



NCSEHE

National Centre for Student
Equity in Higher Education



Curtin University

**DISCUSSION PAPER ON THE
*2020 REVIEW OF THE DISABILITY
STANDARDS FOR EDUCATION 2005***

Prepared by the National Centre for Student Equity in Higher Education

Discussion paper on the *2020 Review of the Disability Standards for Education 2005*

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Table of Contents

About the National Centre for Student Equity in Higher Education	4
Introduction	5
Disability in Australian Higher Education	7
Higher Education and Disability Standards	9
Defining Disability	11
Identification of Disability	12
Key Issues in Creating and Enforcing Standards in Higher Education.....	14
Pre-Access.....	15
Access and Enrolment.....	16
Participation	17
Curriculum Development, Accreditation and Delivery.....	18
Student Support Services	18
Elimination of Harassment and Victimisation.....	19
Mental Health and Disability	19
Post-Graduation Outcomes	21
Recommendations.....	23
References	25

About the National Centre for Student Equity in Higher Education

The National Centre for Student Equity in Higher Education (NCSEHE) is a research and policy centre funded by the Australian Government Department of Education, Skills and Employment, and based at Curtin University. The NCSEHE provides national leadership in student equity in higher education, connecting research, policy and practice to improve higher education participation and success for marginalised and disadvantaged people.

The NCSEHE's diverse activities focus on strengthening Australia's research quality, capability and capacity to build a robust evidence base; and informing evidence-based policy design and implementation, and institutional best practice.

The NCSEHE conducts a broad scope of activities including:

- research-based projects both independently and in collaboration with other organisations, funded through external grants or through Centre resources
- the NCSEHE Research Grants Program
- equity policy and program evaluation
- Research Fellowships and Equity Fellowships
- student equity data analysis, online resources and briefing notes
- print and digital publications
- collaborative and independent events
- representation at national and international conferences
- an emphasis on effective communication through channels including: website, electronic newsletters, social media and general media exposure.

The NCSEHE has established a strong national presence, engaging with key stakeholders and maintaining sector-wide partnerships to enhance outcomes and delivery of research and recommendations. The growing reputation and influence of the NCSEHE has contributed to student equity becoming firmly incorporated into higher education policy.

For further information on the NCSEHE, please visit www.ncsehe.edu.au.

Introduction

This Discussion Paper forms the basis for the NCSEHE's *Submission to the 2020 Review of the Disability Standards for Education 2005* ("the Review"), submitted on 25 September 2020 (National Centre for Student Equity in Higher Education, 2020a).

The NCSEHE's set of recommendations to the Review reflects its core purpose and activities, which centre around enhancing the participation, success and outcomes of marginalised and disadvantaged people, particularly in relation to identified equity groups in Australian higher education:

- students from low socioeconomic status backgrounds (Low SES)
- students with disability
- Indigenous students (Aboriginal and Torres Strait Islander Students)
- women in non-traditional areas (WINTA)
- students from regional, rural and remote areas (RRR)
- students from non-English speaking backgrounds (NESB).

Around 50 per cent of domestic undergraduates are classified in at least one of the above equity groups with many being classified into two or more groups. However, recent developments have affected the extent to which equity students are distinguishable from those in the general population. The Review is taking place during the COVID-19 pandemic. Perhaps the key impact of COVID-19 in education is the extent to which issues around equitable access and participation are now being viewed in broader terms:

COVID-19 has thus universalised disadvantage in Australian higher education, just as it has done globally. Impediments to accessing and succeeding in higher education, normally associated with equity groups—whether academic, logistical, financial, cultural, or personal—are now affecting the general student population. (O'Shea, Koshy & Drane, in-review).

Thus, equity policy has become a critical lens through which education outcomes are assessed. The NCSEHE endorses an approach to higher education policy that is grounded in inclusive participation. In February 2019, the NCSEHE released a report outlining a series of principles for equity policy for the next decade: *The Best Chance for All: Student Equity 2030* (Zacharias & Brett, 2019). This statement was based on a consultation process that included 10 major workshops across Australia in 2018, attended by over 150 experts in higher education equity. Collectively, these deliberations produced an equity vision for higher education in Australia, one that gives every student the best chance of success, and in doing so, aims to create the optimum educational

outcomes for Australia as a whole. This vision is underpinned by an understanding that all people in Australia, whomever and wherever they are, are provided with the opportunity to successfully engage in beneficial and lifelong learning in a higher education system with the following characteristics:

- **Contributing to:** A fair, democratic, prosperous, and enterprising nation; reconciliation with Indigenous Australia; and cultural, civic, and intellectual life.
- **Achieved by:** An inclusively designed system with multiple entry and exit points; proactive removal of barriers to participation; and tailored support where needed.
- **Accountable through:** An integrated approach to measuring success at institutional and national levels to align performance with policy objectives.

