



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON EDUCATION, TRAINING AND
YOUTH AFFAIRS**

(Reference: [Needs of students with a disability](#))

Members:

**MS A BRESNAN (The Chair)
MR J HANSON (The Deputy Chair)
MS M PORTER**

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 20 APRIL 2010

**Secretary to the committee:
Dr S Lilburn (Ph: 6205 0199)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 21 January 2009

The committee met at 2.02 pm.

SINGER, MS ELIZABETH, President, ACT Council of Parents and Citizens Associations

EDNEY, MS KATE, Staff member, ACT Council of Parents and Citizens Associations

NASR, MS DIANA, Executive Committee Member, ACT Council of Parents and Citizens Associations

SEBBENS, MS CAREY, Acting Vice President, ACT Council of Parents and Citizens Associations

THE CHAIR: I would like to welcome representatives of the ACT Council of Parents and Citizens Associations to this public hearing of the Standing Committee on Education, Training and Youth Affairs inquiry into the needs of ACT students with a disability. I draw your attention to the privilege statement which is on the table in front of you, to make sure that you are aware of that. Before we go to questions from the committee, I invite you to make an opening statement, Ms Singer.

Ms Singer: Good afternoon. I would like to thank you for the opportunity to appear before the inquiry this afternoon. We represent the ACT Council of Parents and Citizens Associations. The council is a non-profit, non-government representative organisation whose objectives are to foster a quality public education system, provide support services for affiliates and make representations to the government on behalf of parents of government school students.

The council would like to thank members of the committee for their interest in the needs of students with a disability. During our process, parents have expressed many concerns to us about the education of students with a disability, including what they see as a lack of free choice of setting, the department of education's limited definition of disability, the lack of any relationship between funding and a student's learning outcomes, and confusion about how many complex pieces of legislation and conventions translate in terms of meeting needs within the educational setting.

In our submission there is the normal text with points and recommendations, but there are also a couple of documents like this, which is a draft document for you to consider, which is attached as an appendix and which sets out the rights of students with a disability. It is a very simple document which would help parents, and maybe even teachers, and also parents within the general school community, to understand what the responsibilities of the school are in terms of making the appropriate adaptations for students with a disability in their setting.

THE CHAIR: Thank you for your submission. It is very thorough and has some excellent recommendations. It also refers to Professor Shaddock's report. The first question I have is in relation to the first recommendation you made. It is an issue that has come up from other witnesses, and I think throughout other submissions, around the definition of disability, and the confusion around that. The point you have made about referring to the Disability Discrimination Act is something which has also been brought up. Professor Shaddock brought up that issue. Could you elaborate on that a bit? Also, in terms of that recommendation, where has it come from? Has it come from concerns that parents have expressed and the confusion around what programs

are available and who can apply for them?

Ms Edney: I am not entirely sure of the definition as the parents discussed it. A major concern with the legislation was that there are so many different definitions in so many different places, at an ACT level, a national level and an international level. Very rarely is it all put together in one comprehensive statement. We have so many statements and definitions floating around through policy on legislation, and it would be great if, at a minimum, that could relate to legislation, but moreover just to have a comprehensive definition that everyone can relate to.

THE CHAIR: Would that be about having the definition referred back to the Disability Discrimination Act? Some of the things raised by Professor Shaddock were that dyslexia and ADHD do not come under some of the definitions which the department of education apply, but they are referred to in the discrimination act. So how could that be used consistently?

Ms Singer: It is important for a large group of our parents that the definition is the expanded one that Professor Shaddock referred to. We find that students with disabilities are not covered by the definition—and I will stick with dyslexia as being one, but there is quite a range of them. They tend to fit into some services external to education and even some services in terms of Centrelink support and things like that, but when it comes to getting adaptations made, and particularly funding in relation to the SCAN, within the ACT process it is not available under the current definition they use. So there is that break and that difference between the definitions that means it is not consistent.

MR HANSON: Thanks very much for coming and for your submission. I will go straight to the funding issue. It seems that there are concerns around the amount of funding and then, as you said, the linkage with educational outcomes. Could you expand on that? In particular, is the problem with the lack of funding? Is the problem with accessing funding because it comes from so many disparate organisations? What are the real concerns?

Ms Sebbens: With the lack of funding, it is really a transparency thing with funding as well. Students are allocated a certain amount of funding through a SCAN process, but that does not necessarily mean that that funding will actually go towards the educational outcomes of that child. It is up to the school-based management as to where that funding actually slides in, if you like. So it is not necessarily going to go towards resources for the children. The other point with the funding is that most parents are not aware of the extra resources that are available through the education department. Therefore they are unable to ask for particular resources that may well work hand in hand with outside therapies.

Ms Singer: For example, there is a set of funding that you get through the SCAN process. It is very hard in some particular schools to follow that funding through with the student. But there are also separate funding buckets that the Department of Education and Training have for the distribution of things that they call assistive technologies for students, which are adapted computer programs, maybe wheelchairs or purchases of other equipment or special desks, particular keyboards and things like that. They sit in a separate bucket, as opposed to the SCAN. So the school gets

allocated funding for the SCAN for the student. If they then need an assistive technology, the school fills in paperwork for the assistive technology.

MR HANSON: Do you think there is a problem whereby a certain amount of money is allocated for a student because, through the SCAN, they have been assessed as being with these specific needs? That then goes into the gross fund of the department for the school and then you cannot necessarily translate that money that the student is meant to be allocated with what is actually being delivered because it is perhaps being siphoned off or it is just not clear where it has gone and there is no clear process to follow that through. Is that what you are saying?

Ms Singer: Yes. There is no clear auditing process.

MR HANSON: Okay. We will be hearing from the department next.

MS PORTER: Yes, it would be interesting to ask this question of the department; I agree. So it is allocated to the school and, because of the school's self-management agreements, it is in the school budget; it does not go back to the department?

Ms Singer: No.

MS PORTER: It is in the school budget, to your knowledge; right. So it is in the school budget and then the principal of the particular school makes his or her allocations as to where that money then goes. You are saying there is no detail in any information that you receive as parents as to how the school budget is actually spent?

Ms Singer: Yes, in terms of specific students with a disability.

MS PORTER: I think the professor talked about sometimes schools needing to buy something that benefited all of the students, including children with disabilities—that sometimes the money is spent generically but it helps all of the students, including the student with a disability, because previously they did not have whatever it was. Do you recall reading that in Professor Shaddock's report? I am just trying to think about whether the problem arises because it is not spent on a specific thing for the young person but it is spent on something that you cannot actually see—for instance, hours for special assistance or something like that. So is the problem for you arising because you cannot actually see that outlined anywhere so that parents know where that is being allocated for that specific student or is the problem arising that you would not mind if you just knew what the money is spent on? That is what I am trying to get at.

Ms Nasr: At this stage we do not know. I think the problem is that there is no transparency; there is no accountability. We do not know how many points a student with a disability gets or what funding—

MS PORTER: You do not know that either.

Ms Nasr: No, we do not know any of that. We do not know what budget—

MS PORTER: Do the parents know?

Ms Nasr: No.

MS PORTER: They have to wait.

Ms Nasr: Our concern is that there is no transparency or accountability. That is the reason we are asking for audits. We hear stories that a child with a disability might get full funding, but they do not end up getting their full-time LSA because it goes to admin time or whatever. It comes under the school management—wherever the school principal decides to allocate that funding. As a parent, you do not know how much it is, let alone where it is going.

THE CHAIR: One of the things that were indicated in Professor Shaddock's report—this is around SCAN again and it is something which I asked him about when he appeared the other day—was that sometimes ambit claims are made in relation to the level of student disability and this can impact on the SCAN process as well. Have you had any feedback from parents, or teachers even, that the government, through the SCAN process and funding, has been able to address the level of need accurately—if that is actually happening? Because a whole lot of people are competing for money, is it impacting? In terms of students, they might be seen as having a lesser level of disability when they come from a traumatised background and so on. Those sorts of issues may not be captured in the process.

Ms Singer: When we got the SCAN process in it was better than the model we had beforehand, but it has some deficiencies. I think even the department would agree with us on that. It is not a perfect system. In 2007 we obtained information from the Department of Education and Training under the Freedom of Information Act. One of the things we got information on was that, in the SCAN process, if the school or the parent feels that the support the student has is not representative of their level of disability, there is an appeal process. That appeal process, according to the department's figures to us, often leads to positive further points and, therefore, further funding or more time with the learning support assistant for that individual student. So it does have an address mechanism, but it is out of step with being associated to the learning outcomes of the student.

THE CHAIR: So that link is not being made.

MR HANSON: Who runs SCAN? Is it Disability or Education?

Ms Singer: It is Education. A meeting is set up, usually within the school, once every two years for most students. At that meeting there is generally the child's teacher, the principal, or the principal's representative, and the child's parent or carer. If you can arrange it in time there may be the external therapists, or even paediatricians, who are inputting information on the child's disability and the child's care so that an appropriate assessment of the level of funding for appropriate classroom adjustment can be made.

