

Students with disability



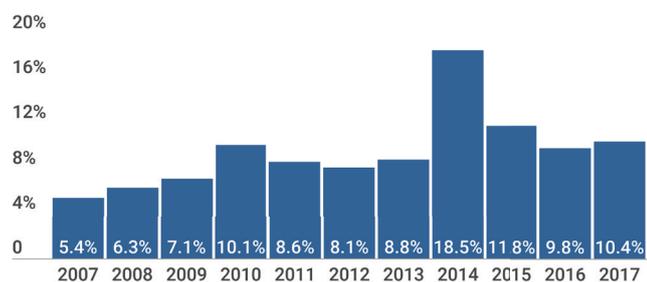
Growth in numbers

There were 120,533 students with disability enrolled in Independent schools in 2019, representing 19 per cent of the Independent school student population. Most of these students attend mainstream Independent schools although more than 8,900 attend one of the 119 special schools in the sector.

As of 2018, the Commonwealth Government provides funding for students with disability based on the Nationally Consistent Collection of Data on School Students with Disability (NCCD) for the top three levels of adjustment (Supplementary, Substantial, Extensive) at a funding amount relative to their adjustment level. The use of the NCCD has also resulted in a significant difference in the way students with disability are counted and means that data from 2018 on is not comparable with previous years' data.

The number of students with disability in the sector has grown substantially over the past decade, although the growth rate varies from year to year. The table below illustrates the growth in the Independent sector based on the previous definition of students with disability for Commonwealth funding purposes.

Growth in enrolments of student with disability in Independent schools, 2007 to 2017



Source: Australian Government Department of Education and Training

The parents of students with disability should have the same opportunities to choose a school that best meets the needs of their child as all other parents. The rate of growth of students with disability in Independent schools is four times the rate of overall enrolment growth. Clearly parents are exercising this choice and

Independent schools are making a major contribution to the education of students with disability. In fact, currently 15% of students with disability receiving an adjustment were in Independent schools, which is in line with the sector's overall total enrolment share.

In the Independent sector, most students with disability attend mainstream schools although more than 8,900 – about 7 per cent of the total – attend one of the 119 special schools in the sector. This is consistent with the trend over recent decades to integrate students with disability into mainstream classrooms or special needs units in mainstream schools. However, parents should be able to choose a non-mainstream educational environment if a special school is the best option for their child, and the Independent sector is a major provider of special schools.

Special education provision

Special schools, including Special Assistance Schools, provide alternative educational settings for students with high-level needs and cater for students with disability, as well as students who are at risk, have behavioural difficulties, or whose needs are better met by flexible learning structures that may not be available in all mainstream schools.

Special Assistance Schools make an important contribution to addressing educational disadvantage by catering for students with severe social, emotional and behavioural issues. These schools generally serve young people who are disengaged from education and whose needs are not met by mainstream education. They are often referred from community services, juvenile justice and other schools, both government and non-government. Special Assistance Schools have developed specially adapted programs and structures designed to re-engage students in education and prepare them for further training and employment.

Some mainstream Independent schools incorporate a unit on campus to cater for students with special needs because of profound hearing loss, severe language disorders, social and emotional disorders, or intellectual disability.

Many Independent schools employ specialist teachers to work with class teachers and parents to develop individual learning programs for students with special needs and to assist class teachers develop strategies and materials to meet the needs of these students. Some schools employ teacher aides to work with students in class or withdraw students from class to work with specialist teachers.

The responsibility of schools

All schools have a legal obligation to provide access to and meet the needs of students with disability. *The Disability Discrimination Act 1992* and its associated Education Standards make it unlawful for schools to discriminate against a person on the grounds of disability, except in those circumstances where the enrolment of a student with disability would impose an unjustifiable hardship on the school.



Unjustifiable hardship depends on the facts of each case and therefore the precise legal obligations on schools can be unclear. The legislation and its associated education standards place open-ended obligations on schools. While this is aimed at prohibiting discrimination against students with disability, the costs faced by individual schools in taking on students with disability can be prohibitive. Unlike government or Catholic systemic schools, as autonomous entities most Independent schools cannot access support from a system authority to provide the additional resources needed. Government funding rarely meets the additional costs required, with individual families and school communities relied upon to make up the shortfall.

Funding for students with disability

Students with disability in Independent schools are eligible for funding from the Australian Government and state and territory governments, although students with disability in Independent schools do not receive the same level of additional funding from governments as their counterparts in government schools.

The funding differential for students with disability between school sectors can be substantial. For students with high level needs, the gap in funding can be over \$40,000 per student per year.

The Schooling Resource Standard (SRS) funding model, introduced in 2014, included six loadings to address specific areas of educational disadvantage, including disability. These loadings were to be fully publicly

funded and provide the same amount for students with disability whether they attended government or non-government schools once all schools had transitioned on to the new model.

From 2018 the students with disability loading is based on the Nationally Consistent Collection of Data on School Students with Disability (NCCD) data collection which identifies students receiving an adjustment for disability. There are four levels of adjustment; Support provided within a Quality Differentiated Teaching Practice, Supplementary, Substantive and Extensive. The levels of adjustment are based on teacher judgement but also require the collection of evidence to support the placement of students in a particular level of adjustment. Only the latter three adjustments are funded under the disability loading.

While the previous students with disability loading was a flat rate per student, the loading is now a differentiated loading providing different levels of funding depending on the level of adjustment. However, it is still the case that individual Independent schools do not have the same capacity as system authorities to respond flexibly and target funding to needs as they arise within the sector.

Students with disabilities loading from 2018 onwards based on the NCCD

	PRIMARY	SECONDARY
Quality Differentiated Teaching Practice (QDTP)	No loading	No loading
Supplementary	42%	33%
Substantial	146%	116%
Extensive	312%	248%

While the NCCD has been progressively phased in since 2014, 2018 was the first year that the NCCD was used for funding purposes. From 2018 the Australian Government has incorporated the NCCD data collection for non-government schools into the Non-Government Schools Census and the NCCD is subject to the same audit and assurance processes.

