

Disability Policy: Students

Category:	Student Services
Last Modified:	February 2012
Review Date:	February 2014
Approved By:	Pro-Vice-Chancellor Student Services and International
Contact Person:	Team Leader, Disability Resource Service, Extn 4901

Introduction:

The Human Rights Act 1993 provides that it is unlawful for an educational establishment such as the University to discriminate against an individual by reason of their impairment. Objective 3 of the New Zealand Disability Strategy (2001) is “to provide the best education for disabled people.” It goes on to define requirements towards this end as to:

[3.2] Support the development of effective communication by providing access to education in New Zealand Sign Language, communication technologies and human aids.

[3.3] Ensure that teachers and other educators understand the learning needs of disabled people.

[3.7] Promote appropriate and effective inclusive educational settings that will meet individual educational needs.

[3.8] Improve post-compulsory education options for disabled people, including: promoting best practice, providing career guidance, increasing lifelong opportunities for learning and better aligning financial support with educational opportunities.

The New Zealand Disability Strategy states that, “*disability* is not something individuals have. What individuals have are impairments. They may be physical, sensory, neurological, psychiatric, intellectual or other impairments.” Instead, “*disability* is the process which happens when one group of people create barriers by designing a world only for their way of living, taking no account of the *impairments* other people have”.

For the purposes of this policy we have used the New Zealand Disability Strategy definition of disability. In this document we will refer to people or students with impairments.

In its guidance to Tertiary Education Institutions (TEIs), the Tertiary Education Commission (TEC) refers specifically to *Kia Orite Achieving Equity: New Zealand Code of Practice for an Inclusive Tertiary Education Environment for Students with Impairments* as providing additional information for TEIs on its expectations of their provision.

This document sets out the framework through which the University should meet its obligations under the Code of Practice.

Definitions:

For purposes of this policy, unless otherwise stated, the following definitions shall apply:

Disability – The New Zealand Disability Strategy defines disability as the result of “The process which happens when one group of people create barriers by designing a world only for their way of living, taking no account of the *impairments* other people have”.

Disability Liason Person – The person nominated by a department or school to liaise with DRS and be involved in the devising of Learning Support Plans.

DRS – The Disability Resource Service of the University of Canterbury

Examinations Special Arrangements Coordinator – The person within Student Services who coordinates examinations special arrangements.

Impairment – A temporary or long term condition, illness or injury that affects a student's ability to learn, to communicate, to concentrate, to remember, to hear, to be ambulant, to speak or see.

Learning Support Plan – Document to communicate the reasonable accommodations to be made on behalf of a student with an impairment as a result of a needs assessment. This plan is written by DRS in consultation with the student and the disability liaison person from the relevant department or school.

Needs Assessment – Assessment carried out by DRS in conjunction with the student, and with input from academic staff and external professionals where necessary, to ascertain which reasonable accommodations should be made to ensure the student has equality of opportunity whilst at the University.

Notetaker – A person who attends lectures to take notes for a student whose impairment makes the taking of notes difficult or impossible.

Reader/writer – A person who assists a student with an impairment in an exam or test situation by reading the questions and/or writing answers as dictated by the student, where the student's impairment is such that it is difficult or impossible for the student to do so unaided.

Reasonable Accommodation – The disabling nature of a student's impairment is taken into account, and appropriate adjustments are made to aspects of the teaching and learning context, whenever it is necessary, possible and reasonable to do so. Reasonable accommodations should not compromise academic standards, the essential nature of a course nor what are deemed to be essential skills or knowledge in relation to a course.

Policy Statement:

The University of Canterbury Annual Report 2009 states “In line with the Human Rights Act (1993), the University considers it to be axiomatic that there should be equality of opportunity in employment and education for all of its staff and students, irrespective of background. Thus it is accepted that age, gender, ethnicity, or disability should not disadvantage or hinder appointment, professional development, promotion, advancement or successful study.”

The University is committed to attracting and valuing students from a wide diversity of backgrounds; promoting equal educational opportunities for disadvantaged and under-represented groups; encouraging and supporting all students in their studies and beyond; and fostering in them a sense of the University's vision and of what it means to belong to a scholarly community. This policy implements this commitment to those students with impairments. DRS seeks to assist students with impairments to participate equitably during their time at the University, and in particular:

- To provide support and advice for students with impairments.
- To formally evaluate the student's impairment, and following discussion with the academic staff from the chosen course where necessary, determine what support or accommodations are appropriate. See Support Student with Disability Procedure.
- To provide training support and guidance for staff regarding the understanding and making of reasonable accommodations for students with impairments.

