DISABILITY POLICY

Policy number | COR 1.07
Policy name   | Disability Policy (Issue Four)
Applicability | All Bond University Staff, Students and Visitors
Policy owner  | Deputy Vice-Chancellor (Students and Support Services)
Contact person| Disability Officer
Policy status | Approved Policy
Date of approval | 10 March 2008
Date last amended | 26 May 2016
Date last exposed | 16 May 2016
Date last reviewed | 26 May 2019
Related policies and legislation |
- Disability Discrimination Act 1992 (Commonwealth)
- Disability Services Act 2006 (QLD)
- Disability Services Regulations 2017 (QLD)
- Disability Standards for Education 2005
- Disability (Access to Premises - Buildings) Standards 2010

1. OVERVIEW

The purpose of this Policy is to make explicitly clear the obligations Bond University has under the Disability Discrimination Act 1992 and Disability Services Act 2006 in relation to staff, students and visitors with a disability.

Bond University recognises its responsibility to create an environment free from discrimination and harassment and will develop plans and procedures to provide an accessible and inclusive work and study environment.

2. PRINCIPLES

- Bond University will take all reasonable steps to identify and eliminate unlawful discrimination in order to promote a study and work environment that is equitable for its students and staff with disabilities;
- Bond University shall endeavour to take all reasonable steps in providing dignified, equitable and reasonably achievable access to buildings and facilities and services within the buildings for students, staff and visitors.
- Bond University aims to ensure the delivery of all services to students and staff with disabilities in a manner which respects and promotes their human dignity, rights and opportunities, privacy and confidentiality;
- Bond University recognises its obligations to provide a safe physical study and work environment in which students and staff with disabilities can partake.

3. THE POLICY

3.1. Provision of Education Facilities

3.1.1. Prospective Student Disclosure

Prospective students with disabilities are responsible for disclosing the nature of their disabilities and their special needs during Bond University’s admission and enrolment procedures. Failure to disclose may result in the University being unable to provide the individual with any accommodating requirements.

It is reasonable to seek information and evidence about a pre-enrolled student’s disability requirements, providing the purposes for the inquiry is to provide equal opportunity or to provide special services to support the student with a disability. As such, Bond University may request, in advance, supporting evidence from either medical or other experts relating to the nature of the student’s disability.
3.1.2. Current Student Disclosure

Current students with disabilities are responsible for disclosing the nature of their disabilities and their special needs to the Disability Officer (DO) within the timelines published on the Bond University website [Procedures for Accessing Support](https://bond.edu.au/current-students/services-support/services/disability/procedures-accessing-support). This must be supported by evidence from either medical or other experts relating to the nature of the student's disability. It is reasonable for Bond University to request additional information if required to assess the impact of the disability on a student's learning and to determine what reasonable adjustments should be made for assessment purposes.

3.1.3. Reasonable Adjustment

**Purpose**

Bond University is entitled to maintain the academic requirements of its subjects/programs and to ensure that those on whom it confers an award can present themselves as having the appropriate knowledge, experience and expertise implicit in the holding of that particular award. ([Disability Standards for Education](https://www.dese.gov.au) Clause 3.4(3)).

'Reasonable adjustments' will be made to accommodate a student with disability but a reasonable adjustment needs to be justifiable and uphold the integrity of the subject/program. A 'reasonable adjustment' is a measure or action taken to assist a student with disability to participate in education on the same basis as other students. A 'reasonable adjustment' does not include changing the stated learning outcomes of a subject/program.

An adjustment is reasonable if it can be made whilst taking into account the inherent requirements and/or stated learning outcomes of a subject/program, the student's education needs and balancing the interests of all parties affected, including the University, staff and other students. There is no requirement to make unreasonable adjustments under either the Act or the Disabilities Standards for Education 2005.

**Procedure**

The DO will consult with the student in conjunction with their lecturers, appropriate support people and external experts to consider the challenges, needs and barriers of a student with a disability and the stated learning outcomes of subjects/programs in which a student is enrolled. The DO will recommend adjustments in accordance with the Guidelines of adjustments for Students with Disabilities. Once reasonable adjustments have been agreed by all parties, the DO will issue a Support Plan.

Where a student is unable to meet the stated learning outcomes of a particular subject/program, even with reasonable adjustment, the DO may, subject to meeting the requirements of an award or program, suggest alternative subjects or programs but it is up to the student to follow up any information provided by the DO.

The DO will undertake regular monitoring of Support Plans to ensure that adjustments remain reasonable.

3.1.4. Support Plans and Support Services

Bond University provides a variety of support services to students.

Every student with a disability will receive a Support Plan from the DO as soon as practicable after reasonable adjustments have been agreed. Where a student receives reasonable adjustments they will be required to attend the support services identified by the DO to be of assistance to that student and included in the Support Plan. Should a student fail to attend the support services without explanation/justification the reasonable adjustments may be withdrawn.

