



# STUDENT DISABILITY POLICY

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<b>Custodian:</b>	Student Services Manager		
<b>Supporting Documents, Procedures &amp; Forms:</b>	<a href="#">Academic Integrity and Student Conduct Policy</a> <a href="#">Privacy Policy</a> <a href="#">Student Academic Consideration Policy</a> <a href="#">Student Grievance Policy</a>		
<b>References &amp; Legislation:</b>	<a href="#">Anti-Discrimination Act 1977 (NSW)</a> <a href="#">Disability Discrimination Act 1992 (Cth)</a> <a href="#">Disability Inclusion Act 2014 (NSW)</a> <a href="#">Disability Standards for Education 2005</a> <a href="#">AVCC Guidelines relating to Students with a Disability - 2006</a>		



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## 1 Purpose

- 1.1 This Policy establishes the disability framework for UOW College and supports the provision of a safe physical, social and learning environment free from harassment and discrimination that enhances the College experience for all students.
- 1.2 The Policy outlines the rights and responsibilities of the College, students and staff in relation to:
- Students with disabilities; and
  - Students who have an associate with a disability.
- 1.3 This Policy also incorporates relevant legislation into the College's policy framework, specifically, the *Anti-Discrimination Act 1977 (Cth)*, *Disability Discrimination Act 1992 (Cth)*, and *Disability Services Act 1993 (NSW)*.

## 2 Scope

- 2.1 This Policy applies to all prospective and enrolled students at UOW College.
- 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/carer of a person with a disability.

## 3 Definitions

Word/Term	Definition
Academic Consideration	A process intended to help minimize the impact of serious or extenuating circumstances beyond a student's control that 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. Academic consideration may be granted on the basis of medical grounds, compassionate grounds and/or extenuating circumstances.
Adjustment	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 their disability.
Assessment	A measure of evaluation of a student's ability to meet the learning requirements of a course.
Associate/Carer	A UOW College Student who provides support to a person with a disability, who may or may not be a student at UOW College. This, includes, but is not limited to: <ol style="list-style-type: none"><li>Spouse;</li><li>Another person who is living with the person on a genuine domestic basis;</li><li>A relative of the person; and</li></ol>



	d. A carer of the person.
Disability	<p>As defined by the <i>Disability Discrimination Act 1992</i> (Cth), disability includes, but is not limited to:</p> <ul style="list-style-type: none"><li>a. Total or partial loss of a person's bodily or mental functions;</li><li>b. Total or partial loss of a part of the body;</li><li>c. The presence of a body of organisms causing disease or illness;</li><li>d. The presence in the body of organisms capable of causing disease or illness;</li><li>e. The malfunction, malformation or disfigurement of a part of the person's body;</li><li>f. A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or</li><li>g. A disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour.</li></ul> <p>And includes a disability that:</p> <ul style="list-style-type: none"><li>h. Presently exists;</li><li>i. Previously existed but no longer exists;</li><li>j. May exist in the future (including that of a genetic predisposition to that disability); or</li><li>k. Is imputed to a person.</li></ul>
Harassment	Unwelcome behaviour in relation to a person's disability that makes a person feel belittled, intimidated, offended or apprehensive, and that makes a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.
Partner institution	Another institution or organisations with which UOW College has a partnership arrangement with the purpose of administering a course, subject or program designed, or accredited by UOW College.
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 student who intends to enrol in a course offered by the College.
Reasonable Adjustment	A measure or action (or group of measures of 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.
Staff	Full-time, fixed term, part-time, sessional and casual employees of UOW Enterprises.
Student	Any person who is enrolled in any course or program offered at, or in conjunction with, the College. For vocational, this may be referred to as a learner.
Unjustifiable Hardship	In determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are to be taken into account, including:



	<ol style="list-style-type: none"><li>a. The nature of the benefit or detriment likely to accrue or be suffered by any persons concerned;</li><li>b. The effect of the disability on the person concerned;</li><li>c. The financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship; and</li><li>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.</li></ol>
UOW Disability Services	UOW Disability Services provide advice, information, support and recommendations to UOW College staff and students regarding reasonable adjustments, resources and services for students with a disability.

## 4 Policy Principles

- 4.1 UOW College is a place where, regardless of disability, everyone is given the opportunity to realise their academic and social potential, to participate fully in College life.
- 4.2 UOW College is committed to:
  - a. Developing and supporting an inclusive and diverse community that provides equal opportunities for all staff and students, regardless of ability;
  - a. Balancing the interests of all parties affected by reasonable adjustment;
  - b. Maintaining the academic standards of its courses and programs;
  - c. Ensuring all UOW College buildings and facilities are accessible for all students;
  - 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 It is in the best interests of the student or associate/carer to disclose the nature and extent of their disability as early as practical to allow the College to best support their needs.
- 5.2 The nature and extent of the disability must be evidenced by current, relevant and appropriate medical documentation. The type of documentation required will vary and students can seek advice from a Student Advisor or UOW Disability Services.
- 5.3 All information disclosed will remain confidential and access restricted under relevant privacy legislation and the UOW Enterprises Privacy Policy.



