

**UTS Students' Association  
Submission:**

**(Part 1) General Submission:  
UTS Students with Disabilities**

**(Part 2) Postgraduate Submission:  
UTS Students with Disabilities**

**The Senate Employment,  
Workplace Relations and  
Education References Committee**

***Inquiry into the Education  
of Students with Disabilities***

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The Postgraduate Network of UTS welcomes the opportunity to speak to the following submission at the Senate Inquiry hearings.

## **Part 1: Submission to the Senate Inquiry into the Education of Students with Disabilities: UTS Students' Association**

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### **Introduction: Scope of this submission**

This submission is primarily concerned with demonstrating the current inadequacy at the University of Technology, Sydney, of the interface between legislative requirements policy, practical outcomes/processes and funded services.

#### **At UTS:**

- Over 500 students reported a disability in 2000. Visual (165) Mobility (88) and Hearing (71) disabilities were the most reported. Many of these students reported more than one disability.<sup>1</sup>
- Some 470 students reported a disability in 2001. Visual (207) and Mobility (107) disabilities were the most reported.<sup>2</sup>

It is emblematic that statistics at UTS do not reflect the broader sphere of the legislative and policy definitions of disability. This serves to demonstrate complex issues around why university policy alone will not solve problems around students disclosing their disabilities. Addressing real stigmas in identifying as 'disabled' will in turn expose the relative 'invisibility' of services and effective accommodation policies for especially students suffering from mental illness.

As discussed in a submission to the NSW Universities Disabilities Cooperative Project (NSW), "The prevalence of mental illness in the general community is not reflected in the number of students with a mental illness who have requested support from student welfare services."<sup>3</sup>

Institutions need to develop services, which are not contingent on disclosure for access, or alternatively services that allow for easier disclosure.<sup>4</sup> This would include policy and outcomes for special consideration and reasonable adjustment that in fact meet students' needs. Protocols and practical solutions are not always met at UTS despite a clear policy commitment.

Clearly there are major impediments in university enrolments reflecting the level of University enrolments for students with disabilities. Not only do there need to be more student friendly systems for encouraging identification of a disability via education but a

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<sup>1</sup> Management information report on student diversity 200, UTS

<sup>2</sup> Management information reports on student diversity 2001, UTS

<sup>3</sup> Bathurst, L et al "supporting Tertiary students who have a mental illness" The dilemma of disclosure" submission to the NSW Universities Co-operative Project (NSW) July 1998.

<sup>4</sup> Ibid. p.3.

recognition of practical measures to overcome structural equity barriers for broader participation in higher education. Government responsibilities will be discussed later.

### **Are current policies adequate?**

#### **“Reasonable Adjustment in Practice ” A UTS Case study**

In 2001 The UTS Students’ Association advocated for a student suffering from a diagnosed mental illness who had not registered as suffering a disability. The student’s health deteriorated dramatically and was not able to complete his examinations assessment for one subject which was required for graduation. In June 200 the student submitted a special consideration form requesting alternate assessment to an exam. No notification was given that this request was unsuccessful. A consequent request for an alternate assignment or to be able to complete was refused by the subject co-ordination. The student’s family consequently sought the advice of three separate university units: student disability support in student services, the Equity and Diversity Unit and the Student Ombuds. All three units concurred with the subject co-ordinators rejection of the request for an alternate assessment. None of the Ombuds ‘options’ for the student complied with the student psychiatrist’s recommendations as to what assessment option would suit the student’s disability. This decision was consistently upheld despite a swag of University policy which would have supported a ‘reasonable accommodation’.

**UTS’ Disability Action Plan (DAP)** states under the heading:

#### ***Strategies to assist success for students with a disability***

***4. Ensure reasonable accommodation is made for students with disabilities eg by providing special teaching/learning and assessment arrangements for students with disabilities, such as flexibility in assessment and course completion times and equipment and support services to assist student learning.***

Further, in its comment on the application of the *Disability Discrimination Act 1992*, EDU states

*“The University, wherever it is necessary, possible and reasonable to do so will accommodate the needs of a student or staff member with a disability. This concept of ‘reasonable accommodation’ covers access to campuses, equipment and facilities and the modification of courses and work environments to meet individual needs.”* (EDU website).

Further the EDU website discusses the basic principle espoused in the legislation, being provision for alternative assessment by making adjustments according to *individual need*.

