

My child has Electro-hypersensitivity (EHS) he is affected by many [IARC classified 2B carcinogen](#) radio frequency emitting devices. WiFi and use of wireless devices, school equipment and personal mobile phones prevent him from safely attending school and many other public services. In order to manage a safe environment EMR measurements are needed to ascertain EMR levels. I have been monitoring EMR to manage our environments for 7 years. The school will not allow me to measure the device emissions discretely.

I am very concerned about the transition to High School in 2017 as the Dept of Education (DOE) have said there is no policy around WiFi and disability and have not behaved in a manner that elicits trust in their abilities and motivations from our family. They appear to view EHS as separate from disability, ie not a real impairment compared to a hearing impairment in this case. The school indicated in their letter that the Department of Education can decide to acknowledge or not acknowledge EHS.

“To date Department of Education Policy hasn’t acknowledged EHS as a confirmed disability but we will continue to seek advice on this issue.”

Point 29 & 32 Parental engagement. Our school, advised me my child would be in the same class as a child with a hearing device that operates on 2.4 GHz (WiFi) 2 weeks before break up for Christmas holidays (holidays are a 6 week period where school shuts down). Previously, inclusion was managed by having the children in split classes. I have no way of communicating with the school in a timely manner to negotiate, to measure or discuss possible resolution of this issue before school begins.

The school advised it had taken legal advice and there were no other options. The Principal told me the advice came from Dept of Education (DOE) legal team and would not provide the name of the advisor. Without a name or anything in writing there is no accountability.

If I was permitted to measure EMR levels or to engage a qualified EMR surveyor, informed decisions could be made that potentially enable them both to remain in their school community for their last year of school. Prior to this decision, the school told me I would have to pay for the specialist GP’s letter they requested and the EMR surveyor. They did not refer to these experts once I obtained this information for them and questioned my ability and my EMR surveyor’s abilities to make ascertain a safe environment for my son.

Schools have more community based local decision making power under [Local Schools, Local Decisions](#). Our school’s principal wrote (after I insisted she put her **decisions** in writing):

“At this point The Department of Education does not consider it will assist in our school to provide XXXX with learning and support to have a person whose qualifications to operate a device is unknown to attend the school for the purpose of taking readings using equipment which may or may not be operating efficiently in circumstances where the impact of the outcome of any readings on the learning environment remains open to debate.”

*“During 2016 the school will continue to monitor XXX’s health and the school **environment** as part of the 5/6 class.”*

How is it that the school has now become an expert in monitoring my child's health and environment when they have already admitted there is no policy in relation to WiFi health and safety?

Secondly, with regard to transition to High School, **the DOE** sent me a letter implying they had consulted and examined a school **we were thinking about** sending our child to. They did not consult or involve us in discussion or the examination of the school grounds.

My question to them – they did not respond:

“You seem to be writing on behalf of XXXX High School who I have had no such discussions with. Why were we not part of the discussion?”

The DOE said “reasonable adjustments” may be possible but the conditions our son needs to be safe could not be implemented or guaranteed and “unjustifiable hardship” to the school was their concern. **See their response below:**

“It is not a breach of the Standards if making an adjustment would impose an unjustifiable hardship. When evaluating whether an adjustment imposes an unjustifiable hardship consideration must be given to a range of factors including the nature of the benefit or detriment likely to accrue or be suffered by any person concerned.

Accordingly, in responding to your request to prepare XXXXX High School as completely WiFi free, consideration must be given to the individual needs of XXXX, as well as, those of approximately 1150 students and 100 staff present on a daily basis at the school who currently use WiFi in a range of teaching and learning activities.”

The DOE could use that argument above all around Australia. Therefore the entire education system is not universally designed for inclusion and access by all. My child and other people with EHS have no inclusive educational options.

2. It is part of a wider strategy promoting inclusive development, with the goal of creating a world where there is peace, tolerance, sustainable use of resources and social justice, and where the basic needs and rights of all are met.

Re meeting basic needs and rights - we have extremely limited education & medical services, transport, employment opportunities and tertiary opportunities. We find it difficult to find a house that is EMR safe. Re inclusive development and tolerance and many organisations, **such as our school, will seek legal advice over disability support to help us.** Liability is at the core of their concern, not the welfare and rights of the child. If you look at Australia's incentives and activities it all looks good on the surface, [lovely websites](#) and calls for [submissions on the Disability in Education Standards, and these other initiatives: “wellbeing and inclusiveness” report, Nationally Consistent Collection of Data on School Students with Disability, NSW Department of Education and Communities Disability Action Plan 2011-2015, and this National Disability Insurance Scheme.](#)

In real life other EHS people are in need, exhausted, overwhelmed being asked to comply with many requests for proof or reams of information, paying high prices for expertise advice and special reports with no support like they receive in Sweden. In our case the requested information was ignored, and ignoring requests, segregation or special schools are offered as the solution. Every school office should have information about the Disability

in Education Standards, [Nationally Consistent Collection of Data on School Students with Disability](#), and a national campaign via various media sources so that people are aware of what constitutes disability and where to find accessible information on rights and advocacy. Parents should be informed they are permitted to have a support person or advocate present in meetings. There should be one central location that houses all you need in accessible formats. It should be easy to seek support for those with disabilities.

