

Inquiry into the Education of Students with Disabilities

University of Western Sydney

The University of Western Sydney welcomes the opportunity to participate in the Senate Inquiry into the education of students with disabilities. University students with disabilities must be extremely committed and dedicated to their studies, as they face numerous educational barriers. There is both Commonwealth and State legislation enunciating the rights of people with disabilities. There still appears to be disparities between the substantive equality of educational opportunity for some students with disabilities. Thus the University recognises the importance of the inquiry into the education of students with disabilities. The following document responds to questions which are relevant to the education of students with disabilities in Universities, with some reference to the University of Western Sydney.

Terms of Reference

Inquire into the education of students with disabilities, including learning disabilities, throughout all levels and sectors of education, with particular reference to:

(a) whether current policies and programs for students with disabilities are adequate to meet their education needs, including, but not limited to:

- i) the criteria used to define disability and to differentiate between levels of handicap:*

At the University of Western Sydney (UWS) the definition of disability within section 4 *Disability Discrimination Act (DDA) 1992* is applied. The focus within the University is not upon the level of 'handicap' but rather the level of educational accommodations required for the individual to enable them to attain substantive equality to undertake the academic course requirements, based upon section 22 *DDA*. The language of 'handicap' is a foreign terminology in Universities, since it is the level of reasonable accommodations required to achieve accessibility to the academic programs. For example, a student with high physical support needs will require different adjustments if undertaking a course in Medicine compared with Law, because of the differing course requirements.

Applying consistent definitions within the disability area is necessary. This is most obvious with students with learning disabilities. Within the NSW School sector, students with a learning disability have been defined under the umbrella

terminology of learning difficulties rather than identified specifically as having a learning disability. This reflects a different perspective which can impact on the provision of educational strategies or accommodations, given the funding implications. To have agreement on the definition of learning disability at all educational levels would assist in the effectiveness of transition into tertiary studies for students with a learning disability

In relation to levels of disability or impairment, at UWS, each student is individually assessed and the necessary educational accommodations implemented. The level of impairment is informed by the medical documentation and the assessment made by the Disability Adviser. The Disability Adviser determines the level of impairment based on the impact of the student's disability on their study.

ii) *the accuracy with which students' disability related needs are being assessed.*

Before considering the accuracy with which students' disability related needs are assessed, it is important to recognise the factors associated with students' disclosure of their disability.

Factors include:

a) The level, extent and timing of student disclosure.

Some students with disabilities within Universities:

- do not disclose their disability;
- do not recognise the extent of the impacts of their disability in the learning environment when enrolling at University;
- do not recognise that their educational performance is being affected by their 'disability';
- do not recognise that their disability needs can vary during their enrolment in their course, because of the nature of the disability;
- may not always know what educational accommodations they require. In these situations, initial assessment may not be accurate and a trial support plan may be preferable. This trial plan can be monitored and revised accordingly.

b) The standard and types of external reports on the students' disability related needs.

Documentation of an assessment from a medical or other recognised professional specialist is required by the University of Western Sydney. This documentation can include reports from

Occupational Therapists, Physiotherapists and Educational Psychologists. The University requests that this assessment should include confirmation of the disability and recommendations on the type of accommodations required. The educational accommodations implemented previously for each student within TAFE or by the Secondary Schools Board can contribute to the determination of the educational adjustments required within the relevant University program. However, since there is no coordinated approach to the transition process, there is no agreed approach to the 'authorised' transfer of documentation, such as previous determinations of educational adjustments, and educational assessments from the school sector to Universities. Authorised means the student's agreement for the relevant documents to be forwarded from one educational sector to another.

The University also refers to the Guidelines for Disability Services in Higher Education, commissioned report No. 29, for assistance in determining student accommodations.

Although there are various publications detailing the needs and educational requirements of specific disability groups, the impact of a specific disability on an individual may be quite unique, thus each student's disability related needs require individual assessment.

iii) *the particular needs of students with disabilities from low socio-economic, non-English speaking and indigenous backgrounds and from rural and remote areas:*

A constant difficulty for students from the above equity groups concerns finances. Students with disabilities are often unable to participate in part-time work, as the time and effort involved in their studies is often greater than required for other students. For example, students with disabilities, and in particular students with learning disabilities, often require extra tutoring, assistance with research and assistance with accessing course materials. This is extremely time consuming and in addition to what is required for most students. Therefore, students with disabilities often do not have the opportunity to participate in part-time work to supplement their AUSTUDY/Youth Allowance payments.

