

Disability and Inclusion Policy

Purpose:	<p>The purpose of this policy is to protect students with a disability or students who have an associate with a disability from unlawful discrimination, harassment and victimisation on the basis of that disability. This policy includes written processes about:</p> <p>(a) identifying students at the school who are persons with a disability; and</p> <p>(b) devising an educational program, specific to the educational needs of students who are persons with a disability, that complies with:</p> <p>(i) the <u>Anti-Discrimination Act 1991</u>; and</p> <p>(ii) the <u>Disability Standards for Education 2005 (C'th)</u>.</p>	
Scope:	<p>Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.</p>	
Status:	Approved	Supersedes: Nil
Authorised by:	Board of Directors Chair	Date of Authorisation: 19/01/2024
References:	<ul style="list-style-type: none"> ● <u>Anti-Discrimination Act 1991 (Qld)</u> ● <u>Australian Human Rights Commission Act 1986 (Cth)</u> ● <u>Disability Discrimination Act 1992 (Cth)</u> ● <u>Disability Standards for Education 2005 (Cth), including Guidance Notes</u> ● <u>Australian Education Act 2013 (Cth)</u> ● Compass Independent School Child Protection Policy 	
Review Date:	Review every 2 years	Next Review Date: 19th January 2026
Policy Owner:	Compass Independent School	

Policy Statement

All students at Compass Independent School have the right to learn in an environment free from unlawful discrimination. Compass Independent School will provide a fair and safe learning environment where all students have equal opportunities. In particular, Compass Independent School will ensure that students with a disability are provided with opportunities to realise their potential through participating in education and training on the same basis as other students.

In accordance with relevant law, Compass Independent 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
- harassment and victimisation on the basis of disability,

In accordance with the relevant law, Compass Independent 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 Compass Independent School, including:

- enrolment
- participation
- curriculum development, accreditation and delivery
- student support services.

Compass Independent School will make reasonable adjustments that do not cause unjustifiable hardship to ensure this equality of access and participation.

Compass Independent School is committed to responding appropriately should such discrimination, harassment or victimisation occur, including possible disciplinary action. Any instances of disability discrimination, harassment or victimisation should be reported and documented.

Through the written processes outlined in this document, Compass is committed to identifying children who are persons with a disability and designing educational programs specific to the child's needs. Compass will make reasonable adjustments that do not impose an unjustifiable hardship.

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 includes a disability that:

- h) presently exists
- i) previously existed but no longer exists
- j) may exist in the future (including because of a genetic predisposition to that disability)
- k) is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

- Associate, in relation to a person: includes:
 - a) a spouse of the person
 - b) another person who is living with the person on a genuine domestic basis
 - c) a relative of the person
 - d) a carer of the person
 - e) another person who is in a business, sporting or recreational relationship with the person.
- Direct disability discrimination: a person (the discriminator) discriminates against another person (the aggrieved person) on the ground of a disability of the aggrieved person if, because of the disability, the discriminator treats, or proposes to treat, the aggrieved person less favourably than the discriminator would treat a person without the disability in circumstances that are not materially different.

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

- a) the discriminator does not make, or proposes not to make, reasonable adjustments for the person
- b) the failure to make the reasonable adjustments has, or would have, the effect that the aggrieved person is, because of the disability, treated less favourably than a person without the disability would be treated in circumstances that are not materially different.

For the purposes of this section, circumstances are not materially different because of the fact that, because of the disability, the aggrieved person requires adjustments.

- **Indirect disability discrimination:** a person (the discriminator) discriminates against another person (the aggrieved person) on the ground of a disability of the aggrieved person if:
 - a) the discriminator requires, or proposes to require, the aggrieved person to comply with a requirement or condition
 - b) because of the disability, the aggrieved person does not or would not comply, or is not able or would not be able to comply, with the requirement or condition
 - c) the requirement or condition has, or is likely to have, the effect of disadvantaging persons with the disability.

