

**INQUIRY INTO CHILDREN AND YOUNG PEOPLE WITH
DISABILITY IN NEW SOUTH WALES EDUCATIONAL
SETTINGS**

Organisation: The Association of Independent Schools of New South Wales
(AISNSW)

Date Received: 29 February 2024



Submission from the Association of Independent Schools of NSW

Inquiry into children and young people with disability in New South Wales educational settings

28 February 2024



Submission from the Association of Independent Schools of New South Wales (AISNSW)

This submission has been prepared by the Association of Independent Schools of NSW (AISNSW) and reflects the views of the diverse range of independent schools.

We would be pleased to elaborate on any aspects of this submission as required.

For further enquiries or additional information relating to this submission, please contact AISNSW Office of the Chief Executive, oce@aisnsw.edu.au

Contents

Introduction	4
Recommendations	6
1. Choice in Education.....	7
Choice and the importance of sustaining specialised schools.....	7
2. Safe, Quality and Inclusive Education.....	9
3. Necessary Resourcing and Measures.....	11
Improved post school opportunities.....	13

Introduction

The Association of Independent Schools of New South Wales (AISNSW), as the peak body representing the Independent schools' sector in New South Wales welcomes this opportunity to provide feedback on the NSW Inquiry into children and young people with disability in New South Wales educational settings.

The NSW Independent school sector is vibrant and diverse, providing the community with choice, fostering competition, and improving standards in education. There are more than 511 Independent schools and campuses in NSW, educating 237,000 students and accounting for 18.9% of NSW school enrolments.

Many Independent schools provide a religious or values-based education. Others promote a particular educational philosophy or educate specific cohorts of students such as those with disabilities or students at risk of disengaging from education. Independent schools include:

- Schools of educational philosophies, such as Montessori and Rudolf Steiner schools.
- Schools constituted under specific Acts of Parliament, such as Grammar schools.
- Boarding schools, and Schools that enrol significant numbers of international students.
- Schools with religious beliefs, including Islamic, Buddhist, Jewish, and Christian schools, and schools of Christian denominations, such as Anglican, Catholic, Greek Orthodox, Lutheran, Presbyterian, Seventh-day Adventist, and Uniting Church schools.
- Community schools, including those in Aboriginal communities.
- Schools that specialise in meeting the needs of students at risk or students with disabilities.

Independent schools in NSW are registered with the NSW Education Standards Authority (NESA). Most are established and governed independently on an individual school basis. Some Independent schools with common aims and educational philosophies are governed and administered as systems, like those within the Anglican Schools Corporation and Seventh-day Adventist systems.

In addition to having low fees, many Independent schools are small, with almost half (47%) educating fewer than 200 students. Thirty-seven percent of Independent schools are located outside of metropolitan Sydney.

The Independent school sector plays an important role in providing children and young people with disability in NSW the opportunity to receive a quality, inclusive and safe education. Independent schools provide parents of children with disability a wide choice of educational settings including inclusion within a mainstream school, special school or special assistance school.

The costs of providing educational services to students with disability are many times greater than for other students. AISNSW acknowledges the financial support of the NSW and Commonwealth Governments that provide an essential contribution to the education of these students, supplemented by parent fees.

Students with disabilities and the role of AISNSW

AISNSW supports schools through high-quality professional learning courses and tailored consultancy support provided by education specialists with expertise in disability and inclusion. Until 2023, when Australian Government funding ceased, this included support to schools on the Nationally Consistent Collection of Data on School Students with Disability (NCCD). Funded under the Australian Government's Non-Government Reform Support Fund (NGSRF), this support was delivered flexibly to promote equity of access for schools in metropolitan, regional and remote areas. Other AISNSW support for independent schools focuses on, but is not limited to, the enrolment of students with disability, facilitation of the collaborative planning process as well as the identification, implementation and monitoring of adjustments in response to individual student's needs.

In addition, tailored school-based professional learning and online modules have been designed to enhance the skills and knowledge of school staff and leaders. These topics include supporting students with disabilities and diverse needs, disability legislation, anti-discrimination laws, Disability Standards for Education, effective teaching and learning, as well as strategies for managing challenging student behaviour.

