



Student Disability Policy and Procedure

Purpose

1. This Policy outlines the Australian International Institute of Higher Education ('the Institute') framework for ensuring that all students, including students with disabilities, enjoy the benefits of education and training in an educationally supportive environment that values and encourages participation by all students.
2. This Policy complements and aligns with the *Student Equity and Diversity Policy and Procedure*.

Scope

3. This Policy applies to:
 - a) all prospective and currently enrolled students of the Institute;
 - b) all staff of the Institute whether full-time, part-time, casual or contract;
 - c) members of the Institute's Governing Bodies;
 - d) individuals engaged in providing services to the Institute or receiving services from the Institute, such as students, contractors or consultants.

Definitions

4. For the purposes of this Policy:
 - a) **Equity** is the provision of similar opportunities to participate in education.
 - b) **Disability** is a total or partial loss of the 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 the person's body, or 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 affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour (as per the Disability Discrimination Act 1992 definition).
 - c) **Discrimination** is treating or proposing to treat a person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat another person because of a personal characteristic protected by the law, in this case a disability.
 - d) **Harassment** means an action taken in relation to people with disability that is reasonably likely to humiliate, offend, intimidate, or distress the person.
 - e) **Reasonable adjustment** is a measure or action taken to assist a student with disability to participate in education on the same basis as other students and that achieves this purpose while taking into account the student's learning needs and balancing the interests of all parties affected, including those of the student with disability, the education provider, staff, and other students.



- f) **Unjustifiable hardship** is a situation where making an adjustment would be unreasonable, based on an assessment of what is fair and reasonable in the circumstances, e.g. too costly or onerous.
- g) **Victimisation** is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, harassment, or victimisation.

Policy

Statement

- 5. The Institute aims to develop and maintain a culture of respect of diversity within the organisation. In relation to students with disabilities this means that the Institute puts in place processes that as much as possible give students with disabilities opportunities on the same basis as students without disabilities, including comparable access, services and facilities, and the right to participate in education unimpeded by discrimination.
- 6. The Institute adopts a zero-tolerance approach to discrimination on the basis of disability, including discrimination, harassment or victimisation of a student's associate who has a disability (such as a relative or carer). This approach is consistent with the *Staff Code of Conduct*, *Student Code of Conduct* and related legislation.
- 7. The Institute will take reasonable steps to ensure that students with disabilities are provided with opportunities to realise their individual potential through their participation in education on the same basis as students without disabilities.
- 8. The Institute will make reasonable adjustments to assist a student with a disability to apply for admission, to participate in the Institute's courses, and to use facilities or services on the same basis as a student without a disability.

Principles

- 9. This Policy is based on the following principles:
 - a) to prevent discrimination across all areas of the Institute's operations, including those of its related entities;
 - b) to ensure that management is aware of its responsibilities with regard to the rights of people with disabilities;
 - c) to ensure staff members and students are aware of the Institute's expectation that they will not discriminate, harass or victimise any person, including students with disabilities;
 - d) to encourage students and staff to report instances of discrimination, harassment, or victimisation;
 - e) to as much as possible enable students with a disability to apply for, and participate in, the course on the same basis as other students;
 - f) to encourage prospective students and commencing students to disclose their particular needs arising from a disability to the Institute in order that they may be provided with adequate support.



Procedure

Strategies

10. The Institute endeavours to provide a discrimination-free environment for all students throughout their experience with the Institute. Key strategies for the creation and maintenance of equal opportunities for students with disabilities are outlined below.

Preventing discrimination, harassment and victimisation of students with a disability

11. **Culture:** The Institute ensures a culture of respect of equity and diversity, including of people with disabilities, through a process of awareness training, benchmarking, and monitoring.
12. **Leadership:** Senior staff will demonstrate a high level of commitment to equity and diversity, including for people with disabilities, in the Institute.
13. **Staff awareness:** All staff of the Institute will have a general awareness of the obligations of the Institute with regard to the *Disability Standards for Education 2005*. Staff induction includes a component on disability awareness and the Institute's relevant reporting and complaints mechanisms.
14. **Student awareness:** Students receive regular communications, including an awareness session at orientation, on equity and diversity and their rights and responsibilities in maintaining an environment free from discrimination, harassment and victimisation.
15. **Third-party compliance:** Where services are provided on behalf of the Institute by third parties, the Institute will take all reasonable precautions to ensure that services are delivered in compliance with the *Disability Standards for Education 2005* and will respond promptly and effectively to any report of non-compliance.

