

CE 4000	STUDENTS WITH DISABILITIES POLICY
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Provision for Students with Disabilities in Catholic Education Northern Territory

This policy is based on the belief that every child is a unique creation of God and is made in the image of God.

The Catholic school community ethos upholds the belief that all students, irrespective of ability, have the right to attend the local Catholic parish school, to be educated with their peers, and accepted as unique individuals blessed with gifts that will enrich the whole community.

Schools have a responsibility to provide educational programs of quality that are adjusted for students with disabilities. These programs should be flexible and supportive of their needs. To this end, Catholic Education NT will:

- provide all NT students with equity of access to quality education from early childhood through to transition to higher education and/or training;
- build stronger working partnerships with students, parents, the community, industry and other agencies; and
- facilitate access to appropriate support options available in the community for students with disabilities, including those who live in isolated areas.

Catholic Education NT will ensure effective delivery of services and support for students with disabilities in order to optimise participation in education programs of quality which support students in achieving their maximum potential.

Catholic Education NT affirms the following statements adapted from the NT Students with Disabilities Policy:

For the purposes of this policy, diagnosis of a disability includes: intellectual, sensory, physical, social/emotional, language / communication disability; a specific learning disability; or multiple disabilities. However this does not preclude other disabilities or impairments as identified in the *Disability Discrimination Act* and the *Anti-Discrimination Act* (Appendix 1).

This policy is:

- based on a needs model and describes the principles, legislative requirements and responsibilities of the various partners underpinning the procedures for the identification, referral, assessment and management of the issues associated with students with disabilities. It describes a range of educational options and curriculum provision, which may involve a diverse range of providers engaged to meet students' identified needs.
- to be complemented by supporting guidelines developed by Catholic Education NT, primarily the *Implementation of Support Services and Funds* document (ISSF) 2011, and as and when updated.
- informed and underpinned by the United Nations Convention on the Rights of People with a Disability 2008, Commonwealth Disability Discrimination Act (DDA) 1992, Standards for Education 2005, and the NT Students with Disabilities Policy 2008.

RATIONALE

- All students attending Catholic schools (Transition to Year 12) in the Northern Territory have the right to access a broad and balanced education that will prepare them for participation in society. They have the right to an education that meets their individual spiritual, cultural, social, emotional, physical and intellectual needs as lifelong learners.
- These rights are consistent with the educational goals of the Melbourne Declaration 2008 that:
 1. Australian schooling promotes equity and excellence; and
 2. All young Australians become successful learners, confident and creative individuals, and active and informed citizens,

and further, that achieving these educational goals is the collective responsibility of governments, school sectors and individual schools as well as parents and carers, young Australians, families, other education and training providers, business and the broader community.

- The policy also aims to:
 - provide an excellent education for all young people, that develops their talents and capacities, and is relevant to the social, cultural and economic needs of the nation;
 - enable all students to achieve high standards of learning and to develop self-confidence, optimism, high self-esteem, respect for others, and achievement of personal excellence; and
 - promote equity of educational opportunities, and to provide for groups with special learning requirements.

Students with disabilities may require additional resources to assist in their continuing development as capable and valued members of society.

PRINCIPLES

The following principles underpin the policy and provide a foundation to plan and implement provision for students with disabilities:

- the focus of learning programs is on the students' abilities and skills;
- all students and their families, guardians and caregivers are recognised as partners in education and will be actively supported in exercising their right to participate in the decision making processes in a timely fashion (ISSF);
- a student's disability/disabilities will not predetermine their educational placement, however due consideration must be given to the ability of schools to provide reasonable educational adjustments in order to meet specific student needs and disability requirements. What is reasonable in terms of educational adjustments or in meeting a student's special needs will ultimately be governed by the relevant anti-discrimination legislation; and
- consultation between Catholic Education NT and the parents/carers of the student is a critical aspect of placement of a student and should always focus on the placement providing the best outcomes for the student.

All students:

- are lifelong learners who develop at their own pace as they progress through a range of pathways from early intervention to post school options;
- have the right to full access to an inclusive curriculum through the Northern Territory Curriculum Framework and Northern Territory Certificate of Education and Training;
- are provided with a learning environment that is welcoming, valuing and supportive of them to achieve timely and appropriate educational outcomes;
- have the right to an education that takes into account geographic location and socio-economic status, while respecting cultural identity, gender, religious beliefs, personal privacy and promotes individual rights, dignity, sense of self worth and identity;
- learn and develop more effectively through the provision of appropriate educational services, experiences and environments;
- have a right to an education focusing on the development of skills for personal independence and effective participation in society;
- have the right to appropriate, timely assessment and the development of an individualised education adjustment plan (Appendix 2), which is negotiated and reviewed annually; and
- with their parents/carers have the right to expect transparency of process in relation to decisions made about the student.

