



# **JAMES COOK UNIVERSITY**

## **Disability Action Plan**

**2011 to 2013**

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James Cook University acknowledges input received from its students and staff in compiling this Disability Action Plan.

James Cook University also acknowledges the work undertaken by other universities in the development of their Disability Action Plans. JCU values the opportunity to draw on the Action Plans already developed, particularly those of the following institutions:

- Charles Sturt University
- University of Adelaide
- University of Newcastle
- University of Southern Queensland
- University of South Australia
- University of Tasmania
- University of Western Australia
- University of Western Sydney

## DISABILITY ACTION PLAN FOREWORD

James Cook University is a diverse and dynamic community and we embrace the principles of equity, access and inclusion. We recognise that knowledge has the power to change lives and we are committed to ensuring that the University is accessible to all members of the community for work, study or personal and professional development.

The Disability Action Plan provides the framework to implement those objectives and strategies which relate to people with disabilities from the key theme areas of *People and Culture*, *Academic* and *Physical and Virtual Infrastructure* as outlined in the University Plan. Through this Action Plan we will eliminate barriers and create an environment which accommodates the different needs and potential of all individuals.

The Action Plan is consistent with the *Disability Discrimination Act 1992* and will be registered with the Australian Human Rights Commission.

Professor Sandra Harding

*Vice-Chancellor and President*



## EXECUTIVE SUMMARY

James Cook University (JCU) was established to pursue and encourage study and research, especially in subjects of importance to the people of the tropics. JCU is Queensland's second oldest university and through its research, graduates and industry links, is a major driver of economic growth and social change in northern Queensland. Our intent is "A brighter future for life in the tropics, world-wide", and our purpose is "Graduates and discoveries that make a difference."

We recognise that students and staff come from many backgrounds, promoting a rich cultural and experiential diversity on campus. Our values and beliefs in the JCU [Statement of Strategic Intent](#) embrace the principles of equity, access and inclusion, stating that "we are enriched by and celebrate our community's diversity."

The James Cook University Disability Action Plan has been drawn together by those staff who work on a daily basis with students with a disability. This plan acknowledges that people with disabilities make up a significant and growing percentage of the Australian population. Popular misperception is that these community members do not then enrol in University, when in reality they are represented in the tertiary sector in ever increasing numbers.

Once people with disabilities have met the entry requirements or are seeking employment here, James Cook University is required to provide a discrimination free environment and reasonable adjustment, under the *Disability Discrimination Act 1992*, and people with disabilities also have recourse through the Human Rights and Equal Opportunity Commission if required.<sup>1</sup>

Our students are at the heart of our University. By 'getting it right' for students with disabilities on campus, the University will have put in place the structure, systems and practices to help our students develop the skills, abilities and knowledge base they need to succeed.

Other benefits include:

Financial benefits, with increased student numbers;

Academic (*Quality*) benefits, by including students and staff who may well excel, and by further enhancing the depth of experience, inspiration and motivation that comes with embracing diversity;

Reflective (*Strategic*) benefits, by providing an opportunity to examine entrenched practices; and

Community benefits, by demonstrating community leadership in actively modelling the principles of inclusion and participation.

This document outlines a guided change process towards improved culture and practices, and highlights some of the key steps attainable over the next three years to integrate the needs of students and staff with disabilities across the educational practices of the university.

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<sup>1</sup> Statement of Strategic Intent

## INTRODUCTION

Students with disabilities have already been nominated as one of the five equity groups warranting specific attention by JCU, and they often belong to more than one. The other identified groups are students who identify as Aboriginal or Torres Strait Islander, students of non-English speaking background, regional and remote-origin students and low socio-economic group students. Yet, despite this focus, the retention rates of our students with a disability are currently lower than those of the general student population. Similarly, few people hired by JCU identify as having disabilities, so there are reasons for closer scrutiny of our practices relating to students and staff with a disability.

Our own University Plan supports an inclusive approach, stating that it "is characterised by personal relations with students and we provide alternate modes of delivery responsive to their needs... We endeavour to be an employer of choice, building an environment which facilitates and rewards excellence, performance and productivity. Both students and staff will achieve their greatest potential in an environment that values excellence, diversity and fosters community spirit".<sup>2</sup> This reflects a moral impetus, not just to remove barriers for people with disabilities, but to assist in the development of these individuals, so that all of our students and staff can get the most out of their JCU experience.

This Action Plan, has been developed in pursuit of ensuring that all staff students and visitors have equal access to all JCU has to offer. Notwithstanding existing efforts, it puts into operation and cements the value JCU places on equal opportunity and diversity. It creates a solid basis and a more systematic approach to creating an inclusive and non-discriminatory university environment for students, staff and visitors with disabilities.

The plan aims to eliminate any unlawful direct or indirect discrimination from the University's policies, practices and built environment, as well as create an environment flexible enough to accommodate the different needs and potential of all individuals. It also represents a commitment to actively create a university that provides reasonable opportunity to people with disabilities to participate fully in all aspects of university life, to be seen as valued and legitimate members of the university community and to demonstrate and fully develop individual potential.