The NCSEHE's response to the Review reflects the intentions of *The Best Chance for All*. To that end, the recommendations for the Disability Standards for Education ("the Standards") consider the identification, support of, and eventual success of students with disability over the entire study life cycle in Australian higher education. This document and the resulting submission address key and related issues raised in the Review's Discussion Paper (Department of Education, Skills and Employment, 2020a), specifically:

- Higher Education and Disability Standards
- Defining Disability
- Identification of Disability
- Pre-Access
- Access and Enrolment
- Participation
- Curriculum Development, Accreditation and Delivery
- Student Support Services
- Elimination of Harassment and Victimisation
- Mental Health and Disability
- Post-Graduation Outcomes.

It is critical that Australian higher education engage with the Standards, not only in terms of ensuring that the Standards are appropriate and translatable into higher education, but also in the ways in which they are met.

Disability in Australian Higher Education

Students in identified equity groups have historically been underrepresented in Australian higher education, and students with disability are no exception. In 2018, out of a total of 764,652 undergraduates in Australian higher education, around 55,565 reported a disability, accounting for 7.3 per cent of the undergraduate population (see Table 1). The Department of Education, Skills and Employment uses data from the Australian Bureau of Statistics (ABS) to establish a baseline indicator for disability among the Australian population aged 15 to 64 – the target population for examining participation in higher education. The most recent release of this data for the 2018 calendar year (Department of Education, Skills and Employment, 2020b) indicates that people with disability account for around 8.4 per cent of this subset of the population, with a considerably higher estimate for the entire population (including people aged 65 and over) of around 18.5 per cent (Brett, 2016).

Table 1: Student Equity Enrolments and Enrolment Shares, Australian Higher Education Undergraduate Headcount, Table A and B Providers, 2013–18

	2013	2014	2015	2016	2017	2018	Growth
All Undergraduates	679,222	706,278	727,786	743,030	759,151	764,652	12.6%
Low SES	107,219	111,004	115,840	126,293	129,554	129,858	21.1%
Students with Disability	37,032	40,679	44,856	47,970	51,773	55,565	50.0%
Indigenous	10,018	10,939	11,845	12,878	13,855	14,314	42.9%
WINTA	119,810	124,159	125,888	128,210	131,452	134,406	12.2%
Regional	140,510	145,018	149,001	150,441	153,800	151,636	7.9%
Remote	5,682	5,848	5,911	6,036	6,167	6,076	6.9%
NESB	22,927	25,129	26,661	27,158	27,185	25,793	12.5%
Enrolment Shares	%	%	%	%	%	%	PPC¹
Low SES	15.8	15.7	15.9	17.0	17.1	17.0	1.2
Students with Disability	5.5	5.8	6.2	6.5	6.8	7.3	1.8
Indigenous	1.5	1.5	1.6	1.7	1.8	1.9	0.4
WINTA	17.6	17.6	17.3	17.3	17.3	17.6	-0.1
Regional	20.7	20.5	20.5	20.2	20.3	19.8	-0.9
Remote	0.84	0.83	0.81	0.81	0.81	0.79	-0.04
NESB	3.4	3.6	3.7	3.7	3.6	3.4	0.0

Note: 1. PPC (Percentage Point Change) is calculated as percentage share in 2018 minus percentage share in 2013.
Source: Table 14, Koshy (2019).

It is worth noting that over the past six years the share of students reporting a disability has increased by 1.8 percentage points — up from 5.5 per cent in 2013. This increase reflects the relatively strong growth in enrolments among students with disability, an expansion of 50 per cent compared with overall growth of 12.6 per cent. This represents a continuation of trend since 2009,

during which the number of students with disability has increased by over 122 per cent, with their share of undergraduates rising from 4.5 per cent in that year (National Centre for Student Equity in Higher Education, 2020b).

The growth in the number of students with disability has exceeded both overall growth in numbers and that of other equity groups. This is due to a combination of policy-related factors, including the introduction of the demand driven funding system in 2011–12, general equity initiatives such as the Higher Education Participation and Partnerships Program (HEPPP), and specific initiatives such as the Higher Education Disability Support Program (DSP) — all of which have increased equity participation. In addition, it is likely that part of the increase in the number of students with disability has been due to increases in self-reporting. While the trend in enrolments is encouraging, it serves to highlight the nature of the challenge in higher education, with a virtual doubling in student numbers over the past decade.

