



Learners with Disabilities and Specific Learning Needs Policy

Under the terms of the Equal Status Acts 2000 to 2004, the Education for Persons with Special Needs Act, 2004 and the Disability Act 2005, Carlow College is committed to providing an equal opportunity learning environment for all students.

The College strives to create an environment which celebrates diversity and which allows each student to participate on an equal basis; free from physical, attitudinal, information and communication barriers.

(i) Definition of Disability

Carlow College uses the definition of disability as defined in the Equal Status Act 2000, Section 2(1), where disability is interpreted as:

- “(a) *the total or partial absence of a person’s bodily or mental functions, including the absence of a part of a person’s body,*
- (b) *the presence in the body of organisms causing, or likely to cause, chronic disease or illness,*
the malfunction, malformation or disfigurement of a part of a person’s body,
- (d) *a condition or malfunction which results in a person learning differently from a person without the condition or malfunction, or*
- (e) *a condition, disease or illness which affects a person’s thought processes, perception of reality, emotions or judgement or which results in disturbed behaviour”* (Equal Status Act, 2000: 5-6).

The College also adopts a working definition put forward by the OECD Review Group on Access and Participation of Students with Disabilities in Higher Education (2004:4), which states:

“A student is disabled if he/she requires a facility which is outside of the mainstream provision of the college in order to participate fully in Higher Education and without which the student would be educationally disadvantaged in comparison with their peers”.

(ii) Requirements under the Equal Status Acts 2000 to 2004

Under the Equal Status Acts 2000 to 2004, Carlow College shall not discriminate, directly or indirectly, on grounds of disability in relation to:

- The admission or the terms and conditions of admission
- The access of every student to every course
- Any other term or condition of participation
- The expulsion of a student or other sanction

However, Section 7 (4)(b) notes that Carlow College does not need to comply with the conditions laid down in the legislation *“to the extent that compliance with any of its provisions in relation to a student with a disability would, by virtue of the disability, make impossible, or have a serious detrimental effect on, the provision of its services to other students”* (Equal Status Act, 2000: 14). This defence may only be raised in relation to individual students.

(iii) Reasonable Accommodation of Students with Specific Learning Needs

Under the Equal Status Acts 2000 to 2004, Carlow College will do all that is reasonable to accommodate the needs of students with disabilities by providing special facilities in circumstances where without these, it would be impossible or unduly difficult for the student to avail of the educational services provided by the college.

Reasonable accommodation is the term used for modifications to the learning environment which eliminate, as far as is possible, any physical and / or instructional barriers to learning which a student with a disability / specific learning need might encounter due to his / her disability / specific learning need (AHEAD, 2008).

Examples of reasonable accommodation may include providing alternative ways to fulfil course requirements, providing adaptive technology, tailoring course requirements to individual needs, and developing innovative teaching techniques.

However, Section 4 (2) states that Carlow College does not have to provide such accommodation if it gives rise to more than a “nominal cost” (Equal Status Act, 2000: 9).

Nevertheless, where funding exists to meet the costs of accommodations required, such as the Higher Education Authority’s Fund for Students with Disabilities, then Carlow College will pursue this in addition to covering any other costs up to a “nominal” level. Where what amounts to a “nominal cost” depends on the circumstances of each case.

All applications for reasonable accommodations will be processed by the Academic Resource Officer in consultation with the relevant academic department and the College Bursar.

(iv) **Obligations of Teaching Staff Regarding Reasonable Accommodation of Students with Specific Learning Needs**

The issue of “vicarious liability” is noted under Section 42 of the Equal Status Act (2000: 33). This means that any action undertaken by a member of the teaching staff of Carlow College, in the course of his / her employment can be deemed an action of the employer. Therefore, Carlow College acknowledges that should a member of the teaching staff refuse to provide a reasonable accommodation then proceedings can be brought against the College.

(v) **System of Redress for Students**

Any student seeking redress under the Equal Status Acts 2000 to 2004 or the Disability Act 2005, must notify Carlow College of their allegations, in writing, within two months of the alleged prohibited conduct occurring. If the student is dissatisfied with Carlow College’s response then he / she may refer the case to the Director of Equality Investigations. The Director may investigate the complaint, refer it to mediation, or dismiss it. All decisions of the Director may be appealed to the Circuit Court within 42 days of the decision.



Carlow College Guidelines on the Modification of Examination and Assessment Arrangements for Students with Disabilities and/or Additional/Specific Learning Needs

Assessments and examinations are an important part of a student's college experience and Carlow College is committed to a policy of equal opportunity in education, and in as far as is reasonably possible, to supporting students with disabilities and additional/specific learning needs to ensure that they do not experience disadvantage as a result of College assessment and examination procedures.

1. Introduction

The purpose of this document is to outline to students with disabilities and/or additional/specific learning needs their rights and responsibilities to receive reasonable accommodation as they pursue their academic studies. It also highlights the rights and responsibilities of Carlow College in relation to such students and outlines the type of assessment and examination accommodations available and the process through which they may be sought.

