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Reasonable Adjustment

in teaching, learning and assessment
for learners with a disability

A guide for VET practitioners



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A Guide for VET Practitioners

November 2010

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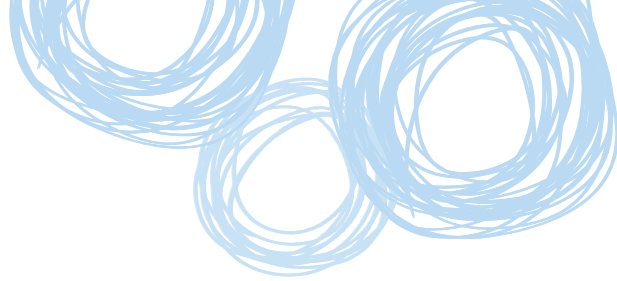
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1. Purpose of the guide

This guide has been designed to assist VET teachers and trainers, disability practitioners, and educational managers to make 'reasonable adjustment' in teaching, learning and assessment.

It explains the concept and role of reasonable adjustment in VET to:

- increase the participation of all learners (especially those with a disability)
- reduce the impact of disability on achieving a vocational qualification leading to employment.

The guide provides information and practical strategies for applying reasonable adjustment in teaching, learning and assessment.

The acronyms, VET for 'vocational education and training' and RTO, for 'registered training organisation' are used throughout.

In the back of the guide are fact files about:

- copyright
- format shifting
- legislation, standards and obligations
- resources
- who can help.

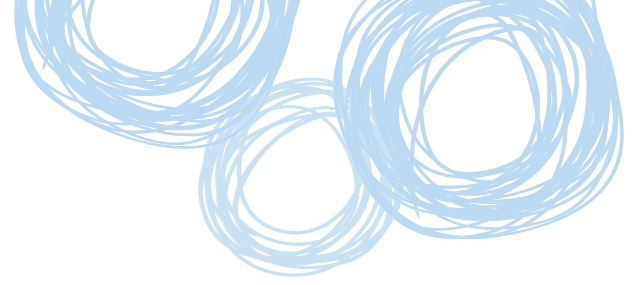
These fact files contain detailed information and useful references to help RTOs and practitioners make reasonable adjustment.

The information and strategies in this guide are underpinned by two useful sets of standards - the Disability Standards for Education 2005 (formulated under the *Disability Discrimination Act 1992*) and the *Australian Quality Training Framework (AQTF) Essential Conditions and Standards for Registered Training Organisations*.

The *Disability Standards for Education 2005* clarify the obligations of education and training providers to make sure that learners with a disability can access and participate in education without experiencing discrimination.

The *AQTF Standards* were specifically developed to ensure the quality of RTOs. Some of these standards relate to learners with a disability.

Both sets of standards are helpful references for RTOs in the area of disability and reasonable adjustment and will be referred to throughout the guide.



2. What is reasonable adjustment?

Reasonable adjustment in VET is the term applied to modifying the learning environment or making changes to the training delivered to assist a learner with a disability.

A reasonable adjustment can be as simple as changing classrooms to be closer to amenities, or installing a particular type of software on a computer for a person with vision impairment.

Why make a reasonable adjustment?

We make reasonable adjustments in VET to make sure that learners with a disability have:

- the same learning opportunities as learners without a disability
- the same opportunity to perform and complete assessments as those without a disability.

Reasonable adjustment applied to participation in teaching, learning and assessment activities can include:

- customising resources and activities within the training package or accredited course
- modifying the presentation medium
- learner support
- use of assistive / adaptive technologies ¹
- making information accessible both prior to enrolment and during the course
- monitoring the adjustments to ensure learner needs continue to be met.

¹ assistive / adaptive technology means ‘software or hardware that has been specifically designed to assist people with disabilities in carrying out daily activities’ (World Wide Web Consortium - W3C). It includes screen readers, magnifiers, voice recognition software, alternative keyboards, devices for grasping, visual alert systems, digital notetakers.

