



## POLICY DOCUMENT

### E9.1 STUDENTS WITH A DISABILITY POLICY

#### 1 Introduction

---

Higher Education institutions in Australia operate in a context which requires that they subscribe to the philosophy of social justice and give explicit attention to the provision of educational opportunity for people with disabilities. ACPE aims to provide students who have disabilities with the opportunity to participate fully in College life.

#### 2 Coverage

---

This policy applies to any physical venue, whether on or outside the ACPE buildings, where a College activity is taking place.

#### 3 Definitions

---

##### 3.1 Disability

Defined by the Disability Discrimination Act (1992) in relation to a person means:

- i. total or partial loss of the person's bodily or mental functions; or
- ii. total or partial loss of a part of the body; or
- iii. the presence in the body of organisms causing disease or illness; or
- iv. the presence in the body of organisms capable of causing disease or illness; or
- v. the malfunction, malformation or disfigurement of a part of the person's body; or
- vi. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- vii. a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour; *and includes a disability that*
- viii. presently exists; or
- ix. previously existed but no longer exists; or
- x. may exist in the future; or
- xi. is imputed to a person.

Commonly used descriptions of disability such as physical, sensory, intellectual, psychiatric and learning are included in this definition.

---

## 4 Legislative Requirements

---

Higher Education institutions are subject to the provisions of State and Commonwealth equal opportunity and anti-discrimination legislation. These legislative provisions make it unlawful for ACPE to discriminate against a person on the grounds of the person's disability. This includes both direct discrimination (eg refusing to accept a person's application for admission or enrolment as a student because of a disability) and indirect discrimination where a condition or requirement is imposed which may be the same for everyone but unreasonably and disproportionately excludes or disadvantages a person with a disability. In developing good practices in this area, ACPE needs to be aware of other legislative provisions on such matters as vicarious liability, privacy, freedom of information, duty of care and workplace health and safety.

## 5 Rights and Responsibilities Staff

---

All staff take responsibility to ensure equity for students with disabilities and discharge their duties in a non-discriminatory manner.

### 5.1 Staff Rights

Staff have a right to expect that students seeking reasonable adjustments to the learning program will discuss their specific requirements Equity Office staff (with assistance if required) and share responsibility in negotiating solutions.

### 5.2 Staff Responsibilities

Staff are expected to undertake development activities in their annual development calendar, which ensure they become familiar with the general requirements of students who have disabilities. Staff shall create a climate that encourages students to approach them to discuss issues impacting on their studies that arise from their disability. Staff respond to the particular requirements of students who have disabilities by making reasonable adjustments within a flexible curriculum. Staff understand and constructively manage behaviour arising from disability which impacts upon others in the class.

## 6 Students

---

Disclosure - In order to obtain support it is necessary that students disclose the nature of their disability to the ACPE Equity Officer. The Equity Office falls under the jurisdiction of the Associate Dean (Students and Services). A student seeking special provisions must provide current supporting documentation. (See *Students with Disabilities Procedures*, section 2). An individual plan (known as the Academic Inclusion Plan) will be developed by the Equity Officer for a student requesting special provisions. The wish of a student to keep this information confidential from other staff will not prevent the student from receiving support.

---

## **7 Student Rights**

---

Students have the right to expect that:

- i. they will be treated with dignity and respect;
- ii. ACPE will establish an inclusive educational environment;
- iii. they can undertake their studies free from discrimination and harassment;
- iv. staff will anticipate their need for reasonable adjustment, invite them to discuss their requirements and treat the request promptly and seriously;
- v. their views will be sought in the development and review of policies, procedures and practices affecting their lives at ACPE;
- vi. where required, they may be assisted by independent advocates;
- vii. staff will be given appropriate training to become familiar with good practices for meeting the requirements of the students;
- viii. they will be given the opportunity to develop skills which will enable them to obtain maximum benefit from available services; and
- ix. confidential information about their disability will not be disclosed without their permission, except in exceptional circumstances (eg when safety factors are involved).