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

- a) the discriminator requires, or proposes to require, the aggrieved person to comply with a requirement or condition
 - b) because of the disability, the aggrieved person would comply, or would be able to comply, with the requirement or condition only if the discriminator made reasonable adjustments for the person, but the discriminator does not do so or proposes not to do so
 - c) the failure to make reasonable adjustments has, or is likely to have, the effect of disadvantaging persons with the disability.
- **On the same basis:** a student with a disability must have opportunities and choices which are comparable with those offered to students without disability. This applies to:
 - the admission or enrolment in an institution
 - the participation in courses or programs, and
 - the use of facilities and services.
 - **Reasonable adjustments:** An adjustment is a measure or action taken to assist a student with a disability to participate in education and training on the same basis as other students. 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, including those of the student with disability, the education provider, staff and other students. Education providers are required only to make reasonable adjustments. The Disability Standards for Education 2005 do not require changes to be made if this would impose unjustifiable hardship on the education provider.

- Unjustifiable hardship: An unjustifiable hardship means significant difficulty or expense incurred by Compass Independent School with respect to the provision of reasonable accommodation. An accommodation that would be unduly costly, expensive, substantial, disruptive or would fundamentally alter the nature or operation of the school. An unjustifiable hardship is based on an assessment of what is fair and reasonable in the circumstances. If the proposed adjustments are likely to cause hardship, it is up to the principal and/or school to show that they are unjustified.

All relevant circumstances are to be taken into account when assessing unjustifiable hardship including:

- the benefit or detriment to any persons concerned,
 - the disability of the person,
 - the financial circumstances of the education provider,
 - the estimated amount of expenditure required to be made,
 - the availability of financial and other assistance to the school.
- Harassment: an action taken in relation to a person's disability that is reasonably likely to humiliate, offend, intimidate or distress the person.
 - Victimisation: is the specific targeting of one person by another person, or a group of persons, for repeated actions or comments of an unwelcome and unwanted nature. It is often inflicted on the subject in retaliation for a stand that has been taken against a wrong action or lodged a complaint against harassment or bullying.

Links to Key Terms:

- [On the same basis](#)
- [Reasonable adjustment](#)
- [Unjustifiable hardship](#)
- [Harassment](#)
- [Victimisation](#)

Responsibilities

School Responsibilities

Compass Independent 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.

Compass Independent School recognises that some children may require additional support for learning and engagement of Compass programs and values. Compass aims to identify any form of disability.

The school acknowledges that its responsibilities are as follows:

- **Enrolment** - Compass Independent 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** - Compass Independent School, through its enrolment application and support process (EASP) and ongoing personalised learning and support process (PLSP), 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.
- **Participation** - Compass Independent 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. This is supported by the EASP and PLSP.
- **Curriculum development, accreditation and delivery** - Compass Independent 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. This includes the use of Individual Curriculum Plans (ICPs) to address the identified needs of the child.
- **Parent/Carer Engagement** - Parents and carers are an integral part of the process of identifying a child who are a person with a disability. Communication about Compass children, and their learning and development with parents and carers is an ongoing process. This process is formalised in the context of identifying a child who may be a person with a disability through organised discussions with educators and or children. When considering an adjustment for a child with a disability, any confidential information provided to Compass Independent School will not be disclosed except for the purposes of the adjustment or in accordance with a lawful requirement.
- **Support services** - Compass Independent School will take reasonable steps to ensure that a student with a disability is able to use support services used by other students of the school in general on the same basis as a student without a disability, and without experiencing discrimination.

- **Harassment and victimisation** - Compass Independent 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.
- **Privacy and record keeping** - Documentation arising from the EASP and PLSP processes are handled and stored as per Compass' Privacy Policy and Record keeping statement.

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 Compass Independent School will not be disclosed except for the purposes of the adjustment or in accordance with a lawful requirement.

Education providers are required only to make reasonable adjustments. The *Disability Standards for Education 2005* do not require changes to be made if this would impose unjustifiable hardship on the education provider. An accommodation that would be unduly costly, expensive, substantial, disruptive or would fundamentally alter the nature or operation of the school. An unjustifiable hardship is based on an assessment of what is fair and reasonable in the circumstances. If the proposed adjustments are likely to cause hardship, it is up to the principal and/or school to show that they are unjustified.