Point 3 arguing that it is the most appropriate modality for States to guarantee universality and non-discrimination in the right to education.¹

The [digital revolution in schools](#) and lack of monitoring personal devices such as fitbit watches, Bluetooth headsets, mobile phones and tablets has created exclusive school environments, not only for people with disabilities, but also for low achievers devices have been shown to widen the [inequality gap](#) in student's learning outcomes by studies in the UK and the [OECD](#).

"The results suggest that low achieving students are more likely to be distracted by the presence of mobile phones while high achievers can focus in the classroom regardless of the mobile phone policy," the study says. [LINK](#)

For [children with learning disorders](#) wireless devices and WiFi also contribute to issues with memory and learning.

"EMF/RFR from wifi and cell towers can exert a disorganizing effect on the ability to learn and remember, and can also be destabilizing to immune and metabolic function. This will make it harder for some children to learn, particularly those who are already having problems in the first place."

Re "The educational case & Respect for and value of diversity: including those with a diverse range of abilities" Electro hypersensitivity is not widely known about nor how it fits into the impairment/ disability category. There is little respect and dignity for those that suffer from this condition. It is not considered a "real" disability like other impairments as in our case. We were told it was *"a new thing... not much is known about it" "it's not like a hearing impairment."* **The International Classification of Functioning, Disability and Health (ICF)** is a valuable tool for application at the individual, social and institutional levels. In the WHO's [Towards a Common Language for Functioning, Disability and Health](#), ICF they state:

*"ICF is named as it is because of its stress is on health and functioning, rather than on disability. We want to make ICF a tool for measuring functioning in society, **no matter what the reason for one's impairments.....** ICF puts the notions of 'health' and disability in a new light. It acknowledges that every human being can experience a decrement in health and thereby experience some disability."*

The lack of public information and therefore acknowledgement of the impairment creates suspicion and poor acceptance of EHS as does ARPANSA's opinion of EHS (see below).

*"Some individuals have reported a wide range of non-specific health problems that they attribute to low-level exposure of electromagnetic fields (EMF). The symptoms most commonly reported include headaches, body pain, lethargy, tinnitus (ringing in the ear), nausea, burning sensation, heart arrhythmia and anxiety. **The collection of these symptoms is not part of any medically recognised syndrome.**"*

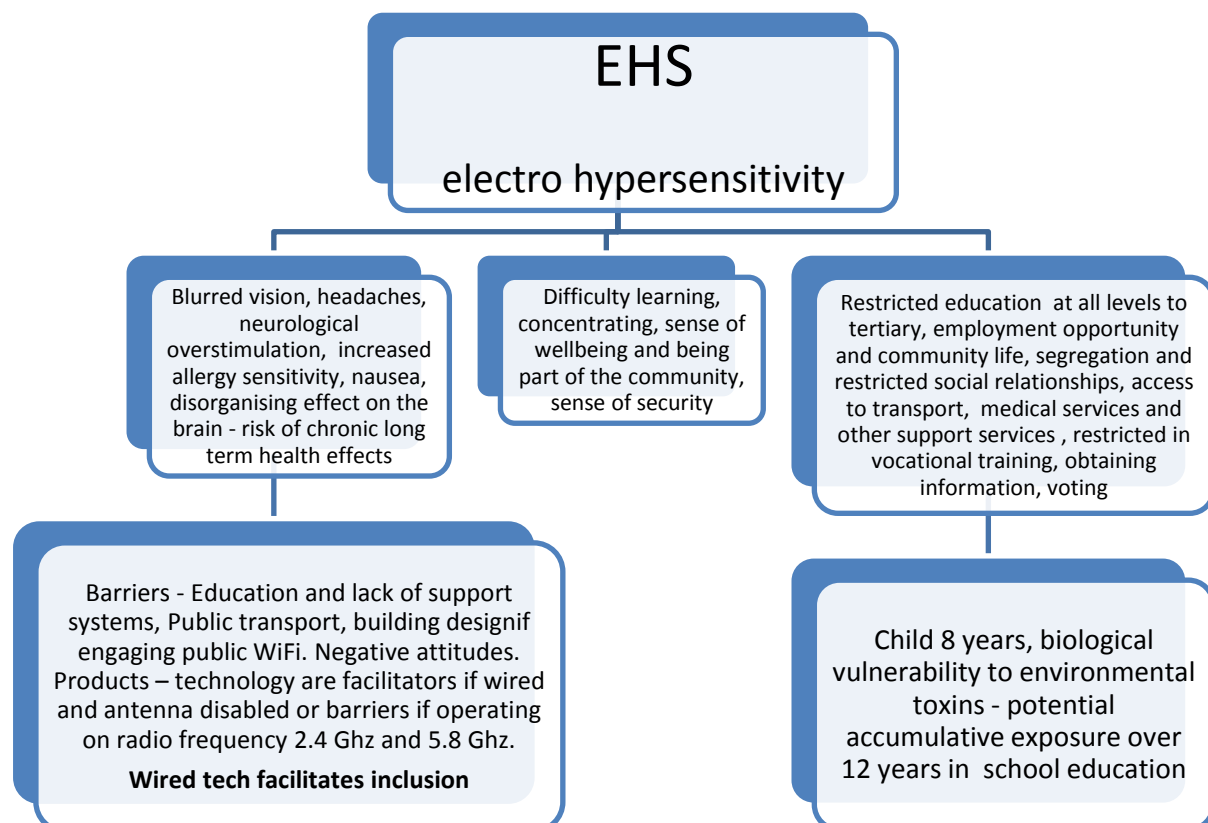
EHS might not be part of any “medically” recognized syndrome. EHS is a recognized disability in many countries. These symptoms above are all listed individually in the ICD. This condition is an environmentally caused impairment so we do not look to the ICD for classification and consensus of existence. **We look to The International Classification of Functioning, Disability and Health (ICF).** The [ICF model](#) clearly states that **functioning and disability are multi-dimensional concepts.** They relate to body functions and structures of people, the activities of people, the participation or involvement of people **and environmental factors.**

