

Reasonable Adjustment Policy

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1 Purpose

The aim of this policy is to ensure students with a disability are provided with the same learning opportunities as students without a disability and the same opportunity to perform and complete assessments as those without a disability.

2 Scope

This policy applies to all staff and students at Kiama Community College (KCC).

3 Definitions

| Term | Definition |
|-----------------------|--|
| Assessment | The process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course |
| Student | Active student with a current course of enrolment with KCC. |
| Reasonable Adjustment | Term applied to modifying the learning environment or making changes to the training and assessment delivered to assist a student with a disability. |

4 Policy

KCC enables reasonable adjustments to be made to assessment procedures for people with special needs, such as people with disabilities or with language or literacy difficulties.

Under the Disability Standards for Education 2005, education providers must make reasonable adjustments for people with a disability, to the maximum extent that those adjustments do not cause that education provider unjustifiable hardship. While 'reasonable adjustment' and 'unjustifiable hardship' are different concepts and involve different considerations, they both seek to strike a balance between the interests of education providers and the interests of students with and without disability. The Disability Discrimination Act 1992 includes a very broad definition of disability, including illness or disease, past disability and present disability. VET students could have a range of disabilities such as:

- Learning disabilities
- Sensory impairments (including vision, hearing or speech impairment)
- Physical or mobility impairments
- Psychological or psychiatric impairments (or mental illness)
- Disabilities, such as cerebral palsy or head injury, which may result in multiple impairments
- Medical conditions such as HIV or AIDS, cancer, or chronic fatigue syndrome (which may result in multiple disabilities)
- Intellectual disabilities.

KCC treats every case relating to reasonable adjustment individually. Students can inform KCC of their disabilities through the pre-training review and the Application For Enrolment Form.

Disclosure of a disability is the choice of the student and is not a requirement for participation in a VET course or non-accredited course. But encouraging students to share information about the impact of their disability on their learning helps to justify and make the necessary reasonable adjustments.

Any information about a student's disability is shared and decisions about reasonable adjustment made collaboratively with the student, trainer, Course Coordinator and Student Support Officer. Consideration in the decision-making process will include students' special needs such as:

- Writing
- Reading
- Hearing
- Communicating with others or getting ideas across
- Moving or manipulating objects
- Paying attention / staying on track
- Sitting for long periods
- Moving around the learning environment
- Remembering / retention
- Dealing with frustration

The Course Coordinator will design suitable training for the individual and assign the student to a particular trainer. Minutes will be taken of all meetings held and any related documentation, including file notes, will be kept in a separate welfare student file (restricted access). As part of professional development, each trainer will be made aware of policy relating to this process. If the course is not suitable for the particular student, KCC will offer advice about alternative training and career path options.

The following examples may be applied for reasonable adjustment but are not limited to:

- Modifying workstations
- Modifying premises
- Modifying or providing equipment
- Adapting delivery strategies
- Ensuring that course activities are sufficiently flexible
- Providing additional support to students where necessary
- Customising resources and activities within the training package or accredited course
- Modifying the presentation medium
- Making information accessible both prior to enrolment and during the course
- Monitoring the adjustments to ensure student needs continue to be met

Any changes or modifications to courses and assessment need to be done in a way that maintains the integrity of the course and the qualification. KCC will not make changes to any accredited or non-accredited courses which would undermine the academic integrity of the course.

5 Reasonable Adjustments

An adjustment is reasonable in relation to a student with a disability if it balances the interests of all parties affected. In assessing whether a particular adjustment for a student is reasonable, KCC has regard to all the relevant circumstances and interests, including the following:

- The student’s disability;
- The views of the student or the student’s associate;
- The effect of the adjustment on the student, including the effect on the student’s:
 - Ability to achieve learning outcomes; and
 - Ability to participate in courses or programs; and
 - Independence;
- The effect of the proposed adjustment on anyone else affected, including KCC’s personnel and other students; and
- The costs and benefits of making the adjustment.

