Students with Disability Policy

Section 1 - Purpose

(1) The purpose of this Policy is to provide all students with disability, medical and mental health conditions, neurodivergence and those who are carers (as defined in Section 8 and glossary), with equitable and inclusive access to the University's facilities, services, events, learning and assessment activities. In line with the ACU Mission, Identity and Values, this Policy upholds the dignity of the human person, contributes to the common good, and enables students to participate fully in the pursuit of knowledge at ACU. The Policy achieves these objectives by:

a. Providing an environment that enables the safe and equitable participation of all students in all aspects of University life.
b. Enabling equitable access to information and resources for all students.
c. Promoting awareness of informed and non-discriminatory attitudes towards people with disability.
d. Providing equitable access to all student processes including student recruitment, enrolment and admission processes.
e. Promoting inclusive teaching and learning practices.
f. Enabling participation of all students in University life.

Section 2 - Scope / Application

(2) This Policy applies to all staff and students of the University.

Section 3 - Glossary of Terms / Definitions

(3) Terms used in this Policy are consistent with the Glossary of Student and Course Terms. In the context of this Policy the following terms also apply:

Term	Definition
Carer	is an individual who provides personal care, support and assistance to another individual who needs it because that other individual: • has a disability; or • has a medical condition (including a terminal or chronic illness); or • has a mental illness; or • is frail and age
DDA	is the Disability Discrimination Act 1992 (Cth) and includes the Disability Discrimination and Other Human Rights Legislation Amendment Act 2009 (Cth).

Term	Definition
Disability	in relation to a person means: • 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 • 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; and • includes a disability that: ◦ presently exists; or ◦ previously existed but no longer exists; ◦ may exist in the future (including because of a genetic predisposition to that disability); or ◦ is imputed to a person. To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.
Discrimination	on the grounds of disability means treating a person with a disability less favourably than a person who does not have a disability in the same or similar circumstances.
DSE 2005	is the Disability Standards for Education 2005 (Cth).
EIP	means an Education Inclusion Plan, developed by the Access and Disability Service which includes the required reasonable adjustments for a student.
Inherent Requirements	are the fundamental components of a course or unit, that are essential to demonstrate the capabilities, knowledge and skills to achieve the core learning outcomes of the course or unit, while preserving the academic integrity of the University's learning, assessment and accreditation processes. (Note: making a requirement compulsory does not necessarily make it an Inherent Requirement)
Online Environment	refers to online resources, processes and curriculum available on ACU websites including the Learning Management System (LMS) and other web applications.
Reasonable Adjustment	Reasonable Adjustment refers to an individualised modification made to the teaching, learning and assessment activities to enable a student with disability or an ongoing health condition to access and participate in education and training on the same basis as other students (Disability Standards for Education 2005 (Cth), s2.2). For these Standards, an adjustment is reasonable in relation to a student with a disability if it balances the interests of all parties affected. (Disability Standards for Education 2005 (Cth), ss3.3, 3.4).
Unjustifiable hardship	Unjustifiable hardship is an exception under section 11 of the Disability Discrimination Act 1992 (Cth) that exempts an organisation from making an adjustment if the making of the adjustment would impose an unjustifiable hardship on the education provider.

Section 4 - Disability Action Framework

(4) The Disability Action Framework relates to the whole University's responsibility to ensure access and equity for students with disability. This includes access to physical and online environments, course, and administrative information, teaching and learning environment and to the University's socio-cultural experience. Access and equity should be fundamental considerations in activities such as strategic planning, budgets, implementation and review processes, with all University members sharing responsibility for access, participation, retention and success of students with disability.

Section 5 - Policy Statement and Principles

(5) The following principles will be observed in applying the Disability Action Framework:

a. The University will provide staff training to develop awareness and understanding of the relevant legislation, University policy and procedures, and issues around disability in education.
b. The University will provide information on course inherent requirements to support students in making informed decisions about courses.
c. The University will endeavour to ensure that its agents and contractors provide an accessible and inclusive environment for students with disability.
d. The University's online environment will be accessible and inclusive of students with disability.
e. The University requires all staff and students to make reasonable adjustments within their areas of responsibility to remove any barriers to access for persons with disability. The adjustments should apply to goods, services, facilities, events, and learning and assessment activities of the University. Under the legislation, exceptions of unjustifiable hardship still apply.
f. Students with disability will have access to services and support at all stages of their University experience.
g. Students with disability can contact the Access and Disability Service if they require reasonable adjustments implemented to access learning and assessment activities.
h. Information in relation to a student's disability / medical condition shall remain confidential and shall be restricted to those with a legitimate need to know in accordance with the Privacy Policy and a students' consent for disclosure.

Section 6 - Responsibilities

Staff

(6) All staff will take responsibility to facilitate accessibility for students with disability and perform their duties in a non-discriminatory manner.

