional issues.

### ***No 6 – Access to Professional Services***

- **There is a severe shortage of School Counsellors.** They are the only educational professionals who can determine cognitive ability, which is important in determining intellectual disability and those children whose academic performance significantly differs from cognitive ability. As registered psychologists, they also have the ability to identify conditions such as Autism, ADHD, and emotional disorders which affect learning and school performance. They are an important resource both to counsel parents and children and to advise both classroom and specialist teachers on management of children's educational needs.

**Waiting times** for assessment can set back remediation of children's problems by months, which can impact on self esteem and achievement.

School counsellor training is extremely lengthy, with qualifications required in both teaching and psychology, plus specialist training. If psychologists could be employed without teaching qualifications, as is common in the private sector, a more rapid increase in recruitment could start to address the shortage.

- **Language assessment and remediation is almost non-existent** in the public sector after a child starts school. Waiting lists are over a year and treatment and advice severely rationed. Language disabilities are a major area of academic failure.

Specialist Speech Pathologists are needed within schools, to advise teachers and to provide therapy during the time a child is most actively ready to learn. Taking children out of school for therapy is often advised against by Principals. This means that even if parents pay for therapy, the child is tired after school and not in the best frame of mind to make the most of this precious resource.

- **The role of motor co-ordination also affects learning** and again, resources are sadly lacking in the public sector with long waiting lists and rationed therapy.

### ***No 7 – Teacher Training***

We believe that good teaching is the key to learning. Children with special needs require a teacher to understand their disability and adapt their teaching as necessary. All too often parents report teachers, who will for example expect children to write down the instructions for homework from a verbal communication “because they are old enough to do so”. Completely overlooking the child with ADHD (who gets distracted), the child with a receptive language problem (who does not understand the words), the child with a writing problem (who can't get it down in time), and the child with anxiety (who has a short term memory problem).

We need a greater commitment to training for

- Classroom teachers, many if not most of whom will have had no component of special education in their training
- Special Education Teachers – only 50% have specialist training (DET figures)

### ***No 8 – Related Matters***

- **ASSESSMENT**

We have concerns about using NAPLAN testing as a basis for assessment for funding for children with special needs such as learning disabilities.

- Many children with special needs are encouraged not to sit for the test. The encouragement comes from both from schools, who see their averages being reduced and from parents who do not wish their child to be faced with a test which is beyond their capabilities thus confronting them with failure.
- The NAPLAN reporting does not include how many children received special provisions and how many children who sat the test had been assessed as having special needs. We believe that this is important information which is in fact collected, and therefore could be reported.
- Currently only those children in the lowest band receive funding. If a child has a superior IQ and is performing in the average range, they have a learning disability, but would not be recognised by NAPLAN testing.

- Current practices to identify and allocate resources to children with special needs are extremely costly, we believe excessively so, and would like to see those streamlined especially in view of the December 2008 Legislation. We were concerned to note that in spite of this Legislation, at the level of Public Education, very little appeared to change. The only response has been relatively minor adjustments to the existing support for children with learning difficulties, which pleased no one and is in abeyance.

## **2. ACCOUNTABILITY/CONSULTATION**

The large regions currently in place make decision making remote and consultation difficult. We find that our local DET managers spend long hours on the road going from meeting to meeting, which is a waste of time and resources and makes them difficult to access.

Consultation has been almost nonexistent for the past 3 years and limited previously.

Consultation is a collaborative process, all too often it is practised as department staff telling the public what is happening, we need a truly two way process and an acknowledgment that the time of the consumer is important. When we were being invited to meetings with the Department, a member would arrange family commitments or take time off work to attend, only to have the meeting cancelled at the last minute. We were not always informed of cancellations

**We would like to see an attitude of true and equal partnership with parents at all levels of DET.**

Thank you for this opportunity to have our voice heard, and for your commitment to better services for children with special needs.

Attached are a statement about the group and the story of a mother whose experiences reflect others in our group who have put in independent submissions.

EDWINA BIRCH B.Sc(Hons), M.A.(Clin Psych), MAPS  
President



Sutherland Shire  
Learning Difficulties  
Support Group Inc

The group was established in 1982, the first of its kind in NSW.

Whilst we are located in Sutherland we have members in the St George Area and beyond. Currently our website is being updated, but we expect it to be running within the next month and further details of our group will be available from [www.learningdifficulties.org.au](http://www.learningdifficulties.org.au)

**SSLDSG AIMS:**

1. To Provide information and support to parents and families of children with learning difficulties/disabilities from whatever cause.
2. To increase community awareness and understanding of the nature and extent of the problems experienced by children with learning difficulties/disabilities..
3. To work with relevant authorities to ensure more accurate diagnostic procedures and special education resources being made available to those with learning difficulties.

**THE COMMITTEE**

President	Edwina Birch
Vice President	Annette Portelli
Secretary	Lisa May
Treasurer	Robyn Fuller
Public Officer	Jenny Green

**COMMITTEE MEMBERS:**

General	David Bradley
General	Helen Hall
General	Antonia Canaris
General	Lou Single
General	Tenah Comminos

Experiences of challenges and obstacles faced trying to help my son.

### Year one at school -2007

Teacher tells me he is young for his age at the end of the school year.

I notice that he resists certain activities like reading, homework etc, but think it's just normal, not realising that he was actually struggling with the work, but was smart enough to disguise.

