

**MEDIA RELEASE****23 October 2023****Supports for students with disability in ACT public schools**

ACT Auditor-General, Mr Michael Harris, today presented a report on **Supports for students with disability in ACT public schools** to the Speaker for tabling in the ACT Legislative Assembly.

Schools must provide reasonable adjustments for students with disability to ensure they can access education on the same basis as their peers. The audit examined the way the ACT Education Directorate supports provision of reasonable adjustments for students with disability in ACT public schools.

The audit found that the Education Directorate's processes for assessing students' eligibility for specialist programs place administrative and financial burden on families and schools and risk inequity between more and less socio-economically advantaged students. The Education Directorate's needs assessment processes focus on what students with disability cannot do, rather than on the reasonable adjustments that can be provided to allow them to access education on the same basis as their peers.

The report recommends the Education Directorate prioritise its planned transition to a new needs assessment and school resourcing model that is transparent, strengths and goals-based and is aligned to the levels of adjustments established by the Nationally Consistent Collection of Data on School Students with Disability (NCCD).

The audit also found the Education Directorate does not provide sufficiently clear and accessible written communications material for students with disability and their families about students' rights, schools obligations and the educational settings and reasonable adjustment available in ACT public schools.

Mr Harris says 'this report identifies actions the Education Directorate should prioritise under its new *Inclusive Education Strategy*, to ensure students with disability can access education on the same basis as their peers in ACT public schools'.

The report makes eight recommendations for actions to be taken by the Education Directorate. The recommendations are about providing clear and accessible information to students and families, implementing new needs assessment processes, and providing effective professional learning pathways for Learning Support Assistants.

**Supports for students with disability in ACT public schools** is available to download from the ACT Audit Office's website [www.audit.act.gov.au](http://www.audit.act.gov.au). If you need assistance accessing the report please phone 6207 0833.

# SUMMARY

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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

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#### Information provided by the Education Directorate

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.

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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.

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

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- 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**

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**Education Directorate processes for understanding students' aspirations and needs**

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.

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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.

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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.

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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

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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.

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### 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.

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## PROVIDING REASONABLE ADJUSTMENTS

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### Physical accessibility in ACT public schools

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.

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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

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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 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. 4.50

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

- 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 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). 4.61

### Professional learning for Learning Support Assistants

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. 4.84

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 4.94



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 Learning Support Assistants, including: 4.95

- 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.

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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.*