



DISABILITY AND ENROLMENT

1. INTRODUCTION

The Joseph Varga School (JVS) endeavours to adhere to the *Disability Standards for Education 2005 (Standards)* which apply to a school's dealings with all **students** with disabilities (i.e. those enrolled at the school even if they have not yet commenced) and also **prospective students** with disabilities (i.e. those for whom an approach has been made regarding admission).

JVS must consider the individual child's needs and the school's capacity to meet the student's needs without placing an unreasonable strain on the school's resources, staffing, and composition of the current school demographic i.e. other student needs.

The following guidelines help JVS to comply with the *Standards* in the context of the enrolment process for students with a disability as defined under the Disability Discrimination Act (DDA), and should be read in relation to the policies and procedures associated with *The Enrolment Process & Contract*.

2. AUDIENCE AND INTENT:

- 2.1 These **guidelines are intended to be flexibly applied** to suit the circumstances of each application and should be considered alongside the school's policy and procedures for *The Enrolment Process and Enrolment Contract*.
- 2.2 The Joseph Varga School attempts to provide programs and facilities for a broad range of students with disabilities within the restrictions of the age, size, and configuration of the school building, grounds, and staff expertise.
- 2.3 When considering any application for enrolment, a determination is made regarding the school's capacity to address the student's individual needs. This is achieved by working through an individual planning process to identify the reasonable adjustments that would be required to facilitate the student's access to and participation in the educational opportunities provided by the school. This takes place during the initial enrolment interview (and then, if the student is subsequently enrolled, through consequent planned Individual Education Planning (IEP) meetings each term).
- 2.4 JVS undertakes a collaborative approach whereby the school, family and relevant experts work together to identify the adjustments required and jointly seek solutions, to produce the best positive results for all parties including the student.
- 2.5 The school specializes in analysing the student's needs and developing the potential range of adjustments including the consideration and planned intervention for any risk factors, with additional medical and special education advice sought, where appropriate, for individual cases.
- 2.6 At all stages of the enrolment process, including when the school makes inquiries from third parties, care is taken to protect the privacy of the applying student and family in accordance with the school's privacy policy and the *Privacy Act*. The school therefore seeks the parent's permission to speak with preschools, other schools and/or specialists, before an approach is

made, unless the request falls within the parameters of the 'Child Protection Act' and/or may compromise a student's safety.

- 2.7 Objective notes are recorded regarding all discussions and interviews with parents, and kept on file. Records are kept of any decisions made about adjustments for the student.
- 2.8 The Principal for whom responsibility for enrolments is delegated by the Board of Directors, for The Joseph Varga School, has complete discretion to make determinations with regards to the acceptance or decline of any enrolment application.

3. OBJECTIVES:

JVS only enrolls students with special needs. Under the auspices of the school's mission, this generally means that JVS:

- 3.1 Provides comparable choices/options so that the student with a disability can seek admission and apply for enrolment as well as being able to access and participate in courses/programs, and use of facilities/services.
- 3.2 Arranges adjustments in cohort/class composition, and in teaching and learning programs and strategies, to meet the academic, emotional/behavioural, and transitional needs of certain students with special needs.
- 3.3 Does not offer placements to students with purely physical disabilities i.e. the school's mission is to cater for students who are 'in crisis' and have one or more diagnosed disorders and/or emotional/behavioural or specific learning/intellectual disabilities.
- 3.4 During parent/carer enquiries about enrolments, the school, if it considers it appropriate, will advise families of its charter and facilities, and will advise families of other special schools or educational settings that may be better equipped to cater for the particular student's needs (e.g. if the student is not willing to 'pledge' the commitment to self-improvement, or the nature of the interested child's physical disability requires special purpose school facilities, including structural modifications, in order to accommodate the child's specific needs).

4. ADJUSTMENTS:

'Adjustments' here refer to 'measures/actions that identify the type, nature and level of support required by the student with a disability to access and participate in all aspects of the school's life'.

