

RMIT University Student Union (RUSU) submission on the Disability Standards for Education Consultation Paper

Introduction

The *Disability Standards for Education 2005* (the Standards) provide an essential legislative framework for ensuring that students with disability are able to access and participate in education on the same basis as their peers. The Standards have contributed to significant progress in raising awareness of the rights of students with disability, and in clarifying the obligations of education providers. However, implementation within the higher education sector remains inconsistent, and students continue to experience variable outcomes depending on institutional, disciplinary, and individual factors.

This submission presents feedback on three key areas: the implementation of the Standards within higher education, mechanisms to support inclusive decision-making and complaints handling, and the clarity of responsibilities for assessment authorities and course developers. It identifies areas where current practice falls short of the intent of the Standards and outlines recommendations to strengthen accountability, consistency, and inclusion across the sector.

1. Implementation of the Standards

While the Disability Standards for Education establish important rights, implementation across universities remains uneven. There is also a lack of consistency of implementation within higher education providers with students experiencing different outcomes across schools, colleges, disciplines and/or learning areas. Many students find that inclusive practices depend on individual staff members' understanding rather than consistent systems.

Awareness of the Standards among staff and students is also limited, leaving many unaware of their rights or obligations. Supports are often reactive, provided only after repeated disclosure or advocacy, and not embedded in course, program, policy and/or systems design.

Inclusive Design principles need to be applied to all aspects of the student experience and not just to program, course and assessment design. Students face significant

barriers to engaging with university processes such as special consideration, extensions, academic progress and misconduct processes due to highly bureaucratic and complex language, and requirements to provide detailed supportive documentation.

There is a lack of clarity in the higher education sector regarding how its anti-discrimination obligations apply to administrative systems and requirements. Students with a disability are often subject to administrative requirements that they can't comply with due to their condition. Universities are unaware of and unwilling to accept that they need to make reasonable adjustments to administrative processes as well as learning and teaching.

Transparency and reporting on implementation of the standards in higher education providers is weak. While support systems are in place, most frequently through the provision of learning plans that recommend specific equitable adjustments to learning and assessment, reporting on whether students can access those equitable adjustments in learning and assessment environments is scarce.

Accountability remains a significant issue. There is no apparent desire from the commonwealth government or TEQSA to include genuine accountability mechanisms for higher education providers. There are significant concerns about accountability for making sure the Standards are followed, particularly for education providers and policymakers.

Recommendations:

- Strengthen accountability and introduce transparent reporting on institutional compliance with and performance against the standards
- Require regulatory bodies to include overall compliance with the Standards in periodic reviews and audits
- Require ongoing, mandatory disability awareness and inclusive practice training for all staff, including rights and responsibilities under the *Disability Standards of Education 2005* and institution specific training on processes to support student accessibility.
- Amend Standard 3 (the process for making reasonable adjustments) to require that, where a higher education provider is making adjustments that require co-ordination between different operational areas, it has clear mechanisms to ensure that this occurs including who has overall accountability.

- Amend Standard 3 to explicitly include all administration and administrative requirements as areas where adjustments must be made in the sections on enrolment, curriculum delivery and support services
- Amend Standard 3 to explicitly include academic progress and systems for shorter term adjustments to assessment (i.e. extensions and special consideration)
- Require higher education providers to embed Inclusive Design principles into the following areas:
 - Curriculum and assessment design
 - The design of support mechanisms such as special consideration and extension requests
 - The design of processes for accessing support services such as counselling, welfare advice and health safety and wellbeing services
 - The design of processes relating to academic progress and misconduct

2. Inclusive Decision-Making and Complaints Handling

Students with disability often feel excluded from decisions about what supports or adjustments are considered “reasonable”, and do not have the necessary support to advocate for specific adjustments, especially when academics are reluctant to implement reasonable adjustments. Students with disability also experience a power imbalance in relation to higher education providers, feeling they are solely responsible for understanding the organisation’s policies and wider legislation when advocating for their needs.

