

**Submission
No 155**

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

Organisation: NSW Primary Principals' Association Inc.

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Submission

Inquiry into the provision of education of students with a disability or special needs in government and non-government schools in New South Wales

Submission from the New South Wales Primary Principals' Association (NSWPPA Inc.) - the NSW Primary Principals' Association (NSWPPA) is the professional association of over 1,700 Principals of Primary, Central, Special Education and Hospital Schools and Environmental Education Centres across NSW.

This submission is a collation of responses by the NSWPPA and as such represents the views, concerns and opinions of Primary Principals across NSW.

This submission contains facts, opinions, experiences, arguments and recommendations.

This submission has the authorisation of Mr Phil Seymour, NSWPPA President

Terms of reference -

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

The New South Wales Primary Principals' Association strongly supports the rights of children with disability to have equitable access to quality educational provision and resourcing regardless of the educational context. Students with disability and special needs in NSW Government primary school are currently placed in classes in a mainstream primary school, with or without support, or a support unit in a mainstream primary school or a School for Specific Purpose (SSP). Some students are also in distance education programs. Parents maintain a right of choice where diversity of placement is available.

The more recent work, completed nationally and state wide, that addresses student resourcing based on need is a positive outcome in better supporting students with disability and special needs in NSW government schools.

Students with disability and special needs may receive support in a support unit classified as multi-categorical (multiple diagnosis of students), autism, IO/IS (moderate and severe intellectual disability), Emotional disturbance, behaviour disordered, Early intervention for students with disability or in a physical class.

Students in SSPs access services based on moderate or severe intellectual disability, emotional disorders, behavioural disorders, hospitalisation/medical needs etc. Many students in these settings typically have the most complex of learning needs and often present with complex behavioural and medical needs.

Access to suitable placements varies based on location and this impacts on regional areas more as establishment of specialist classes are limited. There continues to be high demand for placement in SSPs and support units.

Principals across NSW manage complex schools with complex issues but maintain a focus on equity of access for all students and resourcing commensurate with need.

➤ **Funding-**

Funding should meet identified needs and be inclusive of all support needs to be successful. The functional capacity of students with the same diagnosis can be extremely varied.

The number of students with disability and special needs presenting for enrolment at NSW Primary schools is increasing and presents challenges to schools in meeting their educational and behavioural needs. Whilst the new School Budget Allocation (previously known as RAM) methodologies has supported a more flexible look at the needs of students within the school there has been significant increase funding for low socioeconomic and EALD students, there has been no significant increase for students with disability. Funding for many of these students remains insufficient to meet need. Disability is not an effective indicator of the impact upon teaching and learning.

Currently for students with disabilities there is targeted funding and flexible funding to cater for students with low support needs.

The processes of applying for targeted support, (integration funding), for students with a disability and special needs has been improved. Previously these applications had to go before a panel and these would meet sometimes once or twice a term. Currently this is a rolling process which has assisted in speeding up this process. Individual targeted funding support (commonly known as integration funding) is available for students with a disability in mainstream classes, however many students do not meet criteria. These students have to be provided for by the Low Level Adjustment for Disability.

Funding for students with a low level adjustment for disability is based on the low support needs index which is heavily based on NAPLAN results. The NSWPPA believe that there are many more data sets available and that NAPLAN results should not be the main indicator that this flexible funding is based on. Principals also believe that the funding provided is inadequate as the increased demand on this funding cannot provide for the large number of students that require additional support and adjustments. The NCCD has shown that between 12 and 15% of students have a disability and the main support for these students is provided through this funding or by the Learning and Support Teachers that are also included in this funding.

Students placed in SSPs can represent some of the highest support needs students in the state. Current classifications and ratios of support are not indicative of need, in all instances, and can place staff, students and parents in a cycle of crisis management that impacts significantly on teaching and learning.

Based on a recent survey of Principals-

- 65% of principals surveyed believe that when individual targeted funding was provided to support a student with disability, it was not provided in an adequate or timely manner.
- 80% of principals of mainstream primary schools surveyed indicated they do not receive enough target funding to meet the needs of students with disability or special needs.
- 69% of mainstream principals indicated they did not receive sufficient funds to support low level adjustment for disability.
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- 74% of Principals of SSPs and support classes indicated they did not have sufficient staffing to meet the needs of students with complex disability in their settings.

