

PL_AC_010: Disability Policy

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1. Context

THINK supports the right of people with disabilities to be involved in all facets of community life, including full and equitable participation in vocational and higher education. To that end, THINK provides an accessible and inclusive environment for students with disabilities. THINK is committed to meeting its obligations outlined by the Commonwealth Disability Discrimination Act 1992 (DDA) and the Disability Standards for Education 2005. THINK will act in accordance with the spirit and requirements of the legislation and guidelines.

2. Definitions

Disability: THINK uses the definition of Part 1 Section 4 of the Disability Discrimination Act (1992) which includes physical, psychological and psychiatric conditions and injuries, and ongoing medical conditions

Inherent requirements: skills and knowledge in a course which must be successfully completed by students regardless of their disability because they are essential to the relevant course.

Reasonable adjustments: adjustments that can be made to allow a student with a disability to participate in education on the same basis as other students. Adjustments are reasonable if they balance the interests of all parties affected and do not affect the academic standards or inherent requirements of a subject or course.

3. Scope

This policy applies to all students enrolled in one or more courses at THINK.

4. Principles

- THINK is guided by the principles relating to access and equity for students and prospective students with a disability.
- Inclusive practice is the primary strategy for accommodating the needs of students with disabilities and their carers. Wherever reasonably practicable, barriers will be removed or reduced in a systemic manner thereby reducing the need for students with disabilities to seek tailored services or adjustments.
- Students and, where applicable, prospective students with disabilities have a responsibility to provide information that will assist THINK in the timely planning and implementation of appropriate services and adjustments.
- Provision of appropriate services for students with disabilities is the shared responsibility of relevant organisational areas within THINK.
- THINK recognises that students with disabilities are themselves best placed to understand their disability and capacities. Consequently, students with disabilities seeking reasonable adjustments share the responsibility for identifying appropriate solutions.

- Reasonable services and adjustments will be designed to reduce or remove disability related barriers and support student independent learning but will not be implemented in such a way that diminishes the academic standards and integrity of THINK courses, or imposes unjustifiable hardship on THINK.

5. Admission to a THINK course

- In order to ensure that students with disabilities are not discouraged from applying for admission to its courses, nor discriminated against by admission processes, THINK has implemented and monitors a flexible range of entry pathways.
- In order to ensure access and participation is consistent with the commitment and responsibility THINK has to students with disabilities, a person with a disability will be able to seek admission on the same basis as a prospective student without a disability.
- THINK recognises that students with disabilities may have experienced prior educational disadvantage as a result of their disability. This disadvantage may be taken into consideration by THINK during admission processes.
- THINK provides all prospective students with advice that informs them of the 'inherent requirements' of courses including information detailing any specific competencies which are required. Students with disabilities can be provided with reasonable services and adjustments, however, the 'inherent requirements' of a course cannot be compromised.

6. Disclosure

- Students with disabilities do not need to disclose that they have a medical condition or disability. However, if they require assessment and/or study adjustments or other support services (a) they will be required to disclose that they have a disability and/or medical condition (without necessarily naming the disability/condition), and (b) they will need to describe its impact on their studies. They will also need to provide supporting documentation about the impact their disability or medical condition has on their studies from a treating practitioner or qualified assessor. They maintain control over access to the information and determine what they choose to make available. The primary purpose of disclosure is to enable THINK to consider the appropriateness of the provision of disability services to that student if they are successful in their application to their chosen course. This disclosure also enables THINK to fulfill statistical reporting responsibilities to the Department of Education and Training.
- Once students with disabilities have a [Disability Access Plan](#) in place they do not need to disclose the underlying cause of the adjustments and/or support. The adjustments made are agreed for the duration of their enrolment or as otherwise specified in the Plan.
- A student is not legally required or obliged to disclose that they have a disability during their admission process; however, THINK is not responsible for making individual adjustments for that student if required information about their disability has not been disclosed.
- Disclosure of a disability at admission does not lead to the automatic provision of disability services.

7. Requesting disability related services

- THINK aims to provide all its services to students in an inclusive manner, minimising access difficulties and the requirement for individual adjustments.
- Some disclosures of disability will not require services or adjustments, so no further action will occur unless prompted by the student during their study.

- Some disclosures of disability will require individual services and adjustments. In this case, documentation will need to be provided as detailed below.

