

# DISABILITY AND SPECIAL NEEDS POLICY

**Policy Code:** DIS - 001

**Version:** 1.0

**Effective Date:** 2<sup>nd</sup> April 2018

## PURPOSE

The College is committed to providing an accessible and inclusive study environment to ensure equal opportunity and participation for all students.

This Policy outlines the College's commitment to support all students with a disability or special need in accordance with the obligations outlined by the *Commonwealth Disability Discrimination Act 1992* and the *Commonwealth Disability Standards for Education 2005*.

**Definition of "College"** – A.C.O.A.E. RTO. For the purpose of this policy, any reference to 'College' or 'the College' should be considered a reference to A.C.O.A.E. RTO.

**Use of the term "course"** – for the purposes of this policy, the term course should be deemed interchangeable with the terms "training package" and "accredited course".

**Use of the term "subject"** – for the purposes of this policy the term "subject" should be deemed interchangeable with the term "unit of study" and incorporates units of competency within a unit of study.

## Scope:

- All students, domestic and international
- All students,
- All campuses including online learning
- Prospective students enrolling in the College
- All staff, academic, training and operational (including contractors)

## POLICY STATEMENT

The College recognises the individual needs of students and respects the rights of students with a disability or special need to participate fully in all facets of the College experience that is inclusive of access and equity in student engagement

outcomes. This applies to prospective students at admission and enrolment into study, participation of enrolled students in all subjects and courses, and the use of College facilities and services.

The College is committed to providing all students with a disability or special need opportunities and access that are comparable with those offered to students without a disability or special need. The following Policy Principles are consistent with the College's legislative responsibilities and demonstrate the College's commitment to access and equity for all students.

## POLICY PRINCIPLES

The College is committed to:

- the provision of a learning environment that supports and enhances the College experience for students with a disability or special need
- the provision of a learning environment free from harassment and discrimination
- access for students with a disability or special need to appropriate support services
- the provision of reasonable adjustments to accommodate the needs of students with a disability or special need
- the promotion of and adherence to the principles of the Commonwealth Disability Discrimination Act 1992 and the Disability Standards for Education 2005
- providing all students access to the College Access and Equity Program (AEP) and Access and Equity Officers (AEO) located on each campus.

*This policy should be read in conjunction with the Access and Equity Handbook, which outlines many of the processes referred to in this policy.*

## DISCLOSURE OF DISABILITY / SPECIAL NEED

The College encourages students with a disability or special need to self-disclose the nature and extent of a disability or special need to the local Access and Equity Officer and engage the support of the Access and Equity Program. The primary purpose of self-disclosure is to enable the College to facilitate a student's successful progression through study.

- Students are invited to self-disclose a disability or special need to the College on admission.
- Students are not required or obligated to disclose a disability or special need at any time (unless it poses a health risk to other students or staff), but can elect to do so with reasonable notice to the College at any time during study.
- Students are responsible for registering with the Access and Equity Program by first meeting with an Access and Equity Officer.
- The College is not obligated to provide adjustments for a student who chooses not to disclose a disability, special need or fail to register with the Access and Equity Program.
- The College may not be able to provide students who do not disclose a disability or special need with the adequate support to successfully complete a unit of competency or qualification.
- Information regarding the nature of a disability or special need must be substantiated by current, relevant, and appropriate documentation from an experienced and qualified medical professional.
- Information provided by students in relation to a disclosed disability or special need shall remain confidential, and restricted to those with a legitimate need to know in accordance with the **Privacy Policy** and other relevant privacy legislation

## REASONABLE ADJUSTMENT

Reasonable adjustments may be made to accommodate a student with a disability or special need that are inclusive and reduce the impact of a disability or special need on a student's academic success. Reasonable adjustments may modify learning resources, learning environment, teaching method, or assessment conditions to increase the participation of a student with a disability without compromising the academic standard or inherent

requirements of the course that are required to be met for completion or association or registration requirements.

Wherever practical, reasonable adjustment to a College policy or procedure will be made to meet the needs of a student with a disability or special need.

Reasonable adjustments must balance the student's learning needs and the interests of all parties affected, including those of the student with a disability or special need, the College, staff, and other students.

The College is not obligated to make any adjustment or accommodation that may impose an unjustifiable hardship on the College. Students with a disability or special need may be required to provide additional medical or specialised documentation to substantiate the reasonableness of the adjustment. Negotiation of reasonable adjustments will occur through consultation with the student, the student's advocate, the Access and Equity Officer, the relevant Program Leader, or other relevant College staff.

This policy should be read in conjunction with the **Reasonable Adjustment Policy**, which outlines the provision, determination, and guidelines of Reasonable Adjustment.

For information on reasonable adjustments for students with English as a Second Language, refer to the relevant **English Proficiency Policy** for VET or international students

## ACCESSIBILITY

The College recognises the importance of providing appropriate physical access to buildings and other facilities. Where physical access cannot be guaranteed, alternate arrangements for services will be provided where possible.

