



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

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

**Submission from Swinburne Student Union**

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The Swinburne Student Union (SSU) is dedicated and committed to representing and protecting members of the student body of Swinburne University of Technology (SUT) in matters affecting their rights. In order to do this effectively, it is imperative that we are able to identify marginalised groups with special needs and advocate on their behalf – placing particular emphasis on promoting equal opportunity and affirmative action. The Swinburne Student Union has identified gaps between written *policy intentions* and actual *implementation outcomes* for students with disabilities. In order to ensure fair and equitable access to education through special services and programs, as well as meaningful adherence to the Disability Discrimination Act, it is vital that education institutions adhere not only to legislated requirements, but to their own stated policies as well.

This submission addresses the following terms of reference:

- a. whether current policies and programs for students with disabilities are adequate to meet their education needs, including, but not limited to:
  - ii) the accuracy with which students' disability related needs are being assessed,
  - v) access to and adequacy of funding and support in both the public and private sectors,
  - vi) the nature, extent and funding of programs that provide for full or partial learning opportunities with mainstream students,
  - vii) teacher training and professional development, and
  - viii) the legal implications and resource demands of current Commonwealth and state and territory legislation.
- b. what the proper role of the Commonwealth and states and territories should be in supporting the education of students with disabilities.

Swinburne University of Technology comprises both TAFE and Higher Education divisions located over five campuses in Melbourne and three international campuses in south-east Asia. The situation for international students with disabilities studying at SUT campuses, both locally and at off shore campuses, does not form part of this submission. The first part of this submission addresses the overall context for SUT students with disabilities, then TAFE and Higher Education specific issues will be discussed separately. Some factors external to SUT will also be considered.

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## **Section 1: Factors affecting the education of students with disabilities at SUT**

### **University Policy**

SUT has developed a comprehensive *Disability Action Plan* (DAP) and *Students with Disabilities* policy in order to comply with its obligations under the Act. However it is questionable whether all University departments and affiliates are aware of these two documents and also whether there has been a genuine attempt to fully implement and monitor the DAP since its inception. By terms of the DAP the University's Equity Unit is required to monitor its implementation annually:

Monitoring of the Disability Action Plan will be undertaken by the Equity Unit on an annual basis. The monitoring process will involve a request to each area identified in the plan to: review the implementation of its strategies; assess the progress or success of the strategies; assess whether identified goals have been reached and, where appropriate, establish new goals. Each area will be required to report to the Equity Unit on the above. A full evaluation of the whole plan will be undertaken three years from the date of its endorsement by Council.

<http://www.swin.edu.au/corporate/hr/online/equity/disability/dap/forward.htm#monitoring>

The SSU has been unable to identify any real monitoring of the Action Plan according to its own requirements, as above.

### **Integration Committees**

Both the DAP and related University policy refer to Integration Committees and encourage their formation and utilisation. In reality though, these committees are only convened in exceptional circumstances. To make appropriate provision for students with disabilities these committees need to be actively and effectively promoted to students, and should be convened regularly to predict and review adequate disability support mechanisms.

### **Outsourced Support Services**

A disturbing implementation of SUT student disability policy has been the outsourcing of relevant support services. Despite the criteria for definition and differentiation between various levels of handicap being widely recognised in the disability services sector, Swinburne cannot ensure appropriate standards of care for distinct disability categories via its outsourced service providers. Outsourced support services such as note-taking and individual attendant care are often inappropriately assigned, e.g. to students with psychiatric disorders when alternative forms of support would be more useful (see following).

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### *Case Study*

The University's outsourcing of recruitment of support workers to a private agency has resulted in a narrowing of the range of services available. The primary agency utilised by Swinburne deals mainly with the provision of notetakers and AUSLAN interpreters. A student with a psychiatric disability was allocated a 'notetaker' to accommodate her needs. This arrangement proved completely inappropriate, as the notetaker was neither trained nor equipped to deal with the particular situation. SSU believes that the appointment was one of administrative convenience only – certainly the student had not been satisfactorily assessed. All support for the student was withdrawn as the notetaker felt that the arrangement was highly inappropriate. The University finally provided appropriate level of support once SSU became involved in the case.