6 Student Rights and KCC’s Responsibilities

| ENROLMENT | |
|--|--|
| Students’ Rights | KCC’s Responsibilities |
| <ul style="list-style-type: none"> • Right to seek admission and enrol on the same basis as prospective students without disability or disadvantage including the right to reasonable adjustments | <ul style="list-style-type: none"> • Take reasonable steps to ensure that the enrolment process is accessible. • Consider students with a disability or disadvantage in the same way as students without disability or disadvantage when deciding to offer a place. • Consult with the prospective students or their associates about the effect of the disability or disadvantage on their ability to seek enrolment; and any reasonable adjustments necessary |
| PARTICIPATION | |
| Students’ Rights | KCC’s Responsibilities |
| <ul style="list-style-type: none"> • Right to access courses and programs; use services and facilities; and have reasonable adjustments, to ensure students with disability or disadvantage are able to participate in education and training on the same basis as students without disability or disadvantage. | <ul style="list-style-type: none"> • Take reasonable steps to ensure participation. • Consult with the student or their associate about the effect of the disability or disadvantage on their ability to participate. • Make a reasonable adjustment if necessary. • Repeating this process over time as necessary. |

| CURRICULUM DEVELOPMENT, ACCREDITATION AND DELIVERY | |
|---|---|
| Students' Rights | KCC's Responsibilities |
| <ul style="list-style-type: none"> Right to participate in courses and relevant supplementary programs that are designed to develop their skills, knowledge and understanding, on the same basis as students without disability or disadvantage and to have reasonable adjustments to ensure they are able to participate in education and training. | <ul style="list-style-type: none"> Enable students with disability or disadvantage to participate in learning experiences (including assessment and certification). Consult with the student or their associate. Take into consideration whether the disability or disadvantage affects the student's ability to participate in the learning experiences. |
| STUDENT SUPPORT SERVICES | |
| Students' Rights | KCC's Responsibilities |
| <ul style="list-style-type: none"> Right to access student support services provided by education institutions, on the same basis as students without disability or disadvantage. Students with disability or disadvantage have the right to specialised services needed to participate in the educational activities they are enrolled in. | <ul style="list-style-type: none"> Ensure that students with disability or disadvantage are able to use general support services. Ensure that students have access to specialised support services. Facilitate the provision of specialized support services. |
| HARASSMENT & VICTIMISATION | |
| Students' Rights | KCC's Responsibilities |
| <ul style="list-style-type: none"> Right to education and training in an environment that is free from discrimination caused by harassment and victimisation on the basis of their disability or disadvantage. | <ul style="list-style-type: none"> Implement strategies to prevent harassment or victimisation. Take reasonable steps to ensure that personnel and students are informed about their obligation not to harass or victimise students with disability or disadvantage. Take appropriate action if harassment or victimisation occurs. Ensure complaint mechanisms are available to students |

7 Process For Considering Adjustments

KCC provides equitable access to all required educational and support services, so that no student is disadvantaged regardless of their mode of study or location. Where there may be limitations regarding access to these resources, KCC provides clear advice in pre-enrolment information so all students can make an informed choice about which RTO and course of study best meets their needs.

KCC embraces the responsibility of ensuring that all personnel acquire the knowledge and skills to relate to students without direct or indirect discrimination. All personnel are aware of and know how to use available KCC's internal or external resources or be able to confidently refer students to appropriate tutoring and community support services. All personnel continue to expand their knowledge or access and equity issues through induction processes when joining KCC, and in structured professional development on a regular basis (at least annually) in access and equity issues and resources. KCC's personnel have access to a range of access and equity materials designed to assist students in undertaking and completing courses and qualifications. In assessing whether an adjustment to the course or program in which the student is enrolled, or proposes to be enrolled, is reasonable, KCC 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.

8 Consulting The Student

Before KCC makes an adjustment for the student, the student or their associate is consulted about:

- Whether the adjustment is reasonable; and
- The extent to which the adjustment would achieve the aims in relation to the student; and
- Whether there is any other reasonable adjustment that would be less disruptive and intrusive and no less beneficial for the student.

9 Deciding on an Adjustment to be Made

In deciding whether to make a particular reasonable adjustment for a student, KCC:

- Assesses whether there is any other reasonable adjustment that would be less disruptive and intrusive and no less beneficial for the student; and
- Assesses whether the adjustment may need to be changed over the period of a student's education or training.

A detailed assessment, which might include an independent expert assessment, may be required in order to determine what adjustments are necessary for a student. The type and extent of the adjustments may vary depending on the individual requirements of the student and other relevant circumstances. Multiple adjustments may be required and may include multiple activities.

10 Assessing Reasonable Adjustments

In assessing whether a particular adjustment is reasonable for the student with a disability, KCC takes into account:

- The nature of the student's disability;
- The information provided by, or on behalf of, the student about how the disability affects the student's ability to participate;
- Views of the student, or an associate of the student, about whether a proposed adjustment is reasonable and will enable the student with a disability to access and participate in education and training opportunities on the same basis as students without disabilities;
- Information provided by, or on behalf of, the student about his or her preferred adjustments;
- The effect of the proposed adjustment on the student, including the student's ability to participate in courses or programmes and achieve learning outcomes;
- The effect of the proposed adjustment on anyone else affected, including KCC's operations, personnel and other students; and
- The costs and benefits of making the adjustment.

