

Guidelines for Students with a Disability Policy

Policy Information

Policy Name:	Guidelines for Students with a Disability
Policy Number:	507
Current Version:	04 – 16/05/2011
Purpose:	Southbank Institute of Technology (SBIT) aims to provide prospective and current students with a disability the opportunity to access, participate and succeed in training programs on the same basis as students without a disability. SBIT undertakes to remove systemic barriers in a manner that ensures a dignified and positive learning experience that is free from direct or indirect discrimination.
Scope:	This policy applies to all students with a disability and extends to all SBIT staff and operations.
Exceptions:	Nil
Policy Owner:	Director, Market & Business Development
Policy Author:	Disability Services Officer, Student Services, Brandon Taylor
Related policies and legislation:	<p>The policy operates within a legislative framework that includes five major pieces of legislation, including:</p> <p>Commonwealth Privacy Act (1988) Commonwealth Disability Discrimination Act (1992) Commonwealth Disability Standards for Education (2005) Queensland Anti-Discrimination Act (1991) Queensland Disability Services Act (1992)</p> <p>The Policy has also been constructed in line with a broad range of other provisions, such as TAFE Queensland Equity and Diversity Policy, the Australian Quality Training Framework, Information Standard 42, and publications from the Human Rights and Equal Opportunity Commission.</p>
Internal procedures guided by this policy:	5007 – Student Disability Support Procedure

Policy

Staff

SBIT recognises that all staff share the responsibility to ensure the rights of students with a disability are upheld. This responsibility extends to all aspects of Southbank operations, including:

- Services & facilities
- Admissions
- Access & Participation
- Course design & delivery
- Assessment methodology

SBIT has an AccessAbility Service which is experienced in providing advice and making decisions about the provision of services to students with a disability. The AccessAbility Service works collaboratively across SBIT with students, teaching teams, administration staff and management.

Students

In order for SBIT to adequately fulfil its obligations under this policy, students are required to meet reasonable requests for information and evidence about the nature or existence of a disability. SBIT does not accept responsibility for measures or actions required for accommodating a student with a disability where staff are uninformed of the need for adjustment, or not provided sufficient time for the adjustment to be made.

Students have a responsibility to:

- Register with the AccessAbility Services Office if they believe they require support with access, enrolment, participation and assessment
- Investigate and fully understand all academic and practical requirements of the course they hope to undertake
- Investigate registration board or licensing requirements with relevant professional associations or authorising bodies if they are planning to undertake a program where future employment is based upon professional registration or licensing
- Abide by SBIT Student Rules

Disclosure

Although there is no legal requirement for disclosure, SBIT encourages all students with a disability to provide information relating to the impact their disability has on their capacity to achieve a successful outcome. It is the students' responsibility to contact the AccessAbility Services Office once they enrol if they want to receive disability-specific support.

SBIT recognises that disclosure of disability is privileged information as defined in the *Commonwealth Privacy Act (1988)* and is not to be disclosed to others without the student's or applicant's express permission. The purpose for disclosure is to:

- Prepare for and/or facilitate the progress of a student through a program
- Provide access to facilities
- Assist with statistical information relating to the provision of services and participation rates

Admission

Section 22 of the Disability Discrimination Act 1992 makes it unlawful for a tertiary institution to discriminate against students on the grounds they have a disability. This means SBIT will make admission decisions based only on the prospective student's ability to meet the entry criteria of the course, and not on assumptions on what the student can or cannot do.

Admission maybe unsuccessful in cases where:

- A student does not satisfy the entry criteria
- The intended measures or actions required for accommodating the student is deemed unreasonable, as it would create unjustifiable hardship

(Acceptance into Queensland Tertiary Admission Centre (QTAC) courses is in accordance with the QTAC admissions process).

Access and Participation

As outlined by the *Disability Standards for Education (2005)*, SBIT has a responsibility to ensure students with a disability are able to participate in courses and access Institute services and facilities, on an equal basis to other students. This means that the delivery of academic programs and support services are provided to ensure equity, without subjecting the student to any detriment or discrimination.

SBIT shall undertake, wherever reasonable, to provide course content and delivery that accommodates, and is accessible by, students with disabilities. In cases where a student has not made reasonable progress in a program, SBIT shall undertake to complete a thorough review of the reasons for a “not-yet-competent” result, to determine whether other reasonable adjustments could secure competency.

Reasonable Adjustment

The *Disability Discrimination Act 1992* requires tertiary institutions to make changes or reasonable adjustments, if a person with a disability needs them to perform essential course-work. SBIT shall make reasonable adjustments, where necessary, to ensure students with a disability can participate on equal terms to achieve the qualifications sought.

The process shall include the following steps:

1. Consultation with the student, or a nominated associate, and relevant Institute staff including teachers and Workplace Training Officers
2. Identification of available resources
3. Identification of the reasonable adjustment (if necessary)
4. Making the reasonable adjustment
5. Monitor and review adjustment through consultation

Decisions about the type of adjustment/s undertaken are made on the basis of substantive equality. This means that students with a disability are entitled to receive education and training, which includes opportunities and challenges comparable with those offered to all students. Changes that involve lowering academic standards or modifying competencies are not considered reasonable adjustments.

When considering whether adjustments are outside the scope of reasonable adjustment or cause undue hardship, SBIT shall undertake to thoroughly consider all the relevant circumstances and interests, including:

1. The student’s disability
2. The views of the student or the student’s associate
3. 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
4. The effect of the proposed adjustment on anyone else affected, including institute operations, staff and other students
5. The costs and benefits of making the adjustment

Harassment

Harassment in tertiary institutions is unlawful under sections 37 and 38 of the *Disability Discrimination Act 1992*. In this context, harassment includes actions taken because of, or in relation to, the person’s disability, which humiliate, offend, intimidate or distress; or cause, or could reasonably be expected to cause, humiliation, offence, intimidation or distress. It is not necessary for conduct to be persistent or repeated for harassment to occur. SBIT aims to provide an environment where students with a disability can attend courses without fear of harassment. Harassment includes humiliating comments or actions about a person’s disability, such as insults, or comments or actions that create a hostile environment.

Glossary of Terms/Definitions

Terms	Definitions
A Student with a Disability	<p>In the context of this policy, 'a student with a disability' means a current or prospective student of SBIT with a temporary or permanent disability that:</p> <ul style="list-style-type: none"> • Is attributable to a medical condition, a psychiatric condition, sensory, neurological, physical, cognitive or learning impairment or a combination of such impairments (this includes a genetic predisposition to a disability); • Results in a reduction of the person's capacity for communication, social interaction, learning or mobility, and; • Results in the person requiring reasonable adjustment to access programs provided by SBIT • A disability that is covered by this definition includes behaviour that is a symptom or manifestation of the disability.
AccessAbility Services	AccessAbility Services provide advice and make decisions about the provision of services to students with a disability.
SBIT	Southbank Institute of Technology

Revision History

Revision Date:	Status: (Draft/Final)	Summary of Changes	Prepared/Approved By:	Revision #:
30/06/2009	Final	Transferred to new format from Policy 01	Disability Services Officer, Student Services	01
29/09/2009	Final	Minor changes made to Glossary of Terms/Definitions	Disability Services Officer, Student Services	02
12/05/2010	Final	Changes made to Glossary of Terms/Definitions and changed name of Disability Services to AccessAbility Services	Disability Services Officer, Student Services	03
16/05/2011	Final	Updated related policy link, policy owner and transferred to new template	Disability Services Officer, Student Services	04

Distribution

All Staff
 All Managers
 All Directors
 All Students