*“The ICF conceptualizes a person’s level of functioning as a dynamic interaction between her or his health conditions, environmental factors, and personal factors..... All components of disability are important and any one may interact with another. Environmental factors must be taken into consideration as they affect **EVERYTHING** and may need to be changed.”* [Source: The ICF: An Overview](#)

The ICF is supportive of UDL and Universal Design in general.

ICF can be used in all education settings to support continuity during entry into education, and during the transitions from one educational level to the next or into subsequent work and employment. Using ICF in classroom settings as well as school-related clinical settings provides a common language for the coordination of services provided by educational, social and health systems.” [Source: How to Use ICF - WHO](#)

Below is a draft ICF model assessment of an EHS child.



[The CRPD’s General Comment Article 9: Accesibility paper](#) does not state we should distinguish between disabilities or impairments and prioritise one person’s disability over another’s. In our case the DOE and school did not follow their own processes for

engagement with parents of a child with disability. The school did not refer to the ICF. The school put nothing in writing, gave short notice just before a 6 week shutdown period for schools and there was no plan formulated. No respectful notice or phone calls to arrange appointments, I was called in as I passed by, therefore caught unprepared.

The social case: Communication and guidance are the issue in our case. EMR from wireless devices in school creates an exclusive environment for those with EHS and for those who fear their child will develop a disability in the school's high EMR environment – EHS is highly prevalent and given the findings in [Dr Erica Mallery Blythe's report on EHS](#). 50% of the population is projected to have the condition by 2017. Sensitization from prolonged exposure is a possible outcome, given WiFi in schools is industrial strength (unlike domestic settings) **creating more disability or impairment**. The DOE is giving legal advice rather than deferring to medical, advocacy, parental and expert advice. Without implementation and monitoring of legislation, visible communications to stakeholders (ie DOE, schools, and parents) and guidelines to incorporate universal design in schools EHS **do not have a voice or equal access to many public services most notably education**.

Without public dissemination of health and disability issues and risks, pressure is on families who have this health issue and they are considered “on the fringe” or extremists/ technophobes which is not true. Presently device safety advice is related [to spinal health](#) and cyber safety such as bullying. Here is the disturbing news [why spinal health is an issue](#) for our children. Segregation, intolerance and defensive behaviors are wide spread. Disbelief, disregard, lack of respect for and aggression towards EHS parents and children is unacceptable and in violation of their human rights. This stems from the lack of dissemination of public information advising parents of the potential risks of EMR and the latest EHS and EMR scientific findings.

Re Normative content Art 24: EHS children/people cannot attend pre-schools, primary, secondary and tertiary education, without exposing themselves to harm presently. There are very few options so EHS people cannot obtain education on an equal basis. These types of schools are very rare and even low tech schools such as some Steiner still use WiFi.

Point 11 Segregation: My school suggested my child be put into separate classroom if he became sick from WiFi. Another parent of an EHS child I know had this option suggested to her for lessons where they used WiFi and wireless devices. The only option for parents presently is to homeschool or do distance education. Which is segregation. Presently, my understanding of Australian education and disability is a heavy reliance on “special schools”. I refer you to this article [Disability Standards for Education ignores inclusive education](#) by Ben Whitburn, a PhD candidate at Deakin University in Melbourne. He is conducting research on *inclusive schooling for secondary aged students with disabilities*.

“You might have thought that with greater inclinations worldwide toward inclusive ideals, the review might concentrate more on drawing out ways of working that bring education in line with these principles. I might add, despite explicitly attending to the issue of terminology as a problem with the original Standards, not a word is mentioned in the report about the contemptible language used about people with disabilities.

Rather, the review team recommends streamlining individual education plans (IEPs) to ease transition for persons with disabilities from kindergartens through to tertiary

education, essentially setting in motion a greater reliance on special educational traditions than ever before.” [Source: Ben Whitburn](#)

The issue of transition into High School is another concern. My school has said the DOE have assigned a “contractor” who is a retired DOE employee to assist with transition into high school. I am concerned about the legitimacy and sincerity of this “help” when there has been an over reliance on law and legislation loop holes or half measures suggested, my my abilities to monitor the environment or give advice discredited because I “don’t have letters after my name”, to discredit and dismiss my EMR surveyor’s ability and her equipment, to not consult with us as parents in a formalized respectful manner, to request expert opinion then disregard it completely is choosing to be “willfully blind”.

