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## Meeting the Needs of Students with Impairments Policy

### Student Policy Group

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#### 1 Purpose

In accordance with the Victoria University of Wellington (‘the University’) *Investment Plan* and *Equity and Diversity Strategy*, the University is committed to providing equal opportunity for all students and to promoting inclusion through valuing diversity. This includes the provision of support and reasonable accommodations to allow students with impairments to demonstrate their abilities, fully participate in University life, and realise their individual goals and potential. This policy supports this commitment.

#### 2 Organisational Scope

This policy is University-wide.

#### 3 Definitions

For purposes of this policy, unless otherwise stated, the following definitions shall apply:

**Reasonable Accommodation:** A student’s impairment is taken into account, and appropriate adjustments are made to the learning environment to lessen the impact of their impairment, 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 (based on the Australian Vice-Chancellors’ Committee definition of reasonable accommodation).

**Impairment:** A temporary or long term condition, illness or injury that affects a student’s learning, communication, concentration, memory, hearing, mobility, movement, speech and/or vision. This includes the Deaf Community (based on the definition of “disability”, s2 of the [Human Rights Act 1993](#)).

**Student advocacy service:** The person or service provider appointed to independently support and advocate on behalf of students.

#### 4 Policy Content and Guidelines

##### 4.1 General

- (a) 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 is required to accommodate the impairment-related needs of people with

impairments, except where 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.

- (b) Students with impairments should be neither disadvantaged nor advantaged relative to other students. The principal objective of this policy is to ensure that students' learning is supported, and their knowledge, not their impairment, is tested.

#### **4.2 Disability Services**

- (a) Disability Services assist students with impairments to fully participate in all aspects of University life, and in particular:
  - (i) provides support and advice for students with impairments;
  - (ii) formally evaluates the student's impairment, and following discussion with the course coordinator, determines what support or accommodations are appropriate. In making an assessment, Disability Services may seek advice from appropriate professionals such as a doctor, neurologist or educational psychologist;
  - (iii) co-ordinates the provision of specialised services, furniture, equipment, or other accommodations as required;
  - (iv) liaises with the student and other relevant student service providers to ensure that where required, appropriate support is provided to any student with an impairment; and
  - (v) provides support, advice and information to the appointed Disability Liaison Advocate in each School.

#### **4.3 Responsibilities of students with impairments**

- (a) Any student with an impairment should discuss their situation with Disability Services at the earliest opportunity, normally before commencing study, or at the beginning of their University term, or when an injury/illness occurs.

*Note: It may take some time to provide an appropriate evaluation and arrange any resulting accommodations or specialist services, so it is important that Disability Services be notified as early as possible of the student's intention to study. Late notification may reduce the range of accommodations that can be implemented.*

- (b) All students with impairments seeking support through Disability Services are required to provide verification of their impairment or medical condition. Where appropriate, Disability Services may require verification every six months for temporary or changeable conditions such as accident related conditions or OOS symptoms.

*Note: The Student Health Service or Student Counselling Service may, with the student's consent, provide verification of their impairment or medical condition to Disability Services. However they do not provide formal evaluations for reasonable accommodations for the student's ongoing requirements.*

- (c) Where possible, students should share responsibility for negotiating and developing solutions and, following formal evaluation by Disability Services, the student should discuss their practical needs with the course coordinator and other staff as appropriate. Disability Services can provide support, or if necessary discuss requirements on the student's behalf. Personal details regarding the nature of the impairment remain confidential to Disability Services and except where necessary, are not divulged to other staff.

- (d) The student should advise Disability Services of any change in their condition or injury that could alter the support or accommodations required.
- (e) The student should advise Disability Services of any difficulties arising with the support or accommodations provided.
- (f) Any student who has not been assessed by Disability Services, but is impaired at the time of a faculty-based examination should apply to the relevant Student Service (Student Health or Counselling Service) at the earliest opportunity to sit the examination using special facilities (see s4.6).