However, the true challenge in supporting students with disability in Australian higher education extends beyond domestic undergraduates, who have been the focus of equity policy in Australia since *A Fair Chance for All*. Extending the overview to postgraduate and international students provides a more complete picture of disability in Australian higher education. As Table 2 shows, approximately 5.1 per cent of all Australian higher education students nominate a disability. The most nominated category is “Other Disability”, selected by 43.5 per cent of those nominating a disability, with nomination of more than one category relatively common (indicated by a sum of category shares of almost 119 per cent).

Table 2: Students with Disability, Domestic and Overseas Students, All Levels of Study, Australian Higher Education, Headcount, 2018

	Headcount ¹	Share of All Students ¹	Share of Disability ¹	Need Support
	Nº	%	%	%
All Students	1,562,520	100%	-	-
<i>Students with Disability</i> ¹	79,404	5.1	100.0	52.9
Hearing	4,627	0.3	5.8	48.7
Learning	11,440	0.7	14.4	70.2
Mobility	5,716	0.4	7.2	60.8
Visual	7,933	0.5	10.0	35.9
Medical	30,169	1.9	38.0	54.4
Other Disability	34,564	2.2	43.5	56.0

Note: 1. Headcount and percentage shares across disability categories exceed 100% because students can nominate for inclusion in more than one category.

Source: Department of Education, Skills and Employment. Private data request.

From a policy perspective, the most critical issue is the identification of the unique needs of students with disability in higher education. Around 52.9 per cent of students nominating a disability indicate that they will seek advice on support services, ranging from 35.9 per cent among those with a visual disability to 70.2 per cent for those with a learning disability.

The collection and reporting of data on disability in Australian higher education, even at the high level presented above, raises some key questions for the Review:

1. How should the Standards be connected to other aspects of disability policy in higher education?
2. How should disability be defined and classified?
3. How should students with disability be identified in higher education?
4. What issues exist in higher education that need to be addressed in relation to (1) and (2), with specific reference to stages in the student engagement cycle (pre-access to post-graduation)?

Higher Education and Disability Standards

One overarching issue in Australia is that the response to disability in education requires a greater degree of cohesion. In a recent NCSEHE-funded study, Naylor and Mifsud (2019) examined institutional cultural responses to structural inequality. They made a broad distinction between two approaches to overcoming structural inequality at the institutional level. The first they termed *Primarily Capacity Building* approaches, where institutions' core focus was on "building capacity" in students to assist them in navigating the institution. The second they termed *Primarily Structurally Enabling* approaches, where the institution recognised that processes which inhibit the ability of students to navigate the institution can be changed, ensuring that institutional engagement with students is as flexible and responsive as possible. A third approach, termed *Blended*, is a combination of the two. The authors found that there were differences in approaches across equity groups, and that:

A finding from this study was that structurally enabling approaches were most widespread and well developed in the disability space, where formal legislation exists to ensure that students with disabilities can pursue their studies with appropriate adjustments. This indicates an area where the performance expectancy of a structural approach clearly supported its widespread acceptance within relevant areas of the institution. In this case, the clear benefits of adopting a structural approach—by minimising legal risk and complaints from students and staff, as well as promoting social justice outcomes—

compared to the negative potential outcomes of using another approach, or doing nothing, may have contributed to its widespread adoption across the sector. (p. 42).

Students with disability encounter a unique set of barriers to access and participation in higher education, often in contexts which are unique even in the equity environment (e.g., physical infrastructure requirements or individual-specific modifications to course material). This necessitates a unique focus on the requirements of what is a diverse group of students.

However, while institutional change is largely assumed to come about through structural approaches, there is presently no mechanism to ensure that higher education providers comply with the Standards. Further, in the absence of a regulator for the Standards in either higher education or education more broadly, there is a risk of an over-reliance on the five yearly review process to ensure that policy settings are appropriate. The challenges of COVID-19 indicate the benefits of having greater external structures for policy formation and accountability in relation to disability policy.

The NCSEHE contends that responsibility for complying with the Standards should lie with institutions. That compliance should be proactive rather than reactive and include taking a whole-of-institution approach to disability that considers an institution's culture and environment. However, the evidence suggests that institutional responsiveness and innovation in disability policy is often best motivated through external accountability. For this reason, the NCSEHE's first recommendation is that the Review considers options for establishing an office with formal responsibility for policy on disability in Australian education, including the Standards. One possibility is the establishment of the position of **Disability Education Commissioner**, an office along the lines of the newly proposed Regional Education Commissioner (Department of Education, Skills and Employment, 2019). The Disability Education Commissioner would have responsibility for the development, implementation, and evaluation of the Standards, in conjunction with an assessment of other disability policy initiatives, across all settings in Australian education.

