

Submission
No 67

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

Organisation: Autism Advisory and Support Service

Date Received: 15 March 2024

DISCUSSION PAPER.
CHILDREN AND YOUNG PEOPLE WITH
DISABILITY IN NEW SOUTH WALES
EDUCATIONAL SETTINGS -
ISSUES AND RECOMMENDATIONS.



AUTISM ADVISORY AND SUPPORT SERVICE

www.aass.org.au

MARCH 2024

Autism Advisory and Support Service (AASS) are a grass roots not for profit community organization who support families on a daily basis through the journey of having a child with disabilities, especially an Autism Spectrum Disorder. We also offer a multi disciplinary approach to therapies and supports for each individual, depending on their needs and those of the family, as well as advocacy for those who feel they cannot have their voice heard.

Over the years we have been called to advocate for many students in various educational settings for a variety of reasons. Most of the time we have been able to work with the school to ensure positive and meaningful outcomes for students and school. Occasionally we have to escalate to higher levels to gain progress.

Schooling today is not what it was twenty or even ten years ago. Each teacher has to engage with every student in a different way in order to see positive educational outcomes. This is not sustainable for the sector as **staff burnout** is a real threat to ensuring meaningful and positive educational outcomes. The need for places in **supported settings** in education has exploded and the department struggles to keep up with demand. Students with complex and multiple disabilities are often placed on **partial enrolment, suspended** or **expelled**, denying them the basic human right of an education in an appropriate setting. We need to rethink the styles of teaching and learning and how to incorporate this in the mainstream classroom. We need to reconsider the Local Schools, Local Decisions policy, handing major decisions such as integrating new or additional support units in each school back to the Department. There must be a cultural shift embracing **inclusive practices**, understanding **diversity** and the meaning of **reasonable adjustments** within the Department and the teaching community. Early Intervention is the foundation to positive outcomes in life. There has been no new early intervention class opened for over 20 years, yet the prevalence of children desperate for this service has increased exponentially.

Collaboration is the key to great outcomes. Major change and a huge cultural and pedagogical shift are required as a matter of urgency. As a service provider at the coal face, we hope to be part of this process and work with you to offer insight, understanding, lived and professional experience as well as our recommendations to help solve some of the issues.

Everybody is a Genius. But If You Judge a Fish by Its Ability to Climb a Tree, It Will Live Its Whole Life Believing that It is Stupid.

Grace Fava OAM

Founder/CEO

| Issue | Recommendation |
|---|--|
| <p>Assessments - Long wait lists for assessments in community health for additional needs. Most families cannot afford an assessment from a private practitioner.</p> | <ul style="list-style-type: none"> ✓ Well trained school councilors who are trained in this area to offer assessments. ✓ The capacity for school counsellors to offer more assessments than just IQ and functional capacity. Eg Autism, ADHD etc. |
| <p>Teachers are often the main point of contact where students are observed to require further support in areas of development and education, yet many are unaware on what to look for as there is only 1 unit on general disabilities in University.</p> | <ul style="list-style-type: none"> ✓ Universities to teach a course on disabilities with a focus on developmental disabilities, Autism, learning disabilities and mental health/trauma. ✓ Training for all school staff on developmental milestones, mental health and disability ✓ Mandatory ongoing professional development in this area every two years to be kept up to date on best practice developments. ✓ One year of practical placement in a variety of settings including mainstream, SSP's and Units. This should be a mandatory paid placement for a term in each setting. The students act as learning and support staff in their role. ✓ Family/Carer to be offered an advocate or CALD case worker to support their understanding of issues and best practice steps moving forward. ✓ A holistic approach to look at the needs of the family as well as the student. This may identify siblings who are yet to enter the system and gaps in family needs. |
| <p>A lack of appropriate settings for the number of students coming through the system. Many are placed in mainstream where the environment is not conducive to their learning needs. Sadly students require evidence on their need for a special placement which means they are suspended and placed on partial enrolments to show priority for placement. Presently the Principal has the final say on placement of units in their school. In many cases, a lack of reasonable adjustments are not made within the classroom in cases leading to students not being able to fulfil their academic potentials.</p> | <ul style="list-style-type: none"> ✓ Every school MUST host a variety of support units in their school. ✓ Principals to be reminded that they are there to serve the community needs and ensure diverse learning styles and needs are catered to for all students, not just those who are academically minded. ✓ Support from the Department once units are developed to furnish appropriate spaces such as sensory rooms. ✓ Abolish Local Schools, local decisions where it comes to supporting students with additional needs. ✓ More power to regional staff to step into a school to instill supports and training. ✓ Yearly education to all staff on the disability standards, professional development in areas of need within the school, consistency across the board for all teachers to understand and follow through with reasonable adjustments and individual learning plans. |