### **“Invisible” Disabilities**

SSU has received complaints from students suffering from anxiety and depression in relation to recognition and support for their disability. It seems that the University is more comfortable with, and accommodating towards, students with physical disabilities than it is to students with psychiatric disabilities in its 'mainstream' programs. The disability support service agencies subcontracted by the University cater for students with a *physical disability* only.

### **Critical Incidents**

The University has comprehensive policies to cover OH&S and emergency situations. Unfortunately the experience of the SSU is that SUT staff are unable to cope with critical incidents involving *disabled* students.

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## **Section 2: Specific issues for students with disabilities at SUT TAFE**

### **Course Advice**

Many students with disabilities are “advised” to undertake a TAFE Certificate of Work Education. For these students the opportunity to receive disability support services and assistance through integration into “regular” courses is severely limited. This is despite a stated equity policy:

Swinburne University of Technology is committed, through the principles of equity, to increasing and enhancing practices and educational opportunities for people with disabilities. This commitment is based on a philosophy of integration which characterises the University’s approach to service provision and affirmative action for people with disabilities.

[www.swin.edu.au/corporate/registrar/ppd/stuinfo/students\\_with\\_disabilities\\_policy\\_and\\_scope.htm](http://www.swin.edu.au/corporate/registrar/ppd/stuinfo/students_with_disabilities_policy_and_scope.htm)

### **Teacher Training and Professional Development**

No special training in the area of disability is required of TAFE teachers. Professional development opportunities need to be made available to administration staff who can be intolerant of students with high/extra support needs under increasingly pressured circumstances. Even the very few TAFE employed Disability Liaison Officers are unable to relate consistently and effectively with all students with disabilities. Without means of enforcement, adherence to anti-discrimination legislation relies all too often on the “goodwill” (or otherwise) of those *without* the disability, rather than on effective communication with those *with* the disability. Many staff finding themselves in alien support or “caring” roles either plead ignorance of disability responsibilities or deny they’re “paid to do it” anyway – both valid enough claims when the institution fails to resource or train them adequately! Students are disadvantaged no matter what the excuse or reason.

There is a need for specific professional development in order to equip TAFE teachers to develop and provide alternative means of subject delivery and assessment for disabled students. This should be included in all relevant AQTF training packages and University staff induction programs – as is the case with the requirements of OH&S, Sexual Harassment and Equal Opportunity legislation.

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## Industry Placement

TAFE students undertake industry placements as part of most courses. Further support is needed in placing and supervising students with disabilities. These placements are often modules essential to course completion. Generally they fail to accommodate students in a manner consistent with the support negotiated for on-campus delivery. The student can be doubly disadvantaged by this situation. The industry context may be particularly unfamiliar and hostile, and, as well, the industry providers may be unable to deliver suitable alternative instruction and assessment.

## Access

Physical access to classes for disabled students is an ongoing issue. Transport is provided for night time classes only. Specially fitted maxi cabs are extremely unreliable. Note taking and attendant care support is increasingly hard to source for evening classes. Open Learning classes are not currently provided during day time, despite these being a plausible study option for students with disabilities.

The Disabled Assistance for New Apprentices Scheme (DAWS) provides support for *trade* apprentices only, not for all apprentices and trainees. Swinburne TAFE offers apprenticeships and traineeships across a range of disciplines and areas, amongst which disabled students are represented. This narrowing of definition conflicts with other principles of the New Apprenticeship scheme where the growth area is in “new traineeships”.

### **Section 3: Where are the disabled students in Higher Education at SUT?**

The number of disabled students compared with the total local enrolment in Higher Education at Swinburne has hovered around .4% for the last 5 years. The attached table (Appendix 1) uses data available from the Information and Statistics Office.

[www.swin.edu.au/swincorp/pis/welcome.htm](http://www.swin.edu.au/swincorp/pis/welcome.htm)

The figures for SUT available through Department of Education, Science and Training (DEST) show a higher proportion of students with a disability.