Ms Sebbens: Can I just add one thing? When we talk about the SCAN process, from a parent's perspective it is a very negative approach to funding resources and allocations. It has some fairly negative impacts on parents because you have to go in and explain the deficits of your child. You are expected to give out these deficits

because if you do not give out the worst-case scenarios, if you like, not enough funding will be attracted to your child. You have to try and give the worst possible scenario. I think that we need to base that around a more positive aspect on what the students are able to do and not on deficits. I think that is something that could be improved.

MR HANSON: It is challenging, though, isn't it?

Ms Sebbens: It is challenging.

MR HANSON: If you are trying to find specific resources that you can allocate to each child and your focus is on what they can do, it is difficult to see how they would then be able to attribute the specific learning support. I hear what you are saying. It must be a terrible process to have to go through when you have to talk about what the child cannot do. I am very sympathetic. I am just trying to think, in the real world, how you could actually do that.

THE CHAIR: I think Professor Shaddock said it was actually about looking at the outcomes first, not the disability as such—assessing the educational need first and then looking at what assistance is needed, instead of doing it the opposite way round, which is literally what SCAN does. It is about looking at what is needed and actually doing it.

Ms Nasr: On a positive level you could say the child can count to 100, so you know the negative is that this is a 15-year-old child that cannot count more than 100.

MR HANSON: So the language that is used—

Ms Nasr: Yes, you can put it in a positive manner which still identifies the child's need and ability.

MS PORTER: In your overview to recommendation 1 you talk about the current system of a student with a disability being unclear on many important points and the lack of transparency. You have just been talking about one aspect of that now and you say that such a system limits community and parental involvement. Can you briefly explain to us what other kinds of limits you see on community and parental involvement? You talk a lot about it, but you are particularly emphasising that in relation to recommendation 1. I wondered whether you wanted to talk about that a bit more.

Ms Edney: In drafting this sort of document things are not necessarily isolated. We have a lot of policy documents. The main one at the moment, I think, is the 2008 one on students with a disability and meeting their educational needs. It is an extremely short document and it is, in some ways, all the parents have. Like we said before, there is a lot of legislation that parents do not have access to. I think part of the problem is that, unless parents understand what is going on, they feel that they cannot get involved. So it is about giving parents access to more information about what is going on and what the process is, how decisions are made and what role they can play in those decisions.

Ms Singer: For example, if I had a four-year-old child who had Down syndrome—I am a bit of a forward-thinking parent and I would like to know what their educational options are all the way through to year 12, which is 14 years of school. It is very hard to work out from the information that is available on the department’s website or in the various documents that are available to parents, noting that the department has some documents that it keeps just for department staff and teachers that are not available for parents. It is very hard for me to get some idea as to whether a mainstream school will be available to provide this sort of education.

There may be a mainstream school three suburbs away that may have a learning support unit and it may be a different educational option for my child. There may already be a couple of students with Down syndrome at that school. That ability for parents to go to a school where there are other students identified with the disability is sometimes a positive thing because it means that, although there are so many disabilities, the teachers at that school already have day-to-day experience of the adjustments they have needed to make for the other students with the disability. But the way the information is available to parents at the moment is so limited. As a parent, I could not extend into the future for my child. I would have to go, “Oh, we can look at what we do next year or maybe for a couple of years, but then we have to sit down and re-find all the information about options.”

Ms Nasr: I would like to add to that that the department seem to give you only the information that they want to give you. I am speaking as a parent with previous experience. You are not given the information or the options available. They seem to direct where they think your child should be placed and that is pretty much it. You do not have that parent choice as is stated over and over in the reviews, policies and procedures; it is just not there. If you choose to send your child to a school two suburbs away which was not the department’s first placement for your child, you then miss out on the student bus transport because that was not the department’s choice for your child. So parent choice is there on paper but not in practice.

THE CHAIR: My next question relates to your recommendation 6, which again is something that has come up in the hearing with Professor Shaddock, about the Human Rights Commission conducting an audit of the Department of Education and Training every three years. That is a really interesting recommendation and a very interesting way to look at it. Would you see it as being something which is done of the overall department or specifically looking at processes like SCAN and how particular programs apply and even how objectives stated by the department are put into place in practice, like the choice which, as you say, is something that is stated but is not necessarily something that happens? I am wondering how wide ranging you would see it being.

Ms Edney: I believe that when parents suggested the idea to have a human rights audit—because they do exist; the ACT has a great human rights record—they were expecting an overall assessment; not just the department but also how everything happens in practice, how SCAN operates and how everything that affects a child with a disability in the education system needs to be reviewed. I know it is a slightly different scenario from, for instance, the correctional facilities human rights audit or the Quamby youth detention centre, but there is no reason why that cannot be implemented at an education level, especially when you are dealing with students with

a disability, because they are so disadvantaged; they do not necessarily have a voice of their own.

MR HANSON: This is a flight from what we were talking about before, but with SCAN and then what you moved on to in terms of the department kind of directing you, it seems that it is done year to year or every couple of years, so you go in and they say, “This is what is going to happen,” and then you go back in two years time and they say, “Now this is what is going to happen.” So there is no long-term plan. Once a child is recognised at four, five, six, 10, 12, or whatever age, as having a disability, they do not do a proper comprehensive assessment, look at their needs and work out a long-term plan; it is more ad hoc year to year. Is that the current system?

Ms Nasr: Under the current system the SCAN process is held in the preschool year, so year before kindy, and then held in the year of kindy, so a year before and year after to seek to monitor it. You would not then have another one until year 6. That was my experience. If it is two years, we do not have it.

THE CHAIR: It is actually in the department of education’s submission about how often they hold those follow-ups.

MR HANSON: Does it provide that long-term plan for a child in kindergarten with a disability? Although every child is unique, there are some characteristics: “If you are a Down syndrome child, you are likely to experience similar outcomes to other Down syndrome children, so these are the options, these are the paths,” and then the parents can say, “This is the path we want to take,” either through mainstream schooling or through special education. The department would then say, “If you are going to go through mainstream schooling, this is the option” and you then try to move down that path. Is there nothing done like that?

Ms Nasr: Not in regard to what path you can take. As I said before, they pretty much direct you where they want you to go without giving you full options.

MR HANSON: Without those options?

Ms Nasr: Yes.

MR HANSON: So the parents are only looking at only a couple of years ahead rather than all the way through to year 12 or something?

Ms Nasr: That is correct. In your earlier question you asked about the department doing full assessments. They do not do that either. Assessments are done when we take our child privately to get our child assessed. The only assessments the department have done in my personal experience would be IQ testing. Other tests for other disorders just do not happen.

Ms Sebbens: Can I just add a little to that? When talking about the IQ factor, the important factor to keep in mind there is that the testing that is done is done the same as it is done in the mainstream; it is not adapted to children with a disability at all, so it is not a true reflection really of where these children are sitting because there is no adaptation.

MR HANSON: It is not specifically targeted?

Ms Sebbens: No.

MR HANSON: One idea that Professor Shaddock had was a one-stop shop for assessment. I think you were here to hear that. It seemed to be quite attractive. If you are a parent who is new to this and you find out your child has a disability, all the information is very disparate and you do not know who to go to or where to go. If there were a one-stop shop where you could go and say, “I don’t really know what is wrong with my kid or what is right or what the options are,” and someone there could look after the assessment side of things, would that be attractive to parents?

Ms Nasr: Yes. The one-stop shop was suggested by parents in our submissions to Tony Shaddock during the review. We find that we are isolated. As families of children with disabilities, we tend to be isolated; we do not have that connection to the community. On the rare occasion we might meet another parent, that is when we find out about a service. There is no central spot where you can find out information on services or just support that—

MR HANSON: There is nothing web based?

Ms Nasr: There is just so much out there, but where do you start? Not all the web bases cover everything.

Ms Sebbens: I would just add to that that a prime example is that I have a child of 15 who has been in special education all of his life and I only recently learned this year, through being involved with the P&C council, that there is an inclusive technology team as part of the Department of Education and Training. I had no idea that this existed and certainly had not been told through the schools. I have recently been looking into some of the programs and resources that they can provide—and they would have had some great effects, I imagine, on my son if we had been aware of them earlier. But I had no idea of their existence.

THE CHAIR: So at the point of diagnosis there is no information which is then provided to you about the sort of assistance that you can access in schools?

Ms Sebbens: The point of diagnosis happens outside of the school system totally; that happens privately, and you go into the school system and that is it. There is no other information given to you about what is available.

THE CHAIR: That is interesting. You would think that when you are given that diagnosis doctors and specialists would know where to direct you.

MS PORTER: They do not carry that information?

Ms Sebbens: No.

THE CHAIR: Or at least say to you, “This is the diagnosis; this is the number you can call to get access to services.” None of that is provided?

