

NSW Legislative Council, Portfolio Committee No. 3 – Education
Inquiry into Children and Young People with Disability in New South Wales
Educational Settings

Response to Questions on Notice by People with Disability Australia

Question (page 30 of transcript, Monday 22 April 2024):

The Hon. NATASHA MACLAREN-JONES: *I've just got a couple of questions. One is around reasonable adjustments. We've heard from a number of witnesses and submissions that quite often these adjustments are not being made. I am interested to hear what your clients have been saying to you—maybe some specific examples where adjustments are not being accommodated but also the reasons behind that. Is it resourcing? Is it lack of understanding? Is it deliberate? I'm just interested to know the reasons behind that.*

JOANNE YATES: *There would be instances of all of that. We haven't got a set of case studies that we can provide you with narrative about that at the moment, but very happy to supply them post this meeting.*

The Hon. NATASHA MACLAREN-JONES: *That would be good.*

PWDA response:

Case study

Reasonable accommodation in Learning Support Plan requiring PWDA Advocate intervention

Note all identifying material has been changed.

Kelly* started in year 9 at a NSW public high school after transferring from an interstate school. They attend a mainstream classroom. Kelly has autism spectrum disorder (ASD) and attention deficit/hyperactivity disorder (ADHD). Kelly has sensory sensitivities, including to sounds and bright lights. They often wear special earmuffs in public.

Kelly's parents contacted PWDA in distress because the school contacted them to say that Kelly had been missing classes for some time and that they risked disciplinary action if there was not a reason for the absence. Kelly's parents were unaware of the absences and were concerned these were a result of their needs not being met.

They indicated that Kelly requires a safe quiet space they can go to during the day for a short period if they begin to feel overwhelmed or stressed. This was agreed to in their Learning Support Plan. It was agreed that they could use the sick bay room.

However, Kelly's parents noted that problems with this soon became apparent. The room was regularly locked and Kelly was not able to enter, and was often unable to find someone to assist. Kelly was refused a key.

Kelly noted the lighting in the room was extremely harsh, with no way to dim the lights. The option was to sit in the dark.

Kelly also noted that the room had a strong cleaning product smell which was not pleasant.

Kelly's parents advised PWDA that the situation had been causing Kelly distress and they had been expressing reluctance to attend school. Kelly's parents advised they had made inquiries with the school previously about Kelly accessing the quiet room and were met with the response 'we are looking into it' but there was no follow up provided.

Kelly's parents said that after they spoke with Kelly about their absence from class it was revealed that they had been spending their time in a secluded part of the school library, reading. The part-time librarian was aware that Kelly was there at times, and had supportive interactions with them, but was not aware they were skipping regular classes. Kelly said that this was preferable because if they became stressed in their classroom, they felt they had nowhere to go.

PWDA advocates approached the school and were successful in speaking with the principal. The issues around the reasonable adjustments and the behaviour were outlined. The principal indicated they were unaware of the extent of the issue. They agreed to a meeting with Kelly and their parents. As a result of this meeting, it was agreed that the lighting would be adjusted to accommodate a dimmer and Kelly would be provided with a key. In addition, a fan was placed in the window to assist with airflow. No further action was taken about Kelly's absence from classes.

*Not their real name