Students with a Disability Policy and Procedure

1 Purpose

To provide an environment where students with a Disability are appropriately supported and encouraged and are free from discrimination or harassment.

2 Scope

This policy applies to all students involved in University related activities including Higher Research Degree students and students visiting from another institution.

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3 Policy Statement

The purpose of this Policy is to:

1. Promote and foster an environment which encourages positive, informed and unprejudiced attitudes towards people with a Disability.

2. Implement procedures for any reasonable adjustments needed by students with a Disability.

3. Ensure that positive and practical steps will be undertaken to enable people with disabilities to seek employment or student enrolment within the University of Southern Queensland.

4. Employ all reasonable and appropriate teaching strategies and methods without compromising the essential content of a course or the requirement to demonstrate essential skills or knowledge.

5. Ensure that the needs of people with a Disability are met in relation to the physical environment of each campus, including buildings, facilities and grounds, whilst supporting online accessibility and compliance with W3C (World Wide Web Consortium) for people with a Disability who study off-campus.

This Policy aligns with the:

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- *Higher Education Standards Framework (Threshold Standards) 2021:* Standard 2.2 Diversity and Equity, Standard 3.3 Learning Resources and Educational Support

- *National Code of Practice for Providers of Education and Training to Overseas Students (2018):* Standard 6: Overseas Student Support Services

4 Principles

The University of Southern Queensland supports the principle of universal access for all students, including those with a Disability, to its services and facilities. The University will strive to ensure that no students are disadvantaged in their participation in any aspect of university life as a result of a Disability.

The University commits to the provision of a study environment where students will not be subject to discrimination or harassment because of a Disability. Discrimination, harassment, vilification and victimization are covered in more detail in the University's Employee Diversity and Inclusion Policy.

The University aims, as far as possible, to eliminate Disability discrimination; to ensure that people with disabilities have the same rights as the rest of the community; and to promote recognition and acceptance of these rights within the campus community.

5 Procedures

5.1 Disclosure of a Disability by a Student

1. Students who have an illness or Disability, who wish the University to adjust a process, policy or procedure or wish the University to provide reasonable adjustments including exam adjustments, Disability support workers or assistive technology such as equipment or other physical aids, must first register with Disability Resources and disclose the nature and extent of the illness or Disability.

2. Disability Support Coordinators assess each student based on the provision of appropriate medical documentation and a detailed interview with the student. Documentation provided by students to support their Disability must be dated and signed by the appropriate health or Disability professional, and should be:
    a. No more than two weeks old for temporary conditions.

    b. No more than six months old for fluctuating conditions.

    c. No more than three years old for a learning Disability.

    There is no restriction on the age of documentation for a permanent Disability.

3. The documentation provided should be specific and:

a. State the impairment, mental health or medical condition.

b. Indicate whether the Disability is permanent, temporary, or fluctuating.

c. Outline the impact on the student.

d. Recommend reasonable accommodations.

e. Clearly identify the health professional and their credentials.

f. Be legible, on a letterhead, dated and signed.

4. A formal plan is collaboratively developed and a Disability notification generated which lists all approved standard and non-standard reasonable adjustments. Standard Adjustments are approved by Disability Resources and Non-Standard Adjustments are negotiated with relevant Course Coordinators.

5. The student is responsible for contacting each Course Coordinator and providing the Disability notification however the level of disclosure to Course Coordinators is determined by the student based on the information provided on the consent form. A faculty report is created and sent to nominated assessment staff for distribution to the relevant Course Coordinators prior to the exam period, seeking approval for Non-Standard Adjustments or additional negotiations that a student has requested in relation to each course.

6. No further notification will be sent to Course Coordinators by Disability Resources throughout the student's course unless there is a need to change adjustments and/or support. Students are responsible for notifying new lecturers each Study Period themselves. Students with permanent disabilities and/or long term medical conditions may have standard and Non-Standard Adjustments approved for up to three (3) years. All reasonable adjustments will be reviewed after this time unless the Disability Support Coordinator or student requests a reassessment of their situation.

7. All information collected by the University on the student's Disability will be in accordance with the University's Privacy Policy and Procedure. No information will be disclosed without signed consent from the student. Students may provide full consent, part consent or no consent for disclosure. Where full disclosure is not provided, the student must be aware that this may limit Disability Resources Personnel in their ability to assist in implementing any adjustments required to accommodate the Disability. To clarify the rights and responsibilities associated with the disclosure of information regarding a student's Disability, refer to Disability Resource's webpage on Privacy and Confidentiality.

