

**INQUIRY INTO FOUNDATIONAL AND DISABILITY
SUPPORTS AVAILABLE FOR CHILDREN AND YOUNG
PEOPLE IN NEW SOUTH WALES**

Organisation: AASE NSW
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The Australian Association of Special Education, New South Wales Chapter (AASE, NSW) is committed to advocating for the provision of quality education for children and young people with disability and special education needs across all settings. As an organisation with a focus on education, this submission is confined to some of the issues and recommendations within the briefing paper as they relate to education.

Education systems, not the National Disability Insurance Scheme, have responsibility for:

Personalising learning and support related to educational attainment, including teaching, learning assistance, school building modifications and transport between school activities is the responsibility of education systems.

(Source: Productivity Commission, [National Disability Insurance Scheme Costs Study Report](#), October 2017, p. 246.)

Issue: Lack of appropriate adjustments and supports for learners

The Disability Royal Commission (DRC) noted evidence that there is a gap between research in the field and practice in schools. This means use of ineffective supports can persist and there can be delays in widespread uptake of best practice approaches.

The Audit Office of New South Wales found that the Department of Education provided guidance and support on reasonable adjustments to support students, however:

- Reasonable adjustments usually relied on the views and capabilities of individual teachers
- Information provided to families and disability advocates about the adjustments made for students by schools was often vague
- The department did not independently verify evidence of adjustments provided to students or have a mechanism to check that adjustments made by schools were reasonable and effective.

AASE, NSW holds the view that to address the issues noted above both Initial Teacher Training and training of specialist teachers at a post graduate level must include strategies for assessing, teaching, monitoring and evaluating the learning of students with disability. Also crucial is program content that prepares all teachers for consultation and collaboration. If schools are to adequately meet the learning needs of children with disability, such training is essential.

As highlighted in the briefing paper, there are students in NSW schools whose learning needs are not being adequately met. Graduate teachers report feeling unprepared to

teach students with disability and feeling underprepared in engage with parents/carers and the community (Australian Government, 2021).

Teachers who have typically completed only a single unit relating to the education of students with disability as part of their preservice education, may not possess adequate skills and knowledge to fully support the education of children with disability. This particularly applies to children with complex learning needs whose success at school requires specialist professional knowledge and skills.

Specialist teachers (special educators) with qualifications in special and/or inclusive education can provide and support effective, evidence-based educational programs to students with disability in inclusive and segregated settings. Such teachers can also deliver professional learning, especially including observation, coaching and feedback, to other teachers and to teacher assistants.

AASE, NSW supports Recommendations 8, 9 and 10 of the Children and young people with disability in New South Wales educational settings.

Recommendation 8 That the NSW Government expand the length, reoccurrence and content of mandatory continuous professional development courses relating to students with disability.

Recommendation 9 That the NSW Government investigate options to increase and enhance incentives for qualified teachers to acquire post graduate qualifications to become special educators for students with disability. This could include:

- more scholarships for teachers to undertake post-graduate qualifications in inclusive/special education.
- relief time from their employment to undertake this study.
- incentives, including pay structures, for those teachers who hold specialist post-graduate qualifications in special/inclusive education, for example paying such teachers at the same rate of pay as that of Highly Accomplished and Leader teachers (HALTs).

Recommendation 10 That the NSW Government investigate means such as adjusting the resource allocation model to ensure there is targeted funding to employ learning and support teachers (LASTs) on a permanent full-time basis in mainstream public school settings to provide consistency and certainty for both teachers and the students with disability they support. (Legislative Council Portfolio Committee, 2024)

Issue: Children and young people with disability experience inaccessible communication and information

- People who are non-verbal and do not have appropriate communication support may have their communication identified as behaviours of concern.

An ongoing challenge for schools is to build their capacity to prevent and respond to problem behaviour. This is particularly important for students with disability, who are often negatively portrayed in school discipline media reports. Restrictive practices, that limit the freedom of students, continue to be used in schools in questionable ways, in response to disruptive and challenging behaviour. Moreover, school-based behaviour support practices tend not to be aligned with recommended evidence-based practices (NSW Ombudsman, 2017).

Functional Behavioural Assessment (FBA) is a process well known to some practitioners. It is used to support children and adults, with and without disabilities, across different settings. Originating from applied behaviour analysis, FBA aims to understand/identify the circumstances that predict behaviour and the conditions that maintain it. The incorporation of strategies to address the function of a behaviour into a behaviour support plan, increases the likelihood of effective and sustained behaviour change. Underpinning FBA are person centred planning, wraparound services and recognition of strengths and preferences (Horner, 2005)

An NSW Ombudsman Office report into behaviour management in schools, recommended the provision of resources to increase the likelihood that FBA will be used in schools (NSW Ombudsman, 2017). Others advocate for the concept of function to be more widely applied outside of the formal assessment process, to help promote preventative practices in schools (Hershfeldt, Rosenberg, & Bradshaw, 2010; Allday, 2018). The potential for function-based supports to increase skills, positive behaviour and quality of life for people with and without disabilities is considerable. However, the evidence suggests that schools and service providers often select arbitrary strategies on the basis of convenience and familiarity, rather than those derived from a functional assessment (Gable, Park, & Scott, 2014).

AASE, NSW holds the view that teacher training at all levels has a crucial role to play in further developing and implementing the recommendations listed below.

Recommendations: Barriers to inclusive mainstream education

Recommendations under this theme include that:

- State and territory educational authorities should improve policies and procedures on the provision of reasonable adjustments to students with disability ([DRC 7.3](#))
- The NSW Government create clear and direct guidelines for schools to enable compliance with statutory obligations to provide reasonable adjustments for students with disability ([Legislative Council inquiry Recommendation 20](#))

- The NSW Government consider a streamlined process, including a line of communication between the relevant agencies, for granting disability provisions for the Higher School Certificate ([Legislative Council inquiry Recommendation 21](#))
- The NDIA and Australian Government Department of Education, with state and territory education and disability agencies, should develop a plan to better connect the NDIS and school education systems and improve educational outcomes for children with disability ([NDIS Review Action 2.8](#))
- The NSW Department of Education should, by January 2026:
 - Work with stakeholders to enhance guidance and practical support to public schools and families on reasonable adjustments for students with disability, including ways to resolve conflicting views in a timely manner ([Audit Office Recommendation 4](#))
 - Improve the planning and delivery of targeted supports by improving understanding of supply and demand, monitoring provision time and addressing delays, reducing administrative burden for schools, and making decision-making transparent for schools and families ([Audit Office Recommendation 5](#)).

Audit Office of NSW, [Support students with disability](#), September 2024, section 3.2

Australian Government (2021). *Discussion paper: Quality Initial Teacher Education Review*. Canberra.

Gable, R., Park, K., & Scott, T. (2014). Functional behavioral assessment and students at risk for or with emotional disabilities: Current issues and considerations. *Education and Treatment of Children*, 37(1), 111-135.

Hershfeldt, P.A., Rosenberg, M.S., & Bradshaw, C.P. (2010). Function based thinking: A systematic way of thinking about function and its role in changing student behavior problems. *Beyond Behavior*, 19(2).

Horner, R. (2005). *The Role of FBA in the design of individualized behavior support in schools*. University of Oregon.

Legislative Council Portfolio Committee No. 3 Education, [Children and young people with disability in New South Wales educational settings](#), Report 52, August 2024

NSW Ombudsman (2017). *NSW Ombudsman Inquiry into behaviour management in schools*. Sydney.

Productivity Commission, [National Disability Insurance Scheme Costs Study Report](#), October 2017, p. 246.