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ACT AUDITOR-GENERAL'S PERFORMANCE AUDIT REPORT

Supports for students with disability in ACT public schools

Report No. 8 / 2023

The ACT Audit Office acknowledges the Ngunnawal people as the traditional custodians of the ACT and recognises any other people or families with connection to the lands of the ACT and region.

The ACT Audit Office acknowledges and respects their continuing culture and the contribution they make to the life of this city and this region.

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Audit Team Matthew Bowden Megan Hemming





PA 22/05

The Speaker ACT Legislative Assembly Civic Square, London Circuit CANBERRA ACT 2601

Dear Madam Speaker

I am pleased to forward to you a Performance Audit Report titled 'Supports for students with disability in ACT public schools' for tabling in the Legislative Assembly pursuant to Subsection 17(5) of the Auditor-General Act 1996.

The audit has been conducted in accordance with the requirements of the Auditor-General Act 1996 and relevant professional standards including ASAE 3500 – Performance Engagements.

Yours sincerely

M. L. Starring

Michael Harris Auditor-General 23 October 2023

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TERMINOLOGY

Terminology used in the report

In Australia, the *Disability Discrimination Act 1992* defines a person with disability as being someone who has a partial or total loss of a physical or mental function or has a physical or mental health condition. The report uses the definition of disability provided by the *Disability Discrimination Act 1992*.

The report considers a 'student' to be any child or young person who is enrolled or seeking to be enrolled in an ACT public school from Preschool to Year 12. The term 'families' is used to refer to parents, family members, carers and guardians who make decisions about students.

People with disability have different preferences for terms describing schools and educational settings. The term 'specialist school' is used in the ACT to describe standalone schools that specialise in providing education for students with disability. The terms 'mainstream school' or 'local school' are typically used to describe other schools.

The report uses the term 'specialist' when it refers to the four ACT public schools specialising in providing education for students with disability. The term 'local' is used to refer to all other ACT public schools and educational settings.

In Australia, the legal term for supports that must be provided in schools for students with disability is 'reasonable adjustments'.

The report uses the term 'adjustments' to describe any supports or reasonable adjustments provided by schools to enable students with disability to access education.

SUMMARY

Students with disability in Australia have the right to access education on the same basis as their peers. Schools must provide supports that ensure this equity of access.

The audit considered the effectiveness of the ACT Education Directorate's practices for providing supports for students with disability in ACT public schools. The audit considered practices for:

- the provision of clear and accessible information about available schools, educational settings and adjustments;
- understanding the functional needs students with disability have in accessing their education;
- planning to provide adjustments to ensure students with disability can access education on the same basis as their peers; and
- funding physical accessibility modifications in schools and providing professional learning pathways for Learning Support Assistants.

Conclusions

PROVIDING CLEAR AND ACCESSIBLE INFORMATION

The Education Directorate does not provide sufficiently clear and accessible written information for students and families about the *Disability Standards for Education 2005*, the educational settings and adjustments available for students with disability or processes for obtaining adjustments.

Unclear or inaccessible information makes it harder for students and families to make informed choices and engage collaboratively with schools. It can also delay implementation of adjustments. Lack of clear and accessible information also increases the workload of schools because they need to provide families with explanations and guidance.

When developing written information for students and families, the Education Directorate should consider the diverse communication needs of those receiving the information and ensure these needs are met.

UNDERSTANDING NEEDS AND PLANNING FOR ADJUSTMENTS

The Education Directorate uses the ACT Student Disability Criteria and Disability Education Program Application to assess whether students with disability are eligible for specialist education programs and supports. The process requires formal medical diagnoses, which places an administrative and financial burden on families and schools and risks inequity between more and less socio-economically advantaged students.

For students who meet the ACT Student Disability Criteria, the Education Directorate uses the Student Centred Appraisal of Need to assess students' individual needs in their school context. The appraisal process is deficit-focused and can be distressing for families. It focuses on what students cannot do, rather than on the adjustments that can be provided to allow students to access education on the same basis as their peers. The appraisal process is also duplicative of other planning processes and appraisal outcomes are not transparently linked to school resourcing.

The *Student Centred Appraisal of Need* does not align with the categories of disability and levels of adjustments established by the *Nationally Consistent Collection of Data on School Students with Disability* (NCCD). The Education Directorate is piloting new needs assessment tools that use the definitions and language of the NCCD. This is an opportunity for the Directorate to implement strengths-based processes to assess the functional needs students with disability have in accessing their education, using NCCD-defined levels of adjustments.

The Education Directorate has developed effective processes and resources for developing individualised plans for students with disability. However, there is an opportunity for the Education Directorate to provide more information and tools for students and families to support their engagement in planning and review processes.

PROVIDING REASONABLE ADJUSTMENTS

Physical accessibility modifications and suitably trained Learning Support Assistants are two examples of reasonable adjustments that can be provided for students with disability, to ensure they can access education on the same basis as their peers.

The Education Directorate has mature processes for schools to request physical accessibility modifications, including infrastructure modifications and specialised equipment. This is intended to ensure all students with disability can access their local school. However, the Directorate does not provide sufficient, clear and accessible information to schools or the public about:

- the minimum physical accessibility features or upgrades available for ACT public schools; or
- criteria for approval and prioritisation of requested infrastructure modifications.

The Education Directorate provides a range of online and face-to-face professional learning opportunities that are suitable for Learning Support Assistants working in ACT public schools. The Directorate also provides financial support for Learning Support Assistants to complete external qualifications. However, the Directorate does not maintain a central record of the participation of Learning Support Assistants in available professional learning or the qualifications of Learning Support Assistants.

Schools and stakeholders that contributed to the audit explained the most effective professional learning for Learning Support Assistants is practical, 'hands-on' training in the school context.

However, current working hours for Learning Support Assistants limit their ability to participate in school-based professional learning and in school-based planning and preparation.

Key findings

PROVIDING CLEAR AND ACCESSIBLE INFORMATION Paragraph

Information provided by the Education Directorate

The Education Directorate provides information about students with disability in 2.32 several places on its website. There are shortcomings with the information that is provided, when compared with performance standards established by the *Disability Standards for Education 2005 (Standards)*, findings made in recent reviews of the *Standards* and examples of better practice provided by other Australian organisations. Key shortcomings include a lack of explicit explanation of students' rights and schools' obligations under the *Standards* and lack of information relevant to different stages of schooling and different categories of disability. There are also shortcomings with the presentation and accessibility of the information. The information is not presented in a clear and logical structure, nor is it presented in accessible formats. There is a risk that key information is inaccessible for some students and families, including culturally and linguistically diverse families and those with lower literacy.

Some schools provide information about students with disability on their website. A 2.36 review of 12 school websites showed an inconsistent approach to presenting information about students with disability. Some school websites presented detailed information about specialist programs and supports for students with disability available at the school and links to the Education Directorate's 'Students with Disability' webpages. Other school websites did not provide any information about students with disability or links to relevant Directorate webpages.

Stakeholders consulted as part of the audit advised of three key issues with the 2.46 Education Directorate's information for students and families:

- untimeliness a lack of access to necessary information on the Education Directorate's website is apparent when families are seeking urgent information at the end or beginning of the school year;
- inconsistency stakeholders explained that information provided to families can sometimes be inconsistent between schools and the Education Directorate;
- inaccessibility stakeholders explained that written information provided by the Education Directorate can be difficult for families to understand. Families may not understand terminology or 'jargon' that is not fully explained and there is a risk that lack of Easy Read or translated information could disadvantage culturally and linguistically diverse families or families with lower literacy.

UNDERSTANDING NEEDS AND PLANNING FOR ADJUSTMENTS

Education Directorate processes for understanding students' aspirations and needs

The Education Directorate uses the medical diagnosis-based ACT Student Disability 3.42 Criteria and Disability Education Program Application to assess whether a student has a disability and is eligible to access specialist educational settings and adjustments. School psychologists, with family consent, must complete a Disability Education Program Application form and include supporting evidence to demonstrate students' eligibility. The requirement for medical diagnosis places an administrative and financial burden on families and schools. Schools and stakeholders reported that families may face long wait times, and significant expense, to access the relevant medical specialists. The requirement for medical diagnosis may also risk inequity between more and less socio-economically advantaged students, because more advantaged families may have better access to timely diagnosis.

The Education Directorate requires a school psychologist, with family consent, to complete the *Disability Education Program Application* to confirm eligibility for access to *disability education programs*. Schools and school psychologists reported that this imposes an administrative workload that diverts the work effort of school psychologists from their specialist expertise and limits their capacity to provide direct psychological and therapeutic services. Some schools have attempted to address problems with the application process by using their existing school budgets to trial new coordination and case management approaches. These approaches have not yet been promulgated across schools or formally evaluated to determine if they support more effective use of resources.

For students who meet the ACT Student Disability Criteria, the Education Directorate
 3.75
 uses the Student Centred Assessment of Need (SCAN) to assess students' individual
 needs and required adjustments in their school context. The process involves a
 facilitated meeting between families, schools and allied health professionals. This
 takes place when students first attend an ACT public school and at set year levels.
 While the SCAN process is structured and documented, information provided by the
 Education Directorate to students and families in preparation for the meeting does
 not reflect better practice. The information that is provided does not include key
 information in accessible formats, specialised planning tools or other resources
 designed to support schools and families to prepare for successful, collaborative

The SCAN appraisal template is used to assess students' level of needs across ten domains. Better practice in needs assessment for students with disability is to identify the type and level of functional needs that must be met through adjustments, so that students can learn specific skills and achieve specific goals. The SCAN appraisal template does not focus on the adjustments a student needs to learn specific skills and achieve specific goals. Instead, it focuses on what students cannot do. The template uses negative, deficit-focused language to describe students' characteristics and behaviours. This deficit-focused approach to the SCAN appraisal

Paragraph

meeting can be distressing for families. The SCAN appraisal template also does not include consideration of students' strengths, interests, aspirations or voice.

The result of the SCAN appraisal meeting is a report recording the impact of students' disability against a series of groups. A copy of the report is provided to families, but neither the report nor the Education Directorate's website explain the resourcing and adjustments that students with different assessed levels of needs will receive. Schools advised that the purpose and outcome of SCAN appraisal meetings is not clear. Schools are not told how much resourcing they have received because of the appraisal because school budgets provided through the Student Resource Allocation's Students with Disability loading are not attached to individual students. They explained this lack of clarity can frustrate decision making about the provision of adjustments for individual students. Schools also advised the appraisal meeting and record often duplicates other processes, meetings and documents, as the content discussed is usually the same as that previously discussed and recorded in meetings to develop or review individualised student plans.

Education Directorate processes for planning adjustments

The Education Directorate provides schools with templates, guidance material, and 3.150 professional learning, to support educators in developing individualised plans for students with disability. The Directorate's material sets expectations about which students should have plans and how these should be developed. Schools can use and modify the Education Directorate's plan templates as needed, to suit the specific needs of their student cohorts and school practices. While there is information and professional learning available for schools to support development of individualised plans, there are opportunities to improve provision of information to students and families, to support their involvement in collaborative plan development and implementation with their school.

PROVIDING REASONABLE ADJUSTMENTS

Physical accessibility in ACT public schools

The Education Directorate's Infrastructure Specification (EDIS) describes the design 4.27 principles to be used for new schools and upgrades to existing schools. The Infrastructure Specification includes the principles of responsive (adaptable) design and universal design. This design guidance addresses the recommendation of the 2015 Report of the expert panel on students with complex needs and challenging behaviour that design briefs for all new schools follow principles of universal design and include an appropriate range of learning areas and facilities to meet the needs of students.

The Education Directorate provides an annual budget of approximately \$4 million for 4.40 physical accessibility modifications in schools. The Education Directorate has mature processes for the approval and prioritisation of physical accessibility modifications requested by schools. This includes fortnightly meetings between the Infrastructure and Capital Works Branch and Student Engagement Branch as a forum for staff to use their professional judgement to approve, prioritise and plan requested

Paragraph

modifications. The meetings are not formally documented and the criteria for approving or prioritising works is not made available to schools and is not published or otherwise shared with stakeholders outside of the Directorate.

The Education Directorate provides specialist furniture and equipment, including 4.50 assistive technology, to meet the needs of students with disability. Furniture or equipment is facilitated by individual school budgets (for equipment less than \$1,000) or by the Student Engagement Branch (for equipment over \$1,000). The Education Directorate has mature processes for schools to access the furniture and equipment, which involves an occupational therapist or other allied health professional making a formal request with the involvement of the school principal.

The Education Directorate does not provide sufficient, clear and accessible 4.53 information to schools and families about:

- the minimum physical accessibility features or upgrades available for ACT public schools; or
- the minimum specialist furniture, equipment and assistive technology available for ACT public schools.

Learning Support Assistants

Learning Support Assistants are recruited directly by ACT public schools. The 4.61 Education Directorate cannot report the exact number of Learning Support Assistants who are supporting students with disability in ACT public schools because of limitations in the Directorate's Human Resources information management system. The Education Directorate asserts that the best estimate of the number of Learning Support Assistants supporting students with disability in ACT public schools is approximately 950 (as at June 2022).

Professional learning for Learning Support Assistants

The Education Directorate provides a range of online and face-to-face professional 4.84 learning opportunities that are relevant to the role of Learning Support Assistants. The Directorate also facilitates professional learning networks and provides financial support for achieving external qualifications. However, the Education Directorate does not maintain a central record of the participation of Learning Support Assistants in available professional learning and cannot confirm whether appropriate opportunities are accessed. Nevertheless, school and stakeholder feedback suggests that the most effective professional learning for Learning Support Assistants is practical, 'hands-on' training in a school context. In schools, Learning Support Assistants learn from observing and working with experienced educators and allied health professionals.

The ACT Public Sector Administrative and Related Classifications Enterprise4.94Agreement 2023-2026 requires Learning Support Assistants on contracts longer than12 weeks to have a Performance and Development Plan and specifies minimumhours of professional learning to be undertaken. Schools advised that, in practice, itcan be difficult to provide the required release time for Learning Support Assistants

to participate in professional learning and in class and school-based planning and preparation. This is because schools need to maintain sufficient support for students during school hours.

Schools advised of opportunities to improve professional learning pathways for 4.95 Learning Support Assistants, including:

- a paid, centralised induction for new Learning Support Assistants, similar to that provided for new teachers;
- more opportunities to observe better practice in specialised settings and schools; and
- additional paid hours for Learning Support Assistants to participate in school-based professional learning, and in school-based planning and preparation, after school hours or during term breaks.

Recommendations

RECOMMENDATION 1 CLEAR AND ACCESSIBLE INFORMATION

The Education Directorate should systematically review and improve communication material for students with disability and their families, including:

- a) the Education Directorate's website;
- b) individual school websites; and
- c) other written communication material provided to students and families.

RECOMMENDATION 2 ACT STUDENT DISABILITY CRITERIA AND DISABILITY EDUCATION PROGRAM APPLICATION

The Education Directorate should amend its processes associated with the application of the *Disability Education Program Application* and *ACT Student Disability Criteria* to ensure alternative criteria can be applied for students who have immediate support needs in their school context but do not have formal medical diagnoses. The amended processes should ensure these students are not disadvantaged in access to resourcing or timely implementation of reasonable adjustments.

RECOMMENDATION 3 THE ROLE OF SCHOOL PSYCHOLOGISTS

The Education Directorate should identify and evaluate alternative case coordination and social work models currently being trialled in ACT public schools and determine if they are effective in:

- a) reducing routine, administrative, coordination and liaison work for school psychologists and school leaders;
- b) supporting families to access medical diagnosis and the NDIS; and
- c) supporting implementation of reasonable adjustments for students with disability.

RECOMMENDATION 4 STUDENT CENTRED APPRAISAL OF NEED

The Education Directorate should prioritise work to transition from the *Student Centred Appraisal of Need* (SCAN) to a functional needs-based assessment model that:

- a) considers students' voice, aspirations, goals and strengths;
- b) considers students' functional needs in their school context;
- c) is aligned to NCCD levels of adjustment; and
- d) is clearly linked to provision of reasonable adjustments.

RECOMMENDATION 5 SCHOOL RESOURCE ALLOCATION MODEL

The Education Directorate should make information on its school resource allocation model for students with disability publicly available, including:

- a) the eligibility requirements for different levels or types of funding;
- b) allowable uses for different levels or types of funding;
- c) case studies illustrating how funding may be effectively used in different types of schools and for different student cohorts; and
- d) funding rates and calculation methods.

RECOMMENDATION 6 PHYSICAL ACCESSIBILITY MODIFICATIONS - DOCUMENTING APPROVAL AND PRIORITISATION CRITERIA

The Education Directorate should develop a policy and associated procedural guidance for the assessment, approval and prioritisation of requests for physical accessibility modifications in ACT public schools.

RECOMMENDATION 7 PHYSICAL ACCESSIBILITY MODIFICATIONS - MINIMUM STANDARDS

The Education Directorate should provide information to schools and on their website about:

- a) the minimum physical accessibility features or upgrades available for ACT public schools; and
- b) the process for obtaining these.

RECOMMENDATION 8 LEARNING SUPPORT ASSISTANT PATHWAYS

The Education Directorate should provide a clear, incremental learning pathway for Learning Support Assistants, with different learning opportunities clearly aligned to different and more specialised roles or classifications, including:

- a) a paid, centralised induction for new Learning Support Assistants, similar to that provided for new teachers;
- b) sufficient paid hours for Learning Support Assistants to participate in formal professional learning and school-based planning and preparation; and

c) more opportunities for Learning Support Assistants to observe better practice in specialised schools and settings.

Agency response

In accordance with subsection 18(2) of the *Auditor-General Act 1996,* the Education Directorate was provided with a draft proposed report for comment. All comments were considered and required changes were reflected in a final proposed report.

In accordance with subsection 18(2) of the *Auditor-General Act 1996,* the Education Directorate was provided with the final proposed report for comment. All comments were considered and required changes were reflected in the final report.

The following comments were provided for inclusion in this Summary chapter.

Education Directorate

The Education Directorate welcomes the Auditor-General's performance audit on supports for students with disability in ACT public schools and looks forward to responding to recommendations arising from the audit.

The Directorate is undertaking a range of work that will drive improvements in the supports provided to students with disability to meet their educational needs and much of this is aligned with the audit's findings.

The development of the draft Inclusive Education Strategy demonstrates the Directorate's commitment to strengthen inclusive practice to ensure students with disability can access and participate in education on the same basis as their peers.

1 INTRODUCTION

Students with disability

The legal rights of students with disability

- 1.1 In Australia, the legal rights of students with disability and the legal obligations of schools are established by:
 - the Disability Discrimination Act 1992 (Cth); and
 - the Disability Standards for Education 2005 (the Standards).
- 1.2 Information about how schools are meeting their legal obligations is collected through the *Nationally Consistent Collection of Data on School Students with Disability* (NCCD).

The Disability Standards for Education 2005

- 1.3 The *Standards* are intended to clarify, and make more explicit, the obligations of schools under the *Disability Discrimination Act 1992* and the rights of people with disability in relation to education and training.
- 1.4 The *Standards* seek to:
 - (a) eliminate, as far as possible, discrimination against persons on the grounds of disability in the area of education and training;
 - (b) ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law in the area of education and training as the rest of the community; and
 - (c) promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.
- 1.5 The *Standards* specify how education and training is to be made accessible to students with disability. They cover:
 - enrolment (Part 4);
 - participation (Part 5);
 - curriculum development, accreditation and delivery (Part 6);
 - student support services (Part 7); and
 - elimination of harassment and victimisation (Part 8).
- 1.6 Each part of the *Standards* includes:
 - a statement of **rights**, or entitlements, of students with disability in relation to education and training;
 - a description of the legal obligations, or responsibilities, of schools; and

- a description of the **measures** that, if implemented, will be evidence of compliance with the legal obligations.
- 1.7 The *Standards* use two key terms:
 - 'on the same basis'; and
 - 'reasonable adjustments'.
- 1.8 Part 2 of the *Standards* defines what is meant by students with disability being able to participate in education 'on the same basis' as students without disability. This includes providing students with disability with 'reasonable adjustments'.

Reasonable adjustments

- 1.9 Part 3 of the *Standards* defines 'reasonable adjustments'. Adjustments are measures or actions taken by an education provider that have the effect of assisting students with disability to enrol, participate in their education and access facilities and services on the same basis as students without disability.
- 1.10 Under the *Standards*, an adjustment is considered reasonable if it balances the interests of all parties affected. This includes consideration of:
 - the student's disability;
 - the student's views;
 - the effect of the adjustment on the student's ability to learn, participate and be independent;
 - the effect of the adjustment on the school; and
 - the costs and benefits of making the adjustment.
- 1.11 The *Standards* require schools to make reasonable adjustments, but also provide for circumstances in which an adjustment is deemed to be unreasonable or impose unjustifiable hardship on a school.
- 1.12 The Education Directorate's policy about its obligations under the *Disability Discrimination Act 1992* and the *Standards* is articulated in the *Students with Disability Meeting their Educational Needs Policy*. The policy confirms the Directorate's commitment to enrolling students with disability in ACT public schools and providing reasonable adjustments to ensure they can access and participate in education on the same basis as other students.

Examples of reasonable adjustments

1.13 Table 1-1 shows examples of things schools can do to provide reasonable adjustments for students with disability and comply with the *Standards*.

students with disability				
Part	Measures for compliance with the Standards			
Enrolment (Part 4 of the <i>Standards</i>)	Information about enrolment processes, and enrolment procedures, are accessible to students and their families Information about different education options is accessible to students and their families, so that they can make informed choices about their education			
Participation (Part 5)	Learning programs are designed to support participation of all students Specialised supports are provided so that students can achieve their learning outcomes			
Curriculum (Part 6)	Learning activities and assessments are accessible and appropriate for each student Course materials are made available in accessible formats			
Student support services (Part 7)	Specialised equipment is provided Appropriately trained support staff such as specialist teachers and teachers' aides are available			
Elimination of harassment and victimisation (Part 8)	The education provider has a code of conduct that prohibits harassment and victimisation Complaints of harassment or victimisation are handled promptly			

Table 1-1Examples of school practices for providing reasonable adjustments for
students with disability

Source: ACT Audit Office, based on the Disability Standards for Education 2005.

