



TOOWOOMBA
GRAMMAR SCHOOL

Inclusive Education Policy for Students with a Disability



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Introduction

Toowoomba Grammar School (**the “School”**) is committed to providing an inclusive Teaching and Learning environment.

Purpose

The purpose of this Policy is to ensure provision of appropriate educational opportunities and to protect students with a disability or learning difficulty or students who have an associate with a disability from unlawful discrimination, harassment and victimisation on the basis of that disability.

Sponsor¹

The sponsor of this document is the Director of Learning and Innovation.

Scope of Policy

This policy applies to all:

- Employees including contractors
- Volunteers
- Children and young people
- Parents and caregivers
- People undertaking work experience or vocational placements

Policy Statement

Toowoomba Grammar School values all students including those with disabilities and recognises the right of all students to equitable access to the curriculum.

All students at the School have the right to learn in an environment free from unlawful discrimination. The School is committed to promoting and fostering an inclusive, supportive and safe (both physically and emotionally) teaching and learning environment, where all students, including those with disabilities, can enjoy the benefits of an education in an environment that encourages participation by all students.

The School will provide a fair and safe learning environment where all students have equal opportunities. In particular, the School will ensure that students with a disability are provided with opportunities to realise their potential through participating in the breadth of opportunities, both curricular and cocurricular, on the same basis as other students.

In accordance with relevant law, the School is committed, whilst students are engaging in their education, to protecting students with a disability, and students associated with a person where that person has a disability, from both direct and indirect:

- discrimination on the basis of disability; and
- harassment and victimisation on the basis of disability.

In accordance with the relevant law, the School will take reasonable steps to prevent unlawful discrimination, including harassment and victimisation, against students on the basis of disability in all facets of education at the School including:

- enrolment;
- participation in curricular and cocurricular activities and the use of facilities and services;
- curriculum development, accreditation and delivery; and
- student support services.

The School will make reasonable adjustments that do not cause unjustifiable hardship to ensure this equity of access and participation.

The School is committed to responding appropriately should such discrimination, harassment or victimisation occur. Any instances of disability discrimination, harassment or victimisation is to be reported under the Complaints Handling Policy.

Definitions

Disability: in relation to a person, means:

- a) total or partial loss of the person's bodily or mental functions;
- b) total or partial loss of a part of the body;
- c) the presence in the body of organisms causing disease or illness;
- d) the presence in the body of organisms capable of causing disease or illness;
- e) the malfunction, malformation or disfigurement of a part of the person's body;
- f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction;
- g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and/or
- h) reliance on a carer or assistant, assistance animal, wheelchair or other disability aid.

A disability includes past, present and future disabilities as well as imputed disabilities.

A disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

A student is affected by a disability if they have a disability as defined in applicable state and/or federal anti-discrimination legislation. A student will also be affected by disability if they have an associate with a disability.

Associate, in relation to a student includes:

- a) another person who is living with the person on a genuine domestic basis;
- b) a relative of the person;
- c) a carer of the person; or
- d) another person who is in a sporting or recreational relationship with the person.

Direct disability discrimination occurs when a person with a disability is treated unfavourably due to that disability. Direct disability discrimination occurs if a person treats, or proposes to treat a person with a disability, less favourably than they would treat a person without the disability in circumstances that are not materially different.

Direct disability discrimination also occurs if:

- a) Reasonable adjustments are not made or proposed to be made for the person with a disability;
- b) the failure to make the reasonable adjustments has, or would have, the effect of the person with a disability being treated unfavourably due to their disability; and
- c) for the purposes of this section, circumstances are not materially different because of the fact that, because of the disability, the person with a disability requires adjustments.

Indirect disability discrimination occurs when:

- a) a person, or group or persons discriminates against another person with a disability if the person with a disability is required to, or proposed to require to, comply with a requirement or condition with which they would not be able to comply as a result of the disability with the effect of disadvantaging the person with a disability; or
- b) a person requires or proposes to require the person with a disability to comply with a requirement or condition and does not make reasonable adjustments to enable the person with a disability to comply and failure to make such reasonable adjustments results in the disadvantaging of the person with a disability.

