



Introduction:

Technological University of the Shannon (TUS) Midlands recognises its obligation under the Institute's Equal Opportunities Policy to promote equality of opportunity in its educational procedures. It seeks to ensure that students with disabilities have as complete and equal access to all aspects of college life as can reasonably be provided. The college endeavours to ensure that wherever possible, no student who would otherwise gain access to a programme or course of higher education should be prevented from doing so by reason of a disability or learning difficulty.

The Disability Act 2005 and The Equal Status Act 2000-2004 make provision for a service provider such as College, to prepare and implement a code of practice setting out what it is doing to promote the inclusion of students with disabilities.

The following code of practice is applicable to all students, both undergraduate and post graduate, with permanent or long term disabilities attending TUS Midlands. It encompasses full time and part time undergraduate students; affiliate colleges, research students and external learners. It is intended to facilitate their access to the curriculum on an equal basis with non-disabled students. This code of practice does not cover students with temporary illness or with disabilities of less than twelve months expected duration.

The purpose of this Code of Practice for college is twofold:

- to outline to students with disabilities their rights and responsibilities in receiving reasonable accommodations in college;
- to define and emphasise the commitment of the college, as a provider of education, to the provision and promotion of equality of opportunity to students with disabilities. The Institute is committed to ensuring an inclusive environment for students with disabilities and that every reasonable effort is made to meet their specific educational needs, in order to facilitate their full participation in college life.

Every student with a disability has the right to:

- Equitable access to courses, services, activities and facilities through the Institute.
- Reasonable and appropriate accommodations, academic adjustments, and/or additional services determined on a case-by-case basis and in accord with the individual's certified disability/specific learning difficulty.
- Appropriate confidentiality of disability records (files) and that disclosure of information will only happen with the student's written consent.
- Information reasonably available in accessible formats.
- Be treated with dignity and respect

Every student with a disability has the responsibility to:

- Identify themselves in a timely manner as an individual with a disability when seeking an accommodation.
- Provide documentation from an acceptable professional source that verifies the nature of the disability.
- Register with the Disability Service and follow Disability Service and College procedures if they wish to obtain reasonable accommodations. This includes signing the code of practice and consenting to release of information.
- Students must follow specific procedures for obtaining reasonable accommodations, such as:
 - ✓ Examination Arrangements
 - ✓ Academic Adjustments
 - ✓ Applications to the ESF Student with disabilities fund for funded supports such as Assistive Technologies
 - ✓ Access to Educational Support Worker services
 - ✓ Treat staff of the College with dignity and respect.

College has the right to:

- Maintain the College's academic standards.
- Request evidence of Disability from an acceptable professional source to verify the need for reasonable accommodations and/or auxiliary aids.
- Discuss a student's need for reasonable accommodations and/or auxiliary aids with the professional source of his/her documentation, having obtained the student's signed consent authorising such disclosure and discussion.

- Select from equally effective and appropriate accommodations and/or auxiliary aids in consultation with students with disabilities.
- Deny a request for reasonable accommodation if the documentation does not identify a specific disability and/or functional limitation, if it fails to verify the need for the requested services.
- Refuse to provide a reasonable accommodation that is inappropriate or unreasonable, including any that will pose a direct threat to the health or safety of the student and others; constitute a substantial change or alteration to an essential element of a course or programme;
- or pose undue financial or administrative hardship on College.

College has the responsibility to:

- Ensure that college's courses, programmes, services, jobs, activities, and facilities, when viewed in their entirety, are delivered in the most integrated and accessible settings possible.
- Make sure that course design be as flexible as possible to meet the requirements of students with disabilities and if necessary, ensure course material be made available in a form that is accessible to those who require it.
- Guarantee that all students irrespective of disability have access to the full curriculum.
- Ensure teaching and assessment methods facilitate students with disabilities as far as practicable, so as to allow the full participation of all students in all courses.
- Provide reasonable and appropriate accommodations and/or auxiliary aids for students with disabilities upon a timely request by a student.
- Maintain appropriate confidentiality of records and communication concerning students with disabilities except where the disclosure is authorised by the student.
- Encourage the social interaction of disabled students as a part of the education of all students and ensure that all sports facilities, college bars and restaurants will be accessible.
- Provide a safe and healthy learning environment for all students, inclusive of students with disabilities.

More specifically, the College's Disability Service personnel have the responsibility to:

- Assist students with disabilities to self-identify and meet College's criteria for eligibility to receive reasonable accommodations determined on a case-by-case basis.
- Assure confidentiality (subject to the student signing the disclosure of information form) of all information pertaining to a student's disability.
- Identify students who may require a Personal Emergency Evacuation Plan (PEEP) and assist them in its formation.
- Make contact with the Health and Safety Officer when a student with a disability requires particular assistance in the event of an emergency.

College policy on confidentiality for students with disabilities:

College encourages students with disabilities to disclose information on their disability/specific learning difficulty to the Disability Service before they apply to college or at any point during their studies. Such disclosure is encouraged so that College can work with the student in ensuring that any reasonable accommodation required is identified and facilitated in conjunction with the student. Any documentation or information presented in disclosing a disability is held by the Disability Service and specific medical or other documentation will not be disclosed to any third party. Where a student requests and is granted any form of reasonable accommodation such as extra time in exams, or permission to tape record lecturers' notes, the College will, in consultation with the student, disclose relevant information to the individuals in those departments responsible for providing or facilitating students in accessing such accommodations. In such instances, only information relevant to the particular situation will be disclosed. Where academic staff contacts the Disability Service for advice regarding individual students, staff will be informed that it is necessary to obtain the permission of the student before doing so.

A student with a disability has a right to request that the existence or nature of his/her disability be treated as confidential. In determining whether it is reasonable to make an adjustment College must have regard to the extent that making the adjustment is consistent with a request for confidentiality. In some instances this might mean that reasonable adjustments have to be provided in an alternative way, in order to ensure confidentiality. In some cases a confidentiality request could limit the scope of the reasonable adjustment provided or prevent any adjustment from being provided.

Data Protection:

To maintain compliance with the GDPR and the Data Protection Acts 2003-2018, and all related data protection legislation, informed signed consent from individual students is sought before information about their learning, teaching and assessment needs is sent to appropriate staff. Students will be informed by the Disability Service of who is to receive this information and what it will contain.

Dealing with complaints under the Disability Act 2005:

Section 38 of the Disability Act 2005 enables any person by his/herself or through any person defined under Section 9 (2) of the Act to make a complaint in writing to the college in relation to the failure of the college to comply with Sections 25, 26, 27, 28 or 29 of the Act. Any student who has a disability and who feels they have been discriminated against on the grounds of their disability may process their complaint through the approved Institute Complaints Procedure. Further details on this Complaints procedure can be found on the website at:

<http://www.ait.ie/informationforcurrentstudents/student-services/disability-support-service/>

Dealing with Disability Service Complaints:

If students are unhappy with decisions made by Disability Service staff or with service delivery the following mechanisms are in place to deal with complaint(s):

In the first instance discuss the complaint with the Disability Service Staff member; if this is not satisfactorily dealt with, please follow the procedure outlined in the college complaints procedure.