The purpose of reasonable adjustment is to make it possible for learners to participate fully. It’s not to give learners with a disability an advantage over others, to change course standards or outcomes, or to guarantee success.

A reasonable adjustment in teaching, learning and assessment activity needs to be justifiable and uphold the integrity of the qualification.

Context for reasonable adjustment for learners with a disability

We know that people with a disability have employment rates well below people without a disability, and that this is linked to poor educational outcomes (*A Stronger, Fairer Australia, Commonwealth of Australia, 2009*).

There are two guiding principles underlying the context for reasonable adjustment in education — inclusive practice and universal design. These principles are inherent in a learner-centred approach; they benefit all learners and can reduce the need for specialised services or supports for individual learners.

Inclusive practice is about teachers using a range of teaching strategies to meet individual needs, and provide learning experiences that:

- take into account differing learning styles or preferences
- recognise the differences among learners
- ensure no one is excluded.

Universal design in VET means designing curriculum, instructional materials and instruction to be accessible and useable by learners with widely different backgrounds and abilities.

Fact file: Resources

Information Design/Universal Design Principles checklist. Page 34

However a learner with a disability will often still need additional support in the form of reasonable adjustment, to ensure the same learning access and opportunities as a learner without a disability.

A learner-centred approach in VET focuses on individual learners and their needs, and any decisions about reasonable adjustment should also focus on the individual learner.

Of course, you may need to talk to a range of people (for example, teachers or support personnel) as well as the learner to decide what's reasonable. Reasonable adjustment doesn't necessarily mean that all learner requests are granted. It's about consultation and negotiation, so that no one in the process is disadvantaged.

Adjustments primarily need to be based on each learner's ability to participate and achieve outcomes.

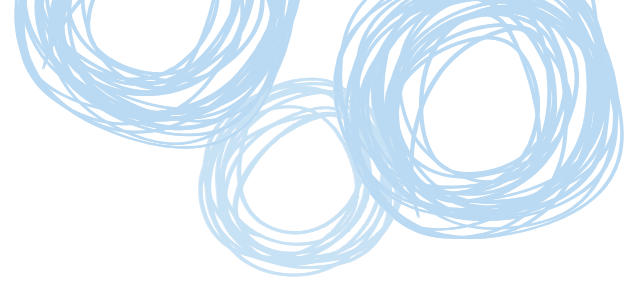
RTOs are obliged by law to provide reasonable adjustment to ensure maximum participation of learners with a disability in teaching, learning and assessment activities.

To ensure the participation of all learners, RTOs are obliged to:

- make sure that course activities are sufficiently flexible
- provide additional support to learners where necessary
- where a learner cannot participate, offer a reasonable substitute within the context of the overall course.

Definition

'Reasonable adjustment', as defined through the *Disability Discrimination Act 1992*, relates to a measure or action taken by an education provider to assist a learner with a disability (*Disability Standards for Education, 2005*).



3. Preparing for reasonable adjustment

Technological advances (including assistive technologies) in the learning environment and the workplace continue to open up employment opportunities for people with a disability.

In VET we can offer flexible and inclusive learning experiences that improve outcomes for all learners — it's about accessibility, inclusivity and meeting the needs of individual learners.

And this learner-centred approach may involve reasonable adjustments.

Reasonable adjustments don't need to be expensive or complex, but they do require preparation and planning. This includes sharing information, making decisions collaboratively and following the guidelines in the various acts and standards.

Practices that facilitate making a reasonable adjustment include:

- encouraging learner disclosure of disability
- gathering relevant supporting information (evidence of need)
- consulting with the learner.

Example of reasonable adjustment process

Learner requests that a reasonable adjustment be made.



RTO asks for evidence of disability (for example, school or medical reports) and investigates learner eligibility for adjustments ('evidence of need').



RTO discusses the impact of disability on learning and support needs directly with the learner. (It may be possible to immediately make a reasonable adjustment, for example, giving an extension for tasks).

Sharing information

Sharing accessible information freely means that both the learner and the RTO can make the best decisions about the course and any reasonable adjustments that might be made.

