
Meeting the Needs of Disabled Students Regulation

1. Purpose

The purpose of this Regulation is to outline the principles, responsibilities, and processes that Te Herenga Waka—Victoria University of Wellington (the University) embraces to provide equitable outcomes for disabled students.

2. Application of Regulation

This Regulation applies to Staff Members and Students.

Regulation Content

3. Principles and context

- 3.1 The principal objective of this Regulation is to ensure that disabled students' participation and achievement are supported, and their knowledge is equitably assessed. Reasonable adjustments should not advantage disabled students relative to non-disabled students; they should fairly mitigate the additional challenges that disabled students face at the University while upholding academic integrity.
- 3.2 In realising this principal objective, this Regulation is aligned with a range of international, national and University requirements and approaches supporting the rights of disabled people. Internationally, the right to an inclusive education is central to the [United Nations Convention on the Rights of Persons with Disabilities \(UNCRPD\)](#), which New Zealand ratified on the 26th of September 2008. The Optional Protocol to the UNCRPD, which establishes a complaints mechanism for disabled people, was acceded to by New Zealand on the 5th of October 2016. New Zealand regularly reports on the implementation of the UNCRPD.
- 3.3 The [New Zealand Disability Strategy](#) complements the implementation of the UNCRPD and sets out the importance of education as welcoming and inclusive.
- 3.4 The [Human Rights Act 1993](#) makes it unlawful for the University to discriminate (directly or indirectly) against a person on the grounds of disability or impairment. The University accommodates the disability related needs of people in the provision of education, except when doing so would cause hardship or disruption to an unreasonable or undue extent or cause unreasonable risk of harm to the person or to others.
- 3.5 At Te Herenga Waka—Victoria University of Wellington, the 'Te Ara Taupuhipuhi—Disability Inclusion Action Plan' specifies the equity, diversity and inclusion commitments made in our University 'Strategic Plan'. The University's 'Equity, Diversity and Inclusion Framework', and our 'Te Tiriti o Waitangi Statute' also outline specific approaches to support the education of disabled students. Together with this Regulation, these documents support the University to meet our legislative obligations and to also follow the guidance in the Kia Ōrite Toolkit—achieving equity for disabled learners. Through effective implementation of these guiding documents, we can ensure disabled students can thrive and achieve their aspirations.

4. Responsibilities

Te Amaru—Disability Services

- 4.1 Te Amaru—Disability Services support disabled students to ensure they can thrive and achieve their aspirations, in particular they:
- (a) provide advice, coaching and support for disabled students;
 - (b) identify the student's disability-related needs in collaboration with the student, drawing on information about the student's enrolled courses and supporting documentation provided by an appropriate registered health professional (for example, a doctor, counsellor, or specialist). Students will also be invited to share the expertise they have about their lived experience;
 - (c) implement specific support services for students who need them, such as inclusive learning software, accessible assessment arrangements, lecture information capture, mobility parking, and others as mentioned on the Te Amaru—Disability Services' website;
 - (d) support students to develop a strong network of support through connecting them with other services, peer support, academic staff, or external disability support agencies;
 - (e) establish and communicate timeframes for the delivery of specific support services;
 - (f) establish disability inclusion arrangements for those students who want these. These outline the impact of the students' disability, strategies for participating and learning, disability inclusive approaches requested of staff, and the support provided by Te Amaru—Disability Services.
- 4.2 Te Amaru—Disability Services has responsibility for training all reader-writers, note-takers and other support staff that implement the specific services and support they provide.
- 4.3 Te Amaru—Disability Services will keep student health and disability information confidential unless the student consents to sharing; there is a concern for the student's health, wellbeing, safety, or behaviour; or the health, wellbeing, safety, or behaviour of someone else; or when there is a legal obligation to provide health information. This aligns with relevant privacy and health codes, and the University's policies. All records are managed per the New Zealand Universities Disposal Schedule.
- 4.4 Te Amaru—Disability Services provides guidance on determining what is considered "unreasonable or undue hardship or risk" when applying this Regulation.
- 4.5 Te Amaru—Disability Services works collaboratively with student services, faculty, and student leadership to support students and provides disability advice and expertise to the University as needed, including engagement with key relevant University committees.

Disabled Students

- 4.6 Any disabled student is encouraged to discuss their needs with Te Amaru—Disability Services at the earliest opportunity to enable support to be put in place before it is needed. Ideally this will be before commencing study, or as soon as an injury/illness occurs.

Note: Timeframes for the delivery of specific support services such as accessible assessment arrangements are available on the Disability Services website. Late notification may impact the availability of support.

- 4.7 All disabled students seeking support through Te Amaru—Disability Services are required to provide supporting documentation from a registered health professional that describes the impact the student's disability is likely to have on them and their study. This will need to be updated when there is a significant change to disability needs.