Recommendation 1: That the position of Disability Education Commissioner be established through the Standards, to have responsibility for the implementation of the Standards and other disability policy initiatives, across all settings in Australian education.

Defining Disability

There are issues around the support of students with disability in Australian higher education, particularly in relation to its reliance on self-disclosure, issues around the definition of disability (notably in relation to mental health) and a deficit model of disability. Currently, disability identification functions through student self-disclosure either at enrolment, and is potentially followed up by university services to offer support, or at some point during their studies when university assistance becomes necessary. Self-disclosure is the primary mechanism for accessing disability support, adjustments, and accommodations at university. This reliance on self-disclosure maintains the onus on the individual to proactively identify themselves as having a disability, predominantly in the context of an anticipated need for assistance.

The disability classifications currently utilised by universities are somewhat simplistic and based on a medical model of disability (Brett, 2016), which fails to capture the complexities and diversity of disability. Students may experience multiple disabilities, different severities and durations of disability, and combinations of disability and health conditions, such as chronic illness and mental ill-health (Cunninghame, Costello & Trinidad, 2016). A simple classification system of disclosure neglects the opportunity for a more nuanced and meaningful understanding of student need, limiting capacity for institutions to enhance inclusion of students with disability.

The medical model also tends to place impairment at the core of the problem — requiring a “fix or cure” for the individual. The NCSEHE advocates for a social model of disability, where a broader understanding of disability shifts the emphasis to making social structures more equitable and removing systemic barriers to participation, rather than a single focus on “impairment”. This places policy at the centre of intervention to mitigate disadvantage, with inclusion being the responsibility of institutions, and reflecting principles of universal design (Brett, 2016). While the identification of medicalised disability offers some useful information for universities, the underlying purpose of collecting this information should be to inform institutional policy and interventions that facilitate greater inclusion and support of students with disability. Categorical identification, therefore, must be supplemented with information that allows for a more complex understanding of student needs, beyond the mere presence or absence of disability (Kilpatrick et al., 2016). The development of an appropriate and sensitive mechanism to supplement high-level identification of disability, which allows for a more nuanced and meaningful understanding of student need, is required.

Recommendation 2: That the Standards require the identification of disability be complemented with contextual information that allows for a more nuanced and meaningful understanding of student experience and need.

Recommendation 3: That the Standards impose a stronger requirement on institutions to adopt a universal design approach to disability, whereby the presence of students with disability is assumed, regardless of disclosure, with available data used to inform the development of inclusive policy and practice.

Identification of Disability

Australia now has 30 years' experience in collection, analysing and reporting on student equity data in higher education, including reporting on disability. The creation of the structure for classifying students according to disadvantage (equity group) originated in the release in 1990 of *A Fair Chance for All*, an Australian Government report which defined equity groups in Australian higher education (Department of Employment, Education and Training, 1990). This was followed in 1994 with the *Review of Equity and General Performance Indicators in Higher Education* ("The Martin Review") which largely established the current system for identifying and tracking "equity group" students in Australian higher education (Martin, 1994).

Australia collects information on student disability via the Higher Education Information Management System (HEIMS). This is a self-reported measure, with students asked to indicate a "disability, impairment or long-term medical condition" in relation to the broad categories of disability: "hearing"; "learning"; "mobility"; "visual"; "medical" or "other disability". In addition, they are also asked if they "would like to receive advice on support services, equipment and facilities" (Element No. 386 "Disability", in: Higher Education Information Management System, 2020).

The inclusion of students with disability (then known as "students with disabilities") in the original student equity framework was problematic, as noted by Martin (2016), with virtually no history of data collection on this equity characteristic in Australian higher education. Consequently, there was a reluctance on the part of policymakers to initiate the collection of a disability indicator except on a trial basis — the result of which remains to this day (Martin, 2016, p. 32). The identification of disability status in higher education has thus remained static in the face of major shifts in policy, including the introduction of the Standards in 2005. This is readily seen in the mechanism for identifying disability in higher education. Disability, along with Indigenous status, is the only equity indicator generated via self-reporting. Further, important categories of disability are not explicitly captured via the HEIMS collection (notably in relation to mental health). Nor is information on external support for students, either in relation to support for learning adjustments at other settings

in education, such as information as data on secondary education via the Nationally Consistent Collection of Data on School Students with Disability (NCCD), or general support through the National Disability Insurance Scheme (NDIS).