---

## **8 Student Responsibilities**

---

Students and where applicable prospective students with disabilities have a responsibility to provide information which assists ACPE in the timely planning and implementation of appropriate services by:

- i. making early contact with the Equity Office at ACPE;
- ii. notifying and verifying their requirements to the extent necessary to ensure an appropriate ACPE response;
- iii. being proactive in advising ACPE of the difficulties they encounter in accessing aspects of the life of the College and how to overcome these difficulties; and
- iv. ensuring that specialised services provided are utilised in a fair and effective manner.

---

## **9 Selection, Admission and Enrolment**

---

In the processes of student selection, ACPE will assess the academic competence of applicants, except where special entry and/or special consideration for students with disabilities are requested by the student and supporting evidence is provided.

Applications from students who meet standard admission criteria for a course will not be rejected on the basis of pre-judgements of their ability to cope with the demands of the course, or of their potential employability.

---

## **10 What is Service Provision?**

---

Provision of appropriate services to students with disabilities is the responsibility of all relevant organisational areas within ACPE. Particular advice and/or services may be provided by an individual with specialist expertise.

---

## **11 Physical Access**

---

ACPE aims to provide a physical environment in which students with disabilities can effectively undertake their studies. Considerations will be given to including provisions for access for students with disabilities in the design of new buildings and extensions. In the development of educational resources (libraries, computer laboratories, lecture theatres) the needs of students with visual, hearing, manipulative and mobility impairments will be taken into account.

## **12 Staff Development**

---

In staff development programs, ACPE will promote:

- i. awareness of the principles of equity of academic opportunity for people with disabilities;
- ii. basic disability awareness including appropriate language and attitudes in reference to people with disabilities;
- iii. general familiarity with the support services provided by ACPE for people with disabilities; and
- iv. knowledge of teaching and assessment strategies appropriate for students with disabilities.

## **13 Language**

---

ACPE will promote the use of appropriate language in reference to disabilities and people with disabilities. Every effort will be made to ensure that ACPE publications are exemplary in this regard.

## **14 Grievances**

---

Students who believe they have been discriminated against may take action under the Student Grievance Policy.

## **15 Procedures**

---

ACPE is committed to developing and supporting an inclusive and diverse environment which provides equal opportunities for students with disabilities to access and participate in education. The purpose of this document is to outline the provision of support available to students with disabilities.

### **15.1 Application Form**

- 15.1.1 The ACPE application form contains the mandatory DIIRTE sections where students voluntarily offer information in relation to any reportable disability, impairment, mental health issue or long term medical condition that may affect their studies (Hearing, Vision, Learning, Mobility, Medical, Other).

---

Applicants are also asked to nominate whether they would like advice on support services, equipment and facilities that may assist them.

- 15.1.2 This information is received by the Registrar's Office and passed onto the Associate Dean Students and Services, and the Equity Office. Information is sent from the Equity Office to those students requesting information on support.

## 15.2 Documentation

- 15.2.1 Students requesting special provisions are required to present a statement from a medical, psychological or other recognised professional specialist. This statement must detail the student's disability and describe recommendations on the special provisions required. This statement may be via the form available from the College or documentation submitted to the NSW Board of Studies Teaching and Educational Standards (BOSTES) (or equivalent body) prior to the HSC (or equivalent examination) along with the BOSTES (or similar) Notice of Approved Provisions. This information will remain confidential and will only be shared with direct individuals involved in the instruction or support of the student.

- 15.2.2 Recommendations will be implemented as far as possible within current levels of resourcing.

- 15.2.3 Documentation is not acceptable if it is more than two years old. Once current documentation falls outside this time period then it is the student's responsibility to provide the College with an updated statement from their medical, psychological or other recognised professional specialist.

- 15.2.4 Documentation that has been completed by a family member or partner/spouse will not be accepted by the College.

## 15.3 Orientation

- 15.3.1 All newly enrolled students are required to attend an orientation program. This program includes information on available support services and the guidelines related to the provision of special needs. Information on services to assist students with disabilities will be publicised on the ACPE web site.

## 15.4 Support for students with a disability

- 15.4.1 Reasonable adjustments are defined as: administrative, environmental or procedural alterations in the learning situation which remove barriers for people with disabilities so that they can perform the inherent requirements of the course of study. It could mean adjustments to the mode of delivery of lectures or written material or the assessment process and timeframe. An adjustment is reasonable if it takes into account the requirements of the person and balances the interests of all parties affected. Consideration needs to be given to:

- i. the effect of the adjustment on the person's ability to successfully achieve the inherent learning outcomes of the unit or course;

- 
- ii. the costs and benefits of making the adjustment; and
  - iii. the interests of all parties affected, including those of the student with the disability, the College, staff and other students or colleagues.

