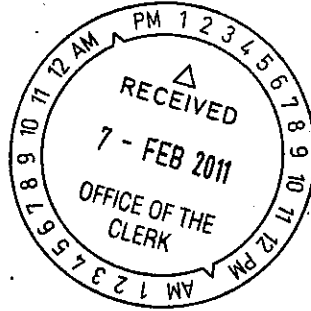


27 JAN 2011



COPY

Ms Lynn Lovelock
Clerk of the Parliaments
NSW Legislative Council
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Ms Lovelock *Lynn,*

I refer to the final report of the Legislative Council General Purpose Standing Committee No 2 Inquiry into the Provision of Education to Students with a Disability or Special Needs.

I am pleased to provide to the Committee the NSW whole-of-government response to the recommendations of the final report.

Yours sincerely

Kristina Keneally MP
Premier

*Received Monday 7 February
2011.*

*Lynn Lovelock
Clerk of the Parliaments*

NSW GOVERNMENT RESPONSE

to the

REPORT OF THE
LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEE NO. 2

**INQUIRY INTO THE PROVISION OF EDUCATION TO
STUDENTS WITH A DISABILITY OR SPECIAL NEEDS**



January 2011

INTRODUCTION

The NSW Government is strongly committed to the provision of quality education for students with a disability or special needs. This commitment is demonstrated by the significant increase in funding over the last ten years provided by this Government to support the additional educational needs of students with a disability. It is also reflected in the commitment to ongoing reforms to services and programs in NSW government schools to enhance educational outcomes for this group of students. Many of these initiatives were detailed in the NSW Government submission to the *Inquiry into the provision of education to students with a disability or special needs* ('the Inquiry').

The NSW Government is also strongly committed to supporting children and young people with a disability and their families through its specialist disability service system. On 3 December 2010, the Government announced an additional \$2 billion investment in disability services over five years from 2011-12 for the second phase of the *Stronger Together 2006-2016* initiative. This is the largest investment in disability services in New South Wales' history and the most significant investment made by a State Government anywhere in Australia. These additional funds will strengthen and expand specialist disability services supporting children and young people with a disability across the State, including the provision of therapy services that are crucial to supporting the participation of these children and young people in all life domains.

Education plays a central role in supporting all children and young people, including those who have a disability or additional learning needs, to achieve successful long term social and economic outcomes and maximise their potential as valued, contributing citizens of New South Wales.

The provision of education services for students with a disability or special needs is a complex area. There are widely differing views on how education should best be provided for these students. There are many education stakeholders and parents who argue that if we seek to create a society that values diversity then by extension we should commit to inclusion for all students with a disability or special needs in mainstream schools. Others argue for the need for specialised educational settings for students with a disability as a way to concentrate and develop expertise in special education and best meet their child's learning needs.

Consistent among these views, however, is the desire for high quality education services that meet the specific needs of students and their families.

The NSW Government is committed to maintaining a range of education options for students with a disability or special needs and their parents and carers and to

ensuring that these students are supported through an effective, quality education service that meets their needs.

Over the past two decades significant legislative developments have had a major impact on the education of students with a disability, in particular the Commonwealth *Disability Discrimination Act 1992* and *Disability Standards for Education 2005*.

These have highlighted the fundamental rights of students with a disability to access and participate in education on the same basis as their non-disabled peers and the responsibility of education providers to enable this to occur, including the provision of 'reasonable adjustments' where necessary.

These legislative changes combined with changing cultural expectations around the value of diversity and the increased expectation that students with a disability are fully included in education has resulted in significant shifts in student demographic trends and patterns and schooling expectations. Children and young people with a disability in Australia are more likely to be attending school today than at any time over the previous two decades.¹ Further, between 1981 and 2003 the number of students with a severe or profound disability attending school rose by 260 per cent nationally and the number of students with a disability attending school overall increased by 93 per cent.

The experience in New South Wales reflects this trend. The number of students receiving specialist disability services in NSW government schools has increased significantly in recent years. In 2010, of the 33,000 students receiving additional support through specialist services, more than 16,000 (48 per cent) were enrolled in regular classes.

The inquiry addressed a wide range of complex and interrelated issues relating to education for students with a disability. Part of the historical legacy of the way that education is provided to school students with a disability is a focus on funding and resource inputs. However, the growing international focus on accountability for educational outcomes benefits all students, including those with a disability, and necessitates a focus on the best use of available resources to achieve these outcomes.

It is encouraging to note, therefore, that the Inquiry reflected the Government submission which stressed the need to maximise the effective use of available resources to achieve educational outcomes. This issue underpins the strategies and commitments outlined in this response for continuing improvement of education services for students with a disability.

The NSW Government has a proud history of supporting students with a disability and the Department of Education and Training ('the Department') is widely regarded as a leader in the education of students with a disability or special needs. However,

¹ Australian Institute of Health and Welfare (AIHW), Bulletin 61, June 2008, *Disability in Australia: trends in prevalence, education, employment and community living*

the Government recognises that continuing improvements are needed to ensure that students with a disability or special needs continue to benefit from the high standard of educational services.

While the focus of this inquiry has been on education services provided by the NSW Government, it is important to also bear in mind the significant role that the Commonwealth Government plays in school education. The Commonwealth sets the parameters for the use of funding and for driving reform across key areas of education such as curriculum and teaching standards.

The NSW Government is an active contributor to all aspects of the current national reform agenda in education along with ensuring that issues for students with a disability are addressed through these reforms. This work is undertaken by the NSW Government and its education agencies through a range of mechanisms including the Ministerial Council for Education, Early Childhood Development and Youth Affairs, the Australian Curriculum and Reporting Authority and the Australian Institute for Teaching and School Leadership. Aspects of this work are outlined later in this response.

A response to the Inquiry recommendations is set out on the following pages, grouped to reflect the key issues addressed in the inquiry report and strategic commitments for responding to those issues.

FUNDING AND RESOURCES

Relevant recommendations:

That the NSW Government substantially increase funding for students with disabilities and special needs in NSW Government schools to ensure all students have equitable access to education (recommendation 1).

That the NSW Government, in its submission to the Commonwealth school funding review, advocate a transparent funding mechanism to meet the need of students with disabilities or additional learning needs (recommendation 2).

