

**Submission
No 31**

**INQUIRY INTO STUDENTS WITH A DISABILITY OR
SPECIAL NEEDS IN NEW SOUTH WALES SCHOOLS**

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As public school teachers and NSW Teachers Federation members we continue to campaign for the right of every student to receive a public education of the highest quality and for all students to become successful learners.

We are committed to equity and excellence for every student and in doing so assert, as was confirmed in The Review of Funding for Schooling (Gonski Review) that it costs more to deliver on these values for students with disability.

We will not stand by the currently inadequate provision of education to students with disability and the lifelong implications this inequity has.

The National Education Reform Agreement (NERA) and Australian Education Act 2013, acknowledge the requirement for, and commitment to additional funds for students with disability. The NSW government's unwavering commitment to the Gonski funding model paves the way for this investment to be realised.

We stand ready to work with our employer and NSW government in delivering equitable quality education but can only do so effectively when equipped with the necessary tools and supported by a system that is responsive to need.

We offer the following submission as an index of unmet need and a call for equity for every student.

A) Equitable access to resources for students with a disability or special needs in regional and metropolitan areas.

The continued refusal of the federal Coalition government to fund the Gonski Students with Disability (SWD) loading means growing numbers of students are not gaining equitable access to education or improved life outcomes through schooling. The federal government's own data collection shows that 13.6 per cent of all students need funded support at school but only 6.2 per cent are getting it. This affects more than 270,000 students across the country.

The Australian Education Union (AEU) 2016 State of our Schools survey found that:

##87 per cent of principals reported having to shift funding from other parts of their school budget to assist students with disability (up from 84 per cent in 2015)

##62 per cent of teachers say the needs of students with disability at their school are not being properly met

The 2016 Children and Young People with Disability Australia (CYDA) Education Survey found that:

##67 per cent of parents do not think the level of support their child with a disability receives at school is adequate

##73 per cent of students were receiving individual support at school, but only 57 per cent received specific individual funding.

CYDA's Inclusion in Education issues paper states that "People who experience disability form the largest minority group in our world today. However, the rights of people who experience disability are repeatedly denied. Exclusion or discrimination on the basis of disability remains a common occurrence and children who experience disability are amongst the most excluded in Australia and throughout the world" (pp. 7-8).

Further, employment rates of people with disability have been stagnant since the passage of the Disability Discrimination Act 1992, with their labour force participation at 54 per cent compared to 83 per cent for people without disability. About 45 per cent of people with disability in Australia live near or in poverty – more than double the Organisation for Economic Cooperation and Development (OECD) average of 22 per cent. Australia is the worst performer in the OECD on this indicator, ranking 27th out of 27 OECD countries.

In my setting we have no public transport, no taxi service and often the families of students with disabilities are in a lower socio-economic group and/or have health and learning issues of their own. This makes it incredibly difficult for our students to access resources equitably when compared to larger centres without the distance to travel and who also have greater transport and support options for both students and parents.

B) The impact of the Government’s ‘Every Student Every School’ policy on the provision of education to students with a disability or special needs in New South Wales public schools.

The Department’s Every Student, Every School (ESES) Learning and Support Framework implemented in 2012, aimed to find better ways of ensuring that the additional learning and support needs of every student in every school are met.

The \$47,9 million provided to NSW through the Australian Government’s National Partnership initiative, More Support for Students with Disabilities were used to implement ESES. The Department described this as “an important opportunity for public schools in New South Wales to build their capabilities to meet the additional learning and support needs of students with disability.”

Funding for students with disability via the NSW Resource Allocation Model continues to be distributed predominantly via the Student Learning Needs Index (SLNI) established under Every Student, Every School, which serves as a mechanism to distribute capped funding based on relative needs of the school within the system.

In 2012, NSW Treasury dictated education policy to cap and reduce funding for students with disability. A Boston Consulting Group report recommended \$100 million of funding cuts to special needs education. The government’s funding formula, implemented via Every Student, Every School, was designed to stem the 11 per cent annual growth in the cost of special needs education.

C) Developments since the 2010 inquiry by General Purpose Standing Committee No. 2 into the provision of education to students with a disability or special needs and the implementation of its recommendations.

The following is an excerpt from the Chair’s Foreword of the 2010 Inquiry Report:

“This Inquiry received more than 700 submissions and heard evidence from over 70 witnesses...

The overwhelming view among inquiry participants is that there are significant inadequacies in the NSW education system for students with disabilities and special needs. The Committee believes that the NSW Government needs to take immediate action to address these inadequacies if it is to meet its legal obligations to ensure equal access to the education system for all children.

Inquiry participants argued that one of the major barriers to the effective inclusion of students with disabilities and special needs in the education system is the lack of appropriate funding in both the

government and non-government sectors. We therefore call on the NSW Government to substantially increase funding for these students in NSW Government schools, including Schools for Specific Purposes.

The current efforts of principals, teachers and support staff to promote a safe and inclusive learning environment for students with disabilities and special needs is commended by the Committee. However, we recognise that school communities would benefit from additional support and guidance on how to effectively maximise the use of available resources to assist students with disabilities and special needs.”

D) Complaint and review mechanisms within the school systems in New South Wales for parents and carers.

The following information does not relate directly to complaint and review mechanisms but does provide recommendations and commentary made by the Audit Office of NSW and NSW Parliament Legislative Council regarding areas to strengthen parent information, engagement and consultation.

The performance audit conducted by the Audit Office of NSW recommended that the Department:

- ##improve information on its website for students with disability and their families by:
- ##developing clearer, more readily accessible information in plain English
- ##providing guidance on reasonable adjustments, including case studies on how schools tailor support to meet students’ needs
- ##provide additional guidance to schools and parents to strengthen their understanding of what effective consultation looks like regarding support for students with disability

The following is an excerpt from the Chair’s Foreword of the Final Report of the 2012 Legislative Council Parliamentary Inquiry into the transition support for students with additional or complex needs and their families:

“Positive transitions play a key role in the educational outcomes of students, and can lead to better employment opportunities and a more meaningful community life for young people with additional or complex needs.

Unfortunately however the transition support service system in New South Wales is fragmented and complex, with information about transition support difficult to find and hard to understand. Many families are not even aware that transition support or services even exist, and those that are aware struggle to navigate their way around such a disjointed system.

While there is some guidance available to families through case managers and transition support staff, this support is only available for limited periods of time and is not available to everyone. The same issue applies to support services for students with additional or complex needs in general, many of which are withdrawn at key transition points. The lack of continuity in care is exacerbated by the fact that there is no single agency responsible for transition planning and support, and is a major issue for students and their families.

E) Any other related matters.

The Gonski SWD loading was due for release at the beginning of 2015 but has not been delivered by the federal Coalition government. The loading, as detailed in the Australian Education Act 2013, is applied at:

- a.223 per cent of the respective Schooling Resource Standard for students attending a special school
- b.186 per cent of the respective Schooling Resource Standard for students attending any other school

The full implementation of Gonski – including the Students with Disability Loading – could deliver:

- ##additional executive release and specialist teachers to support every teacher working with students with disability
- ##early and ongoing access to specialist support such as speech pathologists and mental health professionals
- ##time for teachers and Learning Support Teams to undertake collaborative transition planning with students and their families
- ##adequate levels of targeted provision (e.g. integration funding, specialist placements) based on need
- ##ongoing professional learning on effective inclusive practice for all teachers.

Name Julie Parsons

I am a Teacher