Point 12: The core features of inclusive education & supporting teachers and a whole person approach & recognition of partnerships.

Teachers and principals are not aware of the DOE’s vast documentation on disability. Such [as this link](#). They don’t know their obligations as the principal of our school admitted to me. There is a failure to train and update overwhelmed schools. They are being required to wear many hats and more and more responsibility for [local decision making](#) is occurring leaving them clueless and without support. This only encourages panicked responses such as deferring to legal advice, which in our case, was obtained from in house DOE legal team but at no time was this advice put in writing or a name of the advisor given to me so there is no accountability or comeback on this. This has to be unlawful. I was not given anything to stipulate the parameters of the advice.

Re b) Monitoring: This is the most important area of concern. Independent groups need to be established to monitor inclusive education. The UN has documented concerns that Australia is not monitoring accessibility very well. EHS people need a standalone organisation to manage statistics and disability organisations need to be made aware of this impairment.

*“10. The Committee on the Rights of Persons with Disabilities has considered accessibility as one of the key issues in each of the 10 interactive dialogues it has held with States parties during the consideration of their initial reports, prior to the drafting of the present general comment. The concluding observations on those reports all contain recommendations concerning accessibility. **One common challenge has been the lack of an adequate monitoring mechanism”**” [Source: Committee on the Rights of Persons with Disabilities Eleventh session 31 March–11 April 2014 General Comment No 2 \(2014\) Article 9 Accessibility](#)*

Point 18 undue burden to evade obligation to reasonable accommodation.

Example 1: Reasonable adjustments as an excuse to not help us have been used by the DOE and the school as well as the rights of everyone else to have WiFi. **Reverse discrimination.** Secondly, we, as a one wage family supporting two people with a disability, do not have available finances that corporations and organisations such as Departments of Education to seek legal advice. **See response from the Learning and Wellbeing Advisor for the DOE in our local district below:**

“It is not a breach of the Standards if making an adjustment would impose an unjustifiable hardship. When evaluating whether an adjustment imposes an unjustifiable hardship consideration must be given to a range of factors including the nature of the benefit or detriment likely to accrue or be suffered by any person concerned.

Accordingly, in responding to your requires to prepare XXXXX High School as completely WiFi free, consideration must be given to the individual needs of XXX, as well as, those of approximately 1150 students and 100 staff present on a daily basis at the school who currently use WiFi in a range of teaching and learning activities.”

Example 2 – tertiary education: I applied to a course for a **Bachelor of Inclusive Education and Disability**. Ironically, I am unable to do this due to the University environment and the format the course is offered (only on campus). The course was advertised ambiguously on the website that it was offered online. But when I made enquiries it would seem it was not available online so I could not physically attend the campus. Here is an example of a college using “reasonable adjustments” to their advantage. It is ironic that I do not have access to a course on **inclusive education and disability**. Note the reference to “*recognized diagnosed condition and its impacts*”.

“Dear XXX

Thank you for your email regarding your health condition and the need for adjustments to access your course.

Disability Services recommend adjustments so that students with a disability can access their course. The only limits to adjustments is that they are reasonable and they do not compromise the learning outcomes or the academic integrity of the unit. As most of our courses are offered on campus, the learning outcomes are likely to be compromised if a student is not able to attend classes. This would not be the case if the course selected is an online course.

If you would like to discuss your adjustment needs further with a Disability Adviser you can contact a Disability Adviser on the campus on which your course is offered: Prior to this appointment you will need to have relevant documentation from an appropriate health professional confirming a recognised diagnosed condition and its impacts. “

Following this when I asked if the course could be made available online I got this response:

“Dear XXX

Thank you for taking the time to speak with me on Tuesday. I have spoken to the School of Education as discussed. Currently there is no visibility on whether the Bachelor of Inclusive Education and Disability will be offered via online mode or distance education in future.

I have also shared your feedback regarding the mode of delivery of the course with School of Education. I wish you all the best with your future endeavors. “

Example 3 – tertiary education: I was enrolled in an online course and had a number of family circumstances arise during the college year that disrupted my access to communications, accommodation, this WiFi issue arose and unemployment. The Principal of the college refused to acknowledge the extent of the family circumstances – which were greatly complicated by our EHS, unemployment, inadequate and safe accommodation for our family. She dismissively advised to the class that a few well-placed crystals could

mitigate EMR emissions. She dismissed my dealings and meetings with my school regarding WiFi as “extra-curricular activities.”

Example 4 – Transport to and from School: The school bus company told me to engage “special services” for my son as they do not offer such support. Note the capitalization of PUBLIC.

“XXX XXX Services Pty Ltd is a main stream public transport provider and do not provide specialised transport for people with a condition or disability that restricts them from using transport that the general public also accesses.

Being a provider of Main Stream PUBLIC Transport It is not possible to provide a vehicle for an individuals specific purpose nor is it possible to place restrictions on a specific service to meet an individuals needs or requirements.

We can only suggest that if your son suffers from travelling on PUBLIC transport then alternates like Community Transport or Private Vehicle Conveyance (PVC) need to be investigated.”