8. Documentation

- Students who request disability related services or adjustments will be required, in a timely manner, to provide appropriate documentation from a qualified professional to the Course and Careers Advisor (for prospective students) or to the Campus Life Coordinator (for current students). This documentation must outline:
 - the nature and expected duration of the disability or medical conditions
 - its functional impact on studies
 - recommendations as to adjustments and services required.
- The assessment must not be more than two years old and students may be requested to renew documentation every two years.
- Disability information provided by students will be treated in accordance with the *Privacy Policy*. Information will not be disseminated to staff for any other purpose or outside THINK without the student's explicit written agreement. However, information may be disclosed if there is a legal requirement to do so or if THINK has reasonable grounds for concern about the health or safety of the student or other persons.

9. Reasonable adjustments to teaching and assessments

- Reasonable services and adjustments will be made to accommodate students with disabilities without compromising the academic standard or inherent requirements of the course.
- It is the responsibility of THINK, in consultation with the student, to identify those elements of a course that affect the student's ability to participate on the same basis as a student without a disability. This may require reasonable adjustments to teaching and learning materials, teaching methodology and assessment.
- The following circumstances will be taken into account when determining if a requested adjustment for a student with disability is reasonable:
 - the impact/s of student's disability, as described by the student, on their studies
 - the advice provided by the professional specialists (e.g. Doctor's report) to support the student's application
 - the views of the student
 - the effect of the adjustment on the student's independence and ability to achieve learning outcomes and participate in their subjects and courses
 - the inherent requirements of their subject or course
 - the costs and benefits of making the adjustment; and
 - the effect of the proposed adjustment on staff and other students.
- Where it is possible to make reasonable adjustments or provide reasonable services, the student will be asked to complete a [Disability Access Plan](#).
 - Where a student requires modification to examinations and assessments, this will be negotiated between the student and the Program Director (or delegate), and will be documented in the [Disability](#)

[Access Plan](#). These modifications will remain in place for the duration of the course and maybe reviewed every two years unless otherwise stated.

- Where a student requires modification to practice based learning activities, this will be negotiated between the student and the Program Director (or delegate). Where negotiation regarding adjustments involves external placements, the relevant student's consent will be obtained before any disability related information is provided externally.
- Where a student requires modification to other services, such as building and learning material accessibility, this will be negotiated between the student and the Program Director (or delegate), and will be documented in the [Disability Access Plan](#). These modifications will remain in place for the duration of the course and maybe reviewed every two years.
- Where it is not possible to make reasonable adjustments or provide a reasonable service, an offer of admission will not be made. This decision will be taken by the Campus Director (or delegate).

10. Disability Access Plan

- The [Disability Access Plan](#) will be the primary method for THINK to document the impact of a student's disability on their studies, the disability services which have been agreed, and the details of agreed adjustments to examination or assessment conditions. It is not expected that students with short term medical conditions will require a [Disability Access Plan](#). Procedures for variation to assessment methods, tasks and timelines on medical grounds are outlined in the *Assessment Policy*.
- Students are encouraged to inform THINK of their disability related needs, and of the need to formulate a [Disability Access Plan](#) where required.
- Students are required to make any requests for disability related services and adjustments in a timely manner such that academic participation can be planned over the duration of a study period.
- The Campus Life Coordinator will provide students with assistance in discussing their disability related needs with other staff where required.
- Academic staff will use the [Disability Access Plan](#) as a basis for discussion with students who require reasonable adjustments to accommodate their disability.
- The [Disability Access Plan](#) must be approved by the Campus Director (or delegate) before it can be implemented. Each subsequent material adjustment to the [Disability Access Plan](#) must also be approved by the Campus Director (or delegate).

11. Work Placements and Study Abroad

Students with disabilities must:

- meet any requirement for fitness tests applicable to work placements to be undertaken, and/or
- provide evidence from a medical, psychological or other recognised professional specialist that they have the capacity to travel and live overseas.

THINK is unable to guarantee access arrangements at other institutions and organisations in Australia and overseas, and may not approve placements and study abroad for individual students. In such cases, alternative arrangements for meeting the learning outcomes of the course will be negotiated with the student.

12. Risk management

Where the nature or extent of a student's disability has the potential to create a health and safety risk for themselves, staff, students or others, a risk assessment should be carried out and appropriate control measures put in place, with the advice of Human Resources.

13. Appeals

A student or prospective student with a disability or medical condition who is dissatisfied with an admission or reasonable adjustment decision by THINK may appeal the decision by following the [Student Complaints Policy](#) and [Internal Review Procedure](#).

14. References

Commonwealth Disability Discrimination Act 1992
Disability Standards for Education 2005