The university units argued that only a supervised exam would meet the subject requirements. The intention of the *Disability Discrimination Act 1992* must be given primacy in interpreting whether supervision of an exam is essential. The absence of stated criteria in the course outline regarding ‘essential supervision of aspects of

assessment' together with the requirements for this university to adhere to the legislative requirements raised the issue of discrimination against the student.

At no stage did any unit of the university discuss with the student what kind of alternative arrangement would suit his needs despite having put forward suggestions over a 6-month period. It was only after the Students Association abandoned any hope of support from the Universities specialist units and sought the support of the Faculty Associate Dean that an alternate assessment suitable for the students needs was successfully negotiated. This case study demonstrates the frustrating experience of students in having their flexible assessment needs met.

### **Institutional reluctance regarding Disabilities Policy**

**At UTS, it appeared that institutional recognition of problems experienced as discussed previously would be addressed in a coherent manner. In October 2001 The Working Group Reviewing Alternate Assessments for students with Disabilities, in summary, recommended to Academic Board:**

- More effective protocols to encourage students to identify that they have a disability
- To provide staff with adequate training to improve their understanding of students with disabilities. This could result in academics being more responsive to individual students.
- To provide clearer information about alternative assessments and the role of the Academic Liaison Officers
- That faculties be responsible to provide supervisory and specialist support in respect of mid semester learning and assessment adjustments.
- That infrastructure be designed to accommodate students with a disability where practical current facilities can be modified immediately and: that students with disabilities be provided with reasonable access to the universities computer facilities.

**The report identifies the major concerns raised by students to the working party as:**

- Privacy issues
- Unresponsive academics
- Lack of access to computers
- Challenges of group work
- Late confirmation of examination venue

Unfortunately, to date, none of the recommendations have been implemented. A clear recommendation was made that faculties consider the financial implications of these recommendations, however this has yet to manifest. Discussion with the chair of the Working Group reveal a deep dissatisfaction with the lack of seriousness in which the University took the working groups recommendations.

### **Funding levels of Universities and adequacy of funding for disability support programs**

The InpUTS Educational access scheme is the only direct form of financial support for students with a disability - the scheme is however available in a limited number for all

students experiencing long term educational disadvantage. Legally students with disabilities have the right to have equitable access to services and facilities. There is a distinct lack of financial incentives to assist students with disabilities in higher education.

The increasing staff student ratios in the classroom a distinct disadvantage to students with disabilities. Fewer teachers to more students result in less consultation time and less space for participation of students in tutorials. In fact it is a stated strategy of UTS to dramatically increase its staff to student ratio as a revenue raising exercise.

On the 22 March 2001 University Council endorsed a set financial projections which included as part of its long term budgetary priorities, a substantial increase in the student to staff ratio as well as substantial increases in the number of fee paying international and postgraduate students as well as an increase in the fee levied. The University's preferred model is described below:

#### **Financial projection one**

- **Student support ratio increases form 12.5 to 18.4 by 2010**
- **Student academic staff ration increases form 18.8 to 19.5 by 2010**
- **Fee paying students increase from 4621 in 2000 to 8647 by 2010**
- **Course fees increase to offset increasing salary costs and inflation, by 3% per annum up to 2005 and by 4% thereafter to 2010**

UTS is continuing to jeopardise students experience of quality be endorsing a plan to increase class sizes, and to supplement face to face teaching with 'different teaching delivery methods' as a prioritised strategy to deal with an expectation of no further increase in commonwealth funding or an increase in dollar per EFTSU.

Long term solutions for access and equity for students with disabilities cannot be divorced from solutions to the abysmal decline in public funding of education. The Commonwealth has a legal obligation to immediately remedy the crisis in funding overall and provide specific allocations for the teaching support of students with disabilities.

## Part 2: Postgraduate Section

### Introduction

The UTS Students' Association aims to ensure that all students have access to postgraduate education, including those with disabilities. Postgraduate students with disabilities have distinct structural disadvantages undertaking study in Universities in Australia. The UTS Students' Association believes that students with disabilities make a vital contribution to Australia's higher education sector. The Students' Association is concerned that current higher education policies and practices are precluding students with disabilities from engaging in University education.