- 5.4 Where a student does not register with UOW Disability Services and participate in an assessment to determine reasonable adjustment, the College may not be able to provide an adjustment.

## 6 Reasonable Adjustment

- 6.1 The College shall take all reasonable steps to ensure:
- a. A prospective student with a disability or an associate/carer is able to seek admission to, or apply for enrolment;
  - b. A student with a disability or an associate/carer is able to participate in the courses or programs provided, and use facilities and services of the College by reasonable adjustment;
  - c. A course or program is designed in such a way that a student with a disability or an associate/carer is able to participate in the learning experiences, including assessment requirements, of the course or program and any relevant supplementary course or program; and
  - d. A student with a disability or an associate/carer is able to access support services on the same basis as a student without a disability, and without experiencing discrimination.
- 6.2 The College may provide access to support services and programs intended specifically for the benefit of a student with a disability or an associate/carer 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 for an assessment and determination of a reasonable adjustment, 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:
- a. The nature and extent of 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 inherent requirements of the course or program; and
  - 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 the reasonableness of the adjustment.

### **Academic Assessment**

- 6.5 A student with a disability or associate/carer may be entitled to reasonable adjustment to academic assessment.
- 6.6 Consultation shall occur in relation to adjustment to assessment, and recommendations for such will be detailed in the reasonable adjustment plan. Students may still be entitled to academic consideration in accordance with the Student Academic Consideration Policy.
- 6.7 Students with a disability or associate/carers who have not registered with Disability Services may be eligible for academic consideration for an assessment task in line with the Student Academic Consideration Policy. .

### **Practical Placements**

- 6.8 A student with a disability undertaking practical placement may be entitled to reasonable adjustments.
- 6.9 Consultation shall occur in relation to specific reasonable adjustment to practical placements. Consultation will involve the student requesting reasonable adjustment and the staff member responsible for coordinating practical placements.
- 6.10 In some cases, the College may be limited in assessing or providing for reasonable adjustments on practical placements for students who have not registered with UOW Disability Services.

### **Associate/Carer of a Person with a Disability**

- 6.11 A student who is an associate of a person with a disability may be entitled to reasonable adjustment. Alternatively, such students may be eligible for academic consideration in line with the Student Academic Consideration Policy.
- 6.12 UOW College may support a student who is an associate of a person with a disability to meet the specific needs of the student.

### **Exceptions**

- 6.13 Reasonable adjustments will not be provided where:



- a. It would cause unjustifiable hardship on UOW College; or
  - b. It would compromise the academic standards of a course or program, or any inherent requirement.
- 6.14 In accordance with the *Disability Standards for Education 2005*, UOW College may isolate or discriminate against 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 will:
- a. Provide consultation and assessment services to College students with a disability or associate/carer in order to determine reasonable adjustments
  - b. Ensure that current, relevant and appropriate medical or specialised documentation is provided by the student; and
  - c. Obtain further medical or specialised documentation/advice in order to ensure suitable reasonable adjustments.
- 7.3 The College, following advice from the UOW Disabilities Services Unit, has the responsibility to implement the reasonable adjustment
- 7.4 The Student Advisor and/or relevant Head of Program following advice from the UOW Disabilities Services Unit, has a responsibility to:
- a. Assist the student wherever possible in accessing support services;
  - b. 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
  - c. Monitor the College experience for students registered with a disability.
- 7.5 Teaching staff at UOW College have the responsibility to:
- a. Participate in the consultation process to determine the reasonable adjustment as required;
  - b. Implement recommended reasonable adjustments, consistent with UOW College's responsibility to apply the Disability Standards for Education; and
  - c. Apply this Policy consistently, treating all students fairly and equitably.
- 7.6 The student with a disability has a responsibility to:





- a. Register with the UOW Disability Services in a timely manner so that reasonable adjustments, if required, can be assessed and implemented in a timely manner
- b. Provide current, relevant and appropriate medical or specialised documentation;
- c. Participate in consultations and reviews as required;
- d. Inform the UOW Disability Services when their circumstances or condition changes; and
- e. 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 or UOW Disability Services.
- 8.2 Where a student is not satisfied with a decision relating to a reasonable adjustment, or has any other grievance, they should follow the appeal process outlined in the Student Grievance Policy.

## 9 Version Control and Change History:

Version Control	Date Effective	Approved By	Amendment
1	08/11/07	WCA Academic Board	New Policy
2	10/08/10	ITC Quality Manager	Migrated to new template
3	20/06/11	ITC Quality Manager	Updated for name change
4	20/10/2015	Policy Officer and Law Clerk	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.
5	21/07/2016	Compliance Officer	Minor change only – College branding and document formatting updated.
6	07/09/2017	Academic Board	Scheduled review – updates in consultation with UOW Disability Services