

DISABILITY DISCRIMINATION POLICY

Purpose: 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.

Scope: 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.

Status: Current **Supersedes:** 02.12.2016

Authorised by: Dan O'Connor
(Chair of ASC Council)

Date of Authorisation:
12 August 2024

Signature:



Approved by: John O'Sullivan
Williams (Principal)

Date of approval:
12 August 2024

Signature:

References:

- [Anti-Discrimination Act 1991 \(Old\)](#)
- [Australian Human Rights Commission Act 1986 \(Cth\)](#)
- [Disability Discrimination Act 1992 \(Cth\)](#)
- [Disability Standards for Education 2005 \(Cth\), including Guidance Notes](#)
- [Australian Education Act 2013 \(Cth\)](#)
- St Paul's School Learning Support Procedures and Guidelines
- [St Paul's School Anti-Discrimination Policy](#)
- [St Paul's School Student Bullying Policy](#)
- [St Paul's School Child Youth Risk Management Strategy](#)
- [St Paul's School Student Code of Conduct](#)
- [St Paul's School Code of Conduct](#)
- [St Paul's School Complaints Policy and Process](#)
- [St Paul's School Privacy Policy](#)

Review Date: Review every 2 years **Next Review Date:** 12.08.2026

Policy Writer: Nicole Bunt

Policy Statement

All students at St Paul's School have the right to learn in an environment free from unlawful discrimination. St Paul's School will provide a fair and safe learning environment where all students have equal opportunities. In particular, St Paul's 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, St Paul's 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, St Paul's 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 St Paul's School, including:

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

St Paul's School will make reasonable adjustments that do not cause unjustifiable hardship to ensure this equality of access and participation.

St Paul's 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 under the St Paul's School Complaints Policy and Process.

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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.

Responsibilities

School Responsibilities

St Paul's 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 - St Paul's 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 - St Paul's 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.
- Participation - St Paul's 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 - St Paul's 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 a student without a disability, and without experiencing discrimination.
- Support services - St Paul's 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 - St Paul's 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.

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 St Paul's School will not be disclosed except for the purposes of the adjustment or in accordance with a lawful requirement, in compliance with the St Paul's School.

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Student and Employee Responsibilities

All students and employees at St Paul's 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 St Paul's School.

Implementation

Awareness

St Paul's School will ensure that there is awareness of the anti-discrimination legislation by regularly making all relevant employees aware of the need to avoid discrimination, harassment and victimisation. This will include the issuing of the Disability Discrimination Policy as well as more direct advice to employees during staff orientation and ongoing professional development.

Training

The School will take reasonable measures to ensure that employees have sufficient information and expertise concerning non-discriminatory methods of service delivery. This may include the provision of formal training.

Compliance and Monitoring

Through the use of the Enrolment Procedures, Support Plan and Case Management systems, the support of students with disabilities will regularly monitored and supervised.

A healthy school culture that is inclusive and committed to holistic learning is a priority of St Paul's School. This includes the prevention of any discriminatory or offensive materials, rules and practices, and encouraging students, parents and employees to contribute to a positive school culture.

Staff & School Policies

Learning Support Procedures and Guidelines

PURPOSE

The objective of these procedures and guidelines is to ensure a consistent approach to supporting students with additional educational needs at St Paul's School. This document aims to inform staff as to how Learning Support operates within our differentiated setting and to clearly define the roles of staff, in regards to supporting students with a disability.

Scope

These procedures and guidelines apply to supporting students with any of the following special educational needs:

- Low-incident disabilities
- Learning difficulties
- Imputed difficulties

The staff who are required to apply these procedures and guidelines include:

- Learning Support Staff (Curriculum Leader, Learning Support Teachers, Learning Support Teacher Aides and Administrative Assistant – Learning Support)
- Head of Studies (Junior School)
- Head of Career Pathways
- House Leaders
- Classroom Teachers

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DEFINITIONS AND ABBREVIATIONS

AARA

Access Arrangements and Reasonable Adjustments is a QCAA-driven application process for students with disabilities (within cognitive, physical, social/emotional and physical categories) to request provisions in assessments and exams in Year 12. The process allows the school to use specialist recommendations and show evidence of school-based provisional AARA in Years 7 – 11 to request special provisions for assessment that are required for the student with the disability to perform on the same grounds as their peers.