- 4.1 An adjustment is reasonable if it **balances the interests of all parties affected**. Issues that are relevant to the balancing process at JVS include:
 - a) the impact of the disability on the student's access to educational opportunities.
 - b) the views of the student and/or **parents/carers** (this may also include special needs experts)
 - c) the effect of the proposed adjustment on the student
 - i. ability to achieve learning outcome
 - ii. ability to participate in the curriculum
 - iii. independence
 - d) the effect of the proposed adjustment on others including students and staff
 - e) the costs and benefits of making the adjustment

4.2 It is important to identify the adjustments necessary for the student to access and participate in the school before determining what is reasonable, and before offering a placement to an interested family. This might necessitate advice from an independent expert.

4.3 Developing a reasonable adjustment requires an informed judgement using input from the student, parents, student's specialists, school staff and possibly special education advice to support the school.

5. ADDITIONAL ENROLMENT CONSIDERATIONS:

5.1 The Principal will confer with the student (or his/her advocate) about the disability, and about any adjustments that may be required, whilst considering whether such adjustments are reasonable, whether the adjustments will achieve the aims of allowing the student to be treated on the same basis as students without the relevant disabilities (e.g. physical), and whether there are other options.

5.2 After assessing whether there are other appropriate options and whether the adjustments may need to be changed over the period of the student's education, the Principal will usually **decide whether to make the adjustments**, and in turn offer the placement to the child, if all other criteria for enrolment have been met.

In some extremely difficult situations (e.g. due to the complexity, severity or pervasiveness of the child's needs or where parents are unable to pay the required fees), the Principal may make this determination, in consultation with the Board of Directors.

The Board of Directors have the right and responsibility to not feel compelled to make a reasonable adjustment if (despite the fact that it is **reasonable** as set out above) doing so would impose an **unjustifiable hardship** on the school. Determining whether there is an unjustifiable hardship involves a similar, but not identical, balancing process, which is conducted by the Principal who then submits recommendations to the Board of Directors.

5.3 Students and their families are expected by the *Disability Standards* to provide relevant information about the student's disability and how it affects the student's learning, and about the issues on which the school requires documentation, in a **timely way** (i.e. within a reasonable time), so that the school can make an expedient decision. The Joseph Varga School is therefore entitled to ask for all such information, with full disclosure, since it is relevant to it considering what reasonable adjustments would have to be made, if the interested student was to be enrolled.

5.4 If the school is unsure whether it can meet the needs of a student with a particular type of disability, seeking enrolment, parents will be asked to pay (on a further consultation fee being required) for a fuller assessment of the student (including, if appropriate, a paediatric occupational therapist's assessment of the school site) in order for the Principal to be able to more fully determine the modifications, or adjustments, that may stem from placing the child at the school.

6. DISABILITY ENROLMENT PROCEDURAL GUIDELINES:

Guidelines:

- In the prospectus of The Joseph Varga School, information is provided about the school's:
 - entry requirements
 - educational and other offerings (including sport, camps, music)
 - approach to progression through course and programs which is consistent with the object of the course,

in order to enable a person with a disability to make informed choices and supply relevant information.