The new student collection system in higher education, the Tertiary Collection of Student Information (TCSI), will address some of these issues as part of its rollout in 2020–21. This includes the creation of a new disability variable: “Disability” (E615). A key change with the new collection is the expansion of disability definitions to include standardised categories, specifically the creation of new categories from “Other disability” — including “Specific learning disability”, “Mental health condition” and “Acquired brain condition” (Commonwealth of Australia, 2020). However, the new variable does not collect data on support service requirements for students. This means that there will be official coding of this requirement at the national collection level, and therefore no possibility of uniform reporting across tertiary education providers.

The identification of the incidence and impact of disability in higher education, and tertiary education in general, is subject to the constraints identified by the Australian Institute of Health and Welfare in their discussion of disability in Australia:

- inconsistent definitions of disability across data sources
- poor adoption of a disability flag to identify people with disability across mainstream data sources
- fragmented, dispersed and incomplete data about services used by people with disability (specialist and mainstream)
- inability to reliably report on specific population groups within the broader disability population
- availability of relevant data collected but not collated or otherwise available for statistical purposes
- limited integration of data across settings and life area domains to examine pathways and outcomes for people with disability.

(Australian Institute of Health and Welfare, 2019)

A welcome outcome from the Review would be the initiation of a new project looking at higher levels of data integration between the education, health and social service sectors. Suitable data on disability and support requirements could be accessed from national collections via the Council of Australian Governments’ (COAG) initiative to establish the National Disability Data Asset (NDDA). The NDDA will enable a greater level of integration in policy and resourcing decision-making across government (Department of Social Sciences, 2020). A potential starting point for utilising NDDA data in education is recommendation from the recent *Review of Senior Secondary*

Pathways into Work, Further Education and Training (“Review of Senior Secondary Pathways”), which called for the establishment of a unique student identifier (USI) in its recommendations to government (Education Services Australia, 2020, p. 22).

Recommendation 4: That the Standards encourage the consistent identification of disability in Australian education, both within and outside higher education and in view of the proposed development of a Unique Student Identifier for Australian education.

Key Issues in Creating and Enforcing Standards in Higher Education

The underrepresentation of people with disability in higher education reflects relatively diminished educational outcomes generally, but also influences labour force outcomes.

Year 12 completion is markedly lower for people with disability, with only 64 per cent of people with a disability aged 20 to 24 having completed Year 12 in 2018, compared to 81 per cent of people without a disability. This observed underperformance in terms of attainment at the secondary level only increases in higher education, with people over the age of 20 with disability attaining bachelor or higher degree qualifications at a rate around half of that of the people without disability (15 per cent compared to 31 per cent) — a rate that has improved with recent increases in higher education participation.

Workforce outcomes, a particular area of focus for post-secondary education providers, show similar levels of outcome gaps, with people with disability experiencing workforce participation rates of 53 per cent compared with 84 per cent for people without disability. In addition, people with disability see rates of full-time work participation that are half, and unemployment rates that are double, those of people without disability.

Table 3: Education and Workforce Outcomes, People with Disability and People without Disability, various years.

	Disability %	Without Disability %
Education¹		
Year 12 Completion, People aged 20 to 24	64	81
Attainment of bachelor degree or higher, People aged over 20	15	31
Work²		
Workforce Participation Rate, People aged 15 to 64	53	84
Full-time Work Rate, People aged 15 to 64	24	55
Unemployment Rate, People aged 15 to 64	10	5

Notes: 1. Education data sourced from Australian Institute of Health and Welfare (2019). 2. Work data sourced from Australian Bureau of Statistics (2014).

Source: Data is sourced from Education Services Australia (2020, p. 129).

Students with disability face persistent disadvantage throughout the course of their journey through Australia’s education and training system. The NCSEHE’s core recommendations in relation to the Standards and education and work participation in higher education pertain to the need for a joined-up approach to ensuring the Standards support students with disability across the entire education and work-life cycle of students — from pre-access to post-graduation outcomes.

Pre-Access

Establishing a pathway to higher education participation and post-graduation outcomes is critical to increasing participation in higher education for people with disability. Initiatives in the “pre-access” space in higher education are critical to ensuring that students with disability can gain awareness and enrol in university courses of their choice. The *Review of Senior Secondary Pathways* (Education Services Australia, 2020) emphasised the importance of pathways for senior secondary students, in its recommendations to government, with Recommendation 17 stating that:

All senior secondary students with disability should have access to work exploration in school and, in collaboration with disability support groups, have an individual post-school transition plan put in place prior to leaving school (Education Services Australia, 2020, p. 22).