*Note: Special examination facilities are administered by the Faculty Administration Office in consultation with Student Services. In situations where the impairment occurs immediately prior to, or during an examination, it is sometimes more practical for the student to contact the Faculty Administration Office in the first instance.*

#### **4.4 Responsibilities of Schools and academic staff**

- (a) To ensure an inclusive learning and teaching environment, all courses should be designed in such a way so as to avoid any unnecessary barriers to access, participation and achievement.
- (b) Where a student's impairment means that the course requirements are more challenging for them than for other students, or are not achievable, the following approaches are to be taken:
  - (i) Provide support to allow the student to satisfy the assessments and other requirements as stated in the course outline. This might include, but is not limited to, time extensions, adapting the course delivery, the use of a different format (for example, large print or Braille) for hand-outs, or use of a reader/writer.
  - (ii) Where such support alone does not allow the student to satisfactorily meet the course requirements, further accommodations should be implemented in consultation with the relevant Associate Dean. These may include accommodations such as setting different assessment tasks that allow the student comparable opportunity to demonstrate their knowledge and competence of the subject matter. Such adaptations to course requirements should not compromise academic standards, the essential nature of the course, or what are deemed to be essential skills or knowledge.
- (c) It is unusual for a discipline to be fundamentally incompatible with a particular impairment, but where staff believe this may be the case, the matter should be discussed with the student and with Disability Services. Where the incompatibilities cannot be resolved, the Associate Dean (or Dean) may exclude the student from a course, giving due consideration to the following:
  - (i) Section 57 of the [Human Rights Act 1993](#) prohibits educational establishments from refusing entry to a course by reason of a person's disability;
  - (ii) Section 60(2) of the [Human Rights Act 1993](#) allows s57 to be overridden when the person's disability is such that there would be a risk of harm to them or to others;
  - (iii) Section 60(3) states that nothing in subsection 2 shall apply if the person in charge of the educational establishment could, without unreasonable disruption, take reasonable measures to reduce the risk to a normal level.

- (d) Each school should encourage inclusive teaching practice and is required to appoint a School Disability Liaison Advocate (normally an academic staff member) to liaise with Disability Services and other staff within the School, and to be accessible to students as a point of contact within the School for academic advice.

*Note 1: Where possible the Disability Liaison Advocate should:*

- (i) Encourage student disclosure to course co-ordinators and/or Disability Services;
- (ii) Be available to other staff in the School to discuss accommodations and issues in relation to students with impairments, and raise them with Disability Services as appropriate; and
- (iii) Disseminate information and best practice where appropriate.

*Note 2: Schools are encouraged to keep their own records of successful accommodations for students so as to provide a precedent file and help the University develop consistent responses.*

*Note 3: Schools may choose to appoint a Disability Liaison Advocate for each programme. Larger schools may also choose to split the role between a general and an academic staff member.*

#### **4.5 Resources and costs**

- (a) Disability Services is responsible for organising and funding high cost and specialist accommodations. This includes access to specialised equipment and technology (such as voice-activated software) and specialist services such as Braille, sign language interpreting and reader-writers for terms tests.
- (b) Schools are responsible for funding smaller cost items such as photocopying of note-takers' notes and class room materials (such as copies of enlarged Overhead Transparencies). Schools are also responsible for resourcing the provision of accommodations for tests and other internal assessment (such as providing enlarged test papers and organising rooms for students using reader-writers or computers).
- (c) Faculties are responsible for providing special facilities for faculty-based examinations, including law final examinations. This includes funding reader-writers.

*Note: Disability Services has responsibility for training all reader-writers, note-takers and other support staff. Schools and faculties assist Disability Services in identifying students with the appropriate subject knowledge and skills to fulfil these positions.*

- (d) Physical modifications required to University teaching spaces should be discussed with Disability Services. Funding may be available through the Access Management Committee.

*Note: The Access Management Committee prioritises a small budget each year to improve physical access to the built environment for people with impairments. New building and renovations to existing buildings should meet legal requirements.*

#### **4.6 Special examination facilities**

- (a) The University makes special arrangements for examinations for students with an impairment, so that all students are provided with a comparable opportunity to demonstrate knowledge and competency for assessment purposes.
- (b) Except for the provision in s4.6(d), all special examination accommodations must be authorised by Disability Services, the Student Health Service or Student Counselling Service, and communicated to the Faculty Examinations Co-ordinator, the student concerned, and, where appropriate, the Head of School:
- (i) For students who have been evaluated by Disability Services, any required examination accommodations are normally authorised by Disability Services.

