

STUDENT DISABILITY POLICY

(May 2012)

1. Preamble

The Glennie School is committed to developing in each Glennie girl the intellectual, physical and spiritual potential to be *all she can be* and accordingly, to the principles of equal opportunity and social justice. Within this context, the School supports the right of students with disabilities to live and study at Glennie on an equitable basis with other members of the School community in an environment that is free of discrimination and harassment.

This policy is informed by relevant legislation and has, as its foundation, the fact that The Glennie School is a Christian school, which in its operations gives due regard to the Ethos Statement for Anglican Schools in Queensland.

2. Scope

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

3. Definitions

a) Disability

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 of reality, emotions or judgment or that results in disturbed behaviour; and includes a disability that:
 - a) presently exists; or
 - b) previously existed but no longer exists; or
 - c) may exist in the future (including because of a genetic predisposition to that disability); or
 - d) 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.

b) Disability Categories

The Education Adjustment Program (EAP) is a process in Queensland for identifying and responding to the educational needs of students with disabilities. Adjustments are made for students with disabilities to enable them to access the curriculum, achieve curriculum outcomes and participate in school life. The EAP disability categories are:

- Autism Spectrum Disorder
- Hearing Impairment
- Intellectual Impairment
- Physical Impairment
- Speech-language Impairment
- Social Emotional Disorder
- Vision Impairment

4. Legislation

- *Disability Discrimination Act 1992 (Cth)*
- *Disability Standards for Education 2005 (Cth)*
- *Anti-Discrimination Act 1991 (Qld)*
- *Anti-Discrimination Regulation 2005 (Qld)*
- *Education (Accreditation of Non-State Schools) Act 2001 (Qld)*
- *Education (Accreditation of Non-State Schools) Regulation 2001 (Qld)*

The Commonwealth *Disability Discrimination Act 1992* makes discrimination against people on the grounds of disability unlawful in a wide range of areas of public life, including education¹. Similar provisions also exist in the Queensland *Anti-Discrimination Act 1991*.

The Queensland *Education (Accreditation of Non-State Schools) Act 2001* prescribes 'the school's educational program and student welfare processes' as an accreditation criterion, and makes it mandatory for all schools to have written processes about students with disabilities. In particular, schools must have written processes for identifying students with disabilities, and for devising an educational program, 'specific to the educational needs of those students with a disability, that complies with relevant anti-discrimination legislation'.

In addition, schools must comply with the Disability Discrimination Act Education Standards. The objects of these Standards are:

- a) to eliminate, as far as possible, discrimination against persons on the ground of disability in the area of education and training; and
- b) to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law in the area of education and training as the rest of the community; and
- c) to promote recognition and acceptance within the community of the principle that persons with disabilities have the same fundamental rights as the rest of the community.

To comply, an education provider must make 'reasonable adjustments' to accommodate a student with a disability. An adjustment is 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 does this 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.

A provider is also required to comply in relation to its obligation to put in place strategies and programs to prevent harassment and victimisation. That is, it must ensure that staff and students know

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1. It is unlawful for an educational authority to discriminate against a person on the ground of the person's disability:
 - (a) by refusing or failing to accept the person's application for admission as a student; or
 - (b) in the terms or conditions on which it is prepared to admit the person as a student.
2. It is unlawful for an educational authority to discriminate against a student on the ground of the student's disability:
 - (a) by denying the student access, or limiting the student's access, to any benefit provided by the educational authority; or
 - (b) by expelling the student; or
 - (c) by subjecting the student to any other detriment.
- 2A. It is unlawful for an education provider to discriminate against a person on the ground of the person's disability:
 - (a) by developing curricula or training courses having a content that will either exclude the person from participation, or subject the person to any other detriment; or
 - (b) by accrediting curricula or training courses having such a content.
3. This section does not render it unlawful to discriminate against a person on the ground of the person's disability in respect of admission to an educational institution established wholly or primarily for students who have a particular disability where the person does not have that particular disability.

not to harass or victimise students with disability, or students who have associates with disability, and must take reasonable steps to ensure that staff and students know what to do if harassment or victimisation occurs.

Consistent with the *Disability Discrimination Act 1992* (Cth), an education provider does not have to comply with a requirement of the Standards to the extent that compliance would cause 'unjustifiable hardship'. The provider may consider all costs and benefits, both direct and indirect, that are likely to result for the provider, the student and any associates of the student, and any other persons in the learning or wider community, including:

- costs associated with additional staffing, the provision of special resources or adjustments of the curriculum
- costs resulting from the student's participation in the learning environment, including any adverse impact on learning and social outcomes for the student, other students and teachers, and
- benefits deriving from the student's participation in the learning environment, including positive learning and social outcomes for the student, other students and teachers, and any financial incentives, such as subsidies or grants, available to the provider as a result of the student's participation.