Providing information to the learner **prior to enrolment** is crucial in helping them select the right course as well as prepare their home or work environment to meet course demands.

Using a range of accessible formats i.e. web-based, print, electronic allows for flexibility and optimum accessibility for all learners.

Useful information includes:

- course information
 - course structure and assessment
 - core requirements of the course
 - delivery methods (including distance and e-learning options, facilities and resources available to learners)
 - industry licences or professional association requirements relevant to the qualification
 - relevant legislation
 - Occupational Health and Safety requirements for the industry area
 - literacy and numeracy levels needed for the course.
- reasonable adjustment information for learners with a disability (explains the learner's responsibilities and how to access disability services)
- suggestions about how the learner can disclose information about their disability.

Disclosure

Disclosure of a disability is the choice of the learner - it is not a requirement for participation in a VET course or program.

But encouraging learners to share information about the impact of their disability on their learning helps to justify and make the necessary reasonable adjustments — for example, providing access to assistive technology or learning support.

You will need the learner's consent before sharing any of their disclosed information.



Fact file: Exemplar

Reasonable adjustment - information for learners with a disability. Page 39

Making decisions about reasonable adjustment

Once information has been shared, decisions about reasonable adjustment should be made collaboratively with the learner, teachers, appropriate supports, and disability practitioners.

Sometimes, when it's difficult to identify evidence of need or where the impacts are more complex, teaching staff may seek further advice from a range of experts.



Fact file: Who can help? Page 37

There are specific things you might consider in the decision making process.

Think about the learner's needs around:

- writing
- reading
- hearing
- communicating with others or getting ideas across
- moving or manipulating objects
- paying attention / staying on track
- sitting for long periods
- moving around the learning environment
- remembering / retention
- dealing with frustration.

Sometimes a learner is unable to meet the inherent requirements of the course, even with reasonable adjustment. For example, Occupational Health and Safety requirements can preclude learners' participation in some core course activities.

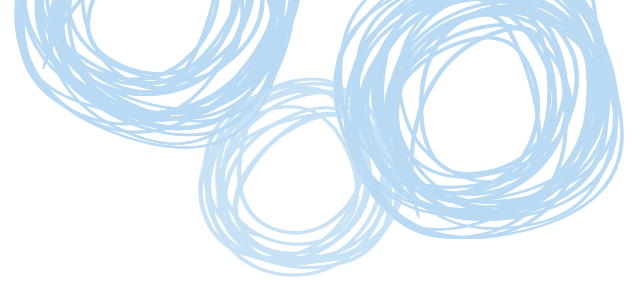
If the course is not suitable for the particular learner, RTOs should offer counselling about alternative training and career path options.

Whole-of-life issues

Sometimes whole-of-life issues have an impact on learning for people with a disability. The focus for the RTO should be on supporting the learner to succeed, through identifying and removing barriers to learning.

RTOs and teachers can:

- refer a learner to a specialised external service
- facilitate the provision of a specialised service, for example, personal care
- use strategies that address particular whole-of-life needs. For example, self paced learning as an alternative to physically attending class; reduced study load; or online delivery.



Extra-curricular

Adjustments may also be required for training activities not conducted in the training environment, including ‘extra-curricular activities or activities that are part of the broader educational program ...’²

This may include access to library resources, participation in field trips, vocational placement and attendance at approved learner activities.

Variation and individual needs

Different types of disabilities call for alternative teaching, learning and assessment strategies. Even within the same type of disability individual learners may need different strategies.

For example, some learners with vision impairment may require audio files or text-to-speech technology; others may need large print materials or magnification aids.

Course delivery

The type of course and its method of delivery may mean that learners with similar types of disability will have different requirements.

For example, teaching and assessment strategies for a learner with a disability undertaking a practical course may differ from those for a learner in a course which asks for high levels of reading and writing.

² *Disability Standards for Education 2005, 5.3(f)*

Integrity of the qualification and units of competency

Through their course work, assessment and their qualification, learners need to be able to present themselves as having the knowledge, experience and skills implicit in the award. So any changes made to materials, activities or assessment tasks need to preserve the integrity of the course.

