



**Submission to the Department of Education, Skills and  
Employment**

**2020 Review of the  
Disability Standards for Education 2005**

Prepared by SUPRA's Student Advice & Advocacy Service and the SUPRA Legal Service.

25 September 2020.

## **Foreword**

Sydney University Postgraduate Representative Association (SUPRA) is the representative organisation for postgraduate students at the University of Sydney. Established in 1970, SUPRA's constituency has grown to a point where in 2019, 26,456 students were enrolled in postgraduate degrees. In 2019 a total of 1,828 postgraduate students at the University of Sydney registered to receive support for a disability (University of Sydney Annual Report 2019). SUPRA's casework and legal services has handled a combined average of 2,000 cases each year, many involving students with a disability. Increasingly postgraduate students with a disability are presenting to SUPRA on multiple occasions to seek assistance with a range of issues from basic administrative tasks such as enrolment, to complex advocacy on assessment or complaints around teaching, reasonable adjustments and academic appeals.

SUPRA welcomes the opportunity to provide feedback on the impact of the Disability Standards for Education (the Standards) on postgraduate students at the University of Sydney. We present selected case studies from our recent casework experience to illustrate some areas of ongoing challenge for postgraduate students with a disability.

## **Executive Summary**

The development, implementation and monitoring of the Standards is critical in addressing the systemic inequality faced by students with a disability in Higher Education. From our perspective it is difficult to properly assess if the learning experience for postgraduate students with a disability has improved since the last review in 2015. While policies in general at our university have evolved to be more compassionate towards vulnerable and at risk students, it could be argued that at the same time student support services have not been maintained at an appropriate level, and in the case of the Disability Support Services any advocacy role by its staff is now incidental rather than core.

The case studies presented in the body of this submission tell the stories of individuals who sought better futures through postgraduate study and qualifications. They were initially thrilled at gaining admission to the University of Sydney and were encouraged to enroll by the provision of supports such as academic plans and resources to assist in their learning. However, these are ultimately stories of disappointment and struggle with complex administrative systems and inflexible decision makers.

A Doctor of Medicine student with atypical neurological functioning who was not provided with clear guidelines on how to pass an assessment typifies the need for the faculty to regularly review its assessment policies and requirements for the degree to ensure students with a disability are adequately supported. This is especially the case in barrier assessments where a fail requires a student to repeat a whole year of the degree.

The cases of the student with complex mental health and learning issues who experienced multiple fail grade outcomes and was unable to navigate the administrative procedures to apply for tuition fee recredit, and the PhD student who was forced to apply to several different departments to secure access to a suitable study space in the postgraduate students' library, underline the need for a case management approach and a flexible administration system at the university level.

In summary, regarding enrolment and access to education at our university, students with a disability appear to be well served, although we recognize that many who are unsuccessful rarely present to our service. The situation is more complicated when it comes to participation in learning and support by university services and faculties in enabling students with a disability. We pose questions for universities and education providers on how to conduct meaningful consultation with students with a disability, active monitoring for systemic fairness, and adapting their administrative processes where required. SUPRA is keenly aware that postgraduate students with a disability and who are also from an Aboriginal and Torres Strait Islander, or other minority background, studying remotely, or with care responsibilities are likely to experience difficulties while studying that other students do not. These students are also likely to be part time and may not be engaged with the student community, informed of their rights to a quality educational experience, or to know how to access support at the university, including our casework service.

## **Recommendations**

1. That universities and education providers resource a case management service to properly support individual students with a disability. This service should extend beyond creating academic plans or liaising with faculties on reasonable adjustments. It should also aim to actively advocate on behalf of students with a disability within the university and the broader community, while also assisting students with disabilities to navigate any administrative processes for their benefit.
2. That universities or education providers facilitate regular and meaningful consultation with students with a disability, on their learning experience throughout their degree, and respond with regular updates to teaching and assessment policies and practices.
3. That universities and education providers review policies and procedures to ensure students with a disability are not disadvantaged if they are granted special consideration and retain access to two attempts at a practical examination, where this is faculty policy or practice.

## **Case study 1**

A part-time Master's student with complex mental health issues and learning difficulties was also juggling the responsibilities of being a single parent. Notably, she relied on Centrelink benefits for income while continuing to pay for her tuition fees. She arrived at our casework

service after several years of multiple fails in her coursework due to her disabilities and family responsibilities. The student found the administrative system at the university so difficult to navigate that she never applied for, or was not successful in receiving, recredit or refund of tuition fees, despite clearly meeting eligibility criteria. The learning experience for the student was isolating, dispiriting, and stressful.

### **Case study 2**

A Higher Degree by Research student with a chronic condition that makes her sensitive to light and prone to exhaustion requested access to a quiet workspace on campus and close to accessible car parking to allow her to see her supervisor as well as to address isolation. During the summer break she was provided with temporary access to the university's postgraduate coursework student library that provides quiet rooms, low light, and after-hours access to around 21,000 students. However, when coursework students returned to campus, library management declined to renew her access on the basis that the space was primarily for coursework students. Around this time Disability Services set up a dedicated space for students with a disability to use on main campus and hoped this would meet the student's needs. Unfortunately, the student found the space was far from accessible car parking and did not have after-hours access. Persistent advocacy by a SUPRA caseworker resulted in Disability Services working with library management to finally grant the student all-hours access to the postgraduate library. The student found it difficult to understand why both of the university services could not have liaised for this outcome.

### **Case study 3**

A student with Attention Deficit Hyperactivity Disorder (ADHD) failed a replacement practical examination for which they were denied reasonable adjustments. The student did not pass one of the three domains, resulting in a requirement to repeat the whole year of study.

In the failed domain, 'Structure & Presentation', the assessment criteria are more general than the other two. The student, with their atypical neurological functioning, may have been disadvantaged by not being provided unequivocal and clear assessment criteria to pass this domain, despite previous experience in the practical exams and a practice session and tutorial for the current exam. The assessment for this domain is looking for a neuro-typical response which this student could not deliver, at least not on their initial attempt.

In this degree students who do not pass their first practical examination attempt are usually given an opportunity to re-sit the examination. However, if a student successfully applies for special consideration in the first attempt and is granted a replacement exam the replacement is considered the final exam, with no further opportunity to re-sit the examination. In our experience students with a disability often apply for special consideration for reasons not

related to their disability and this case raises the possibility of some students being indirectly discriminated against by a policy that removes their opportunity for a second attempt in an assessment.

## **References**

University of Sydney Annual Report 2019:

[https://www.sydney.edu.au/content/dam/corporate/documents/about-us/values-and-visions/annual-report/annual-report-2019\\_25may2020\\_web.pdf](https://www.sydney.edu.au/content/dam/corporate/documents/about-us/values-and-visions/annual-report/annual-report-2019_25may2020_web.pdf)

University of Sydney Disability Inclusion Action Plan 2019-2024:

<https://www.sydney.edu.au/content/dam/corporate/documents/about-us/values-and-visions/disability-inclusion-action-plan-2019-24/disability-inclusion-action-plan-2019-24.pdf>