



Australian Education Union - ACT Branch

Submission to the Standing Committee on Education, Training and Youth Affairs

Inquiry into needs of ACT students with a disability

The Australian Education Union – ACT Branch (AEU) is the peak professional and industrial organisation for over 3000 teachers and school support staff in ACT public schools and TAFE.

In this submission, the AEU will put forward its vision for a sustainable, high quality ACT public education system for the future, with particular attention paid to support services for students with a disability. The AEU acknowledges that the level of investment required in these proposals is substantial. For decades successive governments, both Federal and ACT, have failed to grasp the essential needs of the public education system and the singular importance of it in building a vibrant, socially cohesive and prosperous nation. There is a need to rectify the inaction of the past and it may well take longer than one term of government to achieve these significant changes.

The vast majority of students with a disability in the ACT are educated in public schools. Most of these students attend school in a regular setting. Others are educated in a Learning Support Unit or Centre which is usually co-located with a school. Some students with disabilities attend a special school.

The public education system has as its fundamental precept that all students have a right to a high quality education and that all students are able to learn. Public schools aim to provide all students with an education that develops their skills, knowledge, values and understandings and hence enables them to meaningfully contribute to society throughout their lives.

The AEU is supportive of the Department of Education and Training policy on inclusivity. However, the AEU has expressed concerns that since this policy was introduced, there have been cases where inadequate resources, equipment, facilities and appropriate staff professional development have been provided in order to ensure students' educational needs are supported as best as possible. It is the responsibility of government to support public schools to implement a range of inclusive teaching practices to meet the needs of each student through appropriate and timely resource provision.

Public schools are responsible for the learning outcomes of a diverse range of students. These students not only include those with a disability but also those who may be ineligible for additional funding support such as students with psychological, social, emotional and behavioural disturbance, mental health issues, dyslexia, Attention Deficit Hyperactivity Disorder, etc.

In *The Review of Special Education in the ACT* (Shaddock et al, 2009, p. 96), attention was drawn to:

...students with a disability but who are ineligible for supplementary funding because the factors that affect their learning do not constitute a disability (e.g. behavioural difficulties, disrupted home life, extreme sexualised behaviour, motivational and attitudinal problems). The fact that in addition to students with a disability, many students have individual needs that are extremely resource-intensive clearly illustrates the inadequacy of dichotomous ways of thinking about school diversity (special vs. not special; disabled – non disabled), especially when used as a guide to school organisation, teaching practice and as the sole basis for resource distribution.

In the words of the ACT Department of Education and Training Strategic Plan, 'everyone matters'. The importance of equity of access to education for students with a disability on the same basis as a student without a disability is highlighted in *The Review of Special Education in the ACT* (p. 205):

First, the description and meanings of 'disability' in anti-discrimination legislation at both the ACT and Commonwealth level are broad compared with definitions of disability that are contained in the eight categories in the ACT Department of Education and Training policy – Intellectual, Physical, Vision, Hearing, Autism Spectrum Disorders, Language, Mental Health and Chronic Medical Condition.

Secondly, many students with a disability require specialised services in order to access the curriculum and to achieve appropriate learning outcomes, e.g., some may need therapy or mental health support that may be provided by individuals and organisations that are not under the direct control of the ACT Department of Education and Training. In these circumstances, the Standards require that the education provider takes appropriate steps to ensure that collaborative arrangements with specialised service providers are adequate.

Thirdly, the Standards (Disability Standards for Education 2005) do not mention 'special education' or 'inclusion' or 'inclusivity'. The Standards simply state and re-state the fundamental right of a student with a disability to participate in education on the same basis as a student without a disability. (The phrase, 'on the same basis' is used 33 times in the Standards and Guidance Notes).

Herein lies the challenge for the ACT Government and the public education system as a whole. The AEU's submission is presented with this challenge in mind.

