



Heights College

Students with Disabilities Policy

Our Commitment – Heights College acknowledges its obligation to meet the educational needs of students with disabilities in a manner that complies with relevant anti-discrimination and accreditation legislation, and takes into account student learning needs while balancing interests of all parties affected.

Heights College 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 where reasonable educational programs, specific to the educational needs of students with disabilities.

Scope – This policy applies to employees, contracted on a temporary, casual, fixed term or permanent basis. Additionally, the policy applies to students who are enrolled at Heights College and their parents/carers.

Our Goal – Heights College will assist the full participation of students with disabilities wherever possible or reasonable by:

- Valuing all students as individuals and identifying and responding to their needs;
- Consulting with the student and parents to make well informed decisions about the education program to be developed for each student with a disability/ies;
- 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;
- Providing physical environments that are accessible, stimulating, safe and welcoming;
- Using 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 College is unable to meet their needs.

Responsibilities

Headmaster

- The Headmaster is responsible for ensuring that this policy relating to disability are implemented and that appropriate support and information are provided to facilitate their effective implementation.

HEdSup Teacher

- Support classroom teachers to deliver quality educational programs that respond to the needs and abilities of all students, including students with a disability
- Support classroom teachers to develop, implement, evaluate and review support plans/ individual Education Plans for students with disabilities
- Coordinate related Government reporting requirements for School Students with Disability and Educational Adjustment Program.
- Establish and maintain effective communication and relationship with parents to achieve the best educational, social and emotional outcomes for the student

Classroom Teachers

- Education programs that meet the needs and abilities of all students including students with disabilities
- Work collaboratively with the Educational Support Teacher and parents to develop, implement, evaluate and review support plans/ individual Education Plans for students with disabilities

Parents

- Initiate and maintain constructive communication and relationship with the school to achieve the best educational, social and emotional outcomes for the student.
- Participate in the planning and implementation and review of support plans/ individual Education Plans to assist the student to achieve optimum educational outcomes.

Definitions

Disability in relation to a person, means:

- a) total or partial loss of the person's bodily or mental functions; or
- b) total or partial loss of a part of the body; or
- c) the presence in the body of organisms causing disease or illness; or
- d) the presence in the body of organisms capable of causing disease or illness; or
- e) the malfunction, malformation or disfigurement of a part of the person's body; or
- f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- g) 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:
 - h) presently exists; or
 - i) previously existed but no longer exists; or
 - j) may exist in the future (including because of a genetic predisposition to that disability); or
 - k) 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.

Adjustments are a measure or action (or a group of measures or actions) taken by an education provider that has the effect of assisting a student with a disability:

- i) in relation to an admission or enrolment — to apply for the admission or enrolment; and
- ii) in relation to a course or program — to participate in the course or program; and
- iii) in relation to facilities or services — to use the facilities or services;

on the same basis as a student without a disability, and includes an aid, a facility, or a service that the student requires because of his or her disability.

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, regard should be had to all the relevant circumstances and interests, including the following:

- a) the student's disability;
- b) the views of the student or the student's associate,
- c) the effect of the adjustment on the student, including the effect on the student's:
 - i) ability to achieve learning outcomes; and
 - ii) ability to participate in courses or programs; and
 - iii) independence;
- d) the effect of the proposed adjustment on anyone else affected, including the education provider, staff and other students; and
- e) the costs and benefits of making the adjustment.

Direct Discrimination – a person (the discriminator) discriminates against another person (the aggrieved person) on the ground of a disability of the aggrieved person if, because of the disability, the discriminator treats, or proposes to treat, the aggrieved person less favourably than the discriminator would treat a person without the disability in circumstances that are not materially different.

A person (the discriminator) also discriminates against another person (the aggrieved person) on the ground of a disability of the aggrieved person if:

- a) the discriminator does not make, or proposes not to make, reasonable adjustments for the person; and

- b) the failure to make the reasonable adjustments has, or would have, the effect that the aggrieved person is, because of the disability, treated less favourably than a person without the disability would be treated in circumstances that are not materially different.

For the purposes of this section, circumstances are not materially different because of the fact that, because of the disability, the aggrieved person requires adjustments.

Indirect disability discrimination – a person (the discriminator) discriminates against another person (the aggrieved person) on the ground of a disability of the aggrieved person if:

- a) the discriminator requires, or proposes to require, the aggrieved person to comply with a requirement or condition; and
- b) because of the disability, the aggrieved person does not or would not comply, or is not able or would not be able to comply, with the requirement or condition; and
- c) the requirement or condition has, or is likely to have, the effect of disadvantaging persons with the disability.

A person (the discriminator) also discriminates against another person (the aggrieved person) on the ground of a disability of the aggrieved person if:

- a) the discriminator requires, or proposes to require, the aggrieved person to comply with a requirement or condition; and
- b) because of the disability, the aggrieved person would comply, or would be able to comply, with the requirement or condition only if the discriminator made reasonable adjustments for the person, but the discriminator does not do so or proposes not to do so; and
- c) the failure to make reasonable adjustments has, or is likely to have, the effect of disadvantaging persons with the disability.

Relevant Legislation & Related Documents

This Policy is to be read in conjunction with the Heights College Statement of Faith as stated in the Heights College Constitution

Anti-Discrimination Act 1991 (Qld)
Anti - Discrimination Regulation 2005 (Qld)
Disability Discrimination Act 1992 (Cth)
Disability Standards for Education 2005 (Cth)
Education (Accreditation of Non-State Schools) Act 2001(Qld)
Education (Accreditation of Non-State Schools) Regulation 2001(Qld)
 Heights College Students with Disabilities Procedures

Signature

Mr Darren Lawson
College Headmaster

Date approved	11 August 2020
Approval authority	Heights College Board
Date for next review	August 2021
Documents superseded by this Policy or Procedure	None
Distributed to	Teacher Kiosk, Heights College Website

Revisions/Modifications			
Version	Date	Summary of changes	Reviewed by
2	August 2018	Approval and Revisions/Modifications boxes added	Business Manager

3	27 February 2020	No changes	Board Governance Sub-Committee
4	11 August 2020	Additional clause added under Relevant Legislation and Related Documents	College Board