5.2 Reasonable adjustment

1. An adjustment is reasonable if it successfully balances the interests of all parties

affected. Ultimately, the consideration of what is reasonable may be up to the law courts. As a guide, the following principles should be taken into consideration:

2. Reasonable adjustments for students are measures taken by the University to enable students to have full access to the provision of all educational services on the same basis as students without a Disability such as:
    a. Admission and enrolment

    b. Participation in a course or program

    c. Use of facilities and services

    The adjustment may take the form of an aid, a facility or a service that the student requires because of their Disability.

3. Appropriate adjustments will be provided in consultation with the student, within a reasonable time after notification of the need for adjustments. Adjustments provided for students with disabilities must meet the academic requirements of the course or program studied as well as any inherent or essential requirements or components of the course of study.

5.3 Examination adjustments for students with disabilities

1. The University will make adjustments to examinations for students with a Disability (including students with chronic medical conditions), to provide students with an equitable opportunity to demonstrate their knowledge and competency for assessment purposes. Students must first comply with the requirements stated under Section 5.1 of this policy and the Disability Resources Handbook timeframes for exam adjustment requests.

2. Alternate arrangements for examinations will be recommended after considering standard practices that redress the impact of a student's Disability on their performance in examinations. These may include adjustments such as:
    a. Extensions of time

    b. Use of assistive technology

    c. A separate room

    d. Use of reader, scribe or computer where necessary

    e. Use of ergonomic chair

    f. Alternative formatting of exam papers

    g. Negotiation of an alternative assessment.

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5.4 Exceptions under the legislation

1. Before refusing a student's request for a reasonable adjustment, the Faculty or department must be satisfied that the grounds for refusal can be justified under the Disability Discrimination Act 1992 as an exception under the legislation. Staff are encouraged to seek advice from Faculty Academic Disability Contact Officers, or equivalent, in conjunction with Associate Deans and Disability Resources staff prior to making a final decision. All refusals of reasonable adjustments must be put in writing to Disability Resources, section 5.4.2 provides reference to the Disability Discrimination Act 1992 and possible reasons for exceptions.

2. The following are identified under the Commonwealth Disability Discrimination Act 1992 as exceptions to the requirement for provision of all necessary measures and reasonable adjustments for students with a Disability:
    a. Where provision of adjustments or measures would impose unjustifiable hardship on the University;

    b. Where, even with the provision of all appropriate adjustments, the student remains unable to fulfil the inherent requirements of a course of study;

    c. Where the provision of adjustments or measures would undermine the academic integrity of the course of study, assessment or accreditation process; and

    d. Where a student with a Disability has an infectious disease or other condition that requires isolation or discrimination in order to protect their health and welfare or the health and welfare of others, and where the University is unable to provide reasonable adjustments that will enable the student to receive relevant services and facilities so that they may continue with their studies;

    e. Where even with the provision of all appropriate adjustments, it is not possible to meet occupational health and safety requirements.

3. Unjustifiable hardship as described by the Disability Discrimination Act, provides that for the purposes of the Act, 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 an persons concerned; and

    b. the effect of the Disability of a person concerned; and

    c. the financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship; and

    d. in the case of provision of services, or the making available of facilities - an

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action plan given to the Commission under Section 64 of the Act

5.5 Grievances

1. A student who has been refused a reasonable adjustment will be provided with written confirmation of the refusal through Disability Resources in Student Services. If the Student disagrees with the Decision and believes the Decision to be discriminatory in accordance with the Disability Discrimination Act 1992, the Student may request a Review of Decision in accordance with section 4.4 of the Student Grievance Resolution Procedure.

2. Complaints of discrimination and harassment will be treated seriously by the University and will be managed promptly in a thorough and confidential manner. The principle of Natural Justice will apply and will guide the application of this policy and associated procedures.

3. The complaint resolution process will be carried out in good faith and complaints that are frivolous, vexatious, misconceived or lacking in substance will be rejected in a preliminary investigation if the facts indicate this. The University may initiate disciplinary procedure investigations immediately in response to allegations of conduct or behaviour that may be considered misconduct.

5.6 Where to resolve issues of disability discrimination

1. Students seeking to resolve issues of discrimination and harassment can seek support and information initially from a Grievance Resolution Advisor or a member of the Student Equity team.

6 References

Nil.

7 Schedules

This policy must be read in conjunction with its subordinate schedules as provided in the table below.