ISQ

Independent Schools Queensland

NCCD

The Nationally Consistent Collection of Data is an annual collection of information about Australian school students with disability.

Support Plan (Diagnosed)

A plan written for a student who has a diagnosis from a medical specialist (Paediatrician, Psychologist, Psychiatrist, Occupational Therapist or Speech Pathologist) that is within 3 years recency.

Support Plan (Imputed)

A plan written for a student who has either:

- a) A specialist report with no diagnosis, but identification of educational challenges and recommendations for school support or
- b) Been identified through school-based assessment and observation as having difficulties that require additional educational support beyond classroom differentiation practices.

Responsibility and Accountability

Administrative Assistant – Learning Support

- Under the direction of the Curriculum Leader (Learning Support) fulfill the administrative requirements of the Learning Support Team.

Curriculum Leader (Learning Support)

- Prioritises student support for students with a disability
- Monitors referral process
- Coordinates in-class Teacher Aide support (Years 7 – 12) and supports in-class programs to support the ongoing and changing needs of the school's academic program
- Prepares and disseminates documentation for students with Support Plans to teaching staff
- Plans with the School Counselling Team to identify wholistic goals and strategies to support students
- Makes AARA applications to the QCAA
- Plans with the Head of Secondary Pathways for the application of provisional and approved AARA in assessments
- Supports the Learning Support Teachers to fulfill their roles
- Supports Classroom Teachers with planning and support
- Accountable to Director of Teaching and Learning

Head of Career Pathways

- Provide guidance and make decisions regarding the academic and vocational program for students requiring support in Years 10, 11 and 12
- Attend Support Plan meetings and be involved in the writing of support plans for students in Years 11 and 12 who are eligible
- Submit QCAA AARA applications as prepared by the Curriculum Leader (Learning Support)

Head of Studies (Junior School)

- Provide guidance and make decisions regarding the academic program for students requiring support in the Junior School (Pre Prep to Year 6)
- Attend Support Plan meetings and be involved in the writing of Support Plans for eligible students

House Leaders

- Case manage students with disabilities in their House
- Attend Support Plan meetings and be involved in the writing of Support Plans for students who are eligible under the guidance of the Curriculum Leader (Learning Support)

Learning Support Teacher

Prep to Year 2:

- Assist class teachers in the preparation and delivery of differentiated instruction
- Plan for and facilitate individual and small group educational programmes for students with additional educational needs
- Conduct assessments, when required, to identify educational strengths and weaknesses. Communicate this information to parents and teachers using the Student Profile document
- Make recommendations to staff and parents for supporting students
- Contribute to discussion at Support Plan meetings and facilitate those that the Curriculum Leader cannot attend
- Accountable to Curriculum Leader (Learning Support)

Years 3 – 6

- Assist class teachers in the preparation and delivery of differentiated instruction
- Plan for and facilitate individual and small group educational programmes for students with additional educational needs
- Coordinate in-class Teacher Aide support in the Junior School
- Conduct assessments, when required, to identify educational strengths and weaknesses. Communicate this information to parents and teachers
- Make recommendations to staff and parents for supporting students
- Contribute to discussion at Support Plan meetings and facilitate those that the Curriculum Leader cannot attend
- Accountable to Curriculum Leader (Learning Support)

Years 7 – 10

- Assist class teachers in the preparation and delivery of

differentiated instruction

- Plan for and facilitate individual and small group educational programmes for students with additional educational needs
- Assess students who are referred and communicate feedback to parents and teachers
- Make recommendations to staff and parents for supporting students
- Contribute to discussion at Support Plan meetings and facilitate those that the Curriculum Leader cannot attend
- Accountable to Curriculum Leader (Learning Support)