- 4.8 The student is encouraged to work with Te Amaru—Disability Services to identify their disability related needs and establish support if required; and if wanted, establish a disability inclusion arrangements document so that these needs can be communicated to university staff. Additionally, the student may also wish to directly discuss their needs with their course coordinator and other staff.
- 4.9 The student should advise Te Amaru—Disability Services of any change in their disability that could alter the support required.
- 4.10 The student should advise Te Amaru—Disability Services of any difficulties arising with the support provided.
- 4.11 Any disabled student who needs accessible assessment arrangements and does not have these established with Te Amaru—Disability Services within the published timeframe should either:
 - (a) contact their School to see if an alternative sitting is available, or
 - (b) take the assessment, if possible, and apply for an aegrotat for impaired performance if relevant.

Faculties, Schools, and academic staff

- 4.12 To provide an inclusive learning and teaching environment, all courses including assessments should be designed in such a way so as to avoid any unnecessary barriers to access, participation, and achievement. All online material for a course should meet, or preferably exceed, the Threshold Standards developed by the Centre for Academic Development (CAD). The enabling of closed captions is strongly recommended to meet student accessibility expectations.
- 4.13 Where a student has disability related needs that are not met within the design and delivery of the course, the following approaches are to be taken:
 - (a) where provided, utilise the inclusive teaching and learning strategies in a student's disability inclusion arrangements document, where actionable, to facilitate the student's full participation in the course learning and assessment;
 - (b) if a disability inclusion arrangements document is not available, the course coordinator may seek advice from Te Amaru—Disability Services and work with the student to address their disability related needs;
 - (c) where inclusive teaching and learning strategies, and support from Te Amaru—Disability Services still do not allow the student to participate in a particular aspect of a course, adaptations may be implemented in consultation with the relevant Associate Dean or Head of School as appropriate. This may include re-weighting of an assessment, or alternative assessment tasks, which allow the student comparable opportunity to demonstrate their knowledge and competence of the subject matter. Such adaptations to course requirements must not compromise academic standards, the essential nature of the course, or what are deemed to be essential skills or knowledge;
 - (d) where a course serves as a pathway to potential professional registration to practise in a discipline where the authority responsible for the professional registration is able lawfully to refuse registration to practise on the basis of a physical or mental condition or 'impairment' (for example, in relation to health or teaching practice, as at the date of this Regulation¹), this may need to be discussed between the School, the student, and Te

¹ In relation to health practice registration see [section 16 of the Health Practitioners Competence Assurance Act 2003](#). In relation to teaching practice registration, Schedule 3 of the Education and Training Act 2020 permits the Teaching Council to take into account a broad range of matters in determining fitness to be a teacher. Once registered as a teacher, the Teaching Council Rules 2016, permit consideration of whether

Amaru—Disability Services, to understand the student's longer term needs and professional aspirations, and how those may be compatible with the professional registration requirements.

- 4.14 It is unusual for a discipline to be fundamentally incompatible with a student's disability needs, but where staff believe that this may be the case, the matter will be discussed with the student and with Te Amaru—Disability Services. Where the incompatibilities cannot be resolved, the Dean may restrict or exclude the student from a course, giving due consideration to the following (in relation to a student's disability):
- (a) section 57 of the [Human Rights Act 1993](#) prohibits educational establishments from refusing entry to a course, restricting services, or excluding a student from a course or the University by reason of a person's disability, except where one or more of the limited exceptions in section 60 of the Act applies;
 - (b) section 60 of the [Human Rights Act 1993](#) overrides the requirement of section 57 for a person whose disability requires special services or facilities that in the circumstances cannot reasonably be made available (being services or facilities that are required to enable the person to participate in the University's educational programme or to enable the person to derive substantial benefits from that programme);
 - (c) section 60 also provides an exception to section 57 where a person's disability is such that there is a risk of harm to the person or to others, and it is not reasonable to reduce the risk to a normal level without causing unreasonable disruption.
- 4.15 In making a decision under (b) or (c) above, the Dean will consider whether reasonable adjustments can be made to enable a disabled student to participate in (or continue in) an educational programme. Issues that are likely to be relevant and on which the Dean may require information before making a decision, may include: associated impacts on the student, staff at the University, and other members of the student community; any health and safety risks and potential mitigations of those risks (for the student and others); financial costs and perceived practicability of any proposed adjustments; and matters related to the Code of Practice for pastoral care. The advice of Te Amaru—Disability Services will be sought during this decision making.
- 4.16 Any party affected by a decision made under 4.13 above, has the right to appeal to a Te Hiwa member if they believe the decision was made in a procedurally unfair manner. If they are a student, they are able to access the supports mentioned in 7.7 below.
- 4.17 Each Faculty will encourage inclusive teaching and learning approaches and have regular contact with Te Amaru—Disability Services to continually improve and embed disability inclusion. For example, including a Te Amaru—Disability Services staff member on a faculty teaching, learning and equity committee to collaborate on disability inclusive approaches, ensuring teaching and learning design and delivery reflects our commitment to disability inclusion, and implementing the actions outlined in Te Ara Taupuhpuhi—Disability Inclusion Action Plan