In assessing whether an adjustment to the course or program in which the student is enrolled, or proposes to be enrolled, is reasonable, the provider is entitled to maintain the academic requirements of the course or program, and other requirements or components that are inherent in or essential to its nature.

There is no requirement to make unreasonable adjustments. The concept of unreasonable adjustment is different from the concept of unjustifiable hardship on the provider. In determining whether an adjustment is reasonable the school may consider any effect of the proposed adjustment on anyone else affected, including the education provider, staff and other students, and the costs and benefits of making the adjustment. The specific concept of unjustifiable hardship is not considered. It is only when it has been determined that the adjustment is reasonable that it is necessary to go on and consider, if relevant, whether this would none-the-less impose the specific concept of unjustifiable hardship on the provider.

5. Policy Statement

The Glennie School values the diversity of all students including those with special educational needs, recognises the right of all students to equitable access to the curriculum, and offers education programs specific to the educational needs of students with disabilities.

The Glennie School will assist the full participation of students with disabilities by:

- Valuing all students as individuals and identifying and responding to their needs;
- Consulting with the student and parent to make well-informed decisions about the education program to be developed for each student with a disability;
- Identifying and addressing barriers that limit students' opportunities, participation and benefits from schooling;
- Providing 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;
- Providing physical environments that are accessible, stimulating, safe and welcoming;
- Devising fair and transparent enrolment procedures for all students, including those with disabilities;
- 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
- Supporting and assisting students to make alternative satisfactory educational arrangements when the School is unable to meet their needs.

6. Implementing the Policy

6.1 Enrolment

It is important to us that we, as a school, can meet the educational needs of each child. For this reason, parents are required to complete all questions on the School enrolment form which facilitate the enrolment process and enable us to determine the resources required to meet each individual student's needs.

If a child has a disability, parents/caregivers will be asked to sign a permission form which allows the School to collect information from specialist personnel who may have information to assist in meeting the needs of their child. Specialist personnel may include the child's previous school, disability agencies, and medical and allied health professionals. The cost of providing and collecting specialist information will be met by parents/caregivers.

The collection, use and disclosure of information about a child is protected by the provisions of the School's Privacy Policy, a copy of which can be obtained from the School's website.

6.1.1 Identification

The level of specialist educational support required by students with disabilities is identified through the Educational Adjustment Program (EAP). This includes the collection of information from parents or caregivers, consultation with specialist personnel, including the School's learning support teacher and formal profiling procedures, if appropriate.

The collation of this information will help ascertain the student's need for adjustments to:

- Curriculum
- Communication
- Social Participation / Emotional Wellbeing
- Health and Personal Care
- Safety
- Learning Environment / Access

Based on the information gathered, the Head of School or delegated staff member will make a preliminary assessment of the student's curriculum support needs, and the School's ability to meet these needs.

At this time the Head, or delegated staff member, will meet with parents/caregivers to discuss the outcomes of the information-gathering process and to present the educational program the School can offer. This discussion may involve:

- The student, if appropriate
- Special education advisers from the Association of Independent Schools of Queensland
- Agency representatives
- Therapists, counsellors, other professionals
- An advocate
- An interpreter

It is possible at this time that the enrolment will not proceed because parents form the view that the School cannot meet their child's needs, or the School can demonstrate that the enrolment will cause unjustifiable hardship.