Nationally Consistent Collection of Data on School Students with Disability

- 1.14 The Nationally Consistent Collection of Data on School Students with Disability (NCCD) is a national process for collecting data in a consistent, systematic way about school students with disability who are receiving adjustments.
- 1.15 The NCCD provides a national framework for understanding and meeting the needs of students with disability. The framework is based on:
 - four categories of disability;
 - four *levels of adjustment*; and
 - standards of evidence to show students are receiving adjustments in accordance with the *Standards*.
- 1.16 NCCD usage of the terms 'disability' and 'adjustment' reflects the definitions provided by the *Disability Discrimination Act 1992* and the *Standards*. This means that, under the NCCD framework, information is collected annually for all students who are receiving adjustments because of disability, regardless of medical diagnoses or other criteria.

- 1.17 Since 2018, the student with disability financial allocation provided by the Australian Government has been based on the NCCD.
- 1.18 Table 1-2 shows the *categories of disability* and *levels of adjustment* defined by the NCCD.

Table 1-2NCCD categories of disability and levels of adjustment

Categories of disability	/			
Physical	Total or partial loss of a body part The malfunction, malformation or disfigurement of a part of a person's body The presence in the body of organisms causing disease or illness The presence in the body of organisms capable of causing disease or illness			
Cognitive	Total or partial loss of the person's bodily or mental functions A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction			
Sensory	Total or partial loss of the person's bodily or mental functions The malfunction, malformation or disfigurement of a part of a person's body			
Social/emotional	A disorder, illness or disease that affects the person's thought processes, perception of reality, emotions or judgement, or that results in disturbed behaviour			
Levels of adjustment				
Quality differentiated teaching practice	Students with disability are supported through active monitoring and adjustments that are not greater than those used to meet the needs of diverse learners. These adjustments are provided through usual school processes, without drawing on additional resources, and by meeting proficient-level Teaching Standards (AITSL). Adjustments are made infrequently as occasional actions, or frequently as low level actions, such as monitoring.			
Supplementary adjustments	Students with disability are provided with adjustments that are supplementary to the strategies and resources already available for all students within the school. Adjustments occur for particular activities at specific times.			
Substantial adjustments	Students with disability who have more substantial support needs are provided with essential adjustments and considerable adult assistance. Adjustments to the usual educational program occur at most times on most days.			
Extensive adjustments	Students with disability and very high support needs are provided with extensive targeted measures and sustained levels of intensive support. These adjustments are highly individualised, comprehensive and ongoing. Adjustments to the regular education program occur at all times.			

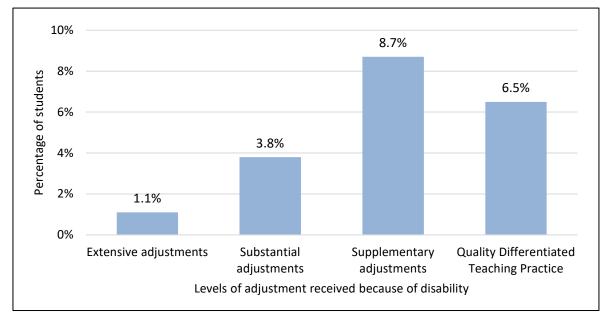
Source: ACT Audit Office, based on information from nccd.edu.au.

Students with disability in the ACT

Number of students recorded in NCCD data collection

- 1.19 2022 NCCD data show that 20.1 per cent of students enrolled in ACT schools (including public and non-government schools) are receiving adjustments because of disability.
- 1.20 Publicly reported NCCD data is not disaggregated by public and non-government schools.
- 1.21 Figure 1-1 shows the percentage of students in ACT schools who were receiving different levels of adjustment because of disability in 2022, with reference to the *levels of adjustment* defined by the NCCD (refer to Table 1-2).

Figure 1-1 Percentages of students in ACT schools receiving different levels of adjustment because of disability



Source: ACT Audit Office, based on acara.edu.au, National Reporting on Schooling in Australia data portal.

- 1.22 Figure 1-1 shows that, of the 20.1 per cent of students in ACT schools (including public and non-government schools) who were recorded as receiving adjustments because of disability in 2022:
 - 6.5 per cent were receiving support through Quality Differentiated Teaching Practice;
 - 8.7 per cent were receiving Supplementary adjustments; and
 - 4.9 per cent were receiving Substantial or Extensive adjustments.

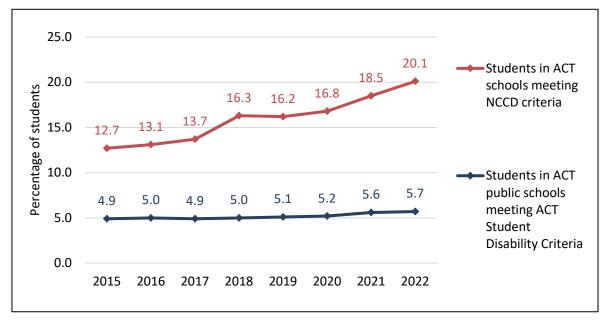
Number of students meeting ACT Student Disability Criteria

- 1.23 The Education Directorate reports the number of students enrolled in ACT public schools who meet the Directorate's *ACT Student Disability Criteria* and participate in funded programs.
- 1.24 The ACT Student Disability Criteria are used by the Education Directorate to identify students with disability who are eligible for funded programs. The criteria are explained in more detail in Chapter 3 of the report.
- 1.25 The Education Directorate's August 2022 *Census of ACT public schools* reported that 5.7 per cent of students enrolled in ACT public schools (2,909 students) met *ACT Student Disability Criteria*.
- 1.26 The proportion of students meeting *ACT Student Disability Criteria* is smaller than the proportion of students reported in NCCD data as receiving adjustments because of disability. This is because only some students who receive adjustments because of disability meet *ACT Student Disability Criteria*.
- 1.27 While only approximately 3,000 students (6 per cent) enrolled in ACT public schools in 2023 meet *ACT Student Disability Criteria*, approximately 10,000 students (20 per cent) are recorded by the Education Directorate as receiving adjustments because of disability.

Increasing numbers of students with disability

- 1.28 The number and percentage of students who meet *ACT Student Disability Criteria* and the number and percentage of students recorded in NCCD data as receiving adjustments because of disability are increasing.
- 1.29 Figure 1-2 shows:
 - increases in the percentage of students in ACT public schools meeting ACT Student Disability Criteria; and
 - increases in the percentage of students in ACT schools (including public and nongovernment schools) recorded in NCCD data as receiving adjustments because of disability.





Source: ACT Audit Office, based on based on Census of ACT public schools and acara.edu.au, National Reporting on Schooling in Australia data portal.

Aspirations and needs

- 1.30 The ACT Office for Disability conducted stakeholder consultation in 2022, as part of developing a new ten-year disability strategy for the ACT. The consultation findings are summarised in *Towards a 10-year ACT Disability Strategy Listening Report 2022*.
- 1.31 The Education Directorate also commissioned an independently facilitated stakeholder consultation as part of developing its new ten-year draft *Inclusive Education Strategy*. The consultation findings are summarised in *A Community Conversation: Summary Report* and presented on the Directorate's website.
- 1.32 The ACT Audit Office also conducted stakeholder consultation as part of the audit.

Stakeholder feedback

- 1.33 The three consultations found that students with disability and their families want to be safe, respected, supported and included. They want their school to have high expectations for their learning and life outcomes.
- 1.34 Students with disability need a range of individualised supports to access education and achieve learning and life outcomes. The three consultations found these included:
 - support to navigate the school system;
 - simple, accessible processes for obtaining adjustments;

- consistent, appropriate implementation of adjustments;
- accessible physical environments for learning and play; and
- supported transitions within and out of the school system.
- 1.35 The needs of each student with disability are different, and may vary across different educational settings, as the student grows older, acquires a disability or as their health changes.

Focus of report

- 1.36 The report considers the Education Directorate's practices for:
 - enrolling students with disability; and
 - understanding their needs.
- 1.37 The report then examines the Education Directorate's practices for providing some types of adjustments that students with disability may need.
- 1.38 Figure 1-3 shows which parts of the report consider each practice.

Clear and accessible information about available schools, educational settings and adjustments	Chapter 2 Clarity and accessibility of information	
Accessible, equitable processes for understanding students' strengths, aspirations and functional needs	gths, aspirations and functional blanning for adjustments lementation of adjustments itable processes for reviewing and ments	
Individualised planning for adjustments		
Consistent implementation of adjustments		
Accessible, equitable processes for reviewing and changing adjustments		
Shared understanding between students, families and schools		
Accessible physical environments for learning and play	Chapter 4 Providing adjustments	
Specialist educators and supports		

Figure 1-3 Needs of students with disability and report structure

Source: ACT Audit Office, based on ACT Office for Disability's *Towards a 10-year ACT Disability Strategy Listening Report 2022*, Education Directorate's *A Community Conversation Summary Report* and ACT Audit Office consultation with stakeholders.

ACT public schools

- 1.39 All children in the ACT are guaranteed a place in an ACT public school from Kindergarten (the first year of full-time schooling) to Year 12 (the last year of full-time schooling).
- 1.40 Students with disability may attend:
 - their local public school; or
 - subject to eligibility requirements, one of the ACT's four specialist public schools.

Specialist schools

1.41 The ACT's four specialist public schools enrol students who have moderate to severe Intellectual Disability and who may also have Autism.

1.42 There are two Preschool to Year 6 specialist schools (Cranleigh School on the north side of Canberra and Malkara School on the south side) and two Year 7 to Year 12 specialist schools (Black Mountain School on the north side of Canberra and The Woden School on the south side).

Local schools

- 1.43 In 2023 the ACT's local public schools consisted of:
 - 58 primary schools (Preschool to Year 6, including five Preschool to Year 2 Early Childhood Schools);
 - 10 high schools (Year 7 to Year 10);
 - 9 combined Preschool to Year 10 schools;
 - 1 combined Year 7 to Year 12 school; and
 - 8 colleges (Year 11 to Year 12).
- 1.44 The ACT also has targeted educational programs, which are co-located with local primary schools, high schools or colleges, including:
 - five public Koori Preschools, for Aboriginal and Torres Strait Islander students;
 - six Introductory English Centres providing intensive language teaching for newly arrived students with minimal English;
 - an alternate education and support program for pregnant and parenting students;
 - a refugee bridging program; and
 - a hospital school at The Canberra Hospital.
- 1.45 In local public schools, students who meet *ACT Student Disability Criteria* may participate in the following funded programs:
 - a disability education program; and/or
 - the Inclusion Support Program; and/or
 - the Hearing and Vision Support Program.

Disability education programs

- 1.46 *Disability education programs* are offered in different ways in different schools. They typically feature a higher educator to student ratio and use of more flexible settings, such as smaller classes or modified classrooms. The way programs are organised differs in each school, and for different cohorts of students, to meet their different needs.
- 1.47 Some schools use different names for *disability education programs*, including 'small group program' or 'learning support unit'.

1.48 Prior to 2023 some local schools did not offer *disability education programs*. From 2023 the capacity to offer *disability education programs* was extended to all local primary schools, high schools and colleges. This is intended to allow all students with disability who are eligible to participate in a *disability education programs* to do so at their local public school.

Inclusion Support Program

- 1.49 The *Inclusion Support Program* provides additional resourcing to schools to facilitate reasonable adjustments for students with disability from Kindergarten to Year 12.
- 1.50 All students eligible for *disability education programs* are also eligible for the *Inclusion Support Program* and some students who do not meet criteria for a *disability education program* may be eligible for the *Inclusion Support Program*.

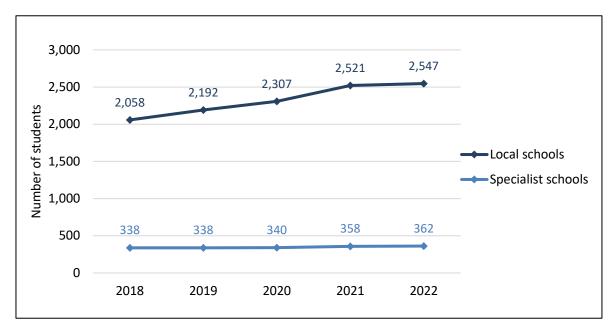
Hearing and Vision Support Program

1.51 The *Hearing and Vision Support Program* provides specialist staff to work with students from Preschool to Year 12 who have hearing and vision impairment, to support their access to the curriculum.

Numbers of students in specialist and local schools

- 1.52 The Education Directorate advised that, in August 2022, 362 Kindergarten to Year 12 students meeting *ACT Student Disability Criteria* (12.4 per cent) were enrolled in a specialist school and 2,547 Kindergarten to Year 12 students (87.6 per cent) were enrolled in a local school.
- 1.53 The number of students meeting *ACT Student Disability Criteria* increased by:
 - 489 students between 2018 and 2022 in local schools (an increase of 23.8 per cent); and
 - 24 students between 2018 and 2022 in specialist schools (an increase of 7.1 per cent).
- 1.54 Figure 1-4 shows changes in the number of students meeting *ACT Student Disability Criteria* enrolled in local and specialist schools.

Figure 1-4 Number of students in ACT local and specialist public schools meeting ACT Student Disability Criteria



Source: ACT Audit Office, based on information provided by the Education Directorate.

The Student Resource Allocation

- 1.55 The *Student Resource Allocation* provides the needs-based funding model for ACT public schools. The current funding model was implemented in 2016.
- 1.56 For students with disability, the *Student Resource Allocation* currently provides:
 - **Core Allocation** (consisting of per student funding, stages of schooling weighting and base funding); and
 - Loading Allocation for students with disability.
- 1.57 The loading allocation for students with disability is intended to support *disability education programs* and the *Inclusion Support Program*. The loading allocation is based on the educational setting a student is enrolled in and on individual student need, as identified by the *Student Centred Appraisal of Need*.
- 1.58 The Education Directorate is designing and consulting on revisions to the *Student Resource Allocation* to better meet the needs of students with disability. The Directorate intends to provide information about the revisions to school leaders in 2023.

Specialist roles in schools

Disability Education Coordination Officers

- 1.59 Every ACT public school has a *Disability Education Coordination Officer* (DECO), who is responsible for:
 - liaison with students and families;
 - leading and supporting key processes for students with disability, such as development and review of individualised learning plans;
 - capacity building for school staff; and
 - the annual NCCD data collection.
- 1.60 The DECO is typically a school leader, such as a deputy principal, or a senior teacher.

School psychologists

- 1.61 School psychologists are based in schools and perform several roles for students with disability, including:
 - undertaking psychological evaluations, including individual student cognitive assessments;
 - liaising with other specialists such as paediatricians or allied health professionals;
 - coordinating application and enrolment processes; and
 - assisting with development of individualised learning plans.

Learning Support Assistants

- 1.62 Learning Support Assistants support students with disability in specialist and local schools.
- 1.63 Learning Support Assistants support teachers in the provision of educational programs and in meeting students' physical and health care needs. They may support teachers to include students with disability in school activities, help with preparation of class materials and provide general classroom support. Some Learning Support Assistants also work under the direction of an allied health professional to support therapy or learning programs.

Specialist roles in the Education Directorate

Student Engagement Branch

- 1.64 The Student Engagement Branch is responsible for administration of supports for students with disability in ACT public schools. The Branch includes specialist roles such as:
 - hearing and vision support;
 - occupational therapists;

- physiotherapists;
- speech and language pathologists;
- social workers;
- allied health assistants; and
- senior psychologists.

Strategic Policy Branch

1.65 The Strategic Policy Branch, Inclusion Reform section is responsible for developing the Education Directorate's new draft *Inclusive Education Strategy*.

Inclusive Education Strategy

- 1.66 The Education Directorate is developing a new ten-year draft *Inclusive Education Strategy*. This is intended to outline how ACT public schools will be supported to strengthen inclusive practice to ensure students with disability can access and participate in education on the same basis as their peers.
- 1.67 In 2021, the Education Directorate commissioned an independently facilitated community consultation to understand what makes a school inclusive for students with disability. In November 2022 the Directorate released:
 - A Community Conversation: Summary Report;
 - Disability Education Evidence Review: A review of education settings for students with disability in Australia; and
 - Strengthening inclusive education in ACT public schools: Discussion Paper.
- 1.68 The Education Directorate's 2022 Strengthening inclusive education in ACT public schools: Discussion Paper (the Discussion Paper) articulates the ACT Government's commitment to strengthening inclusive education in ACT public schools and identifies seven focus areas for improvement:
 - culture;
 - workforce;
 - relationships;
 - learning;
 - key transitions;
 - resourcing; and
 - infrastructure.

- 1.69 The Discussion Paper presents 46 potential action areas, including:
 - transitioning the way student needs are assessed from a deficit-based model to a needs and adjustments-based model;
 - improving professional learning for all educators and changing the way the education workforce is structured and deployed; and
 - changing the way school infrastructure is planned, built and modified.

What does inclusive education mean?

The Education Directorate's draft *Inclusive Education Strategy* is intended to provide a roadmap for improving education for students with disability in ACT public schools. The reform embodied in the draft *Inclusive Education Strategy* is intended to be implemented incrementally over ten years.

The term 'inclusive education' can have many different meanings for students with disability and their families.

For some people, inclusive education means all students with disability are welcome and supported at their local school and can access learning together with students without disability. This definition of 'inclusive education' is consistent with the *United Nations Convention on the Rights of Persons with Disabilities, General Comment No. 4 Right to Inclusive Education* (the *General Comment*). According to this definition, fully inclusive education is achieved when all students with disability can access their education in local schools and settings instead of in separate specialist schools and settings.

For some people, inclusive education means having the option to access separate specialist schools or settings for some, or all, of a student's education. This is because these settings can provide very specialised support for students with complex needs, and because some students with disability cannot effectively access learning in local schools and settings.

The *General Comment* explains that inclusion involves a process of systematic reform, and that placing students with disability within local schools without accompanying structural changes to, for example, organisation, curriculum and teaching and learning strategies, does not constitute inclusion.

To reflect the timeline of the draft *Inclusive Education Strategy*, and ongoing community conversation about different models of inclusive education, the report does not consider whether *'inclusive'* education for students with disability has been achieved at the time of audit reporting.

The report examines practices that form part of the cultural, workforce, physical and administrative infrastructure required to achieve *effective* education for students with disability, in all possible ACT public school settings, including specialist and local schools.

Audit objective and scope

Audit objective

1.70 The objective of the audit was to assess whether the Education Directorate is effective in providing supports for students with disability in ACT public schools.

Audit scope

- 1.71 The audit considered the Education Directorate's practices to provide reasonable adjustments for students with disability in ACT public schools. This includes policies and procedures for:
 - enrolment of students with disability, including:
 - providing information to students and families about the educational settings and reasonable adjustments available in ACT public schools; and
 - assessing and recording of the needs of individual students and their required reasonable adjustments; and
 - provision of reasonable adjustments to support students with disability in their learning, including:
 - development and implementation of individualised learning programs;
 - provision of specialised supports; and
 - provision of physical accessibility modifications.
- 1.72 The audit also considered the Education Directorate's activities for the provision of professional learning pathways for Learning Support Assistants and the Education Directorate's activities to monitor, review and continuously improve its practices for the provision of reasonable adjustments for students with disability.
- 1.73 Key issues considered in the audit included whether the Education Directorate's:
 - processes and resources for assessing the needs of individual students are effective in supporting shared understanding between schools and families about individual strengths and needs and required reasonable adjustments;
 - processes and resources supporting the development and implementation of individualised student learning plans and programs are effective in supporting learning;
 - processes and resources supporting accessible school infrastructure are effective in supporting modifications to existing infrastructure and planning for new infrastructure; and
 - processes and resources supporting professional learning for Learning Support Assistants are effective in developing the skills and knowledge needed to support students with disability to access education on the same basis as students without disability.

Out of scope

- 1.74 The audit did not consider the Education Directorate's strategies, policies or initiatives that are not specifically targeted to students with disability, including with respect to:
 - early childhood education and care;
 - student behaviour, mental health and wellbeing;
 - consulting with or surveying students;
 - curriculum development and reporting of student educational outcomes;
 - school leadership and governance and teaching quality;
 - school design and infrastructure management; and
 - management of occupational violence in schools.
- 1.75 The audit did not consider initiatives designed specifically for other student populations who have disadvantage or higher risks of educational exclusion, such as students living in out of home care.
- 1.76 The audit did not consider some matters that do relate directly to students with disability, including:
 - planned changes to the Student Resource Allocation financial model;
 - regulation and oversight of restrictive practices;
 - initial teacher education programs provided by universities; and
 - matters related specifically to the Covid-19 pandemic response.

Audit criteria, approach and method

Audit criteria

- 1.77 To form a conclusion against the objective, the following criteria were used:
 - Criterion One Does the Education Directorate provide effective and transparent processes to assess the needs of students with disability?
 - Has the Education Directorate provided clear and accessible information for families about the *Disability Standards for Education 2005* and about the educational settings and adjustments available for students with disability in ACT public schools?
 - Has the Education Directorate provided processes that are effective for assessing and recording the needs of individual students with disability?
 - Do the Education Directorate's assessment processes support effective engagement and a shared understanding with families of student needs and reasonable adjustments?

- Criterion Two Has the Education Directorate implemented effective and equitable processes to enable provision of reasonable adjustments for students with disability?
 - Has the Education Directorate planned for, and provided, processes and resources that effectively support development and implementation of individualised student learning programs and plans for students with disability?
 - Has the Education Directorate planned for, and provided, a transparent and equitable process to prioritise physical accessibility modifications in schools?
 - Has the Education Directorate provided an effective professional learning pathway for Learning Support Assistants?

Audit approach and method

- 1.78 The audit approach and method consisted of:
 - reviewing legislation, reports and information about the legal requirements for provision of reasonable adjustments for students with disability in ACT public schools;
 - reviewing reports arising from recent ACT review, inquiry and consultation processes to identify relevant findings and recommendations;
 - reviewing recent research, review and reform undertaken on this subject in other Australian jurisdictions to identify better practice;
 - reviewing relevant Education Directorate information and documentation associated with enrolment of students with disability and provision of reasonable adjustments;
 - interviews and discussions with staff in the Education Directorate and ACT public schools; and
 - interviews and discussions with representatives of oversight bodies, service providers, advocacy groups and other stakeholders and system users.