8 Policy Information

Accountable Officer	Deputy Vice-Chancellor (Students and Education)
Responsible Officer	Dean (Students)

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Policy Type	Executive Policy
Policy Suite	
Subordinate Schedules	
Approved Date	14/12/2021
Effective Date	14/12/2021
Review Date	
Relevant Legislation	**Commonwealth Legislation** *Human Rights and Equal Opportunity Commission Act 1986* *Equal Employment Opportunity (Commonwealth Authorities) Act 1987* *Disability Discrimination Act 1992* *Workplace Relations Act 1996* *Disability Standards for Education 2005* **State Legislation** *Anti-Discrimination Act 1991* *Human Rights Act 2019* *Public Sector Ethics Act 1994* *Workplace Health and Safety Act 1995* *University of Southern Queensland Act 1998* *Disability Services Act 2006*
Policy Exceptions	Policy Exceptions Register
Related Policies	Employee Diversity and Inclusion Policy Privacy Policy
Related Procedures	Privacy Procedure
Related forms, publications and websites	

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Definitions	Terms defined in the Definitions Dictionary
	Course Coordinator Responsibilities of Course Coordinators include but are not limited to: Course planning, design and development Course Specifications and alignment with Program Learning Outcomes Assessment design, implementation and marking Course delivery and Student learning experiences by providing Student support leadership and guidance of teaching teams engagement with professional and accreditation bodies ensuring currency of disciplinary and content knowledge and expertise reflecting on evaluations for the purpose of quality enhancement of Courses. Student A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled. Study Period The period during which a Course or study unit is offered. Examples of Study Period include, but are not limited to, semesters, trimesters, blocks, intensives and sessions.
	Definitions that relate to this policy only
	Disability A “Disability” is defined by the Commonwealth Disability Discrimination Act 1992 as: • total or partial loss of a person's bodily or mental functions; or • total or partial loss of a part of the body; or • the presence in the body of organisms causing disease or illness; or • the presence in the body of organisms capable of causing disease or illness; or • the malfunction, malformation, or disfigurement of a part of a person's body; or

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- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- a disorder, illness or disease that effects a person's thought processes, perception of reality, emotions or judgement that results in disturbed behaviour.

The definition refers to a Disability that now exists, existed in the past, but no longer exists, or can be expected to exist in the future.

Natural Justice

Natural Justice is the term used to refer to a process that is fair to all parties and free of bias. The principles include the right for a respondent to be heard before any decision which has the potential to affect them is made; the right to be informed of allegations made; the right of response; the right to representation and the right to consistency in the organisational approach to issues.

Standard Adjustments

A standard adjustment is approved by the Disability Resources Coordinator or nominated representative. The following list of Standard Adjustments is not exhaustive and may be subject to change

A3EXAM - Exam Paper A3 size

AIR - Air conditioning

ALTA3 - Alternate format - A3 size

ALTRBRA - Alternate format - Braille

ALTENL - Alternate format enlarged font

ALTFOR - Alternate formatting of exam

AMEXAM - Exams conducted in the AM only

BLUPPR - Exam on blue paper

BREAK - Rest break including in extra time

DISTOI - Access to a toilet for disabled

DSKLCT - Use of a desktop lecturn

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ERGCH - Ergonomic chair

EXTR30 - Extra 30 minutes

FDDRNK - Food and drink permitted

LIGHT - Fluorescent or good lighting

MEDIC - Extra 30 minutes for medication

MEDPER - Permission to medicate in exam

MOVE - Permission to move around

NATLTG - Natural lighting only

OTHER - Other furniture requirement

OVL - Use of overlay

PM EXAM - Exams conducted in the PM only

READER - Use of reader

ROOM - Separate room

SCRIBE - Use of scribe

SMLGRP - No more than 10 students

TIME10 - Extra 10 minutes per hour

TIME20 - Extra 20 minutes per hour

TIME30 - Extra 30 minutes per hour

TIME40 - Extra 40 minutes per hour

TIME50 - Extra 50 minutes per hour

TIME60 - Extra 60 minutes

WHLTAB - Wheelchair table

WHTPPR - White paper

YLWPPR - Exam on yellow paper

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	Non-Standard Adjustments A Non-Standard Adjustment is approved by the relevant Course Coordinator in conjunction with Associate Deans and Disability Resources. The following list of Non-Standard Adjustments is not exhaustive and may be subject to change. **A4FRM** - A4 Sheet Prompt/Formula/Notes **ANSAUD** - Answer on audio tape **ASSESS** - Modified assessment **ASSIGN** - Assignment instead of exam **COMDSK** - Alternate format - exam on CD **COMP** - Computer **DBLEXT** - Double the examination time **DICTNR** - Permission to use a dictionary **HMEXAM** - Home exam **LAPTOP** - Use of laptop computer **OPENBK** - Open book examination **OWNCMP** - Use of student's own computer **RESCHD** - Reschedule exam date **SFTWRE** - Use of specialist software (attached to request for computer) **SPLIT** - Split exam **UNLMT** - Unlimited time to complete
Keywords	Disability, complaints, disclosure, reasonable adjustment, discrimination, Natural Justice, examinations, blind, deaf, wheelchair, impaired, assistance animal
Record No	13/447PL

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