2. Reasonable Accommodation

Under the Equal Status Acts 2000 to 2012, Carlow College will do all that is reasonable to accommodate the needs of students with disabilities by providing special facilities in circumstances where without these, it would be impossible or unduly difficult for the student to avail of the educational services provided by the college.

Reasonable accommodation is the term used for modifications to the learning environment which eliminate, as far as is possible, any physical and / or instructional barriers to learning which a student with a disability / specific learning need might encounter due to his / her disability / specific learning need (AHEAD, 2013).

Reasonable accommodation may involve any action that helps to alleviate a substantial disadvantage due to impairment or medical condition and may include changing procedures, modifying the delivery of a programme of study, altering the physical environment, providing adaptive technology, providing alternative ways to fulfil course requirements, developing innovative teaching techniques, or providing additional services, such as, alternative exam arrangements. However, under Section 4 (2) Carlow

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College does not have to provide such accommodation if it gives rise to more than a “nominal cost” (Equal Status Act, 2000: 9).

Nevertheless, where funding exists to meet the costs of accommodations required, such as the ESF Fund for Students with Disabilities, then Carlow College will pursue this in addition to covering any other costs up to a “nominal” level. Where what amounts to a “nominal cost” depends on the circumstances of each case.

All applications for reasonable accommodations will be processed by the Academic Resource Officer in consultation with the relevant Academic Department and the College Bursar.

3. Disclosure of Disability and/or Additional/Specific Learning Needs

Carlow College encourages students with disabilities and/or additional/specific learning needs to disclose information on their disability and/or additional/specific learning needs before they apply to the College through the CAO system, or at any point during their academic studies.

By disclosing a disability and/or additional/specific learning need, assistance can be given in accessing reasonable accommodation/supports, provided by the College and the State, which will help the successful completion of a course of study. However, the decision to disclose rests entirely with the individual student.

Any information disclosed will remain confidential, but it must be acknowledged that, in general, support cannot be provided in isolation. With permission, information relating to a student will be disclosed to individuals in the College solely for the purpose of arranging reasonable accommodation/necessary support.

4. Reasonable Accommodation/Supports Available to Students with Disabilities and/or Additional/Specific Learning Needs

Reasonable accommodation/supports are designed, as far as possible, to meet the individual needs of each student with a disability and/or additional/specific learning need. They are intended to help alleviate a substantial disadvantage and to assist the student with their studies. They do not give such students an unfair advantage and academic standards are maintained at all times.

Eligible students may avail of reasonable accommodations/supports only after an assessment of needs has been conducted with the Academic Resource Officer and, where necessary, in consultation with the Registrar, relevant Programme Board Chair and the College Bursar.

In order to avail of reasonable accommodations/additional arrangements for examinations, students should make requests as early as possible in the academic year.

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To ensure the College can implement accommodations for examination purposes the following deadlines are applied:

Semester 1/Christmas Examinations: 01 November (relevant year)

Semester 2 Examinations/Seminars: 01 March (relevant year)

Final Examinations (Summer): 30 March (relevant year)

Final Examinations (Autumn): 30 June (relevant year)

Students who request accommodations after these deadlines, if eligible, will be accommodated in subsequent examinations. Reasonable accommodation/supports available to students are determined on a case-by-case basis and may include:

(a) Assessment of Coursework

- Alternative assessment procedures where the student is unable to be assessed by the usual methods prescribed for the course. In such cases the Lecturer, in consultation with the Registrar, may vary the method of assessment bearing in mind the learning outcomes of the programme and the need to assess the student on an equal criterion basis.
- Provision of an Educational Support Worker such as a note-taker or library assistant.
- Provision of a Learning Support Tutor to assist the student in the development of key academic skills and learning strategies such as writing skills.
- Provision of a Subject Specific Tutor to help address subject-related difficulties which are additional to the usual problems which arise for all third level students.
- Provision of a photocopying/printing allowance for use in College library.
- Use of designated computers in the college library with ESF funded software and technology.
- Use of assistive technology such as a laptop and voice activated software. Please refer to the Carlow College Assistive Technology Policy.
- Special furniture where necessary.
- Dyslexia awareness and waiver for spelling and grammar.

(b) Examination Arrangements

- Alternative examination arrangements/venues, such as the provision of the examination paper in an alternative format or the use of a laptop during examinations.
- Extra time in examinations which is set at an additional 10 minutes for every hour. When exam arrangements include extra time, examinations take place in a separate venue, either a smaller room with other candidates who also have alternative arrangements or a separate room.
- Provision of an amanuensis (scribe), who in an examination, writes/types a student's dictated answers to questions.

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- Provision of a reader, who in an examination reads the examination paper to the student. For students requiring an amanuensis and a reader, the same person can act as both during the examination.
- Dyslexia awareness and waiver for spelling and grammar. Examiners are made aware of students who have dyslexia when marking examinations. A sticker with a blue circle which reads “This student has a waiver for spelling and grammar” is attached to examination booklets.

7. Failure to avail of Reasonable Accommodations/Additional Arrangements

Students who fail to avail of reasonable accommodations/additional arrangement for examinations should contact the Academic Resource Office to renegotiate access.