



Downlands College

STUDENTS WITH A DISABILITY POLICY

1.0 Purpose and Scope

Downlands College (College) is committed to ensuring the educational needs of students with disabilities in a manner that complies with relevant anti-discrimination and accreditation legislation. This takes into account student learning needs while balancing the interests of all parties affected and is consistent with Catholic and Missionaries of the Sacred Heart (MSC) Ethos.

This Policy also works in conjunction with the Pastoral Care and Wellbeing Policy, Enrolment Policy and Procedure and the Discrimination, Harassment and Bullying Policy.

2.0 Policy Coverage

This policy applies to employees, volunteers, parents, guardians, and students. This Policy outlines the procedures for identifying and enrolling students with disabilities and the process undertaken to develop individual education programs for students so identified.

All contractors engaged to perform work for the College, either on or off premises, as part of their contract, comply with policies, procedures and to comply with directions and instructions on health and safety matters from designated Downlands College officers.

3.0 Policy Statement

The College values the diversity of all students including those with special educational needs and recognises the right of all students to equitable access to the curriculum. The College will assist the full participation of students or prospective students with disabilities by:

- Valuing all students as individuals and identifying and responding to their needs;
- Pro-actively facilitating the transition into the College;
- Consulting with prospective students, students and their parent/s and/or guardians to understand and identify their needs and to make well-informed decisions about the education program to be developed for each student – a Personalised Learning Plan (PLP);
- Identifying and addressing barriers that limit students' opportunities, participation, and benefits from schooling;
- Providing an appropriate level of resources within available funds in order to reasonably accommodate the needs of students with disabilities;
- Making reasonable adjustments in modifying, substituting, or supplementing curricula, course work requirements, timetables, teaching methods and materials and assessment procedures to meet the needs of students with disabilities;
- Facilitating options and pathways for students with disabilities, including post-school options;
- Providing physical environments that are accessible, stimulating, safe and welcoming;
- Devising fair and transparent enrolment procedures for all students, including those with disabilities;

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- Respecting the rights of people with disabilities to privacy and confidentiality;
- Fostering and encouraging among staff and students, positive, informed, and unprejudiced attitudes towards people with disabilities and their parents/guardian; and
- Supporting and assisting students to make alternative, satisfactory, educational arrangements when the College is unable to meet their needs.

4.0 Definitions

Disability, in relation to a person, means:

- Total or partial loss of the person's bodily or mental functions; or
- Total or partial loss of a part of the body; or
- The presence in the body of organisms causing disease or illness; or
- The presence in the body of organisms capable of causing disease or illness; or
- The malfunction, malformation, or disfigurement of a part of the person's body; or
- A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- A disorder, illness or disease that affects a person's thought processes, perception or reality, emotions, or judgment or that results in disturbed behaviour;

and includes a disability that:

- Presently exists; or
- Previously existed but no longer exists; or may exist in the future (including because of a genetic predisposition to that disability); or
- Is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability under the *Disability Discrimination Act 1992 (Cth)*.

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5.0 Enrolment Process

Downlands College provides educational programs which cater for the individual learning needs of all students. Depending on circumstances any of the following steps may be taken to assess and facilitate an enrolment:

Timing	Requirement	Decision and Action
1a) Prior to Enrolment - Enrolment Application Form	An enrolment application form is submitted with relevant information and reports attached.	<p>The College will review the enrolment application.</p> <p>Where a parent/guardian has declared a medical condition or impairment or the need or likelihood of a need for educational support, the College will liaise with the family about the application and the child's needs.</p>
b) Prior to Enrolment - Consultation about Enrolment Application	<p>The College will consult the prospective student and their parent/guardian about their application.</p> <p>For effective consultation, the College may ensure the prospective student and Parent/Guardian are provided with:</p> <ul style="list-style-type: none"> • Information about the enrolment process which is easily accessible to the prospective student or parent/guardian and is made available in a range of formats; and • Information about entry requirements, choice of programs, progression and educational settings is accessible to the prospective student or parent/guardian to enable them to make informed decisions. <p>This consultation may be conducted during the initial assessment (below).</p>	<p>In light of that consultation, the College will work with the family to determine what support or adjustment is needed to ensure the student is able to seek admission on the same basis as a prospective student without a disability.</p> <p>If an adjustment is necessary, and a reasonable adjustment can be identified, take steps to make that adjustment.</p>

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Timing	Requirement	Decision and Action
c) During Enrolment Application - Initial Assessment	<p>After the College has ensured that the prospective student or their parent/guardian is able to complete the enrolment application without difficulty, the College will consult with the parent/guardian or prospective student (initial assessment) about their application.</p> <p>This initial assessment will determine to what extent the prospective student's disability affects their ability to participate in the courses and programs and use the facilities or services provided by the College.</p> <p>In order to make an initial assessment about a prospective student's needs, the College may contact the parent/guardian, school or stakeholders with the parent/guardian consent for more information on the applicant's disability and any required adjustments.</p> <p>The enrolment interview provides an opportunity for the College to consult further with the prospective student and their parent/guardian about:</p> <ul style="list-style-type: none"> • the nature of the prospective student's disability or condition and their needs; • whether the prospective student's disability affects their ability to participate in the courses or programs and the use facilities and services provided by the College; • the adjustments required to address those needs, and any specialised support services required by the prospective student; • the College's entry requirements, the choice of courses or programs and progression through those courses and programs. If necessary, the College may request the Parent(s)/Guardian(s) of the prospective student to obtain independent expert medical opinions to assist the College in understanding and identifying the student's educational needs and any adjustments that may be required. If other assessments are required to be made by non-College personnel, this will be at the expense of the parents/guardians. The College must repeat this consultation process as necessary to allow for the changing needs of the student over time. 	<p>In light of this initial assessment, decide whether it is necessary to make an adjustment to ensure the student is able to participate in the courses and programs and use the facilities or services provided on the same basis as a student without a disability.</p> <p>If an adjustment is necessary, and a reasonable adjustment can be identified, the College will take steps to make that adjustment.</p>

