

**Submission
No 161**

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

Organisation: National Disability Services

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Students with a disability or special needs in New South Wales schools

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About National Disability Services

National Disability Services ('NDS') is the peak body for non-government disability services. Its purpose is to promote quality service provision and life opportunities for people with disability. NDS's Australia-wide membership includes more than 1050 non-government organisations, which support people with all forms of disability. NDS provides information and networking opportunities to its members and policy advice to state, territory and federal governments.

Introduction

NDS's submission is framed in the broader context of the attitudinal barriers for people living with disability in education and work. This submission examines the way in which these attitudes manifest and result in inequitable access of students with disabilities in NSW schools. Our particular focus will be to look at how these broader systemic shortcomings have the potential to exacerbate resourcing issues. We will touch on the impact of these in regards to complaint and review mechanisms for students.

This parliamentary inquiry is a timely opportunity to comprehensively address issues in the NSW school system. Our paper does not provide a detailed analysis of education funding and policy, but instead proposes a number of systematic ways to improve outcomes for students with disability at school. It also seeks to focus on how the school sector will be impacted by the National Disability Insurance Scheme ('NDIS') from the perspective of disability service providers.

NDS's membership base is comprised of non-government disability service providers many of which have significant experience working alongside NSW schools to support students with disability. This submission is informed by the experience and views of these providers. On behalf of our members we submit that, in conjunction with these momentous reforms, now is the time to raise the bar in education for students with disabilities.

Background

That people with disability deserve equitable access to education is outlined in the *Disability Discrimination Act 1992 ('DDA')* and the *Commonwealth Disability Standards for Education 2005 ('the Standards')*. However the difficulties experienced by people with disability in seeking adjustments are persistent and wide ranging. Once inside the system, there are many barriers which affect students with disability. The most recent survey released by Children and Young People with Disability Australia ('CYDA') in 2016¹, shows that the majority of those surveyed feel that in-school support is inadequate and the rates of bullying, exclusion, restraint and seclusion are too high.

In the context of the NSW Government's ongoing commitment and transition to the NDIS, the education sector's own reforms must align with the NDIS and the disability principles² outlined in the *Disability Inclusion Act NSW 2014*. Changes to education funding such as needs-based funding or the school resourcing standard, for example, must dovetail with NDIS activities to allow for the most efficient use of government-funded services.

Practical actions and inclusive principles, which together build a culture in which schools support all students, are at the heart of inclusive education practice. Changes have been

1 CYDA Education Survey 2016 <http://www.cda.org.au/cyda-education-survey-2016>

2 Disability Inclusion Act NSW 2014 ss4 and 5

made that allow students to better adapt the school environment to their needs. Examples include: making adjustments in classrooms and to curriculum, nuancing social support in the playground, and altering the way support is provided to students with additional learning needs. The UN General Comment No. 4 (2016) Article 24³ on the right to inclusive education released last year provides a detailed explanation of what the right to inclusive education involves and what states can do to achieve it.

Part 1 Barriers & Solutions

We wish to outline four key solutions in improving equitable access for students in NSW schools.

1. Foster Inclusion and Personalisation in Schools

Inclusion

NDS members report multiple forms of exclusion in some NSW schools: physically segregated playgrounds, exclusion from excursions and school events and even exclusion from testing. They also recognise the leadership of other schools for their successes in inclusion; according to the research successful schools take a multi-layered approach to the creation of inclusive environments, focusing concurrently on whole-school, social and curriculum strategies. The focus for change is not the student with disability, but the whole school community.⁴

The research also concludes that key to student wellbeing – and thereby to learning – is funding to educate school staff and for activities that foster social connection and the experience of community, inclusion and belonging for students with disability.⁵ In this regard, NDS supports the introduction of the *NSW Public Schools Wellbeing Framework* and commends the progress made since the last Parliamentary Inquiry with the increase in funding for school counsellors.⁶ Schools need to recognise their role in increasing both social as well as academic inclusion in schools. For example, a number of studies show that children with strong academic skills who also need support at school (particularly students with ASD) report higher rates