Comments from Principals-

“There is no additionality in RAM other than what we always received with flexible integration funding. It has just been re-badged. The federal government needs to provide additional funds in line with data from National Consistent Collection of data (NCCD)”

“Some students who need funding do not meet the eligibility criteria to receive sufficient funding i.e. mild disability and mental health. More and more students are presenting with complex mental health. School resources are spread too thinly and do not adequately meet students need”

“Some students have extreme behaviours and issues and do not really fit into the label they are given. For these students the funding is inadequate”

“Funding support for students on individual targeted support (integration funding) is minimal.

“Many students don’t tick all the boxes or have parents refusing assessment and paediatric interventions, thus funding comes out of other budgets as the individual need is evident”

“It helps, but it is not enough to cater for the needs of many students, particularly those with behavioural needs and autism. Those students with complex behaviours and who hurt others need more funding support”

➤ Support placements-

All schools are committed to meeting all students’ needs and work hard to ensure this is achieved. The Department of Education provides a broad range of options for placement. They range from support in a regular classroom environment, placement in a support class in a regular primary school and placement in an SSP. There have been significant increases in the establishment of support class placements, however principals continue to believe there is a significant unmet demand. Access to special schools and support unit classes continues to be an issue in many networks, particularly regional and remote areas. Many special schools and support units are full and yet demand is strong.

- In the recent survey 85% of Principals responding to said there are insufficient placement in support class for students. This was acknowledged as a cause for frustration and anxiety for families, students and schools.

The **access request** processes that are used to identify need and inform placement in a support classes, has been identified by principals as administratively complex and lengthy. School Learning Support Teams expend significant time in gaining adequate information and completing mandatory electronic forms. The access request then goes to a placement panel at educational services in operational Directorates. Often there are delays in placement resulting in frustrations for families and schools. Supporting families by managing these processes is critical to the transitions to schools.

The current **placement panel** guidelines and support class classifications were developed a long time ago and may no longer reflect a needs-based approach to addressing needs in educational communities i.e. two students categorised as having moderate intellectual disability and the same resourcing level in an SSP may have extremely differing needs and resourcing requirements. Where multiple disabilities are identified the issue is compounded. Given that these current classifications often dictate resourcing, there is a need for a review to ensure sufficient access to resourcing for students.

Specialist equipment and environmental adjustment: Schools are supported to essential accommodations for students to access schools. There is need to continue the focus on upgrading out dated special school and support class facilities and playgrounds to ensure access to facilities that meet student need.

- 59.5% of Principals surveyed agreed that provision of physical resources such as specialised equipment and ramping is provided in a timely manner.

➤ **Staffing and regional support-**

Staffing allocations must meet student needs across all areas of education with a primary focus on teaching, learning and student wellbeing. The broader issue of ensuring workplace safety is also a consideration. Principals responding to the survey indicated that current staffing allocations in many schools are insufficient to meet need.

SSP schools continue to be staffed as primary schools, despite the number of secondary students. SSP schools do not have learning and Support teachers, instructional leaders, reading recovery allocations or careers advisors. SSP allocations of office staff remain inequitable and based on numbers of students not number of classes.

Often, with students with disability and complex needs, schools require additional support. Educational Services teams in 4 operational areas are in place to provide appropriate support and assistance.

- 75% of SSP Principals and Principals of support classes indicated they do not have sufficient staff to meet the needs of students.
- 58% of Principals surveyed stated that they don't have easy access to quality educational services support personnel to meet the needs of students.

Comments from Principals about staffing and support-

"Educational Services teams are committed teams that provide timely support and assistance"

"We make minimal requests for support - our students' needs are generally beyond the level of support offered" (SSP Principal)

"Educational services teams are great, but they appear understaffed"

"Our educational Services teams run an administrative model. We receive no teaching and learning support for anyone in the team. Nowhere to go to get "hands on" support and advice for our most challenging students"

"Due to isolation it is difficult to get support"

"Education support personnel employed must have appropriate qualifications and experience before being employed in this area"

Comments from SSP Principals-

"The nature of enrolment in SSPs has changed. SSPs are enrolling more and more students with severe and complex challenging behaviour that coexists with intellectual disability diagnosis. The impact these students are having on our school is profound. Principals are struggling to keep staff and other vulnerable students safe. Staff are being injured at alarming rates. Many staff in SSPs come to work expecting to be hurt. Many of our SLSO won't use the worker's compensation process as it negatively impacts on their already poor wage. Teachers are frustrated that their day

mainly consists of keeping people safe- teaching and learning becomes the lowest priority. Our SSP principals are hurting!"