1996	1997	1998	1999	2000
.5	.8	.8	1.1	1.3

The national figure has grown steadily over the same period from 1.9 % in 1996 to 3.0% in 2000 according to DEST Equity groups as a share of non-overseas students.

[www.detya.gov.au/archive/highered/statistics/characteristics/09\\_equitygroups.htm](http://www.detya.gov.au/archive/highered/statistics/characteristics/09_equitygroups.htm)

Over the last five years Swinburne has the lowest or second lowest proportion of students with a disability in Higher Education in Australia. Only the Australian Defence Force Academy and Marcus Oldham College have a lower percentage of enrolments in 2000. Curtin University, which like Swinburne has a high proportion of International Students, matches Swinburne's ratio of 1.3% in 2000.

The National Clearing House on Education and Training for People with Disabilities. Indicates that the share of the relevant population group was estimated by Martin in 1994 to be about 4 per cent.

[www.deakin.edu.au/tedca/ncet/information/statistics/higher\\_ed\\_students\\_with\\_a\\_disability\\_1998.html](http://www.deakin.edu.au/tedca/ncet/information/statistics/higher_ed_students_with_a_disability_1998.html)

If Swinburne were to have the national ratio of disabled students, there would have been 317 Higher Education students at SUT with disabilities in 2000, instead of 44. If the proportion of 4% is used, the 2000 enrolment should have been 423. Why are there so few students identifying themselves as disabled when they enrol in Higher Education at Swinburne?

The SUT Disability Action Plan has clear procedures for selection and support of students with disabilities, and the Swinburne University of Technology Act 1992 identifies the responsibility:

- (j) Objects of the University  
The objects of the University include—  
(j) the provision of programs, products and services in ways that reflect the principles of equity and social justice;

The Admissions Procedures refer to the Special Entry Scheme:

The Special Entry Scheme, operating in both the Higher Education Division and the TAFE Division aims to assist people who have experienced prolonged disadvantage to enrol in post-secondary education.

Identified disadvantage groups are:

- People with disabilities;
- Aboriginal and Torres Strait Islander people;
- People from non-English speaking backgrounds (those who were born overseas and arrived in Australia less than 10 years ago who speak a language other than English at home);
- People from low socio-economic backgrounds;
- People from rural and isolated areas.
- Women in non-traditional areas.

Please note that applicants are required to make formal application through VTAC where appropriate. For further information please contact the Equity Unit on (03) 9214 8855.

<http://www.swin.edu.au/corporate/registrar/ind3.htm>

When a potential student looks at the information supplied through the Equity Unit the following change is discovered:

### **Equity Policy Guidelines**

#### **Admissions**

Due to policy changes the Swinburne Special Entry Scheme has been withdrawn for the Year 2001 entry. Students who have experienced educational disadvantage or difficulties in their secondary studies or equivalent qualification should submit a Supplementary Information form to their VTAC Application. The Supplementary Information Form for current Year 12 applicants is the S form and for Non-Year 12 applicants is the SI form. Information on the S form for Year 12 applicants is on page 17 and the SI form for Non-Year 12 applicants on page 34 of the 2001 VTAC Guide. The Supplementary Information Form is also available from the VTAC web site: [www.vtac.edu.au](http://www.vtac.edu.au). Year 12 applicants should also inquire with their Year 12 Coordinator for Consideration of Disadvantage for adjustment of their ENTER scores to compensate for disadvantage experienced during their VCE studies.

<http://www.swin.edu.au/corporate/hr/online/equity/studeqty.htm>



The SSU concludes that there appears to be no programs that actively support the enrolment of suitably qualified disabled students in Higher Education at Swinburne.

### **Identifying as a student with a disability**

After enrolment a student may register with the Disability Services. Goal 1 of the Disability Action Plan is:

To raise awareness of the University's obligations under the Disability Discrimination Act, 1992 (Cth) and to develop understanding of the specific needs of students with disabilities.