- The College will maintain and improve where possible the level of accessibility to existing buildings.
- The College will ensure that new buildings meet the appropriate Australian Standard for access and mobility as set out in Australian Standards AS1428-2001 - Design for Access and Mobility, and complying with the Disability (Access to Premises - Buildings) Standards 2010.

- Adherence to such Standards will be regarded as a minimum requirement.

### EXCEPTIONS

- The College is not obligated to provide adjustments for a student who chooses not to disclose a disability or special need and register with the Access and Equity Program.
- The College is not obligated to make any adjustment or accommodation that may impose an unjustifiable hardship on the College.
- The College cannot compromise the academic standards or inherent requirements of a course.
- The College reserves the right to isolate or discriminate against a student with a disability or special need where it is reasonably necessary to protect the health or welfare of the student or other people.

### ROLES & RESPONSIBILITIES

The College maintains its responsibility to:

- Ensure that this Policy is accessible to all staff and students.
- Ensure that this Policy is implemented and applied consistently across all campuses of the College including its online learning environment.

### COMPLAINT OR GRIEVANCE

Students who have a complaint or grievance, academic or non-academic, should refer to the relevant **Grievance Policy** for international or VET.

- Students who have a complaint or grievance related to disability or reasonable adjustment should first contact the Access and Equity Officer on campus.
- Students who are not satisfied with the outcome or conduct of a complaint or grievance related to disability or reasonable adjustment may appeal to an external agency as per the relevant **Grievance Policy for International or VET**.

### RELATED PROCEDURES

#### Definitions

**Disability** – The College defines disability in accordance with the Commonwealth Disability Discrimination Act 1992. In broad terms, a

disability involves an alteration to a person's functioning and includes:

- physical
- intellectual
- psychiatric
- sensory
- neurological
- learning disabilities
- physical disfigurement
- the presence in the body of disease-causing organisms

#### Disability can be:

- temporary or permanent
- apparent or hidden
- slight moderate or severe
- existing in the past or present

**Advocate** – A representative appointed by the student to assist in consultation with the College to determine appropriate support and reasonable adjustments for the student. An advocate could be a family member, close friend, career, medical professional, or other party chosen by the student.

**Inherent Course Requirements** - The documents outlining the specific skill, knowledge, performance or behavioural requirements that a student must meet in order to successfully complete each course offered by the College and to enable graduates to register with professional associations or licensing bodies.

**Reasonable Adjustment** – The College defines reasonable adjustment in accordance with the Commonwealth Disability Standards for Education 2005:

An adjustment is a measure or action taken to assist a student with a disability to participate in education and training on the same basis as other students. An adjustment is reasonable if it achieves this purpose while taking into account the student's learning needs and balancing the interests of all parties affected, including those of:

- the student with the disability
- the education provider (the College)
- staff
- other students

**Special Consideration** – Students may apply for Special Consideration when a decision has been made by the College upon application of the relevant policy that may require reassessment due to extenuating circumstances.

For example, students may apply for an extension for a written assessment or deferral of an examination if a situation occurred that was beyond the student's control, which affected the student's participation and overall performance in the unit of study. For further information refer to the **Special Consideration Policy**.

**Special Needs** - The College recognises students often have additional special needs that can affect learning such as:

- mental health conditions (e.g. anxiety, depression, PTSD)
- medical conditions or ongoing illnesses (e.g. chronic fatigue syndrome, acquired brain injury)
- temporary conditions (e.g. broken arm)
- learning difficulties (e.g. dyslexia, auditory processing disorder).
- Other special needs may be identified on a case by case basis and must be substantiated by current, relevant, and appropriate documentation from an experienced and qualified medical professional.

**Student** – Is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

**Support** – The College connects students with a disability to specialised services or adjustments with the aim of assisting them to achieve personal and educational goals at the College. This support enables the College to meet its access and equity commitments as well as disability legislative requirements under Commonwealth law. For further information refer to the Access and equity handbook

## FURTHER INFORMATION

### Related Policies:

- Assessment Policy and Procedure
- Complaints and Appeals Policy
- English Proficiency Policy – international
- English Proficiency Policy – VET
- Grievance Policy - international
- Grievance Policy – VET
- Privacy Policy
- Reasonable Adjustment Policy
- Special Consideration Policy

### Supporting Research and Analysis:

- Australian Human Rights Commission : <http://www.humanrights.gov.au/>
- Australian Network on Disability : <http://www.and.org.au/>
- Australasian Network of Students with Disabilities : [www.answd.org](http://www.answd.org)

### Related Documents

- Access and Equity Handbook
- Course Requirements
- Grievance Procedure

### Related Legislation:

- Commonwealth Disability Discrimination Act 1992
- Commonwealth Disability Standards for Education 2005
- NSW - Disability Services Act 1993
- Australian Standards AS1428-2001 - Design for Access and Mobility
- Disability (Access to Premises - Buildings) Standards 2010

<b>Policy Author:</b>	College Manager, Student Services
<b>Policy Owner:</b>	College Manager, Student Services
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<b>Responsibilities for Implementation:</b>	Student Services College Manager
<b>Key Stakeholders:</b>	Student Advisers Academic & Training Staff Students