Ms Sebbens: One way we had thought of, from speaking about it, was that Disability ACT could have something along those lines of having that information, not necessarily around education but around all services that are provided, so that, as you say, when you get that diagnosis there is somewhere you can go to get information. It certainly needs to happen outside of education as well as inside it.

MR HANSON: Do you find there is a big gap between Disability ACT and Education? I cover health as the shadow health minister and there seems to be that—

THE CHAIR: It is not just those departments.

MR HANSON: No, it is not, but I am just wondering where those connections fail between the two departments.

Ms Nasr: Is there a connection? No.

MR HANSON: Okay, so it is not a matter of failing; there is no connection.

THE CHAIR: I want to follow up on the teacher assistants. We talked about this with Professor Shaddock—their use and how they are being trained. You mentioned in the submission that concerns have been expressed, particularly by parents, about the use of those assistants. One thing which has been raised in a couple of submissions is that, with a child who might have a disability, often the temptation is for the child to go off with the special assistant and not be a part of the classroom. That was something that Professor Shaddock raised as a particular area and, as I said, it has been raised in other submissions. Have there been particular concerns raised around the use of teacher assistants?

Ms Singer: We have definitely had parents say that that is a concern for them. Particularly in some of the larger mainstream classes, there are times when the student and the teaching assistant will be separated for one or more activities; they do not join in with the rest of the class because the teachers believe that, to include them, the adaptation is often too difficult to be made. That is the most common issue that we have.

THE CHAIR: You have raised the issue of having specific training for teacher assistants and how that would be applied. Could you expand on that?

Ms Singer: It is important for us to have everybody that comes into contact with the students in the educational sector appropriately trained, both teachers and teacher assistants. At the moment there really has not been available an appropriate set of CIT qualifications, but I do believe that CIT are looking at offering a program at the moment. They are often untrained people. They have a very low pay scale. I think that reflects the people, whereas if we looked at being able to increase the level of education for the services that they provide to our children, and educational opportunities, along with opportunities for them to fit into a mainstream setting or a learning support unit, that would improve their outcomes.

Ms Edney: This has come up from consultation with parents on a particular occasion.

One of the issues that came up was the lack of continuity. Because teaching assistants are not necessarily trained, and because there are not any real expectations about what their role is, often you will have teaching assistants who only stay for a little while; they are only there for a few weeks, months or a year. Especially if you are dealing with a child with an autism spectrum disorder, they cannot deal with routine change. You have got these teaching assistants who have no real training, there is no real certainty about their job or their position, and that is incredibly disruptive to the child, no matter what is wrong with them.

MR HANSON: I have some questions about schools and school sizes. Do you have any feedback—you may not; if you do not, that is fine—about the impact of the size of the school and then, flowing from that, the size of the class? With these mega schools that are coming up, I do not know if any of the parents have children at Kingsford Smith or somewhere like that—whether they are seeing that as a good thing because you have got a bigger school and it has a pool of resources, or whether they find that kids get lost in those sorts of schools. Have you had any feedback with regard to size of schools? You may not have.

Ms Singer: Our feedback has not really been about the size of the school but about the desire of the school and the knowledge base of the principal and the senior teaching staff to implement appropriate programs, policies, afternoon PDs or whatever, for the teachers involved with students with a disability. Depending on school size, it does vary, particularly having regard to the principal and the senior executive team, and it flows down. So if we have a principal that is well trained, confident and aware of how to get into all of those little buckets that the department of education has, plus the SCAN, it seems to flow from that, and students in those settings seem to be more successful than the same type of student in a different school setting where the knowledge within the teaching system is not as great.

MR HANSON: I guess that would be the same for individual teachers as well. You will have some that are right across the issues and others that are not. Do school principals take the lead on this or do they have someone that they appoint as a liaison officer? If you are a parent of a child with a disability, is your point of contact with your child's teacher or with the principal or with a nominated person? Is there someone normally in a school structure that is the point of contact—a disability liaison officer, for want of another term, that might have access to all of that information?

Ms Singer: Currently there is not somebody, a one-stop teacher, that has continuity with our students with a disability from year to year within a school. But Professor Shaddock proposes to have these learning support coordinators, and I would envisage that the learning support coordinator would have that role, and it would be a great advantage for parents and carers, even if you were changing your learning support assistance or your occupational therapy or whatever.

MR HANSON: So this person would have a macro view of all of the resources available, the different programs, and would have a reasonable understanding of each child and where they sat, and could provide that advice?

Ms Singer: Yes, and they would be there to support the teachers and the families, to

provide educational resources.

MR HANSON: At the moment, for the learning support staff, there is no coordinator in a school; they are just managed by the individual teachers?

Ms Singer: No, there is not currently. Professor Shaddock in his review talks about a senior teacher becoming the learning support coordinator.

Ms Sebbens: Can I add to that the importance of being able to roll over the information from year to year to teachers? That is one of the major roles I would see for the learning support coordinator, so that you are not having to start again with a new teacher, and strategies that have already been tried are not being retried.

MS PORTER: You have identified transport as being a real issue. Could you explore that briefly for us?

Ms Sebbens: There is a big problem around the transport of children with a disability in the ACT. There is no feedback mechanism, for a start.

MS PORTER: So if something goes wrong, there is nowhere to tell someone—

Ms Sebbens: There is nowhere to tell someone. The council has been discussing with DET the provision of a survey for parents regarding special needs transport, for those that are accessing the transport scheme, to find out what is working and what is not working. There has been a lot of talk and a lot of problems have arisen about incidents on buses, incidents in the transport scheme, that do not seem to be recorded and do not seem to go anywhere. So there needs to be a mechanism for trying to deal with complaints.

The other big point with transport is having drivers and carers on the transport bus actually having some form of basic training in the characteristics of specific disabilities so that they are more aware. There have been reports of children arriving at school totally distressed. They have been put on the bus by their parent in the morning and they are fine; they get to school and they are distressed and sometimes have to go home. That can purely be because the bus driver has decided he likes a song, turns the radio up and is not aware that he has a child with autism in the bus who may be extra sensitive to sound. So that would actually upset that person.

I can envisage a half-day training program with a handout explaining some of the characteristics of certain disabilities and what the implications are and how you might be able to handle it or defuse the situation. That can only be beneficial. We are very concerned as parents about the extra pressure being put on the drivers when the children are being disruptive on the bus and they are not aware of what to do about it. They are having to concentrate on driving the bus and they have students that are facing some problems.

Ms Nasr: On some buses there is just the driver and 10 or 15 students. So there is no carer on board, and we are expecting the driver to handle behavioural problems as well as concentrate on the road. I see that as an accident waiting to happen. We recommend that they be on there for no longer than 45 minutes, whereas they can be

on the buses for up to an hour and a half each way, which is way too long for a child with ADHD or behaviour problems. The Shaddock review mentions how a bad bus trip will affect the rest of their day, and that will hinder their learning throughout the day.

Ms Sebbens: The only other thing to point out there is that students with a disability who attend mainstream schools are not eligible for the special needs transport scheme, which does not seem to be fair.

MS PORTER: Thank you very much for that. That was helpful.

THE CHAIR: Thank you very much. We are out of time. Thank you all for coming to speak to the committee today. It is always good to have your input. A copy of the transcript of today's hearing will be sent to you and you can check it for accuracy.

Meeting adjourned from 2.45 to 3.03 pm.

WATTERSTON, DR JIM, Chief Executive, Department of Education and Training
COPLAND, MR IAN, Acting Director, Aboriginal and Torres Strait Islander
Education and Student Support, Department of Education and Training
JOHNSTON, MS JAYNE, Executive Director—School Improvement, Department
of Education and Training

THE CHAIR: I welcome representatives of the Department of Education and Training to the hearing of the Standing Committee on Education, Training and Youth Affairs inquiry into the needs of ACT students with a disability. I am sure you are all aware of it by now, but I draw your attention to the privilege statement on the table in front of you—to make sure you are aware of that. Before we go to questions, Dr Watterston, do you want to make an opening statement to the committee?

Dr Watterston: Just very briefly, Madam Chair, I would like to start by acknowledging what a large part in our organisation our work with students with disabilities is. There is growing demand, which includes an increasing number of students and also increasing complexity around the level of disability and how we accommodate those needs. You would be aware that there are an increasing number of students, as I said. In the past year there has been an increase of 88 students, or 4.9 per cent growth, in the government system with a similar level of growth in terms of students with disabilities in the independent and Catholic sectors.

I am aware that Professor Tony Shaddock has already spoken to this group about his review of special education in the ACT. I am sure that speaks for itself. That is guiding our work and our evolution, I guess, in terms of the way we deal with these important students and the types of programs that we provide.

In the ACT, as you would be aware—and certainly having been here for only nine months I have been incredibly impressed and surprised to see the extraordinary array of services and programs that we provide for our students with disabilities. With that brings a range of options but also a level of complexity, which Professor Shaddock identified in his report, in terms of how we coordinate those services and provide for all students.