### Year Two -2008

I witnessed an incident where my son's teacher physically assaulted him in Term2.

The teacher denied it. The relieving principal pulled my son out of that class and into another composite 2/3 class. There was no warning to my son this was going to happen. This was a HUGE upheaval for him. First the maltreatment to him, then the handling of the change of class. I believe the whole incident threw his confidence. His behaviour and school work declined even further and set him back for the remainder of the year. He became unhappy and despondent, no motivation. He went into a class which was at a harder level, so subsequently he found the work even more daunting.

The handling of investigating the incident also left me wondering if I was dealing with a fair and just grievance system.

Initially I was met with disbelief when I reported the incident the following day. I myself was still in shock from what I had seen. I was also not believed.

I was offered a meeting with the teacher involved. She denied she mistreated my son and apologised that I felt that way. I couldn't accept her 'apology' as she was apologising for something she said she didn't do.

I then wrote a statement of the events as they unfolded before me in the class that afternoon with my son. I gave this to the relieving principal. She seemed in disbelief and was upset by my reporting of the event, and I felt that as a result, a rash and rushed decision was made to pull my son from his class with no apparent action taken towards the perpetrator.

A new principal started term 3. He phoned me one day to let me know that my son would be interviewed that day by someone from the dept of ed . No one from the dept of education interviewed me.

Some time later I received a phone cal from him at 3.25pm (school finishes at 3.30). He advised me that the matter had been resolved. I asked him 'how?' He replied that it's been resolved and he couldn't tell me any more about it.

I made a beeline visit to his office, to find out what was going on, *how* had the matter been resolved I enquired again. Still no information was provided to me. I phoned the dept and asked for an explanation.

I was then told that no action would be taken. I was in disbelief. Nothing happened to the teacher, yet my son was traumatised by the whole incident. With no support, I had no energy to continue to pursue the injustice I saw. I needed my energy and focus on my son.

His new class teacher recognised my son was struggling with his school work and brought this to my attention. She referred him to the school counsellor for an assessment. This was term 2 July 2008.

Term 3- October the assessment was carried out. He just missed out on the round of funding for assistance, which the counsellors report advised he needed. I applied for a place with Community health services July 2008 and was told there was a 12 month waiting period.



### Year 3-2009

Still no assistance for him in class at the start of the year. A teachers aid was present in the class some of the time for another student, how much of her time was spent with my son I do not know.

I sought help privately with a speech pathologist. However, as a sole parent, with no assistance or support from family, this was very expensive to sustain for the length of time required. With my meagre budget already stretched to the limit just to maintain housing, food and everyday expenses it was just too expensive. Alex's behaviour both at school and in class was markedly changed. He would lie about completing work which he just didn't even start. He became unmotivated and disinterested both at home and at school. He would swing from angry to sad in no time.

I also had pressure from centrelink to find work regardless if it meant that I would not be available to my son before and after school. I want to be there for my son, I'm all he's got, so being a hands on mum was very important to both of us. I was studying and doing volunteer work and doing some paid work, but not the hours centerlinks' regime required. I was also dealing with getting my life together after fleeing a violent marriage, having my new place, after leaving the marriage, broken into and an arson attack. So I had to start over twice in 6 months, all with no support, all on my own and try to raise my son whilst dealing with subsequent mental/ physical /emotional/monetary strains.

I believe that a lot of my sons difficulties with learning are made worse with his levels of anxiety resulting from the domestic violence. Even after leaving the situation, the obstacles faced by women and their children just to survive (housing, poverty, health and safety) are very hard and the Howard government changes to policy around sole parents made these challenges and pressures even harder.

Through years of counselling and sheer determination and some grace!, I believe I have now built a life for myself and my son where we are safe, healthy and happy.

However, my son needs help at school to reach his full potential. I would like to see my son find his potential and to have the opportunity to pursue it, in an educational environment which says that it too wants the same for my child. I would like to see it happen. I think his teachers at school are all very dedicated and care a lot for all their students, however I don't see them being fully supported by way of resources, training, funding, time and support for them to provide an equal education to all students who require a different approach to learning.

19 months after registering for a place with a speech therapist through community health an initial appointment was made. This is just crazy to wait this long.

My son is progressing, backwards, with his levels of reading. One month after attending the initial appointment I received in the mail some worksheets to do at home from community health servives. Community health have advised me today that he is too old to attend their group sessions and too old to really offer much one to one therapy. After a few phone calls and discussions, they have now offered about six sessions. As far as my son is concerned this is too little too late! Intervention should of happened around kindy/year one. I know there are other kids who have more severe delays with learning, however, allowing kids like my boy to 'slip' through the gaps, only to discover that the learning gap is widening as the years continue without any help for him, is extremely frustrating and heartbreaking to witness. I believe that the help he requires needs to be offered at school, during school hours. Even mild delays in learning should be addressed appropriately and promptly to avoid long term ramifications of not acting.

#### Year 4 -2010

Another assessment completed by the schools reading recovery teacher. Finally an application is made for intensive reading class, though it's very hard to get a place. The school has assured me that if he fails to get a place in this programme, he is definitely in a new one offered at school commencing at the end of this term. I'm am not sure what this entails as yet.

It's taken 2-3 years to get to this far, high school is soon approaching, I can only hope now that he will be ready to take on the new challenges he will face with his learning and on into his future.