20 **Availability** - There are no available WiFi free choices for schools and many tertiary courses. Certainly none in our local area. There is a [school in SA](#) who has been public in its decision not to install WiFi. This clip also shows parents and EHS children who have had to home school and the principal talking about her decision not to install it. [Canadian teacher’s federation](#) has proposed that there should be choices for parents who either have EHS children or do not want to expose their children to WiFi. OECTA have written a [position paper](#) on WiFi in schools also.

21 **Accessibility –Universal design** - Referring to the *Committee on the Rights of Persons with Disabilities Eleventh session 31 March–11 April 2014 General Comment No 2 (2014) Article 9 Accessibility*, this document clearly states that universal design is at the core of accessibility issues for people with disabilities ([page 5. Point 15](#)).

“The strict application of universal design to all new goods, products, facilities, technologies and services should ensure full, equal and unrestricted access for all potential consumers, including persons with disabilities, in a way that takes full account of their inherent dignity and diversity.”

Use of wireless laptops, ipads, personal mobile phones, fitbit watches, smartboards and cordless phones within schools prohibit accessibility and inclusion when **there is an inclusive option available. Hardwiring and monitoring of new ICT equipment. Ability to turn off antenna and monitoring of environments to ensure antenna are disabled.**

“II. Normative content

It is important that accessibility is addressed in all its complexity, encompassing the physical environment, transportation, information and communication, and services. The focus is no longer on legal personality and the public or private nature of those who own buildings, transport infrastructure, vehicles, information and communication, and services. As long as goods, products and services are open or provided to the public, they must be accessible to all, regardless of whether they are owned and/or provided by a public authority or a private enterprise. Persons with disabilities should have equal access to all goods, products and services that are open or provided to the public in a manner that ensures their effective and equal access and respects their dignity. Source:

Point 22: availability of textbooks and learning materials in accessible formats. Wireless devices that can have antenna disabled, and hardwired options are not being employed.

24 Acceptability –My school states it isn't sure if the DOE will accept my son's disability. As if they are the authority on disability and can define and administer accordingly. This has to be unlawful.

Adaptability - the Committee encourages States parties to apply the Universal Design for Learning (UDL) approach. The school and I previously worked together on safety initiatives formalising risk management in risk management proforma documentation for excursions and the school grounds. The only way to manage the condition is to take measurements and to monitor the environment. I am not being allowed to do this – even discretely to see what my child might be exposed to.

25 Paragraph 2(b) also requires that States parties ensure that children with disabilities are able to attend primary and secondary schools within the own communities in which they live. My child in their last year of Primary school will have to another school instead of remaining with their school community. My child is an active member of the band and sporting groups. The child's school results and confidence has grown in the last year and this is a regrettable move for us as parents.

26 Paragraph 2 (c) The Committee has affirmed that the duty to provide reasonable accommodation is an *ex nunc* duty, which means that it is enforceable from the moment an individual with an impairment needs it in a given situation, such as a school, in order to enjoy her or his rights on an equal basis in a particular context.²

Delays, reference to legal teams. No mutually beneficial options suggested for both children. No reference to "ex nunc duty", which we believe is applicable in the split classroom placement situation. The DOE propose instead to put my child into a classroom next year with a device known to harm his health without assessing the EMR exposure levels into his classroom on a daily basis. In schools children are exposed for 5 hours a day, 5 days a week. Accumulative EMR exposure is harmful. Knowing the long term effects of EMR exposure as indicated in scientific studies include: Brain cancers, acoustic neuromas and other tumours, Leukaemia, Lymphoma, Epilepsy, DNA damage, Immune dysfunction, chronic allergic responses and inflammatory responses, Neurological and behavioural effects. The impact of daily exposure can increase his sensitivity including his existing allergies. **The fact is that the school have no expertise or training to manage this invisible toxin, or interest in following their own Risk Management Proforma. I do not believe the DOE is acting responsibly, respecting our right to health and education and many other human rights.**

"State party's overall obligation to develop an inclusive education system. " The Australian education system as it stands is not inclusive. Having WiFi in schools when there is consensus on safety of wired systems but clearly [no consensus on wireless device safety](#).

It is not acceptable, for example, that States parties evade taking any steps to develop an inclusive education system, using the lack of resources and high cost as justification.

The excuse of lack of funding to make changes has been used and a lack of available hardwired points to reconfigure computers for high school. That this option would be too expensive. In fact hardwired options require less updates and are more secure.

27 The determination of accommodations required must be undertaken through discussions between the educational provider, the student with a disability, and depending on the student's age and maturity, their parents and/or family members, in order to ensure that the accommodation meets the access needs of the student and can be implemented by the provider.

Universal design of accessible ICT must be adopted. We were not given fair chance to work through options or much notice of their intentions. There were no discussions prior with us regarding the classroom plans for Year 6. For high school, the DOE spoke to the potential school we wanted before we had a chance to decide on and apply to them, or spoken to them. The DOE wrote to us suggesting the reasonable accommodation and unjustifiable hardship line was applicable (**reverse discrimination**) in relation to this school **before discussion and negotiation had begun with our family and the school.**

States parties must ensure that systems are in place to monitor the effectiveness of accommodations, and provide safe and accessible mechanisms for redress where students with disabilities or their families consider that they have not been adequately provided. This isn't being done. Reverse discrimination being used and reliance on reasonable measures. [Many studies](#) and the OECD reveal high adopters of technology are not offering positive and [consistent learning outcomes](#). Inequality instead and a further widening of the gap is affecting low achievers.

