

## DISABILITY STANDARDS FOR EDUCATION 2005

**Table 1: Rights and Requirements under the Standards**

<b>Student</b>	<b>Education/Training Provider</b>
<b>Enrolment: Rights</b>	<b>Enrolment: Requirements</b>
Right to seek admission and enrol on the same basis as prospective students without disability including the right to reasonable adjustments.	<ul style="list-style-type: none"> <li>• Take reasonable steps to ensure that the enrolment process is accessible.</li> <li>• Consider students with disability in the same way as students without disability when deciding to offer a place.</li> <li>• Consult with the prospective students or their associates about the effect of the disability on their ability to seek enrolment; and any reasonable adjustments necessary.</li> </ul>
<b>Participation: Rights</b>	<b>Participation: Requirements</b>
Right to access courses and programs; use services and facilities; and have reasonable adjustments, to ensure students with disability are able to participate in education and training on the same basis as students without disability.	<ul style="list-style-type: none"> <li>• Take reasonable steps to ensure participation.</li> <li>• Consult with the student or their associate about the effect of the disability on their ability to participate.</li> <li>• Make a reasonable adjustment if necessary.</li> <li>• Repeating this process over time as necessary.</li> </ul>
<b>Curriculum development, accreditation and delivery: Rights</b>	<b>Curriculum development, accreditation and delivery: Requirements</b>
Right to participate in courses and relevant supplementary programs that are designed to develop their skills, knowledge and understanding, on the same basis as students without disability and to have reasonable adjustments to ensure they are able to participate in education and training.	<ul style="list-style-type: none"> <li>• Enable students with disability to participate in learning experiences (including assessment and certification).</li> <li>• Consult with the student or their associate.</li> <li>• Take into consideration whether the disability affects the student's ability to participate in the learning experiences.</li> </ul>
<b>Student support services: Rights</b>	<b>Student support services: Requirements</b>
Right to access student support services provided by education institutions, on the same basis as students without disability. Students with disability have the right to specialised services needed to participate in the educational activities they are enrolled in.	<ul style="list-style-type: none"> <li>• Ensure that students with disability are able to use general support services.</li> <li>• Ensure that students have access to specialised support services.</li> <li>• Facilitate the provision of specialised support services.</li> </ul>
<b>Harassment and victimisation: Rights</b>	<b>Harassment and victimisation: Requirements</b>
Right to education and training in an environment that is free from discrimination caused by harassment and victimisation on the basis of their disability.	<ul style="list-style-type: none"> <li>• Implement strategies to prevent harassment or victimisation.</li> <li>• Take reasonable steps to ensure that staff and students are informed about their obligation not to harass or victimise students with disability.</li> <li>• Take appropriate action if harassment or victimisation occurs.</li> <li>• Ensure complaint mechanisms are available to students.</li> </ul>

From the Australian Government Department of Education and Training: <https://docs.education.gov.au/node/35943>

## Student responsibilities in the Higher Education setting

- **Act as your own agent/advocate:** Your parent or guardian cannot act for you in a Higher Education setting. It is *you* who must negotiate your supports with a disability adviser, and with your lecturers. Be confident. Be informed and be prepared to make an argument for what you need.
- **Your disability doesn't entitle you to a formula of supports:** Your supports are individualised and must be reasonable. If the impact of your disability is similar to someone else, you might get similar supports and adjustments, but two people with the same disability label might negotiate completely different supports according to what suits them best. For example, one Deaf student might prefer an Auslan interpreter in classes while another might learn best with a live transcription.
- **If your Access Plan includes extensions of time for assignments, you must still apply for each extension:** You need to follow the TAFE or university's extension policy, but may not need new medical evidence. Only stating that you have an Access Plan that allows for *reasonable* extensions should be enough in most cases. Extensions cannot be indefinite and you must let your lecturer and tutor know that you need an extension in advance of a due date.
- **You need to tell your lecturer you have an Access Plan:** Disability Services at the TAFE or university won't forward your Access Plan to your lecturer – this is your responsibility.
- **Your supports cannot have a negative impact on other students' learning:** Examples include demands that the lecturer answer all questions immediately and respond to all emails within 2 hours. A lecturer cannot interrupt a lecture to check in case the student has sent an email. A lecturer cannot interrupt the lecture for a student who asks questions about every point that is made in the lecture. This unfairly interrupts the learning of other students. This student should negotiate a separate tutorial session with the lecturer. Remember that university is for independent learners and so a judgement must be made as to what is *reasonable* additional support. Another example might be a multimedia student who cannot be in a room with loud sounds or bright screens with active images. This would unfairly impact on other students.
- **You must be able to meet the inherent requirements of the course:** The inherent requirements of the course are the elements that cannot be changed. An example is a physiotherapy student who cannot touch people. Touching people is an inherent requirement for Physiotherapy. In this case a student might look for a course with similar content where they can meet all of the inherent requirements; perhaps Human Physiology. You need to make sure you can meet the inherent requirements of a course before you start – a disability adviser at your university or training organisation can help you with this.
- **Your supports or disability cannot be a WHS risk to others:** If you have doubts, talk about this with a Disability Adviser. One example might be the risk posed by a student who is blind working in a Chemistry lab. It doesn't mean that the student absolutely cannot study Chemistry, but a way needs to be found to keep this student – and the lecturer, lab assistant(s) and other students - safe from an accident that might be caused by their disability.
- **If your needs aren't met, contact a professional advocate:** If your higher education or training provider doesn't provide you with what you need, and you don't know how to proceed, then talk to a professional advocate. Call DRAS or Disability Advocacy and Complaints Service of SA (DACSSA) on 7122 6030 or Advocacy for Disability Access and Inclusion (ADAI) on 8340 4450. If you have a brain injury, Brain Injury SA may also be able to help: ph. 8217 7600