Any student enrolled in an assessed course who has a temporary or permanent impairment that affects his or her ability to learn or complete assessment is eligible to register with DRS, whether studying at the Christchurch campus, at regional campuses (Rotorua, Tauranga, New Plymouth and Nelson) or by distance.

Any student with an impairment should discuss their situation with DRS at the earliest opportunity, normally before commencing study, or at the beginning of their time at the University, or when an injury/illness occurs.

Note: It may take some time to provide an appropriate evaluation and arrange any resulting accommodations, so it is important that the student indicates their intention to study as early as possible to DRS.

To ensure an inclusive learning and teaching environment, all courses should be designed in such a way so as to avoid any unnecessary barriers to access, participation and achievement.

Guidelines:

1. Role of DRS

- 1.1 To promote and realise a culture of self-directed, independent learning.
- 1.2 To carry out needs assessment. In carrying out a needs assessment DRS may seek advice from appropriate professionals such as a doctor, neurologist or educational psychologist. A determination of the support needs of a student with impairment may include but not be limited to the following considerations:
 - a) the nature and onset of the impairment
 - b) information from consultation with the student
 - c) information from consultation with other professionals

- d) information from consultation with academic staff on precedents set at the University and the principles of equity and fairness.
- 1.3 To develop a Learning Support Plan. As a result of the needs assessment a Learning Support Plan will be developed with the student and the disability liaison person from the relevant department or school. This development may occur in a meeting or by email but must take into consideration the urgency of the support needs of the student and proceed in a timely manner. If agreement cannot be reached then the reasons for this will be documented in the student's file.
 - 1.4 To coordinate the provision of specialised services. DRS will work with other University services to ensure that accommodations are enabled, e.g. working with the Alternative Format Centre, furniture and equipment providers.
 - 1.5 To act as liaison for students.
 - 1.6 To liaise with the student and other relevant student service providers to ensure that, where required, appropriate support is provided to any student with an impairment.
 - 1.7 To provide support to academic schools and departments.
 - 1.8 To work closely with the Academic Manager, disability liaison person or person with the delegated authority in each department or school to provide relevant advice and guidance to ensure that accommodations are understood and provided. This would include information of which the department should be aware but because of its sensitive nature does not need to be shared with all staff through its inclusion in a Learning Support Plan.
 - 1.9 DRS has responsibility for training all reader/writers, notetakers and other support staff.

2. Responsibilities of Students with Impairments

- 2.1 Registration. The student will need to be registered with DRS and have a current learning support plan in order to use the services provided. In order to register the student must provide a pertinent, comprehensive report expressing an appropriate professional's opinion of his/her impairment and its possible impacts so that a needs assessment can be carried out and a learning support plan can be developed. Returning students with an impairment need to re-register at the beginning of each academic year that he/she studies at UC in order that any changes in need can be addressed and self-directed, independent learning is promoted.

Note: Upon completion of enrolment a student has given consent for information to be shared within the University for the purpose of their education. This would include all relevant information about their impairment and its impact upon their ability to study.

- 2.2 Services provision. The student should advise DRS of any change in their impairment, their course or choice of course that could alter the support or accommodations required.
- 2.3 The student should advise DRS of any difficulties arising with the support or accommodations provided.
- 2.4 Student use of services. Students must attend all lectures, seminars, workshops or field trips where support or accommodations have been provided. If they are unable to attend they should inform DRS as soon as possible, outlining a justifiable reason for their absence. Failure to do this on more than one occasion may result in the support being withdrawn.

Note: Late notification of absence may mean that the person delivering the support will have to be paid by DRS regardless of the support not being delivered. This cost may be forwarded to the student who is absent.

- 2.5 Negligent disregard for the cost of the support or accommodations provided, such as through persistent non attendance with no justifiable reason given, may result in the student being charged for the recovery of such costs.
- 2.6 Any student who has not been assessed by DRS, but is impaired at the time of a departmental test or formal examination should contact DRS at the earliest opportunity. See Examination Special Arrangements Section 4.