The satisfaction of parents in terms of their students with disabilities has been increasingly high. It has moved from 89 per cent in the report that we provided to this group. Since then we have received another year's data and it has moved to 92 per cent, so we continue to improve the perception of parents in terms of the services that we provide.

In concluding this early comment, it is important to build on the excellent work. I think we have got the means to do that through Professor Shaddock's report. If I can just elaborate a little, I think that report calls for a culture change in everyone. It certainly talks about funding educational adjustments rather than the disability itself. For many people that will be a new way of thinking and operating.

We have implemented a number of the recommendations and we can talk about those. It is about developing new models of provision and service that focus on improving educational outcomes rather than just dealing with disabilities. In that sense I think we are at the forefront of provision in Australia. Professor Shaddock's guidance for us is

one that will certainly stand us in good stead. Our new strategic plan is titled “Everyone matters” and I think that fits the work of Professor Shaddock perfectly. His report is not just about students with disabilities; it is about teachers, it is about caregivers and it is about ancillary services. All of those people matter in terms of the delivery of those services, so I think we are well positioned.

THE CHAIR: Thank you, Dr Watterston. My first question relates to something you have probably said about that change in culture when we are looking at the needs and linking those to learning outcomes—not focusing on the disability but on what we want the learning outcomes to be. My question relates to the SCAN process. That was one of the things that Professor Shaddock raised when he appeared before the committee, particularly the way the SCAN process operates. The P&C association, which has given evidence today, also raised the issue. There is almost a negative focus in the way it operates and ambit claims can sometimes be made because of the way it operates. Can you talk a bit about the SCAN process? You have said you are already implementing some of the recommendations. Can you talk about how those concerns are being addressed? There have been quite a few concerns raised about the SCAN process and the way it works.

Dr Watterston: Ian Copland deals with the SCAN process. Perhaps he can guide you through it and then I will make some comments.

Mr Copland: The SCAN process, as you would know, was introduced in 2004 as a way of providing some more clarity in the way that resources were provided to schools to support students with disabilities. It was an evolutionary step at that point from the previous system that was not a clear and transparent system to parents and, to some degree, schools.

The process was developed after extensive consultation and with the use of an internationally recognised consultancy group from South Australia to develop a mechanism for the allocation of resources to schools based on the needs of the students. That has been the focus and that is where some of the negativity has come from, because it clearly is a process that looks at what students need. It is difficult, obviously, therefore to establish what they need without looking at what the issues are for the individual students.

It is a process that is used across all ACT schools—public, independent and Catholic. It is a process that is moderated so that we have some level of understanding that similar students in any of those school settings, sectors, would have a similar outcome. We moderate it very closely. It is a very well managed system. However, having said all of that and having had discussions with Professor Shaddock and colleagues around the country, there is now a move towards addressing the support of students with disabilities not just based on their individual needs but on what the teacher needs to put in place in the classroom to support those needs.

Most jurisdictions around the country are going through a similar process that we are just about to embark on in terms of refining our process to take account of those educational adjustments, as well as the individual needs of the students. We will certainly be learning from the work that is being done in Victoria currently and New South Wales around refocusing our decision making around the educational

adjustments and that it is very clearly in line with the recommendations or the options that Professor Shaddock put forward in having a major focus on supporting the classroom staff in developing their skills and knowledge and understandings of students with disabilities.

We will not be throwing the SCAN process out. We will be refining the SCAN process to take account of what happens in the classroom, as well as the individual needs of the individual students.

THE CHAIR: One of the other concerns that have been raised around SCAN is the auditing process, knowing where money is being spent and on what particular services and, again, looking at the assessment of outcomes from the money that is being distributed to schools. Is that something which will be considered in terms of refining the SCAN process?

Mr Copland: Yes. Again, following from the Shaddock review, the new process will have to have built into it some more moderation, if you like. The fact that we are going to start moderating not just the discussion around the individual needs of the student but also how those needs are being addressed through an individual learning plan in the classroom means that we will be auditing, in a sense, the program that is put in place for the students rather than just looking at the allocation. It is more important to look at how that allocation is actually used on the ground. That will be built into the new system.

MR HANSON: The Shaddock review did not present recommendations but options. Are you going to implement all of those, implement to an extent all of those, or what will be implemented and over what time frame, and what sort of cost are you looking at if additional money will be required?

Mr Copland: As you would have read in the report, Professor Shaddock said that he did not believe that it was meant to be a check list of recommendations that needed to be fully implemented; it was a range of options based on the best research that was available and the consultations with the ACT community. One of the major options that came out of that was the development of a strategic plan to look at our response as a system to the information that he has provided in terms of that consultation and research around best practice. So we are going through a process now of developing a strategic plan.

MR HANSON: So that is your first step: you do a strategic plan and that will tell us where we are going?

Mr Copland: Yes.

Dr Watterston: I would just add that Professor Shaddock talks in the report about this being implemented over the long term. The initial comment that I made about this being a culture change is really important. For us to move towards some of the outcomes that Professor Shaddock is talking about we have to make sure we bring people with us, because he talks about providing an opportunity for educational adjustments. For some people, that is about receiving resources—a disability of one type is worth a certain level—so we need to shift people away from that kind of

thinking. As I know Professor Shaddock explained to this inquiry, what is it going to take to enable that individual student to achieve outcomes that are equitable with others? That is different from: that disability earns that amount of resourcing.

For some parents, and even teachers and schools in particular, that is going to take a different way of thinking. Professor Shaddock is very strong in his report that the most important element in improving student outcomes is the capability of the teacher. So the more capable the teacher, the better the choices of using the educational adjustment of resourcing that we provide to make those changes; one size will not fit all. It is going to take some time and some dialogue to embed the concepts in the educational community before we move to some of those outcomes.

MR HANSON: Can you be more specific about the time frame? When would you expect the strategic plan to be delivered and when would you see that culture change start to take place and then some of the initiatives being implemented on the ground? Have you got a time frame?

Mr Copland: In terms of the presentation of the strategic plan, it is in a draft development stage at this point. It has been presented to our disability education reference group. We are looking at the middle of the year in terms of having a strategic plan available, and to some degree the results of this inquiry will inform that plan, so it was important for us to make sure that we had an understanding of any recommendations or issues that came out of this inquiry to incorporate into our strategic plan.

In terms of the implementation of the plan, it would be a four-year plan between now and 2013 and, as Dr Watterston said, there are a number of the options that have been presented in the Shaddock review that are also in the plan and have already been instigated. For example, a range of new professional learning options for our classroom staff is being developed, and, working with the other sectors, the establishment of the cross-sector reference group between public schools, independent schools and Catholic schools. They are two examples of work that has already commenced.

Ms Johnston: The four-year time frame is the beginning of the process, in fact. We have aligned it with our strategic plan. But while, as Ian said, there are a number of areas where we have already started work, the cultural change is something that we would see as a five to 10-year process, for a number of reasons, one being that we need to spend—and this is in the plan—the first 12 months identifying what areas of our current practice we need to shift and how we can manage that in a way that ensures that the educational provision and outcomes for the students that we have are continued and enhanced over that time. So the four-year plan is the beginning of the process.

In terms of resources, part of the work in the first 12 months is around really looking at the effectiveness of our current resourcing, again following Professor Shaddock's advice, and then we will be in a position to move forward with some confidence.

MS PORTER: Continuing on this theme, Dr Watterston talked in the beginning about the array of services available to everybody. You thought that was fantastic but

you also pointed to the fact that that adds to the complexity and it means that sometimes communicating and coordinating that array of services are difficult for you and for the rest of the department and indeed, I would think, for principals and other staff out there. We have heard from the P&C that it is also difficult for parents to negotiate. So, as we are moving through to this new cultural approach, how will that new cultural approach, the changes in the way that the SCAN is implemented and on the ground through the individual schools' school-based management, which also seems to be an issue as far as the P&C is concerned, about how each school interprets the approach, be then interpreted in such a way that the parents understand what is going on? By the time it gets to the parents, there seems to be a lack of clarity because of the huge array of services and the different way that the schools may or may not interpret the policy.

Dr Watterston: I will make some quick comments and then pass to Ian for the specifics. You are right: it is a complex area regardless of which jurisdiction you are in. All disabilities are not the same and parents have different needs and there are geographic issues in terms of where schools are located. So it is about a communication process. Even if we had not had the Shaddock report at this time, I think we would still be talking about the complexity of the issue and I am sure, even when we implement a lot of the strategies that we have talked about, we will still be talking about ways that we can reduce the complexity and communicate better with parents, because not everyone knows about the opportunities that exist in different places and sometimes parents of students who have disabilities have had to swim against the tide since the day the child was born so it has always been a difficulty. Sometimes convincing people that there are other options that might be explored can take time. In that sense, it is a difficult area to negotiate, both from parent needs and from education needs.

