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Professional Registration Boards and Associations and the Inherent Requirements of University Courses: Relationships?

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ABSTRACT

Professional Registration Boards and Associations: Do they influence the inherent requirements of university courses and do they affect the accommodation of students with disabilities/medical conditions in their studies?

Building on the author's previous work in the report *Guidelines and Procedures to Assist Universities to examine the Inherent Requirements of their Courses*, (Watts *et al.* 2000), this paper seeks to examine the influence, if any, of the professional registration bodies and associations on the universities when accommodating students with disabilities and medical conditions.

Through interviews with heads of schools, registration boards, professional associations, the university's legal office and the Disability Discrimination Act (DDA) Advocate, answers to the following will be sought. What influence, if any, do registration boards and professional associations exert in the determination of the inherent requirements of individual university courses? Does the university's obligation to reasonably accommodate students with disabilities and medical conditions conflict with eligibility requirements for professional registration or membership to a professional association, especially in fieldwork units? Is the relationship between the university and the professional registration board and associations, and their obligation to disability discrimination legislation fully understood?

1. INTRODUCTION

(Explanatory note: for the purpose of this paper, the *schools/areas/departments* referred to in the following report is referred to as 'schools', *units/subjects* as 'units' and *disabilities and/or medical conditions* as 'disability')

In the report *Guidelines and Procedures to Assist Universities to Examine the Inherent Requirements of their Courses* (Watts *et al.* 2000), different heads of schools and senior school staff at the four West Australian public universities were interviewed in phase one (pilot study) and phase two stages, and were asked:

- how prospective students are informed about their courses
- if the information specifies the essential requirements of the course
- whether prospective students are encouraged to enquire about the essential requirements of the course

- how the school decides what information about their course should go in the university handbook
- how they defined units as ‘essential’, ‘important’ and ‘optional’
- whether their courses had fieldwork/practicum components and whether these units involved external agencies

Some of the key findings of the report were as follows:

Schools reported that the University Handbook and Calendar is the main source of academic information (including essential requirements) about courses and the schools provide this information, the content of which draws on advice from a variety of sources eg. Academic Boards, staff meetings, curriculum committees, historical considerations and employer satisfaction. In one school, reference is made to an external professional registration body when course and unit content are being considered and the body has occasionally insisted on changes.

There was a difference between the pilot study and phase two respondents to the need for pre-course counselling for all students but in particular those with disabilities, with the latter recognising the need for it and that it should be undertaken with care. Respondents in phase two also felt that while it is unlawful to exclude entry to courses on the grounds of a disability, the universities have a *duty of care* to at least make prospective students aware that disability may preclude a student from working in fields particular to his/her qualification after graduation.

Providing accommodations for students in examinations, practical laboratory work, fieldwork and practicum units were reported as the most problematic for schools especially in the fieldwork units when the student presented with a mental health problem. Concern was expressed about the student’s right to be accommodated and the university’s *duty of care* to him/her versus the university’s *duty of care* to the external fieldwork agencies and the clients and staff of the agency. Schools wanted advice on this.

Schools reported that external fieldwork agencies do not ask for personal student details prior to commencement in the agency, assuming that the university will only place *well prepared, stable* students in fieldwork situations. A small number of schools did not accept that the requirement to accommodate a student with a disability took precedence over the demands of the professional or trade associations, whilst other respondents were concerned that employment constraints imposed by these associations cannot be used to deny entry to a person with a disability into a particular course, and felt this required further discussion within the university.

There was full support for the guidelines that the project sought to develop, but questions about the legal status of the guidelines and procedures and what would be the role of the document in a grievance process?

This early work and my own experiences as both a service provider to students and as a consultant to the university staff, has prompted the investigation in this paper. Not infrequently for instance, do students ask why they can’t complete fieldwork placements in a part-time capacity, as a consequence of having a disability and not infrequently is the constraint of a body external to the university cited as the reason. Many discussions have occurred in an attempt to define the relationship of the university to its students and to the fieldwork agency and wherein lies the duty of care. What is duty of care? Does the university have a duty of care to the students and a contractual relationship with the agency?

The paper is based on many questions; no doubt many more will unfold.

2. METHOD

The paper will report on the results of interviews with heads of schools, registration boards, professional associations, the DDA Advocate and the university legal office.

The interviews will comprise 6-8 questions pertaining to the relationships between the organisations and their obligations under the DDA and how this influences the experiences of students for whom accommodations were made during their studies, as a consequence of having a disability.

3. RESULTS

To be collated.

4. DISCUSSION

To be considered.

5. CONCLUSION

To be determined.

6. ACKNOWLEDGEMENT

7. REFERENCES

Watts, O., Stickels, C., Fraser, C., Carroll, R., Stewart, N., Radloff, A., 2000, Guidelines and Procedures to Assist Universities to Examine the Inherent Requirements of their Courses: When Accommodating Students with Disabilities and/ or Medical Conditions, (Project undertaken by Curtin University of Technology for the Post Secondary Education Disability Network as a Co-operative Project for Higher Education Students with Disabilities, Department of Education, Training and Youth Affairs)