"Staff cannot meet the personal care, medical, complex behaviour and learning needs with the current staffing levels, teachers are frustrated that their students cannot meet potential due entirely to insufficient funding for adequate staff"

"Many of our students are violent and need several people to manage one student, which puts disadvantage across the whole school"

"Provision needs to be made for emergency support on occasions when a new student enrolls or an existing student's circumstances change. We had three high level students with autism enrol at the same time, this placed enormous strain on teachers and SLSO who ended up injured"

➤ **Quality Teaching, Successful Students (QTSS)**

This was introduced in 2016 under the 'Local Schools Local Decisions' reform to provide additional staffing resource allocation to improve the quality of teaching in primary classrooms. The initiative was delivered to ensure that all primary students benefit from high quality teaching and learning practices that better meet the full range of needs. This has been well received by schools and with a focus on collaborative practices, mentoring and coaching and comprehensive and focused support for teachers, is recognised as being extremely beneficial to schools in the capacity building of staff.

The QTSS methodology used, under Local School Local Decisions, has meant SSPs and support unit have not received equity and are offered as little as 1/10th of the allocations going to mainstream staff implementing initiatives.

2. The impact of the Governments "Every Student Every School" policy on the provision of education to students with a disability or special needs in New South Wales public school.

The Every Students, Every School policy has been the driver of many positive improvements in schools. The restructure of existing specialist support services saw a focus shift to having Learning and Support Teachers (LaSTs) allocated to mainstream schools and between mainstream schools. The role of LaSTs and the role of the learning and support teams has seen a renewed focus on planning and support for students with disabilities and special needs in schools. Understanding and assessing the learning and support needs of students with disability and special needs has grown.

Special schools did not receive Learning and support teacher's allocations.

LaSTs continue to support the capacity building of staff within mainstream schools to meet the needs of students with disabilities and special needs. There has been ongoing work to ensure LaSTs are skilled across the multiple areas required to meet the needs of students with complex learning needs. This area requires an ongoing commitment to ensure be provide the highest standard of service delivery to our disabled students.

ESES contributed to the professional learning for teachers. The provision of an extensive array of professional learning and support materials/modules for Learning and Support teachers and Learning and Support Teams has

resulted in improved practices in many schools and a clearer, consistent focus in meeting the needs of complex learners. The blended training of online learning and tutor supported learning has been positive. It is acknowledged however that for many SSP and support unit teachers, the online learning continues to need upgrading to support the learning needs of some of the most complex learner which invariably are placed in special settings. The knowledge gained by many SSPs through the “SSPs as centres of Expertise” project could greatly enhance the knowledge available to other special educators across the state.

- 56% of principals surveyed indicated that the online learning modules provided through Disability, Learning and Support programs have been successful in building capacity of the school to meet the needs of students with disability and special needs

Expertise in our Special schools is significant and an approach that facilitates sharing of expertise will continue to support capacity building in the mainstream context. The ESES projects that came out of the “SSPs as centres of expertise” were significant and reflected latest research and best practices that assist in the support of our most complex learners.

ESES supported the development of many projects within SSPs

The development of the Personalised Learning and Support Signposting Tool (PLASST) provided a significant leap in providing a tool that supported school teams to understand the learning and support needs of students in their care across developmental domains. Teachers are better equipped to identify student’s strengths, abilities and skills. The challenge remains to link identified needs to pedagogical practices in classrooms that impacted student engagement and outcomes in learning. Ongoing support for mentoring is critical to this capacity building.

Network Specialist Centres have been established across the state to support an interagency approach to address the needs of our most complex students. Principals are reporting limited access or knowledge of this service. The promotion and training around the role of these centres would be valued.

3. Developments since the 2010 Upper House inquiry into the provision of education to students with a disability or special needs and the implementation of its recommendations.

Response to Recommendation 1-

The funding has increased for some students, however for many of the most complex students it is inadequate to meet their educational needs and they do not have access to education on the same basis as their non-disabled peers.

Response to Recommendation 2-

Whilst there is a transparent funding mechanism available to schools, it is not transparent in all areas.

Response to Recommendation 3-

Students in SSP that are of secondary age continue to be funded as primary students. Staffing allocations to teachers working with secondary students remain at the Primary level. Secondary students in SSP remain without careers advisors. Instructional leaders and curriculum specialist staff are not provided on the same basis as mainstream schools.

Response to Recommendation 4-

The DOE has reduced the requirement for students with disabilities whose disability and level of need is unlikely to change dramatically to have annual confirmation of disability status.