Recommendations

The Association of Independent Schools of NSW (AISNSW) supports the NSW inquiry into children and young people with disability in New South Wales educational settings and is pleased to provide the following recommendations and feedback in response to themes raised in the terms of reference.

1. Ensure the holistic educational needs of all students with disability by supporting choice and sustaining specialised schools in NSW.
2. Support education sectors to enhance and strengthen school access to tailored school-based support and professional learning that is contextual to the needs of students with disabilities in the educational settings of parents' choice.
3. Expand initiatives to increase medical specialist and allied health workforces, particularly in rural and remote areas, to -
 - a) ensure improved access and affordability for children and young people with disability and their families.
 - b) provide greater capacity for health professionals to work closely with education settings to ensure ongoing support for students with disability.
4. Require Higher Education providers to develop courses within teacher training programs that integrate responsive teaching practices, including expanded content on effectively supporting students with disabilities.
5. Serious consideration is given to -
 - a) aligning the curriculum to provide fulfilling post-school opportunities for students with disabilities.
 - b) offering adjusted VET in Schools courses and certification for students with disabilities.

1. Choice in Education

The freedom for parents to choose the kind of education that will be given to their child is included in the Universal Declaration of Human Rights¹.

The NSW independent sector provides parents of children with disabilities with a wide choice of schooling options including special schools, special assistance schools or inclusion within a mainstream school setting. This choice is fundamental in providing parents with the opportunity to exercise their rights to decide on the most appropriate educational setting for their child.

The Independent sector educates approximately 43,700 students with disability. Students with disability account for 20% of all students enrolled in NSW Independent schools. Of these, 90% of students with disability are in a mainstream Independent school and 10% enrolled in a specialised Independent school.

There are also over 2400 students with disability enrolled in 29 special schools and 2200 students with disability in 35 special assistance schools. The data indicates that a significant majority of students that require extensive levels of adjustment attend a non-mainstream Independent school such as a special school or special assistance school. This diversity of school settings for students with disability is evidence of parents' commitment to exercising their right to choose the most suitable educational setting for their children.

Choice and the importance of sustaining specialised schools

It is crucial parents have the option of choosing a specialist school setting for their child, as well as mainstream classrooms or special education inclusion programs. This reflects their right to choose the school setting that best suits the needs of their child.

Special schools provide alternative educational settings for students with disability with high-level needs. Specialised school settings support some of the best inclusive practices for students with disability with expertly trained staff, wrap-around support and collaboration with allied health services. Many students who attend Independent special schools have complex learning or behavioural needs, frequently associated with physical, sensory, social-emotional and/or cognitive disability and mental health conditions. These students often require significant levels of adjustment to enable their equitable participation in education.

AISNSW believes inclusive education is not a one size fits all approach. All students are individuals and have different needs, strengths and challenges and there is no one right way to provide an inclusive education to young people. Special schools provide the most vulnerable students with disability with access to the specialised adjustments and extensive level of support they require.

¹ [Universal Declaration of Human Rights - Human rights at your fingertips](#)

AISNSW supports the choice of parents to select a special school if they believe that it will provide the most suitable and beneficial educational experience and learning journey for the student.

Recommendation 1:

Ensure the holistic educational needs of all students with disability by supporting choice and sustaining specialised schools in NSW.



St Lucy's Special School Wahroonga

2. Safe, Quality and Inclusive Education

In order for a student with disability to participate and thrive in their learning environment, it is important that they feel comfortable and that their education setting is inclusive.²

Independent schools, irrespective of setting, prioritise safe, equitable, inclusive and quality education, making appropriate adjustments for students with disability to participate in learning³. Many mainstream Independent schools also employ specialist teachers to support class teachers and parents with individual learning programs, strategies and materials.

Independent schools place great value on parent engagement and understanding the unique challenges and needs of families of children with disability and creating positive family-school partnerships. These partnerships are vital in fostering a supportive educational environment. Students and their parents are empowered through consultation and engagement with their school to discuss individual needs, ensuring reasonable adjustments are identified to enhance the student's learning.