³ General comment No. 4 (2016), Article 24: Right to inclusive education; <http://www.refworld.org/docid/57c977e34.html>

⁴ Dr Sally Robinson & Julia Truscott, Southern Cross University, *Belonging and Connection of School Students with Disability: Issues paper* <http://www.cda.org.au/belonging-and-connection> at 37

⁵ Centre for Applied Disability Research, *Children with disability in Australian schools: what does the research say?* 2016 http://www.cadr.org.au/lines-of-inquiry/children-with-disability-in-australian-schools-what-does-the-research-say?_cldee=YXNobGV5LmthZGliQG5kcy5vcmcuYXU%3d&recipientid=lead-323f38b9bab8e51181f90050568e4073-aa268153a2e24a06898e9aa9ccdaebb1

⁶ NSW Government Department of Education, *Supported students Successful students: Boost to public schools funding to wellbeing and counselling services across NSW* <http://www.dec.nsw.gov.au/about-the-department/our-reforms/supported-students-successful-students>

of bullying than other students with disability.⁷ Investment is required to build the skills and knowledge of whole school communities to be more inclusive in their attitudes and to promote willingness to make adjustments so all children can achieve better outcomes on their school journey.

Recommendations

- 1.1 **All schools should demonstrate their readiness to include students with disability and be required to develop disability action plans for improving access and education outcomes for students with disability.**
- 1.2 Newly collected data from the Nationally Consistent Collection of Data ('NCCD') on **School Students with Disability and reporting information can help provide benchmarks on inclusive and accessible education provision.** Data should be used to further develop the evidence available on how to implement the Standards and create inclusive schools as well as to promote and publicise progress on the 'My School' website.⁸ This relates to the lack of incentives for good practice among schools; better incentives for schools are imperative.
- 1.3 **Engaging people with disability and disability service providers** to improve disability awareness in the education sector. As an example, an NDS workforce initiative called ProjectABLE⁹ aims to recruit school students into the disability sector. It involves people with disability and disability service providers meeting with students and teachers. This has led to improvements in the understanding of disability and inclusive attitudes by the whole school community. It is important to recognise the core role that the disability sector can and should play in raising awareness.

Personalisation

NDS recognises that there is now a heightened awareness of, and commitment to, personalised and differentiated learning and support for every student to succeed.¹⁰ With regards to specific resources available, NDS welcomes the development of materials which encourage a view of the student as an individual. Members report resources for teachers such as the Personalised Learning and Support Signposting Tool (PLASST)¹¹ are effective in this regard. NDS supports

7 Robinson and Truscott, above n4 at 39

8 NDS, Comments to the Senate Committee on the Inquiry into the schools system for children with disability, August 2015; http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Education_and_Employment/students_with_disability/Submissions at 5

9 ProjectABLE <https://www.projectable.com.au/>

10 NSW Department of Education and Communities, The Wellbeing Framework for Schools, https://www.det.nsw.edu.au/wellbeing/about/16531_Wellbeing-Framework-for-schools_Accessible.pdf at 2

11 NSW Department of Education and Communities Public Schools NSW, Developing and Implementing the Personalised Learning and Signposting Support Tool http://www.acef.org.au/acef/ACEL_docs/Events/Summit%20Presentations/Developing%20and%20Implementing%20the%20PLASST.pdf

the compulsory online training module on the Standards which was rolled out to all NSW teachers.

Despite the shift away from standardised learning, a report by the NSW Audit Office found that some of the biggest barriers to translating positive policy reforms into practice are cultural resistance and a lack of expertise among some teachers.¹² The research has found low expectations of students with disability held by teachers also stems from a lack of training and expertise. A particular point made by NDS member organisations is that schools apportion too much of their funding to engage Learning Support Officers (teacher aides) to the detriment of long term investments in professional development of all teachers.