Response to Recommendation 6-

In SSPs, students remain placed and therefore funded on their primary disability. Where there are significant changes in need, there is no long term ongoing funding available to meet the functional needs of these students. Where Students present with violent or aggressive behaviours toward themselves, staff or students, there is no long term additional funding to support safety and wellbeing of all. These students have a profound impact on the safety, learning and wellbeing of the entire school community. The current funding for these students is inadequate to meet the lawful work health and safety requirement. In SSPs where there is a high concentration these students enrolled, the risks in managing these student's is significant.

Response to Recommendation 7-

The NSW PPA would support the establishment of autism classes accompanied by ongoing improvements in the professional learning for staff working with students diagnosed as having autism (particularly higher support needs students with autism).

Response to Recommendation 8-

Has there been an investigation into the level of unmet need for special education places in NSW schools. Principals have not been provided with published results of unmet need.

Placement panels regularly report back to principals stating "there are no places available, thus no offer".

LaST positions were established across NSW, by removing the provision of specialist itinerant positions and realigning this resource. LaST allocations are made available through the total enrolment number of a school and may remain inadequate to meet the needs of the students with disabilities. There is concern around the professional knowledge and skill of some of these teachers as they are required to develop expertise across such a broad range of student needs.

Response to Recommendation 9-

NSW Principals remain concerned about the role and variance in placement panel processes across the state. There are wide variances reported by Principals.

Response to Recommendation 13-

Whilst schools have a learning support team, time and resources to adequately run them are limited and influenced by funding available in the school.

Response to Recommendation 15-

Parents play a critical role in decisions about their children. Learning support teams can provide significant guidance in the conversations. They may provide information and guidance to inform actions and processes to support engagement in learning for the students with a disability.

Response to Recommendation 17-

The role of SLSO is critical in ensuring best practice in supporting students with disabilities in schools. The Department of Education model of professional learning funding is based on the number of teachers in a school, so whilst there has been a name change from "Teacher professional learning funds" to "professional Learning funds", in reality the number of SLSOs has not been factored into the professional learning budget. For example a primary school with 10 classes may have one SLSO position. An SSP with 10 classes will have 10 teachers and 10 SLSOs with the same budget as the primary school.

Response to Recommendation 20-

The RAM funding model and introduction of learning and Support teachers continues to enhance resources for students with identified disabilities in mainstream classes. The National data collection has broadened the understanding of staff in mainstream schools about the requirements of the DDA and DSE and the need for suitable adjustments in schools. The PLASST tool also provides a valuable insight into the needs of students with disabilities at a point in time and can guide decision making in meeting educational needs.

Managing mental health and behaviour in many schools remains contentious issue. Balancing the needs of students with complex behaviour and mental health and the rights of all students to learn remains a challenge in many school, despite the best of professional knowledge am, skill and effort. Schools want to do the best by students and continue to display deep commitment for student success.

Response to Recommendation 21-

The development of Educational Service teams at network level, and particularly learning and wellbeing Advisors and Officers is a resource designed to support schools in delivering students wellbeing and learning. This team delivers support to school and families at varying levels and can be involved in navigating complex cases alongside schools. There is no provision of allied health support as noted in the recommendations. The newly established Network Service Centres has an evolving role in supporting complex students, but Principals report no or limited impact.

Response to Recommendation 22-

The school counsellor ratio has increased as part of the SSSS initiative funded through NERA funding. The additional counsellor positions were made available in 2016 however the availability of suitably trained counsellors remains an issue. Many positions have not been able to be filled or are being filled by psychologists without a teaching background. Since this recommendation was made, NSW has had a population increase that impacts numbers in schools, there has also been a significant shift in the complexity of issues facing schools. School continue to need increasing access to well trained and experience counselling services for students and their families.

Response to Recommendation 24-

There has been significant progress in the understanding of personalised planning and consultation processes. The DDA modules made available to schools has served impact positive change in the culture of schools around the provision of learning adjustments and accommodations for students. Further the National collection of disability data processes has lifted awareness of delivering suitable learning for all students.

We have identified that students need support and have some suitable assessment tools, the challenge remains in providing support to teachers in what to teach and how to teach it to students with unique neurological conditions. The Victorian DoE have provided a comprehensive curriculum and assessment package that meaningfully identifies the progressions required for a student to learn who may have the most profound impairment through to students who require minimal adjustment of their learning.

Response to Recommendation 25-

This recommendation is pivotal in meeting our DDA and DSE requirements. Many primary schools who received significant RAM funding may be able to fund the release of teachers to complete plans in consultation with families. Teachers continue to have 2 hours release time regardless of the number of individual plans required of them. Competing needs of limited professional learning funding does impact on a schools' ability to provide relief for planning, reviews, monitoring and evaluation. For school with significant RAM this may not be a challenge whilst other schools with minimal RAM may struggle.