Strategy 3: Ensure induction and orientation of new staff includes information about students with disabilities

Action: Development of material for inclusion in University School induction kits

Responsibility: Equity Unit

Time Frame: 3 months

The Equity Unit is located in the Human Resources department. The online staff induction program gives a *one-line* reference only to students with disability:

Swinburne University of Technology provides specialist programs supporting people with a disability.

There is a link within this sentence that takes the reader back to the Disability Services page. There is no information about a staff member's responsibility, nor the suggestion that a staff member should refer a student to Disability Services.

#### *Case Study*

A student with an ongoing medical condition was not aware of Disability Services. The student had difficulties in meeting assignment deadlines, had required Special Exams on numerous occasions, and had been taken ill during class. Each time the student had to explain their condition to the staff member concerned and at times had not been able to get appropriate support. The advice of the Progress Review panel was limited to a recommendation to take a less than full-time study load. Despite many encounters with general and academic staff directly related to how the student's medical condition is affecting the student's study, the student has never been referred to the service.

The *Students with Disabilities: Code of Practice for Australian Tertiary Institutions* must be given some teeth. A University needs to do more than pay lip service to the Disability Discrimination Act. There is an obligation to the community to recognise and make provision to people of all abilities. The minimum standards cannot rely on voluntary compliance alone but need to have associated penalties. Furthermore, Universities need to set enrolment targets to ensure that they are *meeting* their community obligation.

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## **Section 4: Other factors influencing the education of students with disabilities at Swinburne University**

### **Funding**

Government funding via OTTE is progressively decreasing over the years while at the same time committing institutions to substantially increased enrolments of disabled students via the Bridging Program policy. This has resulted in an increased subsidisation from Swinburne TAFE. Whilst it could be argued that the funding level is increasing across the University, the service level is *decreasing*. Cross-subsidisation in an “inter-sectoral” institution has led to an organisational focus on Divisional budget responsibilities, i.e. who should wear the bottom line, and the end result has been a withdrawal and limitation of services that do not fund themselves. Disability support by way of Disability Services and the Equity Unit has been a prime target of this attrition.

### **Transport**

Access is generally poor, especially on those difficult to negotiate campuses. Specially fitted taxis are extremely unreliable. Students can wait for hours for pick ups and delivery. This impacts dramatically on student access to classes, compromises learning time and consequently becomes a significant equity issue in itself.

### **Student Visa Requirements**

The SSU is aware of cases where international students have had their visas jeopardised because of disabilities affecting their studies. In one case, a student with a psychiatric disability was shown little compassion by the Department of Immigration, despite professional advice from the University in support of the student. The student was ultimately issued with a compliance notice.

### **Resource Availability**

There is a significant absence of appropriately published material and teaching resources. There is a critical need for publishers of core texts to publish in alternative formats, e.g. braille and other electronic formats. The Teaching & Learning Services unit of Swinburne is unable to meet demands for these very specific support materials.

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### **Section 5: Recommendations:**

- That tertiary institution compliance with the Disability Discrimination Act be enforced through regular monitoring of implementation of relevant disability policy for the institution itself and all its affiliates.
- That the *Students with Disabilities: Code of Practice for Australian Tertiary Institutions* be made enforceable, rather than a voluntary benchmark.
- That the *Code* make provision for appropriate induction, professional development and further training of all academic and general staff in regard to disability support issues including student selection processes.
- That the responsibilities of affiliated education/training providers be clarified within the *Code* – particularly in relation to industry based learning programs and industry placements.
- That promotion be undertaken across the tertiary education sector to raise awareness of tertiary institution, and individual, responsibility under the *Code of Practice* and Disability Discrimination Act, and to promote an ethic of community obligation generally in regard to students with disabilities.

## Higher Education not including Full Fee Paying Overseas Students Disabled Student Enrolment

### Definitions

Total enrolment	Actual headcount
Access	Commencing students that have indicated they have a disability, impairment or long term medical condition and would like to receive advice on support services.
Participation	Total students that have indicated they have a disability, impairment or long term medical condition and would like to receive advice on support services.
%Total Enrolment	The ratio of students identifying as disabled to total enrolment expressed as a percentage.
Retention	Retention rate equals the value for Continuing from prior year divided by Enrolled in prior year minus completed in prior year.
Success	Success rate of student load with pass or better result to certified student load.