Equity of outcomes for students with a disability is dependent on the investment in, and quality of, education service provision. In this submission, the AEU will discuss the following

aspects of public education service provision and make recommendations which we believe, if implemented, will assist in better supporting the needs of students with a disability:

- resource allocation
- class sizes
- recruitment and retention of high quality teachers
- other professionals (therapists, nurses, counsellor-psychologists)
- high quality professional development for teachers and support staff
- public school facilities and infrastructure
- workload and access to work-life balance
- School Based Management

Student Centred Appraisal of Need

The AEU recommends that:

- The Student-Centred Appraisal of Need (SCAN) process be reviewed and improved so that the resultant assessment and resource allocation model accurately assesses all factors that relate to supporting a student in order to strive for equity of outcomes for all students. These factors include, but are not limited to, curriculum (such as separate literacy and numeracy criteria), physical and/or intellectual disability, physical size of the student (implications for lifting, restraint etc) and medical, social/emotional, behavioural, physical needs and assistive technology support needs (both in relation to the individual and the school setting). SCAN has not been reviewed since its introduction in 2003.
- The assessment and resource allocation model take into account not only an individual student's needs but the combination of needs of students in any one class.
- The assessment criteria, moderation process, method of calculation (algorithm) and resultant resource allocation be completely transparent to all Department of Education and Training (DET) staff and parents.
- The professional judgement of Principals and teachers be respected when they request an interim assessment of a student or appeal the outcome of a particular assessment.

See *All Public Schools (including Special Schools)*, page 7, for further proposals regarding School Based Management funds and resources.

Class Sizes

The AEU recommends that:

Class sizes in all special education settings be capped in accordance with AEU Policy. The following section of the policy relates to Special Education settings.

Note: current figures in brackets were provided by DET, May 2009.

Class sizes in special education settings be changed, in such a way as to ensure that there is no reduction in current resource levels, to the following maximum class sizes:

- Autism Units (AU):
 - *High needs students: 1 teacher and 1 Learning Support Assistant to every 4 students (currently 1:1:6).*

- *Moderate needs students: 1 teacher and 1 Learning Support Assistant to every 6 students (status quo).*
- *Learning Support Units (LSU): 1 teacher and 1 Learning Support Assistant to every 6 students (currently 1:1:8).*
- *Learning Support Centres (LSC) - Primary: 1 teacher and 1 Learning Support Assistant to every 8 students (currently 1:1:14).*
- *Learning Support Centres (LSC) - Secondary: 1 teacher and 1 Learning Support Assistant to every 8 students (currently 1:1:16).*
- *Support Class Language: 1 teacher and 1 Learning Support Assistant to every 8 students (status quo).*
- *Support Class Hearing: 1 teacher and 1 Learning Support Assistant to every 8 students (status quo).*
- *Special Schools:*
 - *High need students as identified by an appraisal (SCAN) process: 1 teacher and 1 Learning Support Assistant to every 4 students (ratio varies, some classes attain this ratio, some classes have more students and staff, some students need 1:1 support at times each day).*
 - *Moderate need students as identified by an appraisal (SCAN) process: 1 teacher and 1 Learning Support Assistant to every 6 students (ratio varies, some classes attain this ratio, some classes have more students and staff).*
- *Early Childhood classes within Special Schools: 1 teacher and Learning Support Assistant to every 6 students (status quo)*
- *Early Childhood Centres (ECCs): 1 teacher and 1 Learning Support Assistant to every 6 students (currently 1:1:8)*
- *Early Intervention Units (EIU): 1 teacher and 1 Learning Support Assistant to every 8 students (currently 1:1:12)*
- *Autism Intervention Units (AIU): 1 teacher and 1 Learning Support Assistant to every 4 students (status quo)*

A definition of "high needs/moderate needs" students must be negotiated and the staffing points generated to fully support the class sizes identified by the agreed definitions.

Recruitment and Retention of High Quality Teachers

The AEU recommends that:

- The Department of Education and Training establish a long term recruitment and retention strategy. This strategy should include ways to predict future teacher shortage areas and an action plan to proactively fill these gaps.
- DET continue to endeavour to fill all teaching positions in Special Education settings (ie. special schools, LSUs, LSCs, AUs, AIUs, EIUs, Support Classes [Hearing and Language], ECCs, etc.) with Special Education qualified teachers.
- DET recruit qualified Special Education teachers from across the country, and where possible, make early offers to outstanding final year graduates at the beginning of the academic year (prior to other jurisdictions/systems making an early offer).
- Governments and DET promote teaching as a profession and encourage undergraduates and secondary students to consider teaching in public education, especially in current and potential areas of shortage such as Special Education, School Counselling.