That the NSW Government address the current anomaly in which Schools for Specific Purposes are staffed and funded on a primary school formula, even though they cater for a large number of high school aged students (recommendation 3).

That the Department of Education and Training:

- acknowledge and accept that there is widespread concern about the unmet demand for special education places in NSW Govt schools;
- undertake an immediate investigation into the level of unmet demand for special education places and classes and publish the results of this investigation;
- increase the number of special education places and classes to ensure that there are adequate places to cover demand for all students with disabilities and special needs;
- abandon plans to dissolve existing language support classes (recommendation 8).

That the Department of Education and Training increase resources for students with identified disabilities in mainstream classes (recommendation 20).

The NSW Government funds both government and non-government schools. This includes providing specific funding each year for additional services and provisions to support students with a disability or additional learning needs over and above base funding for schools.

As the number of students with a disability requiring additional support has increased over recent years, NSW Government funding to support these students has also increased.

In 2010/11, the NSW Budget provides recurrent funding for government schools of \$9.296 billion. Of this, the Department has allocated over \$1.150 billion as the special education budget to provide additional support for students with a disability or special needs in government schools. This special education budget is on top of the base funding provided to all schools.

The Department's 2010/11 special education budget reflects the trend over recent years of increasing expenditure on students with a disability or special needs attending government schools. In the last ten years there has been a 144 per cent increase in NSW Government expenditure in this area, from over \$471 million in 2000/01 to more than \$1.150 billion in 2010/11.

The NSW Government will continue to review funding to support students with a disability according to demand as identified through existing funding mechanisms. This includes the allocation of funds to support students with a disability enrolled in regular classes and establishment of additional special classes based on demand identified through regional planning that is undertaken annually.

The Government notes that some within the community may perceive that there is an unmet demand for special education places. There are a number of reasons why this may be the case.

The provision of special classes and places to support students with a disability is a responsibility that the Department takes seriously. The Department has regulatory and financial responsibility to effectively utilise its full range of special education services and to balance 'demand' for special classes with optimising their supply. These responsibilities mean that flexibility in the provision of support classes is essential so that classes can be established and relocated according to local need.

However, it is important for the community to be aware that every school aged student seeking access to education in the NSW Government school sector is provided with a school placement, including students with a disability or special needs. Funding for school education follows this demand.

Support classes for students with a disability generally enrol between six and eighteen students, depending on the nature of their disability and need for support. In 2006, the NSW Auditor General's Performance Audit, *Educating primary school students with disabilities*, identified issues with support classes continuing to operate with low enrolments. Consistent with recommendations from the audit, the Department has achieved the following improvements for optimising student access to support classes:

- introduced 'multi-categorical' classes for students with confirmed disability who may have different disability types but who have similar moderate to high support needs. These classes have increased over time and currently have capacity to support more than 1,600 students.
- established mechanisms for placing support classes on review where enrolments fall below the level required for the class to be viable, that is, 50 per cent of the maximum class size.
- improved data on support class provisions through the development and implementation in 2010 of a new electronic administration system for support class placements. This data supports the region's annual analysis of enrolments to determine any change in demand for, and location of support classes and specialist positions.

The NSW Government is also exploring options to better cater for the needs of secondary school aged students with a disability in government special schools.

The Commonwealth Government is currently undertaking a comprehensive review of funding to government and non-government schools. The terms of reference for the review, finalised during the second half of 2010, include the role of funding arrangements in supporting educational outcomes and funding allocation mechanisms, including a range of issues that are relevant for students with a disability or special needs. The NSW Government will address the changing needs of students with a disability or special needs in its submission to the review.

The Department will continue to progress its current reforms for strengthening support in NSW Government schools for students with special needs. These reforms focus on the changing profile of student need and changes in enrolment patterns along with the provision of quality education services and educational outcomes, as detailed in the NSW Government submission to the Inquiry.

Key elements of this work include the strategic development and implementation of:

- a functional assessment tool to improve information about the support needs of students with a disability to inform curriculum programming to meet their specific learning needs,
- the *School Learning Support Program* model as a strategy to improve access to extra help for many students with additional learning needs who require it, together with their classroom teachers,
- online learning courses to support regular classroom teachers and other education personnel in responding to the diverse additional learning needs of students, and
- the *NSW Centre for Effective Reading* as a strategy to increase support for students with reading difficulties and their teachers.

These activities are addressed in further detail in this response.

SCHOOL LEARNING SUPPORT PROGRAM

Relevant recommendations:

That the Department of Education and Training conduct:

- a formal independent evaluation of the trial of the School Learning Support Program in the Illawarra and South East Region one year after the commencement of its operation and publish the results of this evaluation
- further consultation with key stakeholders before any decision is made to further implement this program (recommendation 18).

That the Department of Education and Training commission an independent review of the School Learning Support Program online training course, and in doing so, consult more widely with local academics and experts on the content of the course (recommendation 19).

That the Department of Education and Training work towards assisting all School Learning Support Teachers to obtain a special education qualification (recommendation 29).

That the Department of Education and Training support the maintenance and expansion of the Learning Assistance Program (recommendation 16).

Evaluation of the program trial

The trial of the *School Learning Support Program* commenced in Illawarra and South East Region in 221 schools on 19 April 2010. A State Reference Group was established to oversee the trial. This group represents key stakeholder groups and includes representatives from the NSW Primary Principals' Association, NSW Secondary Principals' Council, NSW Teachers Federation, the Public Service Association of NSW, Federation of Parents and Citizens Associations of NSW, NSW Aboriginal Education Consultative Group Inc, and the Department of Education and Training.

A rigorous, independent evaluation has been carried out in term 2 and 3 alongside implementation of the trial in order to inform the Department on the extent to which the model has benefited students with additional learning needs and their class teachers.

A concurrent trial and evaluation was recommended by the State Reference Group in term 1, 2010. This recommendation was also supported by the Community Consultative Forum comprising Family Advocacy, the Autism Advisory and Support Service, SPELD NSW, the Isolated Children's Parents' Association of NSW and Learning Links.