Recommendations

1.4 Professional development should be widely available for teachers and aides.

This is important to overcome a culture of low expectations. Teachers should also be able to draw on specialist support and advice from multi-disciplinary teams. Schools should have access to specialist advice services in particular demand areas. For example, the positive partnerships program to assist school students with autism (part of the Helping Children with Autism package) has been very successful.¹³ Specialist advice can also be used to modify the curriculum to meet individual student needs.

1.5 NSW schools and the Department of Education and Communities should include a clear statement on the role and appropriate use of Learning Support Officers (teacher aides). This recommendation was made as part of the 2010 Upper House Inquiry into the provision of education for students with disability and needs to be implemented.¹⁴

2. Ensure funding models are robust and expand to meet student need

Targeted funding for students

Lack of teacher training and expertise is exacerbated by funding models and decisions which prevent equitable access for all students in the school system. NDS members have reflected on the fact that there are many students with disability who do not receive targeted funding due to reliance on an approach where funding is too strongly tied to formal diagnosis. In fact, the NCCD shows 18 per cent of school children in 2015 had a disability (as defined by the DDA

¹² Centre for Applied Disability Research, Education: the transition, retention and success of students with disability, 2016 <http://www.cadr.org.au/lines-of-inquiry/education-the-transition-retention-and-success-of-students-with-disability>

¹³ NDS, above n8 at 5

¹⁴ Legislative Assembly General Purpose Standing Committee No. 2, The provision of education to students with a disability or special needs, July 2010 <https://www.parliament.nsw.gov.au/committees/DBAssets/InquiryReport/ReportAcrobat/5342/100716%20The%20provision%20of%20education%20to%20students%20with.pdf> at 92

based on their functional need) while only 7.4 per cent received targeted funding.¹⁵ Of those that have received targeted funding; 67 per cent of CYDA survey respondents believed that the level of support students received at school was inadequate. Around half of these respondents stated that this was because of inadequate funding and resources.¹⁶

Recommendations

- 2.1 **Implement increased and better targeted individualised funding which covers all students with disability based on the NCCD.** The NCCD collection must be used, as intended, to increase and improve targeting of funding for students with disability. We encourage the use of this data to help reinforce the obligations that schools have under the Disability Standards for Education 2005 and can be used to improve support for students with disability and to identify gaps.¹⁷
- 2.2 **Schools should investigate ways to better communicate the process and outcomes of disability funding assessments** to families and carers in a manner that is clear, timely and sensitive. This recommendation was made as part of the 2010 Upper House Inquiry into the provision of education for students with disability and its implementation needs to be more thoroughly implemented.
- 2.3 **Schools must commit to the definition of disability under the DDA** and used in the NCCD which uses a broad definition of disability with a focus on student's functional need for adjustments, as opposed to diagnostic or medical definitions.

Base funding: The School Resourcing Standard (SRS)

The NCCD also showed a huge level of funding disparity between school sectors. The data found that:

- Every public school in NSW has been funded **below** the appropriate level of need under the school resourcing standard; NSW public schools will be funded at 89 per cent of their SRS this year;¹⁸
- 73 independent schools in NSW were found to have been funded above 100 per cent of the school resourcing standard (with a number of those schools receiving more than 250 per cent per cent of their funding entitlements);¹⁹

¹⁵ Matthew Knott, Australia's disabled children at risk of being denied promised funding after counting stuff-up, Sydney Morning Herald, December 2016 <http://www.smh.com.au/federal-politics/political-news/australias-disabled-children-at-risk-of-being-denied-promised-funding-after-counting-stuffup-20161220-gtf6b8.html>

¹⁶ CYDA. Above n1

¹⁷ NDS, above n8, at 1

¹⁸ Matthew Knott, Government looks to trim funding growth for overfunded schools, February 2017 <http://www.smh.com.au/federal-politics/political-news/turnbull-government-looks-to-trim-funding-growth-for-overfunded-schools-20170202-gu4l8n.html>