3. Responsibilities of Departments/Schools and Academic Staff

- 3.1 Where a student's impairment means that the course requirements are more challenging for them than for other students, or are not achievable, the following approaches are to be taken:
 - a) The Department will provide support to allow the student to satisfy the assessment and other requirements as stated in the course outline. This might include, but is not limited to, time extensions, adapting the course delivery, the use of a different format (for example, large print or Braille) for handouts, or use of a digital voice recorder.
 - b) Where staff believe that course requirements are fundamentally incompatible with a particular impairment, the matter must be discussed with the student and with DRS. Where the incompatibilities cannot be resolved, the Dean in consultation with the programme coordinator and DRS, will decline enrolment for a course(s). The University is bound by the provisions of the Human Rights Act 1993 in dealing with those situations. Students have the right to appeal this decision with the University of Canterbury Academic Appeals Committee and the Council Appeals Committee.
- 3.2 Each department/school should encourage inclusive teaching practice and the Academic Manager should nominate a disability liaison person to work with DRS in order to achieve this goal. This person would also work with DRS and individual students with impairments to devise Learning Support Plans.
- 3.3 Schools and departments assist DRS in identifying students with the appropriate subject knowledge and skills to fulfil support positions e.g. notetakers, reader/writers and exam supervisors.

Note: Reasonable accommodations should not compromise academic standards, the essential nature of the course nor what are deemed to be essential skills or knowledge in relation to the course.

4. Examination Special Arrangements

- 4.1 The University provides the reasonable accommodation of examination special arrangements for students with an impairment, so that all students are provided with a comparable opportunity to demonstrate knowledge and competency for assessment purposes. These accommodations are available to all DRS registered students.
- 4.2 All examination special arrangements must be authorised by DRS and communicated to the Examinations Special Arrangements Coordinator, the student concerned, and the relevant department.
- 4.3 A determination of special arrangements for an examination may include but not be limited to the following considerations:
 - a) The nature and onset of the impairment;

- b) The type of assessment;
 - c) The student's usual work method;
 - d) The effect of long examinations on the student;
 - e) Information from consultation with the student;
 - f) Precedents set at the University and the principles of equity and fairness.
- 4.4 A date is set for each semester by which the examination special arrangement application must be made; this can be found in the UC enrolment information. The application for examination special arrangements is made through DRS as part of the registration process.
- 4.5 Any students impaired after the cut off date for the registering of examination special arrangements must have their arrangements authorised by DRS.
- 4.6 The examinations special arrangements are made as an alternative to an aegrotat. Any students who have not applied for examinations special arrangements before the day of the examination or are impaired on the day of the exam can only apply for an aegrotat through their academic department.
- 4.7 In addition to the above provisions, a student who appears ill or distressed at the time of an examination, or has other circumstances requiring a more private or less formal environment may, at the discretion of the Examination Special Arrangement Coordinator, be permitted to sit an examination in a separate room. Depending on the circumstances, verification of the student's condition may be required.

5. Complaints

- 5.1 Any concerns in relation to decisions made under this policy should in the first instance be discussed with the DRS Team Leader, and/ or the Head of School/Department. This should be done with reference to the University of Canterbury Appeals and Complaints Procedure.

Note: This does not prevent a student pursuing the matter through an external agency such as the Human Rights Commission or the Health and Disability Commissioner.

6. Resources and Costs

- 6.1 The Disability Resource Service is responsible for organising and funding high cost and specialist accommodations. This includes access to specialised equipment and technology (such as screen reading software) and specialist services such as Braille, sign language interpreting and reader/writers for tests and examinations.
- 6.2 Physical modifications required to university teaching spaces should be discussed with Facilities Management in conjunction with DRS.

Note: New building and renovations to existing buildings will be up to code and therefore will meet legal requirements.

- 6.3 Equity funding from the Tertiary Education Commission provides funds for the majority of the work of DRS, with the University providing additional funding dependent upon the needs of the students with impairments in any given year. It is possible to envisage a circumstance where the University felt a person's impairment is such that specialist services or facilities cannot reasonably be made available. The University is bound by the provisions of the Human Rights Act 1993 in dealing with those situations.

Related Policies, Procedures and Forms:

- [Assessment Policy](#)
- [Support Student with a Disability](#) (for UC Staff Intranet site)
- [Prepare for Safe Field Activity](#)
- [Academic Appeals Procedure](#)
- [Academic Appeals and Grievances Procedures](#)

Notes:

This document has been compiled with reference to:

- The Human Rights Act 1993
- The New Zealand Disability Strategy 2001:
<http://www.odi.govt.nz/resources/publications/new-zealand-disability-strategy.html>
- Kia Orite Achieving Equity: New Zealand Code of Practice for an Inclusive Tertiary Education Environment for Students with Impairments
- The Charter of the University of Canterbury
- Disability related policy documents from tertiary institutions in the UK and New Zealand

Version Control Table		
Action	Approval Body	Date Loaded in UCPL
New Policy	PVC (Student Services and International)	13 March 2012

© *This policy is the property of the University of Canterbury.*