ACT public schools

- 1.79 The Audit Office spoke with Principals, Deputy Principals, *Disability Education Coordination Officers*, Classroom Teachers and Learning Support Assistants from eight ACT public schools:
 - Cranleigh School (specialist primary school);
 - The Woden School (specialist secondary school);
 - Evatt Primary School, Lyneham Primary School and Monash Primary School (local primary schools);
 - University of Canberra High School Kaleen, Wanniassa School (local high schools); and
 - Gungahlin College (local college).
- 1.80 School staff were invited to contribute to the audit by providing their insights into the effectiveness of Education Directorate policies and processes for:
 - providing *disability* education programs;

- assessing students' needs and providing reasonable adjustments, including the Disability Education Program Application, Student Centred Appraisal of Need, Individual Learning Plans and applications for physical accessibility modifications; and
- recruiting and training Learning Support Assistants.

Stakeholder consultation

- 1.81 Oversight bodies, service providers, advocacy groups and the families of students with disability were invited to contribute to the audit by providing their insights into the needs and aspirations of students with disability and the effectiveness of Education Directorate practices in meeting these needs.
- 1.82 Representatives from eight organisations met with the Audit Office:
 - ACT Office for Disability;
 - ACT Office of the Senior Practitioner;
 - ACT Human Rights Commission;
 - ACT Australian Education Union;
 - Carers ACT;
 - Imagine More;
 - ACT Downs Syndrome Association; and
 - ACT Council of Parents and Citizens Associations.
- 1.83 In the report representatives from these organisations and other system users (families of students with disability) who contributed to the audit are referred to collectively as 'stakeholders'.

Subject matter expertise

- 1.84 The ACT Audit Office engaged external subject matter experts, Australian Healthcare Associates, to provide advice about performance standards and evidence for better practice and to review findings made by the audit. Australian Healthcare Associates is an Australian consulting firm with expertise in assessment of needs and provision of reasonable adjustments for students with disability in Australian public schools.
- 1.85 The audit was performed in accordance with ASAE 3500 Performance Engagements. The audit adopted the policy and practice statements outlined in the Audit Office's Performance Audit Methods and Practices (PAMPr) which is designed to comply with the requirements of the Auditor-General Act 1996 and ASAE 3500 Performance Engagements
- 1.86 In the conduct of this performance audit the ACT Audit Office complied with the independence and other relevant ethical requirements related to assurance engagements.

2 PROVIDING CLEAR AND ACCESSIBLE INFORMATION

- 2.1 This chapter considers whether the Education Directorate provides clear and accessible information for students with disability and their families about:
 - their rights under the Disability Standards for Education 2005;
 - schools' obligations under the Disability Standards for Education 2005;
 - available schools, educational settings and adjustments; and
 - processes for obtaining adjustments.

Summary

Conclusions

The Education Directorate does not provide sufficiently clear and accessible written information for students and families about the *Disability Standards for Education 2005*, the educational settings and adjustments available for students with disability or processes for obtaining adjustments.

Unclear or inaccessible information makes it harder for students and families to make informed choices and engage collaboratively with schools. It can also delay implementation of adjustments. Lack of clear and accessible information also increases the workload of schools because they need to provide families with explanations and guidance.

When developing written information for students and families, the Education Directorate should consider the diverse communication needs of those receiving the information and ensure these needs are met.

Key findings

Paragraph

Information provided by the Education Directorate

The Education Directorate provides information about students with disability in 2.32 several places on its website. There are shortcomings with the information that is provided, when compared with performance standards established by the *Disability Standards for Education 2005 (Standards),* findings made in recent reviews of the *Standards* and examples of better practice provided by other Australian organisations. Key shortcomings include a lack of explicit explanation of students' rights and schools' obligations under the *Standards* and lack of information relevant to different stages of schooling and different categories of disability. There are also

shortcomings with the presentation and accessibility of the information. The information is not presented in a clear and logical structure, nor is it presented in accessible formats. There is a risk that key information is inaccessible for some students and families, including culturally and linguistically diverse families and those with lower literacy.

Some schools provide information about students with disability on their website. A 2.36 review of 12 school websites showed an inconsistent approach to presenting information about students with disability. Some school websites presented detailed information about specialist programs and supports for students with disability available at the school and links to the Education Directorate's 'Students with Disability' webpages. Other school websites did not provide any information about students with disability or links to relevant Directorate webpages.

Stakeholders consulted as part of the audit advised of three key issues with the 2.46 Education Directorate's information for students and families:

- untimeliness a lack of access to necessary information on the Education Directorate's website is apparent when families are seeking urgent information at the end or beginning of the school year;
- inconsistency stakeholders explained that information provided to families can sometimes be inconsistent between schools and the Education Directorate;
- inaccessibility stakeholders explained that written information provided by the Education Directorate can be difficult for families to understand. Families may not understand terminology or 'jargon' that is not fully explained and there is a risk that lack of Easy Read or translated information could disadvantage culturally and linguistically diverse families or families with lower literacy.

Provision of information

Performance standards and evidence for better practice

- 2.2 Performance standards and evidence for better practice in the provision of clear and accessible information for students with disability and their families is provided by:
 - the *Disability Standards for Education 2005 (Standards*) and the 2015 and 2020 reviews of the *Standards;*
 - the Nationally Consistent Collection of Data on School Students with Disability (NCCD);
 - communication material developed by other Australian departments of education; and
 - communication material developed by Australian education specialists.

Disability Standards for Education 2005

- 2.3 The *Standards* Part 4 (*Standards for Enrolment*) requires schools to take reasonable steps to ensure prospective students are able to seek admission to, or apply for enrolment in, educational institutions on the same basis as prospective students without disability, and without experiencing discrimination.
- 2.4 Section 4.3 *Measures for compliance* describes measures schools may implement to provide information to prospective students. Section 4.3(a) explains that schools should ensure information about enrolment processes is provided that:
 - (i) addresses the needs of students with disability; and
 - (ii) is accessible to the student and his or her associates; and
 - (iii) is made available in a range of formats depending on the resources and purposes of the provider and within a reasonable timeframe.
- 2.5 Section 4.3 also explains that schools should ensure:

(b) enrolment procedures are designed so that the student, or an associate of the student, can complete them without undue difficulty; and

(c) information about entry requirements, the choice of courses or programs, progression through those courses or programs and the educational settings for those courses or programs is accessible to the student and his or her associates in a way that enables the student, or associates, to make informed choices.

2.6 A review of the *Standards*, conducted in 2015 by the Australian Government, made two recommendations about the provision of information to students and families. These were outlined in the Final Report of the *Disability Standards for Education 2005*, 2015 Review:

Recommendation 1: That the Australian Government work with State and Territory governments and relevant peak bodies to produce consistent, accessible summaries of rights, obligations and complaints processes tailored to different education settings, and in a range of accessible formats and languages including, for example, languages other than English (including Indigenous languages), and Easy English. These resources should also:

- affirm the *Standards'* contribution to people with disability achieving their full potential in education contexts,

- affirm the desirability of inclusive education practices and the role of education in fostering social inclusion more generally,

- affirm that the *Standards* apply equally to the delivery of education programs and initiatives targeting socially disadvantaged groups, and

- affirm that the *Standards* apply to transition points into, between and out of education settings.

Recommendation 2: That the Australian Government work with State and Territory governments to ensure that an accessible summaries [sic] of rights, obligations and complaints processes is provided to all prospective students as part of enrolment processes in every education settings; published on every education institution's website; and is prominently displayed in education facilities.

2.7 The most recent Australian Government review of the *Standards* was conducted in 2020. The Final Report of the *Disability Standards for Education 2005*, 2020 Review, noted: ... as students with disability and [their families] seek to find their way through the education system, the onus rests on them to understand the system and advocate for reasonable adjustments rather than this being proactively offered by education providers ... the Review aims to drive improved navigation of the education system for students with disability and their families by proposing accessible information products on the *Standards*, co-designed by people with disability.

2.8 The 2020 Review recommended:

The Australian Government Minister for Education require all education authorities to make information publicly available on their website about the services and supports their schools provide for students with disability as a condition of Commonwealth school funding from 2022. The information should be easily accessible and understood by parents and carers.

- 2.9 The 2020 Review identified some better practice accessibility features of communications material for students and families, including:
 - Easy Read¹, digital formats, large print and braille;
 - translations into community languages, including Aboriginal and Torres Strait Islander languages; and
 - culturally appropriate content for Aboriginal and Torres Strait Islander students and families.

Evidence for better practice

- 2.10 Australian examples of better practice in the provision of clear and accessible information to students with disability and their families include:
 - the Australian Government Department of Education website (education.gov.au);
 - the Nationally Consistent Collection of Data on Schools Students with Disability website (nccd.edu.au);
 - the Victorian Department of Education and Training website (education.vic.gov.au);
 - the Queensland Department of Education website (education.qld.gov.au);
 - the website reasonableadjustmentsinschools.org.au; and
 - the website raisingchildren.net.au.
- 2.11 Features of the websites that make information clear and accessible include:
 - explicit, high-level links to information about the *Disability Discrimination Act 1992*, the *Standards* and the NCCD;
 - provision of key information in a range of formats, such as text, video, Easy Read, Auslan and translations into community languages;

¹ Easy Read (or Easy English) is a writing style that helps people who find it hard to read and understand English. It uses accessibility features such as short sentences with an image.

- provision of key information in formats that have been co-designed with students with disability and their families;
- provision of a clear, logical structure of information (for example, organised by different stages of schooling or different categories of disability);
- provision of examples, case studies or stories illustrating in a concrete way available educational settings and adjustments; and
- provision of links to organisations that can support students and families to navigate education systems.
- 2.12 Appendix A provides detailed descriptions and examples of better practice demonstrated by Australian Government websites, Australian departments of education websites, and other information products designed by education specialists for Australian families.

Information provided by the Education Directorate

- 2.13 The Education Directorate's mechanisms for providing information to students with disability and their families include:
 - the Directorate website and school websites;
 - information sessions; and
 - contact between families and school staff.

Education Directorate and school websites

- 2.14 The Education Directorate's website provides information about students with disability primarily in three places:
 - an 'Enrolling in a Public School' webpage;
 - 'Students with Disability' webpages; and
 - a 'Students with Learning Difficulties' webpage.
- 2.15 Each ACT public school has its own website. Some school websites provide information about students with disability.

'Enrolling in a Public School' webpage

2.16 The Education Directorate's 'Enrolling in a Public School' webpage (education.act.gov.au/public-school-life/enrolling-in-a-public-school) tells families:

Your local public school has a place for your child to learn, develop and reach their potential. Every ACT child from Kindergarten to Year 12 is guaranteed a place at their local school, which is determined by a Priority Enrolment Area for their residential address.

...

If you have any questions about enrolment or schooling, such as setting up healthcare supports or inclusion and access adjustments for your child, please contact your local school as soon as possible to discuss how we can best welcome, support and include your child.

- 2.17 The webpage also provides links to other webpages with information about:
 - specialist schools; and
 - specialist preschools (via the 'Preschool' link).
- 2.18 The 'Enrolling in a Public School' webpage does not contain any high-level links or clearly titled tabs that would direct users to the 'Students with Disability' webpages.
- 2.19 The 'Enrolling in Specialist Schools' webpage provides links to each of the four specialist schools. It states:

Some families may wish to choose a specialist school environment for their child. Our specialist schools educate student with high and complex needs who have a moderate to profound intellectual disability or moderate to profound intellectual disability with a comorbid diagnosis of autism spectrum disorder. All students eligible for specialist schools are also eligible for the inclusion support program and disability education programs at their local school.

When a student's eligibility for specialist school has been confirmed by an Education Directorate school psychologist, families are invited to submit an online enrolment application to a specialist school.

2.20 Information about enrolling in a specialist preschool is provided on the 'Enrolling in a Preschool' webpage. The webpage also provides a downloadable template for an *Expression* of Interest for a Specialist Preschool form.

'Students with Disability' webpages

2.21 The 'Students with Disability' webpages provide the following statement about enrolling students with disability in ACT public schools:

ACT public schools are committed to meeting the needs of students with disability. In partnership with the student, parents, carers and other professionals, we make reasonable adjustments for students with disability at the time of their enrolment and during the course of their education, supporting them to access and participate in the school curriculum, programs and activities on the same basis as their peers.

All students in the ACT are guaranteed a place in their local public school from Kindergarten to Year 12 and schools are resourced to meet the needs of all enrolled children. Schools receive resources and supports including school psychologists, occupational therapists, speech therapists, professional learning, and additional staffing.

If you need support with enrolment, please contact your local school for assistance.

The Education Directorate works closely with schools to provide appropriate supports and adjustments.

ACT public schools will:

 consult with parents and carers to understand their child's education needs and the adjustments required to support the student;

- make the reasonable adjustments necessary to enable a student with disability to take part in education on the same basis as other students; and
- assist students and families to feel safe and supported in the education environment.

Adjustments may be made in the areas of curriculum, environment and/or teaching methods, and will vary according to the needs of individual students.

Families who wish to apply for a school outside their local area are able to do so, with these applications assessed against specific criteria.

- 2.22 The 'Students with Disability' webpages provide high-level information about programs and supports available in ACT public schools, under the subheadings:
 - Preschools
 - Hearing and Vision
 - Transitions
 - Kindergarten to Year 12
 - Eligibility for Disability Programs
 - Enrolling in a Public School
 - Inclusion Support Program and disability education programs
 - Specialist Schools
 - Transfers from Independent, Catholic, Interstate and Overseas schools
 - Enrolment Reviews and Appeals
 - Student Centred Appraisal of Need
 - Individual Learning Plans
 - Concerns
 - The National Disability Insurance Scheme (NDIS) and School Education
- 2.23 The bottom of the main webpage provides:
 - a link to the Education Directorate's 'NDIS' webpage;
 - contact details for the Directorate's Inclusive Education section;
 - contact details for making enquiries and complaints to the Directorate;
 - links to Australian Government websites with information about the *Standards*, *Disability Discrimination Act 1992* and NCCD; and
 - a link to the Directorate's *Students with Disability Meeting Their Educational Needs Policy*.
- 2.24 The links to other websites are not accompanied by adjacent explanatory text that explains the content and benefit of these resources.
- 2.25 The 'Students with Disability' webpages provide two downloadable documents:
 - ACT Student Disability Criteria; and
 - Student Centred Appraisal of Need: Booklet for Parents, Carers and Staff.

- 2.26 The main 'Students with Disability' webpage also has seven sub-pages:
 - Disability Education Reference Group;
 - Specialist Schools;
 - Transport for Students with Disabilities;
 - The National Disability Insurance Scheme (NDIS);
 - Transition Toolkit;
 - Strengthening inclusive education; and
 - Adjustments.

'Students with Learning Difficulties' webpage

- 2.27 The 'Students with Learning Difficulties' webpage provides brief information about:
 - learning difficulties;
 - supports available in ACT public schools;
 - how to discuss a student's learning difficulties with their school; and
 - links to the websites of other organisations.

Comparison of the 'Students with Disability' webpages to examples of better practice

- 2.28 The 'Students with Disability' webpages are the parts of the Education Directorate website that provide most of the information relevant to students with disability and their families.
- 2.29 Accordingly, the audit reviewed the information provided on the 'Students with Disability' webpages to performance standards established by the *Standards*, findings made in recent reviews of the *Standards* and examples of better practice provided by other Australian organisations, as outlined in paragraphs 2.10 to 2.11 and Appendix A.
- 2.30 The review of the 'Students with Disability' webpages showed the following information was missing:
 - explicit explanation of students' rights and schools' obligations under the *Disability* Standards for Education 2005 (for example by providing high-level links to Australian Government websites with adjacent explanatory text to explain the content and benefits of these resources);
 - information relevant to different stages of schooling (for example, preschool, kindergarten, primary school, high school and college);
 - information relevant to different categories of disability; and
 - examples, case studies or stories illustrating in a concrete way educational settings and adjustments available in ACT public schools.

- 2.31 The review of the 'Students with Disability' webpages also showed the following issues with respect to the presentation of information:
 - the information was not presented in a clear and logical structure (for example, following the sequence of steps required to enrol in an ACT public school and obtain adjustments or stages of schooling);
 - information about processes for enrolling and obtaining adjustments was not presented in accessible formats (for example, Easy Read, translated into community languages and video); and
 - links to non-government organisations that can provide support for students and families as they navigate the education system were missing.
- 2.32 The Education Directorate provides information about students with disability in several places on its website. There are shortcomings with the information that is provided, when compared with performance standards established by the *Disability Standards for Education 2005 (Standards)*, findings made in recent reviews of the *Standards* and examples of better practice provided by other Australian organisations. Key shortcomings include a lack of explicit explanation of students' rights and schools' obligations under the *Standards* and lack of information relevant to different stages of schooling and different categories of disability. There are also shortcomings with the presentation and accessibility of the information. The information is not presented in a clear and logical structure, nor is it presented in accessible formats. There is a risk that key information is inaccessible for some students and families, including culturally and linguistically diverse families and those with lower literacy.

School websites

- 2.33 All ACT public schools have individual websites. Twelve websites (five local primary schools, five local high schools and two local colleges) were selected by the Audit Office for review. The websites were reviewed on 23 May 2023. The schools selected were:
 - six local schools identified by the Education Directorate as having experience of providing programs for students with disability; and
 - six local schools selected at random by the Audit Office, to provide even coverage of north Canberra and south Canberra schools.
- 2.34 The 12 websites reviewed all provided general information about the school, including contact details, curriculum, activities and staff.
- 2.35 Two of the 12 school websites reviewed by the Audit Office had a link to the Education Directorate's 'Students with Disability' webpages. Seven of the 12 websites included some information about students with disability:
 - three of the websites provided short statements about the school's intention to provide an inclusive environment for all students but did not describe specific programs or supports for students with disability available at the school; and

- four of the websites provided detailed descriptions of specialist programs and supports for students with disability available at the school.
- 2.36 Some schools provide information about students with disability on their website. A review of 12 school websites showed an inconsistent approach to presenting information about students with disability. Some school websites presented detailed information about specialist programs and supports for students with disability available at the school and links to the Education Directorate's 'Students with Disability' webpages. Other school websites did not provide any information about students with disability or links to relevant Directorate webpages.

Information sessions

2.37 The Education Directorate holds information sessions for families about enrolment options and transitions for students with disability. These sessions include information about *disability education programs*, the *Inclusion Support Program* and the *Vision and Hearing Support Program*. Individual schools may also hold information sessions or school tours for prospective students and families.

School staff

2.38 Students and families communicate directly with school staff to understand the educational settings and adjustments available at individual schools. Families may speak with school principals, *Disability Education Coordination Officers*, other school leaders and classroom teachers. Families may also work with a school psychologist to complete a *Disability Education Program Application*.

School and stakeholder feedback

- 2.39 Stakeholders told the Audit Office about three key issues with the Education Directorate's information for students and families:
 - untimeliness;
 - inconsistency; and
 - inaccessibility.

Untimely information

2.40 Stakeholders advised that families often need urgent information at the end of the school year (when they are making decisions about enrolment for the following year) and at the beginning of the school year (as students commence new schools, settings or year levels). If clear and accessible information is not available on the Education Directorate's website, then families may be unable to access key information at this critical time.

Inconsistent information

2.41 Stakeholders advised information provided to families can sometimes be inconsistent between schools and the Education Directorate. For example, while the Directorate's website provides a message that local public schools are resourced to support students with disability, families sometimes receive conflicting messaging from schools.

Inaccessible information

- 2.42 Stakeholders described the information provided by the Education Directorate as 'hard to understand', 'difficult to navigate', 'hidden', 'not accessible', 'not fit for purpose', 'confusing', 'jargon', 'overwhelming' and 'mixed messages'.
- 2.43 Stakeholders advised that written information provided by the Education Directorate can be difficult for families to understand. For example, families may not understand terminology or 'jargon' that is not fully explained. Stakeholders also noted the lack of Easy Read or translated information, which could risk disadvantaging culturally and linguistically diverse families or families with lower literacy.
- 2.44 Stakeholders advised that, if parents and carers are not themselves educators, it can be difficult for them to understand what settings and adjustments available for their child 'look and feel like'. They explained that families need tangible, concrete, school-specific examples and explanations of what a student's day at school will consist of. Families also need to know the full range of adjustments available, so they can have collaborative conversations with schools about what might work best for a student. Stakeholders explained that when families don't have good information about what is available this can delay implementation of adjustments.
- 2.45 Stakeholders advised the Education Directorate did not typically provide sufficient information to families about the *Standards*, or about students' legal rights. Typically, families obtain this information through informal networks or through contact with a regulatory or oversight body. Stakeholders thought that most families would not be aware of their rights under the *Standards* and noted that understanding rights is foundational for advocacy.
- 2.46 Stakeholders consulted as part of the audit advised of three key issues with the Education Directorate's information for students and families:
 - untimeliness a lack of access to necessary information on the Education
 Directorate's website is apparent when families are seeking urgent information at the end or beginning of the school year;
 - inconsistency stakeholders explained that information provided to families can sometimes be inconsistent between schools and the Education Directorate;
 - inaccessibility stakeholders explained that written information provided by the Education Directorate can be difficult for families to understand. Families may not understand terminology or 'jargon' that is not fully explained and there is a risk that

lack of Easy Read or translated information could disadvantage culturally and linguistically diverse families or families with lower literacy.

Administrative burden

- 2.47 Stakeholders highlighted the critical role of principals and teachers in communicating with families and explained that families will choose to enrol in schools where they experience a welcoming and inclusive culture and approach, where required adjustments are well understood, and they feel confident these will be adopted consistently.
- 2.48 Stakeholders explained that, because of gaps in clear and accessible written information, families may rely on informal networks, advocacy and support organisations and school staff to understand the rights of students with disability and the full range of educational settings and adjustments available in ACT public schools. The eight schools that participated in the audit reported they spend a lot of time explaining what is available and helping families navigate administrative processes, such as enrolment and needs assessment. This information provision by schools often takes place in one-on-one interactions between individual staff and families.