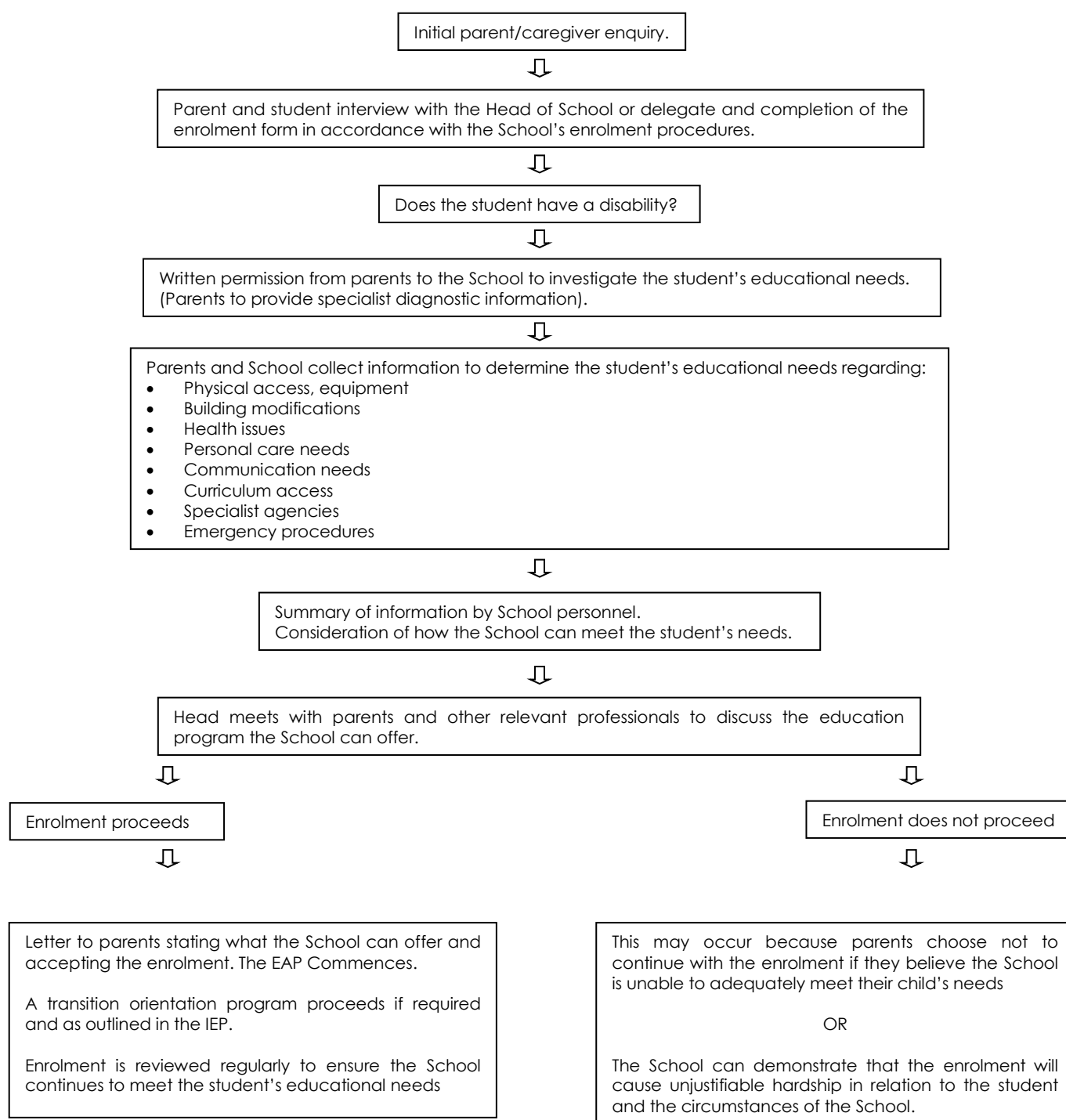
6.1.2 Education Program

On confirmation of enrolment, parents will receive an outline of the support the School can offer the student in order for them to access the curriculum successfully. This School will then begin the formal profiling process, which will include such matters as:

- The basis for the comprehensive collection of information about the needs of the student with disabilities, a list of the information collected and the significance of the information to the formation of the EAP.
- The documentation of curriculum/assessment adjustments and issues related to behaviour management (involving liaison with parents and outside agencies, as appropriate). It will outline resource requirements, including facilities and equipment, evacuation and emergency procedures, reporting requirements, and training requirements for staff or others who work with the student.
- The development of health care plans for students with health support needs.
- The generation of an Individual Education Plan (IEP).

The IEP will be reviewed at the end of each semester and at this time parents/carers will be requested to meet with the Head, or delegated representative, in order to discuss the progress of their child.

6.1.3 Flow Chart



6.2 Current Students

If it is known or suspected that a student is experiencing difficulties in accessing and participating in the curriculum and life of the School, which may be related to a disability, consultation with parents will occur.

The School will then begin the information gathering and consideration process (described at 6.1) to identify the education program the School can offer.

7. Review and Publication of Policy

The Glennie School will review this policy and associated procedures at least once every two years.

The policy will be available to all members of the School and wider community, including prospective students, upon request and via the School's website.