Admission

16. **Admission information:** The Institute provides information about the admission process that is fit for purpose and that:
 - a) addresses the needs of students with disabilities;
 - b) encourages students who believe they may need reasonable adjustments at any stage of their application or their participation in the course to make appropriate disclosures about the nature of their disability;
 - c) is accessible to the student;
 - d) is made available in a range of formats.
17. **Institute information:** Information about entry requirements, education offerings, inherent requirements for courses, participation, progression, facilities and resources is provided in a way that supports informed student choices.
18. **Processes:** Admission procedures are designed, and regularly reviewed, to ensure that students can complete them without undue difficulty.

Participation

19. Wherever possible the Institute will employ the following strategies to support individual students who have made their particular needs known to the Institute.
20. **Staff training:** Staff members are aware of the services available and are trained to assist students to access the services that they need.



21. **Flexibility of curriculum:** Course activities are sufficiently flexible for the student to be able to participate in them.
22. **Flexibility of requirements:** Course requirements are reviewed, where particular student needs are known, to include activities in which the student is able to participate.
23. **Student consultation:** Appropriate actions and measures to enable participation by the student will be discussed, agreed and implemented.
24. **Additional support:** Additional support is provided where necessary to assist the student in achieving intended learning outcomes.
25. **Substitute activities:** Where a course includes an activity in which a student cannot participate, the student is offered an activity that constitutes a reasonable substitute within the context of the overall aims of the course.
26. **Inclusiveness:** Any activities that are not conducted in classrooms and associated extra-curricular activities or activities that are part of the course, are designed to include the student.

Course design

27. Wherever possible the Institute will employ the following strategies for individual students who have made their particular needs known to the Institute.
28. **Teaching and assessment:** The curriculum, teaching materials, and the assessment and certification requirements for the course are reviewed to confirm they are appropriate to the needs of, and accessible to, the student.
29. **Delivery modes and activities:** The delivery modes and learning activities of the course take account of intended learning outcomes and the learning capacities and needs of the student.
30. **Study materials:** Study materials are made available in a format that is appropriate for the student and, where conversion of materials into alternative accessible formats is required, the student is not disadvantaged by the time taken for conversion.
31. **Teaching strategies:** Teaching and delivery strategies for the course are adjusted to meet the learning needs of the student and address any disadvantage in the student's learning resulting from his or her disability, including through the provision of additional support, such as bridging or enabling courses, or the development of disability-specific skills for teaching staff.
32. **Inclusiveness:** Any activities that are not conducted in a classroom, such as field trips, industry site visits and work placements, or activities that are part of the course, are designed to include the student.
33. **Assessment:** Assessment procedures and methodologies for the course are adapted to enable the student to demonstrate the knowledge, skills or competencies being assessed.

Support services

34. Wherever possible the Institute will employ the following strategies for individual students who have made their particular needs known to the Institute.
35. **Staff awareness:** Staff members are aware of the specialised services available for the student and are provided with information that enables them to assist the student to access the services that student needs.
36. **Facilitation of service provision:** Provision of specialised services for the student, where necessary, is facilitated, including through collaborative arrangements with specialised service providers.



37. **Provision of specialised equipment:** Any necessary specialised equipment is provided to support the student in participating in the course.
38. **Support staff:** Appropriately trained support staff are made available to students with disabilities.

Procedure for Reasonable Adjustments

39. The Institute will make reasonable adjustments where necessary to ensure that students with disabilities are able to participate in education on the same basis as students without disabilities.
40. When a student discloses a particular need the Course Coordinator will:
- consult with the student;
 - consider whether an adjustment is necessary;
 - if an adjustment is necessary, identify a reasonable adjustment; and
 - arrange for the reasonable adjustment.
41. Classrooms and services on the current campus are located across two floors and a lift is currently not available. Reasonable adjustments for a student who has a disability that poses challenges for access in this situation may include such measures as enabling the student to participate in classes using an online platform and the scheduling of any required group work in a space that is accessible to the student.
42. In reviewing the request, the Course Coordinator will consider whether the adjustment is unreasonable, would cause unjustifiable hardship on the Institute, or impact on the integrity of the course. In such cases the Institute is not required to implement the particular adjustment and may provide an alternative adjustment to the student's preferred form of adjustment, if it is judged that the alternative is effective in achieving the desired purpose.
43. When considering an adjustment, the Course Coordinator may need to obtain information about the student's disability and individual requirements and to seek a detailed assessment by an independent expert of the nature of the disability and the adjustment that is appropriate for the student.
44. The decision of the Course Coordinator on the case will be reviewed by the Academic Dean.
45. Information about a student's disability or individual requirements will be kept confidential, except where disclosure is required for the purposes of the adjustment or in accordance with a lawful requirement.