RECOMMENDATION 1 CLEAR AND ACCESSIBLE INFORMATION

The Education Directorate should systematically review and improve communication material for students with disability and their families, including:

- a) the Education Directorate's website;
- b) individual school websites; and
- c) other written communication material provided to students and families.

3 UNDERSTANDING NEEDS AND PLANNING FOR ADJUSTMENTS

- 3.1 This chapter considers the Education Directorate's practices for:
 - understanding and recording the aspirations and needs of students with disability; and
 - planning adjustments for students to allow them to access education on the same basis as their peers.

Summary

Conclusions

The Education Directorate uses the ACT Student Disability Criteria and Disability Education Program Application to assess whether students with disability are eligible for specialist education programs and supports. The process requires formal medical diagnoses, which places an administrative and financial burden on families and schools and risks inequity between more and less socio-economically advantaged students.

For students who meet the ACT Student Disability Criteria, the Education Directorate uses the Student Centred Appraisal of Need to assess students' individual needs in their school context. The appraisal process is deficit-focused and can be distressing for families. It focuses on what students cannot do, rather than on the adjustments that can be provided to allow students to access education on the same basis as their peers. The appraisal process is also duplicative of other planning processes and appraisal outcomes are not transparently linked to school resourcing.

The *Student Centred Appraisal of Need* does not align with the categories of disability and levels of adjustments established by the *Nationally Consistent Collection of Data on School Students with Disability* (NCCD). The Education Directorate is piloting new needs assessment tools that use the definitions and language of the NCCD. This is an opportunity for the Directorate to implement strengths-based processes to assess the functional needs students with disability have in accessing their education, using NCCD-defined levels of adjustments.

The Education Directorate has developed effective processes and resources for developing individualised plans for students with disability. However, there is an opportunity for the Education Directorate to provide more information and tools for students and families to support their engagement in planning and review processes.

Key findings

Education Directorate processes for understanding students' aspirations and needs

The Education Directorate uses the medical diagnosis-based ACT Student Disability3.42Criteria and Disability Education Program Application to assess whether a studenthas a disability and is eligible to access specialist educational settings andadjustments. School psychologists, with family consent, must complete a DisabilityEducation Program Application form and include supporting evidence todemonstrate students' eligibility. The requirement for medical diagnosis places anadministrative and financial burden on families and schools. Schools andstakeholders reported that families may face long wait times, and significantexpense, to access the relevant medical specialists. The requirement for medicaldiagnosis may also risk inequity between more and less socio-economicallyadvantaged students, because more advantaged families may have better access to

The Education Directorate requires a school psychologist, with family consent, to complete the *Disability Education Program Application* to confirm eligibility for access to *disability education programs*. Schools and school psychologists reported that this imposes an administrative workload that diverts the work effort of school psychologists from their specialist expertise and limits their capacity to provide direct psychological and therapeutic services. Some schools have attempted to address problems with the application process by using their existing school budgets to trial new coordination and case management approaches. These approaches have not yet been promulgated across schools or formally evaluated to determine if they support more effective use of resources.

For students who meet the ACT Student Disability Criteria, the Education Directorate
 3.75
 uses the Student Centred Assessment of Need (SCAN) to assess students' individual
 needs and required adjustments in their school context. The process involves a
 facilitated meeting between families, schools and allied health professionals. This
 takes place when students first attend an ACT public school and at set year levels.
 While the SCAN process is structured and documented, information provided by the
 Education Directorate to students and families in preparation for the meeting does
 not reflect better practice. The information that is provided does not include key
 information in accessible formats, specialised planning tools or other resources
 designed to support schools and families to prepare for successful, collaborative

The SCAN appraisal template is used to assess students' level of needs across ten 3.98 domains. Better practice in needs assessment for students with disability is to identify the type and level of functional needs that must be met through adjustments, so that students can learn specific skills and achieve specific goals. The SCAN appraisal template does not focus on the adjustments a student needs to learn specific skills and achieve specific goals. Instead, it focuses on what students cannot

do. The template uses negative, deficit-focused language to describe students' characteristics and behaviours. This deficit-focused approach to the SCAN appraisal meeting can be distressing for families. The SCAN appraisal template also does not include consideration of students' strengths, interests, aspirations or voice.

The result of the SCAN appraisal meeting is a report recording the impact of students' 3.109 disability against a series of groups. A copy of the report is provided to families, but neither the report nor the Education Directorate's website explain the resourcing and adjustments that students with different assessed levels of needs will receive. Schools advised that the purpose and outcome of SCAN appraisal meetings is not clear. Schools are not told how much resourcing they have received because of the appraisal because school budgets provided through the *Student Resource Allocation's* Students with Disability loading are not attached to individual students. They explained this lack of clarity can frustrate decision making about the provision of adjustments for individual students. Schools also advised the appraisal meeting and record often duplicates other processes, meetings and documents, as the content discussed is usually the same as that previously discussed and recorded in meetings to develop or review individualised student plans.

Education Directorate processes for planning adjustments

The Education Directorate provides schools with templates, guidance material, and professional learning, to support educators in developing individualised plans for students with disability. The Directorate's material sets expectations about which students should have plans and how these should be developed. Schools can use and modify the Education Directorate's plan templates as needed, to suit the specific needs of their student cohorts and school practices. While there is information and professional learning available for schools to support development of individualised plans, there are opportunities to improve provision of information to students and families, to support their involvement in collaborative plan development and implementation with their school.

Chapter structure

- 3.2 This chapter considers processes for understanding the aspirations and needs of students with disability and then considers processes for planning to provide adjustments to meet these needs.
- 3.3 Figure 3-1 shows the purpose and sequence of the Education Directorate's processes for understanding students' needs and aspirations and planning for adjustments.

Figure 3-1 Education Directorate processes for understanding students' needs and aspirations and planning for adjustments

1	Assessing students' eligibility for specialist schools, <i>disability education</i> <i>programs</i> , the <i>Inclusion Support Program</i> and/or <i>Hearing and Vision Support</i>	 ACT Student Disability Criteria Disability Education Program Application 		
2	Assessing the needs of individual students in their school context	 Student Centred Appraisal of Need pilot adjustments matrices 		
3	Planning to provide adjustments	 Individual Learning Plans other individualised plans 		

Source: ACT Audit Office, based on Education Directorate information.

Understanding student needs and aspirations

Performance standards and evidence for better practice

- 3.4 Performance standards and evidence for better practice in assessing and recording the aspirations and needs of students with disability are provided by:
 - the Disability Standards for Education 2005 (Standards);
 - the Nationally Consistent Collection of Data on School Students with Disability (NCCD);
 - assessment tools used by other Australian departments of education; and
 - findings from previous ACT reviews and consultations.

Disability Standards for Education 2005

- 3.5 The *Standards* Part 3 (3.5) *Consulting the student* requires schools to consult with students and families before making reasonable adjustments. Consultation should be about:
 - (a) whether the adjustment is reasonable; and
 - (b) the extent to which the adjustment would achieve the requirements set out in the *Standards* Parts 4, 5, 6 and 7; and
 - (c) whether there is any other reasonable adjustment that would be less disruptive and intrusive and no less beneficial for the student.
- 3.6 The *Standards* require schools to consult with students about their needs and reasonable adjustments and to identify changing needs over time. The *Standards* do not specify how such consultation should occur or how often.

The NCCD

- 3.7 The NCCD website provides resources to support better practice assessment and recording of students' aspirations and needs, including:
 - the NCCD Student Summary Sheet a checklist to ensure all aspects of needs assessment and provision of adjustments are adequately considered and recorded; and
 - the *NCCD Evidence Management Template* and *Consultation Template* guides to the quality and quantity of evidence that should be recorded in relation to a student with disability, including consultation with the student and their family.
- 3.8 In these resources, the NCCD recommends schools record and maintain the following types of evidence about students with disability:
 - categories of disability;
 - required levels of adjustment;
 - assessments of the functional impact of students' disability in relation to their education;
 - consultation and collaboration with students and families;
 - adjustments being planned and delivered;
 - adjustments being reviewed and changed; and
 - moderation of NCCD data collection.

Other Australian jurisdictions

3.9 The Victorian, Queensland and Tasmanian departments of education are progressing reforms to achieve a functional needs-based assessment and resourcing model for students with disability.

Victoria

- 3.10 The Victorian Department of Education has commenced a staged roll-out of a new *Disability Inclusion Funding and Support* model for public schools, including:
 - a new school funding model; and
 - a new functional needs assessment process.
- 3.11 The new Victorian *Disability Inclusion Profile* is intended to move the focus of student needs assessment from medical diagnoses to the functional needs of the student in their educational context. The *Profile* describes the intent of the assessment process as:

Focusing on maximising student independence and achievements, rather than focusing on limitations related to their disability. This approach provides a positive way of assessing the adjustments a student requires without solely relying on a formal diagnosis of disability.

- 3.12 The new Victorian funding model introduces two new funding allocations for students with disability:
 - Tier 2 school-level funding; and
 - Tier 3 student-level funding.
- 3.13 Tier 2 funding supports school capacity and capability to support students with disability (e.g. staff time, school resources, staff skills and knowledge). Tier 3 funding supports individualised adjustments for students with high and complex needs. The Victorian Department of Education provides information about the funding rate and annual allocation process on its website.

Queensland

- 3.14 Queensland public schools are transitioning from the *Education Adjustment Program*, which is primarily diagnosis-based, to *Reasonable Adjustments Resourcing*. Under the new model, each public school receives a core funding allocation to support the learning needs of all students as well as additional allocations to support students with disability.
- 3.15 The *Reasonable Adjustments Resourcing* model provides additional resources to schools based on the level of adjustment made, regardless of students' type of disability.

Tasmania

3.16 Tasmanian public schools are resourced using the *Tasmanian Educational Adjustment Disability Funding Model*. The model is based on NCCD-defined levels of adjustment. Students' needs are assessed using the *Educational Adjustment Descriptor Tool*. The purpose of the tool is to guide discussions and decisions in relation to the adjustments provided, direct moderation of NCCD data collection and inform resource allocation. The tool focuses on describing adjustments made, rather than student deficits.

Prior ACT reviews and consultations

- 3.17 In 2015, the *Report of the expert panel on students with complex needs and challenging behaviour (Expert Panel Report)* made recommendations about improving the Education Directorate's processes for assessing the needs of students with disability and allocating resources to schools.
- 3.18 Recommendation 14.1 of the *Expert Panel Report* recommended:

That the Education Directorate:

a) undertake an urgent review of the Student Centred Appraisal of Need (SCAN) model, with particular attention to the appropriateness of the current eligibility criteria for SCAN funding, adequacy of the funding, the effectiveness of the appraisal process, and its impact on parents, carers and students; and

b) in undertaking this review, consult with school leaders, teachers, parents, carers and students, as well as the Disability Education Reference Group, Catholic Education and Association of Independent Schools.

3.19 The ACT Government response to the *Expert Panel Report* stated:

Work has already commenced in relation to future school funding models under the National Education Reform Agreement, to which the ACT is a signatory. This work will continue in 2016, including a review of funding related to disability. The Directorate will continue its work with other jurisdictions on improvement through activity associated with the Nationally Consistent Collect of Data on School Students with Disability and through collaboration on professional learning strategies and tools.

- 3.20 The Education Directorate's 2022 *A Community Conversation: Summary Report* included concerns from some families and educators about the current funding model being based on medical diagnoses:
 - Without a diagnosis, formal options and commitment of resources for assistance is not always available

Certain disabilities are not funded included mild disabilities, learning disabilities, dyspraxia, and mental illness, which can limit support

Funding needs to be based on student's needs rather than their diagnosis

Education Directorate processes for understanding students' aspirations and needs

Strategy

- 3.21 The Education Directorate's 2022 *Strengthening Inclusive Education in ACT Public Schools Discussion Paper* refers to the resourcing model for ACT public schools being currently based on:
 - students meeting certain criteria; and
 - an assessment of their deficits.
- 3.22 The *Discussion Paper* describes potential action areas to improve practices for understanding and meeting the needs of students with disability, including:
 - •••

Moving the resourcing narrative from deficit or problem based to needs and strengths based.

...

Progressively moving towards an adjustment-based resource allocation model.

...

Current practices

- 3.23 This section considers the Education Directorate's processes for understanding the aspirations and needs of students with disability, using the:
 - ACT Student Disability Criteria;
 - Disability Education Program Application;

- Student Centred Appraisal of Need; and
- pilot adjustments matrices.

ACT Student Disability Criteria

- 3.24 Students meeting ACT Student Disability Criteria can make a Disability Education Program Application in order to access:
 - a specialist school;
 - a disability education program;
 - the Inclusion Support Program; or
 - the Hearing and Vision Support Program.
- 3.25 ACT Student Disability Criteria provide eligibility and validation criteria for:
 - intellectual disability;
 - language disorder;
 - physical disability;
 - hearing impairment or deafness;
 - vision impairment or blindness;
 - autism spectrum disorder;
 - mental health disorders; and
 - chronic medical conditions.
- 3.26 The ACT Student Disability Criteria is based on:
 - diagnosis according to the Diagnostic and Statistical Manual of Mental Disorders (DSM-5) or International and Statistical Classification of Diseases and Related Health Problems (ICD-10) (or diagnosis established using previous versions of these documents);
 - evidence of impairment in functioning as a result of the disability that affects school participation; and
 - a need for significant or extensive adjustments to enable a student to access their curriculum in the school setting.
- 3.27 For each type of disability, the *ACT Student Disability Criteria* provides eligibility criteria and lists the assessments and reports required to validate the diagnosis. Assessments must be completed by a recognised medical specialist (e.g. a psychologist, child psychiatrist, paediatrician, ophthalmologist or audiologist) and must use standardised assessment tools.
- 3.28 There is a mandatory review period for some categories of disability. For example, for students with language disorder, a review of the extent of the language disorder and

support needs is required every two years for students in primary settings and on entry to high school.

Disability Education Program Application

3.29 To access appropriate educational settings and receive adjustments, students with disability must demonstrate eligibility through a *Disability Education Program Application*. The application must include reports from recognised medical specialists that confirm the student has a disability under *ACT Student Disability Criteria*. The Education Directorate's approval of the application then releases resources to the school to assist with providing settings and adjustments.

Information provided to families

- 3.30 The Education Directorate's 'Students with Disability' webpage advises that a school psychologist will work with families to complete a *Disability Education Program Application*, based on the criteria set out in the *ACT Student Disability Criteria*. Families are also advised that a *Disability Education Coordination Officer* can help if they have questions about their child's eligibility or the programs offered by schools.
- 3.31 The *Disability Education Program Application* form is not available on the website.

The application form

- 3.32 The *Disability Education Program Application* form, which is completed by the school psychologist, records:
 - student demographic information;
 - the *Disability Categories* from *ACT Student Disability Criteria* for which the student meets eligibility criteria;
 - the education programs for which the student is eligible;
 - program preferences; and
 - supporting evidence (diagnostic reports or assessments).
- 3.33 The Disability Education Program Application form also records:
 - family contact details;
 - family consent for the application to be made; and
 - the endorsement of the principal, allied health professional, school psychologist and senior health practitioner.

Supporting evidence

- 3.34 Supporting evidence must be supplied with the *Disability Education Program Application* form, including:
 - diagnostic reports completed by medical specialists;
 - the Disability Confirmation Sheet, completed by the school psychologist;
 - Student Education and Impact Reports, completed by educators in consultation with the school psychologist, to capture information on the student's needs and the adjustments required to enable the student to access the curriculum; and
 - the *Healthcare Access at School Referral Form*, completed by school principals, for students who need complex medical procedures performed at school.
- 3.35 The Education Directorate's *Enrolment Procedures* allow for a *Disability Education Program Application* to be made at any time during the school year. The *Procedures* require:
 - for students currently enrolled in an ACT public school, the school psychologist should be contacted to commence an assessment; and
 - for students not previously enrolled in an ACT public school, the Directorate's Inclusive Education Team should be contacted.
- 3.36 The application process for students living in New South Wales uses the same criteria and forms but is administered by the Education Directorate's Inclusive Education Team.

School and stakeholder feedback

- 3.37 School and stakeholder feedback was that there were negative impacts associated with using wholly medical diagnosis-based criteria for determining eligibility for educational settings and adjustments.
- 3.38 Schools and stakeholders advised that some students may have immediate support needs that are apparent at school but lack a formal medical diagnosis of disability. Schools advised that, while some schools have capacity to provide adjustments through existing funded programs while formal diagnosis processes are underway, others may be unable to provide the full range of required adjustments with existing resources. There is a risk that this situation can delay implementation of adjustments and risk an unstable, unsupported start to a new school.
- 3.39 Schools advised that some staff are spending significant time supporting families to obtain medical diagnoses so that the school can be allocated resourcing. Schools reported that this includes:
 - identifying available medical specialists;
 - attending medical appointments; and
 - paying for medical appointments using school budgets.

- 3.40 Schools also put significant time into supporting families to access the National Disability Insurance Scheme (NDIS). This is particularly true for socio-economically disadvantaged families, who may require support to obtain NDIS resourcing for the specialist therapy and equipment a student needs to be successful at school.
- 3.41 The requirement for a medical diagnosis risks inequity between more and less socioeconomically advantaged students, because more advantaged families may have better access to timely diagnosis (for example, through access to privately funded healthcare).
- 3.42 The Education Directorate uses the medical diagnosis-based ACT Student Disability Criteria and Disability Education Program Application to assess whether a student has a disability and is eligible to access specialist educational settings and adjustments. School psychologists, with family consent, must complete a Disability Education Program Application form and include supporting evidence to demonstrate students' eligibility. The requirement for medical diagnosis places an administrative and financial burden on families and schools. Schools and stakeholders reported that families may face long wait times, and significant expense, to access the relevant medical specialists. The requirement for medical diagnosis may also risk inequity between more and less socio-economically advantaged students, because more advantaged families may have better access to timely diagnosis.

RECOMMENDATION 2 ACT STUDENT DISABILITY CRITERIA AND DISABILITY EDUCATION PROGRAM APPLICATION

The Education Directorate should amend its processes associated with the application of the *Disability Education Program Application* and *ACT Student Disability Criteria* to ensure alternative criteria can be applied for students who have immediate support needs in their school context but do not have formal medical diagnoses. The amended processes should ensure these students are not disadvantaged in access to resourcing or timely implementation of reasonable adjustments.

The role of school psychologists

- 3.43 The Education Directorate's *Enrolment Procedures* require a school psychologist, with family consent, to complete a *Disability Education Program Application* to confirm eligibility for access to *disability education programs*.
- 3.44 The Audit Office reviewed the operation of this process with schools and psychologists who complete these applications. Completing a *Disability Education Program Application* requires many routine administrative tasks, such as organising meetings, obtaining completed forms from medical specialists and educators and liaising with families for administrative matters, such as signatures.

- 3.45 Schools and psychologists reported that there is an administrative workload required for *Disability Education Program Applications* that:
 - diverts the work effort of school psychologists from their specialist expertise; and
 - limits their capacity to provide direct psychological and therapeutic services, such as short-term counselling, group therapies or psycho-educational assessment to support design and implementation of adjustments.
- 3.46 The eight schools that participated in the audit advised that they did not have enough allocated school psychologist time to meet the needs of students. The psychologists, and schools more broadly, advised that using school psychologists for administration represented a poor use of scarce specialist resources.
- 3.47 Some ACT public schools that participated in the audit advised that they are using their existing school budgets to trial new school-based coordination and social work roles. These are intended to provide a single point of contact within schools and support families to complete Education Directorate administrative processes and access other services, such as medical specialists or the NDIS. One aim of these roles is to reduce administrative workload on school psychologists and other school leaders.
- 3.48 The Education Directorate requires a school psychologist, with family consent, to complete the *Disability Education Program Application* to confirm eligibility for access to *disability education programs*. Schools and school psychologists reported that this imposes an administrative workload that diverts the work effort of school psychologists from their specialist expertise and limits their capacity to provide direct psychological and therapeutic services. Some schools have attempted to address problems with the application process by using their existing school budgets to trial new coordination and case management approaches. These approaches have not yet been promulgated across schools or formally evaluated to determine if they support more effective use of resources.

RECOMMENDATION 3 THE ROLE OF SCHOOL PSYCHOLOGISTS

The Education Directorate should identify and evaluate alternative case coordination and social work models currently being trialled in ACT public schools and determine if they are effective in:

- a) reducing routine, administrative, coordination and liaison work for school psychologists and school leaders;
- b) supporting families to access medical diagnosis and the NDIS; and
- c) supporting implementation of reasonable adjustments for students with disability.

Student Centred Appraisal of Need

- 3.49 The *Student Centred Appraisal of Need* (SCAN) is used to assess and record the individual needs of students who meet *ACT Student Disability Criteria*. SCAN appraisals contribute to a determination of financial resourcing for schools.
- 3.50 A SCAN appraisal meeting is held when a student first enrols in an ACT public school. Up to four re-appraisals can be conducted in Kindergarten, Year 3, Year 7 and Year 11.
- 3.51 SCAN appraisal meetings are conducted in a group setting, with the school principal or their delegate(s), teacher(s) and students' family present. The meeting is also attended by a moderator. The family may also invite an advocate or friend.
- 3.52 The role of the principal is to chair the meeting and bring a whole of school perspective. The teachers' role is to provide evidence about adjustments. The moderator's role is to facilitate the discussion and ensure the process is equitable, consistent and appropriately recorded. Moderators are provided by the Education Directorate.
- 3.53 Students' individualised learning plans and other plans describing adjustments can be considered as part of the SCAN appraisal meeting.
- 3.54 The completed SCAN record is retained by the Education Directorate and the family.