¹⁹ Matthew Knott, Revealed the nations most overfunded schools, SMH September 2016, <http://www.smh.com.au/federal-politics/political-news/revealed-the-nations-most-overfunded->

- Public schools and Catholic systemic schools were under-funded compared with 65 per cent of independent schools²⁰

Recommendations

- 2.4 A concerted effort should be made to **ensure that under-funded schools catch-up to their School Resourcing Standard** within the timeframe specified in the bi-lateral agreements.
- 2.5 **Provide non-individualised funding to schools that is dependent on progress made towards Disability Action Plans to ensure children with disability are welcome and supported in all schools.** Better incentives are required for schools that do well in the inclusion domain.
- 2.6 Where exemptions to the Standards are used, such as on the basis of unjustified hardship, a school's Disability Action Plan should show how the school will remove barriers where possible. It is not good enough for schools to use the 'unjustified burden' exemption over the long term and to continue to turn away students with disability. Progress on this goal should be monitored by governments with **annual reporting requirements linked to funding. Adherence with the Standards should also be a mandatory part of the school registration process.**²¹

3. Building the behaviour support workforce in schools and an accessible complaints processes

Challenging behaviour and restrictive practice

So far we have examined stories of students with disability experiencing a disconnection from their school communities due to either a mismatch of their support needs and school resources/funding or cultural barriers within schools. This section will look at problems within schools in supporting students with challenging behaviour and how this impacts upon equitable access.

19 per cent of students with disability surveyed by CYDA stated they had experienced some form of restraint at school.²² Restraint due to perceived behaviour problems characterises the 'level of physicality that continues to occur in the schools system'.²³ Of those who had experienced a form of exclusion from school events or activities discussed earlier, 11 per cent stated the reason for the exclusion was punishment for their behaviour, including suspensions

[schools-20160928-grqfh9.html](#)

²⁰ Knott, above n 18

²¹ NDS, above n8 at 4

²² CYDA. Above n1

²³ Sally Robinson and Dominique McGovern, Safe at School, Exploring Safety and Harm of Students with Cognitive Disability in and around School <http://ccyp.scu.edu.au/index.php/129> November 2014 at 46

and expulsions.²⁴ NDS members report countless examples of students with disability falling into cycles of absence from school. Not only is this damaging academically, it can damage relationships between them and other students and strip the student of their sense of wellbeing and connection. While schools must understandably have disciplinary policies in place, there needs to be an improved understanding of certain restrictive interventions that must not be used as a way of managing behavioural issues.

Over the past years in the disability sector there has been heightened awareness around the use of positive behaviour support expertise and strategies in place of the use of restrictive practices. Commonwealth, State and Territory disability ministers endorsed the *National Framework for Reducing and Eliminating the Use of Restrictive Practices in the Disability Service Sector*²⁵ and more recently the *National NDIS Quality and Safeguarding Framework*.²⁶ Amongst other roles, the Framework will establish a senior practitioner to provide clinical leadership for behaviour support while State and Territory Governments will continue to authorise the use of restrictive practices.

Education settings are typically outside the jurisdiction of policy and oversight relating to restrictive practice.²⁷ This means families do not have any particular recourse through this authority for restraint and seclusion experienced in schools, in contrast to disability service settings. This represents a significant gap in protections for students with disability. It is also important to note that in other contexts, the intent is to reduce and eliminate restrictive practices yet in school settings there are no similar policies with this purpose.²⁸

Challenging behaviour may be prevented if the warning signs are recognised and addressed early; this includes the use of individual education plans (IEPs) and access to behaviour support specialists. In many instances however, our members report that disability is often mistaken for disruptive behaviour by schools, stemming from a fundamental lack of understanding about disability and lack of training in working with these students. According to many teachers, supporting students effectively also requires collaboration, and this requires time.²⁹ Collaboration with families, disability support professionals and special units within schools often happens on the run rather than in a planned and ordered way; this, of course, is directly related to resource allocation.