28 UDL which ensures that the barriers to learning are minimized by designing lessons which address the learning needs of all learners within a given classroom through multiple representation, for example, in respect of language, learning styles, sensory input, perception, culture, or levels of background knowledge.

Hardwiring and monitoring all new equipment in line with UDL eliminates discrimination.

33 The Committee emphasises that any support measures provided must be compliant with the goal of full inclusion. There is a [public show](#) of inclusion compliance. This is the reality after many attempts at correspondence with his department: *Minister for Education Adrian Piccoli has unveiled some of the innovative technology and teaching practices being trialed for new and refurbished classrooms across NSW.* [Source: First look at classrooms of the future](#)

34 **You are forgetting EHS children.**

37 attitudinal, physical, communication, legal and other barriers to education at these levels must be identified and removed in order to facilitate that equal access. Reasonable accommodation must be provided to ensure that persons with disabilities do not face discrimination and exclusion.

Based on the DOE's response we have no choice other than to be excluded and face discrimination if we are to maintain and protect our son's health.

3 OBLIGATIONS OF STATES PARTIES

38 The obligation to *protect*that schools are accessible and that education systems are adapted appropriately with the necessary resources and services provided.

[General comment No. 2 \(2014\) Article 9: Accessibility](#)) **Re Protection:** The advice from the Legal team of DOE is not one of protection for my son. The Principal, a senior DOE executive, suggested I try out the classroom environment **and when or if he is harmed take him out**

for a “break”. DOE legal team advice is wait for harm then act. This is not protection, not precautionary, not inclusive, still segregating him and making him publicly and obviously different to everyone else. Not taking his disability serious, ignoring the advice from his doctor and many expert scientists and clinical researchers from around the world. **This is legal team advice.** This is not seeking to adapt the school which is the problem but puts focus on the child’s impairment – excluding him rather than adapting the imperfect and inaccessible environment or creating an accessible format.. The school should receive funding for 2 classes. My child cannot be excluded or expected to expose himself to toxic irritants because the school is not up to date on impairments and its obligations.

This legal advice ignores previous Risk Management Protocols we drafted stating WiFi was a harmful toxin. The only resources provided were an aid, to take kids out of the classroom when needed. I was told there were three children this aide was supporting. The inference was that funding had been sought for my child when there are clearly 3 in the classroom who need help. **This is a circus, extremely stressful and upsetting to our family and other families and a waste of our family time. The principal actively encouraged me to “keep writing to the authorities”. This would indeed keep me very busy, not achieving much else in my life. I have other interests and an important role as a mother.**

39 Retrogressive measures

Instead of acknowledging EHS and the need to reform schools, they are moving more towards [exclusion.](#) The DOE have known about this issue for many years. They have recently allotted millions to the wellbeing program in our education system. [Link:](#)

After the parents went on an exhaustive search for answers they are told the decision making process seems to be left to the individual schools via Principals, and also falling to the responsibility of the Minister for Health. Local Schools, Local Decisions program leaves schools clueless and without guidance and direction in terms of dealing with EHS in the school environment. This would seem extremely important given the planned department reforms eluded to [here](#) on the NSW Education and Communities website. Principals need to be aware of their obligations and responsibilities as the Department moves to give Schools more control over decision making and consultation with school communities aka parents and children.

4 RELATION WITH OTHER PROVISIONS OF THE CONVENTION

41 full and effective realization of other rights.³ .

42 **It must be underpinned by the creation of inclusive environments at the wider societal level.** Referring to the *Committee on the Rights of Persons with Disabilities Eleventh session 31 March–11 April 2014 General Comment No 2 (2014) Article 9 Accessibility*, this document clearly states that universal design is at the core of accessibility issues for people with disabilities (page 5. Point 15).

Yes, transport, public places, ICT and services. Universal Design applies.

“It is important that accessibility is addressed in all its complexity, encompassing the physical environment, transportation, information and communication, and services. The focus is no longer on legal personality and the public or private nature of those who own buildings, transport infrastructure, vehicles, information and communication, and services. As long as goods, products and services are open or provided to the public, they must be accessible to all, regardless of whether they are owned and/or provided by a public authority or a private enterprise.” [Link](#)

43 Article 3 guarantee respect for dignity, non-discrimination, participation and inclusion, respect for difference and diversity, equality of opportunity, accessibility, equality between men and women, boys and girls, and respect for the evolving capacities of children with disabilities.

Re dignity. Below is an excerpt of communications with the DOE where I asked for omitted details in a letter sent from them to be corrected. I felt the tone of the response was condescending.

“Dear XXXXX

I refer to your email of 2 November 2015 and provide for you the following information.

Attendance at meeting.

I acknowledge the meeting at XXXX school on 23 July 2015 was attended by Ms XXXX XXXX Learning and Wellbeing Officer, XXXX XXXXX, Principal XXXXXXXXXXXX School, Dr XXXX XXXX, support person, Ms XXXX XXXXXXX, myself Ms XXXXX XXXXXXX, Learning and Wellbeing Advisor, and yourself, Ms XXXXX XXXXXXX, parent. I apologise for any concern or confusion this has caused you.