I will just say something about the SCAN process, because you mentioned that in your question, and I think Ian did say this: we need to be careful not to throw out the baby with the bathwater in talking about the fact that we need to revolutionise. We do not; we need to just evolve further. Having worked in two previous jurisdictions, I can say that the SCAN process in the ACT is terrific. It enables stakeholders to have a legitimate say in the outcomes and strategies that are going to be used, and from a parent perspective it does provide an inclusive model which I think other jurisdictions would be quite envious of. But we do need to move it in a direction that improves the performance even more. I will hand over to Ian to talk a little bit more about that evolution.

Mr Copland: One of the major strategic priority areas within the draft strategy plan is around the communication with parents. There are a number of strategies that we are proposing to address that issue. Over a number of years we have provided information sessions for parents. We provide information sessions for our school counsellors, who are probably the main contact person for parents around the placement of their students into disability education programs. There is obviously a need for us to improve on that and within the strategy plan there are strategies around a more comprehensive provision of information sessions for parents throughout the year. There is a proposal to develop a handbook for parents that provides a very clear, easy-to-read description of the range of services that are available—

MR HANSON: Sorry to interrupt, but would that be web based as well?

Mr Copland: Yes. All the department's major documents like this are web based. Having said that, however, it is not the sort of document that we would want to go without discussion and interaction with people on the ground, so that people can get a clear understanding of what the best fit is for their child. The major strategy that we have always used is that personal strategy to have those discussions with the individual parents around what their child needs and what are the best options available to them. We will support them to go and look at the range of options and come back to us and we will try and facilitate a placement into the option that has the best fit.

Dr Watterston: Having been a principal for quite a long period of time, I think the area where the complexity is most evident, and the difficulty clearly arises from a systemic point of view, is where you have students with disabilities in mainstream schools and where you have them in disability-appropriate schools, if you like. With respect to resources and sharing that expertise between the two environments, that is probably where we need to coordinate better.

With respect to mainstream teachers who maybe have not encountered a child with a disability of that particular type that has now come into his or her class, it is a matter of enabling that teacher to quickly identify expertise, support, strategies that they can use, as well as professional learning. That is always going to be an issue for us. One that the Shaddock report points to is perhaps having assisted learning and sharing what terrific knowledge already resides within the ACT. Sometimes people who are working in their own environment do not know what is available. I think it is part of making teaching staff and school staff aware of what we do, as much as parents.

THE CHAIR: Talking about the information you would have available, would it also be something which would be identified to parents or given to parents when a diagnosis occurs or through avenues other than just Education, so that people are aware of that sort of information? Is that something that is being or will be considered?

Mr Copland: Yes. DET is involved with the implementation of the ACT framework for the support of young people with a disability and their families. Part of that framework and the strategies that are coming out of that is major work around the provision of information to families around the range of services available. What I have just talked about would fit perfectly into that framework.

THE CHAIR: One of the other recommendations that Professor Shaddock made was about having more centralised coordination. He talked about having a teacher coordinator based at each school, so that parents know they can go to that person to discuss these sorts of issues. I appreciate that you cannot tell me now whether that is being considered but you said you are considering all of the recommendations, obviously. In terms of having better coordination across the board, is that being considered?

Mr Copland: That particular recommendation is being looked at in light of the fact that a similar program has been put in place in other jurisdictions in Australia. We are

hoping to get some clear understanding of the effectiveness of those programs before we embark on it. So we would go through a process of that research. With respect to Professor Shaddock's recommendation, those programs are very new, particularly in New South Wales; they are not quite as new in Western Australia. The outcomes of those programs are not yet well established.

Ms Johnston: We will certainly be addressing the intent of the recommendation from Professor Shaddock. As Ian says, it is very early days in terms of the efficacy of those programs in WA and New South Wales. We would want to be very sure that that is a proven strategy that is going to improve things.

One of the other strategies that we have put in place is the development or the shift from our three school districts to four school networks. One of the purposes is for the support that Ian's team and others provide to schools and teachers to be closer to the schools and, where we can, within networks, so that the school principals and the leading teachers within those networks can access those resources in, hopefully, as timely a way as possible, but in a way that perhaps addresses the particular contextual issues that students in schools have, a little bit better than we have been able to in the past. I think some of those broader strategies that we are putting in place also will support the directions that our strategic plan and the Shaddock report have pointed to.

MR HANSON: Another concept that Professor Shaddock came up with was the one-stop shop for assessment. I do not know if this is an Education issue or a Disability ACT issue. Have you had discussions with Disability ACT on that issue? What are the issues that you have been talking with them about? It is the nature of government that you have different departments and they end up being silos, stovepipes or whatever term you want to use. What have you done to make sure that your response is integrated with Disability's and any other department that you might consider appropriate?

Dr Watterston: I will get Ian to answer the question, but can I say that, certainly in the nine months that I have been here—not because I have been here but that is the time that I am aware of—we have been working with DHCS in a much more concentrated way right across the spectrum, not just in terms of students with disabilities. So this idea of government departments working more closely to produce outcomes rather than do their bit is something that we are very aware of and it has been a hallmark, I guess, of the collaboration over the last six months. In terms of disability collaboration, I will get Ian to identify specific aspects.

Mr Copland: In terms of the one-stop shop assessment, no, we have not had direct conversations with Disability ACT or Health around that issue yet. It is something that is put forward as an option for discussion and we will have some discussions around that. It is similar to the option around school-based coordinators; it is an option that needs to be fully established as being the most appropriate way to go. It would require a significant degree of collaboration and investment from each department to put into such an assessment centre. We would want to be sure that it is the right way to go before we put that investment in. So there will be further work done on that.

In terms of collaboration with Disability ACT in particular, over the last six to nine months we have established a Disability ACT/Education working party that is

discussing, in the first instance, mostly issues around post-school options for students with disabilities and the transition of students from the schooling system to post-school life. Certainly, that will then extend in to any other across-agency issues that will be important to us. However, the major issue that we have been discussing most recently is the post-school options transition of students with disabilities. As you would be aware, there are recommendations and discussion in the Shaddock report around therapy in schools. The other major collaboration that we have commenced is the development of a service agreement with Therapy ACT around the provision of therapy into our schools. That will be a significant piece of work that will provide benefits for students with disabilities in our schools.

Ms Johnston: In addition to the working group that Ian mentioned, I am a member of the Disability ACT strategic governance group which has recently published the future directions paper. So we have been heavily involved at a number of levels in identifying Education's contribution to that. Of course, it is a two-way path. The other thing is that we have DHCS and Therapy ACT have been invited to join the cross-sectoral reference group for disability. I think those conversations will only increase. I am sure that having the key players at the table will help us to identify some of those joined-up solutions a little more readily than we have in the past.

THE CHAIR: A concern that has been expressed in some of the submissions and in evidence we have heard relates to record keeping and not having to reassess, for every year that a student goes to school, student needs and having information passed on to teachers through that process, instead of having to tell that story over and over again. I guess that goes to the transitional process, which is one of the major concerns that came up in submissions, particularly going from high school to after-school options. In general, with respect to that process through the school years, if you are the parent of a student, it should be not just for the next year but for what happens when they leave school, with the essential part being that communication is passed on year by year. Is this something that has been considered or could be better and more formally established so that we are having those processes put in place and parents do not have to go through that process every year?

Mr Copland: There are two ways that we are improving on our service in this particular respect. Individual learning plans are always meant to be the way that the needs of the students are transmitted, if you like, from setting to setting, from teacher to teacher, from transition to transition. We are in the process of rewriting our ILP guidelines for schools to ensure that there is a greater emphasis on that part of the process so that it is seen that an ILP that is developed when a student is in an early intervention program as a four-year-old eventually morphs itself through their school life into an ILP that is appropriate for them when they are in year 12, that it is not a new document that is developed every year. That is the way ILPs should operate.

Part of the reason that has not happened is that the ILP process and the involvement of teachers in the development of ILPs are still relatively new. We are still working with our staff to develop their knowledge, skills and understanding around how to put together a good ILP, how to work with an ILP, how to use an ILP and how to make sure that information is transferred from year to year and teacher to teacher. On top of that we are also developing a very specific set of transition guidelines for schools. It is not the ILP that is transferred; it is the whole process of how you introduce a student

to their next setting, how you work with the teachers in the next setting so they have a better understanding of the student's needs and things like organising visits to the new setting before they get there, having joint meetings around the needs of the student with the parents so everybody has a good understanding of what their needs are and it is not seen that the new year is a brand new start. Those transition guidelines will be developed throughout this year and be available to schools in 2011.

THE CHAIR: I guess it is a fairly big job, but will there be any process put in place, whether it is an auditing process, to make sure that those ILPs are being used for the purpose they should be and that those things are happening? Even though the process was set up to do that, generally it has not been happening. It is about making sure that they are used as they should be.

Mr Copland: It is a strategy that we have put into it. There is a strategic plan around the development of an auditing process. I do not know what that auditing process would look like yet, but it is certainly something that we are putting in the strategic plan.