The Department appointed independent community sector consultants WestWood Spice to undertake the evaluation. A program evaluation advisory panel of highly credentialed academics was established to oversee and support the evaluation. Members of the advisory panel included Professor Stephen Lamb (The University of

Melbourne) and Professor Phil Foreman (The University of Newcastle). Professor Foreman is also chair of the NSW Institute of Teachers.

The evaluation terms of reference, endorsed by the State Reference Group, were to:

1. Critically analyse the effectiveness of the School Learning Support Program in relation to the stated purpose;
2. Assess the impact of the School Learning Support Program on key stakeholder groups including principals, class teachers, school learning support teachers, students, school learning support officers and parents;
3. Consider the effectiveness of the implementation process including communication and professional support for teachers transitioning into a new role; and
4. Make recommendations as to how the program can be improved.

The evaluation has been informed by baseline surveys from schools and learning support teachers participating in the trial, focus groups with a range of stakeholders across the region and additional surveys for teachers, school counsellors, classroom teachers and Assistant Principals Learning Support.

In summary, the evaluation of the trial in 221 schools over two terms found:

- widespread increase in the number of students who were assisted through the *School Learning Support Program*;
- a contributing factor to the increase in the number of students supported since the trial began is the delivery of additional support to students at the point that the need for extra support is identified. A majority of parents held the view that the program was able to offer access to more immediate help for their children;
- significant levels of agreement that the program provides greater flexibility in the use of resources through the program, including greater control of resources at the school level;
- some improvements reported by teachers in their capacity to support children with additional needs in their class
- highly positive rating of the online training by the majority of the teachers who had taken part in this training;
- strengthened profile and role of school learning support teams in coordinating support for students with additional learning needs and evidence that the program had improved 'whole of school' approaches to the identification of students with additional learning needs; and
- strengthened cooperation between schools as a result of the program.

The evaluation noted that many of the participants in the trial are excited by the benefits which the trial has already delivered and see the potential for what can be achieved if the *School Learning Support Program* continues.

On 12 November 2010, the Department wrote to all principals of NSW Government schools advising that as a result of the evaluation, the trial of the *School Learning Support Program* will continue in the Illawarra and South East Region into 2011. This will enable the Department to continue to consult with stakeholder groups and schools about the program and the evaluation findings.

No further decisions about wider implementation of the program will be made until the end of term 1, 2011. By this time the program will have been trialled for a full twelve months.

Learning Assistance Program

The *Learning Assistance Program* established in 2003 provides 1,378 specialist teacher positions and funding to schools to support students experiencing difficulties in learning, regardless of the cause. Resources are allocated on a triennium basis according to a student learning need index. This index is based on data from student performance in national testing. Students do not need to have a formally diagnosed or confirmed disability in order to access support through the program.

The *School Learning Support Program* model trialled in the Illawarra and South East region builds on the *Learning Assistance Program*. It increases the available resources that can be allocated to schools to support students with additional learning needs, without requiring a formal disability diagnosis, by drawing together the resources of a number of related programs supporting students with additional learning needs, including the *Learning Assistance Program*. The new model allocates resources through the program to schools - including specialist teacher positions and funding - using a formula which takes account of the size of the school and includes a student learning need index component based on results of national testing and a component based on prevalence of autism.

Schools use the resources to support students according to local needs and priorities, identified through the school learning support team.

The *School Learning Support Program* model allocates specialist teacher positions to every school based on the number of school enrolments and the student learning need index. Teachers appointed to these specialist positions, known as *learning support teachers*, have access to ongoing professional learning, including the online learning courses discussed further below.

Further details about the model are available on the Department's website at <http://www.schools.nsw.edu.au/studentsupport/programs/schoollearning/index.php>

Noting the continuation of the trial of the *School Learning Support Program* in Illawarra and South East Region into 2011, the *Learning Assistance Program* will be maintained in its current form in all other regions during 2011 pending any further decisions about the *School Learning Support Program*.

Supported online training

The Department is utilising a number of online training courses for teachers involved with the *School Learning Support Program* and other personnel across the State. The courses were developed by an organisation in the United Kingdom specialising in online learning courses for teachers and others in special needs education. The courses are tailored for use by the Department and accessed through an annual licence agreement. Courses are delivered through a supported training model developed by the Department.

These online courses have been used across the State since early 2009 to support the professional learning needs of a wide range of education personnel. To date more than 3,400 Department staff, including classroom teachers, specialist teachers, school executive, school learning support officers and regional support personnel have taken one or more course. Each course runs over a period of around ten weeks. Participants join a course cohort of up to twelve people and the cohort is lead by a trained learning tutor. Teachers are accredited for their learning through the courses by the NSW Institute of Teachers. Feedback from those who have completed the training is consistently highly rated regarding the impact of the courses on extending knowledge, skills and confidence in supporting students with special needs.

A number of factors have informed the Department's decision to use these courses. These include the flexibility of the courses to meet a wide range of professional learning needs of personnel in a diverse range of settings across the state. The courses are strongly based in school and classroom practice and provide course participants with a structured and practical approach to planning, implementing and reviewing strategies and interventions for meeting the identified needs of students at school. The web-based format is highly engaging for participants and the courses can be adjusted and enhanced on an ongoing basis so that they retain currency and interest. The Department's licence for the courses provides access for unlimited numbers of its personnel.

The Department has not identified a local alternative of a comparable quality that comprehensively addresses all of these needs.

Each course is developed and reviewed annually by the licensor through a management committee made up of relevant professionals. Feedback from the Department contributes directly to these reviews alongside other licence holders.

In addition, the Department is committed to continual improvement of the course content including adjustments for local use, in consultation with the licensor. This includes, for example, the addition of case study video material developed in Department schools, additional links to local programs and research sites and local data and statistics relevant to the content of each course that have been sought to

date. These modifications reflect feedback from course participants and from academics and other relevant professionals.

During 2011, the Department will continue to identify any adjustments required to existing courses and finalise the development of a new course, in consultation with the licenser, to support access to the curriculum and education activities for students with additional learning needs.

Recognising the value of feedback data from more than 5,000 courses completed by Department personnel to date, and the expertise of a range of stakeholders in New South Wales, the Department will establish in term 1, 2011 a representative committee of educators, other related professionals and academics to help inform its decisions about course enhancements that the Department may seek in the future.

