

## Discrimination Policy 2019

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### 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.

The definition of disability includes a wide range of impairments including physical, intellectual, psychiatric, sensory, neurological and learning disabilities. It also covers discrimination against a person because of a physical disfigurement or a disease (e.g. Human Immunodeficiency Virus – HIV).

### Emmaus College's Policy

It is our policy that:

- Students with disabilities can participate in education and training without discrimination;
- Students with disabilities have opportunities to access the college 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; and
- Disability discrimination prevention strategies are reviewed on an annual basis against best practice.

### Discrimination, Harassment and Victimisation

Emmaus College 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; and
- Ensuring strategies and programs extend to not only students but also to their parents/carers, who may experience discrimination because of their support role to a person with a disability, or who may have a disability themselves.

### 'Same Basis' Opportunities

The fundamental concept in operation at Emmaus College 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

Emmaus College 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 College, staff and other students.

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Depending on the needs of the student, adjustments may include modifications to College facilities, procedures and resources. Modifications to enable student access to College facilities and participate in everyday college life include adjustments to toilets, ramps, safety railings, the gymnasium, computer rooms and laboratories to ensure students with disabilities can access these facilities safely.

Emmaus College is not required to provide adjustments where doing so would cause unjustifiable hardship to the College. All processes for adjustments within the College, including review and grievance procedures, will be transparent. All decisions will be made in a timely way that optimizes 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.

### **Complaints**

Complaints of unlawful discrimination should be made to the College.

### **Staff Responsibilities**

All staff members must follow the guidelines as 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;
- 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 college 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; and
- Initiation of corrective actions where necessary.

### **Discipline for Breach of Policy**

Where a staff member breaches this policy Emmaus College may take disciplinary action.

### **Related Policies**

Bullying Prevention and Intervention Policy (under review)

Counselling Services (Students) Policy (under review)

Excursions Policy (under review)

Information and Communications Policy

Medical Appointments Policy (under review)

### **Legislation**

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