

POLICY			
STUDENTS WITH A DISABILITY			
Date of approval	November 2014	Approved by	EMG
Date of effect	November 2014	Current to	30 November 2017
Policy number	STU006	Version	2.2 2016
Policy Owner	Executive Director, Strategic & Shared Services		
Contact Officer	Manager, Student Services		

1. Outline

- 1.1 Batchelor Institute of Indigenous Tertiary Education believes that all students, including students with disabilities, should be treated with dignity and enjoy the same rights and benefits of education and training as all, in a supportive environment that values and encourages participation by all students.
- 1.2 The Institute will work within principles and practices that are culturally appropriate and respect traditional needs when delivering disability support.
- 1.3 The Institute will deliver education services and training, as far as practicable, without discrimination and stigmatisation. This will include eliminating stereotyped beliefs about the abilities and choices of students with disabilities.
- 1.4 For the purposes of this policy, a disability is defined in accordance with the Commonwealth Disability Discrimination Act 1992

2. Summary

The “Students with a Disability Policy” covers the following issues relating to the Institute’s interactions and obligations with enrolled students:

- Enrolment,
- Participation,
- Curriculum development,
- Student support services, and
- Prevention of harassment and victimization.

3. Enrolment

- 3.1 The Institute will make any decisions about admission and enrolment on the basis that reasonable adjustments can be made where necessary, so that the student with a disability is provided with opportunities and choices that are comparable with those available to students without disabilities.
- 3.2 To facilitate adjustments for a student with a disability, the Institute is entitled to collect information regarding the nature, severity and impact of the disability experienced by the student. This is with the permission of the student using the Enrolment form. The Institute is entitled to the information collected to conduct an assessment and make adequate adjustments for the student with a disability. The student is required to provide the information in a timely manner so as to facilitate the adjustment.
- 3.3 The information collected is to clarify the student's ability to comply with any non-discriminatory requirements of a course or training program. Any confidential information provided to the Institute for the purposes of making adjustments will not be disclosed except for the purposes of the adjustment or in accordance with a lawful requirement.

4. Participation

- 4.1. The Institute will make reasonable adjustments where necessary to ensure that students with disabilities are able to participate in education and training on the same basis as students without disabilities. Disability Support has developed a 'Disability Support Management Plan' to guide and inform the process of providing support for the student. The 'Disability Support Management Plan' process involves:
 - 4.1.1. Consultation with the student to conduct a Disability Support Management Plan;
 - 4.1.2. Consideration of whether an adjustment is necessary;
 - 4.1.3. If an adjustment is necessary, identification of a reasonable adjustment;
 - 4.1.4. Making the reasonable adjustment.
- 4.2 An adjustment is intended to assist the student with a disability to participate in education and training on the same basis as students without a disability. An adjustment is considered reasonable if it 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 the disability, the Institute, staff and other students.
- 4.3 An adjustment is intended to assist the student with a disability to participate in education and training on the same basis as students without a disability. An adjustment is considered reasonable if it 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 the disability, the Institute, staff and other students.
- 4.4 When deciding on the appropriateness of the adjustment the Institute has the right to consider less disruptive and intrusive measures which have no less benefit for the student and review adjustments to take into consideration any changes over the period of the student's attendance.
- 4.5 The Institute will ensure that there are review mechanisms in place to deal with any grievances arising from differences in the student's preferred adjustment and the adjustment recommended by professional experts.

5. Curriculum development

- 5.1. The Institute will take reasonable steps to ensure that the course or program the Institute delivers is designed in such a way that the student, or any student with a disability, is able to participate in the learning experiences (including the assessment and certification requirements) of the course or program, and any relevant supplementary course or program, on the same basis as a student without a disability, and without experiencing discrimination.
- 5.2. The Institute will provide curriculum content in an accessible format for the student with a disability if the Institute owns/publishes the said content. Otherwise it is the responsibility of the external provider; either in agency or through partnership, to deliver the content in a format which is accessible to the student with a disability.
- 5.3. The Institute will ensure that the curriculum, teaching materials, and the assessment and certification requirements for any course or program are appropriate to the needs of the student with a disability and accessible to him or her; and
 - 5.3.1. the course or program delivery modes and learning activities take account of intended educational outcomes and the learning capacities and needs of the student; and
 - 5.3.2. the Institute will make available course/program study materials 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; and
 - 5.3.3. the teaching and delivery strategies for the course or program 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; and
 - 5.3.4. 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 broader course or educational program of which the course or program is a part, are designed to include the student with a disability; and
 - 5.3.5. the assessment procedures and methodologies for the course or program are adapted to enable the student with a disability to demonstrate the knowledge, skills or competencies being assessed.

6. Student support services

- 6.1. The Institute will take reasonable steps to ensure that the student is able to use the support services provided at the Institute campuses, in general, on the same basis as a student without a disability, and without experiencing discrimination.
- 6.2. The Institute's Disability Support will take reasonable steps to ensure that specialised support service necessary for the student to be able to participate in the activities is made available. This may be facilitated by the Institute or through another person/agency.
- 6.3. Where possible, support will be provided to students who are enrolled through other institutions; either in agency or through partnership, while studying on the Institute's facilities in collaboration with the said institution disability policy.
- 6.4. To ensure that there is access to specialised support services for students with a disability, the Institute will ensure that:
 - 6.4.1. Staff are aware of and are able to access the specialised services provided by Disability Support to assist students with a disability. This includes providing information of the services provided by Disability Support which are able to meet the needs of the student with a disability; and
 - 6.4.2. Disability Support will provide services and support for the student with a disability and where necessary make collaborative arrangements with specialised service providers/agencies; and
 - 6.4.3. Provision of specialised equipment for the support of the student with a disability is arranged; and
 - 6.4.4. Appropriately trained support staff, such as specialised teacher, interpreters, note-takers and teachers' aids are made available.

7. Prevention of harassment and victimization

- 7.1. The Institute specifically prohibits any harassment and/or victimisation of students with a disability or those who associate with the said student. To assist the Institute in meeting these aims the Institute will implement strategies and programs to prevent harassment or victimisation of a student with a disability or any person who associates with the student.
- 7.2. For the purposes of this policy, **harassment** is defined as any action taken in relation to the person's disability that is reasonably likely, in all the circumstances, to humiliate, offend, intimidate or distress the student with a disability or those who associate with the student.
- 7.3. The Institute will ensure that reasonable steps are taken to ensure that staff and students are informed about:
 - 7.3.1. The obligation not to harass or victimise students with disabilities, or students who have associates with disabilities; and
 - 7.3.2. The appropriate action to be taken if harassment or victimisation occurs; and
 - 7.3.3. Complaint mechanisms available to a student who is harassed or victimised in relation to the student with a disability.

8. Exceptions

- 8.1 The Institute reserves the right, after the review of the needs of student with a disability to not provide services that would impose unjustifiable hardship upon the Institute or the activities provided during the course of operations. The Institute will comply with associated standards to the maximum extent not involving unjustifiable hardship.
- 8.2 The Disability Policy does not render it unlawful for the Institute to isolate, or discriminate against, a student with a disability if the disability is an infectious disease or other condition and it is reasonably necessary to so isolate or discriminate to protect the health and welfare of the student with a disability or the health and welfare of others.

9 Responsibilities

Section	Description	Task	Responsible Officer, Committee
4	Disability Support Management Plan		Manager, Student Services
6	Disability Support		Manager, Student Services

9. Acronyms & Terms

Acronym/Term	Definition/Description
harassment	Any action taken in relation to the person's disability that is reasonably likely, in all the circumstances, to humiliate, offend, intimidate or distress the student with a disability or those who associate with the student.
student with a disability	A 'student with a disability' is a student of the Institute who, as a result of a loss or reduction of functional ability caused by a physical, sensory, or neurological condition, has a reduced ability to access the educational services of the Institute . A disability may be temporary, permanent or chronic in nature.
The Institute/Institute	Batchelor Institute of Indigenous Tertiary Education

10. Related documents

- Batchelor Institute of Indigenous Tertiary Education, [Disability Access Form 2012_v2.0](#)
- Assistive Technology for Employees of the Australian Government, <http://www.finance.gov.au/policy-guides-procurement/better-practice-checklists-guidance/bpc-assistive-technology/>
- Commonwealth Disability Strategy <https://www.dss.gov.au/our-responsibilities/disability-and-carers/program-services/government-international/commonwealth-disability-strategy>

- Disability Standards for Education 2005, <http://education.gov.au/disability-standards-education>
- Commonwealth Disability Discrimination Act 1992, www.comlaw.gov.au/Series/C2004A04426
- Commonwealth Government Disability Standards for Education 2005, <http://www.ag.gov.au/RightsAndProtections/HumanRights/DisabilityStandards/Pages/Disabilitystandardsforeducation.aspx>
- Northern Territory of Australia Adult Guardianship Act, http://www.austlii.edu.au/au/legis/nt/consol_act/aqa189/notes.html
- Northern Territory of Australia Anti-Discrimination Act, <http://notes.nt.gov.au/dcm/legislat/legislat.nsf/linkreference/Anti-Discrimination%20Act?opendocument>
- Northern Territory of Australia Carers Recognition Act, <http://notes.nt.gov.au/dcm/legislat/legislat.nsf/linkreference/CARERS%20RECOGNITION%20ACT?opendocument>
- Northern Territory of Australia Disability Services Act, <http://notes.nt.gov.au/dcm/legislat/legislat.nsf/linkreference/DISABILITY%20SERVICES%20ACT?opendocument>
- Northern Territory of Australia Mental Health Act 2012, http://www.health.nt.gov.au/Mental_Health/Legislation/index.aspx

11. Modification history

<i>Date</i>	<i>Version</i>	<i>Sections modified</i>	<i>Authority</i>	<i>Details</i>
November 2012	1.0	New Policy	EMG	New Policy
November 2014	2.0	Review	EMG	In response to EMG comments and updated links
July 2015	2.1	Review	Director Student Services	Title changes resulting from changes to organisational structure
November 2016	2.2	Policy Owner and Policy Delegate ss 9 & 12	Senior Policy Officer	Title changes resulting from changes to organisational structure

12. Feedback

If you have any comments or feedback about this Policy, please contact the Manager, Student Services.