SCAN template

- 3.55 Part A of the SCAN template considers students' needs across five areas:
 - communication;
 - mobility;
 - personal care: health and well-being;
 - personal care: dietary and medical conditions; and
 - safety.
- 3.56 Part B of the SCAN template considers students' educational support needs in the context of their school and individualised learning plans across five areas:
 - social development;
 - curriculum participation;
 - communication;
 - behaviours; and
 - literacy and numeracy.
- 3.57 For each of the ten areas under Parts A and B of the SCAN template, the student is assigned to a 'group', based on the student's difficulties, risks and requirements. Alternatively, the

area may be recorded as being not applicable. The moderator facilitates a collaborative discussion that seeks consensus on groupings and participants sign a report to indicate endorsement of decisions.

3.58 For students in some groups additional individualised plans are required to be sighted by the moderator. These are a *Personal Health Care Plan, Manual Handling Plan, Medical and/or Eating and Drinking Support Plan* and *Behaviour Plan*.

Trial adjustments matrices

- 3.59 The Education Directorate is trialling two new NCCD-aligned adjustments matrices for students with disability:
 - the Preschool Adjustments Matrix; and
 - the Student Adjustment Matrix.

Preschool Adjustments Matrix

- 3.60 The *Preschool Adjustments Matrix* was introduced in 2022 for students with disability attending ACT public preschools. The matrix uses four NCCD-aligned levels of adjustment.
- 3.61 The *Preschool Adjustments Matrix* template prompts the user to describe adjustments for:
 - the *Early Years Learning Framework* (planning, differentiation, routines and transitions, educator interactions);
 - environment (furniture and participation access to environment, modifications to buildings/spaces); and
 - other considerations (independence, communication with child, safety, mobility, personal care, healthcare).
- 3.62 The template records an overall adjustment level, which is decided collaboratively by educators and preschool leaders.
- 3.63 The template prompts the user to record the nature of the evidence for each adjustment recorded. Evidence includes records of meetings with families, case conferences with preschool leadership, observations, student plans, medical and clinical reports, risk assessments, staff timetables and expenditure records.
- 3.64 The completed template is provided to the Education Directorate and the evidence is retained by the preschool.

Student Adjustment Matrix

3.65 In 2023, a *Student Adjustment Matrix* was being trialled in five pilot schools for students from Kindergarten to Year 10 who meet *ACT Student Disability Criteria*.

3.66 The Education Directorate intends to use the trial matrix to understand what improvements would be needed in schools' NCCD data collection to allow this to serve as an equitable and consistent basis for needs assessment.

Comparison of SCAN and Preschool Adjustments Matrix with examples of better practice

- 3.67 The following section of the report (Tables 3-1 to 3-5 and accompanying text) compare the Education Directorate's current and endorsed needs assessment processes (SCAN and the *Preschool Adjustments Matrix*) with examples of better practice, as demonstrated by:
 - the Standards;
 - the NCCD; and
 - the Victorian Department of Education's new Disability Inclusion Profile.
- 3.68 Practices are considered in three stages:
 - *before* the assessment meeting;
 - *during* the assessment meeting; and
 - *after* the assessment meeting.

Before the assessment meeting

3.69 Table 3-1 compares the information provided to students and families before they attend a SCAN appraisal meeting with better practice as demonstrated by the NCCD and Victorian Department of Education.

NCCD (national)	Disability Inclusion Profile (Victoria)	Student Centred Appraisal of Need (SCAN) (ACT)
Material designed for students and families is available on the NCCD website. The Disability Standards for Education: A practical guide for individuals, families and communities webpages cover: Consultation Consultation Collaboration Meetings toolkit Requesting a meeting Managing meetings Being prepared Managing emotions Keeping records Was the meeting successful? 	Information is available for students and families on the Department of Education website, including: <i>Disability Inclusion Profile and</i> <i>Process</i> - guidance material for families, schools and practitioners (including a Profile template) <i>Preparing for and participating in</i> <i>a profile meeting</i> - preparation tools for families and schools, including a parent voice tool, student voice tool, social script and Easy Read guidance material <i>Communication and Engagement</i> <i>tools</i> – tailored resources for primary, secondary, and specialist schools, and Aboriginal and Torres Strait Islander families	The Student Centred Appraisal of Need Booklet for parents, carers, school principals and staff is available on the Education Directorate website and includes sections on: • how to prepare for the meeting • the appraisal meeting • supporting documents

Table 3-1Before the assessment meeting

Source: ACT Audit Office, based on nccd.edu.au, Victorian Department of Education website and Student Centred Appraisal of Need Booklet for parents, carers, school principals and staff.

NCCD

3.70 The NCCD website steps families through the consultation process and provides practical resources, such as example emails for families wanting to communicate with schools and recording and reflection tools to support collaborative meetings.

Victoria

- 3.71 The Victorian Department of Education's website provides guidance material and accessible materials to help families and schools prepare for *Disability Inclusion Profile* meetings, including:
 - an Easy Read guide;
 - a social script;
 - a parent voice tool;
 - a student voice tool; and
 - a preparation tool for schools.

Student Centred Appraisal of Need

3.72 Information about SCAN is provided in the *Student Centred Appraisal of Need Booklet for parents, carers, school principals and staff,* which is available on the Education Directorate website. The booklet contains brief advice about preparing for the appraisal meeting but does not include specialised planning tools or other resources designed to support schools and families to prepare for collaborative meetings.

School and stakeholder feedback

- 3.73 Schools and stakeholders advised that some families feel under-prepared to attend SCAN appraisal meetings. In recognition of this, schools and non-government support services help families prepare for the meeting.
- 3.74 Stakeholders explained some families find it difficult to be alone in a meeting consisting mostly of educators and allied health professionals. Some stakeholders thought that students received more appropriate adjustments when the family was accompanied by a support person or advocate who understood what was available.
- 3.75 For students who meet the ACT Student Disability Criteria, the Education Directorate uses the Student Centred Assessment of Need (SCAN) to assess students' individual needs and required adjustments in their school context. The process involves a facilitated meeting between families, schools and allied health professionals. This takes place when students first attend an ACT public school and at set year levels. While the SCAN process is structured and documented, information provided by the Education Directorate to students and families in preparation for the meeting does not reflect better practice. The information that is provided does not include key information in accessible formats, specialised planning tools or other resources designed to support schools and families to prepare for successful, collaborative meetings.

During the assessment meeting - attendees, student strengths, interests, aspirations and voice and other factors

- 3.76 Tables 3-2 and 3-4 compare elements of the process and template for the SCAN appraisal meeting with better practice as demonstrated by the Victorian Department of Education's *Disability Inclusion Profile*. Table 3-3 compares elements of the process and template for the SCAN appraisal meeting and trial *Preschool Adjustments Matrix* with better practice as demonstrated by the Victorian Department of Education's *Disability Inclusion Profile*.
- 3.77 Table 3-2 considers who attends the assessment meeting, the way students' strengths, interests, aspirations and voice are included and recorded and the way other factors impacting students' engagement with education are considered.

Table 3-2During the assessment meeting – attendees, student strengths, interests,
aspirations and voice and other factors

Disability Inclusion Profile (Victoria)	Student Centred Appraisal of Need (SCAN) (ACT)		
Meeting attendees			
Student Support Group meeting comprises student, family, teacher(s), school leader or representative, education support staff and other relevant professionals Meeting is chaired by an external facilitator	SCAN meeting comprises student, family, advocates or friends, teacher(s) and a moderator Discussion is facilitated by the moderator		
Student strengths, interests, aspirations and voice			
Template includes a section for recording 'Strengths, Interests and Motivations, Aspirations and Student Voice' Student participation in the meeting and/or student input prior to the meeting is recorded (for example, photos, writing, sound recording)	Not included in the template (may be discussed in the meeting) Information about student interests and goals can be recorded in an <i>Individual Learning Plan</i>		
Other factors considered			
Factors that may impact on students' achievement, engagement and/or wellbeing, such as, child protection/out of home care involvement, a youth justice history or being a young carer	Not included in the template (may be discussed in the meeting) Information about other factors can be recorded in an Individual Learning Plan		

Source: ACT Audit Office, based Victorian Department of Education *Disability Inclusion Profile* and ACT Education Directorate *Student Centred Appraisal of Need Booklet for parents, carers, school principals and staff.*

Meeting attendees

3.78 Guidance documentation for the Victorian *Disability Inclusion Profile* and SCAN appraisal meetings both state the meeting may include the professionals and educators working with a student, the student's family, the student themselves, friends or advocates and an external moderator.

Student strengths, interests, aspirations and voice

- 3.79 The Victorian *Disability Inclusion Profile* template includes a section for recording 'Strengths, Interests and Motivations, Aspirations and Student Voice'.
- 3.80 The Victorian *Disability Inclusion Profile* template explains that:

Decisions on how to include student voice should be made on a case-by-case basis, based on the student's age, preferences, and their speech, language and communication needs. This includes use of diverse mediums (e.g. photos, writing, sound recording), assistive devices or communication partners.

Student participation in the Disability Inclusion process is voluntary, however, where students do not participate in the meeting, or provide input in any form, this may indicate that the student has unmet communication needs.

3.81 While students' strengths, interests, motivations, aspirations and voice can be recorded in *Individual Learning Plans*, the SCAN template itself does not include a section for recording this content.

Other factors considered

3.82 The Victorian *Disability Inclusion Profile* includes a section for recording other factors that may impact a student's achievement, engagement or wellbeing. The SCAN template does not include a similar section, but these factors can be recorded in an *Individual Learning Plan*.

During the assessment meeting - types and levels of adjustments

3.83 Table 3-3 considers how required types and levels of adjustments are assessed and recorded in the Victorian *Disability Inclusion Profile, Preschool Adjustments Matrix* and SCAN templates.

Disability Inclusion Profile (Victoria)	Preschool Adjustments Matrix (ACT)	Student Centred Appraisal of Need (SCAN) (ACT)
Assessment domains		
 <u>Six domains</u>: Learning and applying knowledge General tasks and demands Communication Self-care Interpersonal interactions Mobility 	Twelve types of adjustments:PlanningDifferentiationRoutines and transitionsEducator interactionsFurniture and participation access to environmentModifications to buildings/spacesIndependenceCommunication with childSafetyMobilityPersonal care Healthcare	Ten domains: Access • Communication • Mobility • Personal Care: health and wellbeing • Personal Care: dietary and medical conditions • Safety Participation • Curriculum participation • Communication • Behaviours • Literacy and numeracy
 Five NCCD-aligned levels, across 31 educational activities: Present environment of supports Differentiated teaching Supplementary adjustments 	 Four NCCD-aligned levels, across 12 domains: Quality Differentiated Teaching Practice Supplementary adjustments Substantial adjustments 	Groups 1 to 4 (using specific descriptors for each of 10 assessment domains) – not aligned to NCCD levels of adjustment

Table 3-3 During the assessment meeting – types and levels of adjustments

Disability Inclusion Profile (Victoria)	Preschool Adjustments Matrix (ACT)	Student Centred Appraisal of Need (SCAN) (ACT)
 Substantial adjustments 	 Extensive adjustments 	
Extensive adjustments		
Types of adjustments		
School-wide and student-specific adjustments for:	Recorded in Individual Learning Plan for:	Recorded in Individual Learning Plan for:
Planning	Environmental	Environmental
Teaching	Curriculum	Curriculum
 Assessment and Reporting 	 Teaching, learning, assessment 	 Teaching, learning, assessment
Environment	 Other considerations 	 Other considerations
 Equipment and resources 		
Other		

Source: ACT Audit Office, based Victorian Department of Education *Disability Inclusion Profile* and ACT Education Directorate *Student Centred Appraisal of Need Booklet for parents, carers, school principals and staff.*

- 3.84 To identify the types and levels of adjustments students need, the Victorian *Disability Inclusion Profile* describes 31 activities that students may be able to do, or may aspire to do, and prompts the user to consider what level of adjustment students will need to be successful in the activity.
- 3.85 For each of the 31 activities in the Victorian *Disability Inclusion Profile*, students are assigned to one of five levels of adjustment. These are aligned to NCCD-defined levels of adjustment, with 'Quality Differentiated Teaching Practice' spilt into two levels: 'Present Environment of Supports' and 'Differentiated Teaching'. The template describes the five levels and provides a link to the NCCD website for examples of adjustments that may be included at each level.
- 3.86 The *Preschool Adjustments Matrix* describes 12 types of adjustments and provides descriptors aligned to the four NCCD-defined levels of adjustment. The descriptors provided include examples of types and levels of adjustments and student skills and behaviours.
- 3.87 The SCAN template describes 10 domains or areas of activity. For each area of activity, three or four 'groups' of behaviours, needs and adjustments are described. These are not aligned to the NCCD-defined levels of adjustment. The descriptors include the types of adjustments the student may need but do not describe activities or skills a student may be able to do or may aspire to do.

During the assessment meeting - language

3.88 Table 3-4 compares language used for the 'Social development and participation' and 'Behaviours' domains in the SCAN template with better practice as demonstrated by language used for the domain 'Interpersonal Interactions' in the Victorian *Disability Inclusion Profile*.

Disability Inclusion Profile (Victoria) Domain: 'Interpersonal Interactions'	Student Centred Appraisal of Need (SCAN) (ACT) Domains: 'Social development and participation' and 'Behaviours'
Showing and responding to the feelings of others in a socially and age-appropriate manner, with consideration of their school's expectations.	Has difficulty in forming and maintaining relationships, developing friendships and/or being included in playground activities.
Beginning and maintaining relationships with others for a period of time, in a contextually, socially and age-appropriate manner.	Specific correction is required because the student sometimes displays inappropriate or immature social behaviours.
Regulating emotions and impulses in interactions with others, in a contextually, socially and age- appropriate manner.	Is withdrawn and requires ongoing intervention to participate effectively.
Interacting age appropriately and respectfully according to culturally acceptable social rules and conventions that govern, for example, social roles,	Significant support is required to limit behaviours that are extremely disruptive to their own learning environment, and that of others.
ocial status and social responsibilities.	Frequently engages in anti-social behaviour e.g. self-stimulation, non-compliance, aggression.
	Frequently displays behaviours that are both socially unacceptable and distressing to others , requiring significant support and modifications to class routines.
	Additional and intensive supervision is required at all times of the day due to unpredictable or socially provocative tendencies .

Table 3-4 During the assessment meeting - language

Source: ACT Audit Office, based Victorian Department of Education *Disability Inclusion Profile* and ACT Education Directorate *Student Centred Appraisal of Need* Booklet for parents, carers, school principals and staff.

Descriptors for levels of adjustment

- 3.89 Although the SCAN template uses some positive language, such as 'can' and 'independent', it frequently uses negative, deficit-focused language to describe students and their behaviours, including: 'limited understanding', 'inappropriate', 'immature', 'withdrawn', 'extremely disruptive', 'anti-social', 'socially unacceptable', 'distressing to others', 'unpredictable', 'socially provocative', 'repetitive', 'atypical' and 'aggressive'.
- 3.90 The Victorian *Disability Inclusion Profile* describes skills a student may already have or may aim to learn. For example, the 'Interpersonal Interactions' domain includes the skills:
 - showing and responding to the feelings of others;
 - beginning and maintaining relationships;
 - regulating emotions and impulses in interactions with others; and
 - interacting according to culturally acceptable social rules and conventions.

- 3.91 The Victorian *Disability Inclusion Profile* describes the way a student successfully uses these skills as 'contextually appropriate', 'socially appropriate', 'age appropriate' and 'respectful'.
- 3.92 The SCAN template describes student characteristics and behaviours and required supports. For example, the 'Social development and participation' and 'Behaviours' domains provide descriptions of student characteristics and behaviours, including:
 - difficulty in forming and maintaining relationships;
 - engages in anti-social behaviour; and
 - displays behaviours that are both socially unacceptable and distressing to others.
- 3.93 The SCAN template describes the way a student may engage in these behaviours as *'inappropriate', 'immature', 'withdrawn', 'extremely disruptive', 'unpredictable'* and *'socially provocative'.*

School and stakeholder feedback

- 3.94 Schools and stakeholders advised that the most difficult part of the SCAN appraisal meeting for families is having to discuss students' deficits and needs without consideration of their strengths and aspirations. Words used to describe how some families experience the meeting included 'battle', 'difficult', 'traumatic', 'stressful', 'awful', 'challenging', 'distressing' and 'confronting'.
- 3.95 Schools explained they prepare families for the deficit-focus of SCAN appraisals, noting that *'this will not be nice'* and *'it's hard going'*. Stakeholders explained families may need counselling or support to help them navigate the emotional impact of the process.
- 3.96 Schools and stakeholders said that, because the SCAN appraisal template is deficit-focused, the success of the meeting relies on the work schools do in building supportive relationships with families and on the skills and experience of moderators.
- 3.97 The ACT Government's *Towards a 10-year ACT Disability Strategy Listening Report 2022* included similar commentary about SCAN appraisals:

They told us the current Student-Centred Appraisal of Need (SCAN) process to gain support within a school is a deficit-based approach which is demoralising for the family. Some parents told us their child's disability did not tick enough boxes to make them eligible for support and they felt their child's needs were not catered for.

They would like to see changes to the SCAN school-based assessment process to be more about strengths than deficits.

3.98 The SCAN appraisal template is used to assess students' level of needs across ten domains. Better practice in needs assessment for students with disability is to identify the type and level of functional needs that must be met through adjustments, so that students can learn specific skills and achieve specific goals. The SCAN appraisal template does not focus on the adjustments a student needs to learn specific skills and achieve specific goals. Instead, it focuses on what students cannot do. The template uses negative, deficit-focused language to describe students' characteristics and behaviours. This deficit-focused approach to the SCAN appraisal meeting can be distressing for families. The SCAN appraisal template also does not include consideration of students' strengths, interests, aspirations or voice.

After the assessment meeting

3.99 Table 3-5 compares processes occurring after SCAN appraisal meetings with better practice as described by the NCCD and demonstrated by the Victorian *Disability Inclusion Profile*.

The Standards and NCCD	Disability Inclusion Profile (Victoria)	Student Centred Appraisal of Need (SCAN) (ACT)	
Shared documentation to support shared understanding			
 The NCCD Consultation Template includes: description of the students' assessed individual needs; description of adjustments to be provided; and evidence of consultation and collaboration with the student and family. 	Families receive a copy of the completed <i>Disability Inclusion</i> <i>Profile</i> , which records assessed levels of need and required adjustments. Adjustments to be provided are also recorded in an <i>Individual</i> <i>Education Plan</i> .	Families receive a copy of the completed SCAN report, which records the assessed levels of need. Adjustments to be provided are recorded in an <i>Individual</i> <i>Learning Plan</i> .	
Regular, consultative review and r	e-planning		
 The Standards require consultation to occur whenever a student's needs change. Example of key change points include: before the student enrols; at the start of every school year; when the student transitions to a new school or educational setting; and when the student, family or school identify significant issues or barriers that need to be solved. 	Student Support Group meetings are required to be held at least once per term. The <i>Disability Inclusion Profile</i> is fully reviewed based on timing agreed by the family and Student Support Group. For students receiving substantial or extensive adjustments (Tier 3 funding), full review of the <i>Disability Inclusion</i> <i>Profile</i> aligns to their period of funding.	Four re-appraisals can be conducted during the student's schooling, in the years of kindergarten, year 3, year 7 and year 11.	

Table 3-5 After the assessment meeting

Source: ACT Audit Office, based the *Disability Standards for Education 2005*, Victorian Department of Education *Disability Inclusion Profile* and ACT Education Directorate *Student Centred Appraisal of Need Booklet for parents, carers, school principals and staff.*

Information linking the outcomes of needs assessment to resourcing and adjustments

- 3.100 After a SCAN appraisal meeting, families receive a copy of the SCAN report. The report shows the 'groups' to which a student has been assigned and focus areas for provision of adjustments. *Individual Learning Plans* and other individualised plans describe adjustments to be provided.
- 3.101 The Education Directorate does not make public the methodology linking SCAN appraisals to resourcing and families do not receive information about the level of resourcing provided to a school because of the appraisal.
- 3.102 Schools also do not have visibility of funding allocations for students with disability at an individual student level. The Education Directorate advised that budgets allowing schools to meet the needs of students with disability are provided as:
 - a base funding amount to all schools within a school's core allocation;
 - a population-based loading to all schools to make reasonable adjustments and create an inclusive school environment within a school's core allocation; and
 - an amount based on students who have been assessed through the SCAN appraisal, which is provided within the *Student Resource Allocation*'s Students with Disability loading allocation.
- 3.103 The Education Directorate publishes limited information about its Student Resource Allocation model. The Education Directorate's *Student Resource Allocation in Public Schools* states:

The policy framework and funding allocation for Students with Disability Support is currently under review. Resources allocated to schools will continue under the current process and methodology:

Disability Education Programs.

Schools resourcing based on settings and individual student need as identified by the Student Centred Appraisal of Need (the Appraisal or SCAN).

- 3.104 The Victorian Department of Education publishes comparatively more information about its school resource allocation model. The Department provides an annual explanation of its tiered funding model for students with disability (*Disability Inclusion* funding). In this model, students with disability receive funding in three tiers:
 - **Tier 1 Core student learning funding**: funding for all students' core learning needs through the *Student Resource Package*.
 - **Tier 2 School-level funding**: additional funding to strengthen capacity and capability to deliver adjustments and inclusive practice for students with disability.
 - **Tier 3 Student-level funding**: additional funding to Tier 1 and 2, to support schools to deliver adjustments for individual students with high and complex needs.

- 3.105 Students with disability are eligible for Tier 3 funding if they are receiving substantial or extensive adjustments and have evidence of severe functional capacity limitation or a diagnosed condition that is known to cause a substantial increase in functional needs.
- 3.106 Public information about the Victorian funding model includes:
 - eligibility for each funding tier (based on NCCD-defined levels of adjustment);
 - allowable uses of each funding tier;
 - case studies illustrating how each funding tier may be effectively used in different types of schools and for different student cohorts; and
 - funding rates and funding calculation methods.