As teaching and learning is core to the business of the University, this Action Plan examines in detail several key factors that affect access, participation and retention of students with disabilities studying at James Cook University.

As an employer, the University also pledges to provide fair and inclusive employment practices that promote and support a diverse work force, so issues relating to staff with disabilities are also included.

The term of this Plan allows the creation of solid, attainable foundations in the next three years to progress to sustainable resolutions of disability issues in the longer term.

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<sup>2</sup> James Cook University, University Plan

## CONTEXT

### James Cook University

With two main campuses in Cairns and Townsville, and other locations in Mackay, Mt Isa, Thursday Island, Brisbane and Singapore, James Cook University had 4.41% (620) of its 14,045 students identifying as having disabilities in 2009.

The University provides staff to support students and staff with a disability, and has produced a range of policies and support materials for individuals with disabilities and those who work with them, including a range of adjustments possible for students and staff (see *Appendix A*).

### Legislation

This Plan aligns with existing internal policies and external legislation and guidelines, including the Disability Discrimination Act 1992, The Anti-Discrimination Act 1991 (Qld), the AVCC Guidelines on Information Access for Students with Print Disabilities (2004) and the AVCC Guidelines Relating to Students with a Disability (2006) (see Appendix B).

In accordance with these, this Plan:

- Promotes the elimination of *direct and indirect* discrimination;
- Supports reasonable adjustment as the mechanism for reducing much of this discrimination and disadvantage, and
- Acknowledges that the limited exemptions from the *Act* that are possible due to unjustifiable hardship to the institution are usually defined as significantly punitive financial outlays.

The University strives for a proactive stance on the provision of services and opportunities to people with disabilities.



# FUNDAMENTAL PRINCIPLES

These principles frame the Plan:

## General

- Equity and diversity provide benefits for the individual, the University, and the community.
- Equity, rather than representing equal treatment of all, creates the conditions for an equally fair chance for all to succeed.
- Reasonable adjustments for people with disabilities allow them to demonstrate their capabilities as appropriate for that context.
- Once reasonable adjustment is made, the principles of merit and academic standards are upheld.
- Staff selection, advancement and management will support the principles of Equal Employment Opportunity.
- Commonwealth and State legislation in this area provides a guide to appropriate practice.

## Individual rights

- People with disabilities have the right to be treated with dignity and respect as individuals, and to realise their individual capabilities.
- People with disabilities have the right to have access to the full range of educational and employment opportunities to maximise their learning and career development.
- People with disabilities are consulted to determine the level and type of adjustment for their individual needs.
- People with disabilities have rights to privacy, confidentiality and individual choices about disclosure.
- People with disabilities have the right to still be exploring how they function within a particular context; or the right to be the person with the best understanding of the implications of a context for themselves but still uncovering the full range of possible solutions.
- People with disabilities have the right to have input into the development and evaluation of relevant policies, physical access and support services.
- People with disabilities have the right to work and study in environments free from all forms of discrimination and harassment, consistent with the relevant legislation.

## Service provision

- Barrier-free and broadly-inclusive approaches, flexible enough for individual adjustments, provide the best framework to meet the needs of students and staff with a disability.
- By providing the 'right' services for students with disabilities on campus, the university will have put in place the structure, systems and

services which will benefit a great many students.

- Inclusive practices for students, staff and visitors with disabilities need to be not only available, but also widely promoted and easily accessed.
- Approaches which build strengths, rather than seek only to minimise deficits, are most effective.

## **INSTITUTIONAL VALUES AND BELIEFS**

The University values its staff and students, the institution, and the quality of its output. It values equity and diversity, and JCU's role as a tertiary institution within a regional community in actively working towards both.

The University demonstrates this and the principles we uphold by striving to provide:

- Teaching, learning and research environments that are inclusive of students with disabilities;
- Work environments that encourage and support the employment and progress of people with disabilities at all levels;
- Opportunities for people with disabilities to have input in the development and evaluation of relevant policies, physical access and support services; and
- Allocation of resources and involvement of senior JCU staff in the development, implementation and evaluation of this plan.

## **POSITION STATEMENT**

### **The Inclusive Philosophy**

This Action Plan is grounded in the Social Model of disability.

This model recognises that people with functional impairments are most restricted in their participation and functioning by the social, environmental and attitudinal challenges to participation that are placed in their way, especially challenges that do not take account of their needs. The University therefore aims to ensure these challenges are eliminated or reduced as much as possible to allow students and staff to realise their potential.

Broadly-inclusive design philosophies aim at creating general practices with the capacity to accommodate a wide range of functional capabilities. These practices apply across whole populations to reduce the need for individual or remedial services. JCU and this Action Plan support such approaches.

This Plan also recognises that JCU practices must then have the additional capacity to flexibly adjust for any unmet needs of individuals if they are to be effective at reducing challenges and facilitating the individual's and the University's own goals.

Additionally, an approach based solely on the reduction of external barriers will not be as effective as one which also maximises the internal growth and development which is possible for individuals as part of their university experience.

