

Code of Practice for Learners with a Disability, Learning Difference or Long-Term Health Condition

Introduction

Carlow College, St. Patrick's is committed to ensuring that students with a disability have as complete and equitable access to all facets of college life as can reasonably be provided. We have adopted a code of practice which is applicable to all learners with disabilities, learning differences or long-term health conditions undertaking our programmes of study. This is in accordance with the *Disability Act 2005* and the *Equal Status Acts 2000 - 2015* (as amended). Learners with a disability, learning difference or long-term health condition are encouraged to apply to the Academic Resource Office to seek supports where the disability, learning difference or long-term health condition could affect their ability to participate fully in all aspects of their programme.

Carlow College strives to provide an inclusive environment where all policies, procedures, programmes and facilities adhere to inclusive Teaching, Learning and Assessment principles (Universal Design Principles) ensuring access to the greatest number of learners without the need for adaptation or additional supports for particular groups. Thus, creating an environment where learners are encouraged and supported to disclose a disability or learning difference.

This Code of Practice applies to all learners, both undergraduate and postgraduate, with permanent or long-term disabilities, learning differences or health conditions for the duration of their programme of study. In providing a high standard of service to learners, the College, through the Academic Resource Office, will provide learners with reasonable accommodations to ensure that they are not placed at a substantial disadvantage compared to a non-disabled peer. A substantial disadvantage is one that entails time, inconvenience, effort or discomfort compared to other learners and which is more than minor or trivial.

For the purposes of all College policies relating to learners with disabilities, learning differences or long-term health conditions, reasonable accommodations are determined through a needs assessment process which takes into account the nature of a disability, learning difference or long-term health condition, programme requirements and individual differences. The most common forms of reasonable accommodations are available in the DAWN Handbook.¹

The purpose of this Code of Practice is twofold:

- to outline to learners with disabilities, learning differences or long-term health conditions their rights and responsibilities in receiving reasonable accommodations as they pursue their academic programmes in Carlow College, and;

¹ Please click on the link provided for more on the DAWN Handbook:
https://www.ahead.ie/ra_appendix_dawn_exam_guidelines.

- to define Carlow College's rights and responsibilities to learners with disabilities, learning differences or long-term health conditions and the wider college community.

For the purpose of this document and all Carlow College policies relating to learners with disabilities, learning differences or long-term health conditions, a reasonable accommodation might be any action that helps alleviate a substantial disadvantage. Making a reasonable accommodation might involve changing procedures, modifying the delivery of the module taken, providing additional services (e.g. examination arrangements, materials in large print), or altering the physical environment. These duties are anticipatory requiring Carlow College to move away from ad-hoc provision in responding to the needs of such learners to the creation of a learning and teaching environment where provision is seen *as equal to and not different from* provision for other learners.

Every learner with a disability, learning difference or long-term health condition has the right to:

- Equitable access to programmes, services, activities and facilities in Carlow College.
- Reasonable accommodations, adjustments, supports and/or assistive technologies, which are determined on a case by case basis through a needs assessment and in accordance with the evidenced disability, learning difference or long term health conditions of the learner.
- Request a review of their reasonable accommodations.
- Appropriate confidentiality relating to personal records and disclosure of information. Please see Appendix 7 of this Policy and our Privacy Notice for Learners, which is available on the college website, for detailed information as to how personal data is used.
- Be treated in a fair manner with dignity and respect.

Every learner with a disability, learning difference or long-term health condition has the responsibility to:

- Identify themselves in a timely manner as a learner with a disability, learning difference or long-term health condition when seeking a reasonable accommodation.
- Submit formal documentation from an appropriate professional (e.g. Consultant, Educational Psychologist etc.) that verifies the nature of the disability or learning difference.
- Apply for reasonable accommodations through the Academic Resource Office and comply with specific college procedures for obtaining reasonable accommodation in relation to examination and assessment arrangements, academic adjustments, application to ESF Fund for Students with Disabilities for funded supports, assistive technologies and access to support tutors and educational support workers. This includes signing this Code of Practice and consenting to the release of information for the purposes of arranging reasonable accommodations.
- Complete any Assistive Technology training where this has been recommended with the goal of becoming proficient in the use of that technology.