There is a further associated difficulty in that students with disabilities often require specialised software, computer equipment or reading materials. Although UWS is able to provide some of these facilitates, students are most often required to purchase these items to enable them to complete university work at home. In

addition to the expenses associated with university study, students with disabilities can require medication and specialist treatments, which again can be a financial burden. Therefore, students from the above equity groups are more likely to be financially disadvantaged in comparison to the remainder of the student population.

It is unfortunate that the then Department of Education, Training and Youth Affairs discontinued the Equity Scholarship program in 2000 as it provided some assistance to these financially disadvantaged groups of students.

A student with a disability and from a non-English speaking background and/or indigenous background can have different cultural needs which affect their access to services. The term 'disability' can be understood in different ways by people from diverse cultural groups. This can include non-recognition of the disability by the cultural group or the reliance of the student upon the cultural group to provide the educational support for their disability, rather than the disability services.

Where students experience multiple disadvantage, the educational support needs of the student with a disability can be greater, with needs associated with English language acquisition and lack of finances to acquire the relevant assistive technology affecting the access of the student to meet the academic course requirements of the University.

iv) *the effectiveness and availability of early intervention programs*

UWS conducts a prospective student interview program for students with disabilities that is designed to determine student needs and educational accommodations prior to their commencement at university. This is a highly effective and valuable program, which establishes a close working relationship between the student, Disability Adviser and academic staff early in the student's academic career. The main difficulty here is that not all students with disabilities who are planning to attend university participate in this program.

NSW based universities, in conjunction with the State Library, also conduct the Setting Directions seminar which is a one day workshop aimed at informing years 10 –12 students of the services available at universities as well as establishing initial links with the Disability Advisers. This program is promoted throughout the Secondary school sector and also appears to be effective. The

funding for this program was suspended in 2000 and it appears likely that funding will be reinstated for 2002.

v) *access to and adequacy of funding and support in both the public and private sectors*

The recent Commonwealth budgetary provisions for funding of high-cost students is welcomed, in that it is expected that this will assist to improving access to educational resources for students with disabilities where the students needs are high cost. This is a first step in acknowledging the high cost needs of students with disability.

One concern is related to the costs of attendant care for students with disabilities, since it is high cost and is not included in any educational funding, yet without attendant care, specific students cannot access the University courses at UWS. Further, some students with disabilities, e.g. students with a learning disability, may require additional tutoring. This additional tutoring is not always provided by the University and, therefore, students are required to cover the costs.

The costs to the individual student with a learning disability in obtaining the required documentation, that is an educational assessment, to determine the disability and the reasonable educational accommodations required can be expensive, and for some students this can be prohibitive.

There are times when a University is not able to provide the reasonable accommodations for students with disabilities for reasons external to the university. For example, Australian Sign Language Interpreters are in short supply for students who are deaf. As a result, it is not always possible to provide an interpreter in all the student's lectures and tutorials, where this is a reasonable accommodation. An increase in the training of interpreters or an alternative technological measure (perhaps voice activated software) needs to be investigated and incorporated within teaching practices.

To illustrate this further, a single student requiring Sign Language interpreting can cost a university \$30,000 per year. Students with a vision impairment requiring a broad range of services can cost over \$20,000. At UWS, there are over 800 students with disabilities, although few require as extensive services.

There are many difficulties associated with the transcription of material/texts into alternate formats for students with a vision or learning disability. The main difficulty is the turn-around-time. There have been many examples at UWS where students have not received transcribed material until the end of the semester. The Human Rights and Equal Opportunity Commission is currently undertaking a review of transcription services because of the detrimental impacts upon the educational progress of students who require these services. The costs associated with transcriptions is also being considered. A possible solution may be the establishment of a national transcription service for University students by the Commonwealth Government.

From a funding perspective, specific funding for enacting the Disability Discrimination Act for students has not been allocated to Universities, although the recent funding of high-cost students and the funding of Regional Disability Liaison Officers' initiatives are recognised. However, with the changes in the funding from the Federal Government, Universities are in a difficult financial situation in their requirements to provide the financial resources to enable accessible and equitable educational opportunities for students with disabilities in higher education.

vi) *the nature, extent and funding of programs that provide for full or partial learning opportunities with mainstream students*

Reasonable accommodations are required for students with disabilities to enable full access to learning opportunities in University. Specific strategies to enable reasonable accommodations in the learning environment include: notetaking, interpreting, practical assistants, readers, transcription of material into alternate formats, individual examination provisions, mentor programs, tutoring program, prospective student interview programs, disability integration rooms, support groups, alternative methods of assessment and the provision of specialised computer facilities.

vii) *teacher training and professional development*

Workshops are run across UWS for both academic and administrative staff. At this point in time, over 150 staff members have completed the workshops. These workshops cover the following topics: legislative requirements, reasonable accommodations, myths and misconceptions about people with disabilities, teaching strategies, adaptive technology and communication strategies. Unfortunately, with the ever-increasing

workload of academic staff, it is not always easy to attract lecturers to these workshops. One possible solution to this is to closely associate the practice of inclusive teaching methods with the university's staff promotions policy.