In the process of reasonable adjustment, teachers and RTOs have to balance meeting the needs of the learner with this principle of integrity.

For example, in tailoring units of competency, teaching staff need to think about: the purpose of the unit, industry standards and licensing; skills and their context; assessment methods and the skills and knowledge needed; and the evidence required to demonstrate competence.

There are rules, regulations and obligations which guide the process of reasonable adjustment, including those outlined in the *AQTF Essential Conditions and Standards for Registered Training Organisations* and the *Disability Discrimination Act 1992*.



Fact file: Legislation, standards and obligations. Page 27

Contact the relevant Industry Skills Council, or specialist educational staff such as educational quality advisers for advice on tailoring teaching, learning and assessment for learners with a disability.

For TAFE Queensland staff, a key contact is your lead institute.

4. Practical applications of reasonable adjustment

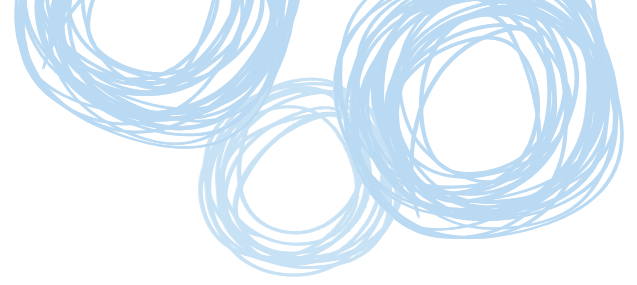
Applying reasonable adjustments in your day-to-day teaching and assessment practices doesn't have to be complicated. Most ideas in this chapter are based on common sense, practical strategies — some you may already use — which will benefit all learners.

Firstly ask yourself the following questions:

- Are my materials and teaching methods inherently flexible and designed for the widest range of learners?
- Have I used the principles of 'universal design' in my learning and assessment materials and delivery strategies?

Practical applications in teaching

- Look for opportunities to optimise flexibility within a unit of competency and within a course.
- Provide learning materials, texts and handouts in electronic format for optimum accessibility.
- Modify teaching tools / tasks:
 - substitute alternative tasks where existing ones pose a problem for a learner
 - modify the presentation medium for example, visual, oral, print, demonstration and provide practice opportunities
 - adapt the physical environment and equipment, for example, audio-visual aids, specific furniture
 - provide access to information and communication through assistive / adaptive technologies, sign language interpreters, etc.
 - make time related changes – extend or otherwise alter timeframes for teaching and learning.
- Provide learning materials, texts and handouts ahead of the class so:
 - learners and support workers can become familiar with them beforehand
 - arrangements can be made to have them converted to a different format.
- Use generic, inclusive terms when constructing learning activities, for example, use 'communicate', 'present', 'create' instead of 'speak', 'talk', 'listen', 'look', 'draw' and 'write'.



Practical applications in learning

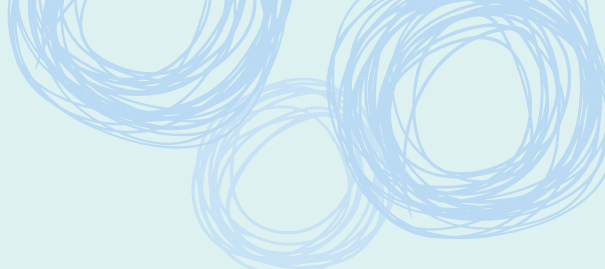
- Encourage learners to explore and identify the learning style that best suits them.
- Encourage as much learner independence as possible. This develops confidence and prepares them for the workplace.
- Adopt a gradual approach towards independent learning, for example:
 - use assistive technologies that enable the learner to complete tasks independently
 - gradually reduce intensive one-on-one assistance.
- Provide learning experiences that develop all learners' acceptance of, and respect for people with different needs.
- Consider the multiple accommodations necessary to meet a single learner's needs. For example, learners who require sign language interpreters may also need a note-taker (watching an interpreter precludes taking detailed notes).
- Identify any other adjustments that would be 'less disruptive and intrusive and no less beneficial for the learner.' (*Disability Standards for Education 2005, Section 3.6*).
- Monitor the continuing relevance of adjustments to meet changing learner needs over the duration of the course.
- Consult with support staff for example, learning support services, tutors, disability support workers, coaches or mentors.

