

## HE-BP15 STUDENTS WITH A DISABILITY POLICY AND PROCEDURE

### Abbreviations:

<b>AHE</b>	Apex Australia Higher Education
<b>CEO</b>	Chief Executive Officer
<b>TEQSA</b>	Tertiary Education Quality and Standards Agency

### 1. Introduction

Apex Australia Higher Education (AHE) Students with a Disability Policy and Procedure provides an overarching commitment to diversity, fair treatment and equity for students, staff and the higher education community at AHE.

### 2. Purpose

2.1. The intent of this document is to provide a framework for the provision of an accessible, inclusive, safe and supportive learning environment for students with disabilities and the provision of reasonable adjustments to learning to support the participation of students with a disclosed disability.

### 3. Scope

3.1. This policy and procedure applies to all members of AHE’s higher education community, including prospective students.

### 4. Principles

4.1. Staff, students and clients have a right to work and study in an organisation that is committed to providing fair treatment, an inclusive environment, and equitable access and opportunities for both staff and students.

4.2. Enabling students with a disability to access and participate fully in educational and related activities at AHE is an organisational priority.

4.3. Facilities and learning resources are accessible to students with a disability to enable full participation in their educational experience.

## 5. Policy Statements

### 5.1. Work and Study Environments

- 5.1.1. All reasonable steps will be taken by AHE to create work and study environments, both on campus and online, that promote and foster equity, diversity and wellbeing for staff and students.
- 5.1.2. Practices and processes will align with the TEQSA Diversity and Equity Guidelines to actively take responsibility for fostering an environment of inclusion for its staff and students.

### 5.2. Admissions Processes

- 5.2.1. AHE will ensure that their admissions processes will provide prospective students with a disability equitable access to higher education.
- 5.2.2. Any decisions about admission and enrolment are made on the basis that reasonable adjustments will 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.

### 5.3. Reasonable Adjustments

- 5.3.1. AHE will provide reasonable adjustments of resources and learning to support students with a disability where the disability has been disclosed.
- 5.3.2. Reasonable adjustments facilitate the access, participation, retention and success equivalent to that enjoyed by students without disabilities.

### 5.4. Evidence

- 5.4.1. To assist with the identification of appropriate reasonable adjustments, AHE requires students seeking adjustments to supply supporting documentation about the nature and impact of their disability in the learning environment.
- 5.4.2. AHE may not be able to assess and/or determine the provision of a reasonable adjustment if supporting evidence is not provided.

## 5.5. Privacy and Confidentiality

- 5.5.1. AHE will keep confidential all disclosed information relating to disability or other requests for support or reasonable adjustments to learning in accordance with the [HE-BP07 Privacy and Personal Information Policy and Procedure](#).
- 5.5.2. The right to privacy and confidentiality will be respected in providing support services to students with a disability.

## 5.6. Legislative and Regulatory Compliance

- 5.6.1. AHE will respond to and manage the needs of students with a disability in compliance with education provider obligations under the [Higher Education Standards Framework \(Threshold Standards\) 2021](#) and the [Disability Standards for Education 2005](#).

## 5.7. Complaints and Appeals

- 5.7.1. If a student enrolled at AHE is dissatisfied with any aspect of a decision related to this policy and procedure, they may lodge a complaint through the process outlined in the [HE-BPR04 Student Grievance, Complaint and Appeal Policy and Procedure](#).
- 5.7.2. Under Section 32 of the [Disability Discrimination Act \(1992\)](#) (DDA), it is unlawful for a person to contravene a Disability Standard. An aggrieved person or someone on their behalf can make a complaint to the Human Rights Commission (AHRC) about non-compliance with the DDA. This includes complaints about non-compliance with a Disability Standard.

## 5.8. Monitoring and Review

- 5.8.1. AHE will regularly review its approach to students with a disability, including through feedback from and consultation with staff and students, with the aim of improving the effectiveness of its strategies, processes and actions supporting students with a disability.

## 6. Procedure

### 6.1. Admissions

- 6.1.1. In accordance with the [Higher Education Support Act 2003](#) and Disability Standards for Education 2005, AHE commits to non-discriminatory, transparent admissions procedures that are based on merit for making decisions about:
  - Student selection, from among persons who seek to enrol with AHE.

- The treatment of students.

6.1.2. For students with a disability, AHE will:

- Provide information on its website about its courses/programs and its admission requirements and processes in a format that takes into consideration good practice accessibility guidelines.
- Assist students with a disability regarding admissions and enrolment processes if necessary.

6.2. Reasonable Adjustment of Learning

6.2.1. Assessment of Applications

6.2.1.1. The Registrar is responsible for determining reasonable adjustment of learning requests and considering the interests of all parties who may be affected. The Registrar should ensure the consideration of:

- The circumstance of the student/s and consults with them throughout their studies.
- The extent of the adjustment and if it still allows the student to achieve the learning outcomes for the unit and program.
- Professional requirements for the program and whether they can still be met.
- Whether the proposed adjustment would adversely affect any other parties.
- The costs associated with the adjustment and the benefits.
- Whether expert advice is needed to make the adjustment or to decide.

6.2.1.2. Students should make an application for reasonable adjustment of learning prior to enrolment, or as soon as the circumstances are known.

6.2.1.3. The Registrar will provide its decision to the applicant within ten (10) business days of receiving the application.

## 6.2.2. Adjustments

6.2.2.1. The types of adjustments that may be made could include, but are not limited to:

- Extensions to assessment, examination due dates or timeframes.
- Alternative arrangements for assessment.
- Alternative modes of delivery and resources.
- Provision of an assistant.
- Adaptation of equipment or facilities.

## 7. Responsibilities

### 7.1. The Board of Directors (BoD)

7.1.1. Ensure compliance with relevant legislation and regulatory requirements through the oversight of AHE activities and the development, monitoring and review of policies and practices and initiating prompt action where compliance is deemed to have lapsed.

7.1.2. Ensuring students and staff are treated equitably, and that their wellbeing is fostered.

### 7.2. The Dean

7.2.1. The Dean is responsible for liaising with all academic, administrative and support staff to ensure that students' welfare is treated holistically and confidentially.

### 7.3. Staff and Students

7.3.1. All AHE staff and students are responsible for create a welcoming, inclusive, non-discriminatory and safe learning environment, in which students with disabilities can enjoy a positive and productive student experience.

## 8. Relevant Documents

- [Disability Discrimination Act 1992](#)
- [Disability Standards for Education 2005](#)
- [Higher Education Standards Framework \(Threshold Standards\) 2021](#)
- [Higher Education Support Act 2003](#)
- [Charter Of Human Rights and Responsibilities Act 2006](#) (VIC)
- Privacy and Personal Information Policy and Procedure

- Student Admission Policy and Procedure v6.4
- Student Grievance, Complaint and Appeal Policy and Procedure V6.1
- TEQSA Guidance Note: [Diversity and Equity](#)
- [The Privacy Act 1998](#)

## 9. Definitions

- **Adjustment** is a measure or action taken to assist a student with a disability to participate in education and training on the same basis as other students. An adjustment is 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 education provider, staff, and other students.
- **Disability** in the context of this policy and procedure is someone who has temporary or permanent disabilities; physical, intellectual, sensory, neurological, learning or psychosocial disabilities, diseases or illnesses, physical disfigurement, medical conditions, or work-related injuries.
- **Disclosure** in the context of this policy and procedure is where an individual confides in someone else that they have a diagnosed disability.

### Version Control

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