Responsibilities

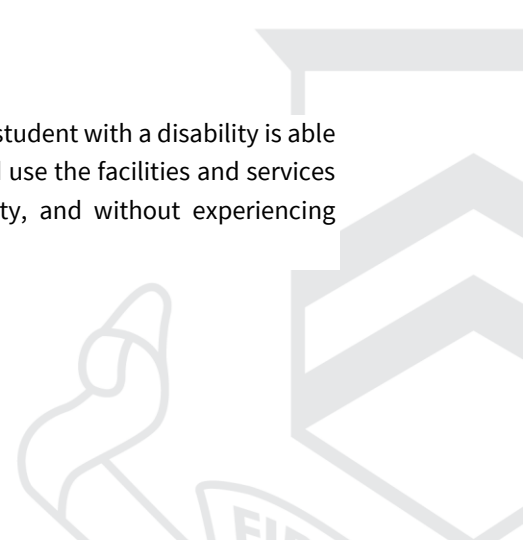
School

The School will not unlawfully discriminate, harass or victimise a student on the ground of the student's disability or a disability of any associate of a student. The school acknowledges that its responsibilities are as follows:

- Enrolment – The School will take reasonable steps to ensure that a student with a disability is able to seek admission to, or apply for enrolment in, the school on the same basis as a prospective student without a disability, and without experiencing discrimination.
- Identification – The School will take reasonable steps to identify students requiring educational adjustments both at enrolment and during the course of time at the school, including those with a disability, and consult with families/carers to develop a support plan. The level of educational support required by students with a disability is identified through the development of a Personalised Learning Plan. This process includes the collection of information from parents or caregivers, consultation with specialist personnel, including the class teacher or support teacher, and verification, if appropriate.

The collation of this information will help ascertain the student's need for:

- Physical access - equipment modifications
 - Adjustments to the learning environment
 - Personal care
 - Health care management
 - Communication
 - Curriculum adjustments
-
- Participation – The School will take reasonable steps to ensure that a student with a disability is able to participate in the courses or programs provided by the school, and use the facilities and services provided by it, on the same basis as a student without a disability, and without experiencing discrimination.



- Curriculum development, accreditation and delivery – The School will take reasonable steps to ensure that courses and programs are designed in such a way that a student with a disability is able to participate in the learning experiences (including the assessment and certification requirements) of the course and program on the same basis as a student without a disability, and without experiencing discrimination.
- Support services – The School will take reasonable steps to ensure that a student with a disability is able to use support services used by other students at the school in general on the same basis as a student without a disability, and without experiencing discrimination.
- Harassment and victimisation – The School will develop and implement strategies and programs to prevent harassment or victimisation of a student with a disability, or a student who has an associate with a disability, in relation to the disability. The School will take reasonable steps to ensure that staff and students are informed about the prohibition against harassment and victimisation, as well as the appropriate action to be taken if it occurs and the complaint mechanisms available.

Reasonable steps will depend upon the specific circumstances at the time but may include reasonable adjustments that do not impose an unjustifiable hardship.

- When considering an adjustment for a student with a disability, any confidential information provided to the School will not be disclosed except for the purposes of the adjustment or in accordance with a lawful requirement, in compliance with the Toowoomba Grammar School Privacy Policy.

Student and Employee Responsibilities

All students and employees at the School have a responsibility not to engage in discriminatory conduct, including harassment and victimisation, and to uphold the School's policies on these issues.

If students, parents or employees believe that this type of behaviour is occurring in the School, they are able to make a complaint under the Toowoomba Grammar School Complaints Handling Policy.

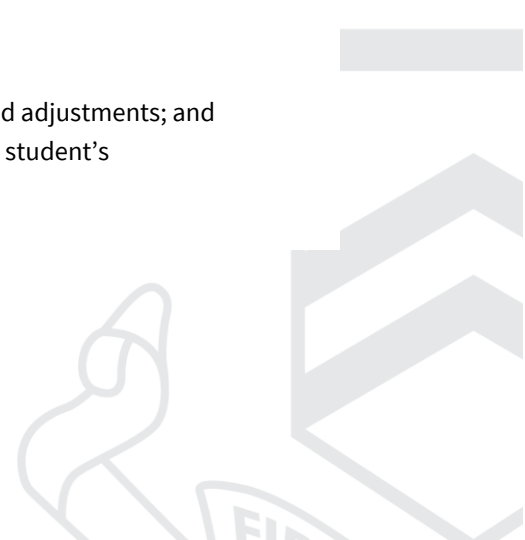
Reasonable Adjustments

An adjustment is a measure or action (or group of measures or actions) taken by the School to assist a student with a disability to apply for enrolment, to participate in curricular or cocurricular activities and or to use the School's facilities or services on the same basis as students without a disability.