(7) Staff are expected to:

a. Provide equitable access to education, services, facilities and resources for all students.
b. Where required, participate in a consultative and ongoing process with the Access and Disability Service to support students with disability, and seek advice in relation to recommended reasonable adjustments.
c. Develop and maintain awareness of the requirements of students with disability as stipulated in legislation and policies. This can be achieved through activities such as participation, training, and access to resources.
d. Encourage students to approach them to discuss issues impacting their access that arise from disability.
e. Implement recommended reasonable adjustments for learning and assessment as specified in the student's Education Inclusion Plan (EIP).
f. Have due regard for each person's right to privacy and confidentiality when seeking information for the purpose of implementing reasonable adjustments.

Students

(8) All students are required to familiarise themselves with the inherent requirements of their course and the eligibility criteria for registration with professional registration boards before enrolling in their chosen course.

(9) Students with disability are encouraged to:

a. Register and develop an EIP with the Access and Disability Service in a timely manner, providing current and appropriate medical or specialised documentation to substantiate the provision of reasonable adjustments.
b. Contact their National Unit Leads within 10 working days of finalising their EIP to discuss their learning needs and the implementation of reasonable adjustments. Students are responsible for providing their EIP to their

NULs each semester.

c. Advise the Access and Disability Service if the nature or impact of their disability/medical condition changes, their circumstances change or they change their enrolment, discontinue or take leave from study.
d. Participate in consultations and reviews as required by the Access and Disability Service.
e. Engage with staff on matters related to their disability / medical conditions that will support a successful student experience.
f. Use appropriate feedback processes to inform the University of barriers to access in the University environment.

Section 7 - Access and Disability Service

(10) The Access and Disability Service assists the University to meet its compliance obligations under the Disability Discrimination Act 1992 (Cth), the Disability Standards for Education 2005 (Cth) and Carer Recognition Act 2010 (Cth). The University may not be able to assess and/or determine the provision of a reasonable adjustment if a student does not register with the Access and Disability Service.

(11) The Access and Disability Service is expected to:

a. Develop an EIP in discussion with the student and with regard to supporting documentation. The EIP will outline reasonable adjustments that will support the student's success.
b. Advise and consult with University staff concerning students with disability and regarding the implementation of determined reasonable adjustments.
c. Keep records for the purpose of reviewing and reporting on service provision.
d. Periodically review and update EIPs, including review of relevant documentation.
e. Ensure compliance with established Records and Archive Management Policy and associated procedures.

Section 8 - Carer of a person with disability

(12) As per the Carer Recognition Act 2010 (Cth), a student who is a carer of a person with disability, or a carer of someone who is frail and aged, may be entitled to reasonable adjustment or academic consideration if they provide satisfactory substantiating documentation to the Access and Disability Service.

Section 9 - Exceptions

(13) Exceptions may apply where a serious health condition such as an illness, physical or mental health condition, impacts adversely on the student's capacity to pursue or benefit from any unit, program or research or where a reasonably identified risk to the student, other students and staff or property is identified as per the Fitness to Study Policy.

(14) The University is not required to provide an adjustment:

a. if it would impose unjustifiable hardship on the University, or placement provider;
b. if it compromises the academic standards of a unit or program of study, that are inherent or essential to its satisfactory completion;
c. if for safety, it is reasonably necessary to protect the health or welfare of a student or other person.
d. if it is considered an unreasonable adjustment.

Section 10 - Further Assistance

(15) Students who have a question or concern about a decision, act or omission that affects their access to any activity of the University, events and learning can contact the Access and Disability Service and / or the relevant representative from the School responsible for the decision, act or omission. Students can also refer to the Student and Public Complaints Policy and Student and Public Complaints Procedure.

Section 11 - Review

(16) The University may amend this Policy and the Students with Disability Procedure from time to time to ensure their currency and to improve the general effectiveness and operation of this Policy and associated Procedure.

(17) In line with the Policy Development and Review Policy, this Policy is scheduled for review every five (5) years or sooner if the Approval Authority or Governing Authority determine that a review is warranted.

Section 12 - Revisions made to this Policy

Date	Major, Minor or Editorial Revision	Description of Revision(s)
1 October 2020	Minor	Amended references to 'Disability Services' to 'Disability Support', amended provision relating to carer responsibilities, consistent with legislative definition, minor formatting amendments.
16 January 2024	Minor	Re-named Policy, amended references from 'Disability Support' and 'Counselling and Disability Service' to reflect new unit name 'Access and Disability Service' and directorate name 'Student Experience Directorate' as well as position name 'Disability Advisor' changed to 'Access and Disability Advisor'. References to related policies and legislation added. Other minor terminological and formatting amendments.

Section 13 - Authority

Approval Authority

Vice-Chancellor and President

Governing Authority

Deputy Vice-Chancellor (Education)

Responsible Officer

Director, Student Experience and Enhancement

Section 14 - Associated Information

(18) For related legislation, policies, procedures and guidelines and any supporting resources please refer to the Associated Information tab.

Status and Details

Status	Current
Effective Date	19th December 2023
Review Date	16th January 2029
Approval Authority	Chief Operating Officer and Deputy Vice-Chancellor
Approval Date	19th December 2023
Expiry Date	Not Applicable
Responsible Executive	John Burdick Director, Student Experience and Enhancement
Responsible Manager	Trevor Shane Ianna National Manager, Access and Disability Service
Enquiries Contact	Trevor Shane Ianna National Manager, Access and Disability Service --- Student Experience