Student and Employee Responsibilities

All students and employees at Compass Independent 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 Compass Independent Complaints Handling Policy.

Implementation

Compass Independent School will ensure:

- Awareness of this Policy is raised
- This Policy is accessible
- This Policy is implemented
- Training on this Policy is provided
- A complaints mechanism is provided

Further details of these measures are provided below.

Awareness/ Accessibility

Compass Independent School will inform staff, students and parents/ carers of this Policy and any related processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website.

Training

Educators are trained to identify signs of disabilities as per their registration requirements. Compass Independent School will train its staff on this Policy and any related processes on their induction and will refresh training annually.

Complaints Procedure

Suggestions of non-compliance with this Policy and any related processes may be submitted as complaints under Compass Independent School Complaints Handling Policy.

Processes

a) Enrolment application and support process (EASP)

In alignment with the *Disability Discrimination Act, 1992* (DDA) and the *Disability Standards for Education, 2005* (DSE), Compass has designed an EASP that supports us to provide children with disabilities the same access to educational opportunities as their peers without disabilities. This process is integral to planning for transition to school and ensuring ongoing support throughout the educational journey.

When an application for enrolment is received by Compass for a child anticipated to require adjustments to enable them to participate in education and use facilities on the same basis as children without disability, the EASP is activated by the Principal.

1. Application Phase

- Prospective enrolment initiated by family through the standard school enrolment process. Principal triggers the EASP where needed.

2. Partnership Phase

- Principal, family and child meet. Initial data is gathered and recorded. Family is advised that the enrolment application is pending while additional data gathering and exploration of adjustments is carried out.

3. Information Phase

- Conduct in-depth data collection to inform personalised planning. Explore potential educational adjustments.

4. Reflection Phase

- Principal reviews and reflects on information gathered. An additional meeting with family may be required to clarify and discuss information. Principal makes enrolment decision.

5. Meeting Phase

- Enrolment is offered or declined. Principal communicates decision in writing to family.

6. Action Phase

- If enrolment is offered, plans are carried out to transition and support the child as required.

See Appendix A for EASP Diagram.

b) Personalised learning and support process (EASP)

In alignment with the *Disability Discrimination Act, 1992* (DDA) and the *Disability Standards for Education, 2005* (DSE), Compass has designed a PLSP that supports us to identify children who are persons with a disability, and provide children with disabilities the same access to educational opportunities as their peers without disabilities. This process is integral to ensuring ongoing support throughout the educational journey.

1) Observation Phase

Teacher/s observe the child, gather and record information regarding the child's skills and learning over a period of time.

2) Meeting Phase

The teacher/s and family meet to discuss the observations and gather input from the family. A plan for next steps is organised.

3) Investigation Phase

Further observations and data collection may take place at School and/or by the family.

Medical and allied health professionals may be contacted by the family to conduct further assessment/s. Wait time may incur as a report/s are produced and sent to the School. Formal verification may follow.

Synthesis of all available information occurs.

4) Consultation Phase

Consultations may take place with medical and allied health professionals with required permissions.

Consultation occurs with the family regarding possible adjustments required to support the child.

A plan is formulated, documented and agreed upon by all parties. This may take the form of an Individual Curriculum Plan (ICP) including adjustments, goals and strategies.

5) Implementation Phase

Any necessary plans (including ICPs) are carried out and monitored.

6) Review Phase

Any plans (including ICPs) are reviewed in consultation with the family. Recommendations or adaptations to the plans are determined.

See Appendix B for EASP Diagram.