### Higher Ed

	1996	1997	1998	1999	2000
Total enrolment	9872	9767	9884	10461	10574
Access	15	22	17	29	5
Participation	16	39	32	55	44
% total enrolment	.16	.4	.32	.53	.42
Retention	NA	0.62	0.36	0.68	0.62
Success rate	0.74	0.77	0.79	0.86	0.85

### Higher Ed Hawthorn and Prahran

	1996	1997	1998	1999	2000
Total enrolment	9362	8708	8415	8628	8601
Access	10	15	15	25	4
Participation	11	28	25	43	36
% total enrolment	.12	.32	.3	.5	.42
Retention	NA	0.55	0.32	0.60	0.65
Success rate	0.72	0.72	0.77	0.81	0.82

### Swinburne at Lilydale

	1996	1997	1998	1999	2000
Total enrolment	510	1059	1469	1833	1973
Access	5	7	2	4	1
Participation	5	11	7	12	8
% total enrolment	.98	1.04	.48	.65	.4
Retention	-	0.8	0.46	0.86	0.50
Success rate	0.74	0.89	0.84	1.0	1.0

**Brain Sciences Institute**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			25	24	19
Access	-	-	-	-	-
Participation	-	-	-	-	1
% total enrolment					5.3
Retention	-	-	-	-	-
Success rate	-	-	-	-	

**BSEE**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			923	917	1152
Access	1	3	1	2	1
Participation	1	3	2	6	5
% total enrolment			.22	.65	.43
Retention	-	-	0.33	1.0	0.67
Success rate	-	0.83	0.77	0.84	0.57

**Business**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			2189	1587	1413
Access	1	2	1	1	-
Participation	1	5	3	2	2
% total enrolment			.14	.13	.14
Retention	-	1.0	0.20	0.50	1.0
Success rate	0.71	0.74	0.92	0.92	1.0

**Design**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			427	502	517
Access	-	2	1	4	-
Participation	-	2	3	6	4
% total enrolment			.7	1.2	.77
Retention	-	-	1.0	0.67	0.67
Success rate	-	0.90	0.75	0.75	0.75

**Science and Engineering**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			1810	1755	1692
Access	4	4	4	11	1
Participation	4	11	8	19	16
% total enrolment			.44	1.08	.95
Retention	-	1.0	0.36	0.88	0.79
Success rate	0.92	0.82	0.77	0.87	0.87

**Graduate School of Management**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			644	708	657
Access	-	2	2	1	-
Participation	-	2	2	1	2
% total enrolment			.31	.14	.3
Retention	-	-	0	-	-
Success rate	-	-	0	0	0.88

**IRIS**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			70	61	62
Access	-	-	-	-	-
Participation	-	-	-	-	-
% total enrolment					
Retention	-	-	-	-	-
Success rate	-	-	-	-	-

**IT**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			1164	1335	1503
Access	2	1	2	1	1
Participation	2	2	2	2	3
% total enrolment			.17	.15	.2
Retention	-	-	0	-	0.50
Success rate	0.70	0.75	0.84	0.47	1.0

**Mathematical Sciences**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			177	186	148
Access	-	-	1	-	1
Participation	-	-	1	1	2
% total enrolment			.56	.54	1.35
Retention	-	-	-	1.0	1.0
Success rate	-	-	1.0	1.0	0.67

**Social and Behavioural Sciences**

	<b>1996</b>	<b>1997</b>	<b>1998</b>	<b>1999</b>	<b>2000</b>
Total enrolment			1468	1529	1395
Access	2	1	3	3	-
Participation	3	3	4	4	1
% total enrolment			.27	.26	.07
Retention	-	-	0.33	0.25	0.25
Success rate	0.31	0.40	0.72	0.83	1.0