

# Disability Discrimination

*This policy is compatible and compliant with The Brotherhood of St Laurence – High Street Centre Frankston, Victorian Registration and Qualifications Authority (VRQA) and the broader Brotherhood of St Laurence policies.*

## Policy Background and Purpose

David Scott School is committed to providing a safe and educationally supportive environment that values and encourages participation by all students and workers, including those with disabilities.

It is our policy that:

- students with disabilities can participate in education and training without discrimination
- students with disabilities have opportunities to access the School curriculum and achieve educational outcomes, in the same manner as students without disabilities
- reasonable adjustments will be made where necessary, to ensure students with disabilities are able to participate in all activities available to students without disabilities
- individualised programs will be developed for students with disabilities in consultation with parents/carers and relevant experts
- all processes are accessible and transparent
- disability discrimination prevention strategies are reviewed on an annual basis against best practice.

## Policy Objectives

David Scott School does not tolerate discrimination, harassment and victimisation of any type including disability discrimination.

This is achieved by:

- informing all staff and students that disability discrimination is not acceptable
- providing information and training concerning non-discriminatory methods of teaching
- ensuring staff and students are aware of appropriate actions to be taken if harassment or victimisation occurs
- establishing strategies and programs to prevent harassment and victimisation of persons with a disability
- ensuring strategies and programs extend to not only students but also to their parents/carers, who may experience discrimination as a result of their support role to a person with a disability, or who may have a disability themselves.

## Scope

All staff and students

## Definitions

**Disability Discrimination:** Disability discrimination occurs when a person with a disability is treated less favourably than a person without a disability, in the same or similar circumstances.

**Disability:** The definition of disability includes a wide range of impairments including physical, intellectual, psychiatric, sensory, neurological and

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learning disabilities. It also covers discrimination against a person because of a physical disfigurement or a disease (e.g. Human Immunodeficiency Virus – HIV).

## **‘Same Basis’ Opportunities**

The fundamental concept in operation at David Scott School to prevent disability discrimination is the ‘same basis’ concept. This means treatment of students with a disability must be on the ‘same basis’ as students without a disability, when presented with opportunities and choices offered to students without disabilities.

## **Reasonable Adjustments**

David Scott School will provide reasonable adjustments upon consultation with the prospective student with a disability and their parents/carers to assist the student undertake education offered.

Whether an adjustment is reasonable will depend on balancing the student’s learning needs with the interests of all parties affected, including those of the student with a disability, the School, staff and other students.

Depending on the needs of the student, adjustments may include modifications to School facilities, procedures and resources.

Modifications to enable student access to School facilities and participate in everyday school life include adjustments to toilets, ramps, safety railings, computer rooms and laboratories to ensure students with disabilities can access these facilities safely.

David Scott School is not required to provide adjustments where doing so would cause unjustifiable hardship to the School.

All processes for adjustments within the School, including review and grievance procedures, will be transparent. All decisions will be made in a timely way that optimises the student’s participation in education and training.

Unjustifiable hardship is determined via an individual assessment of the prospective student’s needs balanced with the costs associated with additional staffing, the provision of special resources or modifications and health and safety and duty of care requirements.

## **Disability Information**

Information obtained in relation to the student’s disability will remain confidential and will only be disclosed for the purposes of making adjustments or in accordance with a lawful requirement.

## **Staff Responsibility**

All staff must follow the guidelines set out in this Policy.

## **Implementation**

This policy is implemented through a combination of:

- staff training to equip staff with knowledge, skills and understanding to enable students with disabilities to participate in the full range of educational programmes or services, on the same basis and to the same extent as students without disabilities

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- student and parent/carer education and information
- effective management of the enrolment and accommodation of students with disabilities
- the development of an 'anti-discriminatory' culture within the School community
- the development of a culture that maintains the disabled student's dignity and privacy
- the establishment of processes for ongoing evaluation, monitoring and review of the effectiveness of the management of students with disabilities
- effective communication and incident notification procedures
- effective record keeping procedures
- initiation of corrective actions where necessary.

**Documentation** The School maintains records of all reasonable adjustments that have been made for students with a disability.

These records are maintained by the Principal and Wellbeing Leader and are stored in Confidential Hardcopy Files as well as Electronic Files.

**Discipline for Breach of Policy** Where a staff member breaches this policy David Scott School may take disciplinary action.

**Key Reference** This policy has been developed having regard to the Disability Standards for Education 2005.

**Associated Legislation** Disability Discrimination Act 1992 (DDA)

<b>Approved by</b>	Catherine Arnold – Principal
<b>Approved Date</b>	October, 2020
<b>Review Date</b>	2022
<b>Authorising Department</b>	David Scott School
<b>Prepared by</b>	Craig Colgan – Business Manager
<b>Control File title</b>	Disability Discrimination
<b>Version No</b>	V 1.0
<b>Superseded documents</b>	

## Policy Changes

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Date	Reason for Change	Made by