



Inquiry into children and young people with disability in New South Wales educational settings

NSW Government response to final report

#	Recommendation	Position	Response
1	That the NSW Government provide increased funding for organisations that provide distance education for out of home care students with disability.	Noted	<ul style="list-style-type: none"> • In 2024, more than \$1.13 billion in equity loadings has been provided directly to public schools. • Needs-based equity funding is provided to all NSW public schools as additional funding to address the learning needs of identified student equity groups and lift their learning outcomes. This includes schools that provide distance education. • The NSW Department of Education provides distance education to students living in NSW who are geographically isolated or unable to attend school on a regular basis due to special circumstances. This may include distance education provisions for students in out of home care with disability. • Some independent schools, registered and approved by NESA, also deliver distance education. • Funding for non-government schools is chiefly provided by the Commonwealth and is provided according to the needs-based Schooling Resource Standard.
2	That the NSW Government make it a requirement that schools ensure best practice in creating and maintaining communication between the school and the student, their parents and siblings, in line with Recommendation 7.6 (a) of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.	Supported in principle	<ul style="list-style-type: none"> • The final report of the Disability Royal Commission called upon state and territory education authorities to support the implementation and continuous improvement of requirements for student and parental communication and relationships. This recommendation was 'accepted in principle'. • The NSW Government is committed to providing clear guidance for schools to enhance communication and relationships between students, parents, and staff. • This work includes supporting the development of specific guidance tailored for Aboriginal and Torres Strait Islander students with disability. • NSW will work with other states and territories to develop an Associated Plan to Australia's Disability Strategy 2021-31, to improve the accessibility of information and communications for people with disability. The Associated Plan will be developed with people with disability, including diverse people with disability who may face additional and particular barriers to accessing information and communications. Scoping and development will commence in 2024.
3	That the NSW Government continue to monitor the use of restrictive practices in educational settings in New South Wales with a view to reducing their application over time in line with recommendations 6.35	Supported in principle	<ul style="list-style-type: none"> • The NSW Government is committed to reducing the use of restrictive practices and, where possible, eliminating the use of restrictive practices against people with disability and is giving further consideration to recommendations 6.35 and 6.36 of the Disability Royal Commission.

	<p>and 6.36 of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.</p>		<ul style="list-style-type: none"> • In line with the NSW Government's DRC Implementation Plan 2024-25, work is underway to determine the best method and legislative framework for the authorisation of restrictive practices in disability settings. • This work will ensure people with disability and other stakeholders are consulted should the NSW Government decide to pursue a legislative framework. It is important that solutions take account of the context and existing operating systems in each different setting, including in educational settings. • NSW public schools recognise that students may need different types of intervention or support to best meet their needs. Noting that when this is discussed and a plan is agreed, the rights, safety and freedom of students need to be protected, as well as the safety of staff and other students. • The Department of Education's existing policy and legislative obligations are in place to ensure that prohibited practices are not used in NSW public schools.
4	<p>That the NSW Government ensure that schools:</p> <ul style="list-style-type: none"> • manage behaviours of students with disability using a trauma informed approach, in the place of positive behaviour learning • provide better professional development and support for teachers to help them avoid using suspension and expulsion to manage student behaviour. 	Supported in principle	<ul style="list-style-type: none"> • The NSW Government notes the alignment of this recommendation to recommendation 7.2 from the Disability Royal Commission. • The NSW Department of Education endorses evidence-based behaviour support and management approaches. This includes positive behaviour learning, inclusive education and trauma informed practices. Together, these approaches can respond to the full range of behaviour, recognising that students may require different types of interventions delivered in different ways along a continuum of care. • This approach is backed by the department's Student Behaviour Policy, developed with extensive input of stakeholders. • In addition, schools have legislative obligations around maintaining safe workplaces as well as calm learning environments for staff and students. Suspensions remain a critical safeguard if student behaviour poses a risk to others. • The NSW Government supports new and existing teachers having access to quality initial teacher education and ongoing professional development. The Strong Beginnings: Report of the Teacher Education Expert Panel recommended mandated content relating to managing student behaviour be embedded into Initial Teacher Education programs. • The NSW Department of Education provides a range of quality-assured professional learning, including e-learning, blended learning and face-to-face learning for staff to build their capacity around disability, inclusion, student behaviour and classroom management.

<p>5</p>	<p>That the NSW Government provide enhanced/additional support for the transition back into school for children with disability and their families where they are at risk of being disengaged or have been regularly excluded from the school system. This support could incorporate features such as:</p> <ul style="list-style-type: none"> • ensuring Home School Liaison Officers are trained in trauma informed practice and working with both students and their families with disability. • ensuring NESA staff are trained in trauma informed practice for enhancing engagement with home schooled students and their families. • establishment of transition support units specifically for students with disability who have been regularly excluded from school and are at risk of disengagement. These support units should focus on helping students transition back to schooling in a mainstream classroom. • expanding the number of places in schools for specific purposes (emotional and behavioural disturbance) consistent with the transitional model operating at the Ajuga School 	<p>Supported in principle</p>	<ul style="list-style-type: none"> • The NSW Government acknowledges and respects the broader intent of this recommendation and supports the need to embed inclusive practices and support transitions in and across all educational settings. • The specifics of this recommendation require further consideration by the NSW Government and will be considered in the context of the response to recommendations 7.3, 7.4 and 7.15 from the Disability Royal Commission. • In respect to the regulation of home schooling, NESA will consider possible professional learning options for Authorised Persons, with the view that it may enhance engagement with home schooling families, while noting that the role of an Authorised Persons is to assess applications for home schooling. • The NSW Government’s Get Back in the Game (GBIG) Program is delivering support for students and young people (15-21 years) facing barriers to education, employment and training. Currently, 27% of enrolments into the program identify as living with a disability. The program will expand to an additional 36 schools in 2025. • All GBIG caseworkers have received training on The Common Approach, evidence-based to help everyone have quality conversations with young people and their families about all aspects of their wellbeing. Delivery of trauma informed practice training to GBIG caseworkers is planned, following the appointment of new providers in 2025.
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	<ul style="list-style-type: none"> • greater access to distance education, and part time school attendance as a transition to mainstream school settings. • targeted funding for Careers NSW to specifically engage with young people with disability in the 'Get Back in the Game' program, including training for staff in trauma-informed practice. 		
6	That the NSW Government and the NSW Education Standards Authority work towards a school system – government, independent and Catholic – which enables more students with disability to transition to mainstream, inclusive school settings in circumstances where the child and their parents or carers are of the view that it would be to the benefit of that child. The school system must focus on the rights of the child with disability, not the interests of the school.	Supported in principle	<ul style="list-style-type: none"> • The NSW Government acknowledges and respects the broader intent of this recommendation and supports the need to embed inclusive practices and support transitions in and across all educational settings. • The specifics of this recommendation require further consideration by the NSW Government, and it will be considered in the context of the response to recommendations 7.1, 7.4 and 7.15 from the Disability Royal Commission. • The NSW Department of Education’s Enrolment Policy requires schools to make reasonable adjustments ‘so students with disability can apply for enrolment on the same basis as students without a disability.’ • Clear and accessible materials are available for students with disability and their families, outlining their rights and the department will continue to consult with all stakeholders, including students, parents and carers, school staff and community members around implementing inclusive education. • Registered non-government schools are also required to have publicly available enrolment policies. School enrolment policies and processes are expected to comply with the Disability Standards for Education (Part 4), defined under the Disability Discrimination Act 1992. • The NSW Government commits to writing to Catholic Schools NSW and the Association of Independent Schools NSW to share its response to the Committee’s report.
7	That the NSW Government increase the requirements for accreditation of initial teacher education courses to ensure teachers are better equipped to meet the learning needs of	Supported in principle	<ul style="list-style-type: none"> • All initial teacher education (ITE) programs in NSW are currently required to include at least one standalone unit of study to support and enrich the learning of students with disabilities. • Graduate teachers are expected to possess a broad understanding of how teaching programs and resources can meet specific learning needs of all students, including

	<p>students with disability, and to consider options for requiring content to specifically address the needs of students with Autism Spectrum Disorder.</p>		<p>inclusive education practices, adjustments, specialist support and government and community services.</p> <ul style="list-style-type: none"> • Additionally, knowledge of legislative responsibilities and educational policies as they relate to educational settings for students with disability, and promoting student well-being and mental health, including the Disability Discrimination Act 1992, Disability Standards for Education 2005, and the Nationally Consistent Collection of Data on School Students with Disability must be explicitly and systematically embedded across discipline specific and curriculum method units within any program of study. • The Strong Beginnings: Report of the Teacher Education Expert Panel was released in June 2023. The report outlined 14 recommendations to strengthen the quality of ITE. Two of the key recommendations related to ensuring that teachers are better equipped to meet the learning needs of students with disability are the establishment of mandated core content in national ITE program accreditation and embedding this in ITE programs by end of 2025. • NESA will raise this recommendation with ITE providers for consideration.
<p>8</p>	<p>That the NSW Government expand the length, reoccurrence and content of mandatory continuous professional development courses relating to students with disability.</p>	<p>Noted</p>	<ul style="list-style-type: none"> • The NSW Government remains committed to enhancing professional development and expertise in inclusive education across NSW schools. • The NSW Government will consider this recommendation in the context of its response to recommendation 7.8 from the Disability Royal Commission (DRC). • When determining professional development requirements, the NSW Government balances legislative obligations, teachers’ existing capabilities and expertise, time and workload requirements on schools. • NESA professional development categories were recently updated, giving teachers greater flexibility to choose activities most suited to their context and learning needs of their students. This includes in the priority area of ‘students/children with disability’. • In line with the NSW Government’s DRC Implementation Plan 2024-25, the NSW Department of Education is committed to build workforce capability to foster inclusive learning environments. Professional learning for teachers is crucial in providing the skills and knowledge needed to effectively support students with disability and promote inclusive education. Building workforce capability and expertise ensures teachers can create accessible learning environments and implement strategies that accommodate diverse learning needs, fostering an equitable educational experience for all students.

<p>9</p>	<p>That the NSW Government investigate options to increase and enhance incentives for qualified teachers to acquire post graduate qualifications to become special educators for students with disability. This could include:</p> <ul style="list-style-type: none"> • more scholarships for teachers to undertake post-graduate qualifications in inclusive/special education. • relief time from their employment to undertake this study. • incentives, including pay structures, for those teachers who hold specialist post-graduate qualifications in special/inclusive education, for example paying such teachers at the same rate of pay as that of Highly Accomplished and Leader teachers (HALTs). 	<p>Supported in principle</p>	<ul style="list-style-type: none"> • The Disability Royal Commission made recommendations relating to building workforce capability and expertise, which were accepted in principle. The response noted that progress has been made under the National Teacher Workforce Action Plan and the review of the Disability Standards for Education 2005 undertaken in 2020. • NSW public school teachers can seek scholarships to retrain in inclusive or special education, while maintaining their current permanent position. Casual and temporary teachers in the program are permanently appointed to a special education teaching position on completion of their studies. • In addition to providing a pathway for teachers to complete a Master degree with a specialisation in inclusive or special education, the program includes a pathway for a Master degree with specialisation in the area of deaf and hard of hearing or blind and low vision and a pathway for a graduate diploma in inclusive/special education. • NSW public schools are also able to employ relief teachers to provide relief time for teachers to undertake professional learning and development. • Industrial relations, including pay and conditions of employment are negotiated with the respective professional associations in accordance with the NSW Government’s Fair Pay and Bargaining Policy 2023.
<p>10</p>	<p>That the NSW Government investigate means such as adjusting the resource allocation model to ensure there is targeted funding to employ learning and support teachers (LASTs) on a permanent full-time basis in mainstream public school settings to provide consistency and certainty for both teachers and the students with disability they support.</p>	<p>Noted</p>	<ul style="list-style-type: none"> • The NSW Department of Education provides every mainstream school with an allocation of Learning and Support Teacher time, As at September 2024, more than 1,900 FTE of Learning and Support Teacher time was allocated across NSW. • The NSW Government acknowledges the importance of ensuring funding frameworks effectively support the diverse needs of students with disability in NSW public schools, as per its response to the Disability Royal Commission recommendation 7.12.

11	<p>That the NSW Government increase the number of appropriately qualified Deaf teachers, and implement professional development strategies based on an inclusive education capability framework for principals, teachers, teaching assistants and teachers of Deaf children.</p>	Supported	<ul style="list-style-type: none"> • The NSW Government recognises the need to bolster expertise in inclusive education within public schools, including teachers who specialise in inclusive teaching, behavioural support, and deaf education. • The NSW Government will consider this recommendation in the context of its response to recommendation 7.8 from the Disability Royal Commission. • The department aims to provide a workplace that is diverse, inclusive and reflective of the community. This includes fostering a workforce culture where everyone benefits from equal rights, access and opportunities. • Staff with disability are supported to access workplace adjustments in alignment with the Workplace Adjustments Procedure, to thrive in the workplace. • NESAs are working with ITE providers to support training and capacity building and has released curriculum support materials to support the teaching of Auslan in NSW schools (K-10 Auslan syllabus). • Ongoing work in the design and delivery of any aspect of this teaching area will include input from members of the Deaf Community.
12	<p>That the NSW Government increase the number of qualified specialist vision teachers for blind and low vision students, to be engaged for all students who are blind/ low vision, to provide them with:</p> <ul style="list-style-type: none"> • Braille literacy • adaptive technology training • orientation/ mobility • compensatory skills and independent living skills • social skills • career counselling. 	Supported	<ul style="list-style-type: none"> • The NSW Government recognises the need to bolster expertise in inclusive education within public schools, including teachers who specialise in inclusive teaching, behavioural support, or have expertise in supporting students who are blind or have low vision. • The NSW Department of Education aims to provide a workplace that is diverse, inclusive and reflective of the community. This includes fostering a workforce culture where everyone benefits from equal rights, access and opportunities. • Staff with disability are supported to access workplace adjustments in alignment with the Workplace Adjustments Procedure, to thrive in the workplace.
13	<p>That the NSW Government continue to improve the proportion of teachers and support staff with disability in the school sector and consider how more students with disability can be</p>	Supported in principle	<ul style="list-style-type: none"> • The NSW Government is committed to increasing accessibility and disability employment across the public sector, including in education. • The NSW Government will consider this recommendation in the context of its response to recommendation 7.8 and 7.18 from the Disability Royal Commission (DRC).

	supported and encouraged to gain a teaching degree.		<ul style="list-style-type: none"> • In line with the NSW Government DRC Implementation Plan 2024-25, the office of the Public Service Commissioner will review the implications and supports required to achieve specific disability employment targets for the NSW public sector. The Public Sector Disability Employment and Inclusion Steering Committee will provide oversight and support into the program of work across the NSW Government sector to improve the recruitment and retention of employees with disability. • The NSW Department of Education is engaging with public school staff to understand their experiences in becoming teachers and school support staff. • This project is intended to understand opportunities for the department to improve processes and reduce the barriers to people with disability becoming teachers and school support staff. The research project seeks to inform part of the NSW Department of Education's new Disability Inclusion Action Plan.
14	That the NSW Government establish culturally safe policies and procedures for First Nations students with disability, in consultation with First Nations peoples and their representatives.	Supported	<ul style="list-style-type: none"> • The NSW Government is committed to improving the educational outcomes and wellbeing of First Nations students so that they excel and achieve in every aspect of their education, as set out in our Aboriginal Education Policy and the longstanding Partnership Agreement with the NSW Aboriginal Education Consultative Group Inc. • The NSW Government will consider this recommendation in the context of its response to recommendation 7.7 from the Disability Royal Commission. • NSW public schools ensure that First Nations students have access to a culturally responsive education and training system that values their cultural heritage and sets high expectations in delivery. This is measured through School Improvement Plan and reported through Annual School Reports.
15	That the NSW Government provide incentives to existing school learning support officers to acquire a Certificate III or Certificate IV in School Based Education Support, to allow them to commence and complete this training while in employment as a school learning support officer (SLSO).	Noted	<ul style="list-style-type: none"> • The NSW Government notes the response to the Disability Royal Commission's recommendation 7.8c, which it accepted. • The NSW Government is focused on ensuring that we have a good supply of qualified teachers in our schools to provide high quality education to all students. • The Grow Your Own program supports School Administrative Support Services (including School Learning Support Officers) and local community members to upskill to a career in teaching. • Under the program, participants study a pathway to an accredited teaching degree while continuing to work in a NSW public school to gain early classroom experience. Upon successful completion of studies, participants are appointed as a full-time teacher in a NSW public school within an agreed location for a minimum of three years.

			<ul style="list-style-type: none"> The Grow Your Own program does not currently offer a vocational education and training qualification stream; however, participants are supported by the program's university partners to complete a bridging pathway to meet entry requirements for ITE degrees.
16	That the NSW Government invest in specialist and allied health workforces to support children and young people with disability.	Supported	<ul style="list-style-type: none"> In 2024-25, the NSW Government allocated \$40 million for the Family Start Package, including a \$20 million boost to the allied health workforce. State and Australian governments have joint responsibilities for the key workforce areas that deliver care for children and young people with disability. A multidisciplinary approach is beneficial in the diagnosis and management of childing and young people. This includes collaboration between allied health practitioners and teachers. Services responding to identified needs can come from a range of providers – public, private, not-for-profit or, where appropriate, the National Disability Insurance Scheme. Delivery of health services for children and young people with disability is reliant on the availability of the core clinician groups (including speech pathologists, psychologists, occupational therapists, and physiotherapists). NSW Health has implemented a range of statewide recruitment and retention strategies that are either generalised (all workforces or statewide) or focused on rural workforce and/or specific clinical workforces. Details of the programs are available on the NSW Health website. Industrial relations, including pay and conditions of employment are negotiated with the respective professional associations in accordance with the NSW Government's Fair Pay and Bargaining Policy 2023. This recommendation will be further considered in the context of responding to the recommendations of the NDIS Review and the design and implementation of foundational supports, as agreed by all states and territories in 2023.
17	That the Department of Education transition to the eligibility criteria for Integration Funding Support relying on functional assessments of students' needs, rather than medical diagnoses.	Supported in principle	<ul style="list-style-type: none"> The NSW Government acknowledges the importance of comprehensive funding models that consider both student needs and school contexts. The NSW Government will consider this recommendation in the context of its response to recommendation 7.12 from the Disability Royal Commission (DRC). As part of its DRC response, the NSW Government welcomed the opportunity to enhance disability funding arrangements nationally, aligning them with a needs-based approach and the Nationally Consistent Collection of Data on school students with disability.

			<ul style="list-style-type: none"> In line with the NSW Government DRC Implementation Plan 2024-25, the NSW Department of Education is committed to continuing to collaborate with the Commonwealth and other jurisdictions to ensure funding frameworks effectively support the diverse needs of students with disability and consider school contexts.
18	That the NSW Government consider using principles of inclusive and adaptive design in school buildings to improve accessibility for all students. Accessibility considerations for students should be prioritised above heritage requirements.	Supported in principle	<ul style="list-style-type: none"> The NSW Government supports the need to embed inclusive practices in all educational settings, including in the design of school buildings and will consider this recommendation in the context of its response to recommendation 7.4 from the Disability Royal Commission. The Department of Education has developed an Inclusive Design Framework to ensure participation on the same basis for all students. The Framework sets the vision and objectives to be met by new schools and upgraded facilities. The objectives are specific to school settings and build on existing accessibility minimum requirements. Additional specific objectives ensure support units and Schools for Specific Purposes are designed with inclusivity in mind. These objectives will be issued in the next iteration of the Educational Facilities and Standards Guidelines and align with heritage requirements.
19	That the NSW Government commit to a sustainable long-term investment in quality and appropriate capital and infrastructure for educational settings.	Supported	<ul style="list-style-type: none"> In its first term, the NSW Government is investing \$8.9 billion for new and upgraded schools. Addressing the capital investment needs for educational infrastructure arising from the Royal Commission's recommendations is underway. This includes undertaking a process of funding prioritisation for infrastructure decisions. The NSW Government will consider this recommendation in the context of its response to recommendation 7.4 from the Disability Royal Commission.
20	That the NSW Government create clear and direct guidelines for schools to enable compliance with statutory obligations to provide reasonable adjustments for students with disability.	Supported in principle	<ul style="list-style-type: none"> The NSW Government supports the provision of accessible information and guidance to support schools, principals, teachers, and staff in fulfilling their obligations regarding the provision of reasonable adjustments to students with disability. The NSW Government will consider this recommendation in the context its response to recommendation 7.3 from the Disability Royal Commission. NESA's website provides clear information for schools and teachers on their obligations to provide reasonable adjustments for students with disability, in accordance with the Disability Standards for Education 2005. This includes: <ul style="list-style-type: none"> definition of adjustments, including reasonable adjustments

			<ul style="list-style-type: none"> - types of adjustments - processes for making decisions about making adjustments. <ul style="list-style-type: none"> • In addition, teaching advice and support material include illustrations and examples of adjustments that could be made to support students with disability to access and participate in the curriculum. • In NSW public schools, the roles and responsibilities relating to ensuring inclusive education are outlined in departmental policy and procedures. • There is also a range of universal resources and advice to support public schools to meet their responsibilities under the policy and procedures. • In addition, the standard legal guidance around discrimination and factors that might constitute unlawful discrimination in education settings are available in a published legal bulletin. • Specialist legal advice is provided to schools on a case-by-case basis in response to requests for assistance.
21	That the NSW Government consider a streamlined process, including a line of communication between the relevant agencies, for granting disability provisions for the Higher School Certificate. The process should incorporate recognition of pre-existing conditions and adjustments already provided in the classroom.	Supported	<ul style="list-style-type: none"> • Over the past four years, NESA has strengthened the information available for schools about High School Certificate (HSC) Disability Provisions. Online workshops are available to every school in NSW and provide advice and support to improve schools' understanding of disability provisions and improve lines of communication. • NESA is committed to continual improvement of the HSC disability provision process and will continue to look into potential changes to policies, processes and systems to ensure students with disabilities can access exams while maintaining the integrity of the HSC program. • Consultation with stakeholders guides this ongoing work.
22	That the NSW Government provide support to the Department of Education and schools to ensure they work with parents and NDIS providers to enhance and facilitate student access to NDIS-funded support in the school setting in order to achieve maximum benefits for the student and enhance teacher capability to address student needs.	Noted	<ul style="list-style-type: none"> • The NSW Government is carefully considering the recommendations from the NDIS review and continues to work with other jurisdictions on the response. • This recommendation will be considered in the context of responding to the recommendations of the NDIS review.

23	<p>That the NSW Government investigate and review options for an independent oversight function or body to support, advocate and investigate on behalf of children and young people with disability and their families. The independent body could include the following features:</p> <ul style="list-style-type: none"> • Jurisdiction over the education of school-aged children in government and non-government schools, TAFE, vocational education providers, universities, early childhood education settings, home education or not in any educational setting in New South Wales. • The ability to review and adjudicate on decisions to suspend or expel students with disability. • The ability to review and adjudicate on decisions by schools about adjustments, and decisions by NESA about Disability Provisions. • The ability to investigate and respond to allegations of discrimination, abuse, neglect and exploitation of a child with disability in a registered school. • The ability to review and investigate issues of systemic disability discrimination and ableism. 	Not supported	<ul style="list-style-type: none"> • The NSW Government will consider this recommendation in the context of its response to recommendations 7.10 and 7.11 from the Disability Royal Commission. • NSW school registration requirements currently require schools to have and implement policies and procedures for managing complaints that are publicly available. • For NSW public schools, information about raising concerns about support or adjustments for students with disability; the role of support persons and advocates; the availability of free advocacy services for people with disability and their families; and interpreting and translation services, is available via the Department of Education website. • In NSW public schools, any person can raise an issue or concern about any aspect of the services provided by the department. Concerns are addressed with regard to the relevant procedure or process for addressing the specific nature of the concern. • In addition, any person can report allegations of misconduct to the department's Professional and Ethical Standards team directly. • The department has engaged an independent alternative dispute resolution service to assist parents/carers and schools to resolve disputes, at no cost to parents and carers. • Free advocacy services are available to support people with disability and their families through the Disability Advocacy Program. Support organisations are also available for people who identify as Aboriginal or Torres Strait Islander or have a language background other than English. • Beyond the department, there a number of avenues that can receive complaints or investigate issues on behalf of children and young people including: <ul style="list-style-type: none"> - NSW Ombudsman. - Office of the Children's Guardian - Australian Human Rights Commission - Anti-Discrimination NSW - NSW Civil and Administrative Tribunal. • There is also an appeal function internal to the NESA framework, which includes appeal to independent tribunals. • Upon enrolment, TAFE NSW students with an identified disability have access to support from a Disability Teacher Consultant for ongoing support and advocacy. • The TAFE NSW Complaints Policy ensures that the dispute resolution process is clear and accessible to all students and/or their parents and carers.
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	<ul style="list-style-type: none"> • The ability to collect and report on data relating to suspension, expulsion and restrictive practices. • The ability to advise on a transition to a more inclusive education school system. • A clear and accessible dispute resolution mechanism for parents and carers to make complaints or raise concerns, and procedures to collect, analyse and report on these complaints. 		<ul style="list-style-type: none"> • When a learner identifies as having a disability, subject matter experts, including Disability Teacher Consultants or Counselling and Careers advisors (with permission from the student) are engaged for support through the complaints process. • TAFE NSW Student Services monitors its complaints for trends to drive continuous improvements, reporting and analysis of complaint volumes and themes. • Through its Australian Universities Accord process, the Commonwealth is moving to establish a National Student Ombudsman. The Universities Accord (National Student Ombudsman) Bill 2024 is currently before the Commonwealth Parliament. The proposed National Student Ombudsman will have wide investigation powers, including in relation to discrimination, and the ability to make recommendations to higher education providers and report on the outcomes of investigations.
24	That the NSW Government refer the issue of the removal of exemptions which allow private educational institutions to discriminate against a person on the basis of disability to the NSW Law Reform Commission for consideration as part of its review into the <i>Anti-Discrimination Act 1977</i> .	Supported	<ul style="list-style-type: none"> • The NSW Law Reform Commission is currently reviewing the Anti-Discrimination Act 1977. The review is considering whether the Act should be modernised and simplified to better promote the equal enjoyment of rights and to reflect contemporary community standards. The terms of reference for the review include consideration of exceptions and exemption processes.
25	That the NSW Government seek to amend the <i>Anti-Discrimination Act 1977</i> to include a positive duty on educational institutions to provide reasonable adjustments for a person with disability.	Noted	<ul style="list-style-type: none"> • The NSW Law Reform Commission is currently reviewing the Anti-Discrimination Act 1977. The terms of reference for the review include whether the Act should include positive obligations to prevent discrimination, harassment and vilification, and to make reasonable adjustments to promote full and equal participation in public life.
26	That the NSW Government improve its data collection and reporting on students with disability who are school-aged/in school settings, including collecting data on the following:	Supported in principle	<ul style="list-style-type: none"> • The NSW Government supports a vision for improved data and evidence on the experience and outcomes of students with disability and will consider this recommendation in the context its response to recommendation 7.1, 7.9, 6.39 and 6.40 from the Disability Royal Commission as well as the recommendation made by the NSW Audit Office in its report on supporting students with disability. • Implementing this recommendation requires further consideration of data collection categories and reporting. In addition, implementing components of this

	<ul style="list-style-type: none"> • collect and report on data relating to suspension, expulsion and restrictive practices in government and non-government schools • collect and report data on students refused enrolment in their school of choice due to disability • collect data on students with disability who are homeschooled in the Nationally Consistent Collection of Data on students with disability • collect data on outcomes of requests for reasonable adjustments and HSC Disability Provisions • where relevant, this data should be disaggregated to report on children who are in out of home care. 		<p>recommendation will require consideration of impacts on workload for schools and data management systems.</p> <ul style="list-style-type: none"> • Since 2011, NESA has published fairness and integrity data annually relating to the previous year’s HSC, including statistics around applications and approvals of disability provisions in HSC assessments and exams. The data is reported by provision not disability. NESA is committed to continuing this practice and broadening the data published relating to the HSC. • The Department of Education’s Plan for NSW Public Education outlines how it will create an equitable and outstanding education system. The department commenced monitoring and reporting on its plan in 2024. The plan includes student success measures that tell us about the experiences and outcomes of students. • Complementary to the plan and specific to students with disability, the department is progressing work to track and monitor the experiences and outcomes of students with disability to drive evidence-based policy, programs and initiatives to improve experiences and outcomes for students with disability.
<p>27</p>	<p>That the NSW Government increase support for young people with disability transitioning from school to study at TAFE, vocational education and training and higher education, for example through funding transition pilot programs and introducing in-school supports and learning for students with disability.</p>	<p>Supported in principle</p>	<ul style="list-style-type: none"> • The NSW Government supports a consistent approach to supporting students as they transition from school to post school options. • The NSW Government will consider this recommendation in the context its response to recommendation 7.5 from the Disability Royal Commission. • Current support initiatives include government-subsidised training, funding for TAFE NSW, and collaboration with industry to create workplace engagement models. • By ensuring students with disability are supported to access and participate in quality career learning at all levels, the NSW Government is facilitating these students access to future opportunities. • The Department of Education’s Plan for NSW Public Education commits to provide meaningful post-school pathways for every student in the system. Examples of programs and initiatives that support post-school transitions for students with disability include:

		<ul style="list-style-type: none"> - Externally Delivered VET (EVET) <ul style="list-style-type: none"> ▪ Offers training providers additional funding to support teaching and learning activities for students with disabilities. ▪ Includes dedicated classes (offering a lower student-to-trainer ratio and customised delivery content to suit the needs of students with disability). - Dedicated resources for school leadership teams <ul style="list-style-type: none"> ▪ Available on the department’s Universal Resources Hub; resources to support schools in their strategic planning and empower them to assist young people with disability to explore post-school pathways. - Educational Pathways Program <ul style="list-style-type: none"> ▪ Enables students with disability to engage in vocational taster courses and career learning through the provision of additional resources to support their learning needs. ▪ Also offers tailored pathway and vocational learning opportunities to engage students from Schools for Specific Purposes, and initiatives such as Back in the Game, to provide wrap around support to students most at risk of disengaging from education. • TAFE NSW offer a statewide network of Teacher Consultants, Disability Support Teachers, Teachers and Disability Teachers providing advice, guidance and support for students living with disability and medical conditions across multiple channels. • TAFE NSW disability and access services include: <ul style="list-style-type: none"> - Provision of assistive technology and equipment - Disability awareness training for inclusive teaching/specialist disability needs - Case management - Referral and appointments - Negotiation, implementation and review of reasonable adjustment provision within Individual Education Plans - 1:1 and group tutorials - Liaison and referral with teaching sections to provide guidance, advice and support managing reasonable adjustments and student learning needs - Tailored service to enable success of the student - Attend and participation in events organised by peak disability organisations • Other initiatives offered by TAFE NSW include: <ul style="list-style-type: none"> - Start your Future and Trade Readiness courses
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			<ul style="list-style-type: none"> ▪ Students with a disability participating in these courses are supported by their school Student Learning Support Officer. - TAFE NSW early school leavers program <ul style="list-style-type: none"> ▪ Disability support and reasonable adjustments available: - TAFE NSW Counselling and Career Development Service <ul style="list-style-type: none"> ▪ provides students with timely, professional and best practice counselling and career development support. • Bradfield Senior College at TAFE NSW is a model of a non-traditional senior secondary school which caters for a diverse range of students, with and without disabilities, that are seeking to re-engage with education. The Bradfield model provides: <ul style="list-style-type: none"> - An intensive enrolment process with interview and liaison with external agencies/previous schools as required to develop student plans with goals and adjustments to support. - 3 X 5-week 1 day per week YES programs available for specific students in Year 10 to assist them to integrate into the campus, identify further learning or other needs. - 2-day orientation program for all learners - Flexible study patterns (Pathways HSC) and college style timetable - Adjustments (as available to all TAFE NSW students).
28	That the NSW Government, in cooperation with the Australian Government, seek to review the governance of NSW public universities, particularly with respect to their policies and processes for meeting the educational needs of students with disabilities and their complaints handling processes.	Noted	<ul style="list-style-type: none"> • The Minister for Skills, TAFE and Tertiary Education will refer this recommendation to the NSW Vice-Chancellors' Committee for consideration.