Higher education institutions have always had a role in pre-access activities in relation to secondary schools, but this has been formalised in their equity policy structures over the past decade with the introduction of the HEPPP in 2010, which has had a primary focus on low SES

students. The *Job-ready Graduates Package* will see the introduction of the new Indigenous, Regional and Low SES Attainment Fund (IRLSAF), with funding to be calculated on the basis of institutional performance in relation to the enrolment of Indigenous, regional and remote, and low SES students (Department of Education, Skills and Employment, 2020c). As part of its submission on the *Job-ready Graduates Package* and its draft legislation, the NCSEHE observed that the new funding arrangements excluded performance on disability from consideration. The NCSEHE noted that students with disability could be “considered through other measures/reforms, potentially arising from the ensuing *2020 Review of the Disability Standards for Education 2005*” (National Centre for Student Equity in Higher Education, 2020b, p. 8). This Review provides an opportunity to examine ways in which program funding and operations in the pre-access space can be focused on students with disability, but also integrated into other government policies.

The NCSEHE would also point to the impact of the COVID-19 pandemic on pre-access activities in schools, with travel restrictions impacting markedly on activity, particularly regional areas (O’Shea, Koshy & Drane, in-review). Any analysis of pre-access program integration needs to include work on the probable ongoing short-term impact of COVID-19.

Recommendation 5: That the Standards require that outreach activities in secondary education be accessible to students with disability.

Access and Enrolment

The NCSEHE regards the Standards as important in addressing issues of disadvantage among people with disability in relation to their access and enrolment in higher education. An important consideration, flowing from Recommendation 2, is the identification of disability at the point of access. A consistent approach to both recognising and addressing disability is essential in ensuring people with disability can access higher education. The Review’s Discussion Paper observes that around one in five secondary school students received an adjustment due to disability according to the NCCD collection (Department of Education, Skills and Employment, 2020a). In this context, information collected at the secondary level, perhaps through the development of a USI, would provide important contextual information for higher education institutions during the application and offer phase, but also during the initiation of enrolment. A similar analysis applies to non-secondary school entrants, where data from sources such as the NDDA would be very important in allowing institutions to characterise the nature of adjustments required, both in the case of an individual student and across their student enrolment.

Beyond the identification of students, an issue potentially dealt with in addressing issues around pre-access, is the complexity of current enrolment procedures in higher education. In a submission

to the Higher Education Standards Panel (HESP) *Review of Transparency of Higher Education Admissions Processes*, the NCSEHE (2016) highlighted the challenges equity students faced in navigating university entry (National Centre for Student Equity in Higher Education, 2016). The submission highlighted the importance of not only individual student characteristics, but also family background and socioeconomic factors in shaping the ability of students to access higher education, often in ways in which various types and levels of disadvantage has a compounding effect on access. A study by Gemici et al. (2014) found that secondary students whose parents express a preference for them to attend university were eleven times more likely to do so, and that generally this encouragement occurs in households with non-equity students. In addition, equity students in Australia face considerable disadvantages in accessing higher education, including barriers stemming from relative geographical and cultural isolation. Finally, students with disability must navigate higher education access often with unique requirements.

The NCSEHE proposes that the development and discussion around institutional framing and reporting of inherent requirements in courses, particularly in relation to unacknowledged requirements and in professional contexts, be expanded to include pre-access and enrolment.

Recommendation 6: That the Standards articulate clearer guidance about formulation of statements of inherent requirements and their communication to students at the pre-access and enrolment stages in higher education.

Participation

The report for the *2015 Review of the DSE* (“2015 Review”) identified impediments to instituting the Standards in post-compulsory education (Urbis, 2015). These can be classified into two broad categories: (i) issues around awareness and enforceability; and (ii) conflict between the enforcement of the Standards and perceived vocational and professional requirements.

The 2015 Review observed a strong disconnection between those administrators with direct charge over equity issues and the enforcement of the Standards, and other institutional staff, in the post-compulsory setting. This included staff responsible for teaching and curriculum development. In the university context, it was noted that “the scale of universities means that only a selected few people in university administration and support roles thoroughly understood their obligation for compliance to the Standards” (Urbis, 2015, p. 27). In large part, this is a function of the overall lack of enforceability of the Standards. In practice, institutions only have to undertake reasonable adjustments to ensure access for students, often motivated by individual cases, with limited attempts to create general guidelines in relation to inherent requirements for courses. It is

anticipated that Recommendation 1, should it be adopted, will provide a suitable framework for strengthening compliance and responsiveness of institutions.

Curriculum Development, Accreditation and Delivery

Urbis (2015) identified the inconsistent treatment of the Standards across courses, institutions, but also in relation to professional settings in higher education as a key issue in curriculum development and delivery. In a series of recommendations on inherent requirement statements in Australian higher education, Brett et al. (2016) called for the exploration of options for achieving “greater consistency, clarity and transparency of inherent requirement statements across institutions and disciplines” (p. 3), combined with research into the impacts of such statements on student access and participation. In addition to these issues, inclusive curriculum development and practice is vital to ensuring positive outcomes for students with disability.