| | |
|--|---|
| | <ul style="list-style-type: none"> ✓ Principals to reapply for their position every three years. The panel they apply to should include a representative from an NGO who has no affiliation to the school, a member of the Department and a parent from a different school. |
| <p>There have been no new Early Intervention classes formed in NSW in the past 20 years, despite the increase in need. Research shows that early intervention is the key to success. Many children miss out on this early intervention pathway prior to school as a result. There are many cases of child care centres expelling children from their centre/preschool without requesting support or making accommodations.</p> | <ul style="list-style-type: none"> ✓ Each school to have an early intervention classroom to take in local students. ✓ Stricter laws and processes for centres who do not make adjustments and accommodations for children with additional needs. |
| <p>Principals not allowing therapists into schools leading to poor outcomes. Therapists can better support students in an environment that is not always conducive to their needs and offer positive strategies to teachers. Some schools are now charging therapists \$50 to get in to provide therapy to students to cover their administration cost.</p> | <ul style="list-style-type: none"> ✓ Principals to make accommodations for therapy to occur at school at least twice a month. ✓ This should be free. Once the therapist has issued their school clearance with DOE, there should be no other checks required. ✓ A collaborative and holistic approach to education is needed. It really does take a village. |
| <p>There have been many instances where families do not feel heard by the school, they feel intimidated and feel that the school is trying to move their children from the school. There have been many instances where suspensions and expulsion have been placed on the child, and the school have not made any adjustments to how they accommodate the students needs in line with policy. Parents will go to the region. In many cases parents feel the regional staff are biased towards to school.</p> | <ul style="list-style-type: none"> ✓ Each school to have an independent liaison person to resolve issues within the school and act as a bridge to positive partnerships between family and school. ✓ A review of the suspension policy and processes. Suspensions for students with additional needs is almost never the answer. ✓ If a student is suspended the liaison person will ensure they are not disadvantaged in any way. ✓ School work will be given to the family and support will be offered to the family. ✓ Suspension is not the answer. A full review of the suspension policy specifically for students with additional needs must be undertaken. Suspension becomes an out for students whose needs are not accommodated in the setting and becomes a punishment for parents who work and have no support. ✓ Partial enrolment should only occur if all other strategies are exhausted, and only if there are plans for a transfer to a better educational setting. ✓ |

| | |
|--|---|
| <p>We support children who are expelled from schools, including special schools (SSP). Once you dig deeper into the evidence and also our personal experiences show these students have been targeted with rolling suspensions and expelled after NOT being set up for a successful education with reasonable adjustments conducive to their needs.</p> | <ul style="list-style-type: none"> ✓ Review the suspension policy, especially for students whose disability does not allow them to have control over their actions. ✓ Review of the behaviour support processes for students with little or no capacity to understand consequences. ✓ Opening more support units to accommodate the complex needs of these students who require more support, patience and understanding. Suspensions should not be needed to add weight to an access request for a more specialized setting. |
| <p>Students with additional needs are often square pegs that we force to fit into a round hole. Traditional teaching methods will not result in successful outcomes. We need an alternative setting and curriculum.</p> | <ul style="list-style-type: none"> ✓ A farm setting or similar where hands on learning that incorporates an adjusted curriculum into a “show me don’t tell me” model. This can include cooking, wood turning, mechanics etc. Many students succeed at making things with their hands, not sitting still in a chair and extrapolating information from a board to a book. ✓ Work experience in these settings from year 7 in a variety of work places that are replicated. Eg, shop, café, florist, building etc This alternative setting can even turn into a social enterprise, especially if it is located next door to a retirement village. The locals can act as mentors and volunteers in their field of expertise. |
| <p>Teachers are expected to collect data and complete endless forms for students in their classroom. This takes them away from the class leading to inconsistent teaching and confusion for some students.</p> | <ul style="list-style-type: none"> ✓ Utilize teaching students in their final year of placement to complete as much of the paperwork as they can. This will offer important experience for their future career. |
| <p>Every student has the right to an education in an appropriate setting as close to home as possible.</p> | <ul style="list-style-type: none"> ✓ Every school must have a range of support units to accommodate local need. |
| <p>Families have no say in the final outcome of where their child is placed. Policy states that the most appropriate school closest to home will be considered, yet Specialized Assisted School Transport is not automatically offered to these students. Travel time can be up to one and a half hours each way. There are long wait times for transport to be approved. I currently have a student waiting 4 weeks for an assistant on transport and has been unable to attend school as there is no other means of attending.</p> | <ul style="list-style-type: none"> ✓ Transport to be readily available to families requesting it. ✓ A list of workers wanting to be transport/support staff to be shared with each school. These staff must ALL have compulsory first aid training. ✓ Training on student needs must be compulsory for transport staff, in particular for vulnerable students with a behaviour support plan. ✓ Parents should not be responsible for damage to school transport. Insurance will cover that. Families have enough to cope with. |

The culture and experiences within a school determine the outcomes for students with complex needs. There is no consistency or process for Principals to follow. Each Principal is in control of their own school. While this may work with staffing issues, it does not work with outcomes for students with additional needs.

- ✓ The introduction of an independent liaison person per above.
- ✓ Standards and processes that Principals must adhere to, to offer consistent experiences for all students and families in all schools.
- ✓ More transparency in the actions of Principals in dealing with suspensions, expulsions and partial attendance.
- ✓ **Principals to reapply for their position every three years. The panel they apply to should include a representative from an NGO who has no affiliation to the school, a member of the Department and a parent from a different school.**

Case Study.