School and stakeholder feedback

- 3.107 Schools that participated in the audit advised the purpose and outcome of SCAN appraisal meetings is not clear. Schools are not told how much resourcing they have received for individual students because of the appraisal. They explained this lack of clarity can frustrate decision making about the provision of adjustments for individual students.
- 3.108 Schools advised the appraisal meeting and record often duplicates other processes, meetings and documents, as the content discussed is usually the same as that previously discussed and recorded in meetings to develop or review individualised student plans.
- 3.109 The result of the SCAN appraisal meeting is a report recording the impact of students' disability against a series of groups. A copy of the report is provided to families, but neither the report nor the Education Directorate's website explain the resourcing and adjustments that students with different assessed levels of needs will receive. Schools advised that the purpose and outcome of SCAN appraisal meetings is not clear. Schools are not told how much resourcing they have received because of the appraisal because school budgets provided through the *Student Resource Allocation's* Students with Disability loading are not attached to individual students. They explained this lack of clarity can frustrate decision making about the provision of adjustments for individual students. Schools also advised the appraisal meeting and record often duplicates other processes, meetings and documents, as the content discussed is usually the same as that previously discussed and recorded in meetings to develop or review individualised student plans.

RECOMMENDATION 4 STUDENT CENTRED APPRAISAL OF NEED

The Education Directorate should prioritise work to transition from the *Student Centred Appraisal of Need* (SCAN) to a functional needs-based assessment model that:

- a) considers students' voice, aspirations, goals and strengths;
- b) considers students' functional needs in their school context;
- c) is aligned to NCCD levels of adjustment; and
- d) is clearly linked to provision of reasonable adjustments.

RECOMMENDATION 5 SCHOOL RESOURCE ALLOCATION MODEL

The Education Directorate should make information on its school resource allocation model for students with disability publicly available, including:

- a) the eligibility requirements for different levels or types of funding;
- b) allowable uses for different levels or types of funding;
- c) case studies illustrating how funding may be effectively used in different types of schools and for different student cohorts; and
- d) funding rates and calculation methods.

Planning adjustments

Performance standards and evidence for better practice

- 3.110 Performance standards and evidence for better practice in planning adjustments for students with disability are provided by:
 - the Disability Standards for Education 2005 (Standards);
 - the Nationally Consistent Collection of Data on School Students with Disability (NCCD); and
 - planning tools used by other Australian departments of education.

Disability Standards for Education 2005

- 3.111 Sections 5.3 and 6.3 *Measures for compliance* describe measures schools may implement to enable a student with disability to participate in education on the same basis as a student without disability. These measures include ensuring:
 - curriculum, teaching and learning materials, and assessment processes are appropriate to the needs of the student and are accessible to the student;

- teaching and delivery methods and learning activities take account of intended educational outcomes and the learning capacities and needs of the student;
- activities, such as classroom activities and field trips, are designed to include the student; and
- assessment processes are adapted to enable the student to demonstrate their knowledge, skills and competencies.

The NCCD

- 3.112 The NCCD supports better practice in planning adjustments by providing information about better practice development, implementation and review of individualised student plans and information about different types of disability and adjustments. The annual process of collecting NCCD evidence also provides an opportunity for schools to reflect on the adjustments they are providing and the way this is recorded.
- 3.113 The NCCD's *Planning for personalised learning and support: A national resource* describes better practice processes for individualised planning, which consist of:
 - getting to know students' backgrounds, strengths, interests and goals and assessing the adjustments required to support access, participation, learning, behaviour and medical needs;
 - consulting with students and families and seeking specialist advice where necessary;
 - planning and implementing personalised learning and individualised support measures, including age-appropriate learning tasks, resources and learning materials, required equipment, assistive technology or additional resources, required professional learning for educators, monitoring and review processes and timelines; and
 - evaluating the impact of personalised learning and individualised support measures provided and making changes as needed.
- 3.114 NCCD guidance shows that better practice student plans should record details that allow educators and allied health professionals to provide adjustments in a consistent and effective way, including:
 - describing the frequency, intensity and timing of actions or interventions;
 - identifying the professional(s) responsible for designing and implementing adjustments;
 - identifying professional learning or allied health support required to effectively implement specialised adjustments;
 - identifying required resources or assistive technologies;
 - clearly linking adjustments to the student's short and long-term skills development and goals; and

 describing how implementation of adjustments and the student's achievements will be recorded.

Other Australian jurisdictions

- 3.115 All Australian departments of education support individualised planning for students with disability. The resources and information provided to students, families and schools varies.
- 3.116 Victorian public schools use *Individual Education Plans* to record the aspirations and needs of students with disability. The Victorian Department of Education provides resources to support development of *Individual Education Plans*, including:
 - a plan template;
 - a guide and definitions of key terms;
 - a quality checklist rubric; and
 - a webinar about developing, implementing and monitoring plans.

Education Directorate processes for planning adjustments

- 3.117 This section considers the Education Directorate's processes for developing individualised plans for how students will receive adjustments.
- 3.118 The Directorate requires students with disability who are receiving adjustments to have an *Individual Learning Plan*. Students with disability may also have other plans recording their adjustments and supports, including:
 - Positive Behaviour Support Plans;
 - Transition Action Plans;
 - Eating and Drinking Plans;
 - Personal Care Plans;
 - Manual Handling Plans;
 - Known Medical Condition Plans; and
 - Personal Futures Actions Plans.
- 3.119 Table 3-6 shows plans that may be used for students with disability and sources of templates and guidance material supporting plan development and implementation.

Plan	Purpose	Template	Guidance
Individual Learning Plan	Required for all students with disability who are receiving adjustments	Digital template in SAS	Service Portal and SAS
Positive Behaviour Support Plan	Required for students in SCAN Groups 2,3 and 4 for <i>Behaviours</i> and for students who have demonstrated a pattern of behaviour that requires individualised planning and strategies to support their behaviour in the school environment (<i>Safe and Supportive</i> <i>Schools Procedure B</i>)	Off-system template	Service Portal – Student Support Plans or Positive Behaviour Support Plans
Transition Action Plan	Students with disability transitioning between settings	Off-system template	Service Portal – Student Transitions
Eating and Drinking Plan	Required for students in SCAN Groups 1, 2 or 3 for Personal Care: Dietary and Medical Conditions	Off-system template	Service Portal – Policies and procedures
Known Medical Plan	Required for students in SCAN Groups 1, 2 or 3 for Personal Care: Dietary and Medical Conditions	Off-system template	Service Portal – Excursion Templates
Manual Handling Plan	Required for students in Groups 2 or 3 for Personal Care: Health and Wellbeing in SCAN	Off-system template(s)	Allied Health Services
Personal Care Plan	Required for students in SCAN Groups 2 or 3 for Personal Care: Health and Wellbeing	Off-system template(s)	Allied Health Services
Personal Futures Actions Plan	Students attending Black Mountain School. The plan projects forward and maps both school and post-school life for students	School specific process and template	Black Mountain School

 Table 3-6
 Individual student plans used in ACT public schools

Source: ACT Audit Office, based on information provided by the Education Directorate. SAS, Student Administration System; Service Portal, Education Directorate Intranet (SharePoint).

- 3.120 The following section describes the Directorate's processes and resources for:
 - *Individual Learning Plans* the Education Directorate requires these to be developed for all students with disability who are receiving adjustments; and
 - Positive Behaviour Support Plans previous ACT reviews and consultations found that consistent processes for meeting the needs of students with complex or challenging behaviours are very important for students with disability.

Individual Learning Plans

Purpose

3.121 The Education Directorate's *Students with Disability Meeting their Educational Needs Procedure* describes the purpose of an *Individual Learning Plan* as follows:

The Individual Learning Plan identifies the students' individual needs, pathway, goals and priorities for learning. An ILP is designed by teachers in collaboration with parents and carers, relevant professionals and the student where appropriate, to inform the planning, delivery and evaluation of the student's personalised learning program.

3.122 The *Procedure* requires *Individual Learning Plans* be developed for students meeting *ACT Student Disability Criteria* or being supported with additional resources or services.

Process

- 3.123 The Directorate provides a digital template in the Student Administration System (SAS) for recording *Individual Learning Plans*.
- 3.124 Some schools use the digital template while others their own custom, off-system templates. Schools using custom templates upload these to the Student Administration System as an attachment.
- 3.125 The digital template for *Individual Learning Plans* prompts the user to record creation and review dates as well as information on:
 - people consulted in preparing the plan;
 - the student's background and interests;
 - educators and allied health professionals who are working with the student;
 - adjustments that are required;
 - personal care requirements;
 - goals identified in NDIS plans; and
 - short and long-term educational goals.
- 3.126 The template prompts the user to identify required adjustments using the *Adjustment Matrix for Students to Access and Participate in Learning*. The *Adjustment Matrix* provides examples of effective adjustments categorised by:
 - NCCD levels of adjustment; and
 - types of adjustments (environment, curriculum, teaching, learning and assessment, and other considerations).
- 3.127 The guide to the template defines long-term goals as being achievable in one year and as arising from the *Student Centred Appraisal of Need, Adjustment Matrix* and NDIS plan.

Short-term goals are defined as being 'SMART' (Specific, Measurable, Achievable, Relevant and Timebound).

- 3.128 The user is prompted to:
 - identify relevant adjustments and then detail strategies and actions that support implementation; and
 - develop SMART goals for inclusion in the student's *Individual Learning Plan*.
- 3.129 The digital template allows other relevant plans, such as a *Positive Behaviour Support Plan*, to be attached.
- 3.130 The Education Directorate does not provide an example template or guidance material for students and families for developing an *Individual Learning Plan* on its website.

Professional learning for educators

- 3.131 Professional learning is available on the Directorate's intranet ('Service Portal'). The intranet 'Individual Learning Plans' page provides:
 - guidance about which students should have an *Individual Learning Plan* and who should be involved in developing the plan;
 - videos and text about holding meetings to develop Individual Learning Plans;
 - guidance about developing student goals;
 - information about available professional learning; and
 - a downloadable document, the *Individual Learning Plan: A guide to interpreting the SAS ESO ILP template*.

Monitoring and review

- 3.132 The Students with Disability Meeting their Educational Needs Procedure requires an annual Disability Education Program Review meeting to be held for any student meeting ACT Student Disability Criteria or who is otherwise supported with additional resources or services. The purpose of the meeting is to formally review progress against goals and priorities identified in the Individual Learning Plan and the appropriateness of the student's current educational setting.
- 3.133 The Education Directorate monitors the number of active *Individual Learning Plans* for students meeting *ACT Student Disability Criteria*. The Directorate does not collect data on the number of *Disability Education Program Review* meetings conducted.
- 3.134 The Education Directorate reports the percentage of eligible students who have an *Individual Learning Plan* in its Annual Report. In 2021-22, the Directorate reported 97 per cent of eligible students had an *Individual Learning Plan*.

Positive Behaviour Support Plans

3.135 Students with disability who also have challenging behaviours may have a *Positive Behaviour Support Plan*. Only some students with disability will require a *Positive Behaviour Support Plan* and these plans are also developed for students without disability.

Purpose

3.136 The Education Directorate's *Safe and Supportive Schools Policy* defines *Positive Behaviour Support Plans* as:

... evidence-based plans, based on a functional behavioural analysis of the purpose of the behaviour in the context of the student's environment. They outline proactive strategies that build on the person's strengths, and support the learning of positive replacement behaviours and skills. A Positive Behaviour Support Plan is the primary planning tool for bringing about positive behaviour change for a student.

3.137 The Education Directorate's *Safe and Supportive Schools Procedure* states that a *Positive Behaviour Support Plan* should be developed for:

Students who have demonstrated a pattern of behaviour that requires individualised planning and strategies to support their behaviour in the school environment.

Process

- 3.138 The *Safe and Supportive Schools Procedure* describes the requirements for developing a *Positive Behaviour Support Plan*, including:
 - the people who must be involved in preparing the Plan; and
 - the analytic and risk assessment processes that must be undertaken before preparing the Plan.
- 3.139 The Education Directorate provides schools with a template and guidance text for developing *Positive Behaviour Support Plans*. The guidance text provides detailed instructions, examples, tips and prompts for developing an effective plan.
- 3.140 The Education Directorate does not provide an example template or guidance material for students and families for developing *Positive Behaviour Support Plans* on its website.

Restrictive practices

- 3.141 The Senior Practitioner Act 2018 requires a Positive Behaviour Support Plan that includes restrictive practices to be approved by a registered Positive Behaviour Support Panel and registered with the Office of the ACT Senior Practitioner. The ACT Senior Practitioner is a role established by the Senior Practitioner Act 2018, which provides a framework for the reduction and elimination of restrictive practices in the ACT (see insert box).
- 3.142 The *Safe and Supportive Schools Procedure* provides specific guidance for *Positive Behaviour Support Plans* involving protective actions and restrictive practices.

What are restrictive practices?

In the ACT, the *Senior Practitioner Act 2018* defines restrictive practices as practices that are used to restrict the rights or freedom of movement of a person for the primary purpose of protecting the person or others from harm. The six types of restrictive practice regulated under the *Senior Practitioner Act 2018* are:

- seclusion (use of sole confinement);
- physical restraint (use of physical force);
- chemical restraint (use of medication or chemicals);
- environmental restraint (use of actions or systems);
- mechanical restraint (use of restraining devices); and
- verbal directions, or gestural conduct, of a coercive nature (communication that degrades, humiliates or forces a person into a position of powerlessness or threats of the use of restrictive practice to manage the person's behaviour).

Some restrictive practices are permitted in ACT public schools, as part of a planned emergency response as described in an approved and registered *Positive Behaviour Support Plan*, or as part of an unplanned emergency response to a critical safety situation. Other restrictive practices are not permitted within any ACT public schools in any situation.

The Education Directorate provides a range of guidance for staff on the permitted use of restrictive practices, including:

- Safe and Supportive Schools Procedure B; and
- five factsheets for schools that define and describe restrictive practices in the school context, including which practices are and are not permitted in ACT public schools, and which documentation is required for implementation of a restrictive practice.

The Education Directorate does not provide information about restrictive practices in schools for students or families on its website.

Professional learning for educators

3.143 The Education Directorate does not provide formal professional learning about developing and implementing *Positive Behaviour Support Plans*. However, specialist staff in the Directorate are made available, on request, to support schools in developing and implementing *Positive Behaviour Support Plans*.

Monitoring and review

3.144 The Education Directorate does not maintain a central record of *Positive Behaviour Support Plans* or collect data about the number of plans prepared or reviewed.

- 3.145 The *Safe and Supportive Schools Procedure* requires schools to review *Positive Behaviour Support Plans* at least once a term, following the use of a restrictive practice, and when a review is needed to ensure a plan remains appropriate.
- 3.146 Monitoring and review of *Positive Behaviour Support Plans* that include a restrictive practice is provided by the Directorate's Positive Behaviour Support Panel. Plans approved by the panel are registered with the Office of the Senior Practitioner.

School and stakeholder feedback

- 3.147 The eight schools that participated in the audit advised they value individualised plans and aim for them to be:
 - developed as soon as possible, ideally before a student commences a new school, setting or year level;
 - shared with families to support shared aspirations for a student;
 - shared with all school staff to support consistent implementation.
- 3.148 The schools and stakeholders advised the Audit Office about some barriers to the effective development and implementation of plans, including:
 - lack of awareness of plans among casual or relief staff or teachers who do not typically work with a student;
 - lack of expertise in schools to implement aspects of more complex plans; and
 - lack of information and support for families to develop the skills and knowledge to engage collaboratively with schools and ensure consistency in the supports provided for students between home and school.
- 3.149 Stakeholders advised the Audit Office that families want students with disability to achieve the learning outcomes they need to succeed in life.
- 3.150 The Education Directorate provides schools with templates, guidance material, and professional learning, to support educators in developing individualised plans for students with disability. The Directorate's material sets expectations about which students should have plans and how these should be developed. Schools can use and modify the Education Directorate's plan templates as needed, to suit the specific needs of their student cohorts and school practices. While there is information and professional learning available for schools to support development of individualised plans, there are opportunities to improve provision of information to students and families, to support their involvement in collaborative plan development and implementation with their school.

4 **PROVIDING REASONABLE ADJUSTMENTS**

- 4.1 This chapter considers aspects of the Education Directorate's practices for two examples of measures that can be taken to provide reasonable adjustments for students with disability:
 - physical accessibility modifications, including infrastructure modifications and specialised equipment; and
 - appropriately trained Learning Support Assistants.
- 4.2 The chapter considers Education Directorate practices for the funding of physical accessibility modifications and the provision of professional learning pathways for Learning Support Assistants.

Summary

Conclusions

Physical accessibility modifications and suitably trained Learning Support Assistants are two examples of reasonable adjustments that can be provided for students with disability, to ensure they can access education on the same basis as their peers.

The Education Directorate has mature processes for schools to request physical accessibility modifications, including infrastructure modifications and specialised equipment. This is intended to ensure all students with disability can access their local school. However, the Directorate does not provide sufficient, clear and accessible information to schools or the public about:

- the minimum physical accessibility features or upgrades available for ACT public schools; or
- criteria for approval and prioritisation of requested infrastructure modifications.

The Education Directorate provides a range of online and face-to-face professional learning opportunities that are suitable for Learning Support Assistants working in ACT public schools. The Directorate also provides financial support for Learning Support Assistants to complete external qualifications. However, the Directorate does not maintain a central record of the participation of Learning Support Assistants in available professional learning or the qualifications of Learning Support Assistants.

Schools and stakeholders that contributed to the audit explained the most effective professional learning for Learning Support Assistants is practical, 'hands-on' training in the school context. However, current working hours for Learning Support Assistants limit their ability to participate in school-based professional learning and in school-based planning and preparation.

Key findings

Paragraph

Physical accessibility in ACT public schools

The Education Directorate's *Infrastructure Specification* (EDIS) describes the design 4.27 principles to be used for new schools and upgrades to existing schools. The *Infrastructure Specification* includes the principles of responsive (adaptable) design and universal design. This design guidance addresses the recommendation of the 2015 *Report of the expert panel on students with complex needs and challenging behaviour* that design briefs for all new schools follow principles of universal design and include an appropriate range of learning areas and facilities to meet the needs of students.

The Education Directorate provides an annual budget of approximately \$4 million for 4.40 physical accessibility modifications in schools. The Education Directorate has mature processes for the approval and prioritisation of physical accessibility modifications requested by schools. This includes fortnightly meetings between the Infrastructure and Capital Works Branch and Student Engagement Branch as a forum for staff to use their professional judgement to approve, prioritise and plan requested modifications. The meetings are not formally documented and the criteria for approving or prioritising works is not made available to schools and is not published or otherwise shared with stakeholders outside of the Directorate.

The Education Directorate provides specialist furniture and equipment, including 4.50 assistive technology, to meet the needs of students with disability. Furniture or equipment is facilitated by individual school budgets (for equipment less than \$1,000) or by the Student Engagement Branch (for equipment over \$1,000). The Education Directorate has mature processes for schools to access the furniture and equipment, which involves an occupational therapist or other allied health professional making a formal request with the involvement of the school principal.

The Education Directorate does not provide sufficient, clear and accessible 4.53 information to schools and families about:

- the minimum physical accessibility features or upgrades available for ACT public schools; or
- the minimum specialist furniture, equipment and assistive technology available for ACT public schools.

Learning Support Assistants

Learning Support Assistants are recruited directly by ACT public schools. The 4.61 Education Directorate cannot report the exact number of Learning Support Assistants who are supporting students with disability in ACT public schools because of limitations in the Directorate's Human Resources information management system. The Education Directorate asserts that the best estimate of the number of Learning Support Assistants supporting students with disability in ACT public schools is approximately 950 (as at June 2022).

Professional learning for Learning Support Assistants

The Education Directorate provides a range of online and face-to-face professional 4.84 learning opportunities that are relevant to the role of Learning Support Assistants. The Directorate also facilitates professional learning networks and provides financial support for achieving external qualifications. However, the Education Directorate does not maintain a central record of the participation of Learning Support Assistants in available professional learning and cannot confirm whether appropriate opportunities are accessed. Nevertheless, school and stakeholder feedback suggests that the most effective professional learning for Learning Support Assistants is practical, 'hands-on' training in a school context. In schools, Learning Support Assistants learn from observing and working with experienced educators and allied health professionals.

The ACT Public Sector Administrative and Related Classifications Enterprise 4.94 Agreement 2023-2026 requires Learning Support Assistants on contracts longer than 12 weeks to have a Performance and Development Plan and specifies minimum hours of professional learning to be undertaken. Schools advised that, in practice, it can be difficult to provide the required release time for Learning Support Assistants to participate in professional learning and in class and school-based planning and preparation. This is because schools need to maintain sufficient support for students during school hours.

Schools advised of opportunities to improve professional learning pathways for 4.95 Learning Support Assistants, including:

- a paid, centralised induction for new Learning Support Assistants, similar to that provided for new teachers;
- more opportunities to observe better practice in specialised settings and schools; and
- additional paid hours for Learning Support Assistants to participate in school-based professional learning, and in school-based planning and preparation, after school hours or during term breaks.

Physical accessibility

- 4.3 Students with disability may require physical accessibility modifications to access learning on the same basis as their peers. Physical accessibility modifications include infrastructure modifications such as:
 - automatic doors and ramps;
 - systems to amplify or direct sound;
 - withdrawal spaces to reduce sensory inputs;

- accessible toilet facilities; and
- physical spaces for personal and health care.
- 4.4 Physical accessibility modifications can also include specialised equipment such as:
 - play and sports equipment;
 - specialised furniture; and
 - assistive technology.

Disability Standards for Education 2005

- 4.5 The *Standards* include compliance obligations requiring schools to ensure courses or programs, including activities not conducted in classrooms, are designed to include students with disability and are accessible to students with disability.
- 4.6 Part 7 *Standards for student support services,* Section 7.3 *Measures for compliance* sets out compliance obligations for the provision of specialised equipment, including provision of:

(c) any necessary specialised equipment [including adaptive technology and assistive devices] is provided to support the student in participating in the course or program.

Prior ACT reviews and consultations

- 4.7 The physical accessibility of ACT public schools has been considered by:
 - the Report of the expert panel on students with complex needs and challenging behaviour (2015); and
 - the Standing Committee on Education and Community Inclusion's *Inquiry into* management of ACT school infrastructure (2022).