- The enrolment application form contains an acknowledgment that the family has received and read this information.
- The enrolment process is not intended to disadvantage a person with disabilities (e.g. because information is not easily accessible).
- Students/families (in the enrolment application forms) are required to identify any specific needs they have which may impact on their education and/or participation in the programs and opportunities provided by the school.
- All appropriate students and parents are invited to attend an interview/meeting at the school as part of the enrolment process before the Principal makes any decision about the enrolment.
- At the interview, the Principal discusses if the student requires any special services or facilities that the school would need to provide to assist the student. Information may also be obtained from a third party (such as AIS and/or the student's specialist support personnel) about the student's needs related to any identified disability.
- The Joseph Varga School strives to obtain all relevant information as quickly as possible, as this school is expected to process the application from a student with a disability in the same/ similar timeframe as would apply to any other student.
- A collaborative team approach to planning to use the combined expertise of the family and their specialist/s with the school and their advisors is often implemented.
- The Joseph Varga School is working towards documenting the people involved and the issues raised at enrolment, and during the enrolment process, in a format which allows objective notes on possible adjustments, agreed actions and a timeline to be recorded. (This format can be used on an on-going basis, if the child is enrolled, to document the individual planning process and will be a protection for the school in the case of a complaint.)
- The school requests the family to provide information about the student's needs as part of this individual planning process. Relevant information will assist in identifying any adjustments and could include:
 - previous school or preschool reports, noting current achievements and areas of need
 - psychological reports documenting a specific diagnosis, and where appropriate, functional skills and recommended strategies for working with the student
 - speech pathologists' reports documenting receptive and expressive language skills and any recommendations for programs or technology in the classroom
 - occupational and physiotherapy reports documenting self help skills and mobility (including assistive technology reports recommending e.g. equipment)
 - medical specialist reports identifying issues which need to be considered by the school
 - vision and hearing reports documenting level of functioning and recommended strategies
- Where appropriate, The Joseph Varga School invites the family to bring relevant specialists (e.g. special educators, therapists, psychologists and medical specialists) to visit the school to discuss specific needs or issues and participate in developing potential adjustments to address the specific needs or issues.
- At interview, The Joseph Varga School provides a tour of the school with the student, parents and where relevant, specialists, to familiarize the visitors with the ethos, nature and workings of the school, while identifying issues and potential solutions.

- The Principal requests feedback and suggestions from relevant staff within the school and external special educators about the possible impact of the adjustments required by the school if the student was enrolled.
- The Principal seeks information about possible levels of Australian Government and State Government funding (through e.g. AIS) and access to other support services.
- The Principal consults with the family and the student's specialist, where appropriate, about possible adjustments.
- The Principal keeps the family informed about the progress of the application.
- If the decision is taken to enrol a student with a disability, The Joseph Varga School identifies any strategies which need to be put into place to accommodate the student's special needs before communicating the enrolment decision.
- The Principal may seek advice from AIS and specialists, if the school considers that it may have to decline an enrolment, before informing the parent of the preliminary decision.
- If The Joseph Varga School declines to enrol a student with a disability, it will be able to demonstrate that or justify why it is unable to meet that student's needs without imposing unjustifiable hardship, having regard to the student's current condition and prognosis.
- Before making a final decision about the required adjustments, or before declining an application for enrolment, The Joseph Varga School communicates the preliminary decision to the family, and invites their input to the school. (The onus is on the school to demonstrate why they are declining the enrolment.)
- In the case of the family being offered a placement, the Principal discusses the process the school will use to manage ongoing or emerging issues which require further adjustments, with the family. Based on the process for determining reasonable adjustments, the ongoing use of a collaborative team approach involving school, home and relevant experts is regarded as most likely being able to deliver the mutually agreed outcomes.
- The Joseph Varga School provides a review mechanism for dealing with any issues or disputes between the family and the school about decisions made.

The Joseph Varga School also strives to provide professional development to assist staff – for example in the use of appropriate language with parents of a prospective student, by ensuring all staff are informed that the school will consider enrolment applications from all students with a disability.

Professional development also ensures that such staff communicates information on the school's policy on the prevention of harassment and victimisation of students with disabilities to the parents of prospective students.

Where adjustments are to be implemented to support prospective individual students with disabilities, professional development of staff ensures too that this staff are familiar with the necessary adjustments, are informed enough to provide them in a consistent, appropriate and timely manner, and communicate such issues to the parents of a prospective student in a comprehensible manner.

The Joseph Varga School is familiar with the fact the *Disability Standards* also have implications for participation in all school activities, curriculum implementation and access to support services. Accordingly, the enrolment process of the school is closely aligned with the school's management of these areas.

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