



Wollongong College Australia

A College of the University of Wollongong

Australia

Wollongong

New Zealand

Auckland

Student Disability Policy

Wollongong College Australia
A trading division of ITC Education Limited
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Approved by WCA Academic Board

References &
Legislation

- Anti-Discrimination Act 1977 (NSW)
- Disability Discrimination Act 1992 (Commonwealth)
- Disability Services Act 1993 (NSW)
- Disability Standards for Education 2005
- AVCC Guidelines
- WCA Course Handbook

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1 Purpose of Policy

- 1.1 The purpose of the *WCA Students Disability Policy* is to ensure the College provides a physical and social environment which complements and enhances the College experience for students with a disability on the same basis as other students, in an environment free from harassment and discrimination.
- 1.2 The Wollongong College Australia (the College) is committed to the promotion of and adherence to the principles of the Disability Discrimination Act (DDA) 1992 (Commonwealth) and Disability Services Act (DSA) 1993 (NSW). The WCA Students Disability Policy is informed by the legislation and outlines the College's obligations accordingly.
- 1.3 This Policy outlines the rights and responsibilities of the College, students and staff in relation to:
- a. students with disabilities
 - b. students who have an associate with a disability.

2 Definitions

In interpreting this Policy, the terms outlined in Section 2 apply.

Word/Term	Definition or Explanation
Adjustment	A measure or action (or a group of measures or actions) taken by an education provider that has the effect of assisting a student with a disability on the same basis as a student without a disability, and includes an aid, a facility, or a service that the student requires because of his or her disability. ²

Word/Term	Definition or Explanation
Assessment	Measure or evaluation of a student's ability to meet the learning requirements of a course.
Associate	Associate, in relation to a person, may include but is not limited to: <ul style="list-style-type: none"> a. a spouse of the person b. another person who is living with the person on a genuine domestic basis c. a relative of the person d. a carer of the person e. other groups as listed within the Disability Discrimination Act 1992.¹
Disability	Disability, in relation to a person, includes: <ul style="list-style-type: none"> a. total or partial loss of a person's bodily or mental functions b. total or partial loss of a part of the body c. the presence of a body of organisms causing disease or illness d. the presence of a body of organisms capable of causing disease or illness e. the malfunction, malformation, or disfigurement of a part of a person's body f. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction g. a disorder or illness that affects a person's thought processes, perception of reality, emotions, or judgment or that results in disturbed behaviour <p><u>and one which:</u></p>

Word/Term	Definition or Explanation
	<ul style="list-style-type: none"> h. presently exists i. previously existed but no longer exists j. may exist in the future k. is imputed to a person.¹
Harassment	An action taken in relation to a person’s disability that is reasonably likely, in all the circumstances, to humiliate, offend, intimidate or distress the person or the associate. ²
Offshore partner institution	An institution with which the College delivers courses at locations outside Australia.
On the same basis	A student with a disability has opportunities and choices in courses or programs and the use of facilities and services comparable to other students without disabilities. ²
Prospective student	A person who approaches the institution about seeking admission to, or applying for enrolment in, the institution.
Reasonable	An adjustment is reasonable in relation to a student with a disability if it balances the interests of all parties affected.
Special consideration	A process intended to help minimise the impact of serious or extenuating circumstances beyond a student’s control which significantly impair a student’s ability to complete an assessment task on or by the due date as stipulated in the Subject Outline or to progress

Word/Term	Definition or Explanation
	academically in a subject relevant to their course of study. Special consideration may be granted on the basis of medical grounds, compassionate grounds and/or extenuating circumstances.
Staff	All persons appointed as teaching or administration staff of the College, whether they hold full-time, part-time or casual appointments.
Student	A person registered for a course offered at the College
Support service	An action or program provided at the College that assists a student's ability to participate in the College environment.
Unjustifiable hardship	<p>In determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are to be taken into account including:</p> <ul style="list-style-type: none"> a. the nature of the benefit or detriment likely to accrue or be suffered by any persons concerned b. the effect of the disability of a person concerned c. the financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship d. in the case of the provision of services, or the making available of facilities, an action plan given to the <i>Human Rights and Equal Opportunity Commission</i>.¹
UOW Disability Services	Disability Services provides advice, information, support and recommendations to staff and students regarding reasonable adjustments, resources and services for

Word/Term	Definition or Explanation
	<p>students with a disability.</p> <p>Teaching and support staff can obtain advice and information on how various disabilities affect study, accessibility and inclusive teaching and learning strategies.</p>
<p>As defined in the</p> <ol style="list-style-type: none"> 1. <i>Disability Discrimination Act 1992 (Commonwealth)</i> 2. <i>Disability Standards for Education 2005</i> 	

3 Application & Scope - Exclusions or Special Conditions

3.1 This policy applies to all College enrolled and prospective students.

3.2 For the purposes of this policy a reference to a student with a disability is taken to include a person who is an associate of a person with a disability.

4 Policy Principles

The College is committed to:

4.1 providing a College experience that gives students with a disability the opportunity to realise their academic and social potential and to participate fully in College life

4.2 balancing the interests of all parties affected by reasonable adjustment

4.3 maintaining the academic standards of its courses and programs

- 4.4 providing a supportive educational environment and an appropriate level of resources by reasonable adjustment
- 4.5 providing an environment free from harassment and discrimination.

5 Disclosure

- 5.1 The College encourages students with a disability to disclose the nature and extent of their disability with their application and upon enrolment, with the Student Adviser. It is the responsibility of the student, upon enrolment, to register with the Student Adviser as soon as they are aware of their disability and in a timely manner that allows the College to best support their needs.
- 5.2 The nature of the disability must be substantiated by current, relevant and appropriate medical documentation. A student shall seek advice from the Student Adviser to determine the documentation that is appropriate to their circumstances.
- 5.3 Information provided by students in relation to their disability or their associate's disability, shall remain confidential and shall be restricted to those with a legitimate need to know in accordance with the College Privacy Policy, and other relevant privacy legislation.
- 5.4 For a student who does not register with the Student Adviser the College may not be able to provide an adjustment.

6 Reasonable Adjustment

- 6.1 The College shall take all reasonable steps to ensure that:
 - a. a prospective student with a disability is able to seek admission to, or apply for enrolment

- b. a student with a disability is able to participate in the courses or programs provided, and use facilities and services of the College by reasonable adjustment
- c. a course or program is designed in such a way that a student with a disability is able to participate in the learning experiences, including assessment requirements, of the course or program and any relevant supplementary course or program
- d. a student with a disability is able to use / access support services on the same basis as a student without a disability, and without experiencing discrimination.

6.2 The College may provide / enable access to support services and programs intended specifically for the benefit of a student with a disability to participate in their studies and to facilitate independent learning. The Student Adviser will coordinate these services at the College level and refer the student to the UOW Disabilities unit where necessary.

Determination of Reasonable Adjustment

6.3 In determining whether a particular adjustment for a student with a disability is reasonable, all relevant circumstances and interests will be taken into account, including but not limited to the following:

- a. the student's disability
- b. the views of the student or the student's advocate
- c. 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
- d. the effect of the proposed adjustment on anyone else affected, including the College, staff and other students

- e. the inherent requirements of the course or program
- f. the costs and benefits of making the adjustment.

6.4 In assessing a particular adjustment for a student with a disability, current, relevant and appropriate medical or specialised documentation must be provided to substantiate reasonable adjustment.

Academic Assessment

6.5 A student with a disability may be entitled to reasonable adjustment to academic assessment.

6.6 Consultation shall occur in relation to reasonable adjustment to academic assessments. Consultation shall include the student requesting reasonable adjustment with the relevant Program Manager.

6.7 In assessing an academic adjustment for a student with a disability, current, relevant and appropriate medical or specialised documentation must be provided to substantiate the need for reasonable adjustment.

6.8 All students irrespective of whether they have a disability or not who have not registered with the Student Adviser may be eligible for special consideration in assessment and should refer to the Special Consideration Policy.

Exceptions

6.9 The College is not required to provide an adjustment to the extent that it would impose unjustifiable hardship on the College.

6.10 The College will not compromise the academic standards of a course or program, and other requirements or components that are inherent in or essential to its nature.

6.11 The College reserves the right to isolate a student with a disability, where it is reasonably necessary to protect the health or welfare of the student or others.

7 Roles & Responsibilities

7.1 The College has a responsibility to:

- a. ensure that this Policy is accessible to all staff and students, and
- b. ensure that this Policy is implemented and applied consistently across the College.

7.2 The UOW Disabilities Unit has a responsibility to:

- a. provide consultation and assessment services to College students with a disability in order to determine reasonable adjustments
- b. ensure that current, relevant and appropriate medical or specialised documentation is provided by the student
- c. obtain further medical or specialised documentation/advice in order to ensure suitable reasonable adjustments
- d. provide advice to the College on the adjustments required to enrol the student with a disability.

7.3 The College, following advice from the UOW Disabilities Unit, has the responsibility to:

- a. Determine whether a particular adjustment for a student with a disability is reasonable.
- b. Progress the enrolment for a student with a disability if it is determined that reasonable adjustments can be made.

7.4 The Student Adviser and/or Program Manager, following advice from the UOW Disabilities Unit, and confirmation that the College will progress the enrolment of the student with a disability, has a responsibility to:

- a. provide teaching and relevant support staff with advice on:
 - i. individual student's reasonable adjustments
 - ii. how various disabilities affect study
 - iii. inclusive teaching and learning strategies
- b. monitor the College experience for students registered with a disability.

7.5 Teaching staff have a responsibility to ensure that this Policy is applied consistently so that all students are treated fairly and equitably as far as practicable.

7.6 The student with a disability has a responsibility to:

- a. register with the Student Adviser in a timely manner
- b. provide current, relevant and appropriate medical or specialised documentation
- c. advise the Student Adviser of their enrolment each semester; if they alter their enrolment, take leave of absence or discontinue their studies
- d. participate in consultations and reviews as required
- e. inform the Student Adviser when their circumstances or condition changes, and
- f. follow adjustments made, based on the advice of the UOW Disabilities Unit

8 Complaint or Grievance

8.1 Students who have a complaint or grievance on the basis of disability should contact the Student Adviser in the first instance

8.2 Student cases or complaints of harassment or victimisation on the basis of disability should be referred to the Student Adviser.

8.3 Students who are dissatisfied with the outcome or conduct of a complaint regarding their disability within the College may appeal as outlined in the College *Student Grievance Academic or Non Academic Policy and Procedure* located at www.wca.uow.edu.au/policies

9 Version Control and Change History

Version Control	Date Released	Date Effective	Approved By	Amendment