Dr Watterston: As Jayne mentioned before, we have changed from three districts to four networks. Implicit in that change has been the creation of what we call school network leaders who are four people charged with supporting each network. Their role is an intensive accountability role in schools on a permanent basis. We expect them to spend 80 to 90 per cent of their time talking to schools about processes. Part of those processes will be ILPs. It is about ILPs already. We would be expecting those people to keep a close eye on the quality of individual planning for students and looking at planning strategically for the whole school.

While it has not been formalised through the Shaddock report, this will be part of the role that we would expect them to be maintaining to make sure that processes within schools for individual students, whether they have a disability or not, are focused on achieving those educational adjustments or outcomes that are required. From an auditing point of view, that will be the means by which it happens.

THE CHAIR: So it would not be a formal auditing process; it would be done through these particular people.

Dr Watterston: And sampling and looking at the plans—not just looking at them and making sure that they are strategic and comprehensive but that outcomes are flowing and, if they are not flowing, looking at what needs to be changed within the plan. That is the role they have been charged with from a whole-of-school perspective. We are asking them to ensure that they can look at individual students to test the whole school outcomes to make sure that they are equitable right around.

THE CHAIR: With students with disabilities, because there may be some fairly individualised needs, if you are just using particular cases it may be difficult to translate them to particular areas of need.

Dr Watterston: Ian's department has got the expertise. We have certainly got the people there. I am not suggesting that our school network leader will be the only source of auditing, if you like. What I am saying is that they are people who are in

schools who are working and looking at the quality of outcomes. Part of the model, as Jayne said, is that we use our central office or our CTL, as we call it, to provide solutions. Rather than just running out programs like we might have done in the past, when a school requires expertise the school network leader will go and work with Ian's team and make sure that those solutions are provided and that what is needed is addressed in that way.

This is diverging a little and we are on a tangent in terms of students with disabilities, but the model that we are putting in place now is a responsive, demand-driven need from schools rather than a programmatic rolling out of new initiatives. It will work exceedingly well in the area of disability, making sure that we can address targeted needs within schools, whether it be a whole school planning issue or individual student needs that need to be addressed in a way they have not been.

THE CHAIR: Would parents be involved in that process or informed, at the very least, about the outcomes of that process?

Dr Watterston: I guess what I am saying does not take away from the fact of what already happens. Parents, I think—unless I am told otherwise—certainly willingly enter the planning processes—the stakeholder commitment towards the SCAN process and planning around the needs of individual students. In terms of auditing or additional strategies that are put in place, I am not sure that parents will be dealt out of it. It will just be as needs be, I guess, in terms of what parents are seeking from the programs that we run. I do not know if there is anything you would like to add to that, Ian.

Mr Copland: No.

MR HANSON: It seems that teachers are the key to this—principals and teachers. It is increasingly difficult for teachers because it is not just about disabilities. A teacher has to get across a raft of other things. As to the professional learning that a teacher has to do—I think it is mandated at five days for a teacher—is there a compulsory component of that which deals with disabilities? Of the five days of professional learning they do, how much is mandated towards the disabilities, if any?

Ms Johnston: We do not mandate the type of professional learning that teachers do. That is a school-based decision and it is managed through the school planning and school improvement process. When Dr Watterston talked about the demand-driven and the more responsive model, our expectation now is that we will be redeveloping the way in which we offer professional learning so that when an issue has been addressed, not just within one school but within a network of schools, we can be very responsive in terms of providing that support.

Having said that, next year we have got the Australian curriculum starting to roll out. We will have the strategic plan from Disability and some other responses that we are putting in place. As to how we will, in effect, guarantee that the provision is there for teachers who require it, particularly school leaders who require some support and professional learning, we are considering that and will be looking at the ways in which we can, in a sense, guarantee that it is available rather than mandate that everyone does it.

MR HANSON: Is five days enough? When you look at the competing needs and the volume of information a teacher needs to be across, is five days enough?

Ms Johnston: Five days is the minimum. I would be really surprised if any teachers in the ACT only do five days.

MR HANSON: Okay. That is mandated, but you would expect that most teachers would be doing more than that.

Ms Johnston: They would do quite a bit more and do it in a whole range of different ways. Professional learning is not just going to a course. Quite a lot of learning now happens within schools, within classrooms, with sharing of expertise and so on. There are a number of ways in which we can support teachers and schools to build capacity.

MR HANSON: I move on to learning support assistance. Professor Shaddock made some interesting comments: yes, they are good for teachers because they help within the classroom and maintain the classroom discipline and assist with some of the teaching outcomes. But in terms of educational outcomes for students with a disability, his suggestion to us was that there is really no benefit in having an LSA as compared to not having an LSA. The reasons for that are probably manifold. One of them is perhaps the quality of LSAs in terms of their training and what they provide. Obviously an amount of resources has been put into LSAs. If they are not actually enhancing educational outcomes—maybe you have a comment on that—is that the way to go? If we are going to use LSAs, how can we better achieve educational outcomes through their employment?

Dr Watterston: I will start and then I am sure we have other expertise here that can come in. Having only read a transcript of Professor Shaddock's comments that he made to this inquiry, as I was not here, he did not seem to me to be specifically saying that there was no benefit. I think he was saying that the benefit might be less than schools perceived.

MR HANSON: I think he was saying, though, that in the evidence, and he had read far and wide on this, there were no educational benefits for students with a disability—that is my understanding of what he said—but it certainly helped teachers out, no doubt, so it might have helped the teacher. But when he did that reading, and even when he found any report that teachers perceived that it did, empirical evidence suggested that it did not.

Dr Watterston: That is right. I agree with that, but I do not think that he was point blank saying that they should not be there.

MR HANSON: That is true.

Dr Watterston: The issue with this is quite complex, as the whole landscape is, but it is part of the culture change that I talked about at the beginning. Where people find complex issues in terms of the classroom—I will stay with mainstream for the minute—and a child with a disability that has not been in evidence before in that particular teacher's class is now there for the year, immediately support is required.

For most people, traditionally, that is another body, and I think that is where Professor Shaddock's comments are most pertinent, because sometimes, without particularly meaning to, they delegate responsibility. I think he gives a good example in his evidence that he provided to you about one particular class that he was in and I think that is quite common from things that I have seen. But it is very difficult to say to teachers that we are not going to put an LSA in their classroom, because there is a kind of fear factor about not being adequate in terms of being able to meet the child's needs.

To go back to my original opening statement about this culture change, we are going to have to enable teachers in schools to see a better way forward rather than just populating the school with extra bodies who, as Professor Shaddock explained, are sometimes untrained and sometimes overly familiar with the school because they are parents. They all create further complexities to this situation.

The ideal outcome, and it is certainly espoused in Professor Shaddock's report, is to provide the school with resources that are flexible, so it may be still that some schools choose to have an LSA and that might be quite appropriate. It is how you use the LSA; I think Professor Shaddock talked about that. Just having an LSA working with one student who has the highest level of disability may not be the answer; even teachers being flexible about getting the LSA to work with other students or students in a group and using different ways to free the teacher up to have some time—I think that was all canvassed in Professor Shaddock's comments. But we just need to not force that on people, because if we took away LSAs and said, "No, we're going to give you money," or, "We're going to give you other forms of resources that will supplement the educational enhancement of those children with disabilities," the immediate response would be that we had removed a crucial support. That is why we cannot just rush into this, much as I would like to; I do not like things to take too long, but this is about bringing people with us and making sure that classroom teachers continue to feel supported.

There will need to be a transition to this so that people do not feel like we have deserted them. I think you would have plenty of constituents coming to talk to you if we suddenly started saying, "It's not appropriate for you to have an LSA in the classroom." I just wanted to make those opening comments because in some cases it will continue to be and in other cases there will be other ways around it, but we need to show better ways before people can just abandon old models and old ways of thinking in their head.

Mr Copland: I had the opportunity not too long ago to visit Vermont and Michael Giangreco, the major researcher in this area, the person who Tony refers to in his report, and it is clear that the use of teacher assistants in classrooms provides variable outcomes for students with disabilities. Fundamentally it comes down to two things: the way that the teacher uses that support in the classroom and the skills of that person. In the strategic plan, and I keep referring back to that, we have now a range of directions in terms of redefining the roles of LSAs for schools to give them a better understanding of how they should be using that resource. There is certainly research that comes from Michael Giangreco and others around the better use of the resource itself rather than throwing it out and, secondly, putting into place more comprehensive professional learning options for LSAs. We have over the years provided training for

LSAs, in-service training and sponsored training. We have been sponsoring LSAs to do cert IV in disability at the CIT for the last five years.

MR HANSON: But there is no mandatory qualification?

Mr Copland: No, there is no mandatory qualification, but schools and the LSAs themselves realise the benefit of being involved with training. In response to that, we have put in a range of options available. We hope now, with the new knowledge that Tony has provided us and the new directions, to build on that in those two directions: redefining how LSAs are used, so that they are used to the greatest benefit for the students but also putting in good training options for them.