Statistics at UTS and in Australia demonstrate both a structural inequality of students disadvantaged throughout their educational lives, and that Universities and governments are not doing enough to increase numbers of students with disabilities into higher education, particularly postgraduate education. In any discussion of students with disabilities, it is essential that policymakers acknowledge that some students will not only have a disability, but may also be a member of another equity group. For example, in 1998, at the Third National Equity Conference held at Central Queensland University, Patricia Young and Janette Ryan, stated:

*“Equity statistics over the past three years have shown that students with disabilities and those from rural and isolated backgrounds are less likely than other students to participate in higher education. For students with disabilities from rural areas, the educational disadvantage they suffer is more than doubled that of students who fall into one equity group. They suffer multiple disadvantages. These students are also less likely to receive information about disability services at universities and less likely to receive encouragement to consider university study.*

From: *“Take Your Place- Higher Education for Country Students with Disabilities”*

Hence, it is imperative that Universities do all they can in a policy climate that is marginalizing students with disabilities from having any meaningful access to higher education. Whether postgraduate students with disabilities have to engage in paying the deferred fee of PELS, the shrinking pool of HECS-funded deferred fees for postgraduate courses, or pay fees for research degrees, or compete for an increasingly elite publicly funded RTS place, the current policy agenda is making it more difficult to obtain postgraduate education, not easier.

## **Mental Health Issues and Education Officer Casework**

The (draft) TECDA Submission to this Senate Inquiry into Disabilities makes the comment that

“There is anecdotal evidence from disability Officers that suggests they are seeing increasing numbers of students with mental illnesses and learning disabilities.”

(From *TECDA Submission for Senate Inquiry on Students with Disabilities*, April 2002)

Whilst it may be able to be assessed by Universities how many students *begin* their University lives with a disability, that many would in fact develop some form of mental illness at some stage of the study, and that those students would in fact, slip through the loop of formal statistics. It is the experience of Education Officers at the UTS Students' Association that some students develop mental health concerns when they are subjected to academic difficulties, such as making appeals against grades, exclusion or any other right to appeal within the University. The Students' Association is concerned that this form of disability is not recognised within UTS. In fact, it fits within the definition of disability in the Act, which includes:

*“a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or*

*“a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour.”*

The disability can:

*Presently exist; or*

*Previously existed but no longer existed; or*

*May exist in the future; or*

*May be imputed to a person*

The Students' Association sees students who have academic issues or problems. Education Officers have seen students who, due to the nature of an academic incident, have fallen into psychological distress which may be termed a disability. Students who have, for example, been excluded from their PhD, often suffer stress, anxiety, depression, nervousness, thought disorder, an inability to organise their studies and often an inability to even carry out their appeal effectively.



## Equity Issues

In their Senate submission paper in 2001, the UTS EDU, made the following statements:

*Students with a disability require substantially increased infrastructure to support their education. Government underfunding of students with a disability severely affects the ability of universities to provide equitable educational opportunities for the increasing numbers of this group of students. A key issue is the lack of Government recognition of the differential support costs associated with different types of disability. Universities with a good reputation for providing as much support as possible, such as UTS, bear the brunt of unfunded expenses related to increasing enrolments of students with high support needs. Even in proactive institutions such as UTS, students with disabilities are inevitably disadvantaged in comparison to other students as they share the limited dedicated resources for notetakers, computer software and other support services. In some cases, educational progress is interrupted until adequate resources again become available for particular students.*

(From the UTS Equity and Diversity Unit “*Submission to the Senate Employment, Workplace Relations, Small Business and Education Reference Committee*” 2001)

The Equity and diversity Unit then recommended:

*That the Federal Government instigate an immediate review of funding guidelines in relation to students with disabilities, with a view to implementing differential funding based on the type of support needs used by enrolled students with disabilities.*

The current national drive towards flexible delivery and offshore educational delivery, has vast implications for postgraduate students with disabilities. Indeed, the Federal Government, in a report on internet access in rural Australia, discussed the difficulties for persons with disabilities to engage with the internet and expensive online technologies:

*“People with disabilities... are also less likely to have Internet access.”*

(From “*A Digital Divide in Rural and Regional Australia*”? Dr Jennifer Curtin, Economics, Commerce and Industrial Relations Group, 7 August 2001).

It is crucial, therefore, for Australian Universities to ensure there is provision for training, support, and access to computers and internet technology. Whilst Student Services are able to provide some access to computers to students with disabilities, it is imperative that all students with disabilities are fully prepared for University at all stages of their education. CIT support is a crucial area for universities to ensure successful outcomes for students with disabilities.