²⁴ CYDA, above n1

²⁵ Department of Social Services, National Framework Restrictive Practices, May 2013 https://www.dss.gov.au/sites/default/files/documents/04_2014/national_framework_restrictive_practices_0.pdf

²⁶ Department of Social Services, NDIS Quality and Safeguarding Framework, December 2016 https://www.dss.gov.au/sites/default/files/documents/02_2017/ndis_quality_and_safeguarding_framework_final.pdf

²⁷ CYDA, Hear Our Voices, Submission to the Senate Inquiry into the Education of Students with disabilities, August 2015 <http://www.cda.org.au/cdasubmissions#section1> at 37

²⁸ Ibid

²⁹ Robinson and McGovern, above n 23 at 47

Recommendations

- 3.1 **There must be access to specialist advice on how to promote positive management of challenging behaviour** for children with disability in education settings.
- 3.2 **All students with disability or special needs must have an Individual Education Plan** outlining strategies not just to reduce the incidence of challenging behaviour but to increase the quality of education, belonging and connection of that student. Teachers should have appropriate training around how to develop and implement these plans which must be reviewed, at least annually, in consultation with parents. Only 63 per cent of students with disability reported having an IEP in place in the 2016 CDYA survey.³⁰
- 3.3 **Greater oversight of the use of restrictive practices in schools, and policy frameworks to assist in the implementation of better practices in this area.** Future opportunities may arise through the evaluation of the National Framework for Reducing and Eliminating the Use of Restrictive Practices in the Disability Service Sector, for expansion and integration of its six core strategies into other mainstream service sectors that support people with disability such as in health, education and criminal justice.³¹ Education departments should capitalise on these strategies in beginning to adopt policy and practice frameworks with the specific aims of a reduction in the use of restrictive practices in schools.

Improved understanding of complaints processes

The research has found lack of accessible complaints processes in key education complaint handling bodies.³² Our members have commented that it is difficult to locate information in order to complain, especially information about Department of Education policies or procedures. However, if complaints could be sorted out at the local school level, they have commented that it can be positive for all parties involved. When unsuccessful at a local level, they mentioned escalating issues to the Department of Education only to have their complaint referred back to a local level once again.

The only remaining avenues described by our membership, were to appeal or complain to the Australian Human Rights Commission ('AHRC') or the NSW Ombudsman. While these two processes are reported to be effective, they are extremely resource and time-intensive for both those agencies and for students with disability and their families, not to mention their highly adversarial nature. The fact that matters are arriving at both these agencies that should be resolved at a local level less formally is a clear indication that the capability and skills to handle complaints require further investment within NSW schools and alternative options.

Students with disability and their families don't feel heard or that their feedback is valued. Many students with disability and families are reluctant to complain given the challenges in

³⁰ CYDA, above n1

³¹ Department of Social Services, above n25 at 13

³² Robinson and McGovern, above n 23 at 72

enrolling and finding a place for the student with disability in the first place. The fear of negative repercussions is felt strongly and the accessibility of these complaint processes discourages complaint resolution outright.

Many members report situations in which they struggled to get an adequate response from schools about incidents in which a student with disability had suffered an injury and policy was used to shield the school from responsibility to investigate.³³ A single negative encounter in making a complaint to a school can lead to a breakdown of trust between the student with disability, their peers and the school community. Our members also have concerns that confidentiality of the information about the complaint was being managed sensitively in complaint handling processes by the school.

Recommendations

- 3.4 **Establish a team within the NSW Department of Education to locally resolve complaints from students with disability on behalf of schools and build the capacity of schools.** This team should have the responsibility of coming to the schools to meet with the parties involved, to triage and action complaints received. Not all principals, their deputies or teachers have the capacity or capability to deal with these sensitive issues in an appropriate fashion. Research shows students with disability felt that the harms they had experienced were inadequately recognised by teachers, deputy principals and principals.³⁴ Over time this team would build the capacity of schools to effectively respond and investigate complaints themselves.
- 3.5 **Clarity is needed in policy and practice about when to involve external stakeholders** such as NSW Ombudsman, AHRC and police. Students with disability, families and service providers need easy access to this information.³⁵

4. Improve access to employment experience and career development

The importance of supporting all young Australians to participate and become active members of our society requires post school transition to be elevated to the forefront of reform.³⁶ Young people with disability often have limited or no exposure to genuine employment experience or career development during their schooling years and people with disability will continue to experience disadvantage in the workforce unless they receive adequate support to succeed at school and post school.