LEARNING SUPPORT TEAMS

Relevant recommendations:

That the Department of Education and Training require all mainstream NSW Government schools to establish or be resourced by a school learning support team (recommendation 13).

That the Department of Education and Training work towards ensuring that all school learning support teams include at least one member who holds a special education qualification, if necessary, by providing funded professional development opportunities to existing school staff (recommendation 14).

That the Department of Education and Training publish guidelines on the functions and outcomes of school learning support teams, including the role of parents in these teams, for distribution to school communities (recommendation 15).

That the Department of Education and Training include a clear statement on the role and appropriate use of School Learning Support Officers (teacher's aides) in the proposed guidelines on the functions of school learning support teams (recommendation 17).

School learning support teams have been in place as a concept for whole school planning and support for many years. In 1996, schools were encouraged to establish learning support teams to plan for and manage support to all students, including those with a disability or additional needs. A range of documents reflect expectations regarding the establishment of a learning support team in every school, including policy, guidelines and information for parents of a child with a disability such as the publication *Who's Going to Teach My Child?*

The Department recognises that additional guidance about the functions and outcomes of learning support teams will benefit schools. In 2011, the Department will build on existing resources and work in this area to develop and publish additional resources to support learning support teams.

This includes material developed to support learning support teams through the trial of the *School Learning Support Program* in the Illawarra and South East Region in 2010.

In addition, the Department, in partnership with The Children's Hospital at Westmead, NSW Health, is currently developing a comprehensive web-based resource to provide information and guidance for schools in supporting students with medical, developmental and psychological conditions. This resource includes the learning support team as a key planning and support mechanism in responding to the additional needs of students. The resource was piloted with a range of education, health and parent representatives in term 4, 2010 with a view to a launch of the site in term 1, 2011.

In 2011, the Department will develop a professional learning module to support the effective operation of learning support teams. As a component of the Department's leadership programs, the module will be an online resource for individuals and school leadership teams, focusing on the best use of learning support teams in schools.

These additional resources to support learning support teams will address the role of parents and school learning support officers and will be developed in discussion with relevant key stakeholder groups as required.

ACCESS

Relevant recommendations:

That the Department of Education and Training examine ways to reduce the requirement for those students whose disability and level of need is unlikely to change dramatically in the space of a year to reconfirm their disability status on an annual basis in order to receive disability funding (recommendation 4).

That the Department of Education and Training investigate ways to communicate the outcome of the disability funding assessment process to families, carers and schools in a manner that is clear, timely and sensitive (recommendation 5).

That the Department of Education and Training publish details of its response to the Auditor General's 2006 report in relation to the Regional Placement Panel process, including a timeline for the implementation of this revision (recommendation 9).

There is no requirement for students with a confirmed disability to undergo annual reconfirmation of their disability in order to be eligible for and access additional support.

The Department's policy and procedures require that students who wish to access its specialist disability services and programs must have a confirmed disability against the Department's published disability criteria. Responsibility for this process sits with the student counselling service.

The Department recognises, however, that there are some students who do not clearly meet the Department's disability criteria but who may nevertheless require additional support. This may include, for example, a student who is undergoing ongoing paediatric assessment and has not yet been formally diagnosed or a student who has a significant disorder that is not adequately described by one or more of the Department's disability criteria and the condition is impacting greatly on educational outcomes. In these circumstances, the Department's senior officers responsible for Student Counselling and Welfare and Disability Programs in each region can jointly consider all of the available information and give 'special consideration' for the student to access specialist services on the basis of their assessment of the student's individual needs.

Where special consideration is given, annual review is required to confirm the student's ongoing eligibility for specialist services. This ensures on a regular basis that resources provided through specialist services are appropriately allocated for these students. Only a small proportion of students fall into this group - less than 600 students state-wide accessed specialist support via special consideration in 2010; this is around 1.8 per cent of the approximately 33,000 students receiving specialist support services.

Every student with a confirmed disability receiving specialist support services, however, has an annual student review. The purpose of this review is to consider the educational progress of the student, to determine if their support provisions are meeting the student's needs and to identify any changes to support that may be needed. The annual placement review is undertaken by the school in consultation with parents/carers and relevant regional support personnel, as needed.

The Department recognises that the system of supports for students with a disability, including the range of available programs and services may not be well understood. The Department is strongly committed to providing parents and carers with clear and accurate information that is relevant to their specific needs. In a large and complex system, this is often best achieved through linking parents and carers with personnel in schools and in regional offices who are best placed to provide specific and relevant information about local support options. The Department encourages this approach through its existing publications, including its website, and contact with families.

In addition, the Department will continue to improve the information that is available for parents and teachers about support for students with a disability. This includes updating the information available on the Department's website about specialist programs and services, how students with additional needs are supported and how to access additional support, including eligibility and assessment processes.

During 2006 the Auditor-General conducted a performance audit of education for primary school students with a disability. The audit made sixteen recommendations for improving systems for the delivery services, including the establishment of systems to support processes for assessment and placement of students with a disability.

Amongst a wide range of actions arising from the audit, the Department committed to develop, in consultation with key stakeholders, and progressively implement protocols to support its assessment and placement processes for students with a disability. The newly developed electronic 'Access Request' system was implemented in schools during 2010. Placement panel guidelines are in final draft for consultation with community stakeholder groups. They include guidance for communicating the outcomes of decisions with parents/carers. The Department anticipates release of the placement guidelines at the start of the 2011 school year.

ASSESSMENT

Relevant recommendation:

That the Department of Education and Training move rapidly towards the development and application of a functional assessment tool which has been independently monitored and assessed. This tool should be used to inform decisions about the access to disability funding and to further enhance educational outcomes for students with disabilities and special needs (recommendation 6).

The Department provided the Inquiry with a detailed briefing about its work in developing a new functional assessment tool, including the history of its development, rationale for its design and limitations, and the significant methodological challenges associated with this work.

The development of a functional assessment tool is difficult, complex and time intensive. No other education jurisdiction has successfully undertaken this work and no rubric or scoring tool for subjective assessment of functional skills relating to education currently exists. The Department has therefore set about developing its own tool which involves assessment of a student's functional skills by both their parents/carers and teachers.