University Communications and Marketing

- 4.18 All public web pages should meet or exceed New Zealand Government legislative requirements for web accessibility.
- 4.19 Captions should be enabled on all Video content used in University Communications and Marketing to meet student accessibility expectations.

an aspect of a teacher's mental or physical health or disposition that may adversely affect the teacher's ability to carry out their function as a teacher competently and safely.

5. Resources and costs

- 5.1 Te Amaru—Disability Services is responsible for organising and funding high-cost support and specialist reasonable adjustments. At times Te Amaru—Disability Services may encourage students to access external funding for specific disability supports that are not funded within the University (for example personal carer or personal behavioural support, due to the very personal and specialist nature of this support it is not provided by the University).
- 5.2 Faculties and Schools are responsible for resourcing the provision of accessible assessment arrangements for in-class tests and other internal assessment (such as providing alternative test papers, computer facilities, and organising rooms and invigilation for students with accessible assessment arrangements). Where there are high numbers of students needing accessible assessment arrangements within a School, resourcing outside the school may be needed.
- 5.3 The Examinations Management team is responsible for resourcing the provision of accessible assessment arrangements for examinations held during the assessment period; unless the assessment is being managed by a Faculty, in which case the Faculty has this responsibility. This includes the facilities mentioned in 5.2.
- 5.4 Property Services, with feedback from Te Amaru—Disability Services, are responsible for the accessibility of the University's campus built environment through identifying accessibility issues and proactively remedying them, incorporating student and staff accessibility feedback and accessibility best practice. Property Services will proactively integrate accessibility best practice into all new building work and upgrades, in consultation with Te Amaru—Disability Services.

6. Accessible Assessment Arrangements

- 6.1 The University is committed to the provision of high-quality assessment practices that promote student engagement and are, as outlined in the [Assessment Handbook](#), equitable and inclusive: “responsive to, accessible and appropriate for the diverse needs of all learners. Particular attention will be given to the needs of identified equity groups [disabled students] to remove barriers to successful participation,” so that all students are provided with a comparable opportunity to demonstrate knowledge and competency for assessment purposes.
- 6.2 Accessible assessment arrangements are primarily arranged through Te Amaru—Disability Services and communicated to the relevant staff who administer assessments, the student concerned, and, where appropriate, the course coordinator. In programmes with high numbers of disabled students, or for some students with high needs, a programme level approach to alternative assessment may be beneficial for all involved.
- 6.3 A determination of appropriate accessible assessment arrangements will be based on the following considerations:
 - (a) the student's disability related needs;
 - (b) the type and duration of assessment;
 - (c) information from consultation with the student;
 - (d) the principles of reasonable adjustments, equity, academic integrity, and fairness.
- 6.4 In addition to the above provisions, a student who appears ill or distressed at the time of an assessment or has other circumstances, as outlined in the Assessment Handbook, may, at the discretion of the Course Coordinator, or Examinations Management Team, be provided with an alternative assessment arrangement. Depending on the circumstances, verification of the student's circumstances may be required.
- 6.5 Faculties and Schools are responsible for implementing the accessible assessment arrangements for in-class tests and other internal assessments.

- 6.6 The Examinations Management team is responsible for implementing the accessible assessment arrangements for examinations held during the assessment period; unless the assessment is being managed by a Faculty, in which case the Faculty has this responsibility.

7. Concerns, Complaints, and Appeals

- 7.1 Any concerns about decisions or arrangements made under this Regulation should be discussed with the person responsible to ensure they have the opportunity to address the concern.
- 7.2 If there are student concerns or complaints about provisions made by Te Amaru—Disability Services under this Regulation, they can be addressed by following the Te Amaru—Disability Services complaints guidance provided on [this website](#).
- 7.3 If a Staff Member does not agree with Disability Inclusion Arrangements determined by Te Amaru—Disability Services, they will discuss their concerns with the relevant disability and inclusion adviser, or the Te Amaru—Disability Services Team Leader, Advice and Support. The Te Amaru—Disability Services Accessibility and Inclusion Lead, and the Head of School can assist as needed.
- 7.4 Any remaining student or staff concern that has not been resolved in relation to decisions made under this Regulation can be discussed with the Accessibility and Inclusion Lead, Te Amaru—Disability Services, and the relevant Head of School where appropriate. Tauria—Student Interest and Conflict Resolution Service can assist with resolution at any stage in the process.
- 7.5 If the matter cannot be resolved informally, a formal complaint may be made as follows:
- (a) A student dissatisfied with the accessible assessment arrangements provided for an assessment may appeal to the Head of School, or file an Academic Grievance, who may consult Te Amaru—Disability Services for advice during the resolution process.
 - (b) Where a disabled student considers that they have experienced academic disadvantage, they may follow the academic grievance procedures as set out in the Academic Grievance Regulation.
- 7.6 A student complaint may also be raised externally through <https://www.studycomplaints.org.nz>, the Human Rights Commission or the Health and Disability Commissioner as relevant.
- 7.7 In raising a complaint student may seek advice and support from Tauria—Student Interest and Conflict Resolution Service, VUWSA Student Advocate, and/or [Nationwide Health and Disability Consumer Advocacy Service](#).