## BENEFITS OF THE ACTION PLAN

Implementation of this Action Plan is worthwhile on many levels as it provides:

- A tangible demonstration of the value JCU places on the principles of equity, diversity and merit;
- A systematic approach of guided change in the way the University manages the needs of students and staff with disabilities;
- Reduced uncertainty, increased efficiency and increased effectiveness in the provision of adjustments for students and staff;
- Uniformity of practice across the University;
- Improved public perceptions of the University;
- Increased competitiveness with more quality students and staff able to arrive, stay and succeed at JCU;
- Expanded graduate attributes of students from JCU;
- Positive impacts on access, participation, retention, success and satisfaction generally for students with disabilities;
- Compliance with Universities Australia requirements;
- Greater compliance with legislative requirements, reduced risk of complaints, and improved responses to concerns raised; and
- Clearly established foundations for continuing management of disability issues beyond the term of the current Plan.

# STRUCTURE OF THE PLAN

## Focus areas

The Plan has 5 main focus areas, aligned with the University Plan, under which actions are organised and also includes a section on implementation and review. The focus areas are:

- Policy and Culture<sup>3</sup>
- Teaching and Learning<sup>4</sup>
- University Experience<sup>5</sup>
- People and Workforce Planning<sup>6</sup>
- Physical and Virtual Infrastructure<sup>7</sup>
- Implementation and Review

## Goals and objectives

Each focus area has a goal or goals attached to it, linked to specific objectives and actions. These actions will provide specific measures of attainment to assist those implementing the Plan to evaluate and monitor progress and to also assist those reviewing the effectiveness of the Plan.

## Responsibilities

Senior staff members responsible for each action have been identified. These staff members are able to delegate or facilitate the completion of the designated actions in whatever manner is most appropriate for their area. For reporting purposes however, they are the identified contact.

This designation of responsibility does not imply that these staff must operate in isolation. In fact, it is recognised that nominated staff will liaise directly with staff members at all campuses with relevant expertise, in particular the Disability Action Working Group (DAWG), *AccessAbility* Services (AS), Student Equity Officers, and staff of Corporate Health within the Human Resources Directorate.

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<sup>3</sup> James Cook University, University Plan, *People, Place and Culture*

<sup>4</sup> James Cook University, University Plan, *Academic*

<sup>5</sup> James Cook University, University Plan, *People, Place and Culture*

<sup>6</sup> James Cook University, University Plan, *People, Place and Culture*

<sup>7</sup> James Cook University, University Plan

## **Review and reporting**

The JCU Equity and Diversity Advisory Committee (EDAC) is the University's strategic committee that provides advice and recommendations to the Vice-Chancellor on all equity matters, including those relating to disability. As such, EDAC is responsible for reporting annually to the Vice-Chancellor with respect to the implementation of the Disability Action Plan.

The Equity and Diversity Advisory Committee is assisted to carry out this responsibility by the Disability Action Working Group (DAWG), which is a formal working group of EDAC. The TOR of the Disability Action Working Group specifies that "The duties of the DAWG shall apply to all matters associated with the Disability Action Plan (DAP) and the implementation of the Plan". The Disability Action Working Group is required to review the DAP at six monthly intervals and report to EDAC. It is also required to provide an end of year annual progress report to EDAC, including any necessary recommendations for action. The Equity and Diversity Advisory Committee will provide an annual report to the Vice-Chancellor and will provide information for the JCU Annual Report.

The EDAC has overall responsibility for the three year review of the DAP which will be undertaken in 2014 by the DAWG.

# FOCUS AREAS

## 1. Policy and Culture

University is about a whole range of experiences. We have a commitment to excellence, equity and diversity for all students and staff<sup>8</sup>.

Goal: JCU will develop policies and strategies to embed a University culture that is aware and inclusive in relation to disability.

Objective	Action	Responsibility	Timeline
1. Under the Equity and Diversity Advisory Committee (EDAC), establish a Disability Action Working Group (DAWG) to guide disability policy development and monitor implementation of the DAP. Membership to be made up of representatives from: <ul style="list-style-type: none"> <li>• Equity, Counselling and Careers (Chair)</li> <li>• Corporate Health and Rehabilitation</li> <li>• Facilities Management Office</li> <li>• International Office</li> <li>• Halls of Residence</li> <li>• Faculties</li> <li>• Student Association</li> <li>• NTEU</li> <li>• External Representation from the Disability Sector</li> <li>• AccessAbility Services</li> </ul>	<ul style="list-style-type: none"> <li>• The DAWG to address all matters arising from the DAP, the implementation of the DAP, and any additional disability issues.</li> </ul>	DVC (University Services & Registrar)	Ongoing
	<ul style="list-style-type: none"> <li>• Working groups to be established by the DAWG on needs basis to:               <ol style="list-style-type: none"> <li>1. review existing University disability policies and all proposed policies with reference to the inclusive framework;</li> <li>2. identify and remedy policy gaps;</li> <li>3. consult widely for feedback on policy.</li> </ol> </li> </ul>	DAWG	
	<ul style="list-style-type: none"> <li>• Review the DAP at 6 month intervals and provide a report to the EDAC.</li> </ul>	DAWG	Ongoing
	<ul style="list-style-type: none"> <li>• Provide an end of year report of the progress and developments of the DAP to the EDAC.</li> </ul>	DAWG	Annually