- DET continue to liaise with universities to provide appropriate courses for School Counsellors and ensure DET positions are filled by qualified teacher-counsellors wherever possible.
- DET and the ACT Minister lobby the Federal Government to ensure its review into Teacher Education include Special Education courses. Annual AEU Surveys of Beginning Teachers consistently find that a significant proportion (around 70%) of graduates feel their training did not provide an adequate grounding to teach particular groups of students, such as students with disabilities, students from non-English speaking backgrounds and students from dysfunctional backgrounds.
- The ACT Government and DET facilitate a new teacher salary/promotional structure based on an agreed professional pay model.
- Facilitate better in-school support and mentoring programs for beginning teachers.
- Staffing points be provided for an additional 1.0 full-time equivalent classroom teacher in each school per maximum of 5 new educators (where applicable) to provide *formal mentoring* (different to supervision) to each new teacher at that site.
- New Educators receive a 20% reduction in their teaching load for their first 2 years of employment.
- Maintain funding (which currently ceases at the end of 2010) until at least the end of 2011 for 10 Quality Teaching Coordinators (School Leader Cs) to support the continued implementation of the Quality Teaching model, the work of the three QT Consultants and ensure sustainable development in quality teaching practices in all ACT public schools.
- Eight additional Curriculum Support officer positions and 3 additional administrative staff be established in the Curriculum Support and Professional Learning section of DET.
- An allowance be introduced for teachers at the top of the Classroom Teacher salary scale who achieve an additional qualification.
- Casual relief teachers' salaries and conditions be improved to attract more high quality relief teachers to the ACT.

Support provided by other Professionals

The AEU recommends that:

- DET and Therapy ACT jointly develop an action plan to improve the recruitment and retention of therapists (including physiotherapists, occupational therapists, speech therapists, music therapists and psychologists) to address the needs of all students with a disability and their families.
- DET, Department of Disability Housing and Community Services and Therapy ACT jointly develop a strategy with the aim of achieving a more integrated, coordinated, efficient provision of service to all public schools.
- Each Special School have 'wrap-around' service provision on site. These services would include a school-based full-time Nursing Health Professional, Therapists (physiotherapy, occupational therapy, speech therapy etc.) and a full-time School Counsellor-Psychologist.

High Quality Professional Development for Teachers and Assistants

The AEU recommends that:

- The Department of Education and Training continue to liaise closely with Universities and the Canberra Institute of Technology to ensure that there are a range of undergraduate and post-graduate courses for DET employees working with students with a disability.
- DET continue to facilitate current employees (teachers, school leaders and Learning Support Assistants) to undertake studies in Special Education.
- DET consult with teachers and support staff with a view to ensuring that regular, high quality professional development (including Occupational Health and Safety training) is provided to assist in meeting the needs of students with a disability. Further, that DET coordinate a learning community (network) so that any relevant professional development, mentoring and networking opportunities are offered to all DET employees who wish to access it.
- Increases the Teacher and Principal Professional Learning Funds and adjust them by the annual June quarter CPI increases.
- Establish a Support Staff Professional Learning Fund, adjusted by the annual June Quarter ACT CPI increases, to enable all support staff working with students, including LSAs, Youth Workers and Indigenous Education Workers to be supported to attend regular high quality professional development.
- DET to employ a pool of permanent relief teachers for each school cluster to assist in addressing the relief teacher shortage in order to ensure teachers are able to attend Professional Development.
- Casual relief teachers' salaries and conditions be improved to address the relief teacher shortage and enable permanent teachers to attend Professional Development.