Professional development also occurs on a one-to-one basis between the academic and the Disability Adviser. Speakers are also occasionally invited to address the University community. Academics have access to the UWS Disability Web page that has a broad range of publications relating to disabilities.

The Disability Advisers attend: a Disability Conference bi-annually, occasional disability related workshop and regular meetings of the NSW and ACT Universities Disability Access Network – a peak body for student disability issues.

viii) *the legal implications and resource demands of current Commonwealth and state territory legislation*

The University sector is informed primarily by the *Disability Discrimination Act (1992)*.

The implementation of Disability Action Plans assists Universities in meeting their legal obligations under the Act, and provide some protection from claims of discrimination when the University is unable to provide the full range of accessibility to educational resources, because of resource limitations, especially funding.

Universities continue to be in a constant bind between the individual student needs and the minimum funding available for enabling reasonable adjustments for students with disabilities. While there will always be a need for specific funding for individual students with disabilities, Universities need to address the systemic barriers which restrict access into higher education and within the learning environment. Without appropriate funding for long term applied research and implementation of systemic changes which enable the integration of new ways to integrate the educational adjustments into the learning environment, Universities will continue to function more in a reactive and crisis centred resourcing approach for the individual with the disability, rather than funding for long-term planning to integrate the systemic improvements required.

The resource demands react to the legal implications that are centred on a consequence of individual complaints, and where Standards exist, in meeting the prescribed Standards. There is little

legal implications driving the need for systemic review, which enables improved flexible learning within the University.

The legal implications for Universities can be inclusive of section 22, Education; section 23, Access to premises; section 24, goods, services and facilities; and section 25 Accommodation. Indications of resource demands have also been referred to in clause (v). The costs associated with improving disability access to buildings and within the general University campus environment, to adequate accessibility to information technology, including Library and computer access are considerable and must be borne completely by the University. The inability of Universities to meet the complete legal requirements of the *DDA* and the lack of Educational Standards place unachievable demands upon educational organizations, who do not have the funding levels available to fully implement the full objectives of the *DDA*.

(b) what the proper role of the Commonwealth and states and territories should be in supporting the education of students with disabilities

Specific funding of disability services and programs for students with disabilities in Universities to enable substantive equality of opportunity to higher education is one of the key roles that the Commonwealth Government can play within the University setting. Seed funding for long-term strategies to improve the University education and infrastructure systems would enable the University to focus on assisting many students with disabilities to access education without requiring specific individualised reasonable accommodations.

Specific funding to Universities to improve the educational access for students with disabilities would contribute further towards ensuring that Universities fund the required educational assessments for students with a learning disability, where previous assessments do not exist. This would improve the quality of educational assessments, as the University as the purchaser of the educational assessment could ensure that the student with the learning disability is provided with the appropriate assessment for the University learning environment.

The Commonwealth Government is in the appropriate position to determine which government portfolio funds attendant care, and the type of attendant care to be funded for these students in Universities. For example, elements of attendant care for some students with disabilities can include direct education supports such as page turning, transport between class facilities, communication assistance in classes, tutorials and physical access to student and class materials, as well as the assistance with nutrition, medication and toileting. Some elements of attendant care have a direct impact on the educational access for students requiring this assistance.

The Commonwealth Government could play a role in the establishment of a National University Transcription service to assist the educational requirements of students with a print disability. The outcomes from the Human Rights and Equal Opportunity Commission enquiry into University Transcription service will assist in this process. Similarly, the State Governments could assist students who are deaf by increasing AUSLAN interpreter training courses, thereby, improving the pool of available interpreters for the education sector.

The promotion of disability issues within the Education sector as well as within the general community is also required. Again, the Commonwealth, State and Territory Governments all have a role to play here. A joint media campaign would be beneficial.

The role of the Commonwealth Government's funding of specific projects such as the Regional Disability Liaison Officer program and the Disability Coordination Officer program to assist in the transition between education sectors and to employment are relevant and should be continued. In addition, the support of funding for high cost students with disabilities in Universities is also supported.

Follow-up Contact Points

If you should require any further information, feel free to telephone one of the following key contact persons:

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