

Making adjustments

“The notion of a reasonable adjustment are things that are useful for all, essential for some but harmful to none.”

– Mt Eliza Secondary College

What are reasonable adjustments and why are they important?

Every child has the right to participate at school to the fullest extent possible.

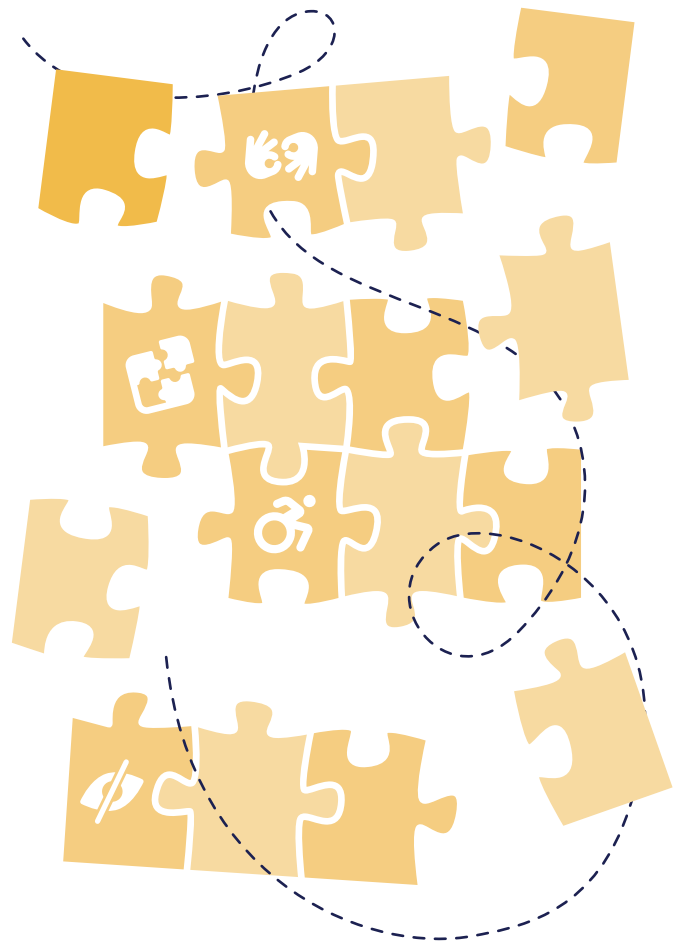
However, students with disability can experience significant barriers in education, including:

- buildings and facilities that aren't accessible
- not being able to follow curriculum or exam requirements
- not receiving the support they need to take part in class activities.

To facilitate participation, schools must make reasonable adjustments unless the student could not participate in or derive any substantial benefit from the educational program even after the adjustments are made.

“Every child can learn. We accept that that's going to look different, but we're not going to limit a child. We're not going to start with the label or the diagnosis or their background and set their destiny there.”

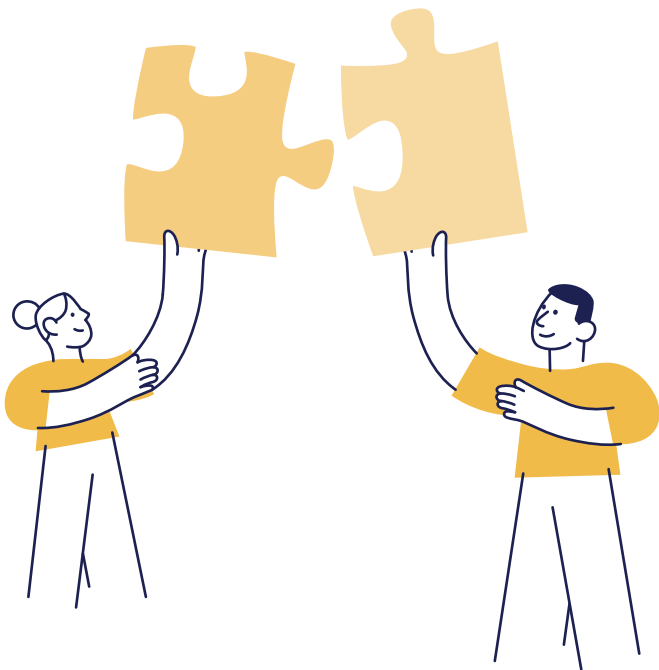
– Armstrong Creek School



Types of adjustments

Adjustments will vary depending on the student's disability, but could include:

- **Environment:** modifying buildings, providing ramps, modifying toilets and ensuring that classes are in rooms accessible to the student
- **Instruction:** modifying or providing special equipment, lowering lab benches, enlarging computer screens, or providing specific computer software or an audio loop system
- **Behaviour:** allowing students with specific needs to take breaks or take more time to move between classes
- **Assessment:** changing assessment procedures, such as allowing for alternative examination methods like oral exams, allocating a quiet space for students that accommodates disabilities, providing extra exam time, rest breaks or allowing additional time for an approved note-taker to write an exam with the student, providing information in accessible formats, allowing more time to complete assessment tasks
- **Curriculum:** changing course delivery, such as providing study notes or research materials in different formats.



When are adjustments reasonable?

In determining whether an adjustment is 'reasonable', all relevant facts and circumstances must be considered, including–

- the student's circumstances, including the nature of their disability
- the nature of the adjustment required to accommodate the student's disability
- the effect on the student if the adjustment is made, including on their ability to achieve learning outcomes, participate in programs and work independently
- the effect on the school, staff and other students, including the cost of the adjustment and the number of people who would benefit from or be disadvantaged by making the adjustment
- the consequences for the school of making the adjustment
- the consequences for the student of not making the adjustment.

This information might come from the student, their parents, the school, the teacher of a particular program, independent experts or a combination of these.

When might adjustments not be reasonable?

In every case, every effort should be made to accommodate a reasonable adjustment. However, there may be some very narrow circumstances in which an adjustment is not reasonable.

An adjustment may not be reasonable if:

- it has a prohibitively high cost
- it will cause significant disruption
- the benefit to the student will be negligible.

“It boils down to just making it daily practice. In particular with reasonable adjustments, thinking about it before every lesson, during every lesson and then reflecting on it makes a huge difference. It becomes part of your teaching toolbox. You can imagine the relief in a kid’s face when they request a little bit of extra reading time and you go ‘yep, we can do that’.”

– Mt Eliza Secondary College

What the law says

The *Equal Opportunity Act 2010* (Vic) says that a school must make reasonable adjustments for a student with a disability.

Adjustments must be made unless the student could not participate in or derive any substantial benefit from the educational program even after the adjustments are made, or if it's reasonably necessary to protect the health, safety or property of any person.

The *Charter of Human Rights and Responsibilities 2006* (Vic) provides for the rights of students with disabilities through the right to equality and non-discrimination, and the right of a child to such protection as is in the child's best interests.

In determining what is in a child's best interests, factors include the child's views, the child's identity, safety of the child, any situation of vulnerability, any impact on the child's health, and, importantly, any impact on the child's education.

If an adjustment is refused and the student and their parents or carers disagree with the decision, it may be the subject of a complaint under the EO Act to the Victorian Equal Opportunity and Human Rights Commission or the Victorian Civil and Administrative Tribunal (VCAT). If VCAT finds that the adjustment was reasonable in the circumstances, the school may be ordered to make the adjustment.

Reasonable adjustments must also be made under federal discrimination law. Other relevant laws that need to be taken into account include OHS laws and other education-related laws and policies.

“At every point, the kids are always at the heart of it. One of the challenges I've faced across my time working in this field is helping teachers understand just how flexible they can be with the adjustments.”

– Mt Eliza Secondary College

What Department of Education policy says

Department of Education policy complements Victoria's discrimination and human rights laws, and should be read together for the benefit of all students and staff. Both legislation and policies must be considered when making decisions about inclusive education.

The best way to identify what adjustments might be needed is to speak to the student, their family, a Disability Inclusion leading teacher, Student Support Services or a Regional Disability Coordinator.

Under Department policy, consultations about reasonable adjustments normally happen at the student's regular student **support group meeting**.

When planning a reasonable adjustment an education provider should talk about:

- the student's abilities and learning needs and how these affect their participation in their education, including camps and excursions
- what adjustments worked well in the past and what adjustments they might need
- if the adjustment will achieve its aim of ensuring the student can participate in their education
- if the adjustment is reasonable
- if there are any other supports or adjustments that are more suitable for the student's needs.