- Student TS is Aboriginal and has been in foster care with the same family since he was 9 months old.
- He has a diagnosis of: Intellectual Disability, Autism (ASD), Attention Deficit Hyperactivity disorder (ADHD), Oppositional Defiant Disorder (ODD), Generalised Anxiety Disorder (GAD), Tourette's disorder, Micro deletion of chromosome 15q11.2
- He was enrolled in a mainstream kindergarten as his needs were not recognised prior to attending school.
- The same year he was placed on partial attendance and received his ASD diagnosis. This had him transferred to an GFSSP.
- This placement was ok for a time however he was terrified of the behaviours of the other students around him which traumatised TS.
- After meetings with the staff, Principal and then department heads, Mum was told there is no correct setting for TS as he falls through the cracks with his diagnoses.
- Through an advocate Mum approached the Minister. A new support unit was established at HPPS with TS in mind.
- The first few terms were fine. After they changed the Principal from one to another, things went downhill for TS. Little to no accommodations were made for TS's disability, he was excluded from excursions and in school activities such as Easter Hat Parade.
- After numerous suspensions and a photo that shows an injury to TS's face that resembles a hit to the face by an adult hand and the school refused TS to return, even for his school photos. Mum wrote to the Minister. As a result 2 male teachers from a behavioural school were sent to supervise TS. He was excluded from his peers and received little to no educational content in this time.
- After almost three years, Mum moved TS back to the GFSSP as the Principal at the time was the only one who would take him.
- Mum is sure that all of TS behaviours were learnt from peers at the SSP. Eg, He received multiple suspensions for incidents with scissors. It has just come to light a few months ago that a fellow student stabbed TS with scissors in the stomach. The student who did this told his Support Worker and then TS corroborated this. When Mum asked why did you not say anything earlier he said "Mum the place is like a gaol. If I say anything they will get me more".
- As the years went on, there were more suspensions and then the Principal left.
- The acting principals who followed said that the school was not designed for TS as they did not cater for students with ASD. This was following a suspension for an incident with scissors. I asked regional office and they said this school did cater for students with ASD.
- The morning he returned to school after being suspended for 20 days with an incident with scissors, the first activity was cutting with scissors. Another incident ensued and there was another 20 day suspension.
- We requested a meeting to discuss a shorter suspension. At this meeting I asked was there not another activity that could have been carried out to set TS up for a successful return to school. The teacher, in front of the Principal said "well he needs to follow the

curriculum.” I agreed and asked have you heard of safety scissors. The teacher and Principal just looked at me and there was no reply.

- Following were multiple and rolling suspensions, some exceeding over 3 months of no school attendance
- After one of these suspensions, police were called to a return from suspension meeting – this was not the usual practice and TS and family were not advised. TS was always part of the meetings and expected to not only remain but also take responsibility for his actions. This was not the case on this day. He was introduced him to the police officer and asked him to wait outside with his support worker. This was confusing for TS as his Autism dictates he thrives on routine and consistency. This was a triggered to him. We were advised TS was pulling at his Support Workers shirt and needed intervention. Police officer followed TS, engaging with him and antagonising him while his mother was between them and backing TS away. TS grabbed mums arm and the police officer grabbed TS by the throat and slammed him into a car. Mum screamed let him go. School denied this is what they witnessed although Therapists and Support Coordinators all wrote reports confirming they saw the same incident as noted. The police officer was stood down after two weeks of our organisation pushing for a complaint to be made.
- Following this incident, school stated they did a risk assessment with the department and they deemed it too dangerous for TS to return to school and provided no option to support his return to school. He was 17 years old.
- We requested a transfer to an alternative school and were told no, that he can engage in day programs through the NDIS.
- The Principal colluded with the Foster care agency to make sure he was not to return to school. We have emails and minutes from meetings where they would say they are looking at other options for school till TS turned 18, however at the next meeting they denied saying it, deeming it a miscommunication.
- TS was expelled with no transition plans in place. His NDIS support coordinator had to find options for TS.

This is one of many cases where students with multiple complex disabilities are not afforded the right to an education in a setting that is conducive to their needs. More than the setting, the staff were unable to support this student and the easy path was expulsion. If this school had followed the behaviour support plan as offered by the NDIS practitioner, and if they allowed a collaborative, holistic approach, then TS would have been able to graduate year 12 with his peers and be supported to post school options.

Addendum

Mum notified me that during his GFP SSP schooling TS was regularly restrained to the ground by up to three teachers at a time. At no point did they follow the behaviour support plan written by the behaviour practitioner who consistently told the school this is not best practice for his needs and offered other strategies that were more appropriate and less traumatising.

Another teacher said I can get him to do anything I want by screaming at him. This is also not conducive to a student with the complex needs of TS. It will only result in escalating behaviours.

Mum has stated that his experiences within the education system have stayed with him. He will now scream at people to do things, he will threaten with scissors (if they are around) or verbally threaten in a face as was done to him, and even holding individuals by the throat and saying "Drop."

If required, Mum is willing to give evidence and bring documentation and photos of TS experience.