Years 11 – 12

- This role is held by the Curriculum Leader (Learning Support)
 - Plan for and facilitate individual and small group educational programmes for students with additional educational needs that are facilitated and supervised by the Learning Support Teacher Aides
 - Assess students who are referred and communicate feedback to parents and teachers
 - Make recommendations to staff and parents for supporting students
- Negotiate Provisional and Approved AARA with eligible students and communicate these with teaching staff and the Head of Career Pathways

**Learning Support
Teacher Aide**

- Work with Class Teachers to support students with disabilities or additional educational needs within the mainstream classroom
- Implement programs and facilitate individual and small group support for students with additional educational needs, with general supervision of progress and outcomes
- Work with Learning Support Teacher to implement withdrawn support programs to identified students
- Accountable to Curriculum Leader (Learning Support)

**School
Counsellors**

- Be involved in the writing of Support Plans for students who

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**Classroom
Teachers**

are eligible, under the guidance of the Curriculum Leader (Learning Support)

- Plan collaboratively for the support of students who have social/emotional needs
- Apply the strategies within Support Plans to their work in supporting students with additional educational needs
- Document evidence of the adjustments they have implemented while supporting students with Support Plans in their class. This evidence is collected as part of the NCCD.
- Discuss student concerns and refer those for whom quality differentiated teaching strategies are insufficient, with the relevant Learning Support Teacher
- Provide periodic feedback to Learning Support Teachers to guide changes to
- Support Plans

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GENERAL AIMS

As a school with a differentiated program that values holistic education, St Paul's recognizes and respects that every child is capable and competent as a learner. The school identifies the importance of using the knowledge and skills of all educators, including Learning Support personnel, to promote collaborative planning and decision making to include students, families and educators.

Student participation is supported by:

- Identifying and responding to the needs of all students in the St Paul's School community;
- Making well-informed decisions, which draw from shared knowledge and skills relating to all facets of the educational process;
- Creating flexibility in system approaches, school structures, procedures and curriculum to facilitate options and pathways for students with additional educational needs;
- Providing flexible educational experiences which are appropriate for students with additional educational needs; and
- Promoting physical environments that are accessible, stimulating, safe and welcoming.

The Learning Support Team seeks to assist the delivery of a differentiated curriculum and promote classroom environments that are supportive of the successful participation and achievement for our diverse range of learners from Prep to year 12. The aims are for all students to feel safe and secure at St Paul's and to be empowered to achieve their full potential. Support processes across the Junior and Secondary Schools are quite different, to reflect the needs of the age group and the timetabling structures in place.

Roles and Responsibilities of Staff in Learning Support

The Curriculum Leader (Learning Support)

The Curriculum Leader (Learning Support) is responsible for:

- Overseeing the programs offered by the Learning Support Team
- Writing and reviewing Support Plans for students in Pre Prep to Year 12, whose medical reports identify additional educational needs
- Preparing KISS Targeted Grant applications for eligible students in the Early Learning Centre
- Accepting referrals of students and overseeing the process
- Prioritizing in-class support for students with Verified and Non-Verified and Imputed Support Plans
- Coordinating the in-class programs for use in differentiated classes, facilitated by the Learning Support Teacher Aides

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- Evaluating and planning for the changing academic needs of the school and aligning these needs with the support timetable
- Supporting teacher planning, including the practical application of strategies and provisional AARA contained within support plans
- Facilitating staff Professional Development in the area of disability
- Preparing and lodging AARA applications, including six-monthly reviews for students whose disability falls within the Social/Emotional category. Supporting staff to implement and supervise
- AARA provisions in Years 11 and 12
- Supporting staff through the moderation process of the NCCD

The learning support teacher

The Learning Support Teacher is available to assist class teachers with their planning of differentiated activities for students with disabilities or learning difficulties. This assistance is provided upon request. The Learning Support Teachers in the Junior School work within classrooms to support the needs of all students. They work collaboratively with teachers to identify educational trends in the data and accompanying supports to bring about academic growth.