The complexity of this task and the necessity for transparency, equity and validity of an assessment tool means that work will continue in 2011. Despite every effort the tool will have limitations. The Department has been unable to identify, locally or internationally, any school systems that have a reliable tool that can inform resource allocation based on student need in such a way that takes into account both student functional needs and the support available in the school community to respond to that need. Therefore, it is not anticipated that the new functional assessment tool that the Department is developing will be able to be used for the purpose of resource allocation.

However, the functional assessment tool being developed by the Department is planned to enhance educational outcomes for students with a disability. It will provide the student's teacher and learning support team with a detailed picture or measure of the impact of the student's disability on a wide range of behaviours and activities directly related to their learning. This data about a student's functional abilities and needs will inform the planning and support needed to meet the teaching and learning needs of the student in their specific context.

The new functional assessment tool identifies a student's abilities and skills as well as areas of need within their specific educational context. This information is crucial for improving the way that students' needs are identified, understood and responded to. It is particularly important for informing the planning and educational programming needed to meet the specific learning needs of the student. It will also enable the

gains made by the student to be quantified and hence it is anticipated will improve or enhance expectations of the student's achievement.

The next stage in the development of the functional assessment tool is a pilot with 2000 students in three regions, commenced in term 4, 2010. This follows the trial of a developmental tool and statistical analysis of results in 2009 which demonstrated that the tool has the potential to meet the desired outcomes. Parents/carers and teachers who took part in the trial reported that they felt the process of the assessment using the tool was relevant to the child, and useful for identifying the impact of the child's disability on their educational functioning. However, analysis identified elements and descriptors that needed modification. Over half the elements were rewritten and four new elements were included as a result of the trial.

Piloting of the functional assessment tool will:

- enable comparison between the existing methods of determining support,
- ensure that the tool identifies student's needs reliably and validly,
- determine the effectiveness with which it informs the provision of support for that student, and
- determine the differential functioning of the tool for different disability groups.

Results of the pilot will be analysed by the Department's Educational Measurement and School Accountability Directorate to determine reliability and validity of the tool. Further applications of the tool will be considered as a result of this analysis, for example, use with students who do not have a confirmed disability and use in other settings such as distance education.

Development and publication of the final tool and its distribution to schools will be informed by the outcome of the pilot and analysis of results. Planned monitoring and review of the functional assessment tool will occur following its implementation.

SCHOOL COUNSELLOR SERVICE

Relevant recommendations:

That the Department of Education and Training take immediate action to increase the number of school counsellors in NSW Government schools with the objective of increasing the ratio to 1:500 (recommendation 22).

That the Department of Education and Training:

- publish the terms of reference and timeline for its review of counselling services in NSW Government schools
- consider alternative models for delivering counselling services in schools as part of this review
- complete the review by June 2011 (recommendation 23).

A comprehensive review of the school counselling service is underway and will be undertaken in two stages.

The first stage will incorporate collection and analysis of an extensive range of data and stakeholder views about characteristics of the current school counsellor service, including:

- school counsellor supply and demand trends and projections,
- the range of school counsellor services and delivery models,
- counsellor qualification requirements
- trends in the nature of student needs
- the current use and mix of student welfare services and programs available to schools.

A review of the literature will be conducted to identify emerging trends in the psychological and wellbeing needs of children and young people, national and international models of effective practice and the research evidence for working with children and young people in educational settings.

Findings of this work will be published mid 2011 and will inform stage two consultations with experts and stakeholder groups to develop possible recommendations and undertake cost benefit analysis to inform a final report.

An expert advisory panel including experts in the areas of child and adolescent health and welfare will be established to provide independent advice on the review methodology and the literature review.

BEHAVIOUR SCHOOLS

Relevant Recommendation:

That the Department of Education and Training conduct a comprehensive evaluation of behaviour schools and learning centres. This evaluation should examine access to secondary curriculum, student/teacher ratios, the impact on students of spending extended periods of time in behaviour schools, as well as the adequacy of places available to meet demand (recommendation 10).

The Department will conduct a comprehensive evaluation of behaviour schools and learning centres.

The evaluation will involve two phases. The initial phase will involve an independent literature review on evidence-based research related to successful practice on facilities to support students with high-level disruptive behaviour.

A literature review will assist in the development of specific terms of reference for phase two that will respond to the Inquiry's recommendations and additional areas identified by the Department.

AUTISM SUPPORT

Relevant recommendation:

That the Department of Education and Training facilitate the provision of satellite autism classes in country areas to ensure children with autism in these areas have appropriate access to these classes (recommendation 7).

The Department is the largest provider of education services to students with autism spectrum disorders in New South Wales, providing services to over 10,000 students with a diagnosis of autism in government schools. Where and how these services are provided is in response to demand and the preferences of parents/carers.

In 2010, there were 122 specialist autism support classes in NSW government regular and special schools across the State, each supporting up to seven students. Over 6,000 students with a diagnosis of autism are enrolled in regular schools provided with additional support through the Integration Funding Support Program. In addition, 30 specialist outreach teachers support students with autism in regular classes. More than 3,600 students with autism in regional areas across the State are supported through these provisions.

'Satellite' autism classes are a specific service provided by Autism Spectrum Australia (Aspect). Aspect is the major non-government service provider in NSW supporting people with autism spectrum disorders and their families. Aspect is also recognised as the major independent provider of education services for students with autism in NSW. Aspect's educational services are fee-based.

Aspect operates six independent schools in NSW and each school operates satellite autism classes in regular school settings. These satellite classes are located in both Catholic and government schools. Twenty two satellite autism classes are currently operating in NSW government schools.

As a public education provider, actively pursuing the establishment of fee-based independent educational services in government schools is problematic as it potentially disadvantages families who cannot afford the service.

However, the Department does support a collaborative approach to the operation of satellite classes where they are established in government schools in agreement with the local school community. There has been a long-standing strong commitment in the Department to work collaboratively with Aspect to assist the organisation in identifying suitable accommodation options.