15.4.2 As part of student support services, students with disabilities (with provided documentation) are offered: pre-enrolment advice and assistance with enrolment; reasonable adjustments for lectures, tutorials, practicums and examinations; academic support through the Academic Development Office and the Library; and liaison with teaching staff in relation to reasonable adjustments.

15.4.3 The responsibility for ensuring students with disabilities are provided with appropriate support and services falls within the remit of the Associate Dean Students and Services. The nominated contact person for these students is the Equity Officer. The Equity Officer works closely with the Associate Dean Students and Services, the Course Convenor, Manager of Student Services, Academic Development Office Manager, Library Services Manager and College Counsellor to ensure that reasonable adjustments are provided.

## 15.5 Academic Inclusion Plan

15.5.1 An individual plan, known as the Academic Inclusion Plan (AIP) will be developed by the Equity Officer for each student requesting special provisions. These will be housed in the student's file in the Equity Office. Notification that an AIP has been prepared for a student will be sent to the Registrar's Office (and copied to the Associate Dean Students and Services) and filed in the student's Registrar Office file.

15.5.2 The Academic Inclusion Plan will not disclose the nature of the student's disability or chronic health condition. It will set out the specific reasonable adjustments required by the individual. Academic Inclusion Plans should be reviewed prior to the commencement of each semester. (See 6.6 below.)

15.5.3 Students are required to give written approval for the AIP to be distributed to academics and relevant staff for implementation. A consent form is signed prior to an AIP being distributed. The student will receive a copy of the form.

15.5.4 Once consent has been given, the AIP will be forwarded to the Associate Dean Students and Services and to the relevant Course Convenor. It will also be distributed on a 'need to know' basis to academic staff, the Academic Development Office staff, Library staff and Career Development Office staff. Academic Development Office and Library staff will assist students to use aid or assistance appropriate to their needs including Academic Development Office and Library resources and Information Technology.

15.5.5 Prior to the commencement of each semester of their studies, students with disabilities are strongly encouraged to meet with the Equity Officer to update the student's AIP. Updates will be forwarded to the Associate Dean Students and Services and to the relevant Course Convenors. Course Convenors will then organise and implement appropriate reasonable adjustments, and disseminate relevant information to teaching staff.

15.5.6 Academics will make every attempt to implement the adjustments set out in the AIP. Wherever possible, inclusive teaching and learning practices will be incorporated into curricula, course delivery and assessment.

15.5.7 Where necessary an external specialist will be consulted about implementation of the adjustments set out in the AIP and appropriate assessments.

## 15.6 Formal Exams

15.6.1 Students with AIPs: Prior to formal exams, students who have an AIP and who are seeking special exam conditions for one or more of their exams must contact the Equity Officer and specify their requirements for each of their exams.

15.6.2 Students without AIPs: Students without AIPs are able to request special exam conditions by completing the form *Request for Special Exam Conditions* and forward it to the Equity Officer. This form must be accompanied by a statement from a medical, psychological or other recognised professional specialist. This statement must detail the student's disability and describe recommendations on the special provisions required for exams. This statement may be via the form available from the College or documentation submitted to the NSW Board of Studies (or equivalent body) prior to the HSC (or equivalent exam.) The form and documentation must be submitted no later than 5 working days before the commencement of the scheduled exam week.

15.6.3 Official documentation held on file must be not more than 2 years old.

15.6.4 The Equity Officer will advise the Registrar's Office of those students who will not be attending the scheduled sitting of their exams.

## 16 Administration

---

### 16.1 Approval and Review

POLICY NUMBER E9.1 Students with a Disability			
Information Officer	Associate Dean (Students and Services)		
Initial Approval	15 January 2015		
Version Number	1.0	Approval Date	15 January 2015
Commencement Date	15 January 2015		
Next Review Date	15 January 2016		
Approval Authority	ACPE Board of Directors		
Approved By	Dr Brian Nook, Dean and Head of College		
Approval Signature		Date	