<sup>8</sup> James Cook University, University Plan, p.2



<p>2. To raise the awareness of staff and students regarding disability and encourage positive attitudes and the use of appropriate language.</p>	<ul style="list-style-type: none"> <li>Faculty and Divisional Strategic Plans include actions and KPIs that recognise and support the university's obligations with respect to an inclusive culture as set out in the Policy for Students with a Disability</li> </ul>	<p>SDVC, PVCs, Division Directors  Director, QEO</p>	<p>July 2011</p>
<p>3. To promote the University's inclusive ethos to internal and external stakeholders</p>	<ul style="list-style-type: none"> <li>Policy adopted requiring explicit reference to the university's inclusive policy approach on all promotional materials, availability in accessible formats (including captioning), and use of promotional images which are consistent with this ethos.</li> <li>Disability Action Week and International Day of People with a Disability be actively observed.</li> <li>Regular update of DAP implementation progress provided on JCU <i>AccessAbility</i> Services website.</li> </ul>	<p>Director, M&amp;E Director IT&amp;R  Manager SE&amp;AS  <i>AccessAbility</i> Services</p>	<p>February 2011  On-going  March 2011  On-going annually</p>
<p>4. To include disability support as a regular item on all Faculty and Divisional Executive meetings.</p>	<ul style="list-style-type: none"> <li>Standing Agenda Item of "Inclusive Practice - Disability" placed on meeting agendas</li> </ul>	<p>Faculty PVCs Division Directors.</p>	<p>February 2011</p>

## 2. Teaching and Learning

Goal: University Plan objective is to "offer a socially inclusive learning environment"<sup>9</sup> with innovative practices in teaching and learning that maximise access, participation, retention and success for students with disabilities.

Objective	Action	Responsibility	Timeline
5. To provide teaching, learning and assessment practices that are flexible and inclusive, and allow for additional adjustments for the needs of individual students with a disability as required.	<ul style="list-style-type: none"> <li>Develop procedures regarding the implementation of inherent requirements in course prospectus and/or subject outlines through the course approval process.</li> </ul>	Academic Board PVCs	April 2012
	<ul style="list-style-type: none"> <li>Develop Guidelines for preparation of accessible course materials to allow for alternative formatting for students.</li> </ul>	Faculty PVCs Manager of LT	February 2011
	<ul style="list-style-type: none"> <li>Develop Guidelines for the provision of assessment that is flexible and responsive to the requirements of students with a disability.</li> </ul>	Director TLD Manager of SEAS Faculty PVCs	February 2011
	<ul style="list-style-type: none"> <li>Strict timelines* promoted for availability of subject prescribed and recommended reading lists to enable alternative formatting.</li> </ul>	Faculty PVCs	March 2011
6. To develop students' skills and understanding relating to inclusive practices for disability, as reflected in generic graduate outcomes.	<ul style="list-style-type: none"> <li>Graduate attributes to include reference to developing an understanding of diversity issues including disability.</li> </ul>	Chair Education Committee	June 2011

<sup>9</sup> James Cook University, University Plan, p.6

\* 2 weeks minimum recommended, however, Faculty specific

### 3. University Experience

Goal: JCU will "promote an inclusive and welcoming learning community for staff and students"<sup>10</sup> with academic support and administrative practices and services that maximise access, participation, retention and success for students and staff with disabilities.

Objective	Action	Responsibility	Timeline
7. To promote higher education to prospective students with a disability and encourage participation in the full range of JCU courses	<ul style="list-style-type: none"> <li>• Development and marketing of pre-enrolment programs and events to specifically target people with a disability.</li> <li>• Marketing of all pre-enrolment and pathway programs to encourage participation of students and adults with disabilities</li> </ul>	Director, M&E Director, SAAS Manager SE&AS	February 2011  Ongoing
8. To provide flexible and accessible admission, enrolment and administration processes and services, considering the past and present impact of disability on potential students.	<ul style="list-style-type: none"> <li>• Enrolment and/or course information is fully accessible.</li> <li>• Student Enquiry Centre assistance with enrolment is widely promoted.</li> <li>• Enrolment information sent to students includes information about <i>AccessAbility Services</i>.</li> <li>• JCU website provides concisely packaged information for students with a disability on all enrolment matters (including accommodation, funding options, alternative entry options, and reasonable adjustments).</li> </ul> <p>Students with a disability who identify as such, on admission or enrolment, should be encouraged to contact the ASA prior to course commencement.</p>	Director, SAAS Faculty PVCs Director, SAAS  Director, M&E Director, SAAS  Director, SAAS Manager, SE&AS  Director, SAAS	June 2011  February 2011 January 2011  February 2011 February 2011