The growth in the number of students registering with university disability services due to mental health conditions or neurodivergence has increased significantly in recent years. For these students onerous and overly bureaucratic processes, including complaints processes and any other university process that relies on self-advocacy, can be a further barrier to equitable participation.

Sector wide recommendations are required to ensure students with lived experience are included in university advisory board/committee style groups that oversee the implementation of frameworks relating to disability and accessibility. Students in these roles must be supported and resourced to advocate strongly on behalf of disabled students.

Complaints processes are commonly complex, slow, and emotionally taxing, creating barriers to fair resolution. The power imbalance between students and institutions can deter students from raising concerns or challenging discriminatory decisions.

There is an over-reliance on complaints processes as a mechanism to ensure fair and complaint decision making, as opposed to utilising regular review of decisions and other quality assurance processes. Reviews should consider if decisions are compliant with the Disability Standards for Education as well as organisational strategic frameworks relating to disability and accessibility, the values of an organisation and other discrimination-based policy and/or legislation.

RUSU supports the creation of a draft set of principles to support individual consultation, decision making and complaint handling under the disability standards for education, but the draft principles need strengthening to include review and quality assurance processes. The draft principles would support consultation with individual students on their own unique needs, but for consultation with students participating on governance or decision-making bodies relating to disability, alternative best practice documents are required. Higher education providers should be required to follow the principles when they consult, handle complaints and resolve issues.

Recommendations:

- Ensure genuine consultation and co-design with students with disability in decision-making about supports and policies.
- Embed the voices of student with lived experience of disability in decision making bodies about disability policy, process, actions and initiatives.
- Simplify and standardise complaints processes, ensuring they are trauma-informed, transparent, culturally safe, and accessible in multiple formats, to reflect the intersectional nature of disability.
- Establish or strengthen independent oversight or mediation mechanisms to resolve issues early and fairly; such as through the introduction of a Disability Education Commissioner, as suggested in by the Royal Commission and by the National Student Ombudsman. Oversight mechanisms need disability specialised knowledge.
- Require periodic reviews of policy and systems compliance to identify or address structural issues and barriers

3. Clarity of Responsibilities for Assessment Authorities and Course Developers

Responsibilities for accessibility in course and assessment design are not clearly defined. Where external accreditation or assessment bodies are involved, accountability is often fragmented. Students are frequently left to identify and report inaccessible content or formats, rather than accessibility being ensured proactively. Accessible access to Work Integrated Learning (WIL)/placements remains a key barrier to degree completion for many disabled students. There is a general reluctance among higher education providers to dedicate resources to finding suitable placements for students with disability or to facilitate the provision of reasonable adjustments for disabled students on placement. This results in students with a disability being informed that they do not possess the key competencies to complete placement, will not be placed with a WIL or placement provider and will therefore be unable to continue in their program.

Recommendations:

- Clarify the obligations of course developers, curriculum designers, and professional accreditation bodies to meet accessibility standards.
- Require accessibility impact assessments as part of course development and review processes.
- Encourage collaboration between assessment authorities, disability practitioners, and students with disability to ensure assessments are equitable and inclusive.
- Encourage higher education providers to adopt assessment models that allow students to select methods of assessment that best allow them to demonstrate the learning objectives of a course or program.
- Require universities to dedicate resources to working with WIL/placement providers to provide placements for students with a disability and put reasonable adjustments in place to support the completion of placement.

Conclusion

The Disability Standards for Education 2005 have established an important foundation for equitable participation in education, yet their impact is constrained by inconsistent implementation and the absence of robust accountability mechanisms. Students with disability continue to encounter systemic barriers that limit their ability to access and participate fully in educational opportunities.

To remain effective and relevant, the Standards must operate as a living instrument, one that supports continuous improvement, is responsive to evolving educational contexts and student needs, and includes mechanisms for genuine accountability. This requires transparency in institutional reporting, enforceable compliance expectations, and the capacity to review and amend the Standards outside of the current five-year cycle. Strengthening these elements will ensure that the Standards not only articulate the right to equitable education but also guarantee its consistent realisation in practice.