The Department has initiated work with Aspect to document an agreement that articulates the relationship between the two agencies regarding its provision of education services to students with autism. The agreement will provide a framework to guide the continuing positive working relationship between the Department and

Aspect and will clarify and make transparent respective agency roles and responsibilities in relation to Aspect's satellite classes.

It is anticipated the agreement will be finalised by February 2011. Once finalised, the agreement will be made available on the Department's website. Aspect will determine how it will make the agreement available to its community.

INTERAGENCY SUPPORT

Relevant recommendation:

That the Department of Education and Training coordinate multi-disciplinary teams on a regional level to deliver professional and allied health support services to students with disabilities or special needs in NSW Government schools (recommendation 21).

The Department is strongly committed to working with government and non-government agencies supporting students with a disability.

The establishment of the NSW Centre for Effective Reading, announced in August 2010, is a joint initiative of the Department of Education and Training and NSW Health. The Centre provides a multidisciplinary approach to supporting primary aged students with complex reading difficulties living in rural and remote areas of the State, through the provision of assessment and intervention services by education and allied health personnel. Further detail about the Centre is included on page 25.

In November 2010, a memorandum of understanding for the provision of therapy services for people with a disability in New South Wales was finalised between Ageing Disability and Home Care and Community Services of the Department of Human Services NSW, NSW Health and the Department of Education and Training. The memorandum of understanding clarifies agency roles and responsibilities in relation to therapy services and establishes agreed principles to guide the planning and provision of therapy services for people with a disability.

Ageing Disability and Home Care (ADHC) is now leading interagency work to finalise an action plan to support implementation of the memorandum of understanding. This will include specific strategies for enhancing the provision of therapy services for people with a disability, in addition to the distribution and promotion the memorandum and its action plan. The Department and ADHC are currently examining a range of data about disability therapy service provision in schools in order to inform the development of specific strategies to strengthen the delivery of therapy services to support education outcomes for school students.

The action plan under the memorandum of understanding also builds on current models of providing therapy and behaviour support to a school aged child or young person with a disability which is provided across the full range of home, school and community settings that are relevant to each child. This includes a variety of educational settings in regular classes, support classes and special schools.

ADHC therapists work with teachers and other education personnel to help tailor learning support plans to meet the individual needs of students with an intellectual disability. The service provided by ADHC therapists includes therapy incorporated

into the educational curriculum as part of the daily routine of the student, to support inclusion.

ADHC therapists assist in enhancing access and participation in education for students by working with education personnel to adapt lesson plans to accommodate the individual needs of students with an intellectual disability, for example, identifying alternative tasks and the use of assistive technology.

ADHC therapists also provide advice and training to teachers and education support personnel in relation to areas of need relevant to their student population. An example is in-service training on communication, meal time management and safe transport for students with a disability. It is important that the learning needs of students with an intellectual disability and challenging behaviour are reinforced and coordinated across home, school and community settings.

In addition, since 2007, ADHC has led a NSW steering committee for the provision of therapy services for people with a disability, known as the therapy taskforce. Membership of the taskforce includes representatives from government and non-government organisations, peak and professional bodies including ADHC, NSW Health, Department of Education and Training, Northcott Disability Services, The Spastic Centre of NSW, NSW Council for Intellectual Disability, the Physical Disability Council of NSW, Speech Pathology Australia (NSW branch), OT Australia (NSW branch) and Australian Physiotherapy Association (NSW branch). The taskforce oversees priority projects determined by the member agencies and provides a forum for regular discussion and planning for therapy service provision.

Achievements of the therapy taskforce to date include:

- significant work to collect cross-sector data on the numbers and location of disability therapists across New South Wales and service demand data,
- a review of the research and practice literature on therapy services for children and adults with a disability,
- the development of agreements between the university and disability service sectors for collaboration around the training of undergraduate therapists, and
- the development of resources to support the recruitment and retention of employees in the disability services sector.

Current projects being undertaken through the taskforce in 2010/11 build on these achievements and are aimed at further strengthening therapy service provision, including a focus on school aged children. These include:

- exploration of options for promoting and contributing to the evidence base in the provision of therapy for people with a disability,

- the development of a practice resource on models of therapy provision to guide organisational and service planning, and
- trial of the use of video case conferencing between therapists, families and schools to support the delivery of therapy in rural settings.

Together, the outcomes of therapy taskforce projects and the development of key strategic projects through the therapy services memorandum of understanding are contributing to improved delivery of therapy services for school aged children, including those attending NSW government schools.

The Department is working with NSW Health in a number of areas regarding support for students with a disability who have high and complex health support needs. In 2011, this work will include pilot of an education service to support young people with mental health problems within a multidisciplinary health setting and consolidation of safe and sustainable options for supporting students with high and complex health needs at school in consultation with key health and education stakeholders.

The *NSW School-Link Initiative* is a collaborative partnership between NSW Health and the Department to promote mental health and improve treatment and support for adolescents with mental health problems. In 2011, this Initiative will maintain a focus on the mental health needs of students with an intellectual disability.

Further, in 2011 in collaboration with Northcott Disability Services and The Spastic Centre, the Department will build on work undertaken in 2010 to strengthen the provision of specialist assistive technology services for students with a disability who have additional communication or mobility support needs. This will include school based project work aimed at demonstrating best practice in collaborative assessment and intervention for the provision of assistive technology to support education outcomes.

NSW CENTRE FOR EFFECTIVE READING

Relevant recommendations:

That the Minister for Education and Training and the Minister for Health publish the report of the Expert Advisory Panel on the future of Dalwood Assessment Centre and Palm Avenue School as soon as it becomes available (recommendation 11).

That the NSW Government ensure that the Dalwood Assessment Centre and Palm Avenue School and associated residential service continue to deliver its valuable service for students with complex reading difficulties from rural and regional areas (recommendation 12).

On 4 August 2010, the Minister for Education and Training made public the proposal of the Expert Advisory Panel for the establishment of a new reading centre to strengthen services for primary aged students with complex reading difficulties living in rural and remote areas of the state. The full report of the Expert Advisory Panel is available on the Department's website at the following link:

<http://www.schools.nsw.edu.au/news/announcements/yr2010/aug/readingcentre.php>

The NSW Centre for Effective Reading will strengthen services previously provided by the Dalwood Assessment Centre and Palm Avenue School by expanding services for students with complex reading difficulties and will include new assessment and intervention services at three locations: two will be located in regional NSW and the third at the Royal Far West School at Manly.