<sup>10</sup> James Cook University, University Plan, p.12

<p>9. Transition, orientation and first-year support services and programs address access and retention issues for students with disabilities.</p>	<ul style="list-style-type: none"> <li>Needs analysis of newly enrolled students who have registered with <i>AccessAbility Services</i>.</li> <li>Orientation program (including mentor programme) modified to specifically include the needs of students with a disability.</li> </ul> <p>Information concerning support for students with disabilities provided in <i>all</i> transition and First Year programs run by JCU.</p>	<p>Manager, SE&amp;AS  Manager, SE&amp;AS  Director, TLD  Manager, SE&amp;AS  Director, TLD  Director, M&amp;E</p>	<p>Ongoing  February 2011  Ongoing</p>
<p>10. Promote services that provide for the well being of students with disabilities.</p>	<ul style="list-style-type: none"> <li>Promote awareness of counselling services available to both staff and students.</li> <li>Update and promote the <i>AccessAbility Services</i> website.</li> </ul>	<p>Director, EC&amp;C  Manager, SE&amp;AS</p>	<p>February 2011  April 2011</p>
<p>11. To improve collaboration between AS and other University sectors</p>	<ul style="list-style-type: none"> <li>Improved processes implemented for promoting <i>AccessAbility Services</i> to all students and staff, encouraging early identification.</li> <li>Timely communication between ASAs and Academics.</li> <li>Toolkit for Staff reviewed and updated to improve staff understanding of students with a disability, injury, illness and/or health conditions and its impact in a study environment.</li> </ul>	<p>PVCs  Manager, SE&amp;AS  Director, HRM  Manager, SE&amp;AS  Manager, SE&amp;AS</p>	<p>Ongoing with annual report to DAWG  Ongoing  Ongoing</p>
<p>12. To ensure Library and Information Services are accessible and inclusive for users with a disability.</p>	<ul style="list-style-type: none"> <li>Conduct an audit for compliance.</li> <li>Monitor accessibility and reasonable accommodation.</li> <li>Establish and communicate library service standards for people with disabilities.</li> <li>Nominate library staff member/s for each campus to liaise with ASAs.</li> </ul> <p>See AVCC Guidelines on Information Access for Students with Print Disabilities and Australian Library and Information Assoc. Guidelines on Library Standards for People with Disabilities.</p>	<p>Manager Library &amp; IS  Manager, SE&amp;AS  Manager Library &amp; IS    Manager Library &amp; IS</p>	<p>March 2011  Ongoing  February 2011    January 2011</p>

<p>13. To ensure that information services and products are accessible and inclusive for users with a disability.</p>	<ul style="list-style-type: none"> <li>• Good practice checklists for accessibly formatting internal and external documents developed and widely promoted to general university community.</li> <li>• JCU Web system reviewed to ensure it reflects good practice in the provision of online information under Web Content Accessibility Guidelines (WC3 guidelines) and AVCC's Guidelines on Information Access for Students with Print Disabilities.</li> <li>• Resources for students and staff with hearing and sight impairments reviewed, resources allocated, and services developed and promoted.</li> </ul>	<p>Manager, LT</p> <p>Director, IT&amp;R</p> <p>Director, FMO</p> <p>Manager, SE&amp;AS</p>	<p>August 2011</p> <p>February 2012</p> <p>February 2012</p>
<p>14. To provide processes and practices for examinations which appropriately meet the needs of students with a disability.</p>	<ul style="list-style-type: none"> <li>• Trained exam supervisors and scribes are sourced to meet potential needs.</li> </ul>	<p>Manager, A&amp;E</p> <p>Manager, SE&amp;AS</p>	<p>April 2011</p>
<p>15. To provide and promote an effective feedback mechanism, regarding accessibility, services for all students and staff</p>	<ul style="list-style-type: none"> <li>• Multi-modal feedback mechanisms for students and staff (forms, email address on websites) developed and promoted.</li> <li>• Annual survey developed and sent to all students who are registered with <i>AccessAbility</i> Services.</li> </ul>	<p>Manager, SE&amp;AS</p> <p>Manager SE&amp;AS</p>	<p>February 2012</p> <p>July 2011</p>

## 4. People and Workforce Planning

Goal: JCU will "raise awareness in the University regarding equity and diversity issues to enable students and staff to engage and participate in inclusive culture"<sup>11</sup> and employment practices which maximise access to employment and career development opportunity, and promote retention of people with disabilities.

