

Submission
No 41

**INQUIRY INTO CHILDREN AND YOUNG PEOPLE WITH
DISABILITY IN NEW SOUTH WALES EDUCATIONAL
SETTINGS**

Name: Dr Gemma Ma
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Partially
Confidential

Dr Gemma Ma

29 February 2024

To the Parliamentary Inquiry Committee,

Re: Children and young people with disability in New South Wales educational settings

My son (8 years old) is lucky in a lot of ways. He lives in a loving home with two parents and a brother who adore him. My husband Jeff and I are both tertiary-educated and successful professionally. We are financially secure enough that three years ago Jeff chose to leave his job as an electrical engineer to stay at home full time to be there for our boys as they started school and I work in a role that allows me the flexibility to be very involved. is also lucky that we as a family have a clear vision for his future that involves being fully included, valued, and respected in his community, developing a life-long love of learning, cultivating a broad and diverse circle of friends, and pursuing a career that he enjoys and is meaningful for him. shares this vision too –he currently aspires to be a police officer and looks forward to having a family of his own when he grows up. is also lucky to be supported by a generous NDIS plan and a team of allied health professionals who share our vision and have a wealth of expertise and passion for supporting kids like

goals at school: *“play, be with other kids, and have lots of friends. I need to learn reading, writing, numbers. Work, work, work. Actually, do everything!”*

Nonetheless, has had an increasingly difficult time at school over the last two years.

has Down syndrome, which means he has both an intellectual and physical disability. He has attended our local mainstream public school in a mainstream class since kindergarten in 2021. loves school and especially loves spending time with his friends. He also loves to learn and is curious and creative. But school can be very difficult for him. He finds transitions between activities difficult, he can become overwhelmed with too much noise and he finds any fine motor activities (including writing, drawing, colouring) very difficult and frustrating. With the right support, did well in Kindergarten and the first half of year 1.

We have been devastated by the attitude our school has taken to providing with reasonable adjustments to enable him to access learning alongside his peers. The school’s executive team have made it clear to us as we have tried to advocate for over the years that there is a limit to how far they will go to accommodate his needs and that as a result there would come a point where he would no longer cope in their school.

That point came last year when was in year 2.

A lack of appropriate adjustments in the classroom and playground resulted in becoming increasingly disengaged from learning and resulted in increasingly frequent and dramatic refusal behaviour. Jeff and I, along with NDIS providers and Down syndrome experts repeatedly met with the school and provided advice and recommendations on how to better accommodate These recommendations were consistently ignored. Instead, was punished more and more

severely. In mid-term 3 we were given an ultimatum by the school's Principal: leave the school for a support unit or special school, or [redacted] will be suspended.

We chose not to leave the school, so [redacted] was suspended for the first of three times in 2023.

Between suspensions, part-day exemptions, informal suspensions, and us choosing to keep home for the sake of his wellbeing, [redacted] barely attended school for the second half of the year.

We have appealed all three suspensions (the first of which occurred 15 August 2023) but are still waiting to be informed of the outcome.

After [redacted] first suspension I repeatedly reached out to the Department of Education for help and received no response. I repeatedly requested meetings with our local Director, Educational Leadership by email and phone with no result. I emailed the disability and inclusion teams and received no response. I submitted a formal complaint to the Department which was referred directly back to our school Principal. In desperation I wrote to the Minister for Education, which finally prompted the Director, Educational Leadership to invite me to a meeting. Since this meeting, we have been relieved to see substantial support arrive at the school from the Department through the Learning and Wellbeing Team and their Team Around the School model. We have met with Department behaviour specialists, psychologists, assistant principals, and learning and wellbeing officers who have reassured us that the Department genuinely wants students like [redacted] to succeed at their local schools.

However, as we start back at school in 2024, we are yet to see material changes in the school's culture or attitude to [redacted] and his supports. The Department's Learning and Wellbeing team appear to have limited influence over which, if any, of their recommendations are implemented by the school's principal. [redacted] continues to struggle, and we continue to be excluded from decisions about his adjustments.

Our experiences with school in the last year have taken an enormous toll on our whole family and especially on [redacted]. We fear that he will be another student with a disability who falls through the cracks, despite our constant efforts and advocacy. Our experience has also highlighted to us that this problem is much bigger than [redacted] – this is a structural and a cultural problem. The lack of accountability within the system means schools like ours can discriminate against and exclude children like [redacted] with impunity and there is nothing we as parents can do about it.

What [redacted] says about getting in trouble at school and getting suspended:

"I want to give some Down syndrome to my brother and some to all the other kids. Then I don't have Down syndrome anymore."

Dad: *"But you wouldn't be you without Down syndrome, we love you for who you are, including Down syndrome."*

"I get suspended because I have Down syndrome. 'You can't go to school. Dad teach you.' Mr [Principal] said that. I said to my teacher 'no way! I should be doing this!' I tell them to stop suspending me! I said 'no way! It's not going to happen! I'm at [School] for the rest of my life!'"

I hope this inquiry can prompt changes to the education system in NSW that make it easier for children like [redacted] to fully participate in their local schools alongside their peers. As such, I fully support the recommendations of the Disability Royal Commission regarding inclusive education (Disability Royal Commission Final Report, Volume 7, Part A: Inclusive Education; recommendations 1-14).

Thank you for considering my submission. Please contact me if I can provide any additional information to support this inquiry.

Sincerely,

Gemma Ma