The recent changes to the Disability Support Program (DSP) in higher education, which included additional funding for the Australian Disability Clearinghouse on Education and Training (ADCET) to promote inclusive learning and teaching, are a welcome development in this context (see, Department of Education, Skills and Employment, 2020d). The NCSEHE endorses these initiatives as part of a deepening commitment to the design and implementation of the Standards in Australian higher education.

Recommendation 7: That the Standards provide clearer guidance on the design and implementation of inherent requirements. That this is coupled with guidance on inclusive teaching practice and structures that will make the Standards integral to course and qualification design and operation.

Student Support Services

Identifying and providing appropriate levels of support services to students with disability is critical in higher education. The importance of support services is that they are a central way in which institutions can customise responses to student requirements in various contexts, including: disability in the Indigenous student population (Fleming & Grace, 2016); supporting students with disability in online learning contexts (Kent, 2016); or providing specific responses for students who interact differently in learning environments, such as students with autism (Owen et al., 2016).

In 2020, the Commonwealth has sought to create more flexibility for institutions in providing support services to students with disability, primarily through changes to the DSP, including the creation of the new Disability Support Fund (DSF) and an expansion in the list of eligible activities on which funding can be spent. In addition, under the DSF, higher education institutions will be

able to claim reimbursement for students whose needs exceed \$10,000 in a calendar year (Department of Education, Skills and Employment, 2020c).

The NCSEHE anticipates desirable changes to student support services will emerge from recommendations from this Discussion Paper and its Submission to the Review, in conjunction with further, appropriate, adjustments to the DSP as part of their implementation.

Elimination of Harassment and Victimization

People with disability are commonly subject to harassment and victimisation. The ABS's 2014 *General Social Survey* (GSS) found that 22.7 per cent of people with disability, compared with 16.9 per cent of people without disability, have experienced discrimination (Australian Bureau of Statistics, 2014), with "disability or health issue" being cited as the basis of discrimination for around 5 per cent among people with disability, compared with around 0.5 per cent among people who do not have a disability. Statistics on harassment and victimisation faced by students with disability in the education sector are not officially collected, except through collections such as the GSS or ABS's *Disability, Ageing and Carers, Australia* survey (Australian Bureau of Statistics, 2019), where estimates are based on sample collection only.

In higher education, this issue is somewhat compounded as when students do experience discrimination, the onus is placed on them to submit a complaint. The power differential between an individual student and an institution does not support this complaints process. In turn, the true extent of harassment and victimisation is not recognised in higher education, except through anecdotal evidence. Higher education would benefit from a national system of data collection and reporting on harassment and victimisation in all education settings.

Recommendation 8: That the Standards introduce a requirement for the consistent collection and reporting of data on harassment and victimisation in education.

Mental Health and Disability

A particular consideration in higher education is the reporting of, and institutional response to, student mental health issues. Many students choose not to disclose or seek help for their mental ill-health due to a perceived lack of understanding among university staff about the seriousness of their condition (Orygen, 2017). A lack of disclosure can also be due to the episodic nature of mental ill-health, with some students experiencing periods of acute illness, as well as periods of stability and success. A reluctance to disclose to those in the academic environment is further fuelled by a fear of being stereotyped, the stigma of being treated differently, and the misperception of not being competent (Clark et al., 2018).

For many students, their mental ill-health is invisible, may be undocumented or considered to be under control. Importantly, mental health issues are not always present at the time of enrolment, but emerge during a student's educational journey. As the onset of mental ill-health peaks in adolescence and early adulthood (Kessler et al., 2007; Orygen, 2020), and given the prevalence of high or very high levels of psychological distress (65%) reported by university students (Browne & Munro, 2017; Orygen, 2020), a lack of disclosure means that many students' psychological needs are not being met by current support services.

Recommendation 9: That the Standards ensure the classification of mental health conditions under the term "disability" is sufficiently broad to include temporary, chronic and/or episodic conditions, and that institutional responses to student support service requirements or allegations of harassment and victimisation reflect this complexity.

