



## Students with Disability Policy

### 1. PURPOSE

The purpose of this Policy is to ensure that all current and prospective students with disability and students who are carers of people with disability (“students with disability”) have inclusive access to Curtin University’s (“the University”) buildings and facilities, services, information, events, academic programs, complaint process and public consultations.

### 2. POLICY STATEMENT

2.1 Students with disability will have equitable access and practical support to participate fully in the life of the University, including but not limited to:

- access to services and events;
- access to buildings and facilities;
- receiving information in accessible formats;
- receiving a high quality service from staff;
- opportunities to make complaints;
- opportunities to participate in public consultation; and
- opportunities for employment at Curtin.

2.2 The University will have a Disability Access and Inclusion Plan (**DAIP**) which will give effect to this Policy and meet the requirements of existing State and Commonwealth legislation.

2.3 The University will use Universal Design principles to guide the design of its building, facilities, academic programs, and services.

2.4 No policy or practice of the University will directly or indirectly discriminate against students with disability. The University will foster positive informed and unprejudiced attitudes towards students with disability amongst its staff and students.

2.5 All University staff will make reasonable adjustments to allow access for students with disability to the academic programs, services and facilities of the University on the same basis as other students. The University is not required to provide an adjustment that would impose unjustifiable hardship or compromise the health and welfare of the student or others.

2.6 The University will provide support services to assist students with disability and will provide information to assist staff to meet obligations under disability legislation and the University’s DAIP.

2.7 The University is entitled to request information or documentation from a qualified and relevant health practitioner about the student’s disability and individual requirements in order to provide reasonable adjustments for that student.

### 3. RESPONSIBILITY

These management positions are responsible for implementation and compliance monitoring of this policy

3.1 Deputy Vice-Chancellor, Academic

3.2 Director, Support Services

### 4. SCOPE OF POLICY

This Policy is applicable to all current and prospective students and staff on all the University’s Australian onshore campuses and locations.

The guiding principles of this policy will inform practices on the University’s overseas campuses and locations.

## 5. DEFINITIONS

(Note: Commonly defined terms are located in the [Curtin Common Definitions](#). Any defined terms below are specific to this document)

### **Carer of a person with disability**

Carer is an individual as defined in the [Carer's Recognition Act 2010](#)

### **Disability discrimination**

When a person with disability is treated less favourably than a person without disability. Discrimination may be either direct or indirect (and otherwise, as defined in Disability Discrimination Act 1992, Section 5).

### **Direct disability discrimination**

When a person with disability is treated less favourably than a person without disability in similar circumstances (and otherwise, as defined in the Disability Discrimination Act 1992 Section 5).

### **Indirect discrimination**

When a person with disability is expected to comply with a requirement or condition, however because of their disability, does not or is not able to comply. The requirement or condition will also be likely to have the effect of disadvantaging persons with disability in a way that is not reasonable (and otherwise as defined in the Disability Discrimination Act 1992, Section 6)

### **Inherent Requirements**

The academic requirements of the course or program, and other requirements or components that are inherent in or essential to its nature. (AHRC website and otherwise as defined in the Disability Discrimination Act 1992 Section 21A).

### **Reasonable Adjustment**

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 (and otherwise as defined in Disability Standards for Education, Sections 3.3, 3.4).

### **Universal Design**

The design of products and environments to be usable by all people, to the greatest extent possible, without the need to adaptation or specialised design (and otherwise as defined by Dr. Sheryl Burgstahler, University of Washington (<http://www.washington.edu/doi/universal-design-instruction-udi-definition-principles-guidelines-and-examples>))

### **Unjustifiable Hardship**

In determining whether 'unjustifiable hardship' applies, all relevant circumstances of the particular case will be take into account, including: the nature of the benefit or detriment to all persons concerned, the disability of the person and the financial circumstances of the provider (and otherwise as defined in the Disability Discrimination Act 1992 Section 11).

## 6. SUPPORTING PROCEDURES

[Students with Disability Procedures](#)

## 7. RELATED DOCUMENTS/LINKS

[Carer Recognition Act 2010](#)

[Disability Access and Inclusion Plan \(DAIP\) 2012 - 2017](#)

[Disability Discrimination Act \(1992\)](#)

[Disability Standards for Education 2005](#)

[Disability \(Access to Premises – Buildings\) Standards 2010](#)

[Disability Services Act 1993 \(WA\), amended 2004](#)

[Diversity and Inclusion Policy](#)

[Students with Disability Procedures](#)

<b>Policy Compliance Officer</b>	<a href="#">Amanda Willis</a> , Director, Corporate Values & Equity   Ethics, Equity and Social Justice
<b>Policy Manager</b>	Deputy Vice-Chancellor, Academic
<b>Approval Authority</b>	Planning and Management Committee
<b>Review Date</b>	1 <sup>st</sup> April 2020

## REVISION HISTORY

Version	Approved/ Amended/ Rescinded	Date	Committee / Board / Executive Manager	Approval / Resolution Number	Key Changes Notes
C002/1.1	Approved	31/07/1991	Council	C 119/91	Appendix 2 to Council Minutes
C002/1.1	Rescinded	31/10/1997	University Academic Board	UAB 197/97	Document No UAB 95/97
C002/1.2	Approved	31/10/1997	University Academic Board	UAB 197/97	Document No UAB 96/97
C002/1.2	Rescinded	01/12/2000	University Academic Board	UAB 192/00	Document No UAB 97/00
C002/1.3	Approved	01/12/2000	University Academic Board	UAB 192/00	Document No UAB 97/00
C002/1.3A	Approved	01/12/2000	University Academic Board	UAB 179/00	Global resolution to update approval authorities/titles (effective 1 January 2001)
C002/1.3B	Approved	25/10/2006	Council	C 150/06 (iii)	Document No 01108/06
	Amended	12/08/2008	Planning and Management Committee	PMC 78/08	Attachment 1 to Document No 00812/08
	Administratively Updated	06/10/2015	Director, Legal and Compliance Services	EC 76/15	Executive Manager Title Changes
	Amended	17/05/2016	Planning and Management Committee	PMC 37/16	Attachment C to Item 7.5