The Centre will provide three levels of service - universal, targeted and intensive - to better meet the needs of primary aged students with complex reading problems at the time that they are identified and at the level of support they need. The model includes a residential component for those students with the most complex needs who need intensive support and intervention.

The establishment of the Centre for Effective Reading is a direct result of the work carried out by the Expert Advisory Panel and draws on the literature on complex reading difficulties, advice from health and education experts, consultation and feedback from parents and community members.

From 2011, the Centre will be overseen by an Operational Committee and a Steering Committee. These will be made up of representatives of key interest groups who can provide advice and support on the key functions of the Centre in relation to diagnosis and assessment, intervention, professional learning and research and development. Terms of reference and proposed membership for each of the committees were established by the Expert Advisory Panel.

SUPPORTING ACCESS TO THE CURRICULUM

Relevant recommendations:

That the Department of Education and Training publish guidelines on the development of Individual Education Plans for students with disabilities and special needs. These guidelines should:

- include information on when an Individual Education Plan is required, who should be involved and what it should contain
- be distributed to the school community, including parents of students with disabilities or special needs (recommendation 24).

That the Department of Education and Training provide additional resources, including relief time for teachers to develop Individual Education Plans (recommendation 25).

That the Minister for Education immediately pursue with the Federal Minister for Education the inclusion of Life Skills as an essential component of the new national curriculum (recommendation 26).

Supporting individual education needs

The Department of Education and Training provides a range of policies and related resources that support the development of individualised or personalised plans for students who require them, including students with a disability. The purpose and content of plans is informed by the identified needs of the student that are being addressed through the plan. For example, individual plans may be developed to support student learning, transition to or from school, health needs, behaviour support needs.

The Department's *Curriculum Planning, Programming, Assessing and Reporting K-12 policy* sets out expectations for curriculum planning and teaching programs for every student, including those with a disability or special needs. Associated policy standards require that an adjusted personalised education program is developed, in consultation with parents, for students with a disability who are working toward different syllabus outcomes than their age/stage peers. Student achievement is reported against this personalised learning program.

The *Out of Home Care in Government Schools Education Plan procedures* have been developed to support schools to develop individual or personalised education plans required for children and young people in statutory out-of-home care.

Personalised learning plans are also developed for all students of Aboriginal descent.

A range of guidelines and resources are also available via the Department's website to support the development of plans to support the individual health care and behaviour support needs of students at school, where required.

Additional information for parents about planning processes to meet the individual support needs of students is included in the resource *Who's Going to Teach my Child*.

A range of regional support staff provide advice and assistance for schools on the development of individualised plans for students. This includes Disability Programs Consultants in each region who are available to support schools in developing a range of plans to meet the identified needs of students with a disability.

The Department will consider ways to improve information and guidance for parents and school communities on the development of individualised or personalised plans for students with special education needs through existing efforts to redevelop information through the Department's website about how students with additional needs are supported.

National curriculum

The Department of Education and Training and the Board of Studies NSW have provided feedback to the Australian Curriculum and Reporting Authority on the draft national curriculum through a range of mechanisms to date.

This feedback to the Australian Curriculum and Reporting Authority has highlighted the need for

- an inclusive Australian curriculum and integrated approach for students with a disability that meets the requirements of the *Disability Discrimination Act 1992* and *Disability Standards for Education 2005*, and
- a curriculum structure that guides every teacher in their day to day work with the learning of every student, including those with a disability or additional needs.

In November 2010, the Board of Studies NSW and the Department of Education and Training, together with the independent and Catholic school sectors, jointly issued a letter to principals and stakeholders indicating the development process for the NSW syllabus that the Board of Studies would adopt if the Australian Curriculum for English, Mathematics, Science and History K-10 was endorsed by the Ministers for Education in December 2010. Included in this development process are actions to ensure that the national curriculum is inclusive of all learners.

Subsequently, at the 8 December Ministerial Council meeting, Ministers agreed to endorse and publish the content for Foundation to Year 10 English, mathematics, science and history as the basis for implementation of the next stage of the curriculum development process. This process specifically includes developing the curriculum content and achievement standards required to meet the needs of every student, including those with special needs.

The Board of Studies NSW and the Department of Education and Training will continue to closely monitor and contribute to the ongoing development of the Australian curriculum, including the capacity of the Australian curriculum to meet the needs of the full range of students.

TRAINING

Relevant recommendations:

That the NSW Institute of Teachers review the content of pre-service teacher education courses, including:

- the mandatory unit in special education
- incorporating additional content regarding teaching strategies and practical skills to cater for the learning needs of students with disabilities or special needs
- embedding special education throughout pre-service training (recommendation 27).

That the NSW Government promote through the national reform agenda that special education be embedded throughout pre-service teacher training (recommendation 28).

That the Department of Education and Training offer additional opportunities for teachers to undertake retraining programs in special education facilitated by the Department (recommendation 30).

That the Department of Education and Training review whether there is a need for formal training for School Learning Support Officers (recommendation 31).

Pre-service teacher education

The NSW Institute of Teachers' requirements for approval of initial teacher education programs include demonstration of the NSW Graduate Teacher Standards and several mandatory areas of study including special education and managing challenging behaviours.

The Institute is currently completing a four year schedule of assessing over 150 initial teacher education programs offered by NSW teacher education institutions.

This assessment has confirmed that all programs assessed include a unit of special education study. This unit of special education study addresses aspects of the special education mandatory area and those Graduate Teacher Standards that relate to students with special education needs and/or challenging behaviour. In many cases, program content designed to address aspects of the special education mandatory area and Graduate Teacher Standards relating to students with special education needs and/or challenging behaviour is integrated across units other than the special education unit.

Key components of the national reform agenda around teacher training include:

- the development of National Professional Standards for Teachers and processes for the recognition of teachers against these Standards;
- national initial teacher education program requirements and a national process for the assessment and approval of programs against the new national Standards and programs requirements; and

- consistency in the accreditation and registration of teachers.