Objective	Action	Responsibility	Timeline
16. To ensure the implementation of equal employment opportunity practice.	Provide specific training and advice for staff about recruitment and employment of people with disabilities, including guidance to members of selection committees.	Director, HRM Director, EC&C	Ongoing
17. To provide timely reasonable adjustments and support to staff, who have or who develop disabilities if required.	<ul style="list-style-type: none"> <li>Review of HR appointment forms with a view to early identification of staff with disabilities who may require assistance.</li> <li>Develop a guide to the appropriate process and timeframes when employing and supporting staff with disabilities. This guide to include 'Reasonable Adjustment' in the workplace and list relevant external support and funding agencies.</li> <li>Monitor recruitment, employment and promotion statistics of staff with disabilities.</li> <li>Identify specific employment/professional development needs of staff with disabilities.</li> </ul>	Director, HRM  Director, HRM  Director, HRM Director, HRM	May 2011  May 2011  Ongoing September 2011
18. To ensure staff induction program includes information on disability-inclusive practice and relevant legislation and University policy	<ul style="list-style-type: none"> <li>Provide disability awareness information, including anti-discrimination legislation and University policies in induction program for all staff (<i>including sessional and contract workers</i>).</li> </ul>	Director, HRM Director, EC&C	February 2011

<sup>11</sup> James Cook University, University Plan, p.13

## 5. Physical and Virtual Infrastructure

Goal: JCU will provide a safe and innovative, accessible teaching, learning and social space, in a secure University environment<sup>12</sup> where students and staff with disabilities are able to work and pursue their educational and career goals.

Objective	Action	Responsibility	Timeline
19. To provide safe access to and from JCU sites for people with disabilities.	<ul style="list-style-type: none"> <li>Ensure that safety directions and emergency procedures accommodate the needs of people with disabilities and are widely accessible (e.g. fire alarms and evacuation procedures).</li> </ul>	Director, HRM	August 2011
20. To provide safe practices in working and learning environments for people with disabilities.	<ul style="list-style-type: none"> <li>Update safety inductions and policies for labs and other potentially hazardous environments for staff and students to include needs of people with disabilities.</li> <li>Develop a mechanism to encourage early disclosure of disability requirements for fieldwork, lab work, practical placements and other key areas of safety concerns.</li> <li>Review/update critical incident reporting and management procedure.</li> </ul>	Director, HRM  Director, HRM PVCs  DVC (University Services) & Registrar	August 2012  February 2013  ongoing
21. To provide and monitor classrooms with hearing assist systems.	<ul style="list-style-type: none"> <li>Regular monitoring of systems to ensure functionality.</li> </ul>	Director, IT&R	February 2011  3 monthly intervals

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<sup>12</sup> James Cook University, University Plan

<p>22. To progressively provide access to all existing JCU buildings appropriate to a study environment for people with disabilities to meet National standards and legislation.</p>	<ul style="list-style-type: none"> <li>• Designate staff in Facilities Management Office to address issues of access, ingress, egress, and appropriately appointed space (including examination spaces), for the built environment for both students and staff with disabilities.</li> <li>• DAWG to prioritise and recommend access improvements to the Facilities and Infrastructure Advisory Committee based on available audits and feedback from students and staff</li> <li>• Implement priority works approved by the Facilities and Infrastructure Committee.</li> <li>• Publish Access maps.</li> <li>• Erect directional signage incorporating braille</li> <li>• Implement electronic Wayfinder Map Project</li> </ul>	<p>Director, FMO DAWG</p> <p>Director, FMO</p> <p>Director, FMO</p> <p>Director, FMO Director, FMO</p>	<p>January 2011</p> <p>As required</p> <p>Ongoing January 2011 January 2011 June 2012</p>
<p>23. To ensure all new buildings provide access appropriate to a study environment for people with disabilities to meet National standards and legislation.</p>	<ul style="list-style-type: none"> <li>• Develop Building Design Guidelines for the construction of new buildings which comply with all national disability legislation and standards</li> </ul>	<p>Director, FMO</p>	<p>January 2011</p>



## 6. Implementation and Review

Goal: JCU will implement this plan and review progress to achieve Action Plan outcomes.

Objective	Action	Responsibility	Timeline
24. To communicate the policies and programmes of the Disability Action Plan to all interested parties.	<ul style="list-style-type: none"> <li>• Email all staff of the ratification of the completed Plan and its availability.</li> <li>• Publication of the Plan in accessible format on the JCU website, including promotion of its availability in alternative format on request as required.</li> <li>• Promotion of the Plan through University publications.</li> </ul>	Director, EC&C  Manager, SE&AS  Director, M&E	January 2011  January 2011  Ongoing
25. To regularly review and evaluate progress of this Action Plan, and undertake 3 yearly reviews of the DAP.	<ul style="list-style-type: none"> <li>• Provide to the Equity and Diversity Advisory Committee a six monthly progress report on the implementation of the DAP</li> <li>• Prepare an annual report for the Equity and Diversity Advisory Committee on the implementation of the DAP</li> <li>• Undertake a review of the DAP and prepare a new Plan for 2014-2016 for EDAC endorsement</li> </ul>	DAWG	Ongoing