Where their condition is changeable, Disability Services may refer the student to Student Health for re-evaluation and authorisation of any special accommodations.

*Note: Each trimester faculties may request from Disability Services a list of students likely to require special examination facilities.*

- (ii) Special examinations accommodations for any other students impaired at the time of an examination must be authorised by Student Health or Counselling Service.
- (c) A determination of special arrangements for an examination will be based on the following considerations:
  - (i) the nature and onset of the impairment;
  - (ii) the type of assessment;
  - (iii) the student's usual work method;
  - (iv) the effect of long examinations on the student;
  - (v) information from consultation with the student; and
  - (vi) precedents set at the University; and
  - (vii) the principles of equity and fairness.
- (d) In addition to the above provisions, a student who appears ill or distressed at the time of an examination, or has other circumstances requiring a more private or less formal environment may, at the discretion of the Faculty Examination Co-ordinator, be permitted to sit an examination in a separate room. Depending on the circumstances, verification of the student's condition may be required.
- (e) The Faculty Examinations Co-ordinator will implement decisions.
- (f) To enable the examiner to make assessments fairly and consistently, students with impairments requiring special examination arrangements will not be identified to course co-ordinators or lecturers prior to the examination except as required in s4.4(b)(ii).

*Note 1: Where, under s4.4(b)(ii), a student requests an alternative accommodation to an examination such as doing an additional assignment, Disability Services will discuss the matter with both the Course Co-ordinator and Associate Dean.*

*Note 2: Impaired performance or loss of time during an examination due to illness or other circumstances may normally be dealt with under the aegrotat provisions contained in the Assessment Handbook.*

#### **4.7 Appeals**

- (a) Any concerns in relation to decisions made under this policy should, in the first instance, be discussed with the Manager, Disability Services, the relevant School Disability Liaison Advocate, or Head of School. The Student Interest & Dispute Resolution Adviser or the student advocacy service can assist with informal resolution processes.
- (b) If the matter cannot be resolved informally, a formal appeal may be made as follows:
  - (i) A student dissatisfied with the special arrangements provided for an examination may appeal to the Convenor of the Academic Committee.

- (ii) Where a student with an impairment considers academic disadvantage has occurred as a result of the evaluation provided by Disability Services or its implementation, they may follow the academic grievance procedures as set out in the Academic Grievance Policy.
- (iii) If University staff do not agree with the evaluation statement received from, or special arrangements determined by, Disability Services they may appeal to the Convenor of the Academic Committee, who will make the final decision as to what is reasonable.

*Note: This does not prevent a student pursuing the matter through an external agency such as the Human Rights Commission or the Health and Disability Commissioner.*

#### **4.8 Breach of this policy**

A breach of this policy may amount to a breach of the [Human Rights Act 1993](#)

## **5 References**

[Academic Grievance Policy](#)

[Assessment Handbook](#)

The above are available at [www.victoria.ac.nz/about/governance/strategy](http://www.victoria.ac.nz/about/governance/strategy)

[Human Rights Act 1993](#)

Kia Ōrite – Achieving Equity: New Zealand Code of Practice for an Inclusive Tertiary Education Environment for Students with Impairments, available at on the website of the Tertiary Education Commission ([www.tec.govt.nz](http://www.tec.govt.nz)).

Previous Version: [Meeting the Needs of Students with Impairments Policy](#)

## **6 Appendices**

None

## **7 Approval Agency**

Academic Board

## **8 Approval Dates**

This policy was originally approved on: 25 August 2005

This version was approved on: 1 December 2011

This version takes effect from: 1 October 2014

## **9 Policy Sponsor**

Provost

## 10 Contact Person

The following person may be approached in relation to this policy:

Rachel Anderson-Smith  
Manager, Disability Services  
Extension 6077

*Note: The provision of the student advocacy service has been contracted to the Victoria University of Wellington Students' Association (VUWSA). The contact person is:*

*Jackie Anderson, Student Advocate, VUWSA  
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