Needs-Based Funding Implementation Consultation Submission

Submission from the Australian Disability Clearinghouse on Education and Training, August 2024

The Australian Disability Clearinghouse on Education and Training (ADCET) provides national leadership in the inclusion of people with disability in tertiary education through providing information and professional development for disability practitioners, educators and support staff.

ADCET acknowledges the Department of Education's commitment to enhancing educational equity through the proposed Needs-based Funding (NBF) model. This submission provides a range of observations about the proposed model and offers suggestions for enhancement and improvement to the NBF model that will ensure that students with disability are enabled to reach their potential at university. These suggestions range from short-term implementable updates to the proposed NBF model, to elements of the longer-term cultural and systemic change that will be required to fully realise the government's vision of educational equity in universities.

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Ensuring adequate resourcing and evidence for individual adjustments

ADCET is looking forward to working in partnership with the Department to understand and improve the current Higher Education Disability Support Program (HEDSP) in the short-to medium-term. However, the long-term future of the existing HEDSP and its relationship with the NBF model are not entirely clear. We note that a transition towards an eventual absence of ring-fenced funds under the new NBF system would pose a risk of inadequate resources being budgeted by universities to provide individual adjustments, resulting in legislative non-compliance: these adjustments are integral to student success and are legally required by the *Disability Standards for Education 2005* (DSE). Looking to the future, where NBF is delivered to universities as a lump-sum with no guidelines, the requirements of different equity groups will be forced to compete against each other: students with lower per-head support needs will be prioritised by institutions looking to attracted and retain the highest volume of students from 'equity groups' to obtain larger funding allocations. The Department should consider introducing the following elements to the NBF model to prevent this from occurring:

- **Conditional funding**: Attach specific conditions to NBF allocations that mandate a minimum percentage of funds be dedicated to individual adjustments for students with disability (and any other legally-required supports which may exist). This funding floor could be calculated using existing data collection around support provision. This ensures that essential (and legally required) supports are not deprioritised.

- **DSE monitoring and enforcement**: Integrate stringent DSE monitoring and enforcement within the NBF framework as well as the HEDSP to ensure that institutions are held accountable for providing necessary adjustments as well as work towards enhancing disability inclusion systemically and strategically.

- **Transparency and accountability**: Implement robust reporting requirements for how funds are spent to promote transparency and ensure that resources are appropriately allocated. This could be a part of TEQSA or ATEC-related reporting or regulatory action.

Framework of activities and evaluation

The discussion paper poses the question of what supports could, or should, NBF be used to support. ADCET supports the allocation of NBF towards a combination of evidence-based support programs, funding of individual adjustments (assuming that there is funding ring-fenced for this legislative obligation), and contribution to cultural and systemic change in individual institutions and the sector more broadly.

It is imperative that individual adjustments are evaluated for appropriateness and efficacy in achieving student success. This conversation is currently taking place with respect to support program evaluation, but individual adjustments have largely been absent from this discourse. While there are many examples of great practice across the sector, there are still frequent reports of students being poorly supported, or disability practitioners lacking access to a robust evidence-base to understand what effective supports look like for the full range of different disability experiences. The Department should consider funding research evaluation activities and partnering with organisations such as ADCET to build the evidence base relating to individual adjustments. At present, there is limited research on 'what works' when it comes to learning adjustments: this results in many providers offering blanket or generic adjustments to students which may not meet their needs. This research should be co-led by students with disability and lived experience of receiving and requiring individual adjustments.

Evaluation of program effectiveness must incorporate the views of students with disability and truthfully reflect the outcomes which have been improved or achieved for students. Engaging with research partners such as ADCET and Children and Young People with Disability Australia (CYDA) will allow the Department and universities to benefit from the longstanding, positive reputation of these organisations that support students with disability, as well as their quality and cohort-specific methodologies for working with disability practitioners and students with disability, respectively.

NBF eligibility, funding amounts, and academic preparedness

Contribution amounts and academic preparedness

The discussion paper raises the challenge of how to appropriately scale NBF amounts for students from various backgrounds. One of the suggestions is for ATAR to be used as a proxy for academic preparedness, based on the assumption that higher academic preparedness (for which a high ATAR is a proxy) would entail fewer supports needed.

ATAR may not be an appropriate proxy for academic preparedness for students with disability in the sense that the Department may be envisaging. For example, a high-scoring student with disability may have achieved their potential of a high ATAR through the provision of appropriate supports: without those supports (which require resourcing), their academic performance is unlikely to align with their prior ATAR performance. If a high ATAR is used as an assumption of low support need, resourcing may not be available to students who may require it to reach their full potential. As such, ATAR should be used with extreme caution as a predictor of support need and subsequent funding scaling and allocation.

Overall, it is challenging to predict the volume or scale of support that might be needed for students with disability, particularly for commencing students with no tertiary education

history. Support needs are relative to the context in which they are being delivered, can fluctuate, are diverse, and are rarely the same even for students with similar impairment or disability experiences. Unravelling the support needs and related resourcing required for each individual student must always be done in consultation with the student and be undertaken by experienced disability practitioners: such a conversation and process is already a requirement under the DSE.

