

Children's rights in education



By understanding your rights, you will know what to expect from your child's education and what you can do to support your child's learning.

What laws protect your child's rights in education?

The main law that protects these rights is the Disability Discrimination Act (1992). It requires that schools and education providers comply with the Disability Standards for Education (2005).

What are the Disability Standards for Education?

The Standards set out the legal obligations of schools and education providers to ensure that students with disability do not experience discrimination and can participate on the same basis as other students.

Enrolment and participation

Students with disability have the right to enrol in a school on the same basis as students without disability. Schools cannot discriminate against students with disability.

Students with disability have the right to participate in educational courses or programs, and use educational services and facilities, on the same basis as students without disability.

What are reasonable adjustments?

Schools and education providers must make reasonable adjustments so that students with disability can participate on the same basis as other students. This can include making changes to the curriculum and programs, teaching approaches, the classroom, or accessing support services. For an adjustment to be reasonable it has to be fair to everyone involved.

Who do the Standards apply to?

The Standards apply to all students with disability regardless of whether they receive additional funded support. The Standards apply to all types of types of schools and settings, levels of education (from early childhood to adult education), and learning activities (including excursions and school sport).

What does this mean for schools and education providers?

Schools and education providers must ask students and families about their needs, make changes that are fair to everyone, and ensure that students are treated fairly and with respect.

You can find out more information here:

- 'Disability Standards for Education: A Practical Guide for Individuals, Families and Communities' at <https://www.nccd.edu.au/disability-standards-education?parent=%2Ffor-parents-guardians-and-carers&activity=%2Fdisability-standards-education&step=-1>

- Disability Discrimination Act - 25th Anniversary Easy Read Edition (2018) at <https://humanrights.gov.au/our-work/disability-rights/publications/disability-discrimination-act-25th-anniversary-easy-read>

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