Monitoring and improvement

46. The Institute collects data on the participation, progress, and completion of identified student groups including students with a disability. Student feedback is sought on their experience of diversity and equity at the Institute, including access to support services.
47. The Institute uses the collected data to monitor trends in admission, participation, retention, and completion rates.
48. The Institute will improve its disability support strategies based on the collected data, in particular in relation to the access and effectiveness of support services.
49. The Institute will benchmark its performance against relevant sector data and will establish targets as appropriate.
50. The Institute will review all third-party arrangements for assurance that services are provided in compliance with the *Disability Standards for Education 2005* and this Policy.



51. The Governing Council receives an annual report on the adequacy and effectiveness of its strategies considering the particular mix of student subgroups and will make adjustments to its strategies as required.

Grievances and appeals

52. A student who wishes to lodge a complaint about any aspect of the implementation of the *Student Disability Policy and Procedure* should do so under the provisions of the *Student Grievance Policy and Procedure*. This includes complaints of discrimination and victimisation against any individual associated with the Institute as outlined in the *Student Equity and Diversity Policy and Procedure*.
53. If a student is dissatisfied with the outcome of any grievance lodged, or about a decision made under this Policy they may appeal under the provisions of the *Student Appeals Policy and Procedure*.

Responsibilities

54. All students are responsible for:
- disclosing information about a disability where they wish to seek a reasonable adjustment;
 - ensuring that their behaviour and conduct always reflect the standards of the Institute's *Student Code of Conduct*;
 - not taking unfavourable action against a person that has reported an alleged discrimination; and
 - reporting instances of discrimination or victimisation to the Academic Dean promptly.
55. All staff are responsible for:
- complying with anti-discrimination and equal opportunity laws at all times in the course of their duties, including the obligation not to harass or victimise students with disabilities;
 - ensuring that their behaviour and conduct always reflect the standards of the Institute's *Staff Code of Conduct*;
 - reporting instances of discrimination or victimisation to the Academic Dean promptly;
 - informing students about the reporting and complaints processes in an instance of harassment or victimisation;
 - not taking unfavourable action against a person that has reported an alleged discrimination.
56. The Academic Dean is responsible for:
- implementing the strategies for the Discrimination, Harassment and Victimisation Prevention outlined in this Procedure; and
 - reporting on the implementation of all strategies for disability support to the Academic Board and Governing Council on a yearly basis.
57. The Student Services Manager is responsible for:
- implementing the strategies for Admission;
 - reporting to the Academic Dean on the implementation of strategies, including any observable trends, at the end of each teaching session.
58. Course Coordinators are responsible for:
- implementing the strategies for Participation and Course Design, as indicated in the respective sections above;



- b) implementing the Procedure for Reasonable Adjustments;
- c) reporting to the Academic Dean on the implementation of strategies, including on any non-compliance, complaints or dispute, at the end of each teaching session.



Associated information

Approving body	Governing Council
Date approved	23 October 2020
Date of effect	Commencement of operation
Next scheduled review	Two years from when policy commence
Policy owner	Chief Executive Officer
Policy contact	Chief Executive Officer
Related AIIHE Documents	<i>Admissions Policy and Procedure</i> <i>Student Equity and Diversity Policy and Procedure</i> <i>Quality Assurance Framework</i> <i>Risk Management Plan</i> <i>Staff Code of Conduct</i> <i>Student Code of Conduct</i>
Higher Education Standards Framework (Threshold Standards) 2015 (Cth)	Standard 1.1, ss 1 Standard 1.3 Standard 2.2, ss 1, 3 Standard 2.3, ss 3 Standard 3.3, ss 3–4 Standard 7.2, ss 1–2
Other related external instruments/documents	<p>Related Legislation</p> <ul style="list-style-type: none"> • <i>Tertiary Education Quality and Standards Agency Act 2011 (Cth)</i> • <i>Disability Discrimination Act 1992 (Cth)</i> • <i>Disability Standards for Education 2005 (Cth)</i> • <i>Australian Human Rights Commission Act 1986 (Cth)</i> • <i>Anti-Discrimination Act 1991 (Qld)</i> • <i>Disability (Access to Premises - Buildings) Standards 2010 (Cth)</i> <p>Good Practice Documents</p> <ul style="list-style-type: none"> • <i>TEQSA Guidance Note: Diversity and Equity, Version 1.2</i>

Document history

Version	Author	Changes	Approval Date
1.0	Not applicable	Original version	23 October 2020

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