As such, ADCET recommends that scaled funding should be retrospectively allocated after this assessment of need has occurred as required under the DSE, and not be done on a predictive basis. This will ensure that universities are resourced sufficiently for the support they are providing, and that the support available to students is not limited by resourcing which has been calculated using very general and unreliable assumptions. This may also act to prevent the under-budgeting for supports that the NBF model may indirectly incentivise, discussed later in this submission. A similar logic could be applied to the HEDSP: upcoming enhancements to this program could include a shift to a retrospective cost recovery model where institutions demonstrate what they have spent and then claim it back, dollar for dollar, from the government. This would resolve current challenges of institutions not being sufficiently funded for the adjustments they are providing in reality.

Eligibility

The current NBF proposal assumes that students disclose their disability at the point of application, which is not always the case: stigma, late diagnosis, lack of resources to access diagnostic paperwork, and acquiring disability after commencement can all be reasons for later disclosure. Disclosure methods are also often confusing and inconsistent for students: student may be asked to disclose at application, upon acceptance, at enrolment, and later in the learning journey – a student may think they have disclosed, but the offer of supports may not reach them, and they may not have been captured in the relevant dataset. This may result in universities being under-funded for the volume of students they are representing in reality. To ensure that all students receive the support they need, regardless of their disclosure pathway, the Department should consider:

- **Flexible funding models**: Develop funding models that are responsive to the diverse timelines of student disclosure. This may include contingency funds, flexible budget allocations that can be adjusted based on emerging needs, or retrospective funding allocation.

- **Stigma reduction initiatives**: Support universities to implement initiatives aimed at reducing stigma and encouraging earlier disclosure, such as awareness campaigns and support services that are easily accessible and well-publicised. This should include assurance to students that their disclosure will not negatively impact their prospects of university acceptance.

Policy and practice levers to ensure disability inclusion and enhance NBF outcomes

Research, lived experience, and data consistently show that, whilst necessary, the current approach of simply funding individual adjustments together with the delivery of support programs has so far not been sufficient to improve outcomes for university students with disability. To realise the educational equity vision of the Accord, additional policy and practice measures must complement the NBF model:

- **Enforcement and compliance**: Strengthen enforcement of the *Disability Standards for Education 2005* (DSE) with penalties for non-compliance. Monitoring disability-disaggregated QILT and GOS data will help track student experiences, and poor scores should trigger audits of DSE and DDA compliance.

- **Institutional requirements**: Make it a requirement for TEQSA and ASQA registration that universities and VET providers have a Disability Action Plan lodged with the AHRC, and to demonstrate progress towards these plans. This should include evidence of regular engagement and consultation with students with disability.

- **ATEC leadership representation**: Ensure disability representation in ATEC leadership through affirmative measures to keep disability considerations at the forefront of ATEC and institutional decision-making. Lessons from contemporary disability reforms continue to demonstrate that better outcomes are achieved when lived experience is centred and occupies leadership roles in decision-making processes.

- **Strategic partnerships and advisory support**: Partner with organisations such as ADCET to enable efficiencies through national systemic and strategic approaches to overcoming barriers. Guidance on accessible ICT procurement at the institutional level, accessible publishing, and diverse and frequent professional development and networking opportunities for disability practitioners are just some examples of the work undertaken by ADCET in support of this aim. This work centralises the efforts towards sector-wide accessibility, and provides for economies of scale and efficiencies for both individual institutions and government. The Department could also amplify the role of organisations like ADCET to provide consulting and support to institutions to drive systemic change.

- **Support and incentivise institutions to adopt evidence-based pedagogical techniques**: Promote the widespread adoption of evidence-based frameworks like Universal Design for Learning (UDL), which can significantly enhance the learning experiences of all students, especially those with disability. International examples such as the [Irish National Charter for Universal Design in Tertiary Education](#) represents one way to support and achieve widespread UDL adoption. ADCET has

played a pivotal role in upskilling and informing the tertiary sector about Universal Design for Learning (UDL) through various initiatives, including the development of UDL specific eLearning resources, webinars, and an annual symposium. However, more support from the government is essential to further enhance these efforts and promote the widespread adoption of UDL across educational institutions. The Department should leverage both formal and informal mechanisms to encourage the integration of UDL into university curricula.

- **Accreditation systems**: Consider the feasibility of developing a sector-wide accreditation system similar to SAGE Athena Swan to promote accountability and recognition for institutions that excel in disability inclusion for students and staff.

- **Performance metrics**: Support universities to incorporate disability confidence as a performance metric in staff contracts, particularly for senior executives and teaching staff, to drive accountability and commitment to inclusion.

Improving data collection methodologies

Accurate data collection is critical for understanding and improving outcomes for students with disability. Current methodologies vary widely and lack comprehensive linkage. To enhance data collection, the following actions should be considered:

- **Standardised methodologies**: Develop and implement standardised data collection methodologies across institutions to ensure consistency and comparability. This could be enforced as a part of regular reporting requirements to the Department of Education.

- **Collaboration opportunities**: Explore collaboration opportunities with initiatives like the National Disability Data Asset to leverage expertise and resources for improved data linkage and disability indicators.

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