



**Supplementary Submission in
Relation to the Inquiry into
the provision of education to
students with a disability or
special needs – NSW
Legislative Council Portfolio
Committee No.3**

April 2017

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of New South Wales

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INTRODUCTION

Federation of Parents and Citizens Associations of New South Wales (P&C Federation) is thankful for this opportunity to contribute to the Inquiry into the provision of education to students with a disability or special needs. The P&C Federation supports the position of individual educational and developmental needs to be met by a range of differential services expressed through appropriate and well planned curricula, programs and environments conducted by sensitive and well-trained personnel in conjunction with parents and families. It is essential that school staff, parents and the Governments work in partnership to ensure that the needs of each student in the Public Education system are met.

The core belief of the P&C Federation is that the education of our children and youth is the most fundamental means of ensuring individual and collective success and, as a result, our greatest national resource. This necessarily includes the ~91,000 students with a disability or special needs in NSW public schools. In responding to this inquiry, P&C Federation was guided by the principle that the development of each individual student should be the basic concern in determining school organisation, learning experiences and evaluation methods.

Supplementary Submission

NDIS

Following P&C Federation's attendance at the Legislative Council Portfolio Committee No. 3 (the Committee) regarding its inquiry into the education of students with a disability or special needs in government and non-government schools in New South Wales, several factors were raised that are of concern. It was made clear by the Committee that the NDIS supports suggested in P&C Federation's submission to the inquiry would not be endorsed, as it is a matter for schools and states. This being the case, the Committee should explicitly recommend to states that they must ensure the equitable provision of supports and resources in metropolitan and non-metropolitan schools.

Some supports that are solely the responsibility of schools and/or the education system include learning-specific aids and equipment, employment of teachers and learning assistants, and facilitating access to educational resources. Such supports can be essential to ensure disabled and special needs students achieve the best educational outcomes possible, but the lack of resources mean many public schools may be unable to provide them. This has led to situations where disabled and special needs students are supported in these areas by neither their school nor the NDIS. P&C Federation considers this to be borderline discrimination and an unacceptable strain for such students and their carers. The onus is on the education system to ensure that supports not provided by the NDIS are available to all disabled and special needs students who require them, and any such students who slip through the cracks of this system represent a failure of the NSW Department of Education (the Department) to fulfil its responsibilities. P&C Federation reiterates that the Committee should encapsulate this in a specific recommendation to states.

Disability provisions for the Higher School Certificate (HSC)

In addition to the original submission, P&C Federation notes that providing supporting documentation when applying for HSC disability provisions is often difficult for carers due to a variety of factors such as geographic isolation, low SES, lack of skills, or insufficient time. A lack of school counsellors at an appropriate level often exacerbates the ability to refer students to the appropriate allied multidisciplinary team to support the applications, and P&C Federation therefore reiterates that the ratio of school counsellors to students in NSW Government schools should be raised to 1:500 (See Recommendation 9 of P&C Federation's Submission in Relation to the Inquiry into the provision of education to students with a disability or special needs). Moreover, a lack of extra staff responsible for

ensuring all students have equitable access to adjustments means that some students don't get to access these adjustments. Moreover, it is generally incumbent on parents and schools to apply for these provisions, and if the home-school partnership is poor this becomes problematic.

P&C Federation is also greatly concerned by anecdotal evidence that disabled and special needs students were actively encouraged by public schools to withdraw from NAPLAN. This appears contrary to NAPLAN's National Protocols for Test Administration, which state that *"It is not acceptable to exert influence on parents to withdraw their children from testing."*¹ As a result, some disabled and special needs students may not sit for an external exam until their HSC exams, which puts them at a clear disadvantage. Many parents and carers of such students have nonetheless relented to school pressure and have allowed their child to withdraw from NAPLAN tests, as their priority was to ensure their child at least completes the HSC. This will change with the introduction of the Stronger HSC Standards, which requires all students to achieve minimum Year 9 NAPLAN results to be eligible for the HSC; students taking the Year 9 NAPLAN test in 2017 will be the first to be compared against the minimum standard in the 2020 HSC. However, any Year 9 disabled and special needs students in 2017 who had withdrawn from sitting their Years 3 and 5 NAPLAN tests now face more difficulty in achieving the minimum literacy and numeracy standards for their HSC, as they have not had the degree of preparation for their Year 9 NAPLAN test as students who had taken it previously.

This represents a clearly unfair and unequitable playing field for disabled and special needs students, and P&C Federation thus urges the Department to take extra steps ensuring that such students are afforded an unencumbered opportunity to take their NAPLAN tests. For example, students who fail to achieve Band 8 in the Year 9 NAPLAN may be assessed in the following years using on-line computer-based testing, but as noted above, there is a distinct possibility that the Year 9 NAPLAN test represents the first time disabled and special needs students have taken an external test. P&C Federation notes that the minimum standard will not apply to students with disability who study Life Skills courses in English or mathematics. However, it would also be worth allowing for further testing in other areas for disabled and special needs students between Years 9 and 12, should they fail to attain a Band 8 in their Year 9 NAPLAN. As P&C Federation has concerns about the equity, availability, and access to electronic assessment across NSW, non-electronic versions of these tests should also be available.

Although it is possible for students to leave school before their HSC with a Record of School Achievement (RoSA) or a Transcript of Study, these are seen by many carers of disabled and special needs students as a major step down, and the bulk of parents and carers would prefer their child to gain a HSC qualification. This makes it all the more imperative that disabled and special needs students are given as equitable an opportunity as possible to secure a HSC.

Complaint and review mechanisms within the school systems in New South Wales for parents and carers

In addition to P&C Federation's original submission, Mr Joel Matthews and Dr Rachael Sowden noted to the Committee that there is a common misconception among parents and carers that the school principal is the last avenue for complaints about anything relating to the school. There is also a common fear that a complaint could result in their child being singled out, which often deters parents or carers from making a complaint in the first place. This makes it all the more imperative that the Department provide a factsheet clearly laying out the lines of communication to follow when a complaint is made about a teacher, principal or Department staff member, and that the Department's codes of conduct

¹ National Assessment Program Literacy and Numeracy. 2014. National Protocols For Test Administration - http://www.saasso.asn.au/wp-content/uploads/2014/11/D14_658_UPDATED_FINAL_2014_National_Protocols_for_Test_Administration.pdf

and complaints handling procedures and policies be made available on all school websites (Recommendation 13 P&C Federation's Submission in Relation to the Inquiry into the provision of education to students with a disability or special needs).

The impact of the Government's Every Student Every School (ESES) policy on the provision of education to students with a disability or special needs in New South Wales public schools

In addition to P&C Federation's original submission, Dr Rachael Sowden noted to the Committee that in practice, parents and carers of disabled and special needs students can face subtle pressures from mainstream schools to enrol elsewhere. For example, a school may identify the need to install facilities for which it has insufficient funds, or it may undertake a risk assessment of the student that identifies behavioural problems which the school is unwilling or unable to handle. This is contrary to the ESES goal of implementing learning and support in every mainstream school.