An adjustment is reasonable if it achieves this purpose while taking into account the student's learning needs and balancing the interests of all parties affected. What is reasonable for a student or group of students with a particular disability may change over time. The School is not required to make reasonable adjustments unless it is necessary and is not required to make unreasonable adjustments.

In assessing whether a particular adjustment for a student is reasonable, the School will have regard to all the relevant circumstances and interests including:

- The student's disability and information provided by the student or on behalf of the student by parents/ carers and/or supporting specialists;
- How the disability affects the student's ability to participate;
- The student's preferred adjustments;
- The views of the student and or the student's associate about proposed adjustments; and
- The effect of the adjustment on the student, including the effect of the student's
 - Ability to achieve learning outcomes; and
 - Ability to participate in course and programs.



The School provides access arrangements and reasonable adjustments to minimise, as much as possible, barriers for a student whose disability may affect their ability to demonstrate their learning knowledge and skills in assessment on the same basis as other students. Access arrangements and reasonable adjustments in relation to assessment are covered in more detail in the Toowoomba Grammar School Academic and Assessment Policy which is informed by the QCE and QCIA Policy and Procedures Handbook, Queensland Curriculum and Assessment Authority v. 3.0.

Implementation and Training

The School takes reasonable steps to actively prevent discrimination and other behaviour in breach of this policy occurring at the School. The School will:

- Develop and implement this policy;
- Train and provide appropriate resources to staff to ensure their awareness of this policy and to assist in preventing any instances of disability discrimination or other behaviour in breach of this policy;
- Appropriately respond should an alleged breach occur;
- Promote the School's Complaints Handling Policy to staff, students, parents/care givers and prospective parents to ensure complaints are properly and effectively dealt with; and
- Encourage student and staff to contribute to a healthy, school culture that embraces diversity.

Compliance and Monitoring

Breaches of this Policy

Disciplinary action, up to and including termination of enrolment, employment or other engagement by the School, may be taken against a staff member or student who is found by the Headmaster (or the Board of Trustees, where the allegation concerns the Headmaster) to have breached this policy. Where a person is alleged to have breached anti-discrimination legislation, it is also possible that legal action could be taken against them personally.

Reporting Policy Breaches

Anyone who believes there has been a breach of this policy is to immediately report it to one of:

- The Deputy Headmaster;
- Head of Senior School; or
- Head of Junior School.

Once reported, the School will follow the Complaints Handling Policy and Procedures.

References and Related Documents

This policy is designed to ensure compliance with the following legislation and school-related documents:

- *Anti-Discrimination Act 1991* (Qld)
- *Disability Discrimination Act 1992* (Cth)
- *Education (Accreditation of Non-State Schools) Act 2017* (Qld)
- Disability Standards for Education 2005 (Cth)
- Nationally Consistent Collection of Data on School Students with Disability (NCCD) Guidelines 2022 (Cth)
- QCE and QCIA Policy and Procedures Handbook 2022 v3.0

- Toowoomba Grammar School Conditions of Enrolment
- Toowoomba Grammar School Anti-Bullying Policy
- Toowoomba Grammar School Academic and Assessment Policy
- Toowoomba Grammar School Code of Conduct (Staff)
- Toowoomba Grammar School Complaints Handling Policy
- Toowoomba Grammar School Privacy Policy
- Procedures for Diverse Learners (Appendix A)

Review

This Policy will be reviewed every 2 years by the Director of Learning and Innovation or earlier if:

- The procedure, processes and arrangements change;
- Application of the Policy fails to deliver the required outcomes;
- There are changes in requirements, legislation and standards; or
- An area for improvement is identified and agreed.



Appendix A

Procedures for Diverse Learners – identification of Support, Access Arrangements and Reasonable Adjustments for a Student

It should be noted that Access Arrangements and Reasonable Adjustments (AARA) are formally approved in Year 12 in accordance with the QCE and QCIA Policy and Procedures Handbook and recorded with the QCAA.