³³ Robinson and McGovern, above n 23 at 42

³⁴ Robinson and McGovern, above n23 at 40

³⁵ Robinson and McGovern, above n 23 at 73

³⁶ CYDA, Post School Transition The Experiences of Students with Disability, 2015 <http://www.cda.org.au/post-school-transition> at 46

The following comparative data from 2012 and 2013 provides a stark depiction of this challenge. Despite education being 'a key pillar in moving towards a more inclusive and productive Australia':³⁷

- 30 per cent of people with a disability do not go beyond Year 10, compared to 20 per cent of people without a disability;³⁸
- 36 per cent of people aged 15 to 64 years with reported disability had completed Year 12 compared to 60 per cent of people without a disability;³⁹
- 15 per cent of people aged 15 to 64 years with disability had completed a bachelor degree or higher compared to 26 per cent of people without disability;⁴⁰

Investment in 'school-to-work' transition for students with disability is critical. This is a period when young people build the necessary skills to become productive members of society. Young people with disability, in particular, benefit from structured support during this transition process and this must begin with schools and families working together.

“Lack of access to such support is failing Australian young people with disability and condemning them to a marginalised and dependent life with reduced opportunity for social and economic participation”⁴¹

Recommendation:

- 4.1 NDS recommends Ticket to Work⁴² as a program that can effectively coordinate across the NDIS, schools, employers and employment support to help students with disability transition to work. This program has shown results: 86 per cent of participants have continued in ongoing open employment with the remaining 14 per cent current in vocational education. This is an outstanding result in light of the data which currently shows the vast majority of students with disability do not transition into ongoing open employment post-school.

³⁷ Pricewaterhouse Coopers, Disability Expectations: Investing in a better life a stronger Australia, November 2011, <https://www.pwc.com.au/industry/government/assets/disability-in-australia.pdf>

³⁸ CYDA, above n 36 at 19

³⁹ Ibid

⁴⁰ Ibid

⁴¹ Wakeford, M. and Waugh, F, 2014, Transition to Employment of Australian Young People with Disability and the Ticket to Work Initiative, National Ticket to Work Network.

⁴² Ticket to Work <http://www.tickettowork.org.au/>

Part 2 Education & the NDIS

Overview

Education is a fundamental building block for improving social and economic participation (which are stated as the twin goals of the NDIS). The NDIS will create new opportunities for the education sector. For the first time, many children with disability will have access to much-needed individual and early intervention support, including access to aids and equipment. With their core support needs met, families and students will likely have higher expectations of the education system. NDIS is confident that most of the schools will welcome this challenge as they will no longer be overwhelmed by the support needs of students and can instead focus on education outcomes.

While people with disability are expected to have sufficient access to personal assistance and equipment under the NDIS, this alone is not enough to help them participate and succeed in the labour market. As explained in the previous section, educational achievement is vital for workforce participation in a modern economy. The present system is not meeting the needs of children and young people with disability and needs to do more.

Indeed the sustainability and effectiveness of the NDIS relies on education services to do their part to achieve improved life outcomes. It is important to recognise the Council for Australian Governments document that outlines the strictly 'ring-fenced' nature of NDIS funding;⁴³ the NDIS does not provide individualised funding for all people with disability and is not responsible for providing universal services such as education. This includes teaching and educational resources and reasonable adjustments to education facilities, some aids and equipment deemed the responsibility of schools. The principles defining the NDIS and the responsibility of other systems by COAG are not sufficiently clear and may lead to confusion and tension around the responsibilities of NDIS providers and schools. Apart from outlining the need for greater policy clarity we wish to outline one key resourcing concern that will affect NSW schools as the NDIS continues to roll out.