Schools engage with specialists to ensure students are offered diverse curriculum options and individual student-centred strategies to improve learning outcomes and support mental health and wellbeing, attendance and school completion. Teachers and specialist staff co-design Individual Plans with students, and families when possible, with differentiated, flexible and inclusive approaches to teaching and learning. Personalised learning and inclusion programs are monitored and reviewed, involving ongoing communication with families and specialists to ensure adjustments are tailored according to the individual student's needs and context for high-quality learning opportunities.

AISNSW supports Independent schools to implement government reforms and priorities in much the same way that Departments of Education and Catholic Schools Offices do for government and Catholic system schools, respectively. However, with almost 60% of NSW's 511 Independent schools and campuses having fewer than 300 students and being autonomously owned and operated, they do not have the administrative capacity available to larger systems. The Commonwealth's Non-Government Reform Support Fund (NGRSF) has played a crucial role in supporting AISNSW to assist Independent schools in meeting government objectives from 2018 to 2023, particularly regarding accurate data collection on students with disability and funding to meet student learning needs.

Through the NGRSF, AISNSW supported Independent schools to deepen their understanding of the NCCD and support its implementation through the delivery of critical professional learning and support functions. Independent schools engaged with AISNSW services and programs to ensure

² [Australian Professional Standards for Teachers](#) and [Creating-an-inclusive-classroom-culture-fact-sheet.pdf \(aitsl.edu.au\)](#)

³ Media Release: Independent Schools Australia Welcomes Disability Royal Commission Report, 4 October 2023

equitable and inclusive education best practice for students with disabilities. Dedicated AISNSW specialist staff with expertise in disability legislation and inclusion developed and delivered a range of comprehensive services, including formal professional learning and bespoke in-school training to strengthen teacher confidence and consistency in line with the requirements of the Disability Standards for Education 2005 (DSE).

With the cessation of NGRSF funding at the end of 2023, Independent schools face significant challenges in accessing crucial professional learning and development. This poses a threat to sustaining the supportive structures and quality teaching necessary for students with disabilities to thrive in the school environment.

Given the increase in students with complex and challenging behaviour and the growing recognition of specific needs for students with neurodiversity, continued and increased funding is essential. The discontinuation of NGRSF funding by the Australian Government risks leaving Independent schools without the necessary support, marking a departure from decades of government assistance to the non-government school sector. To maintain the momentum in achieving educational objectives, a reinstatement of funding is imperative for the sustained success of students.

Recommendation 2:

Support education sectors to enhance and strengthen school access to tailored school-based support and professional learning that is contextual to the needs of students with disabilities in the educational settings of parents' choice.



3. Necessary Resourcing and Measures

Difficulty accessing medical specialist and allied health professionals

For many students with disabilities across the Independent sector in both mainstream and special schools, school acts as a community, providing them with much more than education. Student wellbeing and education sit side by side, and school leaders, teachers and specialised support staff contribute to creating a safe and caring community for students and their families. Positive relationships are fostered, encouraging students to develop greater independence, self-advocacy skills and self-management strategies to help them thrive and reach their best potential.

One of the challenges identified by Independent schools is the difficulty faced by students with disability and their families, and schools to access external support from allied health professionals. This can be due to unclear referral pathways, long waitlists, and service provisions. Families with children with disabilities within the Independent school sector consistently report facing challenges due to the limited availability of specialist healthcare professionals, coupled with prolonged wait times. This issue is even more pronounced in rural and regional areas, where access to specialists is even more challenging⁴. A parent from a regional school in NSW reported waiting lists exceeding 12 months for speech therapy.

The costs associated with specialists, including fees charged by paediatricians and psychologists, are a significant contributor to high out-of-pocket expenses. For students with neurodiverse disabilities, multiple appointments may be necessary before a diagnosis can be confirmed⁵. Travel for specialist healthcare located in metropolitan areas and high costs disproportionately impact families in rural areas or on lower incomes, often preventing access to diagnosis and care, highlighting the inequality in healthcare access.

