



Student Services

## DISABILITY POLICY – STUDENTS

<b>Date approved:</b>	28 November 2008	<b>Date Policy will take effect:</b>	Commencement of Autumn Session 2009	<b>Date of Next Review:</b>	December 2012
<b>Approved by:</b>	University Council				
<b>Custodian title &amp; e-mail address:</b>	Head of Student Services				
<b>Responsible Faculty/ Division &amp; Unit:</b>	Student Services, Academic Services Division				
<b>Supporting documents, procedures &amp; forms of this policy:</b>	<a href="#">UOW Disability Action Plan</a>				
<b>References &amp; Legislation:</b>	<a href="#">Anti-Discrimination Act 1977 (NSW)</a> <a href="#">Australian Vice-Chancellors' Committee (AVCC) Guidelines</a> <a href="#">Building Code of Australia (BCA)</a> <a href="#">Disability Discrimination Act, 1992 (Commonwealth)</a> <a href="#">Disability Services Act 1993 (NSW)</a> <a href="#">Disability Standards for Education 2005</a> <a href="#">General Course Rules</a> <a href="#">Academic Grievance Policy (Coursework &amp; Honours Students)</a> <a href="#">Academic Grievance Policy (Higher Degree Research Students)</a> <a href="#">UOW Code of Conduct</a> <a href="#">Code of Practice – Teaching and Assessment</a> <a href="#">Code of Practice – Student Professional Experience</a> <a href="#">Disability Policy – Staff</a> <a href="#">Privacy Policy</a> <a href="#">Graduate Qualities Policy</a> <a href="#">Respect for Diversity Policy</a> <a href="#">Student Academic Consideration Policy</a>				
<b>Audience:</b>	Internet – public access				
<b>Expiry date of Policy:</b>	Not Applicable				



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## 1 Purpose of Policy

1. The purpose of the Disability Policy – Students is to support the provision of a physical, social and learning environment that complements and enhances the university experience for students with a disability on the same basis as other students, in an environment free from harassment and discrimination.
2. The University of Wollongong (UOW) 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 Disability Policy – Students is informed by the legislation and outlines the University's obligations accordingly.
3. The Disability Policy – Students, the Disability Policy – Staff and the Disability Action Plan are encompassed in the UOW Disability Policy Framework.
4. This Policy outlines the rights and responsibilities of UOW students and staff in relation to:
  - a. students with disabilities, and
  - b. students who have an associate with a disability.

## 2 Definitions

1. In interpreting this Policy, the terms outlined below apply.

Word/Term	Definition or Explanation
Academic consideration	A process intended to help minimise the impact of serious or extenuating circumstances beyond a student's control that 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 academically in a subject relevant to their course of study. Academic consideration may be granted on the basis of medical grounds, compassionate grounds and/or extenuating circumstances.
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.



Assessment	Measure or evaluation of a student's ability to meet the learning requirements of a course. This includes both the content and design of assessment tasks.
Associate	<p>A UOW student who provides support to a person with a disability who may or may not be a student at UOW. An associate may include but is not limited to:</p> <ul style="list-style-type: none"> <li>a. a spouse of the person;</li> <li>b. another person who is living with the person on a genuine domestic basis;</li> <li>c. a relative of the person</li> <li>d. a carer of the person, and</li> <li>e. other groups listed within the Disability Discrimination Act 1992 (<i>Cwlth</i>).</li> </ul>
Disability	<p>Disability, in relation to a person, includes:</p> <ul style="list-style-type: none"> <li>a. total or partial loss of a person's bodily or mental functions;</li> <li>b. total or partial loss of a part of the body;</li> <li>c. the presence of a body of organisms causing disease or illness</li> <li>d. the presence of a body of organisms capable of causing disease or illness</li> <li>e. the malfunction, malformation, or disfigurement of a part of a person's body</li> <li>f. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction, or</li> <li>g. a disorder or illness that affects a person's thought processes, perception of reality, emotions, or judgement or that results in disturbed behaviour,</li> </ul> <p>And one which:</p> <ul style="list-style-type: none"> <li>h. presently exists;</li> <li>i. previously existed but no longer exists;</li> <li>j. may exist in the future, or</li> <li>k. is imputed to a person.</li> </ul>
Disability Services	<p>Disability Services provides advice, information, support and recommendations to staff and students regarding reasonable adjustments, resources and services for 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>
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.
Offshore partner institution	An institution with which UOW collaborates to deliver UOW courses at locations outside Australia (excluding UOW Dubai)
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.
Practical placement	Workplace experience and other practical training requirements that compromise: <ol style="list-style-type: none"> <li>a. all or part of a subject or course; or</li> <li>b. optional placements offered by the University of Wollongong.</li> </ol>
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 or an associate with a disability if it balances the interests of all parties affected.
Staff	All persons appointed as academic or general staff of UOW, whether they hold full-time, part-time, casual or conjoint appointments.
Student	A person registered for a course at the University of Wollongong.
Support service	An action or program provided at UOW that assists a student's ability to participate in the university environment.
Unjustifiable hardship	In determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are to be taken into account including: <ol style="list-style-type: none"> <li>a. the nature of the benefit or detriment likely to accrue or be suffered by any persons concerned;</li> <li>b. the effect of the disability of a person concerned;</li> <li>c. the financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship; and</li> <li>d. in the case of the provision of services, or the making available of facilities, an action plan given to the Human Rights and Equal Opportunity Commission.</li> </ol>