MR HANSON: Do you know whether working with an LSA is part of the curriculum for a teacher nowadays? I know they go and do their pracs and so on, but as part of their prac are they responsible for an LSA as well? Do they go through that process? Or is the first time they see an LSA or hear anything about them when they lob into a classroom, and that LSA has been there for a number of years anyway? Trying to manage them appropriately without any training or education on them would be quite problematic, wouldn't it?

Mr Copland: My understanding is that, no, there is probably not very much of a focus on working with assistants in your classroom in undergraduate teacher training. Over the years we have provided some support for teachers around that and brought teacher and LSA teams together to show the optimum way of working together. I think that is going to be a bit of a focus into the future. It is pointless training the LSA and training the teacher separately. It makes much more sense to bring them together as a team and say, "This is how you can work together as a team," or bring a school team together and say, "This is the way you can work together using the quantum of resource that you have available in your school to best support the needs of the students who are in your school." I believe that is the direction that we will be going in.

Dr Watterston: Can I also add that that is a fundamental role for the principal. Good leadership is about understanding the instructional program and seeing what is needed in each particular classroom. I take your point—I think it is a good one—that perhaps some teachers, be it by level of experience or whatever, probably are not prepared and have not really worked with other people in their classroom on a long-term basis. But I am fairly confident in every situation that a principal is monitoring all classrooms and working with teachers from a classroom-based level, so those needs should be attended to.

Jayne was talking about professional learning before. That is particularly why we do not mandate professional learning, so that we can, like with students, attend to the needs of individual teachers. So I would be disappointed to hear that there are principals who would not take that up.

MR HANSON: Does a principal have time to do that? The burdens on a principal, not just a teacher, seem enormous. Maybe in a small school setting it might be possible where you have fewer classrooms and fewer teachers, but in some of the bigger schools—and this is not meant to be a criticism of big or small ones—it must

be incredibly difficult for principals to be across that. I assume department heads and so on, as you were talking about, take on that sort of mentoring role and making sure that happens.

Dr Watterston: It is a little bit tendentious but it is on the same issue, but that is part of the cultural change, apart from the area of disability, that I hope we have brought to the department—I am talking about the group of us—because we really believe that that is the core business of a principal, making that time. I think everything else is peripheral. Some people, me included and I am sure all of us in different ways, get caught up in the technical part of the job. I am sure it is the same thing with being a politician; there are elements to your work that you sometimes find yourself putting the most time into then realising it. That is quite often easily done by a principal.

We are really working hard with the whole principal cohort in the ACT to prioritise and to assist with genuine strategies that will enable people to focus upon the instructional program. Just like a sporting coach, they do not delegate the team strategy or the half-time address, and we think that the principal is fundamentally the person who is best going to drive change in the school. So you are right, but I think it is first-order business. We are asking people to pack everything else around that and if some of the other things cannot be done we will forgive that, but I do not think we employ principals to delegate the educational learning to other people.

MR HANSON: So you are going to make sure that they have business managers or something like that to take care of the stuff other than teaching so that the principal can divest himself of some of those managerial responsibilities and get back to the classroom leadership?

Dr Watterston: Absolutely, and I think there are some strategies that will be announced soon about that. It is fundamentally a different way of thinking, but you are right: you have to pack the support around there to make sure that people are able to be focusing on the core business. Sometimes that is difficult and part of this new network model is exactly around that core issue of making sure principals have got time to liaise with each other and share best practice across schools. Some of the strategic initiatives that we have already put in place I think are creating those opportunities.

MS PORTER: In the submission it talks about placements. There are some criteria used by the panel that make the placement decisions. It talks about student eligibility, parent choice, education support needs of the student, appropriateness of the program for the student being requested, including mix of students in the preferred program, vacancies available in the preferred program, and the location in relation to where the student lives. Are various weightings given to those different criteria and how much weighting is given to parent choice?

Mr Copland: No, there is no nominated weighting of any sort. It is a decision that the panel looks at as a whole package. Having said that, parent choice is fundamental to the placement of students with disabilities into programs, with those other things being in place as well—the fact that there is a vacancy available, that the student is actually eligible for the program that they are applying for and those sorts of things. But fundamental to it is parent choice.

MS PORTER: So if a parent really wants the child to go from one side of town to the other for various reasons—historical or to do with family or friends or whatever—that will be accommodated as much as possible. I am just thinking of the transport arrangements and how all of that would be coordinated in looking at a parent’s choice of location with respect to where he or she might want to place their child, given that the program is available and given that it is appropriate et cetera.

Mr Copland: While we work independently, there is a separate set of criteria around transport. One of those is that we transport to the closest available placement, and that is one of the major criteria that sit around transport. So while the placement decision and the transport decision are not done independently, there would have to be circumstances that would need to be considered if a parent was choosing a program on the other side of town and there was a placement available closer to home, if they were asking for transport to get to the program on the other side of town. We consider all applications for transport on an individual basis and, if there are extenuating circumstances as to why they would need that placement on the other side of town, that will be taken into account.

MS PORTER: Another matter that was discussed earlier with the P&C witnesses was the challenge for the people who are transporting the children from one place to another. You said there were a large number of different kinds of disabilities and that teachers from time to time need expert help in adjusting to a new student coming into their classroom with a different disability that they may not have struck before. How are drivers or support staff on the buses supported in that regard?

Mr Copland: We have a very close relationship with our transport providers. We have a dedicated person within the office who works with them very closely and a support team that sits around her. We have daily conversations with our transport providers around the regular day-to-day transport of kids, and also certainly any issues that arise around individual students regarding a concern about behaviour or the capacity to transport that child. We deal with them on an individual basis. We are just going through a new tender process for the contract for transport. I think we will be looking at, coming out of that contract, some information sessions around supporting students with a disability for the drivers and carers on the transport.

THE CHAIR: Just on transport, there is also the issue of students who might be going to a general school rather than to a disability-specific school. I understand there is no eligibility for transport assistance then. Is that correct?

Mr Copland: Yes.

THE CHAIR: In terms of that situation, there seems to be a whole process that people have to go through. There is communication that goes on between ACTION and the department as well. For example, the Woden school and Alfred Deakin are located fairly close together. Transport might go to the Woden school but if someone is going to Alfred Deakin then we cannot take them there. How do you work out those sorts of issues? I imagine that those sorts of things do happen.

Mr Copland: The transport is in place fundamentally because we cannot provide

every option to parents in every suburb. Therefore, if there is an option that they feel is the best option for their child and it is two suburbs away, it is reasonable to say, “We can’t provide it in your local suburb; therefore we will transport you to the program that is further away from your home.” For those parents who choose for their child to go to their local school, however, they are treated like any other student who accesses their local school. That is their choice; they have chosen to go to their local school as their school.

To ensure that we have equity across the system, we have fairly clear criteria built into it. In the example that you provided, if there was a student who was at Alfred Deakin school and the parent had chosen for their child to go there as their school of choice, because it is the local school, or even if it is not their local school but it is the school that they chose when they could have gone to their local school, that is a choice that the parent has made. Transport is, in a sense, provided to parents who are forced to make a choice outside their local school area. So to maintain that equity, we could not transport that person to Alfred Deakin without then providing the same service to every parent who chooses for their child to go to whichever school.

THE CHAIR: It is interesting, when there is a policy of inclusion and of having students with a disability going to general schools, as to how you then reconcile that. If you are encouraging that sort of policy and parents do want that opportunity for their child, it is about the transport options that are then going to be available to them. Even though it is a choice that they are making, it is also part of the general overview about how disability education is being approached.

Dr Watterston: It is very hard to have a one-size-fits-all approach in that circumstance because even disability that could be categorised at a certain level is different in different people. So part of the idea of going to a mainstream school is to try and integrate into a mainstream environment. Even in a travel environment, you would expect that sometimes getting to school is part of being in that mainstream environment. I am not suggesting it is not as you describe, but sometimes the solution is to transport the child or get them to walk, ride or whatever. I do not think there is an easy answer—that is probably what I am saying—or a systemic answer.

THE CHAIR: Something that Professor Shaddock talks about, and it has come up in other submissions, is the definition of disability which is applied in ACT education and other areas. One of the things that he suggests has also been suggested by others. People who apply for something at Centrelink if they have, for example, dyslexia or ADHD, are eligible but when it comes to education they are not actually classified as having a disability. There has been a suggestion about applying the Disability Discrimination Act definition of disability to education, for example, as an area. Has that definitional issue in the overall process been considered?

Mr Copland: The definition of disability in the discrimination act and the disability standards that have fallen out of that act basically say that what is required for any student who meets that definition is a range of reasonable adjustments being put into education to meet their needs. Those reasonable adjustments can range from adjustments at the school level where classroom teachers make adjustments in terms of the way they structure their classroom, the way they deliver their curriculum, the way that they interact with their students and the way that the school allocates their

resources to support students across the school right through to the very targeted resources for those students who have very high needs.