The challenges in accessing medical specialists and allied health professionals have tangible, negative consequences for children and young people with disabilities and their families. Consequently, Independent school parents often turn to their child's school for the support they struggle to access elsewhere. Independent schools strive to assist these families and students within the limits of their capacity, offering a range of support and interventions depending on school context and resourcing. Students with disability without adult or family assistance, often experience challenges in navigating the health system. Schools, particularly Special Assistance Schools, play a pivotal role in aiding those students to access relevant specialists and receive appropriate assistance.

⁴ Chapter 3, Commonwealth [Assessment and support services for people with ADHD Report](#) - November 2023

⁵ Ibid.

The Senate Education and Employment References Committee, in its final report, identified school refusal as most prevalent among students with disabilities, particularly neurodivergent students, and those with mental health challenges. The stress response leading to school refusal is exacerbated by significant difficulties in accessing support from the health system.⁶

The critical role of Independent schools in providing comprehensive support and inclusion for students with disabilities and their families underscores the pressing need for increased specialist healthcare workforce capacity, particularly in regional and rural areas, to address these challenges effectively. It also highlights the necessity for –

- schools to receive ongoing professional learning and development to meet the individual needs of students with disabilities in their educational context
- increased specialist teachers in the education workforce
- higher education providers to ensure graduate teachers are competent and confident teaching a diverse range of learners as highlighted by the [Strong Beginnings: Report of the Teacher Education Expert Panel](#).

Recommendation 3:

Expand initiatives to increase medical specialist and allied health workforces, particularly in rural and remote areas, to –

- a) ensure improved access and affordability for children and young people with disability and their families
- b) provide greater capacity for health professionals to work closely with education settings to ensure ongoing support for students with disability.

Recommendation 4:

Require Higher Education providers to develop courses within teacher training programs that integrate responsive teaching practices, including expanded content on effectively supporting students with disabilities.

⁶ The Senate Education and Employment References Committee, *The national trend of school refusal and related matters*, 2023, pp. 20 and 27 quoted in The Senate Community Affairs References Committee [Assessment and support services for people with ADHD Report](#) - November 2023, p. 24

Improved post school opportunities

Evidence shows preparing young people for employment, including supporting them to access skills development and work experience, can have long-term benefits for their employment prospects and careers.⁷

When students with disability are attending school, they have meaning and purpose, and regular routines. Schools play a unique role in providing inclusive and relevant education and caring environments for students by developing positive relationships. School staff collaborate with colleagues and with external services to provide individual and specialised support to students so they can reach their learning potential and identified goals. As these students move into adulthood, they often experience challenges associated with decreased continuity in educational opportunity or meaningful work post-school.

Although school-based transition planning is in place in NSW schools, research has found this to be a typically short-term, and at times, fragmented process. The process is often narrowly focussed on transitioning the student into adult support services. For students with a disability to experience a positive and successful transition and a fulfilling future, the process needs to be integrated into both the curriculum and extracurricular activities across several years. This integration should incorporate high-quality career development, skills training, and work experience, allowing young people with disabilities to explore their interests and develop essential workplace skills.⁸

There is significant opportunity to meet the needs of young people with disability by aligning the curriculum with the Life Skills outcomes and content, and Stage 6 courses. Adjusted Vocational Education and Training (VET) in Schools could be made available to students with disabilities earlier in their education helping them prepare for life beyond school. Combined with the collaborative efforts of specialist teachers and parents, relationships can be forged with companies and organisations to provide students with genuine work experience. This holistic approach would enhance young people with disabilities opportunities for viable and fulfilling post-school options.

Recommendation 5:

Serious consideration is given to -

- a) aligning the curriculum to provide fulfilling post-school opportunities for students with disabilities.
- b) offering adjusted VET in Schools courses and certification for students with disabilities.

⁷ Australia's Disability Strategy 2021-2031, p.9

⁸ Wilson, E. & Campaign, R. (2020). [Fostering employment for people with intellectual disability: the evidence to date](#). Evidence piece 6: Effective transition from school to work and postsecondary education for people with intellectual disability. Hawthorn, Centre for Social Impact, Swinburne University of Technology.