## Policy Effects on Students with Disabilities

The White Paper on Higher Research, “*Knowledge and Innovation*” casts into doubt the ability of UTS and other tertiary institutions to fully carry out the 1998 National Code “*Students with Disabilities: Code of Practice for Australian Tertiary Institutions*”. For example, Section E of the code, regarding **student recruitment**, requires Universities and other tertiary institutions to:

- a. make explicit reference to opportunities for people with disabilities to enter tertiary education at all course levels*
- b. provide information that makes potential students with disabilities aware of a range of pathways into tertiary study*

At the recent SOPSO (Staff of Postgraduate Student Organisations) Conference in April 2002, student organisation staff expressed concern of the overemphasis on completion rates, rather than ensuring students are able to complete in the usual fashion. Given that funded completion times have been reduced (a PhD now funded only for 4 years, rather than 5 years, and a Masters degree funded for 2 years, rather than 3 years), and funding is provided to the Institution based upon completion, there is a real concern amongst workers that students with disabilities, who are structurally disadvantaged in terms of prior educational experiences, will not have the same level of access to postgraduate research studies as with previous policies. In fact, there is anecdotal evidence based upon casework experience of student organisation research staff, that the fallout has begun to have been felt amongst a number of equity students for whom universities will not take the risk of enrolling in a research degree, for fear that the student may not complete his or her studies. Universities must make all effort to fully support students from enrolment to completion and at all stages of their educational experiences, to ensure that students with disabilities have opportunities to study in tertiary institutions.

The status of students with disabilities at UTS could not be much worse, and it is crucial to implement policies that will increase the number of students with disabilities studying for postgraduate research degrees. The following statistics compiled by the UTS Equity and Diversity Unit relate to access, participation and completion rates of postgraduate research students at UTS in 1999, 2000, and 2001 (2001 figures do not include completion rates):

Access			Participation			Completion	
99	00	01	99	00	01	99	00

<b>PWD</b>	5.32%	.63%	1.10%	1.97%	1.83%	2.47%	0	2.3%
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As the above figures suggest, the access rate for research students with disabilities has sharply dropped during the triennium 1999 to 2001 from 5.32% to 1.10%. The participation rate increase signifies an additional 4 students, up from 14 to 18 undertaking higher degrees by research.

## **Key University Research Strengths**

The UTS Equity and Diversity Unit (EDU) has delivered a report to the University Graduate School Board describing the current demographics of research students with disabilities and recommended strategies for improvement. Some of the report is reproduced below:

*“There were no students with disabilities who completed higher degrees by research in 1999, and only two in 2000, representing 2.3% of completions in that year. The access rate for students with disabilities in 1999 was the highest of the triennium, at 5.32% and representing 10 students. The faculty of Humanities and Social Sciences, at 4 students had the highest proportion of students with disabilities, with the faculty of Engineering having 2 students with disabilities and the faculties of Business, Adult Education and Law each having one student undertaking higher degrees by research. This access rate dropped to 1.11% by 2001, representing 2 students, both in the faculty of Science.*

*The participation rate of 2.5% was distributed between the faculties of Business, Engineering, Humanities and Social Sciences, Nursing, Midwifery and Health, Law and Education, with the faculty of Humanities and Social Sciences having 3 students, the highest proportion of students with disabilities.”*

(From: Equity and Diversity Unit, “*Students in Equity Groups Undertaking Higher Degrees by Research 2002*”, Report to the University Graduate School)

The current policy of universities specialising in subject matter (UTS has Key Unit Learning Strengths- KURS) will further disadvantage students with disabilities. As students with disabilities appear to be highly concentrated in particular faculties, particularly, for example, in the Humanities area, specialisation pressures students into areas of study which have as a basis an economic incentive for privatised and corporate funding. The KURS at UTS are as follows:

- \* Adult and Vocational Learning
- \* Distributed Computing
- \* Health Technologies
- \* Managing Waste and Water in Local Communities
- \* Materials Technology
- \* Molecular Parasitology
- \* New Technologies for Sustaining and Developing Physical Infrastructure
- \* Organisational Researchers on Collaborations and Alliances
- \* Quantitative Finance
- \* Trans/forming Cultures

In terms of what is currently available to postgraduate students with disabilities at UTS, students are able to access the Special Needs Officer and the Special Needs branch of the Student Services Unit. Also available are:

- \* Part-time APA awards for students with heavy caring commitments, or a disability, or a medical condition which precludes full-time study
- \* Postgraduate Equity Scholarships which convert fee-paying coursework places to HECS places
- \* Thesis completion grants are available to all students, including those with disabilities.

