**Reasonable Adjustment:
What is reasonable?**

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# Slide 2: What is Reasonable Adjustment

**DEFINITION:**

*A ‘reasonable adjustment’ is a measure or action taken to assist a student with disability to participate on the same basis as students without disability*

It applies to all areas of enrolment, participation, curriculum, facilities and services.

An adjustment is reasonable if it is based on the individual’s needs and abilities and is balanced with the interests of all parties affected.

This includes the interests of:

* the learner with disability
* associate(s) of the learner
* the training provider
* teachers and staff members involved with assisting the learner
* other learners

# Slide 3: Disability Discrimination Act 1992

Disability Standards for Education 2005 [Factsheet Disability Standards for Education](https://www.dese.gov.au/swd/resources/fact-sheet-2-disability-standards-education-2005)

These standards clarify the obligations of education and training providers to make sure that learners with disability can access and participate in education without experiencing discrimination.

* RTOs are required to take action to ensure people with disability have equal access to education and training
* The DDA makes it unlawful to refuse a person admission to a course on the basis that they are unlikely to be able to gain employment because of their disability
* RTOs are obligated to make reasonable adjustment if they know an adjustment is required
* Reasonable adjustment is not intended to bridge the gap between the learner’s aspirations or career goals and their current capacity to successfully complete the training
* The DDA does not require RTOs to deliver services that they are not in the business of providing

# Slide 4: When to apply Reasonable Adjustment?

* We don’t apply reasonable adjustment just because someone happens to have a disability
* We only need to apply adjustments where they are required and reasonable within the context of the training package
* Reasonable adjustment in teaching, learning and assessment activity lessens the impact of an individual’s disability on their capacity to learn. But, the learner still needs to do the work and demonstrate the required knowledge
* Reasonable adjustment does not give learners with disability an advantage over others. Nor does it change course standards or outcomes or guarantee success
* It is also not about making unreasonable adjustment; every reasonable adjustment needs to be justified and must uphold the integrity of the qualification
* A reasonable adjustment can be as simple as providing extra time to read learning resources in an exam or installing a particular type of software on a computer for a person with low vision

# Slide 5: The Standards for Registered Training Organisations (RTOs) 2015

* Principles of access and equity are embedded throughout the Standards for Registered Training Organisations (RTOs) 2015 and include direct reference to course integrity, flexibility and ensuring reasonable adjustment is applied and monitored
* The Standards for RTOs, Disability Standards for Education, Principles of Universal Design and Inclusive Learning Frameworks all compliment each other in this area
* Practical applications of reasonable adjustment can be found in this [Guide](https://desbt.qld.gov.au/__data/assets/pdf_file/0028/8299/reasonable-adjustment-for-web.pdf)

# Slide 6: What is our process at TAFE Queensland?

* Students are encouraged to disclose that they have a disability at enrolment and are asked – Do you have a disability?
* Every student that states Yes – receives an email from Student Support telling them about our services, examples of disability and medical conditions common in our student population and strongly encourage them to register with our services
* Many students across the tertiary sector do not disclose at enrolment
* However, disclosure of disability can happen at any time during a student’s program
* We cannot cater for what we don’t know or apply retrospective adjustments to assessments

# Slide 7: When a student registers with our AccessAbility services

1. 1:1 confidential conversation about individual disability, learning challenges, medical condition or mental health AND whether the disability may or may not impact on the person’s ability to attend, participate and be successful (consultation is vital)
2. Many students with disability do not need our services, are independent or can advocate adjustments for themselves - this is a good thing!
3. Parents, carers and external support agencies can attend
4. Registration will result in the AccessAbility Officer creating a Student Outline for the Faculty – detailing the background, suggestions and potential reasonable adjustments, where relevant

# Slide 8: Our Cohort…

* Increases we are seeing with our cohort
* Increasing autism & specific learning difficulties
* Growth in student mental ill health
* Significant increase in presenting complexity and co-existing concerns
* Increasing number of those with diagnosis yet conversely increasing disclosure without diagnosis

# Slide 9: We sometimes see this…..

* Student / parent expectations – **Fix this!**
* Demands & challenges to personal integrity
1. Your organisation (you) should do this…
2. We’ve paid for this course why hasn't he passed?
* *“I have rights….. under the DDA you should….”*

# Slide 10: The previous challenges for many students and parents

* Years of meetings and battles to get a disability or learning difficulty diagnosis and a fair go at High School
* High School disability officers provide a different service compared to TAFE AccessAbility Officers
* *Helicopter parents* and students in the shadow
* It is a transition for both student and parent and their first time in the post-school world
* They are on their ‘L plates’

# Slide 11: Evidencing Reasonable Adjustment

Educational staff:

* Must be able to justify adjustments made or reasons for not allowing adjustments
* Should discuss the reasonable adjustment options with the student and document the reasonable adjustment on assessment documentation

# Slide 12: Evidencing Reasonable Adjustment

Through their assessments, students still need to be able to present themselves as having the knowledge and skills implicit in the award.

Reasonable adjustment can be applied to how a student participates and demonstrates their skills but it can not remove standards and must maintain the integrity of the course e.g. verbal assessment for a Cert III Fitness student with severe dyslexia (able to verbally identify all the bones, muscles and functions in an assessment) and great difficulty with spelling and reading.

This would be different for a Nursing student as reading and writing this content would be inherent in the role.

# Slide 13: Language that works….. and what doesn’t!

Wheelchair bound? – the person is not tied to the wheelchair - **NO**
Sara uses a wheelchair - **YES**

Visually impaired? - **NO**
Mark has a vision impairment - **YES**

When meeting with a student and an Auslan interpreter – look and face the student, not the interpreter - **YES**

Mental ill health or Mental health condition - **Discussion Point**

**BEWARE of the Health & Safety Trap!**

Safety alone is **RARELY** a valid reason to say *‘you can’t do this’.* Consultation and consideration of potential reasonable adjustment/s must be explored.

If participation is denied purely due to a disability then this is most likely discriminatory on the basis of disability.

# Slide 14: The NDIS and external support workers

Reasonable adjustment and the National Disability Insurance Scheme (NDIS)

* A key principle underpinning the NDIS is equal right of access to services, consistent with the goals of the National Disability Strategy, which aims to maximise the potential and participation of people with disability
* The NDIS does not replace the obligations of mainstream services, such as VET. Rather, it funds personalised support related to the functional impact of an individual’s disability where those supports are not part of another service system’s universal service obligation or covered by reasonable adjustment
* TAFE Queensland Guide for External Support Workers on SPOT

# Slide 15: Some tips…

Some tips to remember:

* If you are not sure, don’t do it alone (none of us are experts on all disabilities)
* Don’t make assumptions
* Seek opinion from colleagues on what is reasonable
* Ensure there has been consultation with the student and monitor. If it isn’t working, Stop…. Review…. Consult…..
* A teacher does not need a Student Outline or support letter from AccessAbility Services in order to apply a reasonable adjustment
* Reasonable adjustment is designed to enable participation and the Standards clearly state it does not guarantee success

# Slide 16: Q&A