



**EXCELSIA  
COLLEGE**  
— Sydney —

### **Objects of Excelsia College**

Motivated by the Christian faith, as expressed by the Apostles' Creed and Nicene Creed, with fidelity to the Scriptures as the Word of God, the Objects of the College are the advancement of the Christian faith and higher education.

### **Document Number**

POL-STU-24

### **Document Name**

DISABILITY POLICY

### **Document Status**

Owner	Student Support Manager	July 2020
Approving Authority	Academic Board	November 2020
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## 1 Policy Statement

The purpose of this Policy is to ensure that all current and prospective students with a disclosed disability (“students with disability”) and also persons who are associates of people with a disability, such as partners, relatives or carers, have inclusive access to Excelsia College buildings and facilities, services, information, events, academic programs, complaint processes and public consultations.

- 1.1. Students with disability will have equitable access and practical support to participate fully in the life of the College, including but not limited to:
  - access to services and events;
  - access to buildings and facilities;
  - receiving information in accessible formats;
  - receiving a high quality service from staff;
  - opportunities to make complaints;
  - opportunities to participate in public consultation; and
- 1.2. The College will have a Disability Equity, Access, and Inclusion Plan (DEAIP) which will give effect to this Policy and meet the requirements of existing State and Commonwealth legislation.
- 1.3. The College is committed to facilitating an inclusive environment for all which governs & guides the selection and design of its buildings, facilities, academic programs, and services.
- 1.4. No policy or procedure/practice of the College will directly or indirectly discriminate against students with disability. The College will foster positive informed and unprejudiced attitudes towards students with disability amongst its staff and students.
- 1.5. All College staff will make reasonable adjustments to allow access for students with disability to academic programs, services, and facilities of the College on the same basis as other students. The College is not required to provide an adjustment that would impose unjustifiable hardship or compromise the health and welfare of the student or others.
- 1.6. The College will provide support services to assist students with disability and will provide information to assist staff to meet obligations under disability legislation and the College DEAIP.
- 1.7. The College is entitled to request information or documentation from a qualified and relevant health practitioner about the student’s disability and individual requirements to provide reasonable adjustments for that student.

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## 2 Scope

This policy applies to students and staff on all campus locations. It is a professional and legal responsibility for staff to ensure practice is inclusive, in line with this policy. The policy is of relevance to students with disabilities, special educational needs, or long-term medical conditions.

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### 3 Background

**Excelsia College** adopts the *Disability Standards for Education 2005*, underpinned by the *Disability Discrimination Act 1992*.

The *Disability Discrimination Act 1992* ('the Act'), aims to eliminate discrimination against people on the grounds of disability including in the area of education, and to ensure that as far as possible, those with disabilities have the same rights as the rest of the community. Its application in education includes access to enrolment and student services, and participation in learning activities on the same basis as a student without a disability.

*Section 22 'Education' of the Disability Discrimination Act* states that it is unlawful for an educational authority to discriminate against a person on the grounds of a person's disability by refusing to accept their application or in the terms under which they are admitted, by denying them access or limiting their access to any benefit provided by the educational institution. It also states that it is not unlawful for an education institution to refuse admission from a student with a disability if it would require facilities or services that are not required by students without disabilities and the provision of such would impose unjustifiable hardship on the provider.

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### 4 Definitions

For this Policy, the following definitions apply:

#### **Carer of a person with disability**

Carer is an individual as defined in the Carer's Recognition Act 2010

#### **Inherent Requirements**

The academic requirements of the course or program, and other requirements or components that are inherent in or essential to its nature. (Australian Human Rights Commission website and otherwise as defined in the Disability Discrimination Act 1992 Section 21A).

#### **Direct disability discrimination**

When a person with disability is treated less favourably than a person without disability in similar circumstances, discrimination may be either direct or indirect (and otherwise, as defined in Disability Discrimination Act 1992, Section 5).

#### **Indirect discrimination**

When a person with disability is expected to comply with a requirement or condition, however because of their disability, does not or is not able to comply. The requirement or condition will also be likely to have the effect of disadvantaging persons with disability in a way that is not reasonable (and otherwise as defined in the Disability Discrimination Act 1992, Section 6)

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### **Inherent Requirements**

The academic requirements of the course or program, and other requirements or components that are inherent in or essential to its nature. (AHRC website and otherwise as defined in the Disability Discrimination Act 1992 Section 21A).

### **Reasonable Adjustment**

A measure or action taken to assist a student with a disability to participate in education and training on the same basis as other students. An adjustment is reasonable if it achieves this purpose while taking into account the student's learning needs and balancing the interests of all parties affected, including those of the student with the disability, the education provider, staff and other students (and otherwise as defined in Disability Standards for Education, Sections 3.3, 3.4).

### **Support Worker**

An individual who is employed by the College to provide educational support to a student with disability, including, but not limited to note-takers, Auslan interpreters and mentors.

### **Unjustifiable Hardship**

In determining whether 'unjustifiable hardship' applies, all relevant circumstances of the particular case will be taken into account, including: the nature of the benefit or detriment to all persons concerned, the disability of the person and the financial circumstances of the provider (and otherwise as defined in the Disability Discrimination Act 1992 Section 11).

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## **5 Principles**

Excelsia College is committed to the provision of reasonable adjustments to accommodate the needs of students with a disability, who choose to disclose, and provide appropriate supportive documented evidence. Reasonable adjustments may be made to accommodate a student with a disability and reduce the impact of their disability on the student's academic success.

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## **6 Related Documents and References**

[Assessment Procedure](#)

[Australian Disability Clearing House for Education and Training – Health Practitioners Report and Access Plans](#)

[Care Recognition Act 2010](#)

[Disability \(Access to Premises- Buildings\) Standards 2010](#)

[Disability Standards for Education 2005](#)

[Disability Discrimination Act 1992](#)

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[Inclusive Assessment, Making Reasonable Adjustment \(STA-G27\)](#)

[Learning Equity and Access Plan Brochure](#)

[Learning Equity & Access Plan Medical Practitioner Report](#)

[No Harassment -Discrimination Policy](#)

[Student Selection and Admission Policy and Procedure](#)

[Teaching and Learning Plan Summary](#)

[Universities Australia \(AVCC\) Guidelines for Students with a Disability 2006 Higher Education Standards Framework \(Threshold Standards\) 2015](#)

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## 7 Mapped to HESF

The content of this policy is mapped to the HESF across Domains 1-7

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## 8 Other

Any student not satisfied with the outcome of a reasonable adjustment request should follow the [Student Grievances Policy and Procedure](#)

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## 9 Document History

This Policy has been amended as follows:

Version	Amendments / Date / Notes
1	Created

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