

Policy Owner	College Director & Principal
Contact Officer:	Academic Director
Policy Number:	QHRPO013
Approved by:	Senior Management Group
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Related Policies:	Assessment Disability Guidelines Student Welfare Counseling and Support Policy Complaints Policy Equal Opportunity Policy

1. Overview

- 1.1. The purpose of this policy is to ensure that students with a disability and/or medical condition ('disability') receive reasonable adjustments and support that is appropriate to their disability.
- 1.2. This policy has been developed in accordance with the Disability Access and Inclusion Plan (DAIP) 2012 - 2017, Western Australian Disability Services Act 1993, Commonwealth Disability Standards for Education (2005), Commonwealth Disability Discrimination Act (1992), and consistent with standards and codes developed for higher education and vocational education institutions in Australia.

2. Organisational Scope

- 2.1. This policy applies to all current and prospective students and staff with disabilities.

3. Definitions

- 3.1. **Disability** as outlined in the "Disability Discrimination Act 1992" means:

- Total or partial loss of the person's bodily or mental functions.
- Total or partial loss of part of the body.
- The presence in the body of organisms causing disease or illness.
- The presence in the body of organisms capable of causing disease or illness.
- 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.
- 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.
- Previously existed but no longer exists.
- May exist in the future;
- Is imputed to a person

and results in:

- A reduced ability to access educational services provided by the College; and
- A need for support services to overcome these barriers.

- 3.2. **Reasonable Accommodation:** refers to administrative, physical or procedural alterations required, such as extending writing time, seating arrangements or exam schedules, to

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ensure that students with disabilities are able to participate in the learning and teaching environment on the same basis as students without a disability.

3.3. **Disability Discrimination:** Discrimination on the ground of disability means treating a person with a disability less favourably than a person who does not have a disability would be treated in the same or similar circumstances. (Disability Discrimination Act 1992, Section 5).

3.4. **The College** – Curtin College.

4. Policy Principles

4.1. Curtin College is committed to creating a teaching and learning environment which promotes dignity, respect, acknowledges the right to privacy and confidentiality, and promotes an awareness of the needs and rights of students with disabilities.

4.2. The College shall not discriminate against persons with disabilities except where, in the opinion of the College Director and Principal, the provision of additional resources, services or facilities would impose an unjustifiable hardship on the College.

4.3. Policy Content

4.3.1. Students and staff with disabilities should be able to access and negotiate the campus in safety and with ease in accordance with Curtin University's 'Student with Disabilities Policy' and the 'Curtin Disability Access and Inclusion Plan 2012-2017' (<http://about.curtin.edu.au/files/Disability-Access-Inclusion-Plan-2012-2017.pdf>).

4.3.2. Students and staff are required to provide documentation of an assessment from a medical or recognised professional specialist (refer 5.1.1). This should include confirmation of the disability and recommendations on the type of special needs required.

4.3.3. Students with disabilities will not be advantaged or disadvantaged compared to other students not receiving disability support services.

4.3.4. Staff with disabilities will have the same terms and conditions of employment as persons without a disability.

4.3.5. Staff with disabilities will have equal opportunities for promotion and career development. The college will provide appropriate assistance for staff with a disability to attend approved work activities such as professional development, staff study support and seminar/conference leave).

4.3.6. Students with disabilities are afforded equitable access and practical support to participate fully in the life of the University, including:

- access to services and events;
- access to buildings and facilities;
- receiving information in accessible formats;
- receiving a high quality service from Curtin staff;
- opportunities to make complaints; and
- opportunities to participate in public consultation.

4.3.7. Access, retention, participation and success rates of students with disabilities are comparable with the general student population.

4.4. Unjustifiable Hardship

4.4.1. As outlined in the Disability Standards for Education (2005), in deciding that making accommodations for a person with a disability would result in unjustifiable hardship for the College, the College will take into consideration:

- Additional staffing requirements;
- Provision of special resources;

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- Modifications to curriculum;
- Impact on the learning environment, including the benefits and adverse impact on learning and social outcomes from the student's participation for the student, other students and staff;
- Financial incentives, including subsidies or grants available to the College as a result of the students' participation.

4.4.2. Where unjustified hardship is determined, the College will notify the student, whether continuing or new, of the decision and the reasons for the decision as soon as practicable after the decision is made. If a student is dissatisfied with the decision they have the right to submit a written complaint against that decision in accordance with Stage One of the College's Complaints policy (see below).

4.5. Complaint

4.5.1. Students and staff who believe they have been treated unfairly on the grounds of disability are encouraged to refer to the College's Complaints Policy' (located under Policies and Procedures on the College webpage www.curtincollege.wa.edu.au)

4.6. Confidentiality and Disclosure

4.6.1. Confidentiality of information relating to students and staff with disabilities will be protected, and access only given to staff with a legitimate need to know, for example, College Director & Principal, Academic Director, and appropriate departmental staff where resourcing implications are to be considered. All documentary evidence of disability will be retained by the College Director & Principal (Staff) or Student Advisory Manager (Student) unless otherwise agreed to by the person with the disability.

- Students with disabilities are to advise the College of any special requirements at the time of admission via their application form, so that the College can assess their special study needs and ascertain if the College can provide the requirements that the student requires. Failure to advise the College of the special requirements at an appropriate time may lead to a student's study program being disrupted, should the need for special assistance subsequently become apparent.
- Staff with disabilities are to advise the College of any special needs at the time of appointment.
- Staff and students are not required to disclose their disability unless they are seeking accommodations or workplace adjustments.

5. Administrative procedures

5.1. Medical Documentation for Students with Disabilities and/or Medical Conditions

5.1.1. Appropriate medical documents are required by the College in order to provide reasonable adjustments for a person with a disability. The College will accept documentation from the following:

- A qualified health service provider;
- Medical Specialist;
- Psychologist;
- Occupational therapist/Physiotherapist;
- Speech pathologist;
- Social worker/s;
- Optometrists; and
- Audiologist.

Note: Medical 'certificates' are not generally accepted as appropriate documentation

5.1.2. Documentation of specific learning disabilities to be provided by a psychologist.

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5.1.3. Documentation is not acceptable if it is more than three years old.

6. Acknowledgements

- 6.1. Curtin University 'Students with Disabilities Policy'
<http://policies.curtin.edu.au/findapolicy/students.cfm>
- 6.2. Curtin Disability Access & Inclusion Plan (DAIP) 2012-2017 <http://about.curtin.edu.au/files/Disability-Access-Inclusion-Plan-2012-2017.pdf>
- 6.3. Disability Services Commission - A guide to Disability Access & Inclusion Plans for State Government Contract Mangers/Contractors (www.dsc.wa.gov.au).
- 6.4. Disability Discrimination Act (1992), amended 2005 (<http://www.comlaw.gov.au/details/c2013c00022>)
- 6.5. Disability Standards for Education 2005 9 <http://docs.education.gov.au/node/16354>)
- 6.6. Disability Services Act 1993 (WA), amended 2004
(http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_11388_homepage.html)

Version	Last changes:
V1.4	<ul style="list-style-type: none"> • Curtin University's Disability Access and Inclusion Plan (DAIP) '2007 – 2011' changed to '2012 – 2017' • Item 4.2 added • Complaints and Appeals policy replaced with Complaints Policy • Item 4.4.2 updated