

Submission to the 2020 Disability Standards for Education 2020  
Review

**Professor Katie Ellis**, Director, Centre for Culture & Technology, Curtin University

**Professor Mike Kent**, Professor in the Centre for Culture and Technology, and the Deputy Dean for Graduate Research in the Faculty of Humanities, Curtin University

**Associate Professor Tim Pitman**, Equity Fellow with the National Centre for Student Equity in Higher Education and Dean of Research in the Faculty of Humanities, Curtin University

Thank you for providing us with the opportunity to make a submission the *2020 Review of the Disability Standards for Education 2005*.

### Focus of submission

Our submission focuses on the application of the DSE in the Australian higher education sector.

### About us

We are higher education academics with specific interest and expertise in researching the experiences of students with disability in higher education. We are passionate advocates for supporting students with disability to have equal access, support and success in their higher education studies as all students do.

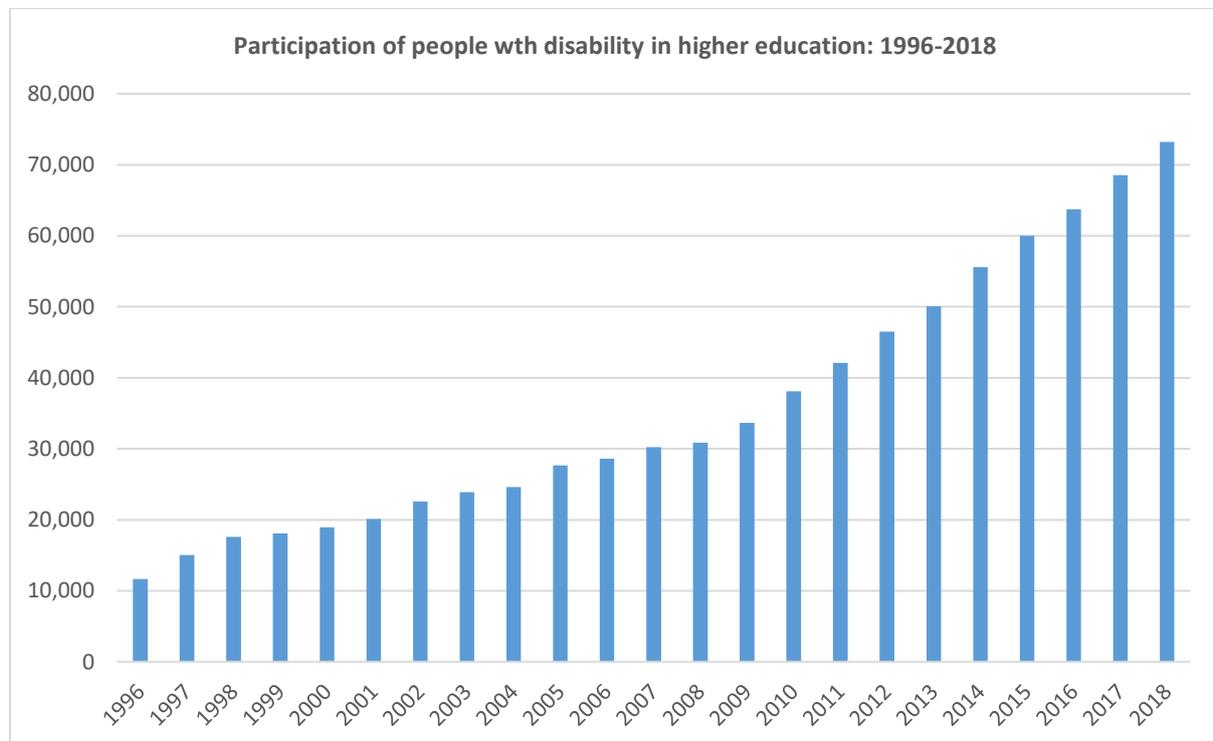
This submission is informed by:

- Our prior and current research into higher education students with disability.
- Our knowledge of relevant policy and law, in particular the *Disability Discrimination Act 1992* and the *Disability Standards for Education 2005*.
- The lived experiences of people with disability, as chronicled through our research.
- For some of us, personal experiences of living with disability

### Background

In Australia in 1996, less than 12,000 people with disability enrolled in higher education. According to the most recently published figures (2018), the number now exceeds 73,000 (See Figure 1).

