Facing the facts about students with disability

SSTUWA
State School Teachers' Union of WA

A call for equity, clarity and commitment



The School Education Act (1999) Review, announced by then Education Minister Tony Buti in 2023 sparked both hope and concern. While the stated intent to improve access and inclusion for students with disability is commendable, without comprehensive reform and resourcing, the burden will once again fall on overstretched public educators. We await current Education Minister Sabine Winton's response to the review with keen interest.

The fundamental principle that all children with disability should be included and empowered to succeed is sound and worthy. However, it is of deep concern that the review's scope appears focused solely on the Department of Education, leaving non-government schools largely unaccountable.

Equity demands that all sectors be held to the same standards. Inclusion is a right, not a privilege of postcode or school type. The vision of inclusion risks remaining a fragmented reality.

Crucially, the review scope excluded key issues such as funding and teacher development - elements that are foundational to meaningful inclusion. Policymakers must consider the real-world implications of legislative changes.

If new obligations arise without corresponding resources - staff, training, equipment, transport, facilities and services in the community - school leaders, teachers, school psychologists, support staff and students will face untenable risks.

Already, inconsistencies plague the system. Strategic asset planning and investment varies wildly between older and regional schools versus newer suburban ones.

Access to mainstream enrolment, "inclusion units", "inclusive schools", and education support centres and schools is uneven, often dictated by geography and history rather than need.

In regional and remote areas, students with disability face compounded barriers due to limited services and under-identification of need.

Many education support schools operate with outdated infrastructure and are at capacity. Unfunded “inclusion units” created by some schools as stopgaps - raise serious questions about equity and sustainability.

Inclusion must be backed by investment: in facilities, in staff training, and in regional, statewide and inter-agency services that reflect the full spectrum of disability.

The current funding model, which hinges on formal diagnosis, disadvantages students who cannot access private assessments.

In areas like the Kimberley, diagnosis rates are relatively low, leading to reduced Individual Disability Allocation funding.

Meanwhile, Educational Adjustment Allocation is relatively high, indicating deep systemic gaps. Functional need, not diagnosis alone, must guide resourcing.

Programs like YPECN (Young People with Exceptionally Complex Needs) remain static in scale and underdeveloped, despite growing demand for integrated, cross-agency support. The need for expansion and coordination is urgent.

As to the actual legislation, the Act’s definitions must evolve. A purely medical model of disability is outdated.

We need a social model that accounts for trauma, language and development difficulties, and transient disabilities. Terms like “suitable education,” “complex needs,” and “reasonable adjustments” require clear, consistent definitions aligned with national standards.

Certainly, the principle that all students have the right to education must be enshrined. Decisions under the Act must prioritise the best interests of the child, and extend beyond public schools to early learning centres, residential colleges, and other school education providers.

Enrolment processes must be transparent, with principals empowered as the first point of contact. Flexibility in attendance requirements and arrangements - especially during transitions - should be supported by system-level safeguards.

The duty to communicate and consult must be universal, but sensibly balanced and managed to prevent burnout among educators.

Discipline policies must be nuanced. Disability cannot be an absolute defence for acts of aggression or violence, but early intervention and real system support must be mandated. The rights of every staff member to a safe work environment and of every student to a safe learning environment must be maintained.

Restrictive practices must be minimised, regulated, reviewed and strictly overseen. Yet, safety—for staff, students, and the individual child—remains paramount.

Oversight must extend beyond schools, incorporating broader community and departmental reviews. The dignity of each individual child or young person should also be considered and protected.

This review coincides with other major shifts: a legislative review of the term “disability,” changes to the National Disability Insurance Scheme and contested outcomes from the Royal Commission.

Reports like *Facing the Facts, A Different Kind of Brilliance*, *Understanding and Reducing the Workload of Teachers and Leaders* and the *Agency Capability Review* all point the way. Their recommendations must inform both the legislative and policy response.

Recently, Minister Winton was reported as saying there is strong interest in the review and noted that it was a significant piece of work that requires careful consideration and any future changes would take time.

Inclusion cannot be meaningfully legislated without investment of money and effort. Facing the facts means facing the funding, the infrastructure, and the systemic reform required to ensure every student, including every student with disability, can truly thrive.



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