We believe strongly that all students with a disability under the Disability Discrimination Act definition should get reasonable adjustments. It is our responsibility to provide those reasonable adjustments. However, not all reasonable adjustments need additional funds. There is a range of other ways that students are supported in our schools in individual classrooms. There are resources within schools that principals have discretion over in terms of the way that they support the cohort of students in their schools. There are other programs that the department provides into schools to meet the additional needs of students. These are all available to this group of students that fit under this definition under the act.

THE CHAIR: When it comes to something like dyslexia, as an example, where it is not generally classified in the education context, it does create some inconsistency and also confusion for people when you have different definitions applying across different areas. Again, it is something which Professor Shaddock raised in his report. He also talked to us about having standard definitions so you do not have that confusion. I understand what you are saying, that there are some disabilities which do not require additional funding, but it is about having that recognition in the process—say if someone has dyslexia, which is a learning disability, that it is recognised in the process. There may be some adjustments which are needed which might require additional funding so that a consistent definition is applied.

Dr Watterston: I think Professor Shaddock in his report uses the term “diversity”. In that term “diversity” he certainly refers to any inhibiting factor that prevents a child learning at the peer level. I think you are right: I think it is acknowledging it and that is what parents want. If I can just re-emphasise what Ian has already said, in our schools we have what we call universal strategies. There are a range of things—pastoral care officers, reading support programs and so on.

I am sure parents want these learning barriers or challenges identified and acknowledged, but the answer he gave I think is still appropriate because there are a number of strategies that we run within the system that I think pick them up. An additional one to dyslexia or reading difficulties would be behaviour. Students exhibit antisocial behaviour for a range of different reasons, some of it to do with disability, defiance and whatever else, but nonetheless it is still inhibiting their reading and that of others. We have strategies in place across our system that deal with those issues.

Again, I think Professor Shaddock was saying in his report that it is funding the level of educational adjustments. I would expect a school to be able to adjust for complex needs of students that would otherwise be covered by universal strategies. It is the high end needs, as Ian said, where we target supplementary resources to make those adjustments. If we implement this in the true Shaddock mould, if you like—the way that he has presented it—those resources that are provided to schools can be used in flexible ways and across groups of students that will enable you to work with kids who need educational adjustments rather than just target them on, say, one particular child.

Again, I go back to this cultural change. It is about the way schools use resources—

who needs the educational adjustments and what are the resources available to them? Even within schools' own capacity they can provide some of these educational adjustments without getting supplementary funding. I do not know if the answer is altogether as clear as you need it, but there are ways to adjust and deal with individual need, be it reading, learning challenges, behaviour or anything else that fits under the umbrella of inhibiting learning in some way.

THE CHAIR: I guess that cultural change is needed. Probably this concern is coming from other parties—I am just guessing—because if that classification is not there, if, technically, it is not classified as being a disability which can receive assistance under the education umbrella, then sometimes parents might have a difficulty when it is not recognised. We might have this cultural change process and it may very well change the way ADHD and dyslexia are looked at. They may come to a point and say, “Well, because it’s not defined, technically you don’t come under the banner of being able to receive assistance.” I imagine that is where that concern would come from, as well as the underlying cultural issues.

Dr Watterston: On the specific issue you mentioned—dyslexia—I think it is a really difficult one for schools to manage. There have been lots of students that I have known of and families that I have dealt with outside of the school system, because of the profession I am in, where it has not been diagnosed and where a label has not been given and it happens too late in life. This is quite an issue and I can understand why people have raised it with you. It is certainly something that is talked about a lot. On this particular issue, I think you are right. I think we have to find a better way of acknowledging, identifying and labelling that disorder or learning challenge that kids have to enable parents to be able to deal with it.

Part of the issue, which is aside from what we are talking about today, is that sometimes the diagnosis comes too late. There is some expertise that we need within the system. Funnily enough, I was talking to someone today from my previous job. We had set up a learning enhancement clinic just for that very reason—for parents to be able to go and talk about reading difficulties and learning difficulties and to have somebody with expertise, which is not always available in a school. People understand literacy and the teaching of reading and are very proficient at it, but sometimes some of these complexities that arise in individual students are hard to diagnose. As a separate issue from today, I think it is some skill and capability that we are trying to build into our system, an expertise that we need to develop to provide exactly the service that you are talking about.

MR HANSON: Therapy ACT—there are some delays in students being able to access some of those services. It seems, from your submission, there are delays of up to a year. For some you can get in quicker. Would one of you be able to provide me, on notice, the delay times by category of service? For speech pathologists it might be 12 months or whatever. That would be very useful.

Dr Watterston: Sure.

MR HANSON: Do you have a broad comment on the impact of those delays? Are they a frustration to teachers and to parents, who also try to teach their kids but they need that therapy before they can get to the next educational level?

Dr Watterston: I think Ian is probably best to talk about this.

Mr Copland: As I mentioned earlier, we are working very closely with Therapy ACT now on the development of a service agreement to ensure that we improve services into schools. It is clear from the feedback through the review that both schools and parents feel that the therapy input is not to the degree that they would like. The service agreement is going to work in some similar ways that we have just talked about. We will talk about those universal services that we and Therapy ACT can work on together, and that is at the level of professional learning for teachers, getting in there and providing a set of knowledge and skills to all teachers to be able to support the students within their classrooms. We will be developing on an annual basis a professional learning calendar, if you like, that is built around therapies specifically for our teaching staff and our teacher assistant staff.

At the next level is what we call the selected level where we will be working on some specific agreements with Therapy ACT around some particular sorts of programs—autism specific programs, language specific programs and those sorts of programs—where they will provide some very specific input at the individual classroom teacher level to support the needs of kids in those sorts of classes. Finally, we are going to get down to how much individual therapy goes into individual students in classrooms. We are working through that process now to ensure as best we can that we have a workable process with Therapy ACT at each of those three levels.

It is going to be a major step forward in the coordination of services between Education and Therapy ACT. We have always highly valued the input of therapists into our classrooms and have had a good working relationship with Therapy ACT but to really formalise it in some sense is going to be a step forward, I think.

THE CHAIR: I have one more question which relates to something brought up about transitioning, particularly around post-school options. Again in the submission that is one of the areas seen as being one of great need. I appreciate that once they leave the education system Disability ACT has more involvement. I know you have discussed in your submission the post-school options expo. I am wondering what work has been done, also looking at institutions such as CIT having more involvement and more responsibility in this area, so that there are more options for people with a disability once they do leave school.

Mr Copland: As I mentioned before, we have a fairly high level working group now between Education and Disability ACT with also community representation, parent representation, school representation, on that group, with a particular focus at this moment on better coordinating the transition of students to post-school life. It is working in consultation with the interagency transition committee, which has been established for a number of years, the group that has major responsibility for the expo, a group that Education helped to initiate probably four or five years ago. We also worked on the development of the expo.

Disability ACT has also recently tendered and commissioned a new transition support agency. House With No Steps have taken on a contract for the next three years to support the transition of students who are likely to transition into supported

employment. They are already in our schools, working with the current year 12 cohort and starting to talk with the year 11 cohort and eventually will be starting to work with students from year 9 onwards. I am on the governance group of that service, so working very closely with the service to ensure that they are providing a service that is relevant to our schools.

Disability ACT has instigated, as part of our discussions through the working group, going into Black Mountain school and our senior secondary colleges to work with parents and students on their transition plans, currently at the year 12 level but aiming to go back to the year 11 and year 10 levels so that they will have those conversations very early with students and parents about what the options are for them and help them develop a transition plan, if you like, through to post-school—pathway plans they generally call them. That has already commenced. Disability ACT staff are regularly in our schools talking to our staff, talking to the parents and talking to the students.

THE CHAIR: Have there been any discussions with CIT or other institutions about taking a bigger role in that?

Mr Copland: Not that I am aware of at this point. But Disability ACT could be having some discussions that I am not aware of.

THE CHAIR: You mentioned House With No Steps and supported employment options. I appreciate that this might be something Disability ACT is doing, but looking to the social ventures approach, I know the government has that project—

Mr Copland: This is probably the main conversation they are having with the students and parents of the Black Mountain School, so it is not just focusing on those students who go into supported employment; they are having those conversations right across the board in terms of students who actually may end up being in open employment right through to those students who will need high levels of support on a community-based program; developing those pathways and those understandings of what the options are, what funding is available for them and what they need to do to access that funding, trying to get those conversations happening as early as possible.

THE CHAIR: At what stage of the schooling process do those conversations generally start happening?

Mr Copland: As I said, the movement into the schools is fairly recent and they have been focusing on year 12. But the plan is certainly to start as early as year 9 within the next couple of years.

THE CHAIR: Thank you very much, Dr Watterston and the other representatives, for coming today. We did not have the minister but it has been very informative. A transcript of the hearing will be sent to you.

The committee adjourned at 4.22 pm.