In making a reasonable adjustment, KCC ensures that the integrity of the course or program and assessment requirements and processes are maintained. KCC acts upon information about an adjustment in a timely way that optimises the student's participation in education or training. In meeting its obligations to provide reasonable adjustments, KCC may provide an alternative adjustment to the student's preferred form of adjustment, if the alternative is effective in achieving the desired purpose.

11 Unjustifiable Hardship

Once a reasonable adjustment has been determined, KCC's adjustment may consider if the adjustment would impose unjustifiable hardship on its operations. In determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are taken into account including:

- The nature of the benefit or detriment likely to accrue or be suffered by any persons concerned; and
- The effect of the disability of a person concerned; and
- The financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship.

In determining whether unjustifiable hardship applies, KCC:

- Takes into account information about the nature of the student's disability, his or her preferred adjustment, any adjustments that have been provided previously and any recommended or alternative adjustments. This information may be provided by the student, an associate of the student or independent experts (or a combination of those persons);

- Ensures that timely information is available to the student, or an associate of the student about the processes for determining whether the proposed adjustment would cause unjustifiable hardship; and
- Ensures that these processes maintain the dignity, respect, privacy and confidentiality of the student and the associates of the student, consistent with the rights of the rest of the community.

Where a claim of unjustifiable hardship is made, KCC has taken into account all the financial and other resources that are reasonably available for the purpose of making any necessary adjustments for the student, and the impact of those adjustments on its capacity to provide education of high quality to all students while remaining financially viable. KCC considers all costs and benefits both direct and indirect that are likely to result, the student and any associates of the student, and any other persons in the learning or wider community, including:

- Costs associated with additional personnel, the provision of special resources or modification 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.

Where KCC decides to rely on unjustifiable hardship, it ensures that a notice stating the decision and the reasons for the decision is given to the student, or an associate of the student, as soon as practicable after the decision is made.

12 Implementing Reasonable Adjustments

KCC takes reasonable steps to ensure that any adjustment required to be made is made within a reasonable time. Whether the time is reasonable depends, in particular, on whether and when the student, or his or her associate, has provided:

- In a timely way, any relevant information in the possession of the student or associate about how the disability affects the student in relation to education or training; and
- The student's or the associate's opinion about the matters. Where reasonable adjustments are implemented, a detailed training and assessment plan including timetables, notes regarding the required adjustments, and any related communications regarding the adjustments is maintained in the student's file.

Key training and assessment strategies for supporting individual needs include:

- Knowing and respecting students: Understanding students are time poor; communicate with them, embrace and integrate their diversity and enable contributions of their knowledge to everyone’s learning;
- Offering flexibility, variety and choice: While upholding academic standards, offer students flexibility, choice in assessment and variety in teaching and learning strategies;
- Making expectations clear, using accessible language: Speak and write in plain language to ensure students understand the concepts being taught, your expectations of them and what is required to be a successful student;
- Scaffolding students’ learning: Take a step-by-step approach to training to ensure students build on what they bring to the course and are taught the particular discourses necessary to succeed;
- Being available and approachable to guide student learning: In addition to being available, be approachable so that students may make use of KCC’s personnel expertise and guidance to improve their learning and performance; and
- Supporting reflective practice: Reflect and seek to act on reflections, those from peers and feedback from students, to continuously improve training practice and students’ learning.

| Reasonable Adjustments | |
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| Type of disability or disadvantage | Example reasonable adjustments |
| Mobility impairment | Provision of wheelchair accessibility; access to aids such as for holding documents, adjustable tables, note taking support, oral rather than written presentations or exams; use of a personal computer; lifting limits |
| Vision impairment | Use of audio recordings, enlarged text and images, enlarged computer screen images; use of voice synthesisers on computers; good lighting or reading lamps; braille translations; provision for guide dogs; avoid moving furniture without informing the person; provision of additional writing time for assignments/tests. |
| Hearing impairment | Use of teletext; audio loops for individuals using hearing aids; use of Plain English documents; sign language interpreters for training and assessment. |
| Intellectual disability | Practical learning sessions; repetition of learning exercises; use of Plain English; use of mentors; assessment that is appropriate to the skill, i.e. avoiding written test for practical tasks; provision of additional time. |
| Psychiatric disability | Use of reflective listening skills; identification and avoidance of stresses; use of ongoing rather than formal assessments; providing ‘time-out’ breaks in assessment. |