Public School Facilities and Infrastructure

The AEU recommends that:

- The Department of Education and Training immediately undertake an audit of current infrastructure, facilities and assistive technologies across the public education system. Such an audit should include the current and anticipated number of students with a disability in ACT public schools; appraise the needs of students; indicate the level of support these students require; whether the current facilities are meeting this need and recommend measures to be taken to fill the gap.
- DET establish a long-term plan to consider the increasing number of students with disabilities in the ACT public education system and the anticipated facilities required to provide high quality infrastructure into the future.

Reduced Workload and Creation of a Work-Life Balance

The AEU recommends that:

Special Schools:

- Face-to-face teaching hours of teachers, School Leader Cs (SLC) and School Leader Bs (SLB) in Special Schools must include timetabled supervision of students before school, during recess, lunch and after school. These face-to-face

hours must not exceed the maximum allowable under the DET Teaching Staff Union Collective Agreement.

- Face-to-face teaching loads for School Leaders in Special Schools be reduced in recognition that they supervise a higher ratio of LSAs as compared to their colleagues in regular settings.
- Face-to-face teaching loads of teachers in Special Schools be reduced in recognition that they provide mentoring and support to LSAs in a higher ratio than their colleagues in regular settings.
- a full-time Pastoral Care SLC position in each secondary Special School be created, as is the situation in regular secondary schools.

All Public Schools (including Special Schools) -

School Based Management funding must be increased to allow teachers to focus on duties directly related to teaching and school leaders to focus on educational leadership, the core responsibilities which have the most influence on student outcomes.

For each public school, the AEU recommends that the ACT Government provide funds:

- To employ at least 1 full time Information Communication Technology (ICT) specialist at competitive salary rates, with additional positions to be created as per an agreed formula, based on student numbers.
- To employ at least 2 additional full time administrative support personnel, with additional positions to be created as per an agreed formula, based on student numbers.
- To employ at least 1 additional LSA.

For the whole public education system, the AEU recommends that the ACT Government provide funds:

- To ensure appropriate OH&S ACT Public Sector standards are met, including minimum and maximum allowable temperatures, ergonomic furniture and ICT hardware with technical support.
- To enable the face-to-face teaching hours within the secondary sector be restored to 18 hours per week and the preschool-primary sector face-to-face hours be reduced to 18 hours per week.
- All schools be provided with staffing points to release each teacher for at least 3 days per semester for compiling, writing and moderating reports.

Streamlining current DET policies

There is a need for DET to align vast array of strategies, plans, frameworks, policies and procedures (including those which focus on students with a disability) so that they are streamlined and there is a clear, systemic approach to continual improvement in educational provision and student outcomes over a reasonable timeframe.

New initiatives

There is a need to reduce the number of new programs/initiatives being introduced so that schools can implement and assess the effectiveness of current initiatives. The implementation of any new initiative must be well-justified, accompanied by a rigorous assessment process prior to implementation and where agreed, be introduced with high quality professional development, support and resources.

Meeting the Diverse Needs of Students

Hundreds of students with a disability attend a special school. *The majority of students with a disability attend a regular setting.* It is the professional responsibility of teachers to implement a range of inclusive teaching practices to meet the needs of each student. However, to do so effectively requires appropriate resourcing, support and high quality professional development, both at the school and system levels. Some students need additional support and resources in order to achieve equity of outcomes. One size does not fit all; therefore the public education system requires a broader range of alternative educational programs and settings in order to meet the needs of all students. See *Attachment A* in regard to recommended additional programs and alternative settings for the ACT public education system.

For the preschool sector, the AEU recommends:

An increase in specialist support staff to the following levels, to ensure equitable delivery of early intervention services to preschool students are maximised. This proposal is in recognition of the vital importance of early intervention and is to enable comparable delivery of services for pre-school students (including students with special needs) as for other levels of schooling (current levels in brackets):

- 4.5 full-time equivalent Counsellors specifically for the Preschool sector (*0 Counsellors, 0.5 Psychologist*);
- 3 full-time Early Intervention Support teachers (*2*);
- 3 full-time ESL teachers (*2*);
- 3 full-time Behaviour Management Support teachers (*1*); and
- 1 full-time Social Worker to support families and provide links to allied government and community support services (*0*).