Practical applications in assessment

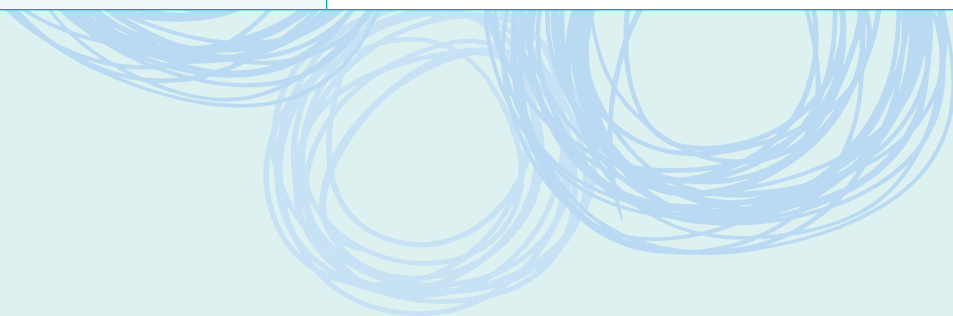
- Extend or modify timeframes for assessment.
- Consider the impact of the type of assessment task on the learner with a disability.
- Present information in a range of media (increases accessibility).
- Use oral assessments (presentations, recorded responses, and telephone sessions) as alternatives to written tasks.
- Seek evidence from a third party to demonstrate competence (statutory declaration, video of the learner undertaking a task).
- Ensure the language of assessment instruments does not create barriers (use plain English).
- Use generic terms when constructing assessment tasks, for example, use 'communicate', 'present', 'create' instead of 'speak', 'talk', 'listen', 'look', 'draw' and 'write' (inclusive language).
- Provide sufficient feedback on the progress of individual learners regarding their learning goals.

Examples of alternative assessment methods

If a learner has difficulty with	you might be able to adjust your assessment through
concentration	split sessions – break the assessment into appropriate component parts which can be undertaken separately rest breaks in lengthy sessions separate assessment venue if learner is distracted by others' movements or noise additional time a variety of assessment methods, for example, recording devices for oral testing, telephone assessments for off campus testing evidence provided by the learner of completing the task in another venue, for example, an employer could verify satisfactory demonstration of the competence.
expressing knowledge in writing	oral assessment digital recorder or similar a scribe sign language interpreter additional time.
spelling and / or grammar	additional time a scribe sign language interpreter oral assessment digital recorder or similar a computer with generic (Microsoft Word) spelling and grammar checkers, dictionaries, thesauruses or specialised literacy software (for example, Spell Master; Read and Write Gold) models and practical examples for the learner to demonstrate what he / she means alternative assessment methods such as recorded interviews, slide presentations, photographic essays or models.



If a learner has difficulty with	you might be able to adjust your assessment through
numbers and numerical concepts	additional time a calculator assistive technology / equipment, for example, talking calculator.
understanding spoken information and instructions	additional time written instructions to complement the spoken information / instructions sign language interpreter rest breaks or split sessions simple direct language (plain English) step-by-step instructions repetition of information given paraphrasing to check for understanding – ask the learner to repeat what she / he is required to do demonstration of what is required.
examination-related stress	additional time rest breaks separate examination venue online assessment other assessment methods, for example assignment or third party evidence.
the English language	a computer with spelling and grammar checker, dictionary and thesaurus additional time language interpreter.