| Reasonable Adjustments | |
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| Individuals with acquired brain injury | Provision of time and patience during training and assessment; use of reflective listening skills; provision of memory aids, e.g. posters, notes; minimisation of stress. |
| Speech impairment | Provision of learning materials, texts and handouts ahead of the class; modify the presentation medium for example, visual, oral, print, demonstration; provision of practice opportunities; use of generic, inclusive terms when constructing learning activities; substitution of alternative tasks where existing ones pose a problem; extend or modify timeframes for assessment; ensure the language of assessment instruments does not create barriers; provision of customised delivery schedule, provision of one on one coaching sessions. |
| Mature age | <p>Provision of customised delivery schedule, provision of one-on-one coaching sessions; extend or modify timeframes for assessment; use of paper-based resources; use of phone communication as preferred method.</p> <p>Make sure font size is not too small</p> <p>Trainer/Assessor should refer to the student's experience</p> <p>Provision of information or course materials in accessible format.</p> <p>Changes in teaching practices, e.g. wearing an FM microphone to enable a student to hear lectures</p> <p>Supply of specialised equipment or services, e.g. a note-taker for a student who cannot write</p> <p>Changes in lecture schedules and arrangements, e.g. relocating classes to an accessible venue</p> <p>Changes to course design, e.g. substituting an assessment task</p> <p>Modifications to physical environment, e.g. installing lever taps, building ramps, installing a lift</p> |

| Reasonable Adjustments | |
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| Aboriginal & Torres Strait Islander | <p>Culturally appropriate training. Explore understanding of concepts and practical application through oral assessment. Flexible delivery. Using group rather than individual assessments. Assessment through completion of practical tasks in the field after demonstration of skills and knowledge.</p> <p>Provision of customised delivery schedule, provision of one on one coaching sessions; extend or modify timeframes for assessment; use of paper based resources; use of phone communication as preferred method; provision of learning materials, texts and handouts ahead of the class; modify the presentation medium for example, visual, oral, print, demonstration; provide practice opportunities; use of generic, inclusive terms when constructing learning activities</p> |
| Low socio-economic background | <p>Provision of customised delivery schedule, provision of one on one coaching sessions; extend or modify timeframes for assessment; use of paper based resources; use of phone communication as preferred method; provision of learning materials, texts and handouts ahead of the class; modify the presentation medium for example, visual, oral, print, demonstration; provide practice opportunities; use of generic, inclusive terms when constructing learning activities</p> |
| Language, literacy, numeracy | <p>Provision of verbal assessment, presentations, demonstration of a skill, use of diagrams, use of supporting documents such as word lists.</p> |
| Non-English speaking background | <p>Discuss with the student and supervisor (if applicable) whether language, literacy and numeracy are likely to impact on the assessment process</p> <p>Use methods that do not require a higher level of language or literacy than is required to perform the job role</p> <p>Use short sentences that do not contain large amounts of information</p> <p>Clarify information by rephrasing, confirm understanding</p> <p>Read any printed information to the student</p> <p>Use graphics, pictures and colour coding instead of, or to support, text</p> <p>Offer to write down, or have someone else write, oral responses given by the student</p> <p>Ensure that the time available to complete the assessment, while meeting enterprise requirements, takes account of the student's needs</p> <p>Consider engaging an interpreter</p> |

13 Responsibilities

| Role | Responsibility |
|---------------------------|---|
| CEO | Responsible for the development and approval of this policy |
| CAR Manager | Responsible for the review and update of this policy |
| Training Services Manager | Responsible for the implementation of this policy |
| Students | Responsible for information KCC of their special needs to ensure this policy is applied |
| Trainers & Assessors | Abiding by this policy |

14 Legislative Context

- Standards for Registered Training Organisations (RTOs) 2015: Clauses 1.8 – 1.12
- Disability Discrimination Act 1992 (Cth)
- Disability Standards for Education 2005 (Cth)

15 Related Documentation

- Access & Equity Policy
- Assessment Policy
- Assessment Appeals Policy
- Student Complaints Policy

16 Policy Version and Revision Information

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| Policy Authorised by: | CEO |
| Effective date of Original Version: | May 2024 |
| Policy Maintained by: | CAR Manager |
| Version Number/Effective date: | V1 May 2024 |
| Review Date: | May 2026 |