The Australian Institute for Teaching and School Leadership has responsibility for the development of the National Professional Standards for Teachers in consultation with the teaching profession and requirements for the accreditation of pre-service teacher education programs.

The National Professional Standards for Teachers have undergone broad consultation and extensive validation with teachers across the country during 2010. The NSW Institute of Teachers has promoted through this process the benefits of elaborating certain Graduate Teacher Standards in the form of descriptions of mandatory areas of study relating to priority areas, including special education. The Institute has also indicated that, from its experience in assessing over 150 initial teacher education programs in NSW, programs are strengthened by having special education content integrated into relevant units in addition to having the dedicated unit in special education study.

The current draft national standards for Graduate Teachers are designed to ensure that new graduate teachers have the initial knowledge, skills and attributes to begin to meet the learning needs of all students in schools including students with disabilities and special needs.

On 8 December 2010, the Ministerial Council for Education, Early Childhood Development and Youth Affairs (MCEEDYA) considered and endorsed in principle a final draft of the National Professional Standards for Teachers. MCEEDYA also considered an Australian Institute for Teaching and School Leadership (AITSL) progress report on the finalisation of a national teacher accreditation system including a work plan to develop particular aspects of the national system including descriptions of mandatory areas of study such as special education. AITSL aims to provide a final report to MCEEDYA at its meeting of April 2011.

The NSW Institute of Teachers and the Department of Education and Training will continue to monitor the implementation of the national teaching standards and the impact on teachers and professional learning programs in New South Wales to ensure that the needs of students with disabilities and special needs are met.

Teacher training

The Department is committed to ensuring the supply of quality teachers of students with special needs. Approximately 4,450² of the 49,100³ permanent school teachers employed by the Department are teachers of special education. In addition to the 264 teachers recruited into special education positions across the state in 2009, as

² Based on the position competencies in the NSW DET personnel system, and including all teachers in special schools as at March 2010

³ Source: Personnel System 1 March 2010

at 1 December 2010 a further 214 teachers⁴ had been recruited into special education positions.

The Department will continue to offer retraining opportunities annually through its full time and part time retraining programs in special education for experienced primary and secondary teachers with personal suitability to work as special education teachers.

In 2011, an additional 35 teachers will commence full-time studies in special education. This includes:

- 20 teachers due to undertake full-time studies at the University of Sydney in general special education, and
- six teachers due to undertake full-time studies in hearing impairment and nine teachers in vision impairment through the Royal Institute for Deaf and Blind Children Renwick Centre, in association with the University of Newcastle.

On successful completion of these studies, the teachers will be awarded a Masters of Special Education.

The part-time Special Education Retraining Program provides training for teachers currently employed in permanent school-based special education positions to gain specialist training to support the learning needs of students who require additional support.

In 2011, an additional 28 teachers are due to commence their part-time special education studies through Charles Sturt University and 15 teachers will be continuing their part-time studies. Upon successful completion of these studies the teachers will be awarded a Masters of Inclusive Education.

In addition, the Department of Education and Training is strongly committed to the provision of professional learning to assist teachers and school leaders in NSW government schools to improve outcomes for students. The Department allocates \$36 million annually to schools and regions for teacher professional learning. Schools use these funds to develop the capacity of their teachers and school leaders to improve learning outcomes for all students and meet the key targets articulated in their school plans.

In addition, \$33.2 million over four years is allocated to provide additional release and professional learning for beginning permanent teachers on probation.

To further improve professional development for staff, from 2009, the Department increased the number of school development days from 3 to 5 each year, while still maintaining the longest public school year in Australia at 201 days.

⁴ Source: Personnel System 1 March 2010

The Department provides an extensive range of professional learning programs, resources and Institute-registered professional learning courses to support all teachers and school leaders working in regular and special schools. Many of these specifically address the education support for students with a disability. To ensure equitable access to professional learning, many programs and resources are now offered online.

The Classroom Teacher Program is a professional learning resource developed by the Department that currently includes 18 learning units and numerous modules.

New modules to specifically address students with special needs are currently being finalised for registration with the NSW Institute of Teachers and will be available in Term 1, 2011 on the Classroom Teacher Program website. These include modules to support teacher understanding of legislation and policy requirements and curriculum requirements for supporting students with special needs.

Further information about professional learning courses provided in NSW public schools is detailed in the NSW Government submission to the inquiry.

The Department will continue to develop additional professional learning units and associated modules for the Classroom Teacher Program including units that focus on catering for students with special needs using the learning cycle of assessment - program development - quality teaching - assessment.

These training opportunities are in addition to those already accessed by more than 3,400 teachers, school executive and support staff through the online learning initiative introduced across the State in 2009, outlined earlier in this response.

Training for school learning support officers

The Department does not require that school learning support officers hold a formal qualification. However, the Department is committed to ensuring that school learning support officers have access to quality training and support in their role supporting teachers in schools.

School learning support officers who are enrolled in Certificate III in *Education Support - School Learning Support Officers* through TAFE NSW are eligible to apply for study assistance from the Department. The study assistance program provides funds to relieve the school learning support officer to attend TAFE or university classes when they are enrolled in a course that is relevant to their role and where these classes are held during working hours. The study assistance program can also be used for the purpose of private study related to an approved course.

During 2010, the Department has led the revision of the Certificate III in *Education Support - School Learning Support Officers*. This revision has ensured that the qualification is focused on the current needs of schools in supporting students with a disability and the role of school learning support officers in public schools.

The revised course utilises approved training packages to provide a core of eight units of study that are supplemented by six elective units. The core units of study provide a foundation of general skills and knowledge, while the elective units provide the opportunity for school learning support officers to tailor the qualification to meet the diverse student needs determined by their role and areas of interest.

The Department also provide a range of professional learning programs for all school administrative and support staff, including school learning support officers. The focus for professional learning for school administrative and support staff is to develop skills in the use of technology, develop skills related to roles and meet the needs of staff that are identified by the Regional school administrative and support staff reference group.

In 2011, the Department will identify improvements to the training of school learning support officers through analysis of data collected in the previous twelve months and in consultation with the Public Service Association of NSW.