For the whole public education system, the AEU recommends:

- A new agreed teacher and specialist support staffing formula that is based on student needs/complexities in each school, not merely on enrolment numbers.
- A centralised funding model be created that directs resources to schools on a needs basis for students who need additional support such as those with psychological, social, emotional and behavioural disturbance, mental health issues, speech therapy and/or occupational therapy.
- For all teaching positions which require a dual qualification (eg School Counsellors/Teacher Librarians):
 - They must be reclassified at a pay rate equivalent to the proposed Leading Teacher classification and included in the school site allowance.
 - DET must meet the full costs of any compulsory professional registration (eg Psychologist Board) and the associated required professional development.
 - Funds from the Teacher Professional Learning Fund are to be used to meet the full costs of upgrading any approved teacher who wishes to gain the additional dual qualification.
- An increased range of educationally appropriate alternative programs and settings for students Preschool to Year 12 and Post-School options must be agreed upon and funded within the next 3 years. See *Attachment A*.

- 10 extra specialist staff for the Schools Office to properly support schools to implement effective student management processes.
- The *Classroom Management and Instructional Strategies* program (currently funded by the AEU and individual schools) must be funded by the ACT government and implemented by DET to support ongoing, high quality professional development and reduce Comcare claims, as a core responsibility.
- 21st Century facilities, infrastructure and assistive technologies be provided to support the learning needs of every student, including those with a disability.
- The ACT government establish a residential or day mental health care facility with access to education and/or training for secondary and primary students. Models for this facility can be found at Rivendell at Westmead Hospital in Sydney and at the Austin Hospital in Melbourne. This must be a site capable of supporting students with a range of mental health issues, including those who exhibit violent behaviours.

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Attachment A:

Additional Programs and Alternative Educational Settings to Meet the Diverse Needs of Students

The AEU – ACT Branch recommends the following alternative educational programs and settings (which would assist all students including those with a disability) for the ACT public education system:

- a) Early intervention settings for Kinder to Year 6 students with acute behavioural disorders (particularly violent behaviours) to provide intense behaviour modification and psychological services;
- b) Alternative settings for Years 7 and 8 students with extreme behavioural disturbance, including violence where students can be supported to work through these issues in small groups or one-to-one whilst continuing their education and then be assisted with the transition back to their school;
- c) Introduce at least 2 settings, one on the north side and one on the south side, to provide short term respite for high school students who may need time away from their school to work through disengaging and anti-social behaviours;
- d) Further support for programs which introduce middle years students to employment opportunities;
- e) Further support for programs which use creative and performing arts to help young people with mental health issues to adapt to schooling;
- f) An additional Connect10 program (for students at risk of not achieving a Year 10 Certificate) be established at Gungahlin and another at the former Weston CIT site (as at December 2009, the site of the proposed Islamic School of Canberra).
- g) An educational program designed specifically for students released from Bimberi Youth Detention Centre (including Access 10 and VET training in areas such as Automotive and Metals Certificates, Horticulture Certificates etc) delivered at a Vocational Pathways School at the former Weston CIT site.
- h) The ACT Government provide alternative education opportunities in the area of the arts, for example, pottery/ceramics, textiles, woodworking and jewellery, for students from upper primary to senior secondary. These can be linked with existing schools on a cluster model and/or with community-oriented partnerships at an appropriate site. Both the closed school sites at Hall and Tharwa villages would lend themselves to such programs which could enhance the social capital and amenity of both the local and broader community.
- i) The ACT Government has invested in the Performing Arts in public education in its 2007/2008 Budget. However, the performing arts in schools, particularly drama, requires additional support if students are to benefit from the enrichment of their curriculum. Capital investment and maintenance of existing facilities and opportunities for teacher professional learning would enhance opportunities for students' development. In order to lead and support teachers in undertaking their work in the Performing Arts a Departmental position should be created in an advisory capacity. Such a position should also have a liaison role with industry to further expand opportunities for students.
- j) Additional work experience and school-to-work transition opportunities for senior students attending a special school. Currently a number of students stay on at Black Mountain School beyond Year 12 due to the lack of meaningful opportunities beyond school.