# STUDENT DISABILITY POLICY

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<th>Approved by:</th>
<th>UOW College Academic Board</th>
<th>Date:</th>
<th>20 October 2015</th>
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<tr>
<td>Date Effective:</td>
<td>20 October 2015</td>
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<td>Document No:</td>
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<tr>
<td>Custodian:</td>
<td>Student Services Manager</td>
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**Supporting Documents, Procedures & Forms:**
- Student Handbook
- Privacy Policy
- Student Academic Consideration Policy
- Student Grievance Policy

**References & Legislation:**
- Anti-Discrimination Act 1977 (NSW)
- Disability Discrimination Act 1992 (Commonwealth)
- Disability Inclusion Act 2014 (NSW)
- Disability Standards for Education 2005
- AVCC Guidelines relating to Students with a Disability - 2006
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1 Purpose of Policy

1.1 The purpose of the Student Disability Policy is to ensure the College provides a physical and social environment which complements and enhances the College experience for students with a disability on the same basis as other students, in an environment free from harassment and discrimination.

1.2 UOW College (the College) is committed to the promotion of and adherence to the principles of the Disability Discrimination Act (DDA) 1992 (Commonwealth) and Disability Services Act (DSA) 1993 (NSW). The Student Disability Policy is informed by the legislation and outlines the College's obligations accordingly.

1.3 This Policy outlines the rights and responsibilities of the College, students and staff in relation to:
   a. students with disabilities
   b. students who have an associate with a disability.

2 Scope of Policy

2.1 This policy applies to all College enrolled and prospective students.

2.2 For the purposes of this policy a reference to a student with a disability is taken to include a person who is an associate of a person with a disability.

3 Definitions

<table>
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<th>Word/Term</th>
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<tr>
<td>adjustment</td>
<td>a measure or action (or a group of measures or actions) taken by an education provider that has the effect of assisting a student with a disability on the same basis as a student without a disability, and includes an aid, a facility, or a service that the student requires because of his or her disability. ✓</td>
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<tr>
<td>assessment</td>
<td>measure or evaluation of a student’s ability to meet the learning requirements of a course.</td>
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</table>
| associate | associate, in relation to a person, may include but is not limited to:  
  a. a spouse of the person  
  b. another person who is living with the person on a genuine domestic basis  
  c. a relative of the person  
  d. a carer of the person |
| disability | disability, in relation to a person, includes:  
  a. total or partial loss of a person’s bodily or mental functions  
  b. total or partial loss of a part of the body  
  c. the presence of a body of organisms causing disease or illness  
  d. the presence of a body of organisms capable of causing disease or illness  
  e. the malfunction, malformation, or disfigurement of a part of a person’s body  
  f. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction  
  g. a disorder or illness that affects a person’s thought processes, perception of reality, emotions, or judgment or that results in disturbed behaviour  
  h. presently exists |
| harassment | an action taken in relation to a person’s disability that is reasonably likely, in all the circumstances, to humiliate, offend, intimidate or distress the person or the associate. ✓ |
| offshore partner institution | an institution with which the College delivers courses at locations outside Australia.  

on the same basis | a student with a disability has opportunities and choices in courses or programs and the use of facilities and services comparable to other students without disabilities. ✓ |
| prospective student | a person who approaches the institution about seeking admission to, or applying for enrolment in, the institution.  

Hardcopies of this document are considered uncontrolled please refer to the UOW College website or UOW Enterprises intranet for the latest version.
reasonable: an adjustment is reasonable in relation to a student with a disability if it balances the interests of all parties affected.

special consideration: a process intended to help minimise the impact of serious or extenuating circumstances beyond a student’s control which significantly impair a student’s ability to complete an assessment task on or by the due date as stipulated in the Subject Outline or to progress academically in a subject relevant to their course of study. Special consideration may be granted on the basis of medical grounds, compassionate grounds and/or extenuating circumstances.

staff: all persons appointed as teaching or administration staff of the College, whether they hold full-time, part-time or casual appointments.

student: a person registered for a course offered at the College.

support service: an action or program provided at the College that assists a student’s ability to participate in the College environment.

unjustifiable hardship: in determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are to be taken into account including:

a. the nature of the benefit or detriment likely to accrue or be suffered by any persons concerned
b. the effect of the disability of a person concerned
c. the financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship
d. in the case of the provision of services, or the making available of facilities, an action plan given to the Human Rights and Equal Opportunity Commission

UOW Disability Services: Disability Services provides advice, information, support and recommendations to staff and students regarding reasonable adjustments, resources and services for students with a disability. Teaching and support staff can obtain advice and information on how various disabilities affect study, accessibility and inclusive teaching and learning strategies.

As defined in the

1. Disability Discrimination Act 1992 (Commonwealth)
2. Disability Standards for Education 2005
4 **Policy Principles**

4.1 The College is committed to:
   a. providing a College experience that gives students with a disability the opportunity to realise their academic and social potential and to participate fully in College life
   b. balancing the interests of all parties affected by reasonable adjustment
   c. maintaining the academic standards of its courses and programs
   d. providing a supportive educational environment and an appropriate level of resources by reasonable adjustment
   e. providing an environment free from harassment and discrimination.

5 **Disclosure**

5.1 The College encourages students with a disability to disclose the nature and extent of their disability with their application and upon enrolment, with the Student Advisor. It is the responsibility of the student, upon enrolment, to register with the Student Advisor as soon as they are aware of their disability and in a timely manner that allows the College to best support their needs.

5.2 The nature of the disability must be substantiated by current, relevant and appropriate medical documentation. A student shall seek advice from the Student Advisor to determine the documentation that is appropriate to their circumstances.