Expert panel on students with complex needs and challenging behaviour (2015)

4.8 In 2015, the *Report of the expert panel on students with complex needs and challenging behaviour (Expert Panel Report)* made the following recommendation with respect to calming/sensory spaces (see insert box):

That ETD, CE and each Independent School, ensure that all existing schools have safe calming/sensory spaces that are appropriate to meet the needs of students with complex needs and challenging behaviours.

4.9 The ACT Government response to the *Expert Panel Report* stated:

Agreed. The ACT Government requires all schools to have infrastructure suitable to the provision of inclusive educational programs. ACT public schools will be provided further guidance to ensure that designated calming/sensory spaces are in line with the Directorate's Safe and Supportive Schools policy.

4.10 The *Expert Panel Report* also made the following recommendation with respect to principles of universal design in schools:

That ETD, CE and each Independent School, ensure that design briefs for all new schools follow principles of universal design and include an appropriate range of learning areas and facilities to meet the needs of students with complex needs and challenging behaviour. These may include flexible classroom areas with adjacent small group learning spaces, and inclusive playgrounds, as well as safe, calming/sensory spaces.

4.11 The ACT Government response to the *Expert Panel Report* stated:

Agreed. ETD [accepts] the recommendation. The ACT Education and Training Directorate Functional Brief for the construction of ACT Public Schools 2015 is based on the principles of universal design. This functional brief will be finalised prior to the release of the tender for the design and construction of the Preschool – Year 6 school in North Gungahlin in early – mid 2016. ETD will share elements of universal design with CE and AIS.

Inquiry into management of ACT school infrastructure (2022)

- 4.12 The 2022 Standing Committee on Education and Community Inclusion inquiry into the management of ACT school infrastructure noted in its report that more needed to be done to make ACT public schools accessible and the process for achieving accessibility modifications more transparent.
- 4.13 The Committee made six recommendations about improving physical accessibility, including:

That the ACT Government articulates a clear and equitable process to prioritise accessibility and maintenance modifications to school infrastructure and facilities, as well as prioritise maintenance of accessibility facilities including ramps, toilets and lifts.

4.14 The ACT Government response to the report stated:

Agreed The Education Directorate will further clarify processes to identify and prioritise accessibility and maintenance works and modification.

What are sensory spaces?

Students with disability may have sensory or socio-emotional needs that result in them feeling overwhelmed by noise, light or other sensory inputs or situations. A sense of being overwhelmed can prevent students from connecting with and accessing learning and trigger challenging behaviours.

In ACT public schools, dedicated spaces, typically known as 'sensory' or 'withdrawal' spaces, are provided for supervised use by students who are feeling overwhelmed by the school environment and/or need a safe place to help them reduce anxiety and regulate their sensory needs. The aim of the spaces is to help students feel able to return to the learning environment.

The Education Directorate's *Safe and Supportive Schools Procedure* describes 'withdrawal' as 'time away from classroom activity in a calming area where doors are not locked and a student is not prevented from leaving'. Withdrawal may be teacher or self-directed.

The Education Directorate provides guidelines for appropriate design and use of sensory or withdrawal spaces in its *Safe and Supportive Schools: Restrictive Practice Factsheet: Use of Withdrawal Spaces in ACT Public Schools.* This aims to ensure spaces are not used inappropriately, including not being used for '*seclusion*', which is a restricted practice under the *Senior Practitioner Act 2018*.

Physical accessibility in ACT public schools

Strategy

- 4.15 The ACT Government's 2019 *Infrastructure Plan* identified improved accessibility for students with disability as an investment priority, as a means to support the implementation of the *Future of Education Strategy*.
- 4.16 The Education Directorate's 2022 Strengthening Inclusive Education in ACT Public Schools Discussion Paper identified the importance of learning environments that are welcoming and accessible to diverse user groups, including students with sensory processing needs and intellectual disability. The Discussion Paper described potential action areas to improve physical accessibility in ACT public schools, including:

•••

Planning for, designing and building new local schools that offer flexible and adjustable educational approaches.

Universal design principles to meet the needs of all learners, including in planning upgrades and maintenance of existing schools.

Integrating relevant expertise in the initial planning phases of building and upgrades (e.g. Allied Health Professionals).

Using student voice in planning new schools and upgrades.

School infrastructure

- 4.17 ACT public schools use infrastructure that has been designed and constructed over a long period. The average age of ACT public school buildings is 43 years.
- 4.18 The eight schools that participated in the audit advised that school infrastructure does not always meet the diverse needs of students with disability. In particular, older schools sometimes lack suitable learning and play spaces because they were not designed to meet a diverse range of student needs.
- 4.19 The Education Directorate does not routinely or systematically assess ACT public schools against minimum standards for school physical accessibility. This is because ACT public schools use many different designs and students with disability have a range of physical accessibility needs, which can change over time.

4.20 To respond to the diversity of infrastructure and student need, the Directorate's Student Engagement and Infrastructure Branch and Capital Works Branch seek to work together to provide individualised solutions to identified physical accessibility barriers. The aim of this work is to provide physical accessibility for all students with disability in their local public school.

New or upgraded schools

Education Directorate's Infrastructure Specification (EDIS)

- 4.21 The Education Directorate's *Infrastructure Specification* (EDIS) describes the design principles to be used for new schools and upgrades to existing schools.
- 4.22 The EDIS describes four principles guiding school design:
 - **Responsive design** design, construction and management that is responsive to the requirements of individual schools and adaptable for changing needs;
 - Universal Design design for use by all people, without the need for adaptation or specialised design;
 - **Cultural integrity** incorporating tangible and intangible aspects of Ngunnawal culture and respecting placement on Country; and
 - **Sustainable design** low carbon, water sensitive and resource efficient construction and operation.
- 4.23 The EDIS provides the overarching principles and strategic vision guiding the design of ACT public schools, which are supported by various technical specifications for different aspects of infrastructure design.
- 4.24 The EDIS is the briefing document used for design consultants and construction contractors during the development of ACT public school infrastructure projects. Request For Tender documents provide the general project information, contractual and tendering requirements for a project, with the EDIS usually provided as appendices during Master Planning and Design and Construction phases.
- 4.25 The complete EDIS is not published on the Education Directorate's website.
- 4.26 The development and implementation of the EDIS represents the Education Directorate's response to the *Report of the expert panel on students with complex needs and challenging behaviour (Expert Panel Report),* which recommended that 'design briefs for all new schools follow principles of universal design and include an appropriate range of learning areas and facilities to meet the needs of students with complex needs and challenging behaviour'.
- 4.27 The Education Directorate's *Infrastructure Specification* (EDIS) describes the design principles to be used for new schools and upgrades to existing schools. The *Infrastructure Specification* includes the principles of responsive (adaptable) design and universal design. This design guidance addresses the recommendation of the 2015 *Report of the expert panel*

on students with complex needs and challenging behaviour that design briefs for all new schools follow principles of universal design and include an appropriate range of learning areas and facilities to meet the needs of students.

Modifications to existing schools

Budget

- 4.28 The Education Directorate's *Public School Infrastructure Renewal Program* (PSIRP) includes a budget for physical accessibility modifications, known informally as the 'Inclusive Works Program'.
- 4.29 The budget for physical accessibility modifications is approximately \$4 million per year (\$4,090,000 in 2022-23, from a total PSIRP budget of \$25,947,000). The funds are quarantined for this specific purpose. The Inclusive Works Program budget allows for annual roll-over of unspent funds, within a four-year funding cycle.
- 4.30 Figure 4-1 shows actual spending on infrastructure modifications for improved physical accessibility from 2018-19 to 2022-23.

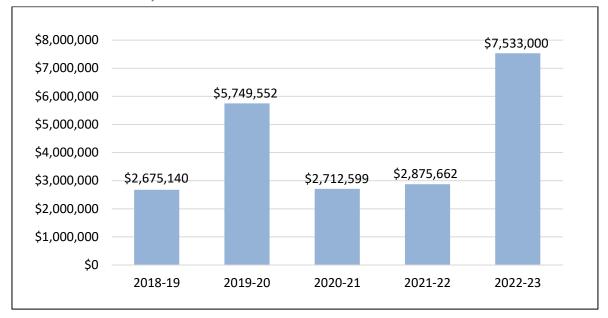


Figure 4-1 Spending on physical accessibility modifications in schools (2018-19 to 2022-23)

Source: ACT Audit Office, based on information provided by the Education Directorate.

- 4.31 Between 2018-19 and 2022-23 annual spending on physical accessibility modifications averaged \$4.3 million.
- 4.32 The Education Directorate committed additional funds to facilitate physical accessibility modifications in response to recommendations made by the *Report of the expert panel on students with complex needs and challenging behaviour*. In Figure 4-1 this additional expenditure can be seen in the 2019-20 financial year.

4.33 Infrastructure modifications being made under the Inclusive Works Program were delayed in the 2020-21 and 2021-22 financial years because of construction industry lockdowns during the Covid-19 pandemic and subsequent shortages of labour and construction materials. Unspent funds were used in the 2022-23 financial year.

Request and approval process

- 4.34 Schools can request infrastructure improvements to improve physical accessibility or provide *disability education programs*, including:
 - flexible spaces adjacent to classrooms for small group learning;
 - quiet rooms and withdrawal spaces;
 - sensory gardens, outdoor courtyards and playgrounds; and
 - accessible doors, ramps and toilets.
- 4.35 The process for requesting infrastructure improvements is as follows:
 - schools submit a request to the Education Directorate's Allied Health Services section for an environmental review to be conducted by an occupational therapist;
 - requested modifications are recorded by the occupational therapist in an *Environmental Review* form;
 - the Infrastructure and Capital Works Branch visits the school to identify the most effective way of providing the requested modifications; and
 - the completed *Environmental Review* form, containing the requested modifications and review and planning notes from the Infrastructure and Capital Works Branch, is provided back to the requesting occupational therapist and Occupational Therapy Clinical Lead for checking.
- 4.36 Infrastructure and Capital Works Branch staff and Student Engagement Branch staff meet fortnightly to review *Environmental Review* requests. The Infrastructure and Capital Works Branch subsequently organises for the delivery of approved modifications and external accessibility consultants are then used to ensure compliance with the *Disability Discrimination Act 1992* and relevant Australian construction codes.
- 4.37 The fortnightly meetings between the Infrastructure and Capital Works Branch and Student Engagement Branch serve as a forum for staff to use their professional judgement to approve, prioritise and plan requested physical accessibility modifications. The meetings are not formally documented and there is no formal framework for assessing and prioritising requested modifications, beyond the use of the professional judgement of education and allied health professionals, construction practitioners and consultants. The criteria for approving or prioritising works is not published and made available to schools and other directorate stakeholders. The criteria is not published or otherwise shared with stakeholders outside of the directorate.

- 4.38 The Infrastructure and Capital Works Branch tracks requests, works in progress and works completed in an Excel spreadsheet. This records aspects of the request and proposed works, including:
 - the staff member providing permission to proceed;
 - a high-level description of the project;
 - dates of site visits and meetings;
 - dates of completed and filed *Environmental Review* reports;
 - details of contractors and budgets.
- 4.39 The eight schools that participated in the audit advised of a lack of information about how the Education Directorate approves and prioritises requested physical accessibility modifications.
- 4.40 The Education Directorate provides an annual budget of approximately \$4 million for physical accessibility modifications in schools. The Education Directorate has mature processes for the approval and prioritisation of physical accessibility modifications requested by schools. This includes fortnightly meetings between the Infrastructure and Capital Works Branch and Student Engagement Branch as a forum for staff to use their professional judgement to approve, prioritise and plan requested modifications. The meetings are not formally documented and the criteria for approving or prioritising works is not made available to schools and is not published or otherwise shared with stakeholders outside of the Directorate.

RECOMMENDATION 6 PHYSICAL ACCESSIBILITY MODIFICATIONS - DOCUMENTING APPROVAL AND PRIORITISATION CRITERIA

The Education Directorate should develop a policy and associated procedural guidance for the assessment, approval and prioritisation of requests for physical accessibility modifications in ACT public schools.

Specialist furniture and equipment

- 4.41 Furniture or equipment that is not permanently attached to school buildings is provided by individual school budgets or by the Student Engagement Branch.
- 4.42 An occupational therapist or other allied health professional can complete a form titled 'Request for Funding from the ACT Education Directorate to Purchase Equipment Essential to meet the Educational Needs of a Student with a Disability'.
- 4.43 The form has instructions stating that it is to be completed following consultation with a student, school and parent/carer. The form is signed by the requesting allied health professional and school principal.

- 4.44 The form collects information about the equipment that has been requested, including:
 - the student's functional and educational needs;
 - the students' learning or Individual Learning Plan goals;
 - an explanation of how the equipment will be integrated into school and classroom routines and how it will support the student to access learning;
 - considerations for use of the equipment, including staff training; and
 - consideration of whether the equipment involves use of a restrictive practice.
- 4.45 Equipment must be trialled in the educational setting before purchase. The form collects information about the trial that has been conducted. For equipment costing more than \$1,000, at least two items of equipment must be trialled.
- 4.46 For equipment costing less than \$1,000, the form is sent to the school principal and *Disability Education Coordination Officer*, and the cost is met by the school. For equipment costing more than \$1,000, the form is to be sent to the Allied Health Occupational Therapy/Physiotherapy leader and the cost is met by the Education Directorate.

Assistive technology

- 4.47 The term 'assistive technology' means a device or system used by a person with disability to do something they are otherwise unable to do. This includes devices that enable participation by changing content or user responses from one form to another. For example, a computer converts text-to-speech, or changes a person's speech into onscreen text.
- 4.48 The Directorate's 'Assistive Technology Resources' intranet page provides:
 - information about Read&Write for Google;
 - an Inclusive Technology Assessment Rubric;
 - a factsheet about use of Assistive Technology; and
 - a link to the Queensland Department of Education accessibility features list.
- 4.49 Schools can request assistive technology from the Education Directorate's Digital Strategy, Services and Transformation Branch.
- 4.50 The Education Directorate provides specialist furniture and equipment, including assistive technology, to meet the needs of students with disability. Furniture or equipment is facilitated by individual school budgets (for equipment less than \$1,000) or by the Student Engagement Branch (for equipment over \$1,000). The Education Directorate has mature processes for schools to access the furniture and equipment, which involves an occupational therapist or other allied health professional making a formal request with the involvement of the school principal.

Information for families

- 4.51 The Education Directorate's website provides some high-level information about school design and infrastructure, through a 'Positive Learning Environments' webpage. However, in doing so it does not explain minimum physical accessibility modifications or furniture and equipment that are available in ACT public schools or processes for requesting these.
- 4.52 Information about physical accessibility modifications, furniture, equipment and assistive technology is not provided on the Education Directorate's 'Students with Disability' webpage.
- 4.53 The Education Directorate does not provide sufficient, clear and accessible information to schools and families about:
 - the minimum physical accessibility features or upgrades available for ACT public schools; or
 - the minimum specialist furniture, equipment and assistive technology available for ACT public schools.

RECOMMENDATION 7	PHYSICAL ACCESSIBILITY MODIFICATIONS - MINIMUM STANDARDS
The Education Directorate about:	should provide information to schools and on their website

- a) the minimum physical accessibility features or upgrades available for ACT public schools; and
- b) the process for obtaining these.

Learning Support Assistants

- 4.54 Australian schools employ assistants or aides to work alongside teachers, for the purpose of:
 - helping students with disability access learning; and
 - providing personal care.
- 4.55 In ACT public schools these staff are known as Learning Support Assistants (often referred to as 'LSAs').

Role and responsibilities

4.56 Learning Support Assistants support students with disability in all ACT public schools and settings. Their role includes supporting teachers in providing educational programs and

meeting students' physical and health care needs. Learning Support Assistants may also help with preparation of class materials, provide general classroom support and support teachers to include students with disability in a wide range of school activities. Some Learning Support Assistants also work under the direction of an allied health professional to support specific therapy or educational programs.

Numbers of Learning Support Assistants in ACT public schools

- 4.57 Learning Support Assistants are recruited directly by ACT public schools.
- 4.58 The Education Directorate advised the Audit Office that it cannot report the exact number of Learning Support Assistants supporting students with disability in ACT public schools. This is because employee job titles and duties (such as 'Learning Support Assistant') are not typically captured in the Directorate's human resources information management system (CHRIS21).
- 4.59 Under the ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2023-2026, the minimum classification level for Learning Support Assistants in ACT public schools is School Assistant 2/3. For Learning Support Assistants who perform healthcare procedures the minimum classification is School Assistant 3. In some instances Learning Support Assistants are also employed at the School Assistant 4 level.
- 4.60 Education Directorate payroll data shows that 942 staff were employed at the classification of School Assistant 2/3 or School Assistant 3 on the last pay cycle of the 2021-22 financial year. This is an increase of 204 (27.6 per cent) from 2019. The Education Directorate asserts that this is the best estimate of the number of Learning Support Assistants who are supporting students with disability in ACT public schools. However, because some Learning Support Assistants are employed at the School Assistant 4 level and some staff employed at the School Assistant 2/3 or School Assistant 3 level perform other duties, this is not an exact or reliable figure.
- 4.61 Learning Support Assistants are recruited directly by ACT public schools. The Education Directorate cannot report the exact number of Learning Support Assistants who are supporting students with disability in ACT public schools because of limitations in the Directorate's Human Resources information management system. The Education Directorate asserts that the best estimate of the number of Learning Support Assistants supporting students with disability in ACT public schools is approximately 950 (as at June 2022).

Skills, knowledge, experience and qualifications

4.62 Learning Support Assistants need access to appropriate professional learning to ensure they have the skills, knowledge and experience to effectively support students with disability.

Disability Standards for Education 2005

- 4.63 The *Standards* Part 7 (*Standards for student support services*) gives students with disability rights in relation to specialised services needed for them to participate in educational activities. This includes specialised expertise, personal educational support or support for personal and medical care.
- 4.64 Section 7.3 *Measures for compliance* sets out the compliance obligations for the provision of specialised support services, including provision of:

(d) appropriately trained support staff, such as specialist teachers, interpreters, note-takers and teachers' aides [school assistants] are made available to students with disability.

Prior ACT reviews

...

- 4.65 Recommendations about improving the skills, knowledge, experience and qualifications of Learning Support Assistants in ACT public schools have been made by:
 - the Report of the expert panel on students with complex needs and challenging behaviour (2015);
 - the Independent Assessment Occupational Violence Final Report (2017); and
 - the Standing Committee on Education and Community Inclusion's Inquiry into ACT Auditor-General's Report No. 6 of 2021: Teaching Quality in ACT Public Schools (2022).
- 4.66 A full list of recommendations is outlined in Appendix B to this report. In summary, the recommendations made were for the Education Directorate to:
 - ensure Learning Support Assistants achieve minimum qualifications;
 - provide a structured professional development pathway;
 - provide a suite of online and face-to-face learning modules;
 - provide a formal program of professional supervision;
 - provide appropriate facilities, information technology and time away from classroom duties to engage in professional learning;
 - support practice sharing between schools and settings; and
 - implement mechanisms to monitor participation in professional learning.
- 4.67 The ACT Government's 2015 response to the report of the *Expert panel on students with complex needs and challenging behaviour* stated the Education Directorate would:
 - review school assistant classifications with regard to job expectations, complexity and training/qualification requirements;
 - conduct an audit of qualifications and professional learning needs of staff working in disability education programs;

- develop a suite of professional learning programs, including off-site courses, sitebased learning, and individual supervision and mentoring;
- prioritise opportunities for formal study in supporting students with complex needs and challenging behaviours; and
- encourage maximum participation by staff in a range of professional learning.
- 4.68 Further details of the ACT Government's response to the report of the *Expert panel on students with complex needs and challenging behaviour* is provided in Appendix B to this report.

Professional learning for Learning Support Assistants

4.69 The Education Directorate's *Strengthening Inclusive Education in ACT Public Schools Discussion Paper* notes the importance of skilled support roles, including Learning Support Assistants. Potential action areas relevant to professional learning for Learning Support Assistants include:

...

Strengthening the evidence-based, coordinated, and comprehensive program of professional learning.

•••

Creating career pathways for maximising retention and job satisfaction e.g. strategies such as formal study for staff.

Strengthening collaborative practice through professional learning communities, mentoring and coaching.

Different roles to support diverse needs - e.g. Learning Support Assistants (LSAs), Disability Education Coordinators (DECOs), Allied Health. Planning for knowledge, capability, and expertise distribution in schools to support other staff to meet the needs of all learners e.g. capability in developing Positive Behaviour Support Plans and Individual Learning Plans.

...

Online and face to face modules

- 4.70 The Education Directorate requires Learning Support Assistants to complete six mandatory online training modules within four weeks of commencing employment and every two years thereafter.
- 4.71 The Education Directorate provides additional, optional professional learning opportunities that are relevant to the role of Learning Support Assistants.
- 4.72 Table 4-1 shows professional learning opportunities relevant to working with students with disability that were available to Learning Support Assistants in January 2023. The opportunities shown are those listed in the online learning management system (HRIMS Learning) or on the Education Directorate's internal staff SharePoint. Additional opportunities are also available through external providers.

- 4.73 A new professional learning opportunity was introduced for Learning Support Assistants in 2023; *Learning Support Assistant Universal Professional Learning*. This optional professional learning, which was available face-to-face and online, covered:
 - legislative and regulatory requirements;
 - building positive teacher and Learning Support Assistant relationships;
 - effective communication;
 - knowing and responding to a learner's learning, social and emotional development, and communication needs;
 - trauma informed practice;
 - understanding neurodiversity; and
 - contributing to inclusive communities.
- 4.74 The audit did not assess:
 - whether Learning Support Assistants had completed the mandatory training as required;
 - the extent to which the individualised learning opportunities were taken up by Learning Support Assistants; or
 - the effectiveness of individual professional learning opportunities.