Re non-discrimination, participation and inclusion & dignity. The State Party defer the decision to install WiFi in schools to Principals under Local Schools Local Decisions. Then the school refers to the DOE legal dept who states they are not sure if they will “recognize EHS”. [Sweden recognizes this disability](#). In [Canada also recognizes the condition](#) and the UN have received reports from both Countries on this.

“to date Department of Education Policy hasn’t acknowledged EHS as a confirmed disability but we will continue to seek advice on this issue.”

The Principal also told me over the Christmas break they would be working on policy, ie bought themselves some time. That they would be consulting with ARPANSA and the Chief Medical Officer on this. **Why are they not referring to Disability experts?**

We have been afforded very little respect. EHS has been referred to as a [state of the art functional impairment](#). [Various authorities](#) and [experts](#) have requested **EHS** be recognized ([European Parliamentary Council](#)) and supported via the precautionary principle. [ICNIRP safety guidelines](#) (**page 546 People Being Protected**) states authorities (State Parties) should develop guidelines to protect sensitive populations.

“Some guidelines may still not provide adequate protection for certain sensitive individuals nor for normal individuals exposed concomitantly to other agents, which may exacerbate the effect of the NIR exposure, an example being individuals with photosensitivity. Where such situations have been identified, appropriate specific advice should be developed-within the context of scientific knowledge.”

My child has photosensitivity, a recognised disability. He reacts with headaches & vision impairment to fluorescent lighting. Nearly all schools have fluorescent lighting. **Concomitant exposure of fluorescent lighting and WiFi combined is spelled out as a risk by ICNIRP above.** My child is not safe under the plan the DOE legal team and Principal propose and the school is stating this is my only option for continuing education with them. **ARPANSA’s EHS Factsheet states:**

“It has been suggested that environmental factors unrelated to EMF may be responsible for the symptoms, such as poor indoor air quality, excessive noise, flickering fluorescent lights and glare from visual display units (VDUs).” [Link](#)

This is in conflict with ICNIRP’s advice **above regarding concomitant exposures to other agents which can exacerbate NIR** (non-ionising radiation) exposure. ARPANSA have not actively referenced this updated report from 2002 and base [their safety recommendations](#) on outdated 1998 guidelines.

My questions to the DOE were often not answered and requests for information on who I should deal with and why were evasive – had to be dragged out of them. The school and the DOE’s responses were often delayed, did not direct me clearly, sometimes ignored my emails, did not supply the information I needed.

My email to DOE Learning and Support Officer below they did not respond to my question of how the other groups would be in hardship:

“I note your choice to invoke "unjustifiable hardship" as your reason for maintaining the status quo of WiFi radiation in your schools when there are safer wired and more inclusive practices you might adopt. Please outline in detail, for us, how these other groups would be in hardship.

What alternative are we left with XXX, XXXX, Minister for Education and Deputy Secretary, Corporate Services – DOE)? We are left with no option that would not result in TRUE "unjustifiable hardship". My son would be isolated, singled out, discriminated against. Put yourselves in our shoes. What would you do and want for your child?”

5 IMPLEMENTATION AT THE NATIONAL LEVEL

60 States parties must ensure a comprehensive and intersectoral commitment to inclusive education across government, as it cannot be realized by education ministries in isolation. working collaboratively towards a shared agenda, including, inter alia, ministries of education, finance, health, transport, planning, social welfare and child protection. Here is the response from the Minister’s office at the DOE to my concerns about WiFi for all students not only EHS:

“The provision of WiFi in schools is a response to the expectations of principals, teachers, parents and the broader community that NSW students are equipped with a modern digital learning environment.

The use of wireless technologies in Australia is governed by the Radiation Protection (RP) Standard which is aligned to international standards. The RP Standard includes requirements to minimise public exposure, which is implemented in schools by using laptops at a desk and not seating children within half a metre of network devices, which themselves are certified to meet Australian Standards.

ARPANSA’s position on sensitivity is that although healthy symptoms experienced by affected individuals are real and potentially disabling, scientific evidence does not establish that electromagnetic hypersensitivity symptoms are caused by exposure to low-level electromagnetic fields. The fact sheet is available here: <http://www.arpansa.gov.au/pubs/factsheets/ElectromagneticHypersensitivity.pdf>

Re **States parties must ensure a comprehensive and intersectoral commitment to inclusive education across government, as it cannot be realized by education ministries in isolation.**

DOE (Govt agency) refer to ARPANSA (Govt agency) who follow ICNIRP 1998 guidelines which state sensitive populations exist and are not disability experts. None of ARPANSA's paperwork refer to the updated report from ICNIRP that include the **recommendations made by ICNIRP for sensitive populations.**

"In relation to your reference to the Department's Wellbeing Framework, the NSW Government is strongly committed to providing safe, supportive and productive learning environments for all students in NSW public schools. The Department works closely with the NSW Department of Health and takes advice from health experts regarding specific health risks and precautions necessary to safeguard the wellbeing of students. You can read more about our policies and approaches at: [Link](#)

Comcare (Govt Agency) advise the Minister for Education of health and safety risk. Comcare were forced to pay compensation to a Government employee that was harmed from WiFi at work. ([Dr Alexander MacDonald a CSIRO scientist](#)). Dr MacDonald was EHS and impacted further by work WiFi. I asked the Minister to comment on the information regarding Comcare and health and safety.

"The Department cannot answer questions on behalf of other agencies, and I suggest that you that you write directly to them with your queries."

Children are known to be very sensitive to environmental toxins of all kinds. [Indeed ICNIRP state here that they comprise part of the "sensitive population"](#).

"People being protected

*Different groups in a population may have differences in their ability to tolerate a particular NIR exposure. **For example, children**, the elderly, and some chronically ill people might have a lower tolerance for one or more forms of NIR exposure than the rest of the population. **Under such circumstances, it may be useful or necessary to develop separate guideline levels for different groups within the general population, but it may be more effective to adjust the guidelines for the general population to include such groups."***

61 Where such continued separation still exists, States parties must undertake urgent measures to rationalise education provision for all persons within the education ministry.

No urgency to remedy the situation. There have been many delays for action in our case. This issue has been known about for many years. Publicly recorded since 2012 on this website there are many exchanges with authorities. [WiFi in Schools Australia](#).

Many support avenues are so inaccessible and unknown to people with disability. The support resources should be advertised on TV, in our schools offices, radio and magazines. Information given on what an impairment or disability can be, processes of obtaining support simplified. The DOE told me they work for the teachers – **not the parents and children!** This is interesting as the DOE are employed public servants.

62 States parties must introduce legislation prohibiting discrimination on grounds of disability, including accessible mechanisms through which to challenge violations.

Not happening EHS have commented via submissions to the Australian Law Reform Commission, Freedoms Inquiry, Issues Paper. There were many EHS people submitting to

this paper. “Your submission to the Freedoms Inquiry, Issues Paper [SEC=UNCLASSIFIED] Submitted on Thursday, February 26, 2015d - 16:26”

65 Effective, accessible, safe and enforceable complaints mechanisms must be introduced through which it is possible to challenge violations of the right to education. Much needed.

66 support for families; collaboration and consultation with organisations of parents and of persons with disabilities, and well as with children with disabilities and those representing them. I have asked for meetings, correspondence, offered support and excellent experts to assist the school. I even drafted some resources. I am well equipped to offer them support and it is ignored and my ability discredited. As I’ve stated before information needs clearer and more accessible dissemination. Many people with disabilities have limited access to websites, do not have unlimited time, resources and energy to search for the information.

83 States parties must recognize that the right to inclusive education extends to the provision of all education, not merely that provided by the State itself. ...involve legislation and regulation, monitoring, oversight, and enforcement, and adoption of policies to frame how business enterprises can impact on the effective enjoyment and exercise of rights by persons with disabilities.

We feel the authorities approach to managing EMR in education environments is worrying. The implication of EHS being [an imaginary condition](#) or one to not take seriously, would deem Sweden, Canada, Italy and Spain’s approaches to EHS as erroneous and undermine their credibility. The recommendations by the [European Parliamentary Council](#) for [protections for the sensitive](#) frivolous and irrational, the WHO’s acknowledgement of EHS as intuitive, [ICNIRP’s acknowledgement of the sensitive populations](#) and children’s special sensitivity defective and unreliable. The training of Doctors in this [Canadian hospital](#) a waste of time. [Austrian Medical Association’s](#) guidelines for the diagnosis and treatment of EMF related health problems and illnesses (EMF syndrome) misguided fantasy. It also disregards the many [global experts \(more global experts\)](#) who have come out and [stated this is a global health issue](#) that needs serious attention.

OTHER REFERENCES:

[Medical Advisory WiFi and Children’s Health](#)

[Safe Schools Report 2012](#)

[Dr Martha Herbert PHD – Autism, Spectrum Disorders and EMR](#)

[Bioinitiative Report Findings on Autism](#)

[EHS State of the Art Functional Impairment – Prof Olle Johansson](#)

[International policy and advisory response regarding children’s exposure to radio frequency electromagnetic fields \(RF-EMF\) - Mary Redmayne](#)

[Radiofrequency exposure in young and old: Different sensitivities in light of age-relevant natural differences – Mary Redmayne & Olle Johansson](#)

[Could Myelin Damage From Radiofrequency Electromagnetic Field Exposure Help Explain the Functional Impairment Electrohypersensitivity? A Review of the Evidence Mary Redmayne & Olle Johansson](#)

[5th Generation WiFi Measurements - EHS child in the school environment – Karl Maret MD](#)

“The ICF is useful in education settings as it helps to overcome past approaches of describing or labelling disability that may have led to segregation or discrimination in education. Through its component of activities and participation, ICF is able to enhance the description of health conditions and impairments with information focusing on learning and development.”

¹ A/HRC/25/29 para 3

² CRPD General Comment 2, Article 9, Accessibility, CRPD/C/GC/2

³ See Committee on Economic, Social and Cultural Rights, general comments No. 11 (1999) on plans of action for primary education and No. 13 (1999) on the right to education.