If a learner has difficulty with	you might be able to adjust your assessment through
maintaining writing posture for any length of time or writing quickly	digital recorder or similar oral assessment a personal computer (if using a keyboard is preferable / more comfortable than writing) rest breaks a scribe other assistive technology or equipment additional time.
reading standard-sized print / handwriting	technology such as magnifying devices to enlarge print or screen readers Braille examination papers (with tactile diagrams, maps) specialised writing pens oral assessment or recorded questions a reader additional time models, graphics or practical examples to illustrate questions heavy lined paper.
hearing verbal information	facing the learner and speaking clearly (if a learner lip-reads) producing all relevant information in writing assistive technology / equipment sign language interpreter additional time.

If a learner has difficulty with	you might be able to adjust your assessment through
physical tasks such as turning pages	a disability support worker a personal assistant provided by the learner alternative methods of competence demonstration, for example, oral assessment or third party evidence assistive technology / equipment additional time.
oral communication	additional time an interpreter a computer with voice synthesiser a reader of the learner's work.

Consider other needs of the learner

Physical environment

- lighting and the elimination of glare for learners with low vision or epilepsy
- suitable furniture
- adequate space for equipment and support personnel
- access to power points for equipment.

Separate examination venue

- if distracted by others
- if creating distraction due to noise when using equipment or support personnel.

NB: Learners who are blind may need orientation to unfamiliar venues.

5. Making learning materials accessible

It's important for all learners, including learners with a disability to be able to readily access learning materials in a format suitable to them. These may be materials developed by individual teachers and RTOs, commercially available materials or materials which have been converted from other formats.

And it's a legal obligation of the RTO to provide these learning materials.

Planning for accessible learning materials

Making materials accessible to all learners can take time. You need to plan ahead so that accessible materials are available when they're needed for both the learner and the teacher.

When designing and developing your own learning materials, use the principles of universal design. This ensures that your materials are accessible to more people, most of the time.

Fact file: Resources

Information Design/Universal Design Principles checklist. Page 34

When planning, first check the availability of existing materials (both commercial and non-commercial) in accessible formats. This saves having to convert materials into other formats, thus saving time and money.

It's a good idea to buy new materials in digital format where possible. This makes it easier to convert materials into a range of formats if necessary.

Converting materials (format shifting) - a reasonable adjustment

Sometimes even with universal design, some learning materials will need to be converted into different formats to make them more accessible to learners with a disability. This is called format shifting.

In VET, materials can be converted from the original to:

- hard copy (including Braille and large print)
- electronic format
- audio recordings.

While format shifting for learners with a disability is considered a reasonable adjustment, there are limits on format shifting rights for educational purposes. There are implications regarding copyright and maintaining the integrity of the materials.

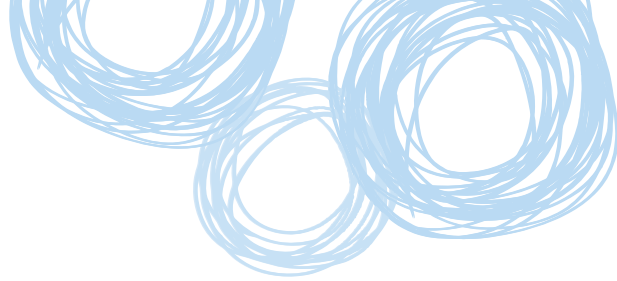
Format shifting takes time — from selecting what needs to be converted, to making the necessary arrangements with your organisation. Arrangements include identifying copyright and publishing details and possibly engaging an external provider to perform the conversion.

There are commercial resources and organisations that can help you with format shifting of your own teaching materials.

Fact file: format shifting. Page 22

'Format shifting' is a term used to describe copying content from one format to another, e.g. hardcopy to a digital sound recording.

[Smartcopying: official guide to copyright issues](#)



Copyright

Whenever you reproduce resource material, or parts of resources for educational purposes, copyright obligations must be considered.

There is some provision for the limited reproduction of learning materials by educational institutions through copyright licences.

However, VET practitioners, learners and others involved in the vocational education process need to be mindful of their responsibilities and rights under copyright law.



Fact file: Copyright and reasonable adjustment. Page 19

Further information

You can find more information on making materials accessible and format shifting through:

- **Web Accessibility Initiative (WAI)** — information, standards and guidelines to assist organisations to make the Web accessