

**PICKING UP THE PIECES**

**REVIEW OF SPECIAL EDUCATION  
2000**

**HE TÄTARITANGA MÖ TE MÄTAURANGA MOTUHAKA 2000**

**CATHY WYLIE**

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# **PICKING UP THE PIECES – EXECUTIVE SUMMARY & RECOMMENDATIONS**

This review was commissioned by the Minister of Education, the Hon Trevor Mallard, and the Associate Minister, the Hon Lianne Dalziel, to provide an analysis of the Special Education 2000 policy, and to make recommendations for any changes which would improve the provision of education for children with special needs.

There was strong interest in the review, with more than 1000 submissions made within the 2 months of consultation, from a wide cross-section of New Zealand society. The review also included site-visits to schools around the country, public meetings, meetings with relevant organisations and interest groups, and draws on all available research, official papers, guidelines and statistical data, and relevant international overviews of special education provision.

The Special Education 2000 policy has expanded the number of students receiving some special needs support to around 5.5 percent of the school population. It has improved opportunities for some students with special needs, but not all. The division of the policy into a number of separate initiatives and funding pools has made it hard to offer students, parents, and schools, the seamless, integrated service which works best for students with special needs.

Contestability between the fundholders working with students with ongoing high and very high needs has created fragmentation, gaps in accountability, and inequalities of resourcing and opportunity for students with special needs.

Funding is less predictable, and has led to the casualisation of employment for many teachers, teacher-aides and therapists. This leads to the loss of expertise, which is hard to replace. Professional development has been patchy, focusing on the policy itself and the new support service of Resource Teachers of Learning and Behaviour, but with little available for specialist teachers and teacher-aides. There is too much reinvention of the wheel required in individual schools, for people already working at full stretch.

## **Students with High Special Needs**

The Ongoing Transitional Resourcing Scheme (OTRS) for students with high or very high needs is surrounded with considerable tension. Because it is the only funding which appears to offer continuing support, many more applications are made than fit the criteria. Just under half the current applications succeed. Yet the application process is time-consuming, and often painful for parents.

OTRS funding is divided between the Specialist Education Services (SES) and 77 other fundholders. The support each individual student gets is not a fixed dollar sum, as some parents believe, but is related to the nature of the students' needs within the fundholder's pool and their costs. This model works best for special schools and some others. The model does not work well for the 57 percent of OTRS students served by the SES, which serves a much larger

number of schools over a wider area, including the rural and remote areas which are not attractive to other fundholders. The SES cannot benefit from the same economies of scale, and appears to have higher costs.

The SES is the provider of the Severe Behaviour Initiative, the main provision under Special Education 2000 for students with behaviour issues which need more intervention and support than the school or Resource Teachers of Learning and Behaviour can provide. The initiative attracted continual criticism during the review.

The SES is also the provider of the Speech-Language Initiative, geared to support students with severe need for speech language therapy. This initiative was widely welcomed, but there were problems with access. There is a real shortage of speech language therapists who have educational backgrounds.

## **The Role of the SES**

The SES is the key provider or fundholder for all three of the high needs schemes. While there is considerable and impressive expertise within SES, it was not as accessible as it needed to be. SES has also lost experienced staff, and has not always been able to recruit credible replacements. Overall, it was judged as increasingly ineffectual, fragmented, and distanced from schools and parents.

It has been put into this difficult and probably unviable position by contestability with the other OTRS fundholders, the development of the RTLB service, the segmentation of funding, and the probable under-resourcing of some initiatives.

In its current form, the SES is unable to provide the more co-ordinated, seamless service, serving students with both high and moderate special needs, which was identified in the review as key to educators and parents, and key to making real improvements.

## **Students with moderate special needs**

Around half the country's schools feel able to meet the needs of their students with moderate special needs through the Special Education Grant (a decile-weighted per capita amount which goes to every school), and the support they can access with the Resource Teachers of Learning and Behaviour, who are usually shared between a cluster of schools. Many schools also use other school funding to provide remedial programmes which cater for a range of students, including those with moderate or mild special needs.

The SEG is not enough however if a school has OTRS students whose costs are higher than the funding or support available for them, or if a school has a reputation for welcoming students with special needs. Schools which had had special needs units were particularly disadvantaged with the disestablishment of unit staffing at the end of 1998, and the loss of support and opportunity for these moderate needs students was a marked theme in the consultation.



*Staff expertise and workload were also raised in the consultation, linked to the need for more resource materials and professional development, and greater co-ordination of services.*

The set of recommendations made here arise from careful consideration of the issues raised by the review. Sometimes the obvious answer is not the one which will really provide the changes needed long-term. I have sought to develop a coherent framework which should provide a more integrated and rewarding system of special education over time. They are inclusive of all students and groups.

## **Recommendations**

### **OTRS**

#### **Verification**

- (1) Improved information on eligibility for OTRS, including real-life examples related to the criteria.
- (2) Improved information on how the application forms should be filled out, including the role of medical and psychological assessments, again using real-life examples.
- (3) More specific feedback on applications which do not succeed in the letter providing the decision.
- (4) A given time-frame for decisions to be made and notified.
- (5) Support and advice for applications for the groups who appear to have lower application success than others: Maori students, kura kaupapa Maori, rural schools, decile 1 schools. The support would need to include free access to relevant specialist assessment.
- (6) A working group of verifiers, principals, parents, and specialists to work on resource materials and ways of reaching people, to support 1-4 above
- (7) Systems to ensure information on students including earlier observations and specialist assessments are passed on with the student. This is particularly important for students whose condition does not become apparent until they are at intermediate or secondary school, and for students entering the school system.
- (8) Review the suitability of the OTRS criteria for Maori-medium education with people from kura kaupapa Maori
- (9) End the three-yearly reviews for very high and high students. The verification process since the trial appears to be robust in identifying needs which do not change. Those who made progress would not be

penalised (indeed, progress with OTRS students needs to be recorded and good practice shared).

- (10) The review of those verified in the initial trial should be continued until all those in the trial have been covered, to ensure consistency. Those who are now performing well above the criteria should have their funding continued until the end of 2000 only; those who have made some progress which would now put them slightly above the criteria should remain within the OTRS scheme (without this support they are likely to regress), and those whose presenting condition has been fixed through surgery or medical intervention should remain in the scheme until they are functioning well.

### **OTRS Coverage**

- (1) The inclusion in high needs OTRS of the group with moderate needs in all three criteria. The Ministry of Education estimates the size of this group to be around 400.
- (2) The creation of a 'profound needs' or 'total care' category, which would add funding to cover total personal care for those students who are completely physically dependent, though they may have some communication skills and ability to engage in learning. This category would cover around 300 students.
- (3) To ensure that all students who have fragile health needs and no other special needs receive the support they need, and are treated alike, I recommend that a new funding pool be made available to cover around 300 students.

### **Severe Behaviour Initiative**

- (1) Move away from a single-model approach to a more flexible provision..
- (2) Move to a more seamless provision of support and alternatives for students and schools to allow preventative programmes and approaches, crisis interventions, and support for students with severe mental health difficulties. This indicates the need for more intersectoral provision, particularly for education, welfare, and health.
- (3) Support for students with severe mental health difficulties would be enhanced by a better identification of these students in schools, by teachers and RTLBs, so that they can be referred to mental health specialist services (a health rather than education responsibility), and the better integration of mental health and education services through more local 'one-stop shops'.
- (4) This provision should allow approaches which cover home and school. Students should continue to receive support if they are suspended or stood down from school.

- (5) There needs to be better alignment with other educational funding and support for students at risk.
- (6) This suggests that the Severe Behaviour Initiative should not be isolated, either in terms of funding or provision. This has implications for the SES.
- (7) Many behavioural issues could be resolved long-term through systemic changes to secondary school provision, which make school attendance more engaging and meaningful to a wider range of students. Changes which are likely to make a positive difference include greater curriculum differentiation, structures (e.g. schools within schools) which enable teachers to have closer knowledge of individual students, and more off-site learning, using project-based and work-related experience. Such approaches are supported by Maori and Pacific groups.

### **Speech-Language Initiative**

- (1) Government funding of training to improve the supply of speech-language therapists, with priority to Maori-speaking therapists, and also Pacific therapists.
- (2) Increased funding for speech-language therapists to work with teachers and teacher-aides, and to develop and trial kits (including videos and tapes) which could be used in schools
- (3) Collection of case-studies of successful interventions with students with moderate and mild speech-language needs to guide practice and prioritisation.
- (4) Increased funding to cover provision for children who have high but not ongoing needs, where intensive and time-limited intervention would make a significant difference to communication and literacy.
- (5) The provision of a more seamless speech-language support service. This would mean amalgamating the present initiatives and contracts.

### **New National Network of Support and Resource Centres**

- (1) The development of a new national network of district support and resource centres for special education, to provide a more seamless, accessible and integrated service, under the aegis of the Ministry of Education. These centres would include specialist support, therapy, resource materials, equipment, professional development, advice and support for parents, and co-ordination with related services (health, welfare, social services). These district centres would act as fundholders, and perform the administrative work associated with that role. This would mean the disestablishment of the SES as an organisation, but the retention and transfer of most of its specialists to the new centres.

## **Units**

- (1) The creation of a national programme scheme providing establishment staffing for the schools which had units, and continue to offer particular programmes for students with moderate special needs which meet certain criteria. Schools which did not have units but which offer these kinds of programmes will also have access to the pool.

## **Units Serving the Physically Disabled**

- (1) A number of the recommendations made so far should improve the viability and sustainability of the units serving students with physical disabilities:
  - The recommendation for a single national fundholder, with allocations to district support and resource centres
  - The new programme funding pool
  - The inclusion within OTRS of a 'total care' category
  - The new fragile health funding pool.
- (2) However, these may be insufficient within themselves, particularly in the short-term. If modelling based on individual schools shows that this will not make them viable, then I recommend the creation of a top-up funding pool for the next 3 years, to provide security for planning and employment. This pool is likely to cost between \$1.5- 2 million per annum. Funding should be given on the basis that the schools will contribute to a shared data-base of case-studies to develop a clearer understanding of the outcomes and costs of reasonable provision for different students, so that sound decisions can be made after the 3 year period.

## **Providing for Moderate Special Needs**

- (1) To better develop the capacity of schools to accept and provide for students with special needs, the establishment of tagged staffing at each school to provide for a Special Needs Education Co-ordinator who could work with school staff, RTLBs, and district centre staff to identify individual student needs, plan programmes, arrange support, professional development, and resource materials, and to support other teachers at the school in their work with students with special needs.

I propose that this position be at minimum 0.2 FTTE at primary schools, and 0.4 FTTE at secondary and area schools.

- (2) Allowance needs to be made in the school property guidelines for smaller spaces to enable schools to provide smaller group work, particularly for students who need a quieter space than contemporary classrooms provide, individual sessions, and planning sessions.
- (3) Central leadership and provision of resource materials related to curriculum adaptation for students with special needs, developed through working groups, using the materials already developed by a

number of individual teachers and schools, and the Correspondence school (which has a wealth of such materials). These should be available to each school in kits, with regular updates on the Web.

- (4) Central leadership and provision of resource materials related to pedagogy and class organisation for students with different special needs. (One particular gap appears to be for students on the autistic spectrum, or with ADD/ADHD). These should include case studies shared by parents and schools to show what works, and be available in different forms, including video, and on the Web. The district centres could create networks of educators to share experiences and provide support for each other's work.

### **Transport**

- (1) Return to the previous system of managing and funding transport, using the new district resource and support centres.
- (2) Provide transport subsidies (usually for public transport) for students attending activity centres to provide equitable funding with other students with behavioural needs.
- (3) Some discretion may be needed to ensure that students with special needs have transport support to access other schools if they cannot access their local school. This can be done through the district centres, which would allow co-ordination with the work of the Ministry of Education facilitators.

### **Resource Teachers of Learning and Behaviour**

- (1) Clear criteria for cluster processes, to ensure allocation of RTLB time is related to moderate need students, and is allocated by need, not roll numbers. It is likely that larger schools will have more students with special needs. Allocation by need should provide the additional support needed by magnet schools, rural schools, and kura kaupapa Maori.
- (2) Clear criteria for the allocation of the Learning Support funding, and Year 11-13 funding, again by need.
- (3) Funding for RTLBs and clusters would be dependent on meeting their meeting these criteria.
- (4) A national working group of RTLBs, principals, and teachers to work with the Ministry of Education on the criteria for cluster resource allocation.
- (5) Training for RTLBs needs to be made available in future. Such provision should be informed by the experiences of the current course.

- (6) For 2001, funding should be given to a distance learning course for Maori and Pacific Island teachers and advisers, with recognition of prior learning.
- (7) Funding also needs to be given in 2000-2001 for the development of kits for clusters, sharing success and salutary tales, so that RTLBs and those they work with are not always reinventing the wheel. This could be done through a national group of RTLBs, recommended by RTLBs and principals, pooling ideas and existing resources.
- (8) Clusters would be linked to the new district centres, which would relieve the administration load of principals.

### **Professional Development**

- (1) Funding of teacher aide professional development, and time for them to work with teachers to plan for students.
- (2) Ongoing funding for professional development and support for schools to work on their provision for students with special needs .
- (3) Central provision of useful resource materials on classroom organisation, curriculum adaptation, identifying student needs etc, based on national working groups consisting of those who have produced resources already. These resources should include written guides, case-studies, videos, material available on the Web, audio-resources.
- (4) Encouragement of teachers and others to research practice in relation to impacts for student with special needs, their peers, and those who work with them, so that practice can be soundly based.
- (5) The recommendation to tag some establishment staffing for a special needs co-ordinator in every school will boost the capacity of schools over time. The special needs coordinator would provide ongoing informal professional development and support within schools, keep resources and know who to contact for information etc outside the school, so that teachers are informed and confident about their ability to work with students with varying needs, at little cost to their own time.

### **Information and Support for Parents**

The recommendation to create new district centres should improve parents' access to good, user-friendly information and real support. Recommendations on professional development and the establishment of a tagged special needs co-ordinator at each school should lead over time to improvements in communication, where it could be improved.

In addition:

- (1) Parents should be involved in the creation of basic information kits, so that their questions are answered, in clear language
- (2) Such information kits should be free to parents and those who support them in other sectors, particularly health, and community organisations, particularly Maori and Pacific.
- (3) Where voluntary organisations are asked to provide information about policy changes to parents, their additional costs should be met (e.g. postage).

### **Accountability**

- (1) Clearer and more specific guidelines on the intended use of OTRS resources, particularly the specialist teacher time and teacher-aides, on the use of SEG, and on IEPs. These should be developed with experienced specialists, and parents.
- (2) ERO needs to play a greater role in checking that OTRS resources are being used appropriately, and could raise awareness of what the requirements are by making this a priority in their audits for the next few years. Parents' experiences should be included in the ERO process.
- (3) There need to be more Ministry of Education facilitators to provide parents with support so that positive outcomes are achieved. It is important that Maori and Pacific facilitators are available.
- (4) The addition of a fourth aim to the Special Education policy. This aim is to:

*ensure the acceptance of children with special needs in all schools, and their inclusion in school activities in ways which benefit their development of independence.*

### **Improving Provision for Maori students with special needs**

- (1) In addition to these systemic improvements, further recommendations are made to address particular concerns for Maori and develop Maori capacity.
- (2) Further development of policy should include Maori in all phases. The Special Education 2000 policy has been criticised by Maori for taking little account of their particular needs, and their preferred solutions, such as a more holistic approach to the identification and support of special needs.
- (3) Priority should be given to the development of more Maori RTLBs, therapists, resource materials using te reo; and the development of a Maori network related to special education through support for Maori organisations in the recruitment, training, placement. This is not a quick-fix option, which will provide immediate improvements. It will take some years to develop capacity and expertise.
- (4) There is a need to rethink the positions of Maori RTLBs, in consultation with those they work with and local iwi.

- (5) It would be advisable to fill any vacancies for RTLBs working in clusters with medium-high proportions of Maori with Maori staff, where possible.
- (6) There is a need to be able to use iwi and community more, including out of school provision, to provide greater curriculum differentiation, and more personal support.

### **Improving Provision for Pacific students with special needs**

In addition to the overall improvements, further recommendations are made to address particular concerns for Pacific students and to develop Pacific capacity.

- (1) The provision of training for speech-language therapists able to work well with Pacific students and their families.
- (2) Priority should be given to the development of more Pacific teachers and advisers as RTLBs.
- (3) The inclusion of Pacific staff among district centre staff.
- (4) Greater use of community organisations where appropriate.

### **Health and Education—Intersectoral Issues**

- (1) Priority in health services to ensure that hearing and vision checks are carried out on all children under 8 years, with quick follow-up of any problems identified, including the free or affordable intervention or provision of aids
- (2) The district centres should provide the basis for more transdisciplinary work, including the quicker identification of equipment needs, and a readier supply of useful equipment.
- (3) Teacher-aides working with children who need health care such as catheterization need to be properly trained and monitored.
- (4) The coverage of the Health and Disability Act needs to be clarified, and any issues for schools identified.
- (5) Schools need to be reminded of the national guidelines on medication in schools. These guidelines may need to be tightened and clarified.
- (6) A working group of educators and parents should develop resource materials on school safety for children with special needs, including practical advice on ways in which schools can use peers.
- (7) An examination of whether personal care for students with special needs should be met by health rather than education funding.

### **Early Intervention**

- (1) Provision for students with special needs at the early childhood education level needs to be examined.



### **Transition from School**

- (1) Provision for students with special needs making the transition from school needs to be examined in more detail, with attention paid to the responsibility of different government agencies and programmes to identify any gaps.



# TERMS OF REFERENCE OF THE REVIEW OF SPECIAL EDUCATION 2000

This review was commissioned by the Minister of Education, the Hon Trevor Mallard, and the Associate Minister, the Hon Lianne Dalziel, to provide an analysis of the Special Education 2000 policy, and to make recommendations for any changes which would improve the provision of education for children with special needs.

## Terms of reference

The Government is committed to the stated aims of Special Education 2000, that is to:

- improve educational opportunities and outcomes for children with special education needs in the early childhood and school sectors;
- ensure there is a clear, consistent and predictable resourcing framework for special education; and
- provide equitable resourcing for those with similar needs irrespective of school setting or geographic location.

The review will focus on:

- **students currently on the margin between moderate and high special education needs in the school sector**, with a view to assessing the extent to which these students are in fact receiving appropriate support.  
*This includes an assessment of the relationship between the three high needs initiatives of Special Education 2000, and the school-based resourcing for students with moderate needs. The needs of students with ongoing learning difficulties and students with multiple special education needs will also be reviewed;*
- **issues and problems associated with staffing special education units** to identify possible solutions, particularly whether long-term enrolment patterns might be able to determine viability;
- **the Special Education Grant**, to assess the extent to which it enables schools to meet the moderate special education needs of students, with particular reference to those students in “magnet” schools, small and rural schools, and Kura Kaupapa Māori; and
- the effectiveness of the recent changes to **special education transport policy** with a view to recommending future directions for special education transport policy.

There is a particular interest in improving support for Māori and Pacific Islands students with special education needs.



# VOICES OF PARENTS

- ◆ We love to see our children learning. We know how hard it is. We want to focus on success/progress/achievement/abilities. That's how we survive at home. That's what we want from school. A positive approach to one step at a time.
- ◆ Currently, the support M\_\_ is getting due to the ORS funding is adequate and appropriate to her needs. However, the price of getting to this point was often a frustrating battle. This delayed the help M\_\_ required and made her fitting in to school more stressful than it need have been.
- ◆ Special Education 2000? Mainstreaming your child. The theory is good, the practice is where you run into trouble. It all hinges on the attitude of the Principal...as to how accessible the school is.
- ◆ *Lack of co-ordination between service agencies*—we have seen over the years SES, Puketiro Centre for occupational therapy and psychological assessment, SPELD, Kimi Ora School, private occupational therapists, private schools, public schools, special units, visiting teachers, counsellors, doctors etc. etc. We have frequently requested SES to give us a 'shopping list' of what B needs and where to go for them, but it has only been by trial and error that we have found appropriate therapies for special difficulties.

Despite both myself and B's father being articulate, educated adults, accessing support for B has been like finding our way through a maze blindfolded.
- ◆ What is happening, as in my daughter's case is many schools have been forced to close special needs units and 'dump' these kids in the mainstream or inclusion as they like to call it...Parents like myself feel frustrated and powerless in the new system.
- ◆ Because of his disability he isn't able to access the curriculum like the other children—unless he gets the one to one support as needed...It all comes back to the poor teacher in the classroom who has to control and teach 23 new entrants as well as give extra attention and time to A plus 2 more special needs children in the same class. We see that this is just not possible and feel the whole system is letting us down. We have been utterly frustrated and considered taking A out of school to teach him at home. However, A being one of 4 children and with work at home I'm not able to do this.
- ◆ My son is not ready for mainstream education yet. I feel the unit style education is the best option for my son at present. I would hope that as he gained the necessary skills to cope in mainstream we would ease him into it, but in reality that isn't possible yet. As a parent I find it so stressful never knowing if this option will be available for us from year to year. It is hard enough on families to cope with the hardships the disorders bring about in daily life and the uncertainty at school is an added burden.
- ◆ The support the school receive from SES in terms of training and expertise especially for the teacher aides we find to be very poor. The keyworker from SES seems to have no expertise to offer with regard to teaching or behaviour strategies for people with autism. Behavioural support staff from IHC attend monthly meetings with school to assist with these matters. They do this for no charge and are in effect doing what SES should be doing. We admire the resourcefulness of the school and teacher aides in trying to cope so unsupported by SES. Perhaps SES should look at employing staff with far greater qualifications in supporting people with autism and other complex disabilities. We feel strongly that SES are not fulfilling their job description and others i.e., schools, parents, other agencies are doing this work unfunded, or that children with special needs are missing out. The government need to investigate why this is happening and make the necessary changes.





# VOICES OF SCHOOLS

- ◆ The policy for inclusion is giving students the opportunity to interact and learn from each other—when there is sufficient support.
- ◆ Three of our ORS pupils came to our Unit as a last resort as they were about to be suspended from their neighbourhood schools. All have successfully been included and made amazing progress. I attribute this to—
  - (1) Teacher expertise with the responsibility for Special Education and not full classroom programmes.
  - (2) A set of resource rooms where they could meet some of their IEP goals.
  - (3) An inclusive school culture

The SEG works well in our school to deliver programmes to individual children. The funding formula allows us to meet the learning needs of our pupils identified through out Special Needs Register. We are able to support this by ‘piggybacking’ moderate needs children with the ORS pupils and their teacher aide; an option not available to many schools.
- ◆ The school is trying to cope with inclusion in a way that almost ‘denies’ the special needs of the students. Placing teacher aides with students does not solve the problems and in some cases the outcome for the student is greater dependence than if they were educated in a unit. The least trained are working much of the time with some of the most difficult students.
- ◆ In the case of our school, the number of ORS-funded intellectually impaired students has doubled in a very short time, indicating the high level of satisfaction from parents. However, the Board is not able to plan coherently for providing these programmes and the physical facilities and equipment to support them, while they are vulnerable to potentially fluctuating levels of funding.
- ◆ Prior to the closing of this special needs unit, the TFEA funding catered for the more moderate needs. These students now miss out on support as the TFEA class now consists of students from the disestablished unit.
- ◆ The funding that the SES service has to budget with is quite moderate in terms of meeting the needs of a fast expanding area like ours and no more so than in the area of meeting the needs of children with behavioural problems. As a consequence small signs of progress are seized on and are likely to result in a cutting of teacher aide hours before the progress can be consolidated or confirmed that the changes are permanent.
- ◆ The distribution of funding through clusters is also a negative from our point of view. The shift of the transitional funding for section nine students into the cluster will seriously reduce our ability to maintain the Work Experience Unit in its current form. It seems ironic that officials are keen to quote that we are doing here as ‘best practise’ while at the same time building a funding structure that makes it difficult for us to continue our current programmes.
- ◆ In [this area] there seems to be almost a crisis situation with staffing at the Specialist Education Service. Staff turnover is extremely high and there are several vacancies. The vacancy for a speech therapist has proved impossible to fill. This means schools cannot access a speech therapist. Strategies must be developed to attract and retain staff in provincial areas.





# SOURCES OF INFORMATION FOR THE REVIEW

1. I have used a wide range of material to gain the clearest picture possible within the limited time-frame of the review of how the different aspects of the policy were actually working, and what progress was being made in relation to the three main aims of the policy endorsed by the Government.
2. The review attracted a large number of submissions, despite the short period of time available.<sup>1</sup> Public meetings attracted parents, supporters and educators from many different backgrounds, and showed that the issues around special education are deeply felt. I was often humbled by the commitment and strength of parents and educators. Improvements to the existing policy and provision were clearly of great importance to a wide cross-section of New Zealand.
3. The material I have used for this review includes:
  - 78 interviews on a range of school sites in Northland, Auckland, Hamilton, Matamata, Palmerston North, Hawke's Bay, Wellington, Hutt Valley, Porirua, Christchurch, and Dunedin.<sup>2</sup> These schools provided a good mix of primary, secondary and intermediate schools, of schools in rural and urban settings, of different socioeconomic communities. Two kura kaupapa Maori were visited, one area school, nine special schools, and the Correspondence School. Interviews were usually held with the school principal, teachers working with children with special needs, Maori and Pacific Island teachers, and sometimes included Resource Teachers of Learning and Behaviour (RTLBs).
  - Seven public meetings with parents and others with an interest in special education, in Auckland, Hamilton, Wanganui, Wellington, Wainuiomata, Christchurch, and Dunedin.
  - individual interviews with 14 of the 16 plaintiffs in the Daniels et al vs Attorney-General et al case.<sup>3</sup>
  - meetings with relevant organisations and interest groups, including the Ministry of Education, Specialist Education Services (SES), the Education Review Office (ERO), the Human Rights Commission, Office for the Commissioner for Children, the Ministry of Health, the New Zealand Educational Institute (NZEI), the Post Primary Teachers' Association (PPTA), School Trustees Association, Vision Education Agency, Deaf Education Agency, the Quality Public Education Coalition (QPEC), regional teacher union groups, parent

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<sup>1</sup> The review was carried out between early April and the end of July 2000.

<sup>2</sup> Johanne McComish, the Executive Officer for the Review, shared these interviews so that the Review could include as many different schools as possible.

<sup>3</sup> This review addresses the educational issues raised by the plaintiffs. The legal issues related to the case are outside my terms of reference.

groups, advocacy groups, including IHC, CCS, Parent to Parent, Our Children's Voice, Coalition of Parents for Special Education, Autistic Association of New Zealand, Teenadders, health organisations, Maori Women's Welfare League, SES Pacific Island staff members, and organisations providing alternative education and support for disaffected youth.

- interviews with providers of special education professional development, including the consortium providing the courses for Resource Teachers of Learning and Behaviour (RTLBs).
  - discussions with the National Advisory Committee on Special Education (NACSE), the national external reference group for Special Education, researchers, academics, Treasury, the Associate Minister of Education, the chair of the Select Committee on Education and Training, and the Minister for Disability Issues and Associate Minister for ACC.
  - some 300 written submissions from parents, over 800 from schools and teachers, including Pacific Island teachers groups; and around 100 from interested organisations and individuals. Several organisations had surveyed parents' views, adding around 150 parental voices. Other organisations provided surveys of their members.
  - All available research, including the draft report of phase 2 of the Massey evaluation of the Special Education 2000 policy, and other drafts of work in progress, such as research reports, papers, and theses.
  - Relevant international overviews of inclusive policy and provision for special education
  - relevant cabinet papers on the development of the policy
  - affidavits and the plaintiffs' claims relating to the Daniels et al case vs the Attorney-General et al.
  - guidelines, protocols, papers and statistical material from the Ministry of Education, SES, and Ministry of Health.
  - Feedback to an initial draft of this report from the Ministers of Education, the Ministry of Education, SES, ERO, NACSE, NZEI, PPTA, QPEC, and plaintiffs in the Daniels case.
4. All in all, this material provides a comprehensive view of people's experience with the Special Education 2000 policy in its first 3 years, the issues which continue despite its introduction, and the new issues which it has created.
  5. It is clear from the material that while the aims of the policy are generally accepted, and the increased resourcing has made a welcome difference in many quarters, the impact of the policy has been uneven, and sometimes counter to its stated aims.
  6. The majority of the people who were consulted or who made submissions had suggestions for improvements. The issues they raised are important. Some key changes are necessary if further

progress is to be made. But there are no easy or perfect solutions, and no quick fixes.



# 1 OVERVIEW

- 1.1 All of the four review areas are interconnected, though it would be incorrect to call the Special Education 2000 policy an integrated one. The policy appears to have led to some fragmentation of resourcing, expertise, and purpose. This fragmentation is of concern because it undermines the aims of the Special Education 2000 policy. It also provides uneven building ground for changes which would improve the coherence and quality of education and support for students with special needs, and ease the daunting load of their parents and whanau.

## **Are the policy aims being met?**

- 1.2 The three aims of the Special Education 2000 Policy are a mix of goals and purpose. The goals are focused on the mechanisms of resourcing, and are not clearly articulated with the purpose, which is to improve educational opportunities and outcomes for children with special needs.
- 1.3 *Improve educational opportunities and outcomes for children with special education needs in the early childhood and school sectors*
- 1.4 The overall impression is that the Special Education 2000 policy has indeed improved opportunities for some: those whose resourcing increased, or who access the right-size funding pools. Some students have lost opportunities, or have them in a patchy fashion. It is not clear yet whether outcomes are improving—very little evidence is being collected on a systematic basis.
- 1.5 If improving educational opportunity is about allowing students with special needs to access local schools with no more difficulty than other students, it is not clear whether the policy is making more schools more positive about inclusion, or if it is reducing the number of schools which take more than their fair numeric share of students with special needs. Some schools that have fully accepted the rights of students with special needs to have the same educational opportunity as their peers, and have made the changes to teaching, school organisation, and communication with parents which allow this to happen, are operating at or beyond full stretch. Their effort is probably unsustainable without more support.
- 1.6 The evidence that provision has improved in parts of country that did not have designated staffing or services is mixed. It is still difficult to attract and retain specialist support and therapists in rural areas, and it can be difficult to provide experienced teachers for students with special needs with high or very high needs if only fractional, temporary appointments can be made.

- 1.7 There is a particularly noticeable dearth of Maori therapists and specialists, to work in Maori medium schools in te reo Maori, and to work with Maori students in English-medium schools. Pacific Island expertise is also yet to be developed to meet student needs.
- 1.8 *Ensure there is a clear, consistent and predictable resourcing framework for special education.*
- 1.9 The resourcing framework is probably clear to a few people working in central government. The difficulty is that it now takes a variety of different forms, with some funding and staffing attached to individual students, some going directly to schools, some going to RTLB clusters, some going to the SES for a now segmented range of services, and some going to fundholders.
- 1.10 Many parents are confused. They often feel that unless their child has Ongoing and Transitional Resourcing Scheme (OTRS) verification, they have no secure support. The nature of OTRS is also confusing, with many parents understanding it not as an individual tag which provides access to an additional funding and staffing pool, but as a set dollar entitlement for the sole use of their child.
- 1.11 It is not clear whether it is a consistent or predictable framework. The policy has subdivided into a number of different initiatives. It is confusing for people that some of the high needs initiatives are accessed on the basis of ongoing need, and others are provided on the assumption that high special needs can be transformed with time-limited interventions. The definition of special needs has become unclear to many, particularly with the inclusion of initiatives and support for behaviour.
- 1.12 Transitional funding on a year by year basis makes for uncertainty. Transitional funding and individual-student-linked employment does not provide predictability for many teachers, teacher-aides, and therapists, whose employment has become fractional and impermanent. This has started to erode existing expertise, and provides little incentive for teachers to specialise, or for the ongoing professional development, resource material production, and upskilling which is vital for the Special Education 2000 policy to succeed in making progress on its first aim.
- 1.13 *Provide equitable resourcing for those with similar needs irrespective of school setting or geographic location.*
- 1.14 Access to the OTRS verification for Maori students, students attending kura kaupapa Maori, students from transient families, attending decile 1 schools, and in rural areas appears more difficult than for others.

- 1.15 Equitable resourcing for those verified, in terms of dollars, does not translate into equitable amounts of actual support. Different settings and locations do have different costs. Inclusion in ordinary schools can often cost more than provision where a number of students with special needs are in a single setting, allowing economies of scale. This is accentuated when schools do not have external support readily available.
- 1.16 Because students with moderate needs are not spread evenly through every school, the Special Education Grant (SEG) funding given to each school cannot provide equitable resourcing. Decisions about which students should have priority differ between schools, and between clusters. Therefore there is inconsistency and inequitable resourcing across the country.
- 1.17 Expertise remains unevenly distributed, and is not evenly accessible. The policy does not sufficiently address the issue of developing and retaining expertise among teachers, teacher-aides, therapists, and specialists. Nor does it adequately address the need for resource materials which adapt the curriculum for classroom teachers, or the need for the development and sharing of practical ideas for classroom organisation and team-work between teachers and teacher-aides, which would allow principals and teachers to feel more confident about meeting the needs of students with special needs. There is too much reinvention of the wheel required at individual schools, for people who are already working at full stretch.
- 1.18 If students with special needs are to become truly a part of our schools, then both specialist and regular teachers need to be able to readily access resources, advice, and support. More time needs to be available in schools for planning, and communication between teachers, teacher-aides, parents, and RTLBs.

## **Special needs—Still sitting outside?**

- 1.19 Students with special needs have an ambivalent place in education in New Zealand. On the one hand, 'people with special educational needs (whether because of disability or otherwise) have the same rights to enrol and receive education at state schools as people who do not' (Section 8 of the Education Act, 1989). On the other hand, the following section of the same act refers to 'special education...at a particular state school, special school, special class, or special clinic'. Special Education 2000 resourcing attempted to bridge these two by reconfiguring access to 'special education' as access to additional money over and above the usual per-student allocations for staffing and operational grants. Special education was no longer something which would take place only in 'particular' locations.



- 1.20 In fact, students with special needs had been attending regular schools and taking part in ordinary classroom work in increasing numbers during the 1970s and 1980s. The boundary between 'special education' as something which was entirely separate from 'ordinary education' had begun to blur. Yet it was also apparent that students who had special needs did need recognition of these needs, through adaptation of teaching style, class organisation, and, often, curriculum materials. Including students with special needs who were not physically independent in regular classrooms and schools also blurred the boundaries between education and health, and raised questions of care, support, and equipment.
- 1.21 Special Education 2000 responded to the need to ensure that students with special needs in regular classrooms had support by providing schools with some tagged money, and setting up a new network of support positions, the Resource Teachers of Learning and Behaviour, employed by one school for legal reasons, but serving a cluster of schools. It also set up a series of agreements or contracts with the Specialist Education Services (SES), the special schools for the blind and deaf, and special schools and former units attached to schools to provide intervention for behaviour, speech-language, sensory needs, and physical disability, with separate provision for high needs and moderate needs. Some professional development for teachers, principals, and boards of trustees was also included in the initial implementation of the policy, much of it about the policy itself, but some about the practicalities of positively including students with special needs in school and class life.
- 1.22 Although it would be a rare person today who believes that students with special needs should be educated in isolation, their inclusion in 'regular' education still often sees their needs treated as something on top of other demands, as something extra and different from other students. This is particularly so as they reach secondary school, which is particularly subject (content) and exam-focused, often more impersonal, requiring a higher degree of self-organisation and mobility, and where achievement gaps are more evident.
- 1.23 Students with special needs may be in the same space, but work less in groups with their peers. Unlike their peers, many students with special needs receive a lot of their education from teacher-aides rather than teachers. Teacher-aides often provide much needed acceptance and warmth; but they are also often untrained to support children educationally, and if constantly present, can keep a child separate from his or her peers, from developing friendships and social skills.
- 1.24 Because students with special needs are seen as attached to 'extra' bodies, teacher-aides and special education teachers, who are often employed part-time, on temporary contracts, others in the school may feel no responsibility for them, whether in the classroom or playground.

Ironically, singling out students with special needs in terms of resourcing methods may make it harder for principals and teachers to see them as simply students, as just another student for whom they share responsibility.

## **Some Issues of Funding – finding the right size**

- 1.25 Unlike other students, however, whose needs are expected to be able to be met by any school, students with special needs are seen by most as requiring a spectrum of settings. Students with special needs often have needs which may not be shared by their classmates. This means that teachers need more information and resource materials to help them meet those needs. The school may need additional spaces to cater for students who need respite from classrooms which present them with sensory overload.
- 1.26 It also means that funding becomes more complex, since not every student with special needs will be, or should be, in a setting which allows some economies of scale, by having a 'critical mass' of students. This is difficult to properly recognise when funding is allocated to individual students on the basis of the depth of their educational needs, and this is becoming clearer in the inconsistencies now evident for OTRS students.
- 1.27 In other OECD countries, provision for students with special needs is two-fold: dedicated positions within every, or most schools, coupled with district level support to provide advice, ongoing professional development, and specialist support. Some district or local education units also work in co-ordination with health and social support services, aiming to provide more integrated services for families and schools.
- 1.28 New Zealand is unique. It does not have school districts like this. It does have a number of different organisations with overlapping and sometimes unclear responsibilities: SES, RTLB clusters, Child and Family development units within health organisations, and others such as the Department of Child, Youth, and Family Services (CYFS). It may make sense to provide greater co-ordination, and to bring services together in a form which makes them more accessible to parents and schools.

## **Fragmentation of Responsibility**

- 1.29 Schools also have more autonomy in New Zealand than in other countries. This makes it easier for schools to evade their responsibility to enrol students with special needs, or to meet their needs. Sometimes this is done overtly, sometimes covertly. Sometimes it is done intentionally, particularly when schools are competing on the basis of academic reputation, sometimes through misapprehension, through lack of knowledge, or lack of confidence. Resourcing remains a key concern.

- 1.30 Although the Ministry of Education has formal power to direct schools to take students, it uses this power very rarely. While the reasons for this are understandable within the present system of self-managing schools, and there are desires to avoid needlessly adversarial relationships between parents and schools, it does leave parents of students with special needs feeling impotent to ensure that their child is treated as any other child.
- 1.31 The new changes to enrolment policy should make it harder for the schools with enrolment schemes to refuse to take students with special needs, though it remains all too easy to send unwelcoming messages, which make parents dubious about the value of the education their child would actually receive. However, this would also be the case if individual schools were directed to take particular students.
- 1.32 A notable gap in the present policy is the provision of information, advice, and support for parents, and guidance for principals and teachers, for the practical working through of issues which may make them reluctant to enrol students with special needs, and ensuring sufficient ongoing professional development occurs to widen their understanding of what can be done, and its value. Attitudinal change is vital.
- 1.33 There is also no clear responsibility within the present policy or system for assuring that support for students with special needs is locally available.
- 1.34 Contestability between OTRS fundholders has created fragmentation and uncertainties about responsibilities for enrolment, quality, and accountability.

## **This Report**

- 1.35 After a brief background section comparing the Special Education 2000 policy with what existed before, I turn to look at its impact, identify the issues which are raised, and make recommendations for improvement. These recommendations are often specific, but they are not detailed. Taken together, they form a coherent framework which should improve special education over time, if implemented as an integrated package. Costs for recommendations are included when information was available.
- 1.36 The recommendations are made with the stated aims of special education in mind, and with the desire to use resources, human and financial, as well as possible, to provide a more integrated and more rewarding system. The recommendations are inclusive of all students, whatever their special need, and all groups; particular additional recommendations for Maori and Pacific students with special needs are made in sections 11 and 12.

## **2. SPECIAL EDUCATION 2000**

- 2.1 The Special Education 2000 policy is an ambitious set of initiatives and changes to resource allocation which were initiated in 1997. Because it brought a substantial increase in government funding for special education at the same time as it emphasised parental choice and the addressing of children's needs more equitably, it also raised considerably the expectations of parents and those working with students with special needs.
- 2.2 Much of the policy was based on resources tagged to individual students with special needs, and per capita formulaic funding of schools. A separation of students and schools was made, through the switching of funding from staffing and focused forms of provision, to a mixture of bulk funding, per-capita based formulaic funding of support positions, individual resourcing, and contestable contractual arrangements. The role of the SES changed markedly. Therapeutic services and assessment also shifted from health to education, in line with the underlying thrust of the policy, to include students with special needs as part of the ordinary school population, and to have their support needs met within the course of their school day.

### **Provision for children with special needs**

#### **Before Special Education 2000**

##### **Resourcing**

##### **Staffing**

- 2.3 Special schools and attached units had entitlement staffing, set at more favourable teacher:student ratios than in regular schools and classes. (Generally these ratios allowed for classes as small as 1:8-10)  
A national pool of tagged teaching positions, some attached to particular schools, and some itinerant.  
Tagged therapy positions in special units and schools for the physically disabled only  
free (no dollar cost) access to Specialist Education Services for psychological assessments, advice, professional development

##### **Identification of students with special needs**

##### ***Section 9 agreements***

- 2.4 Section 9 refers to section 9 of the 1989 Education Act, and agreements between parents and the Secretary of Education. These agreements allowed enrolment of students in special schools, special units, attached classes, or with itinerant teachers. Section 9 agreements were limited to the number of places in these services. In 1996, there were 9,800 of these places nationally. Applications were made to the local Ministry of Education by parents, with the assistance of school principals or SES, and SES assessed students before recommending an option.

- 2.5 No information is available on the demand for section 9 agreements, and whether demand exceeded supply. There was probably national inconsistency in the decisions made on eligibility and suitability of the options. Section 9 agreements covered a wide range of special needs, including what would now be described as moderate. They did not specify quantity or quality of provision, or attach resourcing to individuals. They did stay in place while the child was enrolled in a service.
- 2.6 Around half the students with s9 agreements did not qualify for OTRS. This has created a deep sense of loss and anxiety for parents of these students, particularly where subsequent provision has not matched their previous experience, and if these students attended units which had their staffing disestablished at the end of 1998 and were either closed, or had to cut back on staff and programme quality.

### **Special Education Discretionary Assistance (SEDA)**

- 2.7 The main form of additional assistance to schools for their students with special needs was teacher-aide hours. This was available on six-monthly application by schools to the Ministry of Education, on the recommendation of SES. The pool was limited, and the success rate of applications estimated to be between 50-67 percent, though "some have been for students with relatively low special education needs". Again, district offices of the Ministry of Education had discretion, leading to some inconsistencies in provision.
- 2.8 Successful applications often did not get all the teacher aide hours asked for; indeed, there is some anecdotal evidence that some schools asked for more hours than needed, anticipating they would be cut back.
- 2.9 However, Government funding for the SEDA pool rose from \$8 million in 1989/90 to \$31.6 million in 1996/97, and teacher-aide hours became a primary way for parents and educators to measure the amount of support available for children with special needs.
- 2.10 In 1996, the identified students with special needs were about 2.5 percent of the school population. Total numbers with section 9 agreements or SEDA funding were 17,478: 8,694 had section 9 agreements only; 5,326 had section 9 agreements and teacher aide hours through SEDA, and 3,458 students received teacher aide hours through SEDA.
- 2.11 Other students with special needs were served through itinerant teachers, including resource teachers of reading, SES, and the Correspondence School. SES played a major role in allocating resources, including the services and their staff, and teacher-aides.
- 2.12 Students with behaviour difficulties received specialist support from the SES, and teacher aides through SEDA (about \$6 million).

## Special Education 2000

### Main mechanisms

2.13 Resourcing of individual high and very high needs students with ongoing needs through the OTRS (Ongoing and Transitional Resourcing Scheme). This allocates each child a set amount of teacher time (.1 and .2 of full time teacher equivalent (FTTE)) which is resourced at the school level, and supplies a set amount of money per child to each fundholder. There are now 78 fundholders, SES and 77 schools/clusters. Fundholders are to pool the funds for their OTRS students, and are expected to 'ensure the co-ordinated provision of specialist intervention, advice, and teacher aide support, alongside specialist teacher time.' (OTRS Guidelines and Application Form, p. 7).

- Verification of high and very high needs through a national process, with criteria that are unique to New Zealand, through their linking to the New Zealand curriculum.
- Specific inclusion of behaviour within special needs, through the Severe Behaviour Initiative (SBI), which was to provide intervention, and the development of a national network of resource teachers of learning and behaviour (RTLBs), employed by individual schools to work for clusters of schools, providing support and advice for teachers and moderate needs students. The school clusters were created to provide a base for the RTLB support, and are the first mandatory grouping of schools on a national scale since the introduction of self-managing schools a decade ago.
- Funding for moderate special needs within school operational grants, through the Special Education Grant (SEG), a per-student amount weighted by school socio-economic decile. Guidelines are given for its use, but it is not tagged funding.
- Separate initiatives in the form of contracts with SES and other fundholders to provide support for students with high speech-language needs, high-moderate sensory needs (hearing and vision impaired), and moderate physical disability, within ordinary schools.
- Some funding to school clusters. Transitional funding covers former section 9 students who were not verified for OTRS, until they leave their current school. It is not tagged to these students individually. Learning Support funding is given to provide for year 11-13 students, who were not originally included in the RTLB allocations. Unlike younger students, this support is in the form of dollars rather than staffing.

2.14 Special Education 2000 appears to be covering more students than the former provision, though the quality and appropriateness of coverage varies.

## Numbers of School Students receiving services for moderate-high needs since Special Education 2000

OTRS	7,113	(mid 2000)
Moderate contracts	3,100	(est, from moderate contracts and SES Document of Accountability (DOA) '00-'01) <sup>4</sup>
RTLBs	17,453	(1999 year; should be up to 20-22,000 after training finishes)
High health	1,440	(est – provided through 3 hospital schools which have recently expanded)
Speech-language initiative	6,500	(est – SES Document of Accountability for '00-01 gives between 6-7,000)
Severe behaviour initiative	4,530	(extrapolating for '99-'00 financial year, using SES DOA)
	<b>40,136</b>	<b>5.5% of school population</b>

- 2.15 The numbers covered through Special Education 2000 resourcing are in fact higher, since no figures are available on the number of students receiving support through SEG, or the moderate vision contract.
- 2.16 Most of the initiatives above are exclusive, though many students on the Severe Behaviour Initiative would have received support from RTLBs before coming into the Severe Behaviour Initiative, and some overlap between RTLB rolls and the moderate contracts is likely.
- 2.17 The Special Education 2000 policy also provides support at early childhood education, through the Early Intervention scheme. This scheme was not part of the terms of reference for this review. During the consultation, it was clear that the Early Intervention scheme is seen as an important part of the support for students with special education needs and their families and whanau.

<sup>4</sup> Contracts for meeting the needs of students with Moderate Physical Disability. These contracts have only been in place since the start of 2000. The contracts should cover services to around 750 students, with 356 students covered by schools and units serving the physically disabled, and the rest covered by the SES. Milestone reports for the first three months of the year from the school contractors showed 110 applications for students. Eighty-eight of these applications met the criteria for service, and 71 students received a service. If the rate of service is comparable for the next three quarters, 284 students rather than the target of 356 may receive service.

## 3. PROVISION FOR HIGH NEEDS STUDENTS

### Ongoing and Transitional Resourcing Scheme (OTRS)

#### 3.1 Key features

- limited to two categories, high and very high needs students
- national verification panel, with no local discretion
- criteria for verification are focused on the need for specialist input to adapt the content of the curriculum, or to provide specialised teaching, or therapy input so that students can access the curriculum.
- resourcing supplied in the form of a fixed dollar sum per student, and some teacher time.
- High needs students are allocated .1 of a teacher, and are funded on a per capita basis of \$7,500.
- Very high needs students are allocated .2 of a teacher, and are funded on a per capita basis of \$12,900.
- Both categories of student are allocated \$250 per student for materials.
- The resourcing is divided. Teacher time is allocated to the student's school; the dollar sum to the fundholder for the school.
- Fundholding is contestable, and split between the SES, and 77 schools/clusters (with one school taking responsibility). Fundholders have at least 20 OTRS students, either in one school, or spread between a group of schools, with one school taking the overall responsibility for management of funds. The SES fundholds for 58 percent of the OTRS students, and 87 percent of the schools with an OTRS student. Sixty percent of New Zealand schools have at least one OTRS student enrolled.
- Applications for OTRS are usually made by schools or early intervention teams with parental input. Parents must sign the applications.
- Verified OTRS students are deemed to have section 9 agreements.
- Very high and high students have guaranteed access to OTRS funding, with 3 yearly reviews (at age 8, 11, and 14).
- Transitional funding is provided for students between the age of 5 and 7 who meet the high needs criteria, but whose needs may not be ongoing.

3.2 In mid 2000, 7,113 students are individually identified through the OTRS, 0.97 percent of the total school population. The rate is slightly higher in major urban areas, and lower in rural areas (0.64 percent) and minor urban areas (0.78 percent).

3.3 Forty-six percent of the students with very high needs are in the 35 special schools, 17 percent of those with high needs, and 20 percent of



those with transitional funding. These include students in satellite units in regular schools.

- 3.4 The overall success rate of applications since the start of the scheme is 45 percent. This includes cases where applications have been made several times, usually with changes made to provide more specific or clearer information, or additional information, sometimes added after further observations in the classroom, or additional short-term interventions. In 1999, 55 percent of the applications sought a review of the initial decision to decline verification. The success rate of new applications for the 12 months between July 1999 and June 2000 was 48 percent (37 percent for applications at the secondary level, 50 percent at the primary level), and for applications for review 24 percent (much the same at secondary and primary; most for decisions made before July 1999).
- 3.5 Applications made for young children are much more likely to succeed if they are made when the children are in the Early Intervention scheme (82 percent), and already identified as needing support (through a moderation process), than if made when the child reaches school (49 percent).
- 3.6 A quarter of the applications made for students who have been on the transition scheme succeed. Applications are not made for 12 percent of students on the transition scheme: but 43 percent of the students for whom further applications are not made are Maori.
- 3.7 The overall success rate for applications for OTRS is much lower for decile 1 schools, kura kaupapa Maori, and for Maori students. It is somewhat lower also for Pacific students. All of these have a much higher rate of application than their share of the school population. Decile 1 schools make many more applications than others. The distribution of OTRS students shows they are more likely to be in decile 2-4 schools (around 1.7 percent of the student population of these schools) followed by decile 1, 5 and 6 schools (around 1.05 percent). OTRS students make up only 0.42 percent of decile 10 schools' student population. They are 0.33 percent of kura kaupapa Maori students.

## **Positives**

- 3.8 The scheme has increased or maintained support for many high and very high needs students. It put new life into special schools, particularly those serving students with intellectual or behavioural disabilities, and those who have become fundholders for OTRS students in regular schools. Good use can be made of the teacher time component, where teachers with special needs experience, commitment, and access to relevant resources and support can be employed.

- 3.9 Satisfaction with the OTRS scheme in practice has reached 49 percent of the schools in the Massey survey of schools in 2000, up from 39 percent in 1999.

## **Issues**

- 3.10 OTRS has become the main measure of support for students with special needs. It divides students with special needs into two groups, those who are seen to have some assured support which will meet their needs, and those who do not. Before Special Education 2000, such a distinction was less easy to make, as there was no distinction between high and moderate needs students in terms of their access to special schools, units or services, and applications could be made for (additional) teacher-aide hours for students with a range of needs.
- 3.11 When parents with children with special needs approach principals about enrolling their child, they are almost invariably asked about the OTRS status of their child. Without OTRS status, parents find themselves more fearful about approaching a school they would like their child to attend. Many parents have experiences of being turned down by schools, either directly or subtly. It takes a brave parent to stand on their legal rights.

## **Verification**

- 3.12 The verification process also singles out students with special needs. It takes time and energy. Teachers and principals spoke of spending up to 10, sometimes 15 hours assembling material from different sources (often around 5 or so, sometimes much higher), and writing the application. Parents and teachers also talked about the pain involved, particularly in the need to paint a large and long-term picture which may not provide much optimism about the reality of future progress. The verification process was often contrasted with the positive emphasis taken in Individual Education Plans (IEPs) and the usual teacher/teacher aide/parent communication about children.
- 3.13 Applications are often done in anxiety, because so much is seen to ride on it. It is not clear to many people what role specialist assessments and diagnoses should play. Many continue to supply and pay for IQ tests, which are usually unrelated to the criteria. Many believe that despite the aims of the policy to move to provide resourcing according to need, not label, medical labels can make all the difference. On the other hand, many also feel that medical labels do not carry the weight they should, particularly for spectrum disorders, such as global developmental delay, autism, Aspergers, and attention deficit disorder (ADD/ADHD).
- 3.14 People frequently believed that access to OTRS favoured those with physical disabilities. These are certainly clear in the criteria, but the criteria are not exclusive of others. Eighty percent of the students in the OTRS scheme have primarily intellectual needs, 12 percent primarily

physical, 7 percent primarily hearing, and 1 percent primarily visual needs.

- 3.15 On the whole, people tend to provide more detail rather than less, and to cover all aspects asked about, rather than focusing on the criterion that a child is most likely to fit, and providing the specific evidence to support it. It is not always clear to applicants, particularly parents, that evidence is needed of the student's unaided level of functioning, not that which is achieved with assistance (e.g. with eating). Some applicants continue to think in terms of the SEDA applications for teacher-aide hours, which had a different and far less focused format. While those with more experience of making applications were more likely to be confident about what should be included, and how it should be phrased, they were not always successful. The verification process is widely seen as producing inconsistent results, with a number of principals and teachers giving examples of different outcomes for two students with very similar levels of need for curriculum adaptation and support.
- 3.16 Verification is also seen to be inequitable because it depends too much on the written skills of those making the application, the availability of specialist assessments, which must often be paid for (though some access health services, depending on the availability of these; and the SES receives funding to carry some out, left to its discretion). In the past, SES provided free assessments and also played a gatekeeping role. Now, assessments must usually be bought by schools or parents. These may not be affordable for low income families, including many Maori, and could explain some of the difference in verification rates.
- 3.17 Where scarce resources at either school or family level have been expended to provide specialist assessments, and the application does not succeed, pain, anger and frustration are intensified. Some clarification about the role of medical and psychological assessments, and the evidence they can usefully supply, would save time, money, and anguish.
- 3.18 Schools and parents receive only a standard letter giving the verifiers' decision. Only those who request reasons for the decision receive specific feedback. Those who persisted and contacted the chief verifier were sometimes given useful feedback which enabled them to make a second and successful application, if the child did indeed meet the criteria.

### **Three Yearly Review of OTRS and Audits**

- 3.19 Some discrepancy is seen between the original name of the scheme, Ongoing Resources, and the existence of a three yearly review. The review process consists of school, parent and fundholder comments on progress in response to a set of questions on paper, with the school supplying the student's two most recent IEPs. Teachers and parents whose children were coming up for review were anxious that they could lose their access to the OTRS scheme, particularly if they thought other

children with equal or greater needs had missed verification, or if they thought the child had made progress with the support made available by OTRS. Some felt that IEPs should not be used for review purposes for funding allocation.

- 3.20 Of the 1209 OTRS cases reviewed so far, 160 would not now meet the criteria (13 percent). All of these came from the trial and early period of OTRS, when the criteria, or the interpretation of them, were looser. Two rather than three verifiers were involved in the initial decision, and over 10,000 applications were decided in a three month period.
- 3.21 Audits of recent verifications have led to far fewer changes: 2 percent. The audits have led to only one student losing verification. Some students who had not been verified were verified as high needs, and some who had been verified as high needs changed to the very high needs level of funding.
- 3.22 The audits involve site visits, checking of paper records, and some limited observations of the children.

### **The Price of Verification**

- 3.23 No system of assessment for special needs classification can have crystal-cut boundaries. The OTRS verification process appears as fair as any other. But it is clear that the OTRS scheme is not without its price. The application process is demanding and emotionally difficult for parents particularly. Judging by the large number of applications which are turned down, there needs to be better information about the criteria and application process, both to ensure that those who meet the criteria are funded through OTRS, and to spare some parents a hard and unrewarding process which can leave them feeling more desperate than before.
- 3.24 There was criticism that the verification process was not handled by local professional judgements based on observations over time, and face to face contact with student, teacher, and parent, in the class and home settings, particularly where people felt seeing a child in action would clinch the case for verification.
- 3.25 However, reliable and consistent verification based on individual observations is a much more consuming process of time and money. In an education system which does not have large financial resources, it would be likely to cut considerably into the money actually available to support students<sup>5</sup>. It is worth noting that one of the criticisms of the Severe Behaviour Initiative is that assessment seems to occur at the cost of real hands-on support.

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<sup>5</sup> The current system of verification for OTRS costs around \$120; the audits cost between \$800-\$1500, depending on location, taking ½ to 1 day.

- 3.26 A locally handled verification process would still need to use national criteria to ensure national consistency and therefore equity. A locally handled process of individual verification for the kind of sum attached to OTRS would not ensure that more money was available, or wider criteria used, which appeared to be one of the expectations of face to face verification.
- 3.27 Overall, there are good reasons to maintain the present verification system, with some fine-tuning. However, in the long run, the usefulness of the OTRS approach should be examined, to see whether some other way of adequately funding special education without needing to attach individual dollars and staff to individual students is feasible. This has been done in some systems overseas, notably in New Brunswick. Providing that adequate resources reached the students who needed them – which does not always happen now in the OTRS system - this would spare parents and educators the time and pain involved in the verification process, allow teachers, therapists and teacher aides more security and hence make such positions more attractive, and it could release some additional funding for direct student use.

### **Recommendations**

- 3.28 These are made to ensure that:
- Successful applications are made for all students who are eligible, which should increase the number of children verified, particularly Maori, rural, and low-income, and in kura kaupapa Maori and decile 1 schools.
  - Less effort and expectation are put into making applications for students who do not meet the criteria, and that
  - The process is clear, makes fewer demands on parents and people in schools, and is seen to be fair and provide consistency.
- 3.29 Improved information on eligibility for OTRS, including real-life examples related to the criteria.
- 3.30 Improved information on how the application forms should be filled out, including the role of medical and psychological assessments, again using real-life examples.
- 3.31 More specific feedback on applications which do not succeed in the letter providing the decision.
- 3.32 A given time-frame for decisions to be made and notified.
- 3.33 Support and advice for applications for the groups who appear to have lower application success than others: Maori students, kura kaupapa Maori, rural schools, decile 1 schools. The support would need to include free access to relevant specialist assessment.
- 3.34 A working group of verifiers, principals, parents, and specialists to work on resource materials and ways of reaching people, to support 1-4 above
- 3.35 Systems to ensure information on students including earlier observations and specialist assessments are passed on with the student. This is particularly important for students whose condition does

- not become apparent until they are at intermediate or secondary school, and for students entering the school system.
- 3.36 Review the suitability of the OTRS criteria for Maori-medium education with people from kura kaupapa Maori
  - 3.37 End the three-yearly reviews for very high and high students. The verification process since the trial appears to be robust in identifying needs which do not change. Those who made progress would not be penalised (indeed, progress with OTRS students needs to be recorded and good practice shared).
  - 3.38 The review of those verified in the initial trial should be continued until all those in the trial have been covered, to ensure consistency. Those who are now performing well above the criteria should have their funding continued until the end of 2000 only; those who have made some progress which would now put them slightly above the criteria should remain within the OTRS scheme (without this support they are likely to regress), and those whose presenting condition has been fixed through surgery or medical intervention should remain in the scheme until they are functioning well.

Note: The Ministry of Education is aware of the need to provide more information and support, and have started to work on this; the 2000-01 document of accountability between SES and the Ministry of Education also includes some funding to provide assessment for 250-350 students who are likely to be eligible for OTRS. This assessment needs to be linked to the criteria, and should not include IQ tests.

### **Who should receive OTRS?**

- 3.39 When Special Education 2000 was first introduced, official information to schools and parents gave a figure of “about 2 percent of the school population” (Ministry of Education 1996, p.7) needing “a high need for learning support”. It is not clear what this figure was based on. It certainly created expectations that this was the proportion of the population that would be given some guaranteed resourcing in the new policy.
- 3.40 It is not surprising that disillusion and some distrust, if not a sense of betrayal, arose with the much lower figure (0.82 percent) produced by the trial of the criteria and the subsequent funding for OTRS to allow for around 1 percent of the school population. However, contrary to widespread belief in the sector, this funding is not capped at 1 percent, and no student who met the criteria would be turned down if 1 percent of the school population were on the OTRS scheme. The criteria govern eligibility, not student numbers.
- 3.41 Should the criteria be enlarged? There is no doubt in the sector that a sizeable number of children with special needs are missing out on the support they need to participate as much in school and class life as any other child, and to make real gains from their time at school. The SEG grant, RTLB support, and the newer moderate needs contracts for

physiotherapy, speech-language, and sensory needs (primarily hearing and visual) are targeted to meet moderate special needs, and they do meet some of these students' needs, but by no means all, or for the sustained period many need. There are undoubtedly students who have continuing needs throughout their education who do not fit the OTRS categories.

- 3.42 Understandably, the initial name of the scheme, still used by most, the Ongoing Resourcing Scheme also signals to many that this is a scheme which should cover all students whose needs for additional support are ongoing, and continue through their education. The name of the scheme may even send a misleading signal that this is the *only* provision which can be relied on. It may be helpful if the name of the scheme was revisited.
- 3.43 The most common groups of students identified as having needs which called for resourcing in addition to SEG and the RTLBs were:
- 'slow learners', especially those who were well behaved
  - those with global developmental delay
  - those with dyspraxia
  - those on the moderate-severe end of the autistic spectrum
  - those with moderate-severe Aspergers syndrome (part of the autistic spectrum)
  - those on the moderate-severe end of the attention deficit disorder/attention deficit hyperactive disorder (ADD/ADHD)
  - those with fragile health (e.g. with cancer, subject to seizures that do not respond to medication, dependent on specialised medical equipment)
  - those having moderate needs in all of the 3 criteria for OTRS, but not having high needs in any individual criterion
  - those with ongoing severe emotional and mental health problems.
- 3.44 The group of students which fits most clearly within the intention of OTRS to provide support for ongoing needs and which fits the current criteria, enabling their integrity to be maintained, are those who have moderate needs in all of the 3 criteria for OTRS, but not having high needs in any individual criterion. Having multiple moderate needs made it particularly difficult for these students to be adequately catered for in schools.

### **Recommendations**

- 3.45 I recommend the inclusion in high needs OTRS of the group with moderate needs in all three criteria. The Ministry of Education estimates the size of this group to be around 400. This would cost \$5.25 million per annum.
- 3.46 I note that this may lead to pressure in the future to include those with moderate needs in two of the three criteria, depending on the progress

that is made to better meet the needs of students with moderate needs through the package of recommendations made later in the report.

- 3.47 I also recommend either the creation of a 'profound needs' or 'total care' category, which would add funding to cover total personal care for those students who are completely physically dependent, though they may have some communication skills and ability to engage in learning. The cost of care for these students is far greater than the amount for the very high category. If students with total personal care needs had these met, then some of the continuing financial pressure on the units and schools working with the physically disabled should ease, though most of these students are in other units and schools.
- 3.48 There are around 300 of these students. To provide them with full-time care and support would cost around \$7,600 per student over and above the current levels for very high needs OTRS students. To double the amount of funding allocated for therapy to better meet their needs would cost around \$2,500 per student. The total cost is around \$2.5 million per annum.
- 3.49 Some of the students who have continuing fragile health, but no other special needs, are currently within the OTRS, at the high level; others are not. These students do need teacher-aide supervision and support, but not the specialist or teacher time included in OTRS. The high level of OTRS funding does not cover the costs for all students with fragile health. To ensure that all students who have fragile health needs and no other special needs receive the support they need, and are treated alike, I recommend that a new funding pool be made available to them.
- 3.50 This would mean the withdrawal of up to 300 students from the OTRS into the new funding pool. The pool would cover around 300 students at any one time, at a cost of around \$3 million dollars in addition to the existing OTRS funding for students, though some savings would be made on teacher and specialist support.
- 3.51 Students' funding levels would be related to their need, with 3 funding levels of around \$5,000, \$10,000, and \$15,000 likely. Eligibility for the funding and the level of funding would be periodically reviewed for those students who can be expected to make progress after medical intervention, or who are able to manage the condition themselves as they grow older.<sup>6</sup>
- 3.52 The Government allocation for OTRS is \$114.891 million per annum, based on the costs for around 7,500 students. Indicative estimates of the net effect of the recommendations suggested here are that the actual additional funding required on top of this allocation could be as

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<sup>6</sup> Arguably, the funding to provide this personal care and supervision for fragile students and also for the 'total care' group could be met from the health rather than education budget.



low as \$0.5 million per annum, given the current pattern of student movements off the scheme.

### **Issues to do with the individual identification of students with special needs**

- 3.53 Before turning to look at the possibility of extending the OTRS categories in ways which could mean the development of new criteria, I would like to turn briefly to the question of the value of identifying students with special needs individually.
- 3.54 Every country has its own definition of students with special needs. Some use disability as the basis for classification; others widen the definition to include students who have difficulty learning, for whatever reason, resulting in some blurring of the boundaries of categories such as 'at risk' students. Educational definitions of students with special needs differ from medical definitions, since most medical conditions do not result in a uniform set of needs.
- 3.55 A recent OECD report on inclusive education in eight countries found a wide variation in the proportion of children recognised as having special needs, from 2 to 20 percent, with the median around 12 percent.<sup>7</sup> Most of these countries have much lower rates of those who are resourced through individual programmes (IEP equivalents), after some form of assessment. Four of the eight countries identify between 1.1 and 2.9 percent, two up to 5 percent, Iceland identifies 7 percent, and the U.S., 12 percent. On this comparison, New Zealand's 5.5 percent of students receiving some individual support after assessment comes in slightly higher than average.
- 3.56 However, individual identification of students also has different meanings attached to it in different countries. It may mean a full verification process; it may mean that a student is included on a specialist teacher's class list, it may simply mean the drawing up of an individual education programme, accessing school resources and some external support from education or health services. It may mean access to specialist facilities, teachers, therapists and medical or psychological specialists. It may mean access to a pool of teacher-aide support. On the whole, it rarely comes as a fixed level of support for the whole of a student's schooling. New Zealand's OTRS scheme, which has overtones of individual vouchers, appears to be unique.
- 3.57 It is therefore difficult to use international comparison to arrive at a definitive conclusion about whether the OTRS scheme should be extended.

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<sup>7</sup> OECD (1999). *Inclusive Education at Work: Students with Disabilities in Mainstream Schools*. Paris: Author. p. 25. The figures given appear to be actual proportions of students, but may include estimates.

3.58 One of the unintended effects of the OTRS scheme is that by providing the most prominent aspect of the new system in the form of a seemingly specific amount attached to individual students and offering a guaranteed resource for up to 3 years at a time, the OTRS scheme implies that other forms of provision cannot be taken for granted. It creates an unfortunate hierarchy within special education.

### **Should there be a third category of OTRS for Moderate Needs?**

3.59 There is widespread and strong belief in the sector that a third OTRS category for moderate needs students should be created to provide these students with more support. It is thought that this would help relieve the pressure on SEG.

3.60 However, there is also acknowledgement among those with substantial experience of special education provision that such a category would be far more difficult to define than the high and very high needs categories, and that its boundaries would be particularly hard to set clearly and fairly.

3.61 There are a number of other and substantial difficulties with using a third OTRS category of moderate needs as a way of improving the provision of education and support for moderate needs students.

3.62 The criteria for any moderate category would need to be consistent with the existing criteria for high and very high categories. It is highly unlikely that it would cover all those students identified by educators and parents as having moderate special needs.

3.63 The alternative would be to depart from the existing criteria, and to use existing standardised assessments. But results on these show substantial overlap with socio-economic disadvantage.

3.64 The difficulty of arriving at a definition which provides clean boundaries, particularly at the lower end. Considerably more parents would be negatively affected by the verification process and results than are currently affected.

3.65 Having a child identified as OTRS does not necessarily mean equitable access to resources, or that the child will receive the support they need (as discussed in the next section).

3.66 The very large number of students identified by schools having moderate needs. School submissions<sup>8</sup> gave an estimate of 7.4 percent of their students having moderate needs, and 1.9 percent having high needs. This gives around 9.4 percent, or 68, 375 students nationwide. If the current verification system was used, the costs of verification would

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<sup>8</sup> Material from 741 of the 843 submissions from schools to the review.

be around \$8 million, cutting back the amount of money which could be given to direct work with students.

- 3.67 It appears that educators may be seeing special needs more widely than in the past. This probably reflects the changing importance of education over the last 20 years, the changes to curriculum and greater emphasis on levels and assessment, the greater call for pastoral support for students, and the greater awareness of students at risk.
- 3.68 These point to deeper concerns and questions about the appropriateness of our education delivery, particularly at the secondary level, which are unlikely to be resolved by the blunt instrument of a third OTRS category.
- 3.69 Put baldly, do we continue on with a single model, creating larger and larger numbers of students who do not fit in, or do we put energy and resources into developing a more differentiated education provision, more capable of meeting a wider range of needs?
- 3.70 My conclusion is that while the creation of a third OTRS category appears to be an easy solution, it would not in fact solve the real issues around the provision of support for moderate needs students, either in the short or long-term, and it would make it harder to address these issues on a systemic basis. The creation of a third OTRS category would mean that even more parents would have to go through the often painful verification process. It is preferable to look to other ways of meeting these students' needs which does not add to the demands on parents.
- 3.71 A third category of OTRS would not solve the current gaps in expertise and experience, or offer teachers, therapists, and teacher-aides more security. Although it could enable some grouping up of fractional teacher time to provide more attractive positions, these positions would remain vulnerable to student movement. SES found that 25 percent of its OTRS students shifted schools in any one year. The transience rate among moderate needs students, particularly those with some behavioural issues, is likely to be even higher. Grouping teacher time would probably re-establish special education as a distinct sub-set of education, catering particularly for Maori, Pacific Island, and children from low-income homes. It would also make it harder to ensure that students with special needs were accepted as the responsibility of all teachers in a school, and as the responsibility of all schools.
- 3.72 I therefore cannot recommend the establishment of a third OTRS category for moderate needs.
- 3.73 Recommendations to meet the needs of the other groups of students, and others, with continuing moderate needs are made elsewhere in this report.

- 3.74 Quite a few people also suggest that rather than identify individuals with moderate needs, funding could go to schools on the basis of their identification of need, in the same way that funding is targeted to students with English as a second language, through forms which can be audited. I will examine this suggestion in section 5.

### **Inequities within OTRS**

- 3.75 The OTRS scheme was intended to fit with the policy aim to 'provide equitable resourcing for those with similar needs irrespective of school setting or geographic location'. However, as many noted, a uniform dollar amount does not translate into equal support for children with similar needs, who are in different settings. The policy seems best suited for situations where fundholders have pools of sufficient size to have students on the same site, or within handy distance, so that students can share teachers, teacher-aides, therapists, and specialists.
- 3.76 Special schools have been revived by the new policy, often operating satellite units in local schools, and in some cases offering pools of specialist staff, curriculum resource material, and some professional development.
- 3.77 Fundholders other than SES are usually situated in cities or large towns, and work with nearby schools. Other schools have also seen the opportunities offered by fundholding, and an increasing number of schools have turned away from SES to gain financial advantage, usually to allow them to increase the number of teacher-aide hours available to them.
- 3.78 The number of OTRS students in a school can also have different impacts. The schools which seemed to be coming under most pressure to satisfactorily meet the needs of their OTRS students were those with more than one or two, but less than ten students. Most of these had SES as their fundholder.

### **The SES fundholding pool**

- 3.79 SES remains the fundholder for 87 percent of the 1583 schools which have at least one OTRS student<sup>9</sup>, but 40 percent of the 1378 schools it fundholds for have only one OTRS student, compared to 20 percent of the 205 schools with other fundholders. At the other end of the scale, only 3 percent of the schools with SES have ten or more OTRS students,<sup>10</sup> compared with 40 percent of the schools with other fundholders.

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<sup>9</sup> Around 60 percent of NZ schools have an OTRS student attending, most just one or two. No comparable data pre Special Education 2000 is available to see if the policy has resulted in a greater dispersal of students with special needs.

<sup>10</sup> This includes the Correspondence School, which has 158 students on OTRS, 2 percent of all OTRS students, and 4 percent of the Correspondence School roll.

- 3.80 The SES pool has much the same proportions of students in each of the OTRS categories (very high, high, transitional), though there is some anecdotal information that it has more of the students who cost much more than the average amount, i.e. the OTRS student allocation. Like other fundholders, it faces the expectation that this average amount can be allocated individually, and often as a minimum amount.
- 3.81 However, it has to service a much larger number of schools, over a wider area, and including the rural and remote areas which are not attractive to other fundholders. Staff at one SES office serving such an area had an hour or more travelling time to reach just over half their OTRS students; even in more urban areas, the travelling time was more than an hour for a third of the OTRS students in one area, and for a quarter of students in the other. SES often does not have the economies of scale for teacher-aides and therapists which are available if the students are grouped on a single site or a limited number of nearby sites.
- 3.82 Access to advisers and therapists is reduced if they are servicing a wide range of schools which are not always close to one another. A physiotherapist in a fundholding school could work with 5-6 children over a 3 hour period, but a physiotherapist for SES could take twice that amount of time to service the same number of children if they were each in separate schools. Thus the same amount of money does not stretch as far in different arrangements.
- 3.83 Figures for one area indicated that the amount of hours which could be allocated by SES (in some areas, the allocation decisions are made with reference groups of principals and parents) was close to 30 percent under the amount recommended by IEPs, i.e. based on educator and parent judgements about what was needed to adequately support a student's classroom and school participation and learning.
- 3.84 The initial introduction of OTRS in 1998 may have given schools false expectations of the funding available through SES for teacher-aides. The funding for teacher-aides was introduced for OTRS students before the funding for specialist teaching and support, including therapy. This funding for teacher-aides was based on educational setting, and weighted to provide more for students in regular classes, since special schools and units still had centrally funded established (permanent) staffing. In 1998, SES received a larger per-capita funding for teacher-aides than other fundholders (then mainly special schools), because most of its OTRS students were in regular classes. The SES funding has been topped up since 1998 to maintain its 1998 allocation of teacher-aide hours, by around \$2.4 million per annum. The 1998 allocation levels are said to have become the minimum sought by schools.
- 3.85 In fact the OTRS funding that goes to SES has had to be topped up each year in the last two years. No such top-up is being made for the

2000-01 financial year. SES estimates that this will result in a 20 percent reduction in the services it can supply to schools. Even with the additional top-up, it was clear during the consultation that the SES workloads were too high to provide a meaningful service to many children and schools. Staff in the Inclusive Education strand often had 60-70 students in their caseload. This inability to meet reasonable needs, especially when comparisons were drawn with the amount of support and service available to children with other fundholders, was as frustrating to SES staff as it was to principals, teachers, and parents.

3.86 But questions were also raised during the consultation about whether SES costs were also reducing the OTRS funding available to be used in the schools it fundholds for. The SES charge-out rate has been \$75 an hour (GST inclusive), for any service. This is often much higher than the costs of specialist and therapy services employed or contracted by other fundholders. People often wondered whether the 30 percent of OTRS funding apparently reserved for specialist services needed to be so high. It appears that SES is offering additional services, using the OTRS funding to provide expert advice and professional development related to inclusion of students in ordinary schools. School fundholders were less likely to provide such advice, or, necessarily, to have similar expertise. Many school/cluster fundholders offer an administrative conduit rather than an advisory or support role. However, OTRS funding was not intended to cover the provision of advice and professional development.

3.87 The overall structure of SES, particularly its division into separate 'strands' to match the different Special Education 2000 initiatives (e.g. Early Intervention, Severe Behaviour Initiative, Communication, and Inclusive Education (covering OTRS services and general services) was thought by many to have increased its costs and decreased its efficient use of staff.

### **Addressing inequities of provision for OTRS students**

3.88 The main inequities of provision are related to:

- the contestability of fundholding, which has created real difficulties for SES in the nature of the SES fundholding pool,
- the segmentation of Special Education 2000 initiatives, which was mirrored in the segmentation of SES.
- the lack of experienced teaching staff and therapists, particularly, but not exclusively in rural areas
- the difficulty of attracting and retaining experienced teachers, teacher aides, and therapists when the funding is dependent on individual students, offering no permanent position for staff, and fewer career opportunities.

3.89 Until these issues are addressed, it will be difficult to ensure that the OTRS funding is used as well as it could be, and to reduce the inequalities in support for OTRS students.

3.90 Some possibilities which would alleviate the situation of SES exist, but they do not provide a long-term solution.

(a) Separate funding of a national advice service provided by SES directly to schools and parents, distinct from OTRS, to free OTRS money to more direct support of OTRS students.

(b) Continued 'top-up' funding of SES, in a block grant (of around \$2 million a year).

*Issues*

- This would not allow SES to improve its existing level of service.
- It would maintain existing SES structures, and their costs (e.g. time in travelling).

(c) Weight OTRS funding to better meet the additional costs of supporting high and very high needs students where there are only one or two in a school.

*Issues:*

- The isolation index is already used to weight the OTRS amount for students living in rural or remote areas, with some anomalies, which give funding to students in cities such as Palmerston North, Gisborne, Napier, Hastings, and Nelson. This funding has not arrested the erosion of service to schools in rural areas, or attracted other fundholders to service these students – though it was simply added to existing fundholders' payments, and not advertised. The amount per student is \$735.
- Maintains existing structures, and their costs (e.g. time in travelling, the inclusion of specialist advice within the OTRS funding)
- It would be difficult to limit this funding to SES. Other fundholders would feel they should also receive this additional money for such situations.
- Does not address continued problems of retaining expertise, and attracting expertise in some regions.

(d) Remove the contestability in OTRS fundholding, by making SES the single national fundholder.

- If the OTRS costings are realistic, then a single pool would provide sufficient 'unders' (students whose needs cost less than the per-student funding) to balance the costs of the 'overs', (those students whose needs are greater than the per-student funding). The costs of itineration would be shared more equitably.

- Could allow SES to provide independent advice to schools and parents about meeting student needs – at present some advice is ignored or no longer given, since schools can choose another fundholder.
- Would provide more local grouping of expertise (teachers, teacher-aides, therapists, relevant specialists), with more efficiencies in delivery, and advantages in providing a critical mass for support and professional development, and more permanent employment, which should help the attraction and retention of expertise.
- The SES structure would need to be revisited, to make it more responsive to schools and parents. The government would need to be prepared to provide specific instructions to the SES board.

*Issues*

- Fundholding schools would lose some of their current advantages, and would be reluctant to give up what they have developed, unless they could be convinced of gains to be made in terms of better opportunities to access and retain expertise, less administrative time needed, and the willingness of SES to support a range of options, including special schools.
- It appears that the SES charges may be higher than they need be.
- The SES has lost a lot of its credibility over the last few years. Principals and teachers particularly would need to be convinced that these changes would increase SES staff accessibility, through lower caseloads than currently, and, in some areas, increase their capability.

3.91 On balance, it would seem that simply changing the funding formula for OTRS would not necessarily improve the provision of support for students with special needs and schools served by SES. This is a large group of students – 57 percent of those on OTRS, and the largest number of schools with OTRS students. Some systemic approach is advisable. I return to this after looking at the other two high-needs initiatives within Special Education 2000.

## **Severe Behaviour Initiative**

3.92 The SES reputation has also suffered in recent years with the introduction of the Severe Behaviour Initiative, and the BEST teams, a most unfortunate acronym for a service that is widely experienced as rarely meeting student and school needs. It has the lowest satisfaction rate of any of the main Special Education 2000 initiatives asked about in the Massey survey: 17 percent in 2000, and 16 percent in 1999.



### 3.93 The main reasons for this are:

1. The premise that intervention in a limited time period to support teachers and students would suit all students who had severe behaviour issues, and enable them to productively participate in school work. Experience over the first 18 months of the initiative has shown that between 20-30 percent of students on SES BEST teams' caseloads have ongoing or chronic needs for support in relation to behaviour. Some of these students have severe mental health difficulties, and in fact need specialist health support.

The continued existence of these students on the BEST caseloads and their need for intense support means that the Severe Behaviour Initiative has never been able to support as many students as the expected annual target of 7,500. It also means that some teams cannot deal with the referrals made to them, and have asked schools to stop referring students to them for periods of time. This leaves schools in some areas without any back-up.

2. Most schools have worked hard with students before they resort to trying to get BEST support. This means that they have high expectations that the BEST team will provide something different, or some form of additional staffing support within the school. If the BEST team could not provide a new programme or could not provide teacher-aide support, schools were disappointed. BEST team workers who lacked teaching experience were also thought to provide unrealistic suggestions and programmes.
3. Many RTLBs have stepped into the gap, though they have not been trained to work with students with severe behaviour needs. While the RTLB trainers thought they should not work with such students, RTLBs often feel they had no alternative, since they face desperate teachers and principals, and the principals are also their employers. When RTLBs take on severe cases, their own caseload capacity is affected, reducing the number of teachers and students with moderate needs that they can support. Nor can they provide the hands-on support such as teacher-aides that may be needed to bridge a time of crisis.
4. The introduction of a single preferred model for service delivery, based on an Applied Behavioural Analysis model, often referred to as the La Vigna model, after the American who developed it. This model involves substantial assessment of the student in different settings, to provide a comprehensive analysis of the reasons (functions) for the behaviour before developing a plan for its change. The plan includes changes to the environment, positive programming (long-term strategies to teach skills, particularly coping and tolerance), and short-term change, or temporary behaviour management.

5. This model was widely criticised in the consultation, because it was seen as unrealistic for schools (it was designed more for students in residential schools), and it duplicated existing assessments done by RTLBs and teachers. It was seen as inflexible, and unable to provide the schools with the crisis-response help which they sought from the BEST teams.<sup>11</sup> SES staff also felt unable to work more pro-actively and systematically with schools to develop the environment in which behaviour problems were reduced.
6. Schools often tried to access BEST team help to prevent suspension. Because help was not available, the assessments took place over several weeks, or the suggested intervention did not work, students sometimes ended up suspended—and then not eligible for BEST, which operated only in the school setting. Students who were suspended from one school and then enrolled at another lost their place on the BEST waiting list, often having to be re-referred, and re-assessed (given the premise that behaviour will change according to setting).
7. Overall, there appears to have been a mismatch between school expectations and needs, and the service model offered by SES. SES material indicates that this model works, but is indeed intensive, time-consuming, and cannot meet schools' need for 'here and now' management of students.

SES has begun to offer schools a more flexible service, offering quick assessments and recommendations for behaviour management. In some areas, school clusters and the SES have moved to create new understandings through the naming of a key SES contact person for each cluster, and involvement of the contact person in cluster meetings. In Dunedin, the SES and the secondary schools' cluster has created a more flexible service by bringing all the behaviour and cluster funding and staff together with a part-time manager with school special needs experience, under the aegis of the cluster. This has turned a fraught situation between SES and schools completely around.

8. The Severe Behaviour Initiative was not coupled sufficiently with other support for students with high behaviour needs, such as the Centres for Extra Support (these were in fact supposed to be part of the Initiative; there appear to be fewer of these than anticipated), social workers in schools, Strengthening Families, Project Early, or the initiatives and alternative placements that have coalesced around the desire to prevent truancy and suspensions, often using community organisations. It was all too easy for students to fall between the gaps in provision.

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<sup>11</sup> Though SES has dropped the term BEST and has referred to its services as Behaviour Support for the last six months, people in schools continue to use the term.

There appears to be a noticeable overlap between suspensions and special needs. The Massey Phase 2 draft report figures show 36 percent of students on SBI had been suspended. Half the students suspended whose parents contacted the Wellington Community Law Centre in 1999 had special needs (mainly ADD and ADHD).

- 3.94 This overlap between the special needs initiative and other initiatives for students at risk added to the sense of fragmentation, and frustration at the lack of coherence and therefore potential for unnecessary inefficiency and extra work entailed by having a number of different funding pools and responses that were not co-ordinated and accessible through one channel.

## **Recommendations**

- 3.95 Move away from a single-model approach to a more flexible provision. SES has begun to do this.
- 3.96 Move to a more seamless provision of support and alternatives for students and schools to allow preventative programmes and approaches, crisis interventions, and support for students with severe mental health difficulties. This indicates the need for more intersectoral provision, particularly for education, welfare, and health.
- 3.97 Support for students with severe mental health difficulties would be enhanced by a better identification of these students in schools, by teachers and RTLBs, so that they can be referred to mental health specialist services (a health rather than education responsibility), and the better integration of mental health and education services through more local 'one-stop shops'.
- 3.98 This provision should allow approaches which cover home and school. Students should continue to receive support if they are suspended or stood down from school.
- 3.99 There needs to be better alignment with other educational funding and support for students at risk.
- 3.100 This suggests that the Severe Behaviour Initiative should not be isolated, either in terms of funding or provision. This has implications for the SES.
- 3.101 Many behavioural issues could be resolved long-term through systemic changes to secondary school provision, which make school attendance more engaging and meaningful to a wider range of students. Changes which are likely to make a positive difference include greater curriculum differentiation, structures (e.g. schools within schools) which enable teachers to have closer knowledge of individual students, and more off-

site learning, using project-based and work-related experience. Such approaches are supported by Maori and Pacific groups.<sup>12</sup>

## Speech-Language Initiative

3.102 This initiative provides speech-language therapy by SES staff to students with severe communication difficulties, offering in-school service rather than students being withdrawn to go to a limited number of speech-language clinics. It has been widely welcomed, but demand for services far outweighs supply. There are several reasons for this:

1. The 'Communicate to Participate' professional development for teachers on screening for communication needs has actually raised awareness among teachers of student needs, and SES staff said it had resulted in more referrals to SES, rather than the decrease anticipated as a result of the professional development.
2. Referrals are also made for those students whose applications for OTRS have not succeeded, since the Speech-language initiative is seen as one of the few funding pools available for students with high-moderate needs.
3. The demand for speech-language therapists has increased with Special Education 2000, partly because OTRS funding has allowed special schools and fundholders to offer this where they could not before. There is a national shortage of speech-language therapists, and there is an added shortage of speech-language therapists with educational backgrounds, who understand classrooms, and can make recommendations for classroom support and exercises which can be carried out within normal classroom activities. This in part reflects changes to the current degree course for speech-language therapists, which does not require a teaching background.
4. The demand for Maori-speaking speech-language therapists to work with children in Maori-medium schools is particularly acute.<sup>13</sup> Demand for speech-language therapists who can work in Pacific and other languages is also growing.
5. The initiative supplies therapists, where available, and some communication support workers, but often relies on schools supplying teacher-aide support or resources to help children through the SEG – which was intended for moderate needs students, not those with severe need.
6. A literature review carried out during the formation of the Special Education 2000 policy indicated that then existing provision fell far short of what appeared to be international good practice. Special Education 2000 boosted this provision substantially, but still at a lower level than that identified in the literature review.

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<sup>12</sup> Maori students formed 31 percent of the students who were on the Severe Behaviour Initiative in 1999, and 20 percent of the school population. No data were available for Pacific students.

<sup>13</sup> Maori students were slightly under-represented among those receiving the Speech-language Initiative in 1999. No data were available for Pacific students.

7. It seems ineffective and inefficient to many therapists, teachers and parents that expert, direct support is not available for the students whose speech-language needs are moderate to mild, and whose literacy levels would benefit greatly from early intervention.<sup>14</sup>
  8. There is no direct provision for students with moderate communication needs.
  9. There is widespread doubt that teachers and teacher-aides can take the place of therapists in improving student skills. Most suggestions for improvement centred around the need for some direct work with children by therapists, particularly where intense intervention would be successful, more training of teacher-aides, and more monitoring of the programmes and exercises given by therapists.
  10. Other difficulties raised in the consultation and submissions related to the separation of programmes within SES, which meant that more effective and efficient team approaches to support children could not occur, and sometimes meant duplication of services.
- 3.103 The satisfaction rate with the practical experience of this Special Education 2000 initiative was 26 percent in 2000, slightly higher than the 22 percent in 1999. Speech-language difficulties would appear to be an area that needs greater priority, with more support available for moderate-needs children.

## **Recommendations**

- 3.104 Government funding of training to improve the supply of speech-language therapists, with priority to Maori-speaking therapists, and also Pacific therapists.
- 3.105 Increased funding for speech-language therapists to work with teachers and teacher-aides, and to develop and trial kits (including videos and tapes) which could be used in schools
- 3.106 Collection of case-studies of successful interventions with students with moderate and mild speech-language needs to guide practice and prioritisation.
- 3.107 Increased funding to cover provision for children who have high but not ongoing needs, where intensive and time-limited intervention would make a significant difference to communication and literacy.
- 3.108 The provision of a more seamless speech-language support service. This would mean amalgamating the present initiatives and contracts.
- 3.109 Present funding for the Speech-language Initiative is \$9 million per annum, expected to cover 7,000 students. The moderate needs contract for speech-language is \$1.5 million per annum. Without having any costings for the recommendations made here, it is difficult to give a definite figure for any increase needed. I would think that any increase

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<sup>14</sup> For example, SES speech-language therapists in one area had observed significant gains for autistic children who had intensive work with a communication support worker of 2-3 sessions of 2-3 hours a week, with speech-language therapist and/or psychological visits every 2-3 weeks. They noted that this approach did not produce gains however for students with overall developmental delay. Workloads that offer variety, and the ability to achieve significant progress within short-time frames for some students, are also more satisfying for therapists.

to provide the development and support outlined above would need at least another \$1.5 – 2 million per annum.

## **The Role of SES**

3.110 SES is the key provider or fundholder for all three high needs schemes and initiatives. Major improvement therefore hinges on the SES. While there is considerable and impressive expertise within SES, it does not always seem accessible or well used. In addition, SES has lost experienced staff, and has not always been able to recruit credible replacements. While there was often praise for individual SES staff, it was tinged with regret, or comments about their high workloads. Many no longer regarded the SES as the natural leader in special education support and provision, and it was too often judged as increasingly ineffectual and inaccessible.

3.111 It was dismayingly clear from the consultation, submissions, and quantitative material available that the SES may no longer be in a position to provide the quality national service that has been expected of it.

3.112 The SES has been put into a difficult and probably unviable position with:

- contestability with other fundholders,
- the development of the RTLB service,
- the cutting up of the special education resource cake into distinct initiatives, with different methods of service delivery, clients, performance measurement, and time-frames, and
- the probable under-resourcing of some initiatives in terms of their targets and methods.

3.113 It has become a fragmented service, distanced from the people in schools and parents, who need to feel it is working with and for them.

3.114 This raises a crucial issue for the provision and advancement of special needs education in New Zealand: the role of SES.

3.115 It is ten years since the SES was established, largely as a result of the principle that policy and operations should be separate. Disparate services to schools and parents were brought together into a new hybrid, whose role and purpose were unclear, particularly once its services were made contestable, and its funding was supplied in a set of separate initiatives, or money gained from the sale of what had once been free services to schools.

3.116 Its role remains unclear today. It is not quite school and student support; it is not quite a provider; its relationships with schools have become murkier since Special Education 2000. It is not directly responsible for ensuring the successful implementation of government policy. The

document of accountability with the Ministry of Education does not seem an adequate mechanism for ensuring that its operations are in line with government policy and goals, and aligned with related provision.

3.117 In terms of high and very high needs students identified for OTRS support, it is left to provide a service of last resort, hardly a positive role. Its costs appear to be constantly rising, eroding the quantity and quality of its service. Thus there are now major questions about whether the SES remains an essential part of special education, and if so, what are the conditions in which it can best support special education.

## Options

3.118 It is certainly clear that schools and students with special needs need more support than they currently receive, and that they need better local access to a more co-ordinated, seamless service, serving both high and moderate needs. Unfortunately, SES appears unable to supply this service in its current form.

3.119 Recently, the SES has begun to make changes which could arguably address some of the issues related to its provision of services. It has identified the segmentation of its staff into different strands as problematic. It is looking to provide schools with a single contact person. In three areas it is working in partnership with clusters (the Otago secondary cluster, West Auckland secondary cluster, and West Auckland primary cluster) to provide a more seamless service. It indicates that a greater emphasis will be placed on professional development of staff, particularly in their understanding of school environments. The latter will be taken into account in performance assessment, and an annual national stakeholder survey.

3.120 These changes are currently proceeding at a modest pace. The partnerships are ad hoc, and reliant on well-organised local clusters. The achievement of accessible, integrated support for schools and students with special needs on a nationwide basis is unlikely to occur without external and significant intervention.

3.121 What does such support require? The key ingredients are:

- The ability to bring services for students with moderate and high special needs together. These services include specialist support, therapy, resource materials, professional development, and co-ordination (at least) with related services, such as truancy services, alternative education, health (including mental health), and social services.
- The ability to provide a credible service in terms of quality and accessibility.
- The ability to provide a service which meets local needs, but is anchored within national criteria, serves government policy for

education and special education, and is part of a national network which promotes best practice.

- The ability to provide information, advice, and support for parents.

3.122 There is no way to achieve this without substantial change.

3.123 At present, the funding for special education services (other than SEG) is distributed among an array of fundholders and services. Information and advice for parents is also split between the Ministry of Education and, to some extent, SES.<sup>15</sup> Splitting the fundholding of OTRS has created anomalies and inequities for students and schools, since the formulae it was built on depend on having sufficient numbers of children with special needs in any given school or service. Policy is separated from operations. Unless these functions can be brought together, it will be difficult to provide the integrated, seamless service which people need.

3.124 There are two possible paths forward from the existing fragmentation.

1. The SES is reconfigured to provide a greater number of local offices, providing transdisciplinary teams; it becomes the sole fundholder for OTRS students; and it enters into partnerships at the local level to provide a more seamless service. These partnerships could be with school clusters, iwi organisations, community organisations, or health providers.

The advantage of this option is that it may provide a smoother transition for SES staff. The move to more local provision and the development of partnerships could take place gradually, within a two year period.

However, this option depends greatly on the existing credibility of the SES, and therefore its ability to develop partnerships at the local level, and to work with existing fundholders. This credibility is not high nationwide, though it is certainly there for individual staff of SES.

Leaving SES as a stand-alone service in partnership with local clusters or groups would not address parental needs for support with some clout in resolving issues with schools, or necessarily provide a better meshing of policy and operations, since the Ministry of Education would remain outside these partnerships. There is the potential too for a lot of time (and money) to be taken up in relationship management and administration, both at SES and school level.

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<sup>15</sup> Voluntary organisations play a key role here also.



Funding pools would also remain segmented, continuing the difficulties of trying to ensure services can be allocated by need, and of trying to provide integrated support and intervention.

2. The development of a new national network of support and resource centres for special education, under the aegis of the Ministry of Education. This would mean the disestablishment of the SES as an organisation, but the retention and transfer of most of its specialists to the new centres.

These district centres would act as fundholders, and perform the administrative work associated with that role. They would manage the moderate contracts. District centres would also manage and co-ordinate the behaviour-related services, linking in with health and community networks to get better service integration. Clusters would be linked to the local centres, which could provide administration for RTLB staff, saving principals this work. Some of the Learning Support funding would be managed by centres. Centre staff would work closely with the clusters and schools in their district.

Each centre would have a governing board, tasked with ensuring that government funding was allocated on the basis of need. The board's members could be drawn from the clusters linked to the centre. Centres would also have a number of reference groups, such as parents, local iwi, and Pacific groups. Responsibility for the operation of the centres would rest with the Ministry of Education.

The centres would provide co-ordination for their area, and in turn be linked to a national centre within the national office of the Ministry of Education, which would provide co-ordination of the district centres, of professional development, and ensure that further policy development and advice was soundly informed by operational experiences. This national centre within the Ministry of Education will clearly show the government priority given to special education and support for its inclusion in all schools, as part of a national system of provision.

The centres would provide a one-stop-shop for schools and parents, though not all its services would occur on a single site. The centres would use existing provisions which have been developed.<sup>16</sup>

Ministry of Education liaison officers and the new facilitators appointed to provide parents with advice and support would be based in these centres. They will clearly be at arms-length from schools, but located within a team which should have good working relations and be trusted by schools, which makes it easier to resolve issues between parents and schools, and to make greater progress

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<sup>16</sup> For example, the Sara Cohen special school's curriculum resource materials, an innovation which was praised by quite a few people in the consultation.

on the aim of having students with special needs welcomed in all schools.

It may also be desirable to base resource teachers of literacy in the centres, to ensure co-ordination and best use of government funding for student and school support. The itinerant teachers for vision and hearing could usefully be based in some centres.

The centres would also manage equipment, resource materials, and transport.

OTRS teachers (the “.1 and .2s”) could be employed by the local centres, so that they have permanent employment, not dependent on the movement of individual children. They would continue to work in schools, as part of the school staff.

Early Intervention initiatives would also be brought into the fold of the local resource centres, to ensure that provision is seamless, and allow families to continue to work with a single or limited number of key workers as their child moves from early childhood education into school.

Student records could be kept in one place, ensuring that useful information can be passed on as students change schools, to ease transition.

- 3.125 The advantage of this approach is that it can bring all the different funding buckets and special education functions together, in a single service. It allows a fresh approach to be taken to identifying needs and providing a responsive service at the local level which draws on the existing strengths of the area, and provides a funding pool of sufficient size to better and more equitably provide for students with special needs and their schools.
- 3.126 The disadvantage is the uncertainty it would create for SES staff. While the proposed centres should be attractive to many SES staff, the transition would need to be handled with great care and fairness to SES staff. It is crucial that their expertise is retained.
- 3.127 There would also be some disruption to services for students and schools while the transition was made, depending on the time-frame and handling of the transition. While fundholding as an administrative arrangement would shift to the centre, it would be important to ensure that the existing quality of special schools is maintained, and that there is no negative impact for the students they serve.
- 3.128 Neither of these options is simple or cost-free. Both would require work to develop further, looking at questions such as the number of centres required, cost, governance, employment (e.g. by centre or school for some staff), accountability, and any ownership risks for the Crown in

relation to the desired outcome of a robust national support system for special education.

## **Recommendation**

3.129 My recommendation is that option 2, the new national network under the aegis of the Ministry of Education be developed. All things considered, it should provide the best alignment of support with students, schools, and parents, and enable a more equitable and consistent use of resources to meet their needs, while improving the quality of education and support for students with special needs.

## 4. UNITS

- 4.1 Before Special Education 2000, most provision for students with special needs was in the form of staffing, with a central pool of 1,166.01 FTEs located in several hundred schools around the country. This central pool included teachers, teacher aides, and therapists. While some of these positions were itinerant, with teachers and resource teachers working with students and teachers in other schools, most served students in the school to which they were attached.
- 4.2 The Special Education 2000 policy aimed at a more equitable distribution of resources for students with special needs. The main levers for this were the transformation of staffing resources into per student funding going to every school (SEG) and into small portable staffing entitlements which would travel with the high and very high needs student. In addition, itinerant support was allocated to clusters, through the RTLBs, to avoid individual school 'capture'.
- 4.3 These changes meant that a number of schools offering unit-based special needs provision lost some of the staffing which had supported that provision. Although their students with special needs were now included in the school roll, and thus contributed to staffing and operational grants, many units faced a shortfall. This is partially because the teacher:student ratio had been much more generous for the unit positions, partially because many students in the units did not meet the criteria for OTRS funding, and partially because some of the positions lost were therapy and teacher aides.
- 4.4 The data available shows that units have been notable losers with Special Education 2000.
- 4.5 Between 1998 and 1999, the staffing for units dropped by 123.3 FTTE from 581.22 FTE, a drop of around 20 percent nationwide, though individual schools were differently affected, with some losing very little (e.g. .09 of an FTTE), and a few gaining.
- 4.6 The disestablishment of staffing for units in schools has had a profound effect. Only two thirds of the schools in which units which existed in 1998 appear to still have units, a drop from 353 to 229. One measure of viability is the number of OTRS students in the units, using 8 as a minimum. Just under half the surviving units would be viable on this indicator.

### Special Education Units

Unit Type	1998	2000	Viable on OTRS students alone	Not viable on OTRS students alone	
Assessment classes	27	8	1	7	7
Special classes	98	51	5		
Experience units	72	55	14		
Physical disability units	28	24	22		
Intellectual disability	114	81	57		
Hearing	13	9	3	6	6
Vision	1	1	0	1	1
	353	229	102	127	

- 4.7 37 of the 229 units are in fact staffed by RTLBs, all in Auckland and Northland. This was not the intended use of RTLBs. Twenty-seven of these 37 units are not viable in terms of the number of OTRS students they serve.
- 4.8 Although the guidelines for clusters indicate that the cluster may decide to use money to provide a unit on an individual school site, no new units have been established. No capital funding is provided for new units.
- 4.9 Units serving the physically disabled have had a higher rate of survival than others. This is probably due to their receiving transitional funding each year, and to growth in their rolls. A substantial proportion of this group report a deterioration in their service due to Special Education 2000, and around a third look to be unviable after the end of the year, when their transition funding finishes.
- 4.10 Where units have been maintained, the trade-offs made have included larger class sizes in both mainstream and in units, (which seems counterproductive to ensuring attention to meet different needs), reducing curriculum options available in the school, or provision for another group of students, reducing the teaching staff available for students with special needs, using more untrained, voluntary, or free support, such as people receiving state benefits. Some schools which had several units have reduced them to one.
- 4.11 These trade-offs do not necessarily allow the maintenance or improvement of provision for students with special needs: indeed, often the contrary is true, with programmes and support dependent on the commitment and energy of staff, volunteers, and parents. The energy involved is considerable, and probably not sustainable.
- 4.12 A recent PPTA survey of magnet secondary schools, largely those which had had units, found that 10 of the 35 schools responding had closed units, shifting three-fifths of the students into mainstream classes, and two-fifths into other units or special classes. Parents whose students were shifted into the mainstream did not see improvements for their child, but often saw deterioration.

- 4.13 Some units receive funding from the learning support funding which went to clusters. Others receive funding from the transitional pool for section 9 students who have remained with them. When section 9 students change schools, the funding goes to the cluster. It is up to clusters to allocate this funding, and not all of it has gone to support students with section 9 agreements, a sore point for parents and teachers of these students.
- 4.14 Units which serve mainly students from out-of-zone are particularly vulnerable if their resourcing does not cover costs, or the school board feels that it would prefer not to be known as a school for students with special needs. The disestablishment of staffing positions exposed the absence of any effective government role in ensuring that there was satisfactory provision for students with special needs at the local level. It left parents feeling angry, impotent, and betrayed. It remains all too easy for local schools to evade responsibility for the inclusion of students with special needs.
- 4.15 Special school enrolments increased by 4 percent between 1998 and 1999, with some schools gaining more than ten students in a single year. The smallest special school has 12 students, the largest 125. A number of special schools were also substantially renovated recently, adding to their attractiveness. The schools have been able to offer much more as a result of Special Education 2000, and there are anecdotal reports of improved outcomes for students. They also report more parents coming to them as units close and mainstream options are inadequate, or become too difficult.

The special schools are no longer 'segregated'. Many offer satellite units in regular schools, allowing some flexibility as student needs or capabilities change. Often they make use of community facilities and support to provide students with knowledge and skills needed for everyday life.

## **What is a unit now?**

- 4.16 One of the intentions of the Special Education 2000 policy was to make it easier for students with special needs to enrol at their local school, by providing resources related to special needs to each school in the form of SEG, and some external support on the form of RTLBs. Not all schools are willing to accept their responsibility for students with special needs, however, and the knowledge and confidence needed to address their needs is not as widespread as it needs to be to ensure that students' needs can be met in any school.
- 4.17 There are also continuing questions about whether some 'critical mass', a certain number of students, may be needed to provide some programmes and support for students with special needs. This question probably comes to the fore in New Zealand because of our large

number of small schools, reflecting the very low population density outside major and provincial cities.

- 4.18 The Special Education 2000 policy also promised parental choice of school. Many parents of students with special needs want their child to be mainstreamed as much as possible, for both academic and social reasons. Students with special needs have the same legal right to be accepted as any other student. But parents also want their child to have some base within the school, a place of warmth, safety, stillness (for autistic children particularly), and to have the clear interest and support of teachers and teacher-aides who have experience in working with students with special needs.
- 4.19 Parents generally find a warmer welcome in schools with units, and the schools are often able to offer much pastoral support to the families of children with special needs. Families are also brought together, which is often an important source of information, support, and the understanding and humour which are needed to sustain children with special needs, and their parents.
- 4.20 Units allow easier communication and co-ordination between the educators, specialists, and carers working with a student with special needs.
- 4.21 Most units offered what parents often talked about as 'the best of both worlds', offering involvement in regular classes and school life with peers of the students' age as much as possible, but also this particular support and attention.
- 4.22 Some units continue to operate as attachments to schools: present on the site, but largely removed from the life of the regular school, with staff and parents feeling very much that they remain by 'grace and favour'. Interest from the rest of the school is token, and the principal and staff do not consider the students with special needs as part of their responsibility. Good things can happen in these units, if staff are experienced and teacher-aides trained, but they are hampered by their exclusion from the wider school.
- 4.23 I visited some schools which had had units, and the staffing attached to them, but which had in fact moved away from units as separated provision well before Special Education 2000. These were mostly primary schools, which had reorganised their classes so that all students moved in and out of groupings suited to their level of achievement. The students with special needs did not stand out: they were 'woven' through the school, with the opportunity to learn from other students, an important aspect of education. They did continue to have a base room, usually within the main school building instead of the separate block which had once been the unit, and teachers and well-trained teacher-aides who worked with them in groups, which also

included other students. All teachers in the schools took responsibility for the students, whether in their own classes or in the playground.

- 4.24 At the secondary level, it is more difficult to include students in subject-based, exam oriented provision. But some schools, largely again those which had had units, had dedicated and experienced staff who worked with class teachers to ensure as much inclusion as possible, particularly in subjects such as art, music, horticulture, practical technology, and physical education. Literacy and numeracy were more likely to be offered within the unit or base.
- 4.25 These staff also offered programmes which included education off school site, using the community and, where possible, employment placements to ensure that students with special needs would have the knowledge, skills, and contacts they would need in order to maintain as independent a life as possible as adults. Such programmes looked to ensure that the students would have interests and activities, including sport, that they could continue to engage in after they moved away from education, and that they had made some meaningful connections with people in the community, allowing them support and the opportunity to contribute in the future as well as the present.
- 4.26 Teachers in these primary and secondary schools spoke about the gains for other students in the school through the inclusion of these students in the school life. Their own professionalism was enhanced. I was most impressed by the achievements of these schools.
- 4.27 But these schools, which are in the forefront of including students with special needs in meaningful ways, were also disadvantaged by the disestablishment of unit staffing, and spreading the resourcing to all schools, more thinly. It is more than ironic that a policy which sought to ensure the spread of inclusion of students with special needs has left these beacon schools struggling to maintain good, often best, practice.
- 4.28 They have borne the cost of one of the aims of the policy, a more equitable resourcing through shifting students with special needs onto regular school rolls for staffing and operational grants. Yet in terms of the first policy aim, to improve educational opportunity and outcomes, they were and are often (not always) able to offer students with special needs good educational opportunities and outcomes. It would appear that the implementation of one policy aim has undermined the ability to achieve another policy aim.
- 4.29 At present, it is difficult to support these schools, and some others which had not had units but which had seen the need to cater for students with special needs and have developed similar programmes. Yet these 'magnet' schools are attractive to parents, and therefore find the demand for them to work with students with special needs is often higher than they can meet through current resources. The continuation of such provision is dependent on school principals and boards of



trustees; and there is tension each year with the setting of the budget for the following year. Good staff feel their employment has become impermanent, and new staff may be taken on a temporary basis, and turnover is often high as a result, creating additional work for special needs coordinators within schools in training, support and administration

- 4.30 The current formulaic and uniform approach to funding schools to work with students with special needs, especially those with moderate needs, does not work for these schools. Overseas, there is usually some discretion at a district level to provide resources for such schools, which attract more than their share of students with special needs, for positive reasons. These resources are usually in the form of additional staffing. While Special Education 2000 added some support for schools in the form of the RTLBs, these are not 'hands-on' staff working as part of a school. Staffing within schools is also necessary.

### **Recommendation**

- 4.31 The creation of a national scheme providing establishment staffing for the schools which had units, and continue to offer particular programmes for students with moderate special needs which meet certain criteria. Schools which did not have units but which offer these kinds of programmes will also have access to the pool.
- 4.32 The criteria should be decided by a working group of the expert teachers working in magnet schools and officials. The criteria would include a minimum number of students in the programme (probably at least 8); the inclusion of students as much as possible in regular class and school activities; the development of knowledge and skills for independence, and evidence of the use of IEPs which describe the level of student need, using national criteria; the programmes and support offered to each student in the programme, including teacher experience, qualifications, evidence of ongoing professional development for teachers and teacher-aides; and the support the programme would offer regular teachers to work with the students in the programme.
- 4.33 Schools would apply every three years for this funding, to enable secure planning. The staffing would be tagged to the programmes. Staffing support for the programme could take into account the OTRS staffing available within the school, so long as further top-ups were immediately available if OTRS students moved from the school, so that the integrity of the programmes could be maintained.
- 4.34 This scheme could be initiated at the central level, but then shifted to the new district support and resource centres, to enable planning for the area.
- 4.35 This scheme should provide many moderate needs students who are currently missing out with more support. It is clearly focused on the

desired outcome of independence, and is based on ensuring that these students have good teacher support and planning.

- 4.36 These may be regarded as lead schools, similar to the identification of individual schools within the information and communication technology initiative.
- 4.37 It is difficult to cost this scheme. At a very rough estimate of 300 schools offering such programmes, the cost of an additional full time teacher equivalent at each school would be \$16.8 million per annum. Some administrative time should also be included.
- 4.38 The 37 RTLB positions currently being used for units in some parts of the country would be released for their intended purpose, providing more support for students with moderate needs in schools.
- 4.39 Money from the Learning and Support and Year 11-13 currently going into clusters could also be used to support these programmes. This should be possible if the new district centres have discretion over this funding, and priority is given to these programmes.

## **Units serving the physically disabled**

- 4.40 The units serving the physically disabled appear viable in terms of their OTRS students, but they face particular difficulties. The new form of resourcing cost the schools with these units \$3,305,500 (ranging from \$11,000 at one primary school to \$280,500 for the Wilson Home Special School). Transition funding of \$1.5 million was granted for 1999, and the moderate physical needs contract (\$0.74 million) helped some schools. This left these schools as a whole facing a total shortfall of just over \$1 million in 1999.
- 4.41 In 1998 these schools were staffed for 542 students, and enrolled 454 OTRS students (269 high needs, 185 very high needs). One school with 7 students, only one of whom was OTRS, closed its unit, indicating the importance of a critical mass of OTRS students to the viability of these units. In 2000, these schools were enrolling 610 OTRS students (403 high needs, 207 very high needs). The growth was not uniform – 6 schools lost OTRS students, though sometimes their total roll numbers remained much the same (particularly in Auckland), and three had unchanged rolls.
- 4.42 This large jump – particularly in high needs students – (a 68 percent increase) would indicate several possibilities: the units have become more attractive options to parents, the units are restricting themselves to OTRS students as much as possible, and may be taking students whose main needs are other than physical to try to stay viable, and the units are more actively marketing themselves.

- 4.43 There is some evidence that the units, like the special schools, have become more attractive to parents. In some areas, other units who served a range of special needs have closed, and parents who found benefits for their children in such settings have had to find other options, some at considerable travelling time (and cost) from their homes. Others have found it difficult to find mainstream schools that will take their child, or have found that what is offered is poor quality, albeit well-intentioned, or insufficient ('maindumping').
- 4.44 Educators in special schools and units noted that parents become more interested in non-mainstream options when their child reaches 8 or 9 years, when a child who has difficulty reading is more isolated in a class of peers. The transition to secondary school also created problems with mainstreaming for some students, for example, those with needs related to the autistic spectrum.
- 4.45 About half the units in a recent survey of the attached units serving physically disabled students do take a couple of students who do not have OTRS. Some of these are students for whom applications have been made. Some, but not all, units appear to be taking a wider range of students to remain viable, and, sometimes, to fit in desperate parents. Concerns were expressed about the inclusion of students with high behavioural or mental needs together with fragile students who were unable to move or defend themselves.
- 4.46 Certainly staff who had been in the units before Special Education 2000 noted that their workloads had become more intense, and felt they were now serving students with more severe needs than before. However, the recent survey showed that staff:student ratios have generally increased since the disestablishment of positions, unless the unit has more than 30 students, eroding the level of care and support which can be given. Most units have fewer than 30 students.
- 4.47 The highest loss was for special education assistants, who often had nursing experience, and provided a lot of the students' personal care, particularly for fragile students. Ten positions were lost in 20 of the attached units between 1998 and 1999, and 3 speech-language therapy positions. Teacher-aide hours actually increased with the introduction of Special Education 2000, from an average of 5.9 hours a week per student to 7.3 hours in 1998, when therapy staffing was centrally provided, and so the OTRS funding could be spent on teacher-aide hours. In 1999, after the disestablishment of positions, and the inclusion of therapy in transition funding and the OTRS funding, teacher-aide hours dropped back to an average of 6.7 hours a week per student.<sup>17</sup> Some schools had taken the fully-funded option, which gave them staffing entitlement at the top of teacher salary bands. Where their

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<sup>17</sup> Some of this teacher-aide time may have been funded by ACC; the presence of ACC-funded teacher aides for students whose disabilities were caused by accidents or medical misadventure makes a tangible and sometimes vital difference to the viability of some units and mainstream schools.

teaching salary costs were lower, they could use this money to employ therapists (at much lower salary rates than teachers), or teacher-aides.

- 4.48 The insecurity of funding was causing problems in some units with retention of experienced therapists and teacher-aides. High turnover of teacher-aides is not appreciated by parents and students, and it causes additional work for unit heads and teachers, providing training, and dealing with the additional administration.
- 4.49 These units remain attractive to parents. Their viability has become dependent attracting OTRS students, and having all or most of their roll on OTRS. However, that alone is insufficient to provide student personal care and therapy. The three units offering conductive education also offer something which is not viable in mainstream schools, since a certain critical mass is needed.
- 4.50 Why is the OTRS funding insufficient to meet these students' needs? A major reason lies in the contestability of fundholding, which split up the national pool of 'overs' and 'unders'. The costing for the therapy support for OTRS students was presented in terms of an average amount, but there were assumptions that priority would be given to those who traditionally needed it most, those with physical disabilities. This could only occur if there was a single fundholding pool. Where a school or unit serving students with physical disabilities is the fundholder, it will face higher costs to meet their needs.
- 4.51 It is also interesting to note the different assumptions made in the costing for OTRS and moderate needs students.
- 4.52 The original OTRS formula allowed \$1,000 therapy for a high needs student, and \$2,500 for a very high needs student. This was based on 17 hours a year, or 45 minutes of therapist time a week (occupational, speech-language, or physiotherapy) for high needs students, and 48 hours a year, or 1.3 hours a week, for very high needs students. It was noted that "Not all students in the Ongoing Resourcing Scheme will require access to therapy. Therefore some students, particularly those with physical disabilities will use a greater proportion of this component than other students." (Cabinet paper (98) M22/13, attached report, p. 16).
- 4.53 Estimates of the amount of therapy needed by moderate physical needs students not on OTRS were more generous: allowing 24 hours each of occupational and physiotherapy, for a total of \$3,600 a year, and assigning \$1,000 for a support worker to carry out some of the work (Cabinet paper (98) M28/9, attached report, p. 11).
- 4.54 In setting a realistic formula for therapeutic support, It would be useful to have some benchmarks of good practice. This work may take several years. It would also be useful to look at the actual costs of therapy: the official estimates were based on SES charge-out rates of \$75, and it is

apparent that fundholders have lower costs, though their staff may be as well paid as those employed by SES.

### **The value of unit-based therapy**

- 4.55 There are mixed views about the value of units focused on physically disabled children. Their retention is important to parents who seek them out, sometimes for positive reasons, sometimes because they are the place of last resort. The on-site presence of a physiotherapist, occupational therapist, speech-language therapist and the sense of a dedicated team are attractive to many parents, and provide reassurance that their child's needs will be met.
- 4.56 Another perspective on units which are focused on physically disabled children is that they can perpetuate models of support which may not actually improve children's physical abilities, and may offer more therapy than is needed, at the cost of more participation by the student in their educational programme, including social interactions with other students. The recent protocol between education and health on occupational therapy and physiotherapy services for school students with disabilities, November 1999, stresses the advantages of integrating interventions into 'naturally occurring events of the student's day rather than in isolated or artificial settings', or through removing students from their opportunities for learning and social participation.
- 4.57 However, it would appear from the submissions received from therapists and others working in the health sector that this changed view of therapy is not uniformly accepted or known.
- 4.58 I did not feel able to conclude from the evidence I had from submissions and school visits that unit programmes were disadvantaging students in terms of helping them become more independent and develop social skills more than students with similar needs in mainstream settings—equally, I could not tell if they were advantaging them.
- 4.59 To make these judgements, we need some thorough studies of actual practice and outcomes, both short and long-term. Students with physical disabilities do attend mainstream schools without units, and there has been an apparently successful shift from a unit structure to an itinerating therapy service at Forbury Park school in Dunedin. This shift took place over some years.
- 4.60 If additional resourcing is not put into these units, most will become unviable. At least five are likely to have to close at the end of 2000. Individual boards of trustees are not in the position to cover the kinds of shortfalls which these units face. It would appear that the units have already trimmed their provision back and are often offering less than they could a few years ago.

4.61 If these units close, other schools are unlikely to take more responsibility for students with physical disability without the provision of more support. It is not clear that the units are less effective or efficient in their use of funds than mainstream alternatives.

## **Recommendations**

4.62 A number of the recommendations made so far should improve the viability and sustainability of the units serving students with physical disabilities:

- The recommendation for a single national fundholder, with allocations to district support and resource centres
- The new funding pool for units
- The inclusion within OTRS of a 'total care' category
- The new fragile health funding pool.

4.63 However, these may be insufficient within themselves, particularly in the short-term. If modelling based on individual schools shows that this will not make them viable, then I recommend the creation of a top-up funding pool for the next 3 years, to provide security for planning and employment. This pool is likely to cost between \$1.5–2 million per annum. Funding should be given on the basis that the schools will contribute to a shared data-base of case-studies to develop a clearer understanding of the outcomes and costs of reasonable provision for different students, so that sound decisions can be made after the 3 year period.

4.64 Working groups of therapists and educators working in different settings to develop resources, common understanding, and best practice, including clear guidelines on the training and supporting of teacher aides to provide day-to-day support.



## 5. ADEQUACY OF SPECIAL EDUCATION GRANT TO MEET MODERATE SPECIAL NEEDS

- 5.1 In this section I look first at the Special Education Grant (SEG), which was intended for schools to use for their students with moderate needs, and then at its articulation with other aspects of the Special Education 2000 policy, in terms of the central question of whether SEG on its own can meet moderate special needs. Related to this is the larger question of how schools can best be funded and supported to work with students with special needs.
- 5.2 The SEG was first allocated to schools in 1997, for a total sum of \$13.9 million. The per student amount was weighted by decile, and ranged from \$34.50 for decile 1 schools, to \$5 for decile 10 schools. This weighting was based on the clear evidence from research here and overseas showing higher prevalence rates of behaviour problems, and lower levels of achievement, in schools serving low-income communities.
- 5.3 The 1998 SEG amounted to \$29 million. It increased the amount per student, and reduced the weighting given to decile from a 7:1 ratio between decile 1 and decile 10 schools, to a 2:1 ratio (\$51 per student in decile 1 schools to \$24 per student in decile 10 schools). It also added a base grant of \$1000 introduced in 1998, after a 1997 Ministry of Education national survey found that small schools, usually primary, usually rural, and special schools were more likely to overspend their SEG grant. This 1997 survey found no relation between school characteristics such as decile, size, or location and overspending of the SEG grant for secondary schools. There was an indication that decile 1 primary schools were more likely to overspend.
- 5.4 The 1998 survey found that half the schools spent more than their SEG grant on students with moderate learning and behaviour needs. School characteristics associated with overspending were much the same as in 1997.
- 5.5 While half the schools were adding other operational funding to their SEG to provide relevant programmes for students with special needs, others broke even or even had a surplus: more often—but not exclusively—high decile. High decile schools were also included in those which were spending more than their SEG for students with special needs. In its 1999 report on schools' use of SEG, ERO raised questions about the use of TFEA to support students with special needs, if that meant that students who did not have special needs but who had learning needs related to socio-economic disadvantage missed out.



- 5.6 The Massey study does not ask directly about the adequacy of the SEG grant, and whether it is being supplemented from other sources of school funding. Its phase 2 draft report indicates that rural, magnet, and high decile schools were more likely to feel disadvantaged by the SEG funding formula.
- 5.7 It also shows growing satisfaction with SEG, from 37 percent in 1999 to 47 percent in 2000. The Secondary Principals' Association of NZ survey of members in March 2000 found that 47 percent thought their SEG grant enabled them to accommodate students with moderate behaviour and learning needs.
- 5.8 The NZCER 1999 survey of primary schools found that 61 percent of principals thought SEG funding did not cover all students with learning needs, and 47 percent that it did not cover all students with behavioural problems. Thirty-nine percent thought insufficient funding was allocated for students with moderate ongoing problems, and 32 percent, for those with severe ongoing problems. Experiences of problems with the Special Education 2000 policy were highest in decile 1-2 schools (41 percent, falling to 23 percent in decile 9-10 schools).
- 5.9 In 1999 ERO reported that 91 percent of the schools in its study of the use of SEG were using it appropriately, and 4 percent were not. In 2000, the proportion of schools in its study of Special Education 2000 implementation using the SEG appropriately was down to 74 percent, and 11 percent were using it inappropriately. Appropriate use of SEG is based on whether schools have identified students with moderate learning and behaviour needs, have used their SEG to provide programmes with specific objectives, and reviewed these to inform their future programme planning. ERO ascribes inappropriate use mainly to the absence of a comprehensive special education policy and procedures.
- 5.10 Sixty-four percent of a recent national survey of RTLBs thought that SEG was being used appropriately in the schools in their clusters. These figures are not alarming, but they do indicate that there is room for improvement.
- 5.11 However, there is widespread perception in the sector that inappropriate use is not uncommon, largely because some schools do not have moderate needs students, or do not appear to give them priority. It may also be that parents feel SEG is not being used for children with moderate needs because unlike OTRS, it is not directly linked with individual students, and it may be added to other school funding such as TFEA to provide remedial support which does not bear a 'special needs' title.
- 5.12 There is also some doubt as to whether ERO reviews provide an accurate picture of special needs provision in school, since they are

seen as too reliant on documentation which may provide a rosier picture than the reality, and do not include parental experiences. Several examples were given during the consultation of poor practices (such as irregular IEPs, and IEPs which had had no parental input, and had been written to a standard format, with little linkage to actual provision) and poor programmes which had received glowing reports from ERO. ERO reviewers without a special education understanding may not be able to judge the quality of provision, and may be misled by what is on paper.

- 5.13 These are concerns about the quality of special education provision. However, ERO's reviews of SEG have been focused on implementation, not quality. Its next report will focus on the quality of provision for OTRS students, and use specialist reviewers.

## **Use of SEG**

- 5.14 The main use of SEG is to provide teacher-aides, who mainly work with individual students, or with small groups of students. Individual one-to-one support (whether from teacher or teacher-aide) is highly valued by parents. The Massey phase 2 draft report shows that the SEG grant allowed the introduction of new programmes in 60 percent of schools; other schools used it to continue existing programmes. Most of the work covered by SEG is primarily remedial, focused on raising reading skills, with some used to work on mathematics.
- 5.15 A number of schools have combined various pots of money to provide learning support centres which provide a central base for some students with special needs, and literacy or maths lessons for others. Secondary schools which offered such centres were often employing primary-trained teachers to run them. These centres do not clearly differentiate students with special needs as marginal to school life, and appear to have advantages.
- 5.16 Parents and principals alike feel uneasy that a grant which forms part of a school's operational funding is spent on just a few individual children rather than a wider pool. Principals of regular schools must meet multiple demands. It is also difficult in a decentralised environment to give priority to a minority within a school.
- 5.17 Parents who knew about the SEG grant, and knew it was being used to provide their child with additional support (usually teacher-aide support in key classes, remedial literacy programmes, small-group work, or one-to-one work with teachers) often felt grateful, but also guilty—"if he gets help that means that someone else is missing out"—and vulnerable. Support through SEG was seen as less reliable than OTRS verification.

## The Adequacy of SEG

5.18 Why is the SEG judged to be inadequate to meet moderate special needs by principals in around half of the country's schools? There are several interpretations, with some evidence for each.

### 5.19 *Downward Pressure from inadequacies of OTRS*

- Not enough students with high needs are verified for OTRS. These children soak up a disproportionate share of SEG.
- The OTRS funding does not cover school costs, such as teacher-aides, particularly for children with high personal care needs, or whose health or behaviour requires ongoing supervision. This means that SEG is sometimes spent augmenting the support for OTRS students.

5.20 The recommendations made in relation to OTRS should relieve some of this pressure on SEG.

### 5.21 *Downward Pressure from inadequacies of Severe Behaviour Initiative*

- Not enough students with behaviour needs are supported by the Severe Behaviour Initiative. This in turn reduces the numbers who can be supported by RTLBs, as well as putting pressure on the SEG.

5.22 The recommendations made to move away from the Severe Behaviour Initiative and provide more coordinated and seamless support for students with behaviour needs should ease this source of pressure, depending on the availability of hands-on support when needed. The preventative approaches recommended, focused on school culture and organisation, and looking at more differentiated provision will also help long-term.

### 5.23 *The SEG formula does not target students with special needs*

- The SEG formula, providing \$51 per student in a decile 1 school, and \$26 per student in a decile 10 school, is too crude. It does not provide adequate funding for magnet schools, small schools, or some high decile schools.

5.24 There were three main ways suggested of better targeting the SEG grant, and basing it more on student needs than on school characteristics.

1. Switching from a decile and roll formula to school identification of moderate needs students, using a similar application form to that used to gain funding for ESOL students. Changes to National Administration Guideline 1 means that schools have now been asked to keep registers of students with special needs and students

at risk, and these could be used as the basis for application. To date, the definition of special needs remains wide, and schools have not been asked to rate the level of student need in terms of moderate, high etc.

Those who proposed this solution thought that this would ensure that special needs funding is not distributed to schools which do not need it, and that it could provide a better match between funding and need (according to the funding formula used).

### *Issues*

- Definitions of moderate needs students vary between schools, often related to the kind of community served by the school. A student with 'moderate' needs in a high decile/high status school may not stand out or be so identified in other schools. For example, one high decile school defined moderate students with special needs as those performing at or within 6 months below their chronological age. Clear national guidelines defining moderate needs would need to be developed. They may require some experience to use accurately.
- However, as noted earlier it is very difficult to find a clear description of moderate needs which would allow national consistency and provide definitive boundaries between moderate and mild needs. Such a definition has so far eluded those who have grappled previously with trying to provide clear levels of need.
- It is not clear that using such a description-based approach would yield a very different profile than that already provided by school decile. If a set sum was attached to each moderate needs student, however, unrelated to school decile, the net effect could be to withdraw money from low decile and magnet schools.
- The range of needs which people identify as moderate is very wide. A single per capita amount may continue to create problems for the schools which have problems today, if they have students with higher than average needs. One is faced again with the problem of the size of the funding pool.
- This proposal requires additional administrative work from teachers, principals, and those making allocations, adding to the cost. The ESOL funding is applied for by a relatively small proportion of New Zealand schools; this funding would be applied for by most, if not all schools. There is likely to be some resistance in the sector to additional administrative effort.
- It would also require additional auditing, adding to its costs.

- Moderate needs are not limited to ongoing needs. Some resourcing is necessary for students who step into crisis, or who have intermittent or temporary need of additional support.
2. Switching from the decile-roll formula to the use of standardised assessment to build a profile of a school's intake. Special needs funding would be based on the number of students who were in the lowest percentiles.
- Many secondary schools already use some form of standardised assessment to gauge the ability levels of their year 9 intake, so this would not create additional work.

*Issues*

- School-entry standardised assessment data is unreliable as a guide to ability or likely progress at primary level.
  - The introduction of standardised assessment at primary level would run counter to New Zealand's development of curriculum-related assessment, and would encounter deep resistance from educators.
  - There is substantial correlation between school decile ratings and student achievement on standardised tests. Thus using assessment data would probably lead to much the same allocation of SEG overall.
  - Use of school-entry achievement data does not necessarily provide an accurate profile of needs among students, particularly if the needs are primarily behavioural, or if schools accept a reasonable number of transferring students during the school year.
3. Weighting of the SEG formula by student turnover, or transience
- This would provide some ability to target schools which may be dealing with students whose needs are sharpened by moving between schools, and receiving patchy or broken provision. It would also provide some additional resourcing for schools who receive students who have been suspended from other schools.

*Issues*

- Transience would need careful definition.
  - Current policy is to encourage schools to lower their suspension and exclusion rates; weighting the formula may act as a disincentive (depending on the amount involved).
- 5.25 I am reluctant to recommend any changes to the SEG formula at present, until the full effects of the recommendations in this review are apparent.
- 5.26 If glaring gaps remain, then I suggest that the nettle of defining moderate needs be grasped again. If the recommendation to establish a programme funding pool for moderate needs student is accepted,

then the work of those developing the criteria for such programmes, which are likely to include a mix of high and moderate needs, could be used as a basis to trial guidelines in a range of schools. This should be followed by modelling the impact of different per capita amounts on different kinds of schools to fully identify the complexities of following this path before any decision is made to pursue it.

## **Issues in Providing for Moderate Special Needs**

- 5.27 However, I am not convinced that simply changing the SEG formula would address the issues which were identified in providing for students with moderate special needs. These issues are related to formulaic funding, staffing, availability of support, including resource materials, and attitudes or values.
- 5.28 The kinds of schools which were experiencing most difficulty were the 'magnet' schools, kura kaupapa Maori, small rural schools, which were usually in areas where services cannot be easily accessed – they are either unavailable, or the services cost too much.

### **Magnet schools**

- 5.29 The now common term for schools which attract more than their numeric share of students with special needs is 'magnet'. Twenty percent of the schools making submissions identified themselves as magnet schools, with urban and low decile schools somewhat more likely to do so than others.
- 5.30 This can have a positive ring to it: in the U.S. magnet schools are usually schools with particular specialisations which draw students across school zones. In NZ, these are the schools which welcome students with special needs, and which make some particular provision for them, through programmes, school organisation, or a physical centre. The recommendation for a programme-based scheme should provide better for the needs of these schools, and show that their work is valued.
- 5.31 But in New Zealand the term is also used of schools which take the students who cannot get into schools with higher status, who are discouraged from enrolling, or from the schools which do not willingly cater for students with special needs, which some called the 'push' schools. Usually magnet schools serve a mix of students from a broader range of social backgrounds than the 'push' schools, and have a lower decile rating, though not necessarily a low decile rating. They are often more accepting of students with special needs, but consider it unfair that other schools evade their share of students with special needs, and the responsibility to cater for them. These special needs may include a behavioural dimension, with the push coming from suspensions or stand-downs.

- 5.32 If the recommendations related to behaviour are accepted, then these should eventually lower the 'push' factor related to suspensions (official or otherwise). The recent changes to the enrolment legislation which include all students in a school's zone should make it harder for schools with zones to exclude the students with special needs living in that zone.
- 5.33 A third category of magnet school is also evident at the primary level: rural schools located in easy travelling distance of towns and cities. Often these schools are high decile, or higher decile than schools in the neighbouring town or city. They attract parents of children with special needs because of their smaller size, and the belief that rural schools are used to catering for all students, and to providing mixed-level teaching. Some also believe that rural communities may be more accepting of students with special needs than others: a view that does not always hold in experience, particularly in rural communities which see newcomers as outsiders or transients.
- 5.34 The recommendations to provide programme based funding and the recommendations related to OTRS should also alleviate the difficulties faced by this third category of magnet school.
- 5.35 Moving to a more seamless and integrated resource and support centre at a district level would also help these schools, given that the centres would prioritise their support according to need, and would have some discretionary funding.

### **Kura Kaupapa Maori**

- 5.36 Here the fundamental issues are related to the systemic lack of trained teachers and specialists with fluency in te reo Maori, and lack of resource materials in te reo Maori. The issues related to small size are also relevant. An increase in the minimum sum of SEG could help kura kaupapa Maori, but would not address these fundamental issues. The steps currently being taken to improve kura kaupapa Maori teacher supply and resource materials will also benefit their students with special needs. Recommendations also follow on p. 92–3 and 105 to improve the availability of RTLBs.

### **Small rural schools**

- 5.37 The main issues faced by small rural schools were related to the availability of experienced teachers, the availability of specialist support and therapists. Again, these cannot be addressed through the SEG, since they lie beyond the control of individual schools.
- 5.38 The recommendations for the district resource and support centres should help these small rural schools, as should recommendations to come related to professional development and resource materials.

## **Recommendations for addressing the issues related to SEG**

5.39 In addition, I make the following recommendations to better address the underlying issues relating to SEG use and adequacy.

- To better develop the capacity of schools to accept and provide for students with special needs, the establishment of tagged staffing at each school to provide for a Special Needs Education Co-ordinator who could work with school staff, RTLBs, and district centre staff to identify individual student needs, plan programmes, arrange support, professional development, and resource materials, and to support other teachers at the school in their work with students with special needs.

I propose that this position be a minimum 0.2 FTTE at primary schools, and 0.4 FTTE at secondary and area schools. This would amount to 596 FTTE, at an annual cost of around \$33.376 million. This could be reduced somewhat if schools which received the programme funding did not receive this additional staffing.

This recommendation could have implications for the work of the school staffing review currently under way.

- Allowance needs to be made in the school property guidelines for smaller spaces to enable schools to provide smaller group work, particularly for students who need a quieter space than contemporary classrooms provide, and for individual sessions, and planning sessions.
- Central leadership and provision of resource materials related to curriculum adaptation for students with special needs, developed through working groups, using the materials already developed by a number of individual teachers and schools, and the Correspondence School (which has a wealth of such materials). These should be available to each school in kits, with regular updates on the Web.
- Central leadership and provision of resource materials related to pedagogy and class organisation for students with different special needs. (One particular gap appears to be for students on the autistic spectrum, or with ADD/ADHD). These should include case studies shared by parents and schools to show what works, and be available in different forms, including video, and on the WEB. The district centres could create networks of educators to share experiences and provide support for each other's work.

5.40 The provision of resource materials and access to networks of other educators should improve school confidence and capability to support students with different special needs.



5.41 There are a number of systemic issues which also affect the ability of schools to adequately provide for students with special needs:

1. The continued ability of some schools to pick and choose students and to act mostly in their own reputational and financial interest, rather than as part of a national education system. This has been encouraged and exacerbated by the emphasis on school self-management over the last decade, and the competition it has created between schools.
2. School self-management has led to the individual school becoming the core focus of formulaic funding and the focus of its energy and sense of responsibility, yet co-operation is needed to provide or share resources which we cannot afford to provide for every school.
3. High administrative workloads relating to school self-management, and increased teaching workloads.
4. The often segmented nature of secondary school curriculum and organisation.
5. The ability of schools to respond to diverse student interests and needs.

5.42 These systemic issues have been raised many times over the last decade, if not longer. They are not easy to resolve. Nonetheless, it becomes increasingly important that we tackle them.

## 6. TRANSPORT

- 6.1 Funding and administration for special education transport changed at the start of 2000. It was separated from other school transport administration, with funding shifted to fundholder schools and SES. Fundholders could arrange for education service centres to administer transport, or do it themselves. The criteria were also narrowed, to safety, and mobility. Eligible students were those on OTRS, Speech Language initiative, Severe Behaviour initiative, students with section 9 agreements, and those on the Early Intervention scheme.
- 6.2 It was thought that the change would enable transport costs to be contained, after rising steadily in recent years. However, most fundholders would have been out of pocket if the initial allocations had been maintained, and costs have continued to rise. This would seem to be due to rising taxi costs (related to rising fuel costs), but also to parental preferences for units and special schools, where these offer a warmer welcome and more desirable services than the local school. Transport costs are unlikely to decrease substantially unless local schools become more welcoming, and more confident that they have the human resources and knowledge to provide for students with special needs.
- 6.3 The only fundholders who were positive about the change were those which ran their own transport, or could group students for transport over small catchment areas. Otherwise, the new arrangements have created considerable and frustrating additional workloads for people in schools, in service centres, and taxi companies, SES and the Ministry, and are seen as a distraction from core work with students with special needs themselves, with little reward. Most people in schools desire a return to the previous system.
- 6.4 Parents and educators were unsure what the government funding covered, with some seeming inconsistencies between different areas. Some parents were paying for transport beyond a set distance; others did not have to do so. Some fundholders who service catchments were particularly concerned about the costs of travel for students who lived at a distance, but who could access nothing locally. Some fundholding schools were uncertain whether they could subsidise such students if their transport funding was cut back.
- 6.5 Parents were also concerned that the transport funding might limit their options, particularly when local schools were unwelcoming or would offer only partial enrolment.
- 6.6 The transport criteria also appear too rigid. They do not allow for students to be picked up or dropped at places other than the parental home, creating extra demands where care is shared with other relatives or a respite carer, or where a student has a health-related appointment after school. As with other aspects of the Special

Education 2000 policy, parents spoke of the need for support which did not treat education in isolation from the rest of a child's life.

- 6.7 The new criteria stopped transport subsidies to students attending activity centres, with several centres reporting that this had kept a number of students from following through on their enrolments. It seemed anomalous that some students with behavioural problems would have their transport covered, but not others. The Ministry of Education believes that funding for activity centres includes transport costs; the activity centres were not advised of this, and had already allocated their budgets for 2000. They do not feel able to cover transport costs within their operational grants without cutting back on their programmes.

## **Recommendations**

- 6.8 Return to the previous system of managing and funding transport, using the new district resource and support centres.
- 6.9 Provide transport subsidies (usually for public transport) for students attending activity centres to provide equitable funding with other students with behavioural needs.
- 6.10 Some discretion may be needed to ensure that students with special needs have transport support to access other schools if they cannot access their local school. This can be done through the district centres, which would allow co-ordination with the work of the Ministry of Education facilitators.

## 7 RESOURCE TEACHERS OF LEARNING & BEHAVIOUR

- 7.1 These are new specialist positions, mainly itinerant. They break new ground for New Zealand's decade-long system of self-managing, and often competing, schools, by working with defined geographic clusters of schools. The staff for the new 765 positions came largely from the disestablished unit positions; and another 250 or so new positions were created, which have attracted some SES staff. RTLBs have been described as a mixture of 'conscripts' (often staff who had worked for a long time in units) and volunteers.
- 7.2 Also new is a mandatory two-year training course<sup>18</sup>, and an allocation of time within working hours to undertake the training. Though this time by no means covers all the work entailed, this provision has been the source of some tension within schools: first, because it has reduced the time available for RTLBs to work with them, and second, because it compares all too favourably with the existing provision for professional development for classroom teachers, and the lack of training for the new positions for teachers working with OTRS students.
- 7.3 The RTLB service is now regarded more positively, with 64 percent of schools in the phase 2 Massey research expressing satisfaction, the highest satisfaction rate for any of the major Special Education 2000 initiatives asked about. Most RTLBs in a recent survey of around half the RTLBs said their cluster was working effectively (85 percent). This is rapid progress for a new initiative which had some notable teething problems.
- 7.4 The main issues related to RTLB provision are:
1. The clusters were centrally determined, and were not always workable.
  2. The onus for making clusters work fell to principals, with some having to make extraordinary efforts to pull together other principals who were all too used to operating autonomously.
  3. Secondary schools are not used to itinerating support; and many would prefer on-site specialist support, or a definite time allocation. The recommendation for programme funding may relieve this pressure on RTLBs.
  4. There is sometimes a mismatch between the intention of the RTLB service to provide support and advice, and the expectations of principals and teachers that RTLBs will take over the responsibility and one-to-one work with students with special needs on an ongoing basis,

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<sup>18</sup> The course was offered by distance education through a consortium of 3 universities. Course evaluation ratings at one university were high; some criticism of the course was heard during the consultation, often reflecting the prior experience of those taking it. Some were very familiar with the ground covered; others were resistant to the emphasis on inclusion, or were looking for kit-sets of practical ideas for the situations they encountered.

particularly in secondary schools which lost dedicated staffing through the disestablishment of units.

5. The failure of the Severe Behaviour Initiative to provide support to the number of students it was expected to serve has eaten into RTLBs' own capacity, and involved them with more crisis-management and work with students with severe behavioural needs than intended. It has also involved them in much more liaison with other agencies, raising questions about the need for co-ordination and the role of RTLBs as the 'key' worker in a student's life, and questions about the need for counselling and social work skills.
6. RTLBs provide more support in relation to behaviour than learning per se. Quiet and undemanding students are particularly thought to miss out on attention which could help their progress.
7. Clusters do not work well where RTLBs are allocated by school roll, rather than need.
8. Clusters do not work well where principals attempt to micro-manage.
9. Teachers expect RTLBs to provide them with knowledge and skills additional to their own. The credibility and reputation of RTLBs varies.
10. Quality and quantity of SES supervision and support for the RTLBs also varies.
11. Though Maori students are over-represented on RTLB and BEST rolls, few RTLBs are Maori. Only 6 percent of those training in 1999 were Maori.
12. 25 positions were originally set up for Maori RTLBs, and another 25 have been added since. Some of these positions are intended to focus on kura kaupapa Maori and other Maori medium schools. Since these schools are often not located near one another, the territory of some positions is probably unmanageable, and creates tensions with time lost in travelling. Maori RTLBs working with English medium clusters find themselves called in by colleagues to work with Maori students, over and above their own case-load.
13. The tension of time lost in itinerating was also evident for other RTLBs, particularly in rural areas.
14. While 73 percent of the RTLBs recently surveyed were involved in allocation decisions for the Learning and Support money which now goes to clusters, they were much less involved in decisions on other funding pools. There was some frustration evident for RTLBs and teachers alike that RTLBs could not ensure that resources were available in the schools to carry out programmes or interventions they had been asked to help with.
15. It can also be difficult for RTLBs, teachers, teacher-aides and parents to meet or work together within the school day.

## **Recommendations**

- 7.5 Clear criteria for cluster processes, to ensure allocation of RTLB time is related to moderate need students, and is allocated by need, not roll numbers. It is likely that larger schools will have more students with special needs. Allocation by need should provide the additional support needed by magnet schools, rural schools, and kura kaupapa Maori.

- 7.6 Clear criteria for the allocation of the Learning Support funding, and Year 11-13 funding, again by need.
- 7.7 Funding for RTLBs and clusters would be dependent on their meeting these criteria.
- 7.8 A national working group of RTLBs, principals, and teachers to work with the Ministry of Education on the criteria for cluster resource allocation.
- 7.9 Training for RTLBs needs to be made available in future. Such provision should be informed by the experiences of the current course.
- 7.10 For 2001, funding should be given to a distance learning course for Maori and Pacific Island teachers and advisers, with recognition of prior learning.
- 7.11 Funding also needs to be given in 2000–2001 for the development of kits for clusters, sharing success and salutary tales, so that RTLBs and those they work with are not always reinventing the wheel. This could be done through a national group of RTLBs, recommended by RTLBs and principals, pooling ideas and existing resources.
- 7.12 Clusters would be linked to the new district centres, which would relieve the administration load of principals.



## 8. PROFESSIONAL DEVELOPMENT

- 8.1 Professional development is as essential to the provision of education as petrol and oil are to the running of a car. It was clear from the review that this must be a priority for improving provision for students with special needs.
- 8.2 The issues are:
- (a) Many teachers continue to think of students with special needs as abnormal, or extra, something on top of what they expected. This is not surprising given that special education is treated as an option within preservice teacher professional development, another 'extra' itself. A number of submissions made the point that it has also become harder to include students with special needs within core courses because the courses have become compressed in recent years.
  - (b) Professional development contracts for Special Education 2000 have reached a large number of schools. Many in schools felt that the 10 hours per school paid for by the government was insufficient, particularly for those who wanted to develop their provision on a school-wide basis, and to include teacher-aides in the development.
  - (c) Professional development relating to Special Education 2000 was optional, and it was not picked up by many schools. Take-up rates were particularly low for the sessions offered to boards of trustees. But board attitudes to students with special needs can be decisive in relation to the acceptance of enrolments, the approach to stand-downs and suspensions, and willingness to allocate school resources.
  - (d) The research on professional development suggests that the most effective kind comes when school staff are supported over time, identifying their own priorities, getting useful advice and resources from the professional development team, trying them out, discussing them with the professional developers, making further changes etc. Most of the available and free professional development around Special Education 2000 was related to the policy itself, rather than this kind of work.
  - (e) Some schools have made professional development for their teacher aides a priority, and have seen the benefit. Others are reluctant to pay for teacher aide professional development.
  - (f) During the course of the review it was apparent that a number of useful guides and resource materials had been developed around the country, but they were often only locally known. The contestability of the professional development contracts also means that these guides and resources are subject to copyright, and are not freely available to people who were not part of the contracts.



## Recommendations

- 8.3 Mandatory inclusion of provision for students with special needs within core preservice teacher development courses. This does not mean extensive 'special needs' expertise. The aim should be to ensure that new teachers start their work with the expectation that their teaching career will include students with special needs, among others; that they have exposure to some success stories—real life descriptions from teachers of how they organised classes, pedagogy, worked with teacher-aides, worked with parents, got relevant information from RTLBs etc to meet student needs, and the professional and personal and peer gains which occur with good practice with students with special needs; and that preservice teacher education develops good classroom management skills, and good listening skills.
- 8.4 Funding of teacher aide professional development, and time for them to work with teachers to plan for students.
- 8.5 Ongoing funding for professional development and support for schools to work on their provision for students with special needs.
- 8.6 Central provision of useful resource materials on classroom organisation, curriculum adaptation, identifying student needs etc, based on national working groups consisting of those who have produced resources already. These resources should include written guides, case-studies, videos, material available on the web, audio-resources.
- 8.7 Encouragement of teachers and others to research practice in relation to impacts for student with special needs, their peers, and those who work with them, so that practice can be soundly based.
- 8.8 The recommendation to tag some establishment staffing for a special needs co-ordinator in every school will boost the capacity of schools over time. The special needs co-ordinator would provide ongoing informal professional development and support within schools, keep resources and know who to contact for information etc outside the school, so that teachers are informed and confident about their ability to work with students with varying needs, at little cost to their own time.

## 9. INFORMATION AND SUPPORT FOR PARENTS

- 9.1 Many parents with students with special needs feel they have no option but to become fighters, learning early on the need to push for information, understanding, and support. They operate amidst considerable uncertainty about how best to meet their child's needs: each student with special needs is different. Most parents have had no experience of special needs themselves before they are confronted with concerns about their own child. It is difficult to find the hopeful balance which allows acceptance without resignation, and realistic expectations. Without expectations little will be achieved, yet progress for students with special needs can be long in coming.
- 9.2 The hope and increased expectation of many parents is that their child will be able to lead an independent life, to feel they are part of society, and to make the contribution they are able. If physical independence is not a possibility, other abilities should be developed and supported.
- 9.3 To achieve this, parents wanted their children to be involved in school and community life, wanted them to learn to take some responsibility for themselves, to communicate with others, to learn to read and write to the level which would allow them, at minimum, to lead their own meaningful lives as adults, and to experience belonging, pleasure, and success.
- 9.4 Many parents talked about having 'the best of both worlds' : provision within the local school, or a regular school, which gives their child experience in mainstream classrooms, while keeping some particular provision for children with special needs. This is often a physical space, with dedicated teachers and teacher-aides, in which some of the student's learning occurs. It sometimes provides a home space, and stillness or safety for students who need breaks from the intense and sometimes overstimulating activity of classrooms. It provides warmth and familiarity, particularly if the teachers and teacher-aides have worked with the student over time.
- 9.5 The 'best of both worlds' indicates that students with special needs are still seen to have their own world, whether in terms of apartness from other students, or in terms of distinct needs which cannot be met in the mainstream. One would hope that with the implementation of the package of recommendations made in this review, in future, parents might be able to talk more of 'one world with different aspects' when referring to educational provision for their children.
- 9.6 Parents with students with special needs grapple far more than most parents with rejection, fear, guilt, and pain. They also have intense daily demands on them. The stress of dealing with schools can put

enormous pressure on families, marriages, siblings, relationships with friends and relatives, and parental resilience and well-being.

9.7 Key issues for parents which need to be addressed through improvement of special education policy and provision are:

1. Early information and support.
2. Good communication between educators and parents.
3. Use and respect of parents' knowledge about their child
4. Respect for parents' desires for the kind of provision that is working for their child.
5. Clear and accessible information—ranging from their rights in terms of enrolment and school provision, what the OTRS scheme is, and is not, reliable information on their child's condition, up to date and reliable independent information on good practice.
6. A single centre they can go to for information and advice. A phone-line may work for many Pakeha for initial inquiries or checks, but Maori and Pacific would prefer face-to-face opportunities. Staff at this centre should include increased numbers of Maori and Pacific staff, and have good community networks.
7. Preferably a single place they can go for assessment, advice and support: ideally somewhere that provided transdisciplinary teams, and a key worker for each child who could coordinate specialist support and advice.
8. Practical support at school for medication use
9. School principals and teachers welcoming students with special needs, and accepting their legal responsibilities to enrol and provide students with special needs with the same access to education as others.
10. Active support for parents who encounter unwelcoming principals, including mediation.
11. Many parents would also like an independent tribunal to enforce their legal rights with schools.

## Recommendations

9.8 The recommendation to create new district centres should improve parents' access to good, user-friendly information and real support. Recommendations on professional development and the establishment of a tagged special needs co-ordinator at each school should lead over time to improvements in communication, where it could be improved.

9.9 In addition:

- Parents should be involved in the creation of basic information kits, so that their questions are answered, in clear language
- Such information kits should be free to parents and those who support them in other sectors, particularly health, and community organisations, particularly Maori and Pacific.

- Where voluntary organisations are asked to provide information about policy changes to parents, their additional costs should be met (e.g. postage).



## 10. ACCOUNTABILITY

- 10.1 'Accountability' was a term frequently encountered during the consultation for this review. It was often an expression of frustration felt because of the fragmentation of provision, uncertainty about entitlement, perceived ducking of responsibility, and the difficulty of stretching resources to meet as many needs as possible.
- 10.2 The main issues which emerge are:
- 10.3 Fundholders are currently held responsible for schools' use of OTRS resources; but schools feel that OTRS resources belong to the school, not their fundholder. Fundholders do not have the authority to hold schools to account.
- 10.4 Parents need clearer information about OTRS and IEPs. Parents often regard the IEP as an agreement to provide set amounts of teacher-aide time and other support, and do not realise it sets out resourcing goals which may not be achieved.
- 10.5 There is tension in the relation between parents and schools arising from the individual identification of students with special needs, and resourcing attached to them as individuals. This singles out students with special needs in the eyes of both parents and principals.
- 10.6 For principals, school funding is a common resource, which must be shared as creatively as possible to provide as much as possible for as many students as possible.
- 10.7 Parents who believe the OTRS is an entitlement like a voucher and who have become distrustful of their school's principal would like a complete accounting for the sum of the OTRS and the specialist teacher time, to ensure it has been spent only on their child, and no other. Yet the guidelines allow shared use of resources, and the OTRS sum is not an entitlement to a given sum of money.
- 10.8 The SES practice of allocating teacher-aide money in the form of a set number of hours also created difficulties. Parents saw this allocation as a guarantee of actual hours spent directly with their child. Schools were faced with problems arising from the hourly sum used by the SES to calculate hours, which did not take into account GST, and which was based on an average salary rate. Principals with experienced teacher-aides paid above this average were faced with cutting back hours or finding additional funding from their SEG or other school funding, which reduced the amount of funding available for students with moderate needs.
- 10.9 It was sometimes difficult to explain to parents the value of teacher-aide time for planning, professional development, and resource material creation if this time was taken out of the hours parents thought

they had been given. This often meant that teacher aides were unpaid for the time they needed to put in to make the direct time as useful as possible for the student. This included their participation in IEP meetings, which should be a vital part of provision for special needs students, and good communication between all involved. In some schools, teacher-aide attendance at IEP meetings was voluntary or omitted.

- The guidelines for the use of the various initiatives of Special Education 2000 were thought to be too permissive, and not specific or clear enough.
- The role of ERO in terms of accountability for special education funding was unclear to many. Some parents took an ERO review as a 'gold stamp' for the quality of their child's school; other parents and quite a few educators were sceptical that ERO reviewers had the understanding that would enable them to evaluate the quality of special education programmes in the few days allotted to whole-school reviews.

As noted earlier, to date ERO reviews have focused on the implementation of the Special Education 2000 policy, rather than the quality of provision.

- There are at present no mechanisms with teeth to hold accountable those principals and boards of trustees who evade their responsibilities to enrol and support students with special needs, including the avoidance of suspension and stand-downs where reasonable.

10.10 Accountability is not a simple matter. Some of the issues described above are related to attitudes towards children with special needs, and their place in schools. These are not quick to shift. Competition between schools works against the acceptance of students with special needs in some areas, and only more systemic change will alter that.

10.11 Ensuring educators are adequately responsive to students with special needs and their parents requires more assistance than has been available to date. Effective ways include: prioritisation of professional development, the sharing of curriculum and classroom resources, the development of best practice, and promoting communication with parents that is informed, respectful, and open.

10.12 The recommendations made so far should make a difference in the medium to long term. Shifting to a single fundholder will clarify accountability. The district centres should provide tangible support for parents in relation to schools in the short as well as long term. Clear information will also help shift any misperceptions about the nature of OTRS resourcing and IEPs.

### 10.13 Additional Recommendations

- Clearer and more specific guidelines on the intended use of OTRS resources, particularly the specialist teacher time and teacher-aides, on the use of SEG, and on IEPs. These should be developed with experienced specialists, and parents.
- ERO needs to play a greater role in checking that OTRS resources are being used appropriately, and could raise awareness of what the requirements are by making this a priority in their audits for the next few years. Parents' experiences should be included in the ERO process.
- There need to be more Ministry of Education facilitators to provide parents with support so that positive outcomes are achieved. It is important that Maori and Pacific facilitators are available.
- The addition of a fourth aim to the Special Education policy. This aim is to:

*ensure the acceptance of children with special needs in all schools, and their inclusion in school activities in ways which benefit their development of independence.*





# 11. IMPROVING PROVISION FOR MAORI STUDENTS

- 11.1 Particular attention needs to be given to improving special education for Maori. They are less likely to succeed in OTRS applications, but more likely to be included in the Severe Behaviour Initiative.
- 11.2 The general recommendations should improve access for Maori, and improve the quality and co-ordination of what is available in schools and support. The recommendations around behaviour and differentiation of the curriculum are particularly important if we are to put an end to the alarming over-representation of Maori in stand-downs (33 per 1000 compared to 12 for NZ European/Pakeha), and suspensions (12 per 1000, compared to 3 for NZ European/Pakeha).

## Further recommendations

- 11.3 In addition to these systemic improvements, further recommendations are made to address particular concerns for Maori and develop Maori capacity.
  - 1. Further development of policy should include Maori in all phases. The Special Education 2000 policy has been criticised by Maori for taking little account of their particular needs, and their preferred solutions, such as a more holistic approach to the identification and support of special needs.
  - 2. Priority should be given to the development of more Maori RTLBs, therapists, resource materials using te reo; and the development of a Maori network related to special education through support for Maori organisations in recruitment, training, placement. This is not a quick-fix option, which will provide immediate improvements. It will take some years to develop capacity and expertise.
  - 3. There is a need to rethink the positions of Maori RTLBs, in consultation with those they work with and local iwi.
  - 4. It would be advisable to fill any vacancies for RTLBs working in clusters with medium-high proportions of Maori with Maori staff, where possible.
  - 5. There is a need to be able to use iwi and community more, including out of school provision, to provide greater curriculum differentiation, and more personal support.



## **12. IMPROVING PROVISION FOR PACIFIC STUDENTS**

- 12.1 It is harder to get a picture for how well the current initiatives are providing for Pacific students with special needs, since data are not always available. It would appear that they are somewhat more likely than Maori to receive support, but somewhat less likely than European/Pakeha.
- 12.2 Co-ordination of services was particularly important to Pacific people consulted, as was the integration of support in the home and at school, and the provision of services for Pacific students from people from their own cultures, able to use their own language.
- 12.3 The recommendations made so far should also improve the quality and co-ordination of support for Pacific students with special needs.

### **Further Recommendations**

1. The provision of training for speech-language therapists able to work well with Pacific students and their families.
2. Priority should be given to the development of more Pacific teachers and advisers as RTLBs.
3. The inclusion of Pacific staff among district centre staff.
4. Greater use of community organisations where appropriate.



## 13. HEALTH AND EDUCATION— INTERSECTORAL ISSUES

- 13.1 Many students with special educational needs have their needs identified by medical practitioners before they reach educators. The diagnosis is often seen as prior in terms of weight as well as time by parents who feel that it should automatically indicate particular provision in schools. But schools are not hospitals, offering operations or limited interventions, on an individual basis. The diagnosis needs to be translated.
- 13.2 The intersection of health and education was often raised during the consultation, with many seeking more cross-over between the two, and more co-operation between educators and health practitioners.
- Many educators and parents feel that some students with special needs' problems are exacerbated by poor health care, and that early attention to hearing and vision could improve their educational opportunity and progress considerably, particularly for children with moderate and mild special needs.
  - Some wonder why funding for personal care for students with special needs came within the education budget, rather than health.
  - Health specialists and therapists often feel that Special Education 2000 has segmented provision for special needs children, so that they are seen *only* as students, in relation to the school setting. This cuts against some of the 'wraparound' services which were being developed in some areas in Child and Family Development services, with clearly identified key workers to provide co-ordination for parents and children.
  - Equipment provision was unclear to many. Parents feel frustrated that equipment provided for education cannot always be used in the home setting, where it can continue to support learning – it seems to them that learning is being confined to the school setting.
  - Equipment provision also seems under-resourced, or too gate-kept, with equipment often arriving too late to be useful to students. Maintenance could also be a problem.
  - There is concern that teacher-aides are being asked to provide services such as catheterization which were once the province of trained medical staff. It is essential that teacher-aides who do such work receive good training and some monitoring; however, as some said, parents who are untrained carry out such essential health tasks in the home.

- It is unclear whether school provision related to health and therapy is covered by the Health and Disability Commissioner Act; individual professionals certainly are.
- Some schools are uneasy and unsupportive of students who need regular medication at school, particularly Ritalin.
- Anxiety about children with high health needs, or who are 'runners' is particularly marked in some schools. On the one hand, this indicates that responsibility for student welfare is taken very seriously and schools are well aware of their legal responsibilities. On the other hand, I wondered if this was over-sensitive, given that students are not watched all day in their homes, and that serious school accidents are very rare.

13.3 Some schools structure peer-groups so that children with special needs would be with peers at play-time, engaging them in play so they would be less likely to wander, and ready to retrieve them if they did. Other options could be the use of beepers, and an emergency response team of staff who had had good training.

#### **13.4 Recommendations**

- Priority in health services to ensure that hearing and vision checks are carried out on all children under 8 years, with quick follow-up of any problems identified, including the free or affordable intervention or provision of aids
- The district centres should provide the basis for more transdisciplinary work, including the quicker identification of equipment needs, and a readier supply of useful equipment.
- Teacher-aides working with children who need health care such as catheterization need to be properly trained and monitored.
- The coverage of the Health and Disability Act needs to be clarified, and any issues for schools identified.
- Schools need to be reminded of the national guidelines on medication in schools. These guidelines may need to be tightened and clarified.
- A working group of educators and parents should develop resource materials on school safety for children with special needs, including practical advice on ways in which schools can use peers.
- An examination of whether personal care for students with special needs should be met by health rather than education funding.

## **14. EARLY INTERVENTION**

14.1 Special Education 2000 added support for students in early childhood education. This support was outside the terms of reference for this review. It was raised during the consultation as an important area, which needed review itself. The recommendations made here for the school sector would have flow-on effects for early intervention, particularly in the creation of the district centres.

### **Recommendation**

14.2 Provision for students with special needs at the early childhood education level needs to be examined.





## **15. LIFE AFTER SCHOOL—TOO OFTEN, TOO HARD**

- 15.1 Most parents did not like to contemplate what lay ahead for their child after school. Many talked about the dearth of opportunities for further development, and participation in work. It was important that secondary school, or some other form of provision, enabled their children to make the transition into the wider world. Some educators worked hard to place students in supported work, so that when they left school they would not only have skills, but have friendships, and places they felt they belonged. These educators also worked hard to include students in sports and arts activities, and sometimes supported them in group living situations so that they could lead independent lives.
- 15.2 This returns us to thinking about the purpose of education, and the importance of ensuring that education benefits students with special needs, equipping them to enjoy and contribute to life as adults.
- 15.3 Programmes at secondary school which focus on this are particularly important, and have therefore been given some priority in the recommendations.
- 15.4 However, it is also important that individuals with special needs continue to receive support once they move on from being students.

### **Recommendation**

- 15.5 Provision for students with special needs making the transition from school needs to be examined in more detail, with attention paid to the responsibility of different government agencies and programmes to identify any gaps.



## 16. PICKING UP THE PIECES

- 16.1 The recommendations made in this review form an integrated package, aimed at improving the provision of special education and remedying the problems that have become evident in the first three years of Special Education 2000. No single recommendation can address all of these problems. It is therefore vital that progress is made on all of them.
- 16.2 I have made recommendations that I consider would allow real improvements. They are also more modest in places than one might recommend in an ideal world.
- 16.3 Should prioritisation be needed in phasing in this package, I would suggest this order for these major aspects of the recommendations
- 16.4 for the start of 2001
- changes to OTRS and the verification process
  - the introduction of the new programme funding
  - professional development, particularly for the OTRS specialist teachers and teacher-aides
  - the setting up of the various working groups to develop resource materials and information packages for educators and parents
  - funding for speech language therapy training
  - the introduction of the new district centres system.
- 16.5 for the start of 2002
- the introduction of the special education co-ordinator staffing.
- 16.6 A clear plan needs to be developed with the sector for the changes and their timing.
- 16.7 It is also important that the effect of the changes be monitored, with indicators identified at the start of the changes so that the relevant data are readily available for analysis, to identify issues which need further work.
- 16.8 No system is perfect, and I am sure fine-tuning will be needed with the changes recommended here. But I am confident that the changes as a whole will provide a more robust and cohesive approach to the improvement of educational provision for students with special needs, and their real inclusion. They should also give a more secure environment for parents and educators.



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Cathy Wylie,  
Senior Researcher,  
NZ Council for Educational Research.