## GLOSSARY OF TERMS

AVCC	Australian Vice Chancellors' Committee	IS	Library and Information Services
ASA	<i>AccessAbility</i> Services Adviser	IT&R	Information Technology and Resources
A&E	Admissions and Examinations	JCU	James Cook University
DAWG	Disability Action Working Group	LT	Learning Technologies
DVC	Deputy Vice Chancellor	M&E	Marketing and Engagement
CH&R	Corporate Health and Rehabilitation	PVC	Pro Vice Chancellor
CP&P	Corporate Planning and Performance	QEO	Quality Enhancement Office
E&C	Examinations and Ceremonies	SDVC	Senior Deputy Vice Chancellor
EC&C	Equity, Counselling and Careers	SE&AS	Student Equity and <i>AccessAbility</i> Services
EDAC	Equity and Diversity Advisory Committee	SAAS	Student and Academic Services
FMO	Facilities Management Office	TLD	Teaching and Learning Development
FYE	First Year Experience	WH&S	Workplace Health and Safety
HRM	Human Resources Management	VCAC	Vice Chancellor's Advisory Committee

## KEY TERMS

### Associate

In relation to a person, includes:

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

### Disability

In relation to a person, means:

- (a) total or partial loss of the person's bodily or mental functions; or
- (b) total or partial loss of a part of the body; or
- (c) the presence in the body of organisms causing disease or illness; or
- (d) the presence in the body of organisms capable of causing disease or illness; or
- (e) the malfunction, malformation or disfigurement of a part of the person's body; or
- (f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- (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 includes a disability that:
  - presently exists; or
  - previously existed but no longer exists; or
  - may exist in the future; or
  - is imputed to a person.

## Discrimination

Direct:

A person (***discriminator***) discriminates against another person (***aggrieved person***) on the ground of a disability of the aggrieved person if, because of the aggrieved person's disability, the discriminator treats or proposes to treat the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person without the disability.

Indirect:

A person (***discriminator***) discriminates against another person (***aggrieved person***) on the ground of a disability of the aggrieved person if the discriminator

- requires the aggrieved person to comply with a requirement or condition:
- with which a substantially higher proportion of persons without the disability comply or are able to comply; and
- which is not reasonable having regard to the circumstances of the case; and
- with which the aggrieved person does not or is not able to comply.

## Inherent Requirements

Education:

These are the requirements that are core to the subject or course of study. A potential student cannot be refused entry to the University should they meet all of the entry requirements unless it can be demonstrated that the student is unable to perform the core requirements of the chosen subject or course and that reasonable adjustment would not remedy this.

Employment:

When defining the 'inherent requirements' of a position, an employer must use careful judgement. Some factors to consider are:

- the work required in practice to be performed—if the job in practice does not require a particular duty to be performed, or if it is not being performed by other employees in similar roles, it may not be an inherent requirement even if it is shown on a duty statement;
- the importance or urgency of a particular task—duties that might need to be performed in an emergency might form part of the 'inherent requirements' of a position even if they are not shown on the duty statement or have not been previously performed;
- the circumstances in which a job is to be performed—the 'inherent requirements' in one set of circumstances may not apply in another, even if the duties are very similar;
- mandatory qualifications or other prescribed standards required for the performance of a function.

## Reasonable Adjustment

Education:

Making alterations to educational programs, procedures and facilities that are deemed to be sensible, fair and equitable for students with disabilities to access the educational program; the term has many shades of meaning and interpretation in the context of disability discrimination legislation; sometimes referred to as reasonable accommodations and reasonable alterations.<sup>13</sup>

Employment:

Where there is an understanding that people with disability can often perform the tasks of a position when adjustments are made to accommodate the effects of their disability. Some examples could be the provision of specialised equipment and/or adaptive software, reorganisation of duties or modification of the work area.

*It should be noted that building modifications are governed by strict guidelines and where modifications are made outside of the Australian Standards they should comply with the Deemed to Satisfy provisions under the Building Code of Australia Alternate Solutions section A08.*

## Unjustifiable Hardship

Limited exemptions are possible:

DISABILITY DISCRIMINATION ACT 1992 - SECT 29A

This Division (other than section 30) does not render it unlawful for a person (the **discriminator**) to discriminate against another person on the ground of a disability of the other person if avoiding the discrimination would impose an unjustifiable hardship on the discriminator.

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<sup>13</sup> Students with Disabilities: Code of Practice for Australian Tertiary Institutions (1998), p23

# APPENDICES

## APPENDIX A: James Cook University Policies and Support Services

The University has specialist staff on each of the Townsville and Cairns campuses, to assist staff and students with a disability. *AccessAbility* Services Advisors are available to assist students with disabilities, while Human Resources provide specific support and advice for staff.

The University has a range of access and equity policies and resource materials including:

- Policy for Students with Disabilities;
- Equal Opportunity;
- Assessment Practices Policy; and
- Toolkit for Staff

Support and services for students available from *AccessAbility* Services include:

- Computer Room
- 'Chill Out' Room
- Alternative Formatting
- Software
- Alternative Assessment and Exam Adjustments
- Volunteer Note Taker Scheme
- Mobility Aids
- Assistive Equipment
- Temporary Parking Permits
- Access
- General Support
- Liaison with Staff
- Links to other Support Services

Adjustments available for staff members include:

- Flexible work arrangements;
- Modifications to work premises;
- Changes to job design, work schedules and practices;
- Modifications to equipment or provision of specialist equipment and
- Provision of training or other assistance.

## APPENDIX B: Legislation

As well as supporting internal policies, this Plan is also aligned with a number of external guidelines and pieces of legislation including:

- The Anti-Discrimination Act 1991 (Qld);
- The Disability Services Act 1992 (Qld);
- The Disability Discrimination Act 1992;
- The Disability Standards for Education 2005;
- AVCC Guidelines Relating to Students with a Disability (2006);
- AVCC Guidelines for Information Access for Students with a Disability (2004)
- Building Code of Australia and
- Australian Standards in particular AS1428.1 (2001), AS1428.2 (1992), AS1428.4
- AVCC Principles for the Provision of Education by Australian Universities (2002)

JCU acknowledges that the DDA is the pre-eminent legislation recognising the rights of people with disabilities. As such, the DDA takes precedence over, for example, the Building Standards.

Limited exemptions from these requirements are possible under the Disability Discrimination Act 1992:

- For education, where "the person needs adjustments that would be unjustifiable hardship for the education provider" s.22 (4); and
- For employment, where "the person cannot do the inherent requirements of the work; and/or, the person needs adjustments or modifications that would be an unjustifiable hardship on the employer" s.15 (4) (b).

This Plan notes that the definitions applied to "unjustifiable hardship" usually represent very significantly punitive financial outlays.

## **APPENDIX C: Scope and Development of the Plan**

The internal consultation process included:

- A review at draft stage by a selection of staff and student representatives from across the campus advising on timeframes and specific actions;
- Consultation with all Senior Management identified within the Disability Action Plan.

Externally, consultation included:

- Email or phone contact with key community groups and individuals for whom disability issues are of particular concern; and
- Review of Plan by key community groups and individuals.

Individuals and community groups contacted included:

- Schools Transition Office
- TAFE Disability Stakeholders Group
- Direct Employment Services
- Australian Assoc, of Special Educators (AASE)
- Spinal Outreach Team
- Centrelink - Disability Officers
- DISNET group of service providers
- Disability Legal Advocate
- Spinal Injury Association
- Rights In Action
- FNQ Independent Living Support Assoc Inc.
- Cairns Consumer and Carer Advisory Group.

This Plan refers to all aspects supporting the provision of services for prospective and enrolled students, staff members and visitors to the University. It covers recruitment, enrolment, participation and tracking of students with disabilities. It also covers the recruitment and selection of staff with a disability, employment adjustments and support services and staff development. This Plan applies to all campuses of the University.



## **APPENDIX D: Disability Action Working Group (DAWG)**

### **Terms of Reference**

#### **1. Interpretation**

- (a) There shall be a Disability Action Working Group, hereinafter called the DAWG, that is a sub-committee of the Equity and Diversity Advisory Committee.
- (b) The duties of the DAWG shall apply to all matters associated with the Disability Action Plan (DAP) and the implementation of the DAP.

#### **2. Objectives**

The DAWG shall:

- (a) review existing policy, and all proposed policy with reference to the JCU inclusive framework;
- (b) in consultation with stakeholders identify policy gaps and develop new policies as needed;
- (c) provide advice to the Facilities Management Office regarding disability access requirements for university buildings on the Townsville, Cairns campuses and sub-campuses;
- (d) provide advice to the Facilities and Infrastructure Advisory Committee regarding the implementation of the \$1.5M works program and any other works to improve disability access to existing university buildings.
- (e) review the DAP in six month intervals and report back to the Equity and Diversity Advisory Committee;
- (f) provide an end of year report of the progress of actions listed in the DAP and any other relevant matters to the Equity and Diversity Advisory Committee.

#### **3. Membership**

The Group will be chaired by a senior staff member from the Equity, Counselling and Careers Directorate and consist of membership representing:

- (i) Corporate Health and Rehabilitation
- (ii) Facilities Management Office
- (iii) International Office
- (iv) AccessAbility Services
- (v) Student Association ( including a student with a disability)

- (vi) Faculties
- (vii) Halls of Residence
- (viii) NTEU
- (ix) Disability Community Sector

A group member will cease to be a member of the Working Group if they:

- resign from the group
- fail to attend 3 consecutive meetings without providing apologies to the chairperson.

#### **4 Term of Office**

Term of office for members will be for the period of implementation of the DAP subject to a review each triennium.

#### **5 Vacant Positions**

Any vacant position may be filled by a representative from the same area.

#### **6 Quorum**

Minimum of five members.

#### **7 Meetings**

The Committee shall meet four (4) times during the year.

#### **8 Executive support**

Executive support for the DAWG will be provided by staff from the Equity, Counselling and Careers Directorate.

#### **9 Reporting**

The Committee shall submit two reports on the progress of the DAP to the Equity and Diversity Advisory Committee- an interim report and a final end of year report.

#### **10 Amendments**

The terms of reference may be altered to meet the current needs of DAWG members with the agreement of the Director, Equity, Counselling and Careers.