These supports can be delivered within the mainstream classroom or in classroom spaces that allow for more focused teaching approaches. The Learning Support Teacher may use standardised assessments to ascertain a student's strengths and weakness and to make recommendations to parents and teachers for supporting the student's progress.

As part of this process, the Learning Support Teacher may identify strategies for use within the classroom; home programmes and resources to consolidate areas of weakness and referral to a specialist for further investigation.

The Learning Support Teachers in the Secondary School work within classrooms and in the Learning Support classrooms to support the needs of students with additional educational needs. They work collaboratively with teachers to identify educational needs and accompanying supports to support individual progress.

In addition, the Learning Support Teachers in the Secondary School will act on teacher referrals to assess, observe and identify key supports required for the child's engagement with learning. The Learning Support Teacher also works with students who have been identified as having significant educational need, by writing programmes and identifying key goals that are tailored to each student's individual needs. A key part of this support can be students receiving additional assistance with coursework and assessment tasks in the Learning Support classrooms.

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This support is reviewed yearly through the use of up-to-date assessment data, observations and work samples. Support is flexible in order to meet the changing needs of the student.

Learning Support Teacher Aide

Learning Support Teacher Aides work in teams: Junior School and Secondary School, under the direction of the Learning Support Teachers and the Curriculum Leader (Learning Support). They also work in mainstream classrooms, under the direction of Class Teachers.

The Learning Support Teacher Aides support students with disabilities, learning difficulties or particular educational needs. On occasion, they may support classroom Teachers to implement strategies and make the adjustments noted in the student's Support Plan, or to implement a program in the classroom to a small group of identified students, under the general supervision of teaching staff.

Administrative Assistant (Learning Support)

The Administrative Assistant (Learning Support) is responsible for the administrative needs of the Curriculum Leader (Learning Support) and the Learning Support Teachers.

Key tasks include:

- Scheduling Support Plan meetings school wide
- Distribution of information relating to support plans
- Filing of evidence (adjustments, assessment, monitor and review and consultation) for NCCD purposes
- Purchasing resources for use in the Learning Support Classrooms and in mainstream classrooms for students with additional needs – as requested by the Learning Support Teachers and Teacher Aides

Related Documents/References

- St Paul's School Disability Discrimination Policy
- Process for Identifying Students with Disabilities at St Paul's School



PROCEDURE FOR IDENTIFYING STUDENTS WITH DISABILITIES AT ST PAUL'S SCHOOL

Identification and Support for Enrolling Students at St Paul's

Enrolment Application

Parents complete enrolment application and disclose history of support, diagnosis and share medical reports.



Enrolment Interview

Curriculum Leader (Learning Support) reviews available information and attends enrolment interview with Senior Leader. Curriculum Leader may seek additional information from student's current educational facility (with parent permission). If specialist reports are older than three years recency, parents are encouraged to seek updated an appointment and assessments.



If parents do not pursue an updated specialist assessment/report, the most recent information is added to a Student Profile document.

The student's engagement and performance are monitored by House Leader and Learning Support Staff.

Teaching staff complete a Referral form if concerns persist.

The student may be a candidate for a Support Plan (Imputed) if an educational need can be substantiated by data and observations and teachers are making adjustments for the student in their classes.



Acceptance of Enrolment *Junior School:*

Curriculum Leader (Learning Support) prepares a draft support plan, utilizing information from the enrolment application, specialist reports and interview. This is made available to staff from the start of the academic year or as close as possible to their commencement. A support plan meeting is scheduled with parents and staff as earlier as possible.



Acceptance of Enrolment *Secondary School:*

Curriculum Leader (Learning Support) prepares a draft support plan, utilizing information from the enrolment application and interview. In Term 4 of the year prior to commencement, the staff team meet with parents to finalize the support plan and agree on the support measures required by the student.



Identification and Support for Existing Students at St Paul's