### 3 Application & Scope

1. This Policy applies to all enrolled and prospective UOW students in the following programs:
  - a. undergraduate students, including Honours
  - b. postgraduate coursework
  - c. Higher Degree Research, and
  - d. non-award.
2. This Policy applies to UOW students who are associates of persons with a disability.
3. This Policy excludes students at UOW Dubai and offshore partner institutions that are bound by the disability legislation of the country in which they are situated.
4. Matters related to staff who are also students of UOW, and have a disability, are addressed in this Policy and the Disability Policy – Staff.

### 4 Policy Principles

1. UOW is committed to:
  - a. providing a university experience that gives students with a disability the opportunity to realise their academic and social potential and to participate fully in university life;



- b. balancing the interests of all parties affected by reasonable adjustment;
- c. maintaining the academic standards of its courses and programs;
- d. providing a supportive educational environment and an appropriate level of resources that will enable all students to develop the [Graduate Qualities](#);
- e. continuous improvement that will ensure all buildings and facilities are accessible to people with disabilities. This shall be achieved through the ongoing review and upgrade of existing buildings and construction of new buildings and facilities to comply with the Building Code of Australia (BCA) and the relevant sections of the Australian Standard AS 1428-2001 Design for Access and Mobility; and
- f. providing an environment free from harassment and discrimination.

## 5 Disclosure

1. UOW encourages students with a disability to disclose the nature and extent of their disability to Disability Services. It is the responsibility of the student to register with Disability Services as soon as they are aware of their disability and in a timely manner that allows UOW to best support their needs.
2. The nature of the disability must be substantiated by current, relevant and appropriate medical documentation. A student shall seek advice from Disability Services to determine the documentation that is appropriate to their circumstances.
3. Information in relation to the particulars of a disability, provided by a student or an associate shall remain confidential and shall be restricted to those with a legitimate need to know in accordance with the Privacy Policy, the UOW Code of Conduct – Staff and other relevant privacy legislation.
4. UOW may not be able to assess and/or determine the provision of a reasonable adjustment if a student does not register with Disability Services or does not seek academic consideration.

## 6 Reasonable Adjustment

1. UOW 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 university;
  - 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 and certification requirements, of the course or program and any relevant supplementary course or program; and
  - d. a student with a disability is able to use support services on the same basis as a student without a disability, and without experiencing discrimination.
2. UOW may provide 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. Disability Services will coordinate these services at the University level and the Student Support Adviser (SSA) will facilitate these services at the faculty level.

### Determination of Reasonable Adjustment

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 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, and
    - iii. independence;
  - d. the effect of the proposed adjustment on anyone else affected, including the University, staff and other students;
  - e. the inherent requirements of the course or program; and
  - f. the costs and benefits of making the adjustment.
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 the reasonableness of the adjustment.

### **Academic Assessment**

5. A student with a disability may be entitled to reasonable adjustment to assessment.
6. Consultation shall occur in relation to reasonable adjustment to assessments. Consultation shall involve the student requesting reasonable adjustment, the Subject Coordinator and/or HDR supervisor.
7. Students with a disability who have not registered with Disability Services may be eligible for academic consideration in an assessment task and should refer to the Student Academic Consideration Policy.

### **Practical Placement**

8. A student with a disability undertaking practical placement may be entitled to reasonable adjustment and should refer to the Code of Practice – Practical Placements.
9. Consultation shall occur in relation to reasonable adjustment to practical placements. Consultation shall involve the student requesting reasonable adjustment and the staff member responsible for co-ordinating practical placements.
10. In some cases UOW may be limited in assessing or providing for reasonable adjustment to students who have not registered with Disability Services.