8. Breaches

- 8.1 Any breaches of this Regulation will be handled in accordance with the Staff Conduct Policy.
- 8.2 Students are expected to engage with this Regulation honestly and in good faith and any failure to do so could result in action under the Student Conduct Statute.

Note: A breach of this Regulation may amount to a breach of the [Human Rights Act 1993](#).

9. Definitions

In this Regulation, unless the context otherwise requires:

Disability	means any temporary or long-term condition, illness, or injury that affects a person's learning, communication, concentration, memory, hearing, mobility, movement, speech, and/or vision. This includes people who are
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	neurodivergent, and the Deaf community with their own unique language and culture. <i>Note: We use the terms: 'disabled people,' 'disabled students,' 'tauira whaikaha,' 'tagata sa'ilimalo,' with the strength of the New Zealand Disability Strategy and wishes of the disability community.</i>
Disability Inclusion and Accessibility	means when an aspect of the University (e.g., teaching delivery, processes and procedures, services, events, physical and digital environments) are designed, developed, and delivered/deployed to be used by all members of the University community (including disabled people) to the greatest extent possible without the need for ad hoc modifications or adjustments afterwards.
Reasonable Accommodation/ Reasonable Adjustment	means that a student's disability needs are met through appropriate modifications and adjustments being made to the learning and assessment environment to remove barriers to their full participation on an equal basis with their peers whenever it is necessary, possible, and reasonable to do so. Reasonable accommodations should not compromise academic standards, the essential nature of the course, or what are deemed to be essential skills or knowledge in relation to the course. <i>Note: Based on the definition as outlined in Article 2 of the UN Convention on the Rights of Persons with Disabilities (CRPD).</i>
Staff Member	means an employee of the University.
Student	means any person enrolled in a personal course of study at the University, or a person who is studying at the University under an exchange agreement with another institution and includes a resident in a Hall of Residence.
Supporting Documentation	is an assessment, report, letter, or document from a registered health professional such as a doctor, specialist, psychologist, counsellor, or educational psychologist that describes the impact a student's disability is likely to have on them and their study. <i>Note: Due to resourcing constraints within the Health System, we recognise that obtaining a diagnosis can be challenging. If a student's functioning is impaired to a disability level, then a registered health professional may still provide supporting documentation for this.</i>

Related Documents and Information

10. Related Documents

[Education and Training Act 2020](#)
[Human Rights Act 1993](#)
[Privacy Act 2020](#)

[Protected Disclosures \(Protection of Whistleblowers\) Act 2022](#)
[Victoria University of Wellington Act 1961](#)
[Education-Pastoral-Care-of-Tertiary-and-International-Learners-Code-of-Practice-2021.pdf](#)
[Kia Ōrite—Achieving Equity: New Zealand Code of Practice](#)
[New Zealand Disability Strategy](#)
[United Nations Convention On The Rights Of Persons With Disabilities](#)
[Academic Grievance Policy](#)
[Assessment Handbook](#)
[Campus Life Policy](#)
[Car Parking Procedure](#)
[Health, Safety and Wellbeing Statute](#)
[Privacy Policy](#)
[Staff Conduct Policy](#)
[Student Conduct Statute](#)
[Whistleblower Policy](#)
[Te Ara Taupuhipuhi—Disability Inclusion Action Plan 2023–2025](#)
[Ki te rā - Student Wellbeing Outcomes Framework](#)
[Equity, Diversity, and Inclusion Framework](#)

11. Document Management and Control

Essential Record

Approver	Academic Board
Approval Date	1 December, 2011
Effective Date	24 February, 2026
Next Review Date	February, 2029
Regulation Sponsor	Deputy Vice-Chancellor (Students) Deputy Vice-Chancellor (Academic)
Regulation Owner	Associate Director, Student Equity and Wellbeing

Modification History

Date	Approval Agency	Details
1 December 2011	Academic Board	Major Amendment following review.
24 February, 2026	Academic Board	Major Amendment following university-wide review process