Response to Recommendation 31-

Non-teaching staff in NSW schools are required to complete a PDP facilitated by other school staff as of the start of 2017. The intention is to support the professional learning of SLSOs and their service delivery to students. Primary schools will need to manage this process within existing resourcing. We value highly skilled staff supporting our students.

In SSP settings, this cohort represents 50% of staff. There has been no funding allocation to SSPs to meet this requirement and provide time, to plan, review and monitor SLSO performance. SSPs will be required to do more within existing resources, proportionally less than mainstream schools of equivalent class numbers.

4. Complaint and review mechanisms within the school systems in NSW for parents and carers.

Schools are supported through processes and policies available under the NSW Department of Education Employees, Performance and Conduct unit. Schools also have access to Legal Services Unit that provided timely advice and support to schools in managing complaints and parent matters. In January 2017 schools were provided with an updated policy on "School, Community and Consumer complaints procedure". The procedures outline how complaints will be handled by the Department of Education, notably principals.

The complaint procedure is intended to enable us to respond to complaints, resolve complaints in a timely and fair manner, give the public confidence in our administrative processes, provide information to enhance our services, systems and complaints handling. A principal toolkit is available to assist in procedural fairness and thoroughness. It provides guides and templates to manage all aspects of complaints.

NSW Primary Principals value positive relationships with families of students in our care.

5. Any other related matters.

➤ Behaviour

The challenge schools face in managing and supporting students with high levels behaviours is significant. Violent and aggressive behaviours often result in significant injury to staff and students, both physical and psychological. The impact on all levels of the school and school community is immense. Schools expend significant energy, effort and resources trying to address this need in meaningful ways.

The impact of high level behaviour is immense for parents, staff, the students themselves and the other students at school. Principals are faced with the conundrum of maintaining Department of Education Health and Safety policies for safe work environment and a safe learning environment versus the need of the student and their right to an education.

Often students with the highest level of violence are placed in SSPs alongside the most vulnerable of medical students. Workplace injuries and notifications resulting from violence and aggression are significant and impact on teaching and learning. The "Suspension and Expulsion of School Students Procedures" is used to engage families and

seek resolution following serious incidents. Funding to support these students in SSPs is often non-existent above existing staffing.

Comments from principals-

“The suspension and expulsion policy and procedures do not assist schools in the management of complex behaviour”

“The policy is very difficult to implement with students with intellectual disability (and often secondary disability). Suspension impacts family who are often under immense pressure and it can damage relations with the school, however schools need to be safe and staff should not be injured by violent students in the course of their work. Other students do not deserve to be injured by violent students either”

“SSPs would be empty if the policy was applied. We take disability into account every day and when students are suspended, it only gives us a break to try and reorganise inadequate staffing and resources”

“For the students with complex need there is not enough high level people with expertise to support schools in developing successful return to school. I’m referring to OTs, specialist complex behaviour teachers, psychologists and psychiatrists. These students and schools need ready access to multidisciplinary teams before crisis points are hit by all concerned”

“Suspension is not the issue- it is the support required for the students when they return from suspension that is the concern. If resources are not available to allow a school to put in place some form of support for students returning from suspension then they will most likely “reoffend” and the cycle continues.”

“Teachers are being seriously assaulted in our SSPs. It is not OK for students to assault staff and nor should staff expect to be assaulted. I have been assaulted too many times to remember. SSPs need funding urgently to support mentoring and complex case management if we are to positively impact student outcomes for the high level behaviour students in our schools. Many schools are desperate for support, desperate for funding and desperate for new ways of working with the most complex students in the system”

- 90% of Principals surveyed indicated they do not have sufficient supports to manage students with complex behaviour needs in their schools.
- 48% of Principals surveyed indicated that current policies and processes on suspension and Expulsion of students from NSW schools support the management of students with complex behaviours.

Recommendations -

A review of placement panel guidelines and support class classifications that reflect a needs-based approach to students, ensuring they have a sufficient and appropriate level of support.

As 90% of Principals identified that there was not sufficient support available for teachers and schools for students with complex behavioural needs, the NSWPPA recommends an urgent review for the support of schools in managing complex behaviour and supporting the families of students with complex behaviours.

That equity issues impacting on Schools for Specific Purposes and mainstream schools with support units be reviewed.

Contact - Phil Seymour, NSWPPA President