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Timing	Requirement	Decision and Action
d) Specialised Support Services	<p>Following the initial assessment, if it is evident that the prospective student requires specialised support services, the College will consult the prospective student or their Parent/Guardian about the need for the student to have access to specialised support services that are provided by the College or by other persons or agencies.</p> <p>The College must repeat this consultation process as necessary to allow for the changing needs of the student over time.</p>	<p>In light of this consultation, the College will decide whether an adjustment is necessary. The provision of specialised support services is an adjustment for the purposes of the Education Standards.</p> <p>If a specialised support service is necessary for a student to be able to participate in activities, and is of a kind provided by the College, the provider must take reasonable steps to ensure that the student has access to the service (but may arrange for it to be provided by another person or agency).</p> <p>If a specialised support service is necessary for the student to be able to participate in the activities and is of a kind that is not provided by the College, the College must take reasonable steps to facilitate the provision of the service to the student by another person or agency.</p>
e) Prior to Offer of Enrolment Consideration of Reasonable Adjustments	<p>Having obtained the above information through consultation, the Principal will then determine whether the prospective student, if enrolled, would require any adjustments or specialised support services to participate in the College's courses or programs or to use the College's facilities or services that are not required by students who do not have the prospective student's disability.</p> <p>Where the Principal determines that the prospective student requires adjustments, the College will seek to identify whether those adjustments are reasonable. In assessing whether a particular adjustment for a prospective student is reasonable, the College will comply with the standards outlined in the <i>Disability Standards for Education 2005 (Cth)</i>.</p> <p>For example, this process may involve the Principal:</p> <ul style="list-style-type: none"> consulting the College Executive Team regarding the availability and accessibility of existing and physical and other resources; and consulting with the Curriculum Leader - Learning Enhancement regarding potential applications for funding to support the adjustments required. 	<p>If the adjustments are reasonable, and the College has capacity to take on the student, then the College can proceed with an offer of enrolment.</p> <p>If the adjustments are not reasonable, the College is to inform the parent/guardian of this and discuss whether reasonable alternatives can be arranged. If not, the College may not accept the enrolment application.</p>
f) Offer of Enrolment	<p>When considering an offer for enrolment, the College will take into account the individual support needs of the prospective student, the adjustments required to allow for equal participation of the prospective student and the capacity of the College to provide an appropriate education program and adjustments for the prospective student.</p>	<p>College to confirm to the prospective student or parent/guardian of outcome of enrolment application in writing.</p>

6.0 Enrolment Process

Once a student is enrolled and commences at the College, the College is committed to providing continued support to students with disabilities to ensure their equal participation. Learning Enhancement support staff at the College liaise with all teachers of students with disabilities to ensure that they can participate equally in classes and to ensure support is delivered in a non-discriminatory manner compliant with relevant anti-discrimination legislation.

The College will continue to consult with the student and parent(s)/guardian(s) to allow for the changing needs of the student over time (see (c) and (d) above).

In determining the services or facilities and the learning enhancement required for enrolled students with disabilities, the College will comply with the *Disability Standards for Education 2005* (Cth) and have reference to the Queensland Government's cross-sectoral *Education Adjustment Program* (EAP). The EAP is the process for identifying and responding to the education needs of a student with a disability. Adjustments are made by staff to enable a student with a disability to access the curriculum, achieve curriculum outcomes and participate in school life.

Should a student appear to develop signs of a disability subsequent to enrolment, the matter is referred to the Curriculum Leader – Learning Enhancement, who will then work and consult with parents/guardians (see 3, 4 and 5) and relevant specialists to determine the student's needs and additional support or adjustments that may be required.

7.0 Breach of Policy

Breach of this policy may result in disciplinary action according to the College Restorative and Recognition Framework. In some instances, it may also amount to a criminal offence or a breach of relevant Commonwealth legislation.

The Principal and/or Board Chair will, if necessary, be the arbiter in resolving any issues of conflict.

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8.0 Meta Data for Document Management

Policy Title	Students with a Disability Policy
Policy Number	E4.5.3
Policy Owner	Principal
Status	Approved by Board 12/11/2020
Effective Date	Nov 2020
Next Review Date	5-yearly Review history: Reviewed: May 2023 (interim review) Reviewed: September 2025 Next scheduled review: 2030
References:	<ul style="list-style-type: none"> • <i>Anti-Discrimination Act 1991 (Qld)</i> • <i>Disability Discrimination Act 1992 (Cth)</i> • <i>Disability Standards for Education 2005 (Cth)</i> • <i>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</i> • <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i> • <i>Education (General Provisions) Act 2006 (Qld)</i> • <i>Education (General Provisions) Regulation 2017 (Qld)</i> • <i>Racial Discrimination Act 1975 (Cth)</i> • <i>Sex Discrimination Act 1984 (Cth)</i>
Related Policies and Procedures	College Code of Conduct Workplace Health and Safety Policy Pastoral Care and Wellbeing Policy Enrolment Policy and Procedure Discrimination, Harassment and Bullying Policy