Mandatory online	Work Health and Safety (WHS) Refresher
training	Occupational Violence in the Workplace
	Keeping Children and Young People Safe
	Codes of Conduct
	Reportable Conduct
	Disability Standards in Education
Optional online	Understanding and supporting behaviour
training	Autism Spectrum Disorder
	Dyspraxia and Speech
	Understanding Hearing loss
	Trauma Informed Practice
Optional face to face	Positive Behaviours for Learning Framework
training	Team Teach Training
	Trauma Informed Practices
	Everyone Everyday
	Let's Talk Disability
	Transforming Thinking for Inclusion
	Introduction to Augmentative and Alternative Communication
	What is Sensory Processing?
	Developmental Language Disorder

Table 4-1Professional learning opportunities provided by the Education Directorate
in January 2023

Source: ACT Audit Office, based on information provided by the Education Directorate.

Professional networks and coaching

- 4.75 The Education Directorate facilitates professional networks that Learning Support Assistants can participate in, including:
 - the Physically Included Network; and
 - Supporting Students with Disability Network.
- 4.76 The Directorate's Inclusive Education section holds site visits and drop-in sessions and provides other training opportunities, such as training *in Supporting students with low processing speed* and *Universal Design for Learning Practical Physical Activities Session*.
- 4.77 The Directorate also makes Inclusion Coaches available on request to schools. Inclusion Coaches can offer targeted training for Learning Support Assistants.

Support for completing qualifications

4.78 Australian Registered Training Organisations can provide a Certificate III and Certificate IV in School Based Education Support. These qualifications are designed for assistants or aides working under the guidance of a teacher. The Certificate IV is designed for roles involving facilitation of learning, working with limited direct supervision and providing guidance to other workers.

- 4.79 The Education Directorate provides financial assistance through the *Learning Support Assistant Scholarship Program* for Learning Support Assistants to complete a Certificate IV in School Based Education Support. Between 2018-19 and 2021-22, 81 Learning Support Assistants were supported through the program.
- 4.80 The Education Directorate also provides a *Studies Assistance* program to support permanent staff to study with a tertiary accredited institution. This program provides study leave and/or financial assistance.

Monitoring and review of professional learning

- 4.81 The Annual Compliance Checklist for individual schools requests schools to ensure all staff have completed mandatory online learning.
- 4.82 The Education Directorate does not maintain a central record of the number of Learning Support Assistants:
 - completing professional learning modules;
 - participating in professional learning networks, mentoring or Inclusion Support coaching;
 - who have a Certificate III or IV in School Based Education Support, or other qualifications relevant to their role; or
 - who are enrolled in Certificate III or IV in School Based Education Support, or other qualifications relevant to their role, such as initial teacher education.

School and stakeholder feedback

- 4.83 Schools and stakeholders that contributed to the audit explained the most effective professional learning for Learning Support Assistants is practical, 'hands-on' training in the school context. This practical training is designed and facilitated by schools and primarily consists of working alongside and learning from experienced teachers, allied health professionals and other Learning Support Assistants. Learning about and observing practice in specialist settings and schools can also be valuable. Schools explained that participating in class and school-based planning and preparation is also important, as this allows Learning Support Assistants to work collaboratively with teachers and allied health professionals to meet the needs of students with disability.
- 4.84 The Education Directorate provides a range of online and face-to-face professional learning opportunities that are relevant to the role of Learning Support Assistants. The Directorate also facilitates professional learning networks and provides financial support for achieving external qualifications. However, the Education Directorate does not maintain a central record of the participation of Learning Support Assistants in available professional learning

and cannot confirm whether appropriate opportunities are accessed. Nevertheless, school and stakeholder feedback suggests that the most effective professional learning for Learning Support Assistants is practical, 'hands-on' training in a school context. In schools, Learning Support Assistants learn from observing and working with experienced educators and allied health professionals.

Employment conditions for Learning Support Assistants

- 4.85 Under the ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2023-2026 Learning Support Assistants are employed at a minimum classification of 'School Assistant 2/3', which receives a salary of between \$53,566 and \$64,989.
- 4.86 Learning Support Assistants can be employed on a permanent, temporary or casual part time basis. They typically work an average of 62.5 paid hours per fortnight (or 6 hours 15 minutes per day with a 45-minute lunch break) between 8:30 and 3:30 during school terms. They are typically on standdown during term breaks.
- 4.87 Other types of school assistants, such as Preschool Assistants, Vision Support Assistants and Hearing Support Assistants, are employed on a similar basis under the classification of School Assistant 3 (salary of between \$60,493 and \$64,989). School Assistants who are required to undertake *Health Access at School* (HAAS) procedures or tasks are also classified, at a minimum, at School Assistant 3.
- 4.88 There are no minimum qualifications or training and experience requirements to commence working as a Learning Support Assistant in an ACT public school.
- 4.89 Learning Support Assistants are recruited directly by schools. School principals can use their school budget to employ Learning Support Assistants in the way that best meets the needs of their student cohort. They are responsible for:
 - the number and classification of Learning Support Assistants employed; and
 - supervision and professional learning.

Enterprise Agreement

4.90 Under the ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2023-2026 (Enterprise Agreement), the Education Directorate committed to actions to support professional learning and career progression for School Assistants (including Learning Support Assistants). The Enterprise Agreement requires permanent staff and temporary employees on contracts longer than 12 weeks to have a Performance and Development Plan. As part of their Plan, Learning Support Assistants are required to participate in a minimum of four days each calendar year (25 hours or pro rata their ordinary hours) of appropriate and approved professional learning and planning. School Principals or School Managers are responsible for ensuring that appropriate professional learning is identified and funds are allocated.

School feedback

- 4.91 The eight schools that participated in the audit advised that it can be difficult to provide required release time for Learning Support Assistants to participate in professional learning and in class and school-based planning and preparation. This is because schools need to maintain sufficient support for students during school hours.
- 4.92 The eight schools described other barriers to Learning Support Assistants engaging in formal professional learning, including:
 - insufficient formal induction or orientation at commencement, which can result in a lack of knowledge about available professional learning;
 - insufficient access to ICT equipment because Learning Support Assistants are not issued individual laptops; and
 - lack of a clear, incremental learning pathway, with different learning opportunities clearly aligned to different and more specialised roles or classifications, which can make it difficult for schools and Learning Support Assistants to identify the most relevant professional learning.
- 4.93 The eight schools that participated in the audit provided suggestions about improving professional learning pathways for Learning Support Assistants, including:
 - a paid, centralised induction for new Learning Support Assistants, similar to that provided for new teachers;
 - more opportunities to observe better practice in specialised settings and schools; and
 - additional paid hours for Learning Support Assistants to participate in school-based professional learning, planning and preparation, after school hours or during term breaks.
- 4.94 The ACT Public Sector Administrative and Related Classifications Enterprise Agreement 2023-2026 requires Learning Support Assistants on contracts longer than 12 weeks to have a Performance and Development Plan and specifies minimum hours of professional learning to be undertaken. Schools advised that, in practice, it can be difficult to provide the required release time for Learning Support Assistants to participate in professional learning and in class and school-based planning and preparation. This is because schools need to maintain sufficient support for students during school hours.
- 4.95 Schools advised of opportunities to improve professional learning pathways for Learning Support Assistants, including:
 - a paid, centralised induction for new Learning Support Assistants, similar to that provided for new teachers;
 - more opportunities to observe better practice in specialised settings and schools; and

 additional paid hours for Learning Support Assistants to participate in school-based professional learning, and in school-based planning and preparation, after school hours or during term breaks.

RECOMMENDATION 8 LEARNING SUPPORT ASSISTANT PATHWAYS

The Education Directorate should provide a clear, incremental learning pathway for Learning Support Assistants, with different learning opportunities clearly aligned to different and more specialised roles or classifications, including:

- a) a paid, centralised induction for new Learning Support Assistants, similar to that provided for new teachers;
- b) sufficient paid hours for Learning Support Assistants to participate in formal professional learning and school-based planning and preparation; and
- c) more opportunities for Learning Support Assistants to observe better practice in specialised schools and settings.

APPENDIX A: BETTER PRACTICE FOR THE PROVISION OF CLEAR AND ACCESSIBLE INFORMATION

Australian Government Department of Education

The Australian Government Department of Education provides communications material about the *Standards* on its website. Key features of these products include:

- co-design by students with disability and their families; and
- availability in Easy Read, Auslan and translations into community languages.

Downloadable material co-designed by students with disability and their families includes:

- Explaining the Disability Standards for Education;
- Milestones and transitions;
- Advocating with and for your child: Primary school; and
- The Disability Standards for Education in Practice: Action Plan.

Nationally Consistent Collection of Data on School Students with Disability (NCCD)

The NCCD 'For parents, guardians and carers' webpage provides information about:

- the Disability Discrimination Act 1992;
- the Disability Standards for Education 2005; and
- the NCCD.

Detailed information about the Standards is provided on 'A practical guide for individuals, families and communities' webpages:

- Our rights: Who do the rights apply to, and what are they?;
- Reasonable adjustments: Australian law requires schools to make reasonable adjustments for students with disability;
- What's fair?: Adjustments are designed to enable a student to learn on the same basis as others, however, 'the same' is not always 'fair'; and
- **Working Together**: School staff should consult the student, or their family or other associate, before deciding on a reasonable adjustment.

The webpages provide text, with some accompanying videos with transcripts, for 27 topics, grouped under the four headings above. The topics provide guidance for families about:

- enrolling a student with disability in an Australian school;
- assessment of individual student needs; and
- provision of reasonable adjustments.

Other Australian departments of education

The Victorian and Queensland departments of education websites offer examples of better practice in providing information for students with disability and their families. Features of these websites include:

- explicit reference to, and affirmation of the principles of, the *Disability Discrimination Act 1992* and the *Standards*;
- information and links about the rights and measures for compliance provided by the Standards;
- information and links about the NCCD and levels of reasonable adjustment;
- information relevant to different stages of schooling (for example, early childhood and kindergarten, starting and finishing school);
- information relevant to different categories of disability (for example, autism, learning difficulties, dyslexia, physical disability);
- information a range of accessible formats;
- concrete examples, case studies and stories about reasonable adjustments for students with disability in educational settings; and
- links to organisations that can provide support for students and families as they navigate the education system.

Victorian Department of Education and Training website

The Victorian Department of Education and Training '*Disability and inclusive education*' webpages provide information for students and families. The highest-level webpage groups information into categories:

- information for early childhood and school-age children with additional needs;
- starting, attending and leaving school with disability;
- disability support at school;
- programs for students with disability;
- physical disability at school;
- supporting diverse learners students with learning difficulties;
- intellectual disability at school;
- help for children with additional needs at kindergarten;

- autism at school;
- communication needs at school;
- hearing loss support in early childhood and school;
- vision impairment support at school; and
- education for all.

The 'Disability and inclusive education' webpages provide key information for students and families in several different formats, including:

- Easy Read versions of key information;
- translations in 37 community languages;
- videos about students with disability in Victorian public schools; and
- a social story² for primary school students about the *Disability Inclusion Profile* meeting.

Queensland Department of Education website

The Queensland Department of Education '*Students with disability*' webpages support the textual information provided with videos about students with disability receiving reasonable adjustments. The videos provide concrete examples of adjustments being made for individual students with disability in Queensland public schools.

The 'Students with disability' webpages also provide links to support organisations, including a link to Community Resource Unit resources. The Community Resource Unit is supported by the Department to provide information to families about inclusive education and aims to:

Build the capacity of families to advocate for, nurture, and sustain their child's successful participation in inclusive education.

Other information products for Australian families

Other Australian resources that demonstrate better practice features of accessible information provision for students and families include:

- the website www.reasonableadjustmentsinschools.org.au; and
- the website www.raisingchildren.net.au/disability/school-play-work.

² Social stories (also known as social scripts or social narratives), are tools used to explain social situations to children with autism, learning disabilities or intellectual disabilities. Typically, a social story uses both text and images to explain through a simple narrative what will happen in a new social situation, such as a meeting at school.

The website 'Designing reasonable adjustments to support school inclusion for children with a disability' provides an e-learning package designed for families, educators and allied health professionals to help them design and implement reasonable adjustments for students with disability in schools. The e-learning package was designed by Australian education, occupational therapy, psychology, social work and allied health researchers. The website is published by Latrobe University and includes summaries of the research evidence used to design the e-learning package.

The 'Raising Children' website, which is supported by the Australian Government Department of Social Services and published by Raising Children Network Australia Ltd, shows how the principles of knowledge translation can be used to present research and policy information in a format that supports families to apply the information in their own unique context. For example, information about children with disability at school is presented using key points, Plain English text, prompting questions, checklists and tips, along with references and links to other relevant websites.

APPENDIX B: PRIOR RECOMMENDATIONS ABOUT PROFESSIONAL LEARNING FOR LEARNING SUPPORT ASSISTANTS

Previous reviews have considered the professional learning provided for Learning Support Assistants in ACT public schools, as part of broader reviews of Education Directorate and school processes.

While none of the prior reviews had a specific focus on Learning Support Assistants, three made recommendations related to improving professional learning for Learning Support Assistants. These recommendations provide evidence for better practice in designing and implementing effective professional learning pathways for Learning Support Assistants in the ACT public school context and are included here for information.

These recommendations were made by:

- the Report of the expert panel on students with complex needs and challenging behaviour (2015), which considered policy and practice in all ACT schools in regard to students with complex needs and challenging behaviour;
- the *Independent Assessment Occupational Violence Final Report* (2017), which considered the systems utilised by the ACT Education Directorate to mitigate the risks of occupational violence in schools; and
- the Standing Committee on Education and Community Inclusion's *Inquiry into ACT Auditor General's Report No.6 of 2021: Teaching Quality in ACT Public Schools* (2022), which was a Legislative Assembly Standing Committee inquiry.

Report of the expert panel on students with complex needs and challenging behaviour (2015)

https://www.education.act.gov.au/__data/assets/pdf_file/0003/856254/Attach-4-Expert-Panel-Report-Web.pdf

Recommendation 10.7: That the Education Directorate (and Catholic and independent schools) commit to professionalisation of LSAs and ensure that by 2018 (a) All LSAs hold, or are in the process of obtaining, at least a Certificate IV in School Age Education and Care or equivalent; and (b) All LSAs working in a Learning Support Unit or specialist school hold, or are in the process of obtaining, at a Certificate IV in Education Support or Equivalent.

Recommendation 13.3: That the Education Directorate review the qualifications, experience and professional learning needs of all staff working in Learning Support Units and Centres, and ensure that these staff have access to appropriate and ongoing professional learning, further study and networking opportunities that are most relevant to their settings, their students and their personal professional needs.

Recommendation 13.4: That the Education Directorate Education Directorate (and Catholic and Independent schools) cooperate to (a) make available to all member school existing online modules in autism spectrum disorder; dyslexia and significant reading difficulties; motor coordination difficulties; speech, language and communication needs; understanding and managing behaviour; understanding hearing loss; and/or other courses as identified by member schools; and b) ensure that these learning modules are complemented by follow-up support including face to face assistance, workshops and coaching components.

Recommendation 13.5: That the Education Directorate (and Catholic and Independent schools) (a) develop, and liaise with the Teacher Quality Institute to accredit, a suite of professional learning options relevant to teaching students with complex needs and challenging behaviour. This would include, but not be limited to, modules on: de-escalation and safe use of restraint; trauma; autism spectrum disorder; mental health' attention deficit hyperactivity disorder; and/or learning difficulties; and (b) establish mechanisms to monitor staff and school participation in these programs.

Recommendation 13.6: That the Education Directorate (and Catholic schools) develop and implement a formal program of professional supervision to support staff working with students with complex needs and challenging behaviour, with priority for those staff who work in Learning Support Units and Centres.

Recommendation 13.7: That the Education Directorate (and Catholic and independent schools) (a) prioritise scholarships and sabbaticals for school leaders and teachers to undertake formal study in relation to students with complex needs and challenging behaviour; b) create opportunities for school leaders and teachers to visit and see in action practices in schools with a reputation for creative and resourceful approaches to teaching students with complex needs and challenging behaviour; and c) create opportunities for these school leaders and teachers to become mentors and facilitators within networks, sectors, and schools.

The ACT Government Response to the Report responded as follows to each of the recommendations:

Recommendation 10.7:

Agreed in principle. ETD is committed to the continuing professional development of all staff and values the contribution of LSAs in supporting students with complex needs and challenging behaviours. ETD is currently undertaking a review of the school assistant classification where job expectations, complexities and training/ qualification requirements are being considered. ETD will encourage maximum participation by staff in a range of professional learning.

Recommendation 13.3

Agreed. ETD believes that workforce capability is best developed through the engagement of relevant professional learning opportunities. In ETD professional learning is a key component of the core work of teachers, with every school integrating high quality professional opportunities, related to evidence-based effective teaching and learning strategies.

ETD will consult with staff representatives to conduct an audit of qualifications and professional learning needs of all staff working in LSUs, LSCs and LSUAs to ensure professional

learning programs are planned, purposeful and well delivered during normal hours of attendance. TQI can provide qualification data and completed professional learning data to support the ETD audit.

Professional learning programs for staff in these settings will provide a mixture of off-site courses, site based learning, and individual supervision and mentoring. It is important to note that professional learning programs offered in ACT public schools are designed to be suitable for accreditation, and teacher identified professional learning is suitable for TQI teacher registration purposes.

Recommendation 13.4

Agreed. In 2016 ETD will continue to resource all of the seven TQI accredited OLT and associated coaching components. This learning will be delivered through NSET as both as individual and school based programs. ETD will make the resources available to all government and non-government schools.

Recommendation 13.5

Agreed. The ETD, CE and AIS will develop a suite of professional learning programs for staff in schools, which will explicitly address teaching students with complex needs and challenging behaviours. Programs will be flexible enough to cater to teachers at various career stages. The package of professional learning will provide a mixture of off-site courses, site based learning, and individual supervision and mentoring.

The TQI through its regulatory and quality assurance role will work collaboratively with teacher employers and professional learning providers to accredit relevant professional learning, developed to the required standard. TQI will provide data on program participation and evaluation feedback to employers and recognised providers.

Recommendation 13.6

Agreed. ETD believes that all staff benefit from professional supervision and support and acknowledges that staff working with students demonstrating challenging behaviour and/or complex needs may need additional support. This is an ongoing part of the current procedures in the school, conducted by school leadership teams. In addition, ETD has introduced Executive Teacher Professional Practice positions who are experts in contemporary teaching and learning practice. Mentoring and supervisor is a core component of this role. Additional support for staff in public schools can be accessed through the NSET.

Allied health professionals are required to meet professional registration requirements through clinical supervision. Individual staff are responsible for meeting these requirements, which are supported by ETD as a mechanism for ensuring currency of practice and expertise.

Recommendation 13.7

Agreed. Within the existing scholarship program ETD will prioritise opportunities for formal study in supporting students with complex needs and challenging behaviours. The introduction of the school-based Disability Education Coordinator role and establishment of Professional Learning Communities through the ACT Government's participation in the More Support for Students with Disability National Partnership has provided an effective mechanism for teachers to share knowledge, expertise and resources to support students with disability. ETD will build on these initiatives by creating broader opportunities for school leaders and teachers to become mentors and facilitators and for school visits to see best practice in action. ETD will also work with the TQI to target support for students with complex needs and challenging behaviours through the Institute's cross-sectoral face to face and online networks, Master Class programs and professional learning register that will continue in 2016.

Independent Assessment - Occupational Violence Final Report (2017)

https://www.education.act.gov.au/__data/assets/pdf_file/0005/1288526/Caple-Review.pdf

Recommendation 1.1: A structured professional development pathway for LSAs should be developed with a primary focus on skills and knowledge to work with children with complex needs. This pathway should include programs using reputable ACT and national leaders that is based on research findings.

Inquiry into ACT Auditor-General's Report No. 6 of 2021: Teaching Quality in ACT public schools (2022)

https://www.parliament.act.gov.au/parliamentary-business/incommittees/committees/eci/inquiry-into-the-AG-report-no.-6-of-2021

Recommendation 5: The Committee recommends that the ACT Government ensure all teachers and learning support assistants have access to appropriate information technology (IT) equipment.

Recommendation 10: The Committee recommends that the ACT Government implement measures to increase awareness of learning programs offered through the Education Support Office.

Recommendation 11: The Committee recommends that the ACT Government provide additional learning and development opportunities to all educators focused on inclusive education and behaviour management.

Recommendation 12: The Committee recommends that the ACT Government ensure that all school leaders are provided with the necessary resources to implement and evaluate Annual Professional Learning Programs.

Audit reports

Reports Published in 2022-23			
Report No. 07 – 2023	Annual Report 2022-23		
Report No. 06 - 2023	Implementation of the ACT Aboriginal and Torres Strait Islander Agreement		
Report No. 05 - 2023	Activities of the Government Procurement Board		
Report No. 04 - 2023	Procurement of a hybrid electric fire truck		
Report No. 03 - 2023	Financial Management Services for Protected Persons		
Report No. 02 - 2023	Management of Operation Reboot (Outpatients)		
Report No. 01 - 2023	Construction occupations licensing		
Report No. 10 - 2022	2021-22 Financial Audits Financial Results and Audit Findings		
Report No. 09 - 2022	ACT Emergency Services Agency cleaning services arrangement		
Report No. 08 - 2022	2021-22 Financial Audits – Overview		
Report No. 07 - 2022	ACT Childhood Healthy Eating and Active Living Programs		
Report No. 06 - 2022	Annual Report 2021-22		
Report No. 05 - 2022	Procurement and contracting activities for the Acton Waterfront Project		
Reports Published in 2021-22			
Report No. 04 - 2022	Governance arrangements for the planning of services for Parkwood, Ginninderry		
Report No. 03 - 2022	Taxi Subsidy Scheme		
Report No. 02 - 2022	Fraud Prevention		
Report No. 01 - 2022	Management of Detainee mental health services in the AMC		
Report No. 13 - 2021	Campbell Primary School Modernisation Project Procurement		
Report No. 12 - 2021	2020-21 Financial Audits – Financial Results and Audit Findings		
Report No. 11 - 2021	Digital Records Management		
Report No. 10 - 2021	2020-21 Financial Audits Overview		
Report No. 09 - 2021	Annual Report 2020-21		
Report No. 08 - 2021	Canberra Light Rail Stage 2a: Economic Analysis		

These and earlier reports can be obtained from the ACT Audit Office's website at <u>http://www.audit.act.gov.au</u>.