

Learners with a Disability Policy – Box Hill Institute

Purpose

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

Scope

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

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 Institute promotes and is committed to the principle that persons with disabilities 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 learners who identify as having a disability and to decide upon and implement **reasonable adjustments** to provide them with education and training opportunities on the same basis as other students.

Codes of Conduct

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

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

Definitions

On the same basis means the person with a disability has opportunities and choices in admission or enrolment that are comparable to those offered to other prospective learners 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 **on the same basis** means learners with a disability have opportunities and choices in courses or programs and the use of facilities and services that are comparable with those offered to learners without disabilities.

An **adjustment**, 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 learner with a 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 learner without a disability. Adjustments include access to specialised support services provided by the provider or another person or agency.

	<p>Reasonable adjustment - in the Disability Standards for Education an adjustment is 'reasonable' in relation to a learner with a disability if it balances the interest of all parties affected, assessed in relation to all relevant circumstances and interests including: the disability; the learner or associate's view; the effect of the adjustment on the learner (such as independence and ability to achieve learning outcomes and participate in courses or programs); the effect on anyone else affected including staff, other learners and education provider; and the costs and benefits of making the adjustment.</p>
Related Procedures	<p>The following procedures are linked below:</p> <p>Learners with a Disability Procedure</p>
Related Operating Guidelines	NIL
Related Forms	<p>See linked forms below (The first two forms are internal to the Disability Liaison Service)</p> <p>Confidential Authority to Obtain and Release Information Form</p> <p>Learning Support Plan Form</p> <p>Student Enrolment Form</p>
Related Policy, Legislation and Regulation	<p>Box Hill Institute</p> <ul style="list-style-type: none"> • 2013-2015 BHI Disability Action Plan <p>External</p> <ul style="list-style-type: none"> • Disability Act 2006 (Vic) • Charter of Human Rights and Responsibilities Act 2006 (Vic) • Disability Standards for Education (2005) (Clth) • Health Records Act 2001 • Information Privacy Act 2000 (Vic) • Building Code of Australia (1996) • Equal Opportunity Act 2010(Vic) • Disability Discrimination Act (DDA)(1992) (Clth) • Privacy Act 1988
Records	Records will be maintained in accordance with the requirements of Box Hill Institute's Records Management Policy and Procedures.
Review	This policy and any associated procedures must be reviewed no later than five (5) years from the date of approval. The policy and associated procedures will remain in force until such time as they have been reviewed and re- approved or rescinded. The policy and procedures may be rescinded or amended as part of continuous improvement prior to the scheduled review date.
Approval Body	CEO under delegation from the Board
Endorsement Body	Executive Management Team
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Owner	General Manager, Health Sciences, Access and Students/GM Program Delivery
Author	Centre Manager, Learner Support Services
Amendment	9 April 2019 – Minor administrative changes to remove reference to 'BHIG' and 'CAE'

Linked Files

1. 2016-2018 BHI Disability Action Plan
2. Confidential Authority to Obtain and Release Information Form
3. Learning Support Plan Form