Post-Graduation Outcomes

Within Australia, the labour force outcomes for students with disability are dramatically less compared to outcomes for students without disability. This can be seen in undergraduate data from the 2020 *Graduate Outcomes Survey* longitudinal collection (GOS-L), with new graduates with disability, in that collection wave, experiencing lower levels of full-time employment compared with others — 63.9 per cent versus 73.6 per cent — with graduates also seeing reduced levels of overall employment and labour force participation (Quality Indicators for Learning and Teaching, 2020). As there are relatively fewer graduates with disability in employment, they have marginally higher median starting salaries than other graduates. However, the GOS-L collection on medium-term (three year) outcomes for 2017 graduates in 2020 paints a similar picture of disadvantage for students with disability. While the overall labour and employment participation gap is narrower over the medium term, students with disability see a lower increase in salaries than students without disability.

Table 4: Undergraduate Outcomes in 2020: Short-Term (2020 Graduates) and Medium-Term (2017 Graduates), Students with Disability and Students without Disability.

	Students with Disability	Students without Disability
Short-term Outcomes (First Year)¹		
Full-time Employment (%)	63.9	73.6
Overall Employment (%)	79.7	87.4
Labour Force Participation (%)	87.3	92.7
Median Salary (\$)	61,800	60,000
Medium-term Outcomes (Three Year)¹		
Full-time Employment (%)	83.0	90.6
Overall Employment (%)	87.2	93.8
Labour Force Participation (%)	88.4	92.6
Median Salary (\$)	73,100	75,000

Notes: 1. “Short-term” and “Medium-term” outcomes are for respondents to the 2020 Graduate Outcomes Survey in their first (2020), and third (2017), year respectively since graduation.

Source: Quality Indicators for Learning and Teaching (2020), Report 2 Table: “Short- and medium-term undergraduate outcomes by demographic group”.

Research funded by the NCSEHE confirms that the impact of disability is particularly prevalent among graduates facing issues of compounding disadvantage. In a major study of Australian university graduates (n=140,192), Richardson et al. (2016) observed that in addition to students with disability having overall lower levels of employment, it was apparent that “multiple categories of disadvantage had a negative impact on graduate employment. The most significant of these was

disability which was identified as a key factor in the post-graduation employment” (p. 6). Graduates with disability were also less likely to be in full-time employment and earned less on average than other graduates. In addition, equity students from all other groups had a lower likelihood of employment if they also had a disability.

While progress has been made in improving labour force outcomes for students with disability, the gap in outcomes compared to those of students without disability, most notably in full-time participation, but also in earnings after three years in the workforce, indicates that general student policy around employability needs to take the needs of students with disability into specific consideration. For this reason, the *Review of Senior Secondary Pathways*' recommendation on providing both a policy impetus and resourcing for post-school transition is welcome. Importantly, a similar need exists at the higher education level, and so the NCSEHE recommends that the current Review consider ways in which employability skills and work options programs can be extended across the educational life cycle.

Recommendation 10: That the Standards provide clearer guidance on the transition to employment, ensuring students with disability are provided with consistent and relevant guidance on employability skills and work options.

Recommendations

The NCSEHE supports the ongoing implementation of the Standards in Australian higher education. Based on the NCSEHE's research and policy work, and its consultation with equity stakeholders, we propose the following recommendations, which we hope will inform the Review's recommendations on changes to the Standards:

Recommendation 1: That the position of Disability Education Commissioner be established through the Standards, to have responsibility for the implementation of the Standards and other disability policy initiatives, across all settings in Australian education.

Recommendation 2: That the Standards require the identification of disability be complemented with contextual information that allows for a more nuanced and meaningful understanding of student experience and need.

Recommendation 3: That the Standards impose a stronger requirement on institutions to adopt a universal design approach to disability, whereby the presence of students with disability is assumed, regardless of disclosure, with available data used to inform the development of inclusive policy and practice.

Recommendation 4: That the Standards encourage the consistent identification of disability in Australian education, both within and outside higher education and in view of the proposed development of a Unique Student Identifier for Australian education.

Recommendation 5: That the Standards require that outreach activities in secondary education be accessible to students with disability.

Recommendation 6: That the Standards articulate clearer guidance about formulation of statements of inherent requirements and their communication to students at the pre-access and enrolment stages in higher education.

Recommendation 7: That the Standards provide clearer guidance on the design and implementation of inherent requirements. That this is coupled with guidance on inclusive teaching practice and structures that will make the Standards integral to course and qualification design and operation.

Recommendation 8: That the Standards introduce a requirement for the consistent collection and reporting of data on harassment and victimisation in education.

Recommendation 9: That the Standards ensure the classification of mental health conditions under the term “disability” is sufficiently broad to include temporary, chronic and/or episodic conditions, and that institutional responses to student support service requirements or allegations of harassment and victimisation reflect this complexity.

Recommendation 10: That the Standards provide clearer guidance on the transition to employment, ensuring students with disability are provided with consistent and relevant guidance on employability skills and work options.

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