- Engage with any training or additional support provided such as Academic Skills or writing workshops. Where learners choose not to avail of these supports the Academic Resource Office may not be in a position to provide them at a later stage.
- Adhere to specific procedures that are in place for receiving certain Reasonable Accommodations for example, provision of an Educational Support Worker (ESW) or subject specific support.
- Inform the Academic Resource Office without delay of any change in needs.
- Engage with the official communication system used by the Academic Resource Office, for example; Carlow College student email, Moodle and the student gateway, to keep updated on important notifications.
- Treat all staff of the College with dignity and respect.

Carlow College has the right to:

- Maintain academic standards and requirements of progression within the College.
- Request formal documentation from an acceptable professional source to verify the nature of a disability, learning difference or long-term health condition and an ‘Evidence of Disability Form’ completed by an acceptable professional source to verify the need for reasonable accommodations and/or auxiliary aids.
- Discuss a learner’s need for reasonable accommodations, where appropriate, with the professional source of his/her documentation, having obtained the learner’s signed consent authorising such disclosure and discussion.
- In consultation with the learner, to identify and agree an effective and appropriate reasonable accommodation and, where appropriate, select from equally effective and appropriate accommodations. The college retains the final decision on what is deemed to be reasonable.
- Review a learner’s reasonable accommodations to determine if they are working effectively in line with good practice.
- Deny a request for reasonable accommodation or support if the formal documentation does not identify a disability, learning difference, or long-term health condition, or if it fails to verify the need for the requested services.
- Deny a request for reasonable accommodation or support if it is not applied for in a timely manner.
- Refuse to provide an accommodation that is deemed inappropriate or unreasonable, including any that pose a direct threat to the health or safety of a learner and others, constitute a substantial change or alteration to an essential element of a module or programme, or pose undue financial or administrative hardship on the College.

Carlow College has the responsibility to:

- Ensure that programmes, services, activities and facilities are delivered in the most integrated and accessible settings possible.

- Provide learners with disabilities, learning differences or long-term health conditions with information on College policies, and ensure that it is available in accessible formats.
- Provide reasonable and appropriate accommodations / supports for learners with disabilities, learning differences or long-term health conditions upon a timely request by a learner.
- Maintain appropriate confidentiality of records and communication concerning learners with disabilities, learning differences or long-term health conditions.
- Assist learners with disabilities, learning differences and long-term health conditions to self-identify and meet criteria for eligibility to receive reasonable accommodations as determined on a case-by-case basis.
- Inform learners on professional programmes of additional responsibilities and the need to plan reasonable accommodations for placements in advance.
- Identify learners who may require a Personal Emergency Evacuation Plan (PEEP) and assist them in its formation. Refer learners to the Fire Marshals in Health and Safety function in order to assess personal specific requirements and to agree personal specific solutions.
- Request feedback from learners about the effectiveness of the supports provided in order to monitor and evaluate the quality of the service provided.
- Use the official communication system of Carlow College for example; email, Moodle or the student gateway, to update learners on important notifications.

Disclosure of Disability, Learning Differences or Long-Term Health Condition

Carlow College encourages learners to disclose information on their disability, learning difference or long-term health condition before they apply to the College through the CAO system, or at any point during their academic studies. Such disclosure is encouraged so that the Academic Resource Office can work with the learner in ensuring that any reasonable accommodation required is identified and facilitated in consultation with the learner. However, the decision to disclose rests entirely with the individual learner.

Information about disability, learning differences or long-term health conditions is special category personal data and will be processed by the college in accordance with Data Protection laws. Detailed information about how the college uses learner data is available in Appendix 7 of this Policy and the Privacy Notice for Learners, which is available on the college website.

Making a Complaint

Complaints in relation to decisions made about reasonable accommodations, eligibility criteria for funded supports or with any aspect of disability service delivery should be dealt with by contacting the Academic Resource Office directly: academicresource@carlowcollege.ie or 059 9153200.

Under the Disability Act 2005 (section 38) complaints in relation to Sections 25, 26, 27, 28 or 29 of the Act can be made in writing to the Director of Operations: directorofoperations@carlowcollege.ie.