

Policy for Students with a Disability

Responsible Officer: Deputy Vice-Chancellor

Council Approval: C03/53, 7 October 2003

Last Amended:

Related Policies: Equal Opportunity Policy
Code of Conduct for University Officers and Employees
Workplace Health and Safety Policy
Student Grievance Policy and Procedures
Inclusive and Non Discriminatory Language Policy and Guidelines
Discrimination and Harassment Policy and Procedures

Related Legislation: Commonwealth Disability Discrimination Act (1992)
Anti-Discrimination Act Queensland (1991)

1. Policy Statement

The University is striving to provide an accessible, supportive, safe and inclusive learning environment for students with disabilities. The University will work to ensure that prospective and current students with disabilities are afforded appropriate opportunities to enter and participate fully in the life of the University. Reasonable adjustments will be made to provide for the access, participation, retention and success of students with disabilities and staff will be assisted to help meet students' learning and support needs.

2. Policy

- 2.1 The University will foster and encourage positive and informed staff and student attitudes towards people with disabilities.
- 2.2 To ensure programs are accessible to students who have a disability, the University will make reasonable adjustments to course content, delivery and assessment methods without compromising the academic standards or essential requirements of the course, or giving a student an undue academic advantage.
- 2.3 The University will provide resources and staff development opportunities to assist staff to meet the learning and support needs of students with disabilities, including teaching and learning strategies such as inclusive teaching methodology and content, and assessment practices.
- 2.4 The University's Disability Action Plan contains the agreed statement of goals and intended action for a three-year period and forms part of the implementation of this Policy.
- 2.5 Provision of appropriate services to students with disabilities is the responsibility of all relevant organisational areas within the University.
- 2.6 The University will ensure that its buildings, facilities and services are accessible as required by relevant building codes.

- 2.7 The University will make provision, in so far as resources permit, for any reasonable support service or adjustment needed by or for people with disabilities subject to section 2.8 (excluding personal carer services).
- 2.8 In order to obtain support and adjustments, students shall provide documentation from a professional (for example; Doctor, Occupational Therapist or registered Psychologist) regarding their disability, to University disability services staff.
- 2.9 Staff will respect students' rights to confidentiality however students will be encouraged to discuss (or allow the disability services staff to discuss) the effect of their disability on their learning, with staff who are asked to make reasonable adjustments.
- 2.10 Statistical information on enrolment, retention, participation and success rates of students with disabilities will be recorded in order to facilitate planning for the continued development of quality services.
- 2.11 The University will promote the use of inclusive language in reference to disability issues and people with disabilities.
- 2.12 There shall be a budget for the implementation of support services for students with disabilities administered by Student Affairs. Faculties and Administrative areas may make requests to the Director, Student Affairs to fund reasonable adjustments.
- 2.13 The University will ensure that institutional policy, procedures and services are regularly reviewed and modified to meet the needs of students with disabilities.
- 2.14 The University will regularly review and evaluate specialist services to students to ensure they meet the requirements of students with disabilities. The review will include staffing arrangements, strategic plans, service promotion and progress on implementing the Disability Action Plan.

3. Definitions

- 3.1 **'Disability'** – Defined by the Disability Discrimination Act (1992) in relation to a person means:
- a) Total or partial loss of the person's bodily or mental functions; or
 - b) Total or partial loss of a part of the body; or
 - c) The presence in the body of organisms causing disease or illness; or
 - d) The presence in the body of organisms capable of causing disease or illness; or
 - e) The malfunction, malformation or disfigurement of a part of a person's body; or
 - f) A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
 - g) 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
 - presently exists; or
 - previously existed but no longer exists; or
 - may exist in the future: or
 - is imputed to a person.

3.2. **“Reasonable Adjustments”**

The DDA provides for the fact that a person with a disability may require “reasonable adjustments” in order to ensure equal participation in work or study. In a tertiary environment the aim of reasonable adjustments is to provide special measures to ensure that students with disabilities have equality of access to education. Such adjustments are not intended to compromise academic standards or to provide an undue advantage to students with a disability. In practice, the principle of reasonable adjustment allows that whenever it is possible, necessary or reasonable to do so, the usual policy or practice will be varied to meet the needs of a person with a disability. Examples of reasonable adjustments include variations to examinations and assessments, provision of specialised equipment and modifying course delivery methods.

3.3 **“Unjustifiable hardship”**

If the organisation can prove that the accommodations or adjustments would impose an unjustifiable hardship on the organisation, it is not legally bound to make the accommodations or adjustments.

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

- the nature of the benefit or detriment likely to accrue or be experienced by any persons concerned;
- the effect of the disability on the person concerned;
- the financial circumstances and the estimated amount of expenditure required to be made by the organisation claiming unjustifiable hardship; and
- in the case of the provision of services, or the making available of facilities, the commitments contained in the action plan given to the HREOC.