An education provider may also get expert opinions from allied health professionals if necessary.

As students' needs change over time, consultations with educators, students and their families should take place regularly. For further information see **Student Support Groups: Policy** | education.vic.gov.au

The principal makes the final decision on adjustments to meet the student's learning needs.

Education providers do not need to make a change that is not a reasonable adjustment or would cause 'unjustifiable hardship'. For further information see – **Making reasonable adjustments**.

Practical tips

These practical tips for building staff capacity have been informed by schools, for schools, to comply with their positive duty to eliminate discrimination and other legal obligations, and work towards full disability inclusion:

- Start with 'yes'
- Involve student, family and health professionals in all conversations. This includes asking about what adjustments have worked well in the past and what adjustments they might need in the future
- Instead of asking 'can this student participate?' or 'what are my expectations for this student?', ask 'how can we support this student to participate and achieve their potential?'
- Ask 'will this adjustment achieve its aim of ensuring the student can participate in their education?'
- Remember that some adjustments can be easy and inexpensive
- Regularly check in to see whether adjustments are working and re-evaluate
- Look at alternative adjustments that may better suit a student's needs. No one person will have the same requirements, just as no one adjustment will suit all people with a particular disability
- Use whole-of-class adjustments where the adjustments would benefit multiple students
- Identify early warning signs of non-engagement – review attendance data regularly, then follow up with families and ask what supports they need.
- Identify what can be done to increase school belonging and support young people experiencing school attendance challenges. Pull factors for attendance can include:
 - peer belonging
 - positive relationships with teachers
 - interactive teaching approaches
 - access to quieter spaces and different learning environments
 - choice and flexibility in coursework, curriculum and assessment tasks
 - opportunities to engage with mental health services
 - long term goals, including academic and occupational
- Use other data to review effectiveness, including data on enrolment, participation, student support services, the use of restraint and seclusion, complaints and monitoring educational outcomes.

“When we’re making these adjustments, we’re helping everyone in the classroom. The adjustments you’re putting in for the small number of students are actually helping the whole class.”

– Mt Eliza Secondary College



CASE STUDY

Background

When Jennifer was in primary school, her writing skills were below the level of her peers but her teachers dismissed her family's concerns and assured them that she would catch up.

In Year 7, Jennifer's academic results prompted a teacher to reach out to the disability inclusion team at the school, who organised initial appointments with appropriate specialists. She was then diagnosed with dysgraphia.

School's response

Through consultation with Jennifer, her family and her allied health professionals, the school's inclusion team decided that it would be beneficial for Jennifer to use speech-to-text software for assignments.

Her English teacher, Ms Lewis, had not used speech-to-text software before. The school's inclusion team worked with Ms Lewis and Jennifer to trial the dictate function on Microsoft Word. The adjustment was successful. Together, they decided that, instead of singling Jennifer out, the entire class would use speech-to-text for an entire assessment.

Through the assessment, the adjustment was normalised in the classroom, all students learned about the technology and Jennifer avoided feeling singled out. Not only did she pass the assessment, Jennifer scored the second highest mark in the class.

Other supports and resources

Reasonable school adjustments for disability | [vic.gov.au](https://www.vic.gov.au)

Making reasonable adjustments | [education.vic.gov.au](https://www.education.vic.gov.au)

Disability and education | Victorian Equal Opportunity and Human Rights Commission

Making adjustments at a whole class level | AllPlay Learn

Best practice adjustments for Students with Disability | Sub-Committee of the National Schools Resourcing Board

Making Reasonable Adjustments for Students With Disability in Australian Mainstream Classrooms | University of Newcastle

Decision making for students with disability in the mainstream classroom | Australian Research Council

Moving to secondary school for students with additional needs | [vic.gov.au](https://www.vic.gov.au)

Managing and responding to behaviour – consequences for students | [education.vic.gov.au](https://www.education.vic.gov.au)

A guide for supporting school attendance | Orygen

Social Inclusion and High School Students with Visual Impairments | Journal of the South Pacific Educators in Vision Impairment



**Victorian Equal Opportunity
& Human Rights Commission**

[humanrights.vic.gov.au](https://www.humanrights.vic.gov.au)

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