The UTS Students' Association and the PNUTS (Postgraduate Network of UTS) Collective, aim to receive a guarantee from UTS management that the Postgraduate Equity Scholarship Scheme will remain active, given that the regressive PECS scheme has been implemented, offering deferred fees under PECS which is three times the rate of the deferred fees system of HECS.

## **Reasonable Adjustment**

To develop a more flexible service for students with disabilities in the form of mental health issues, the UTS Students' Association has called upon the University Graduate School Board to take on a more rigorous role of exploring reasonable accommodation policies that would be specific to postgraduate research students.

The Students' Association believes it is essential that students with mental health issues be given an opportunity to complete a research degree. UTS policy on disabilities clearly outlines the responsibilities of UTS to assist students with disabilities. The following refers to good pedagogical and supportive practice:

*Staff at UTS are encouraged to make reasonable adjustment, that is, making alterations to educational programs, procedures and facilities that will enable students with disabilities access to educational programs in a sensible, fair and equitable manner.*

*Students with disabilities have the same rights as other students to fulfil their academic potential. Reasonable adjustment based on an assessment of each student's needs must be made to ensure full educational opportunity and effective communication while maintaining academic ability as the primary basis for participation in tertiary education.*

*The concept of reasonable adjustment, or accommodation, covers campus design and physical access, admissions procedures and recruitment practices, the provision of equipment and access, course design, teaching methods, provision of learning and communication aids as required, assessment, graduation, and where necessary special consideration in relation to conditions and rules in degree programs.*

(From "Teaching Matters- A Handbook for Academic Staff", Institute for Interactive Media and Learning)

## **Fees for Research Degrees**

In 2000, a decision was made by firstly the University Graduate School board, and then endorsed by University Council to implement a system of fees for research students who miss out on RTS places- publicly funded research places reduced in numbers by the Liberal Government's "Knowledge and Innovation" policy. At that time, the fees were rushed through without any thought to the equity implications inherent in establishing a system of fees for research degrees- the last bastion of public education, and the last real chance for talented but unfinancial students to receive a funded education. In 2002, the fees policy has been refined, and it is likely that students will be paying fees in 2003. It is now timely for the University Graduate School Board to conduct research with respect to the impact of fees on equity students particularly the deterrent equity effect of fees.

Fees *will* of course, have an adverse impact upon research students, and particularly those students with disabilities. Chris Latona, in a study on completions written for the University Graduate School Board, made the following comments about what assists a student to complete:

*"Overseas studies suggest that students working full time on their degree and without major financial worries fare better than part-time or impoverished students."*

Oddly at a time when Universities are emphasising completions and are focussing on how to implement policy based upon achieving greater completion rates, UTS brings in a system of fees which is likely to impact adversely upon completion rates for the students paying fees.

Given that some research students will now pay fees, the resource implications for research students might now be considered similar to that of coursework students. As no research has been done in Australia on the effects of fee-paying courses on research students, referral can be made to research on postgraduate coursework students to assess the impact of fees on equity groups. In 1997, the Higher Education Council published a report called *“The Effects of the Introduction of Fee-Paying Postgraduate Courses on Access for Designated Groups”*. As was noted from the HEC findings in a CAPA Report in 1999, *Postgraduate Fee Paying Courses: Equity Implications*:

*“It is almost axiomatic that people with few financial resources will be deterred by fees; and several of (the) equity groups – notably women, Indigenous Australians, people of low socio-economic status and people with disabilities – tend also to have few financial resources, or fewer than the general population”.*

(page 17)

The UTS Students’ Association believes in a system of public education, not a user-pays system. If UTS wishes to minimise the impact of fees on equity research students, research needs to be undertaken to assess the deterrent effect of fees on postgraduate research students in equity groups and then to develop strategies to minimise the effect of fees on students. If PELS is to be implemented as an alternative to upfront fees, PELS need not be considered a deterrent, as PELS is still a system of deferred fees paid back when students are earning wages far below the male average earning level.

## **Conclusion**

The UTS Students’ Association remains committed to working towards creating a more equitable system and opportunities for postgraduate students with disabilities. Policies both at a Governmental level and within universities need to be challenged vigorously if UTS is to be seen to having a real commitment to increasing opportunities not only to access postgraduate education, but also to enjoy a quality educational experience. One measurable demonstration of this commitment will be a more representative number of people with disabilities studying and graduating in postgraduate education at UTS.