STUDENTS COVERED UNDER THIS POLICY

This policy covers students with disabilities as articulated in the Disability Discrimination Act (DDA) 1992, Disability Standards for Education 2005 (DSE) and the *Anti-Discrimination Act*. The DSE can be found at:

http://www.ag.gov.au/www/agd/agd.nsf/Page/Humanrightsandantidiscrimination_DisabilityStandardsforEducation

POLICY STATEMENTS

Identification, Referral and Assessment

- Schools have the responsibility to follow the recommended procedures for the identification, referral and assessment of students with disabilities (ISSF).
- Additional resource allocation will be considered provided that the provision of the additional resources does not constitute unjustifiable hardship.
- In the event of a dispute about the specific needs of a student, a review by an independent and appropriately qualified third party may be sought.

Educational Options

- This policy, in recognition of the assessed needs of students with disabilities, supports the commitment to providing high levels of consultative and additional support.
- Quality educational outcomes can be optimised through:
 - provision of all relevant information to families, guardians and/or caregivers to enable them to come to a timely decision on the best options, and to actively support them in that decision.
 - a range of educational options to provide for the learning and curriculum needs of students.

Available Educational Options

- *Inclusion in Regular Classrooms with Consultative Support*

This type of provision is appropriate for students with disabilities who can successfully participate in all or most classroom activities, with minimal intervention. The Principal may seek guidance, advisory and/or therapy consultative support from specialist personnel.

- *Inclusion in Regular Classrooms with Additional Support*

In order for some students with disabilities to achieve quality outcomes in their regular class, additional support may be needed. This support may be given from a special education support teacher, advisory personnel, teacher assistant or an inclusion support assistant.

- *Inclusion in Regular Classrooms with Withdrawal Support*

Some students with disabilities may receive support from staff within the regular classroom and on a withdrawal basis. This may include a special education support teacher, advisory personnel, teacher assistant or an inclusion support assistant. The support may be short term, transitional or long term.

Certification

- Students with disabilities have the right to have their achievements recognised by the educational system in line with all other Northern Territory students. Students continuing with their senior secondary studies are supported and can make application for Special Provisions in Curriculum and Assessment through the SACE Board of South Australia. Students with approved 'Special Provisions in Curriculum and Assessment' on the completion of their NTCET requirements will be awarded the NTCET.

Elimination of Harassment and Victimisation

- The Commonwealth *Disability Discrimination Act*, the related Disability Standards for Education (2005) and the *Anti-Discrimination Act* sets out the legal requirements in relation to discrimination or harassment on the grounds of disability or impairment.

RESPONSIBILITIES

Catholic Education Northern Territory

The NT Catholic Education Office has the responsibility to:

- advocate for the needs of students with disabilities at the national and local levels;
- provide, within recognised legislation, policy and budget frameworks, the recommended resources, facilities and support necessary for the provision of appropriate educational programs for students with disabilities;
- arrange timely advice and training to principals and teachers with regard to changes in policy and legislation that affect the care or treatment of students with a disability, including the provision of relevant information for schools to forward to families and caregivers;
- provide specialist education advice to schools, families and relevant stakeholders for students with a disability;
- participate in individual education program review meetings, including Educational Adjustment Plan meetings, as appropriate;
- respond to schools in relation to support services, specialised facilities, equipment, resources and training to meet individual student needs;
- ensure a high standard of record keeping in relation to students with disabilities;

- ensure that the policy is widely disseminated, understood and implemented effectively in its schools;
- ensure the provision of coordinated services by developing and maintaining cooperative links with relevant government departments and community agencies;
- ensure facilitation and support of the implementation, application and development of policy through advice and models of good practice in the field of special education; and
- ensure the development of appropriate inclusive curriculum and supporting documents for its schools.

School Principals

School Principals have the responsibility to:

- ensure this policy and associated documentation is provided to families, guardians and caregivers;
- ensure that all members of the school community have access to appropriate professional development opportunities in special education;
- ensure enrolment procedures are adhered to;
- oversee the delivery of quality educational programs that respond to the needs and abilities of all students, including students with disabilities;
- report to, and actively initiate and maintain, consultation with families and caregivers with regard to the students' class placement and their educational programs;
- ensure that an Education Adjustment Plans is developed, implemented, evaluated and reviewed for students with a disability;
- ensure that stakeholders are invited, with reasonable notice, to meetings concerning a student's profile, educational planning and other relevant education decisions;
- ensure that the identification and provision of educational programs for students with disabilities is in accordance with this policy, and includes reasonable adjustments to the student's curriculum and/or assessment where appropriate;
- ensure that appropriate resources are provided for the implementation of effective educational programs for students with disabilities; and
- ensure that appropriate, confidential student records are kept and disseminated, as appropriate.

