

Person with a Disability Policy

– for accreditation of special education in non-state schools

Context

Section 6(1) of the *Education (Accreditation of Non-State Schools) Act 2017* provides that a non-state school may be established to provide special education.

Special education is defined under Schedule 4 of the *Education (General Provisions) Act 2006* (EGPA):

Special education means the educational programs and services –

- a) Appropriate to the needs of persons with a disability; and
- b) Additional to, or otherwise different from, educational programs and services generally available to persons of the relevant age who are not persons with a disability.

Under s420(5) of the EGPA, person with a disability means a person who is decided under a policy to be a person with a disability.

Policy statement

For purposes of the provision of special education in a non-state school, a student is considered a person with a disability if they meet the following criteria:

1. The student has a disability as defined by the *Disability Discrimination Act 1992*; and
2. The student has an intellectual or developmental language disorder or is an Autistic person or a combination of these, and is unlikely to attain the levels of development of which the person is capable unless the person receives special education; and
3. The student has been diagnosed with a disability that satisfies the criteria for enrolment in special education by a person with the relevant qualifications and registration with an approved authority (e.g. Australian Health Practitioner Regulation Agency), which are paediatricians, psychiatrists, neurologists, speech-language pathologists and clinical psychologists.

Policy authority

Sections 420 and 420A of the *Education (General Provisions) Act 2006* provide the legislative basis for this policy.

The policy was developed in consultation with representatives of the Queensland Catholic Education Commission and Independent Schools Queensland.

Review of the policy

The policy is current as at October 2023 and will be reviewed as required.