



# Students with Disability Policy – BHI Version 2

Document: **Students with Disability Policy**

Document No.: **SXP-STL-POL004**

Process Area: **Student Experience**



## 1 Document Control

Version	Date	Amended by	Changes Made
1	28/2/2014	GM Health Science	Initial
1.1	15/10/2018	Executive Manager, Student Life	Students with Disability Policy
2	20/04/2020	Executive Manager, Student Life	Addition of section 12. Stakeholders, Endorsement, Approval, Responsibility for Implementation. Reviewed by the Policy & Procedure Subcommittee, VETBoS members.

## 2 Purpose

To ensure that the delivery of education and training by Box Hill Institute promotes and upholds the fundamental rights of students with disability and to guide practice in meeting the needs of students with disability in compliance with relevant government legislation and Institute policies.

## 3 Scope

The policy applies to all Institute students undertaking studies in Australia.

## 4 Policy Statement

In its delivery of education and training the Institute is committed to eliminate as far as possible discrimination against persons on the grounds of disability in accordance with the Disability Discrimination Act (1992) and specifically the Standards for Education incorporated into the Act in 2005 which prescribe obligations with regard to enrolment, participation, curriculum development, accreditation and delivery, student support services, and elimination of harassment and victimisation.

The Standards cover enrolment, participation, curriculum development, accreditation and delivery, student support services and the elimination of harassment and victimisation and provide guidance on the rights of students with disability, the legal obligations of education providers and some of the measures that would demonstrate compliance.

The Institute promotes and is committed to the principle that persons with disability have the same fundamental rights as the rest of the community and are provided in any course with the opportunity to fulfil the core requirements and satisfactorily complete competencies or learning outcomes to attain the relevant award.

The Institute recognises its obligation to consult with students who identify with disability and to decide upon and implement **reasonable adjustments** to provide them with education and training opportunities on the same basis as other students.



## 5 Code of Conduct

All employees are expected to conduct themselves in a manner consistent with the Box Hill Institute Code of Conduct for Employees.

All students are expected to conduct themselves in accordance with the Box Hill Institute Code of Conduct for Students.

## 6 Definitions

Term	Definition
<b>On the same basis</b>	<b>On the same basis</b> means the person with disability has opportunities and choices in admission or enrolment that are comparable to those offered to other prospective students and the provider makes decisions about admission or enrolment on the basis that reasonable adjustments will be provided (unless unjustifiable hardship or another legally specified exception has been demonstrated to operate). Participation in courses or programs <b>on the same basis</b> means students with disability have opportunities and choices in courses or programs and the use of facilities and services that are comparable with those offered to students without disability.
<b>Adjustment</b>	An <b>adjustment</b> , including an aid, facility, or service, means, in the Disability Standards for Education, a measure or action taken by an education provider that has the effect of assisting a student with disability to apply for admission or enrolment, to participate in a course or program, or to use facilities or services, on the same basis as a student without disability. Adjustments include access to specialised support services provided by the provider or another person or agency.
<b>Reasonable adjustment</b>	<b>Reasonable adjustment</b> - in the Disability Standards for Education an adjustment is 'reasonable' in relation to a student with disability if it balances the interest of all parties affected. In assessing whether a particular adjustment for a student is reasonable, regard should be had to all the relevant circumstances and interests including the following: the student's disability; the views of the student or student's associate; the effect of the adjustment on the student including the effect on the student's independence and the ability to achieve learning outcomes and participate in courses or programs; the effect of the proposed adjustment on anyone else affected including staff, other students and education provider; and the costs and benefits of making the adjustment.

## 7 Related Procedures

- Students with a Disability Procedure - BHI



## 8 Related Forms

Box Hill Institute

- Student Life Consent to Obtain and Release Confidential Information
- Student Access Plan
- Course Enrolment Form
- Student Enrolment Pre-Training Review Form

## 9 Related Legislation and Regulations

- Disability Act 2006 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Disability Standards for Education 2005 (Cth)
- Disability (Access to Premises- Buildings) Standards 2010 (Cth)
- World Wide Web Access: Disability Discrimination Act Advisory Notes v. 4.1 (2014)
- Health Records Act 2001
- Privacy and Data Protection Act 2014 (Vic)
- Building Code of Australia
- Equal Opportunity Act (2010) (Vic)
- Disability Discrimination Act (DDA)(1992) (Cth)
- Privacy Act 1988
- Occupational Health and Safety Act 2004 (Vic)

## 10 Records

Records will be maintained in accordance with the requirements of Box Hill Institute's Records Management Policy and Procedure and Privacy and Data Protection Policy and Procedure.

Where the privacy of individuals may otherwise be compromised, records will be maintained as confidential.

## 11 Review

This policy must be reviewed no later than three (3) years from the date of CEO endorsement. The policy will remain in force until such time as it has been reviewed and re-approved or rescinded. The policy may be withdrawn or amended as part of continuous improvement prior to the scheduled review date.

## 12 Responsibilities

Key stakeholders are the Leadership Team, Student Life and Teaching Faculties.

Procedure	Persons responsible
Responsibility for implementation of this policy	Executive Manager, Student Life

## 13 Procedure Owner

The Executive Director Student Experience is the owner of this policy.

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<b>Executive Director Signature</b>	<b>Date Endorsed</b>	<b>Author Title</b>
Jennifer Newport	30 September 2020	Executive Manager Student Life

## 14 Approval Body

The CEO is the approval body.

<b>CEO</b>	<b>Date Approved</b>
Vivienne King	01 October 2020