Spotlight on diminishing support for teachers and families under the NDIS

Teachers have expressed ambivalence over their confidence to adequately educate students with disability.⁴⁴ Disability Service Providers have traditionally had an important role in building the capacity of classroom teachers through co-working, collaboration, formal partnerships and professional development. Under the NDIS it will become more difficult for schools and parents to capitalise on the expertise of these providers.

Prior to the NDIS roll-out such service providers were block funded and able to flexibly support

⁴³ Council of Australian Governments, Principles to Determine Responsibilities NDIS and other service systems, November 2015 <https://www.coag.gov.au/sites/default/files/communique/NDIS-Principles-to-Determine-Responsibilities-NDIS-and-Other-Service.pdf> at 12

⁴⁴ Whitburn, Moss and O'Hara, The Policy Problem: NDIS and implications for access to education, *Journal of Education Policy*, 20 Jan 2017 at 9

schools and families / carers with capacity-building-type activities. Some providers built the capacity of schools and teachers through: training teachers about a student with disability's specific strengths and needs, supporting the implementation of individualised and universal strategies in classrooms and other school activities, collaborating to jointly support a student with disability's goals and inclusion, helping them make curriculum modifications and broadly promoting inclusive practices within whole school communities. Some service providers supported families / carers by: setting up peer support groups within the school, or by way of advocacy support, for example if they needed help making a complaint or wanted to ensure the timely return of their child following a suspension.

One example of a program that has worked with families and schools to deliver all of the above support and more is the ADHC funded School Aged Years ('SAY') program run by Lifestart. While the SAY service remains funded during the NSW NDIS transition, there will be a significant change when the funding ceases or when a student with disability transitions into the NDIS. As a registered NDIS provider, Lifestart will be required to bill or claim after it delivers a SAY service. They will no longer be able to fill the gaps in the education system by moving portions of their block funds from 'one bucket to another' to provide extra training support for teachers and advocacy support for families. The NDIS individualised funding models simply will not allow it unless such support is explicit in a student's NDIS plan and opted into by families. Such instances will lead to schools needing to purchase teacher training and supports from Lifestart using their own budgets. It is safe to say that many schools will be reluctant to purchase what was once provided for free by such organisations and this could lead to a de-skilling of teachers in disability support. Likewise, families / carers will be reluctant to use their child's NDIS package for advocacy support or peer support projects when it can be used to support daily living or other core needs of their child, this would also lead to further disadvantage.

As a positive sign some NDS members report that some parents are willing to utilise NDIS plan funding to pay for teacher capacity building but less so for other supports like advocacy. Further data will need to be collected to get a clearer picture about the extent of this trend. Reduced teacher training in particular will need to be carefully monitored by education departments and schools alike as the NDIS rolls out. Adequate supports for families / carers and the broader community also need to be monitored as disability service providers are no longer able to provide these within tight budgets and the current NDIS funding model.

School Principals will also need to be proactive and creative in finding alternative funding sources such as grants to continue to provide further support for teachers. The Information, Linkages and Capacity Building ('ILC') tier of the NDIS is one source through which grants are available to build capacity of mainstream services amongst other broad aims. However, ILC funding is limited in size to \$132 million over four years across the country.

Conclusion

The 2011 Productivity Commission Report predicted that an NDIS would result in an additional 220,000 people with disabilities being employed by 2050,⁴⁵ but this will not occur without increased school funding, a skilled teaching workforce, the lifting of expectations about learning and life opportunities for students with disability, and greater inclusiveness in school communities. What is needed is a comprehensive strategic response targeting the social, attitudinal and economic barriers that prevent people with disability from having the same access to education as their peers.

⁴⁵ Australian Government Productivity Commission, Disability Care and Support No 54, 31 July 2011 <http://www.pc.gov.au/inquiries/completed/disability-support/report/disability-support-volume1.pdf> at 55