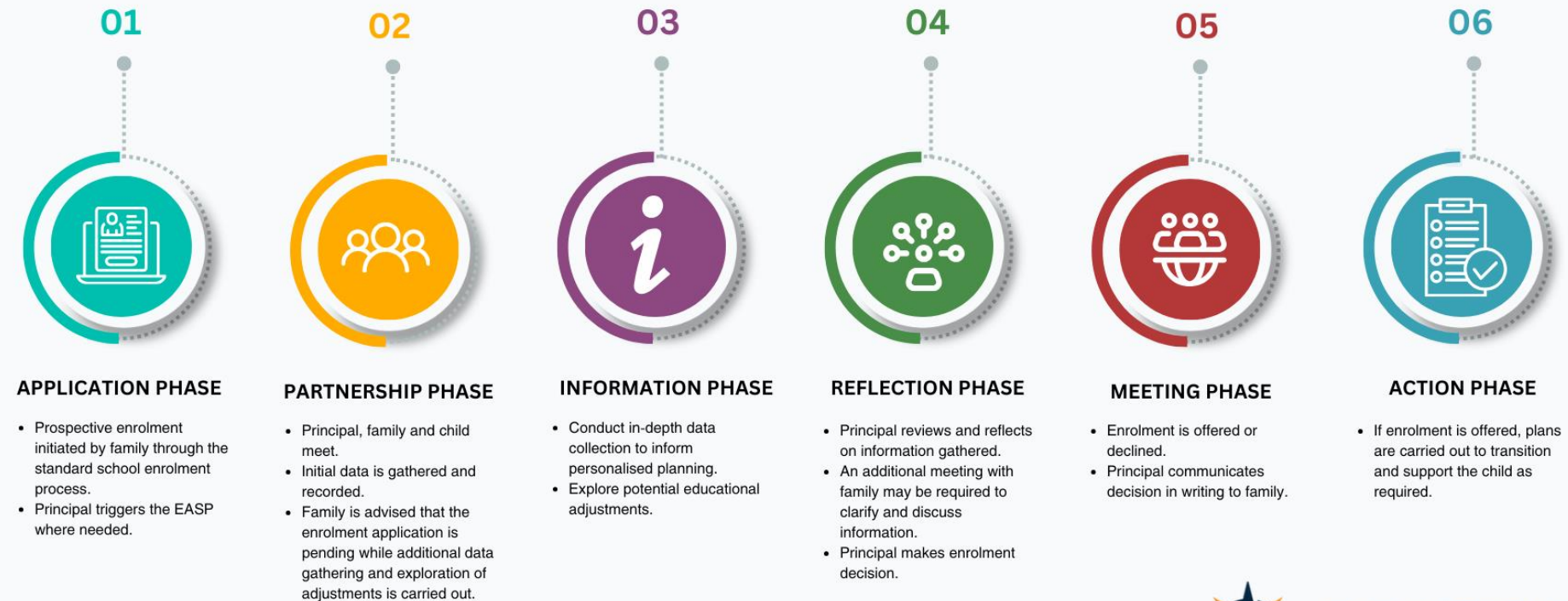
Depending on the circumstances, some of these phases or elements of these phases may be combined, compressed, or not required. They may overlap and not be sequential. Many of these phases may involve consultation with the family. The focus will be on the best interests of the child as teachers, the child (if applicable) and parents/carers move through these processes collaboratively.

Appendix A: EASP Diagram

Enrolment application and support process (EASP)

In alignment with the *Disability Discrimination Act, 1992* (DDA) and the *Disability Standards for Education, 2005* (DSE), Compass has designed an EASP that supports us to provide children with disabilities the same access to educational opportunities as their peers without disabilities. This process is integral to planning for transition to school and ensuring ongoing support throughout the educational journey.

When an application for enrolment is received by Compass for a child anticipated to require adjustments to enable them to participate in education and use facilities on the same basis as children without disability, the EASP is activated by the Principal.



Appendix B: PLSP Diagram

Personalised learning and support process (PLSP)

In alignment with the *Disability Discrimination Act, 1992* (DDA) and the *Disability Standards for Education, 2005* (DSE), Compass has designed a PLSP that supports us to identify children who are persons with a disability, and provide children with disabilities the same access to educational opportunities as their peers without disabilities. This process is integral to ensuring ongoing support throughout the educational journey.

Depending on the circumstances, some of these phases or elements of these phases may be combined, compressed, or not required. They may overlap and not be sequential. Many of these phases may involve consultation with the family. The focus will be on the best interests of the child as teachers, parents and carers move through these processes collaboratively.