Teachers

Teachers have the responsibility to:

- become familiar with and promote the principles and requirements of this policy;
- deliver quality educational programs with adjustments that respond to the needs and abilities of all students, including students with disabilities; and
- actively participate in the planning, development, implementation and review of adjusted education plans for students with disabilities.

Parents and Carers

Parents/carers have responsibility to:

- provide relevant documentation on enrolment; and/or when assessment information becomes available in relation to their child's disability(ies);
- initiate and maintain constructive communication and relationships with schools and other involved providers to achieve the best educational, social and emotional outcomes for the student; and
- actively participate in the planning, implementation, and review of education adjustment plans, designed to assist the student to achieve optimum educational outcomes.

REVIEW

This policy is to be reviewed by the Catholic Education Commission at the completion of three years following policy approval, and will:

- ensure that this policy (including the supporting guidelines) is reviewed and where applicable developed on at least a triennial basis to ensure that it remains in accordance with emerging legislation and accepted good practice.

Number	CE XXX	Name of Document: Students with Disabilities	
Approved by		Signature	
Date approved		Version number	1
Document application	Catholic education	SIRF area	Catholic Identity, Leadership, Pastoral Care and Wellbeing, Finance, Facilities and Resources, Community and Culture, Teaching and Learning.

REFERENCES

Anti-Discrimination Act (NT) http://www.austlii.edu.au/legis/nt/consol_act/aa204/

Department of Education and Training, Students with Disabilities Policy: Provision for Students with Disabilities in Northern Territory Schools, Feb 2008, http://www.det.nt.gov.au/__data/assets/pdf_file/0018/729/students_with_disabilities.pdf Disability and Discrimination Act (1992 – amended Oct 2010)

Disability Discrimination Act 1992,
<http://www.comlaw.gov.au/Details/C2005C00526>

Disability Standards for Education 2005,
<http://www.deewr.gov.au/schooling/programs/pages/disabilitystandardsforeducation.aspx>

Implementation of Support Services and Funds (ISSF), Catholic Education NT, 2011

Melbourne Declaration on Educational Goals for Young Australians, December 2008
http://www.mceetya.edu.au/verve/_resources/National_Declaration_on_the_Educational_Goals_for_Young_Australians.pdf

UN Convention on the rights of persons with disabilities, 2006
<http://www.un.org/disabilities/convention/conventionfull.shtml>

APPENDIX 1: Disability Discrimination Act 1992

An Act relating to discrimination on the ground of disability. Section 4

(1) In this Act, unless contrary intention appears:

disability, in relation to a person, means:

- total or partial loss of the person's bodily or mental functions; or
 - total or partial loss of a part of the body; or
 - the presence in the body of organisms causing disease or illness; or
 - the presence in the body of organisms capable of causing disease or illness;
- or
- the malfunction, malformation or disfigurement of a part of the person's body;
- or
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
 - a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour;
- and includes a disability that:
- presently exists; or
 - previously existed but no longer exists; or
 - may exist in the future; or
 - is imputed to a person.

Definition of impairment includes: Anti-Discrimination Act section 19 Part 4

- (a) the total or partial loss of a bodily function;
- (b) the presence in the body of an organism which has caused or is capable of causing disease;
- (c) the presence in the body of organisms impeding, capable of impeding or which may impede the capacity of the body to combat disease;
- (d) total or partial loss of a part of the body;
- (e) the malfunction or dysfunction of a part of the body;
- (f) the malformation or disfigurement of a part of the body;
- (g) reliance on a guide dog, wheelchair or other remedial device;
- (h) physical or intellectual disability;
- (j) psychiatric or psychological disease or disorder, whether permanent or temporary; and
- (k) a condition, malfunction or dysfunction which results in a person learning more slowly than another person without that condition, malfunction or dysfunction;

APPENDIX 2: Education Adjustment Plan

An Education Adjustment Plan (EAP) is a negotiated plan that outlines the adjustments needed to facilitate access to curriculum for students with identified special needs.

Education adjustment plans should be negotiated with parents/carers, teachers and other agency stakeholders.

An education adjustment plan is a pre-requisite for supplementary resources being made available to students' in regular classrooms.

Adjustments are clearly defined and accurately reflect student need as determined by the Special Needs Profiling Instrument.

These focus areas are:

- **Participation**

- o Curriculum
- o Behaviour
- o Social Competence
- o Safety

- **Communication**

- o Expressive and Receptive Communication (access)
- o Communication Skills Development (participation)

- **Personal care**

- o Hygiene
- o Dietary Needs
- o Health care

- **Movement.**

- o Mobility
- o Hand motor

Schools are accountable for the development, implementation and ongoing evaluation and review of the EAP.