Attention Deficit Hyperactivity Disorder (ADHD) is a disorder that predominantly results in behaviours associated with hyperactivity, impulsivity and inattention that are frequently not conducive to successful learning and academic performance. Children who display these behaviours often require extra assistance, adjustments, and accommodations in the classroom in order to achieve their full potential. This article reviews Australian and New South Wales Discrimination, Disability and Education legislation, policy and procedures with respect to the education of students with ADHD. This review illustrates the need to standardise the definition of disability used throughout Australia, and to more firmly clarify an education provider’s responsibilities toward students with disabilities. With more clarity, students with ADHD will be provided with the additional educational and behaviour support they need in order to realise their full potential.