Disability Support Policy

Policy Category	Academic		
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Related Documents	*Assessment Policy* *Disability Support Procedure* *Discrimination, Bullying and Harassment Prevention Policy* *Equity and Diversity Framework* *Health and Safety Policy* *Health and Safety Procedure* *Legislative and Regulatory Compliance* *Privacy Policy* *Staff Development Policy* *Staff Development Procedure* *Student Support Framework*		
Version	**Authorised by**	**Approved**	**Effective Date**
1.0	Academic Board	9/07/2018	09/07/2018

1. Context

This Policy supports AIBI Higher Education (AIBI HE)'s commitment to providing a supportive learning and professional environment in which all people with disabilities can learn and work on the same basis as other students and staff.

This Policy is a key element of AIBI HE's *Equity and Diversity Framework* which aims to foster a teaching and learning environment which values, promotes, and accommodates diversity and to providing equal opportunities of access, participation, and success in higher education.

2. Definitions

Affiliate: any person appointed or engaged by AIBI HE to perform duties or functions for the institution other than students and staff, and including members of advisory committees and governing bodies, contractors, consultants, and agency staff.

Disability discrimination: discrimination towards a person with a disability or any associates, carers, assistants, assistance animals and disability aids of the person with a disability - can be direct or indirect.

Disability: a total or partial loss of the person's bodily or mental functions, or total or partial loss of a part of the body, or the presence in the body of organisms causing disease or illness, or the presence in the body of organisms capable of causing disease or illness, or the malfunction, malformation or disfigurement of a part of the person's body, or a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction, or a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour (as per the *Disability Discrimination Act 1992* definition).

Discrimination: treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Individual disability access plan: a document specifying the requirements of a student or staff member with a disability to provide as far as practicable a learning and professional environment in which the person can learn or work on the same basis as other students or staff.

Inherent requirements: the essential components of a job or a course or unit that must be carried out in order to fulfil the purpose of a job position or demonstrate the abilities, knowledge and skills to achieve the core learning outcomes of the course or unit

Reasonable adjustment: the modification or provision of facilities or equipment employers for person with a disability to adequately engage in learning or perform their professional duties.

Unjustifiable hardship: a set of circumstances including negative consequences and lack of benefits or assistance, financial or otherwise, likely to be incurred by a person because of a measure.

Victimisation: subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation.

3. Scope

This Policy applies to AIBI HE students and staff, including affiliates.

4. Policy Principles

The key principles informing this Policy are:

- elimination of direct and indirect disability discrimination at work and in education, as far as possible;
- equality in learning and opportunity for persons with disabilities, as far as practicable;
- accessible and transparent processes for seeking adjustments;
- promotion of recognition and acceptance of equality of rights for persons with disabilities; and
- procedural fairness in making decisions which could affect students' or staff's interests.

5. Policy Details

AIBI HE makes all decisions about student admission and staff recruitment and promotion on the basis that reasonable adjustments will be made where necessary and possible so that the student or staff member with a disability is provided with opportunities and choices that are comparable with those available to those without disabilities.

AIBI HE decides on reasonable adjustments in consultation with the students or staff members with a disability, taking into account their needs and responsibilities, and balancing the interests of all parties affected.

AIBI HE considers disability support practices and mechanisms through the whole student lifecycle, including enrolment, participation, curriculum development, accreditation and delivery, and takes appropriate measures as required.

Students and staff are made aware of behaviours against those with a disability which could constitute harassment and victimisation, receive advice on how to respond to these behaviours

during orientation and induction, respectively, and receive regular reminders and updates as required.

Students and staff members with a disability are encouraged to disclose the nature and extent of their disability to AIBI HE prior to commencement for the purpose of making reasonable adjustments. Supporting documentation of the disability and associate advice must be provided from a registered treating medical practitioner, registered health practitioner or approved specialist, depending on the nature of the condition.

Students and staff members with a permanent or long-lasting disability are encouraged to discuss the development of an individual disability access plan with AIBI HE which will enable appropriate coordination of resources to satisfy the person's education or professional requirements.

Staff are trained, and maintain the required skills, to interact with students in ways which do not discriminate against people with disabilities.

Supervision, audit and reporting mechanisms are implemented to ensure compliance with this Policy.

Students or staff members who feel have been treated unfairly under this Policy may lodge a complaint or appeal with the Tertiary Education Quality and Standards Agency (for students only), the Anti-Discrimination Board of NSW, the Australian Human Rights Commission or Fair Work Australia (for staff members only).

6. Breaches

If a student or staff member is found to be in breach of this Policy, she or he may be subject to disciplinary action in accordance with the relevant *Code of Conduct* and *Misconduct Procedure*, which can be accessed from the AIBI HE website.

7. Appeals

Appeals concerning any decision taken in relation to this Policy should be made under the relevant *Complaints and Appeals Policy*, which can be accessed from the AIBI HE website. Overseas students may lodge an appeal with the Overseas Students Ombudsman.

8. References

Disability Discrimination Act 1992 (Cth)

Disability Standards for Education 2005 plus Guidance Notes (Cth)

Anti-Discrimination Act 1977 (NSW)

Australian Human Rights Commission Act 1986 (Cth)

9. Acknowledgements

In developing this Policy, AIBI HE acknowledges:

- *Western Sydney University, Disability Policy;*
- *Macquarie University, Disability Policy;*
- *Think: Colleges, Disability Policy.*

Document History:

Version	Date	Author	Reason	Sections
0.1	15/06/2018	Julien Marechal	As requested at Academic Board 16 May 2018 meeting	All
1.0	12/07/2018	Julien Marechal	As requested at Academic Board 09/07/18 meeting	5
1.1	09/05/2022	Chaido Kiourkou	Amended to reflect new corporatename Australian Institute of Business Intelligence; abbreviated to the Institute and new logo	All