### **Associate of a Person with a Disability**

11. A student who is an associate of a person with a disability may be entitled to reasonable adjustment. Alternatively, such students may be eligible for academic consideration. In this case, students should refer to the Student Academic Consideration Policy to determine whether they are eligible.
12. UOW may support a student who is an associate of a person with a disability to meet the specific needs of the student.

### **Exceptions**

13. UOW is not required to provide an adjustment to the extent that it would impose unjustifiable hardship on the University or the placement provider.
14. UOW cannot compromise the academic standards of a course or program, or other requirements or components that are inherent in or essential to its nature.
15. UOW reserves the right to isolate or discriminate against a student with a disability, where it is reasonably necessary to protect the health or welfare of the student or other people.<sup>1</sup>

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<sup>1</sup> Wording is an extract from the *Disability Standards for Education 2005* document.



## 7 Roles & Responsibilities

1. The University 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 University of Wollongong.
2. Disability Services has a responsibility to:
  - a. provide consultation and assessment services to students with a disability in order to recommend 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 teaching and relevant support staff with advice and, where necessary, to consult on:
    - i. an individual student's recommended reasonable adjustments,
    - ii. how various disabilities affect study,
    - iii. inclusive teaching and learning strategies, and
    - iv. accessibility;
  - e. monitor the UOW experience for students registered with a disability;
  - f. provide information, advice and support on matters related to disability to the UOW community as required; and
  - g. resolve issues or conflicts related to a disability between a student with a disability and a staff member of the University.
3. Academic Staff have a responsibility to:
  - a. ensure that this Policy is applied consistently so that all students are treated fairly and equitably as far as practicable;
  - b. participate in the consultative process with Disability Services to determine reasonable adjustments as required; and
  - c. implement recommended reasonable adjustments consistent with UOW's responsibility to apply the Disability Standards for Education 2005.
4. The Student Support Adviser (SSA) has a responsibility to:
  - a. act as a link between students, Disability Services, the Faculty and relevant academic staff, and the Research Student Centre to ensure students are supported through their study; and
  - b. facilitate reasonable adjustment provisions at the faculty level for each student registered with Disability Services.
5. The student with a disability has a responsibility to:
  - a. register with Disability Services in a timely manner;
  - b. provide current, relevant and appropriate medical or specialised documentation;
  - c. advise Disability Services;
    - i. of their subject enrolment at the beginning of each academic session
    - ii. when they alter their subject enrolment



- iii. when they take leave of absence from their studies
  - iv. when they discontinue their studies
  - d. participate in consultations and reviews as required;
  - e. inform Disability Services when their circumstances or condition changes; and
  - f. engage with staff on matters related to their disability.
6. The student who is an associate of a person with a disability has a responsibility to:
- a. register with Disability Services or apply for academic consideration in a timely manner;
  - b. provide current, relevant and appropriate medical or specialised documentation;
  - c. participate in consultations and reviews as required; and
  - d. inform Disability Services when their circumstances or the condition of the person with the disability changes.

## 8 Complaint or Grievance

1. Students who have a question or concern about a decision, act or omission that affects their academic experience should refer to the Academic Grievance Policy (Coursework & Honours Students) or the Academic Grievance Policy (Higher Degree Research Students).
2. Students who have a complaint or grievance on the basis of disability should contact Disability Services in the first instance and then the Head of Student Services.
3. Student cases or complaints of harassment or victimisation on the basis of disability should be referred to the Office of the Dean of Students or the Employment, Equity and Diversity Unit.
4. Students who are dissatisfied with the outcome or conduct of a complaint regarding their disability within the University may appeal to an external agency.

## 9 Version Control and Change History

Version Control	Date Effective	Approved By	Amendment
1	1 January 2009	University Council	First Version
2	6 May 2009	Vice Principal (Administration)	Migrated to UOW Procedure Template as per Policy Directory Refresh
3	13 August 2009	Deputy Vice Chancellor (Academic)	Minor amendment to replace references to SEDLOs with reference to Student Support Advisers.
4	03 March 2011	Senior Manager, Policy & Governance	Amended to reflect change of Code of Practice – Student Professional Experience and link updated.
5	23 November 2011	Vice-Principal (Administration)	Definition for “Associate” updated, in line with the Disability Action Plan 2011-2015.