3.1.5. Carer or Assistant

Where a student with a disability requires a Carer or Assistant:

1. It is the responsibility of the student who requires the Carer or Assistant to apply to the DO so that provision may be included in the Support Plan;
2. It is also the responsibility of the student to individually inform the Lecturer or Tutor if a Carer or Assistant will be attending class prior to class commencing;
3. The Carer or Assistant should be unobtrusive and a non-participant of the class; and
4. If the student is involved in any clinical practices that involve signing confidentiality agreements as part of class participation, then the Carer or Assistant must also sign such an agreement.
3.2. Employment
Bond University recognises and values the importance of establishing a diverse workforce and promotes equitable employment practices that aim to ensure that the best person is employed for the job in a climate free from discrimination.

It is reasonable to seek information and evidence about a prospective employee's disability requirements, providing the purposes for the inquiry is to provide equal opportunity or to provide special services to support the employee with a disability. As such Bond University may request in advance supporting evidence from either medical or other expert relating to the nature of the prospective employee's disability.

3.2.1. Reasonable Adjustment
Reasonable adjustment does not include changing the inherent requirements of the position. It is a matter of overcoming an employee's inability, by reason of disability, to perform successfully. An adjustment is reasonable if it can be made whilst taking into account the employee's needs and balancing the interests of all parties affected, including the University and other employees. For example: a 'reasonable adjustment' would be an alteration to a feature of the work environment or workstation.

In making the adjustment, each case needs to be considered in its own circumstances and on its own merits in consultation with the Manager/Supervisor of the area. Reasonable costs will be met by the relevant Faculty/Bond University College or Office.

3.3. Physical Environment
Bond University requires that all new buildings are designed for access by students, staff and visitors with disabilities in accordance with the appropriate current Australian Building Codes and Australian Standards.

Bond University shall endeavour to improve access to older buildings which do not meet current Australian Building Codes and Australian Standards when renovations or improvements are made.

3.3.1. Student Accommodation
Bond University Student Accommodation has the ability to accommodate a limited number of students with a mobility disability. These rooms within on-campus accommodation are designed for access by persons with a disability in accordance with the appropriate current Australian Building Codes and Australian Standards.

3.4. Unjustifiable Hardship
The Legislation allows for Bond University to determine whether the extent of 'reasonable adjustment' would impose unjustifiable hardship on the University.

In determining whether a requirement would cause unjustifiable hardship to the University, an appropriate staff member of the Faculty/Bond University College or Office should consider all relevant circumstances of the particular case including:

- The nature of the benefit or detriment likely to accrue or be suffered by any persons concerned; and
- The effect of the disability on a person concerned; and
- The financial circumstances and the estimated expenditure required to be made by the University; and
- In the case of the provision of services, or the making available of facilities, an action plan needs to be developed and given to the Australian Human Rights Commission (in accordance with Section 64 of Disability Discrimination Act 1992).

Where it is deemed that further consideration of the matter is required before a decision can be made, all information will be provided to the Deputy Vice-Chancellor (Students & Support Services) or Director of Human Resources who will provide advice on the matter to the Vice-Chancellor.

The student or staff member with the disability will be advised in a timely manner about the processes for determining whether the proposed adjustment would cause unjustifiable hardship to the University. These processes must maintain the dignity, respect, privacy and confidentiality of the student or staff member, consistent with the policies of the University.

4. DEFINITIONS
Bond University uses the definitions of disability, discrimination and harassment as stated under Commonwealth and State legislation.
Carer or Assistant  For the purposes of this Policy, a carer or assistant, in relation to a person with a disability, is one of the following who provides assistance or services to the person because of the disability:

(a) a carer;
(b) an assistant;
(c) an interpreter;
(d) a reader.

Disability  A temporary or permanent, total or partial, lifelong or acquired impairment that is attributable to a physical, sensory, intellectual, psychiatric, neurological, cognitive learning difficulty, disfigurement and/or serious illness. This impairment results in a reduced ability to access services provided by the University, and a need for support services to overcome these barriers.

Discrimination  To treat a person less favorably because of his or her disability, than a person without that disability would be treated in the same or similar circumstances.

Disability Officer (DO)  The disability officer(s) employed in that role by Bond University from time to time.

Harassment  An action because of, or in relation to, the disability of a person that humiliates, offends, intimidates or distresses, whether intended or not.

Students  For the purposes of this Policy, includes Bond University and Bond University College students.

Support Plan  A support plan is a document provided by the DO that outlines the support recommended for a student with a disability at Bond University.

5. RELATED PROCEDURES  
Australian Vice-Chancellors’ Committee – Guidelines relating to Students with a Disability, May 2006

6. RELATED GUIDELINES AND FORMS  
Application for Reasonable Adjustment  
Professional Supporting Certificate  
Sample Support Plan