Figure 1



Sources: Higher Education Statistics - <https://www.education.gov.au/higher-education-statistics>

In 2020, of the approximate 75,000 higher education students with disability:<sup>1</sup>

- Up to an estimated third have a mental health condition.
- More than a third (39%) have a medical condition.
- More than a third are studying either wholly or partly online

This illustrates that many students with disability require a wide range of support yet often are, to all extents and purposes, ‘invisible’ to the wider higher education community. This invisibility is a two-edged sword. On the one hand, only one out of every two students with disability require support from their institution<sup>2</sup>. There is therefore no need for the others to self-identify and possibly encounter discrimination or exclusion. However when a student does need support, they are required to disclose and undergo processes which, no matter how well designed and intentioned, can lead to stress, anxiety and potential discrimination. This leads to our first recommendation.

### **Recommendation 1**

***The Standards should explicitly recommend higher education institutions adopt principles of universal design.***

Universal design ensures that buildings, technology, products, services can be used by virtually everyone, regardless of ability. The concept of universal design exists on a continuum: whilst it may not be possible to talk about an institution being ‘universally accessible’ it is possible to describe institutions as being more or less universally accessible. The greater the level of accessibility, the greater the number of students who will not need to have reasonable adjustments made to their educational experience. This will ameliorate many negative experiences regarding attitudes, processes, communication and social inclusion, as outlined below (see Recommendation 2). This should be a particular focus for the increasing use of online and remote learning technologies.

A wider adoption of principles of universal design will also ensure greater compliance in respect of Section 3.7 of the current standards, which requires institutions “to ensure that any adjustment required to be made is made within a reasonable time”. Put simply, if the institutional environment means that no adjustment needs to be made in the first place, then the reasonable test is automatically met.

Therefore, the Standards should explicitly recommend that institutions should move towards principles of universal design and that their progression towards the same be assessed as a criterion for ensuring compliance with the Standards.

### **Recommendation 2**

***The Standards should make awareness training mandatory for all higher education staff, regardless of whether or not their role is directly related to supporting students with disability.***

Currently, the Standards only recommend that staff induction and professional development programmes include components on disability awareness and rights and on the obligations of

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<sup>1</sup> The survey was conducted as part of a National Centre for Student Equity in Higher Education [Fellowship](#). A copy of the preliminary report is available at <https://www.ncsehe.edu.au/progress-bulletin-ncsehe-equity-fellow-tim-pitman/>

<sup>2</sup> Using data sourced from the Department of Education, Skills and Employment as part of the abovementioned Fellowship. Data can be made available to the Review Panel upon request, subject to the approval of the National Centre for Student Equity in Higher Education.

education and training providers under the Standards. Given the significant rise in participation by students with disability (see Figure 1), it is now time to make this an imperative.

In the aforementioned survey of students, a theme emerged of many students reporting very high levels of support and understanding from specialist staff (e.g. disability support officers) but more stress and anxiety being generated through interactions with the wider higher education community (e.g. lecturers, administrative staff). The following excerpts of responses by students with disability are illustrative of the problem:

*The people [in the disability support office] are lovely. However, many academic staff are ableist and will bully you behind your back.... [The University] is also not interested in investing into students' welfare, especially those with disabilities.*

*I found the disability student support office of [The University] exceptional in assisting when issues and complications arose due to my emotional/mental health... But the university itself engaged in positive words, just words, but this did not follow into actions.*

*The [disability support staff] I deal with are fantastic [but] the [School] I study in are woeful at making allowances for my disability. I have had stand-up arguments with teaching staff about resources they refused to provide, before I had to escalate to some Dean or another... In my experience, they will compromise, but only when the matter is escalated and only then reluctantly.*

Whilst the feedback regarding the specialist staff is heartening, the reality is that the majority of contact is between the student and non-specialist staff and furthermore, it is the non-specialist staff who have the greatest impact on the student. For example, whilst disability support officers are the ones who develop access plans at the course and unit level, it is ultimately the lecturer who delivers the plan and supports the student. If the awareness and understanding of the lecturer is insufficient – which in too many cases it is – then the support is delivered in name only.