5.3 Information provided by students in relation to their disability or their associate’s disability, shall remain confidential and shall be restricted to those with a legitimate need to know in accordance with the Privacy Policy, and other relevant privacy legislation.

5.4 For a student who does not register with the Student Advisor the College may not be able to provide an adjustment.

6 **Reasonable Adjustment**

6.1 The College shall take all reasonable steps to ensure the following.

6.1.1 A prospective student with a disability is able to seek admission to, or apply for enrolment.

6.1.2 A student with a disability is able to participate in the courses or programs provided, and use facilities and services of the College by reasonable adjustment.

6.1.3 A course or program is designed in such a way that a student with a disability is
able to participate in the learning experiences, including assessment
requirements, of the course or program and any relevant supplementary course
or program.

6.1.4 A student with a disability is able to use / access support services on the same
basis as a student without a disability, and without experiencing discrimination.

6.2 The College may provide / enable access to support services and programs intended
specifically for the benefit of a student with a disability to participate in their studies
and to facilitate independent learning. The Student Advisor will coordinate these
services at the College level and refer the student to the UOW Disabilities Services
Unit where necessary.

**Determination of Reasonable Adjustment**

6.3 In determining whether a particular adjustment for a student with a disability is
reasonable, all relevant circumstances and interests will be taken into account,
including but not limited to the following:

a. the student's disability

b. the views of the student or the student's advocate

c. the effect of the adjustment on the student, including the effect on
the student's:

i. ability to achieve learning outcomes

ii. ability to participate in courses or programs

iii. independence

d. the effect of the proposed adjustment on anyone else affected,
including the College, staff and other students

e. the inherit requirements of the course or program

f. the costs and benefits of making the adjustment.

6.4 In assessing a particular adjustment for a student with a disability, current, relevant
and appropriate medical or specialised documentation must be provided to
substantiate reasonable adjustment.

**Academic Assessment**

6.5 A student with a disability may be entitled to reasonable adjustment to
academic assessment.

6.6 Consultation shall occur in relation to reasonable adjustment to academic
assessments. Consultation shall include the student requesting
reasonable adjustment with the relevant Head of Program.

6.7 In assessing an academic adjustment for a student with a disability, current,
relevant and appropriate medical or specialised documentation must be
provided to substantiate the need for reasonable adjustment.

6.8 All students irrespective of whether they have a disability or not who have
not registered with the Student Advisor may be eligible for special consideration in assessment and should refer to the Student Academic Consideration Policy.

Exceptions

6.9 The College is not required to provide an adjustment to the extent that it would impose unjustifiable hardship on the College.

6.10 The College will not compromise the academic standards of a course or program, and other requirements or components that are inherent in or essential to its nature.

6.11 The College reserves the right to isolate a student with a disability, where it is reasonably necessary to protect the health or welfare of the student or others.

7 Roles and Responsibilities

7.1 The College has a responsibility to:
   a. ensure that this Policy is accessible to all staff and students, and
   b. ensure that this Policy is implemented and applied consistently across the College.

7.2 The UOW Disabilities Service Unit has a responsibility to:
   a. provide consultation and assessment services to College students with a disability in order to determine reasonable adjustments
   b. ensure that current, relevant and appropriate medical or specialised documentation is provided by the student
   c. obtain further medical or specialised documentation/advice in order to ensure suitable reasonable adjustments
   d. provide advice to the College on the adjustments required to enrol the student with a disability.

7.3 The College, following advice from the UOW Disabilities Services Unit, has the responsibility to:
   a. Determine whether a particular adjustment for a student with a disability is reasonable.
   b. Progress the enrolment for a student with a disability if it is determined that reasonable adjustments can be made.

7.4 The Student Advisor and/or relevant Head of Program following advice from the UOW Disabilities Services Unit, and confirmation that the College will progress the enrolment of the student with a disability, has a responsibility to:
   a. provide teaching and relevant support staff with advice on:
      i. individual student’s reasonable adjustments
ii. how various disabilities affect study
iii. inclusive teaching and learning strategies

b. monitor the College experience for students registered with a disability.

7.5 Teaching staff have a responsibility to ensure that this Policy is applied consistently so that all students are treated fairly and equitably as far as practicable.

7.6 The student with a disability has a responsibility to:
   a. register with the Student Advisor in a timely manner
   b. provide current, relevant and appropriate medical or specialised documentation
   c. advise the Student Advisor of their enrolment each semester; if they alter their enrolment, take leave of absence or discontinue their studies
   d. participate in consultations and reviews as required
   e. inform the Student Advisor when their circumstances or condition changes, and
   f. follow adjustments made, based on the advice of the UOW Disabilities Services Unit.

8 Complaint or Grievance

8.1 Students who have a complaint or grievance on the basis of disability should contact the Student Advisor in the first instance.

8.2 Student cases or complaints of harassment or victimisation on the basis of disability should be referred to the Student Advisor.

8.3 Students who are dissatisfied with the outcome or conduct of a complaint regarding their disability within the College may appeal as outlined in the Student Grievance Policy located at www.uowcollege.edu.au/policies.

9 Version Control and Change History

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<th>Approved By</th>
<th>Amendment</th>
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<td>08/11/07</td>
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<td>New Policy</td>
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<td>2</td>
<td>10/08/10</td>
<td>ITC Quality Manager</td>
<td>Migrated to new template</td>
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<td>3</td>
<td>20/06/11</td>
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<td>4</td>
<td>20/10/2015</td>
<td>Policy Officer and Law Clerk</td>
<td>Migrated to current template, legislation update, review of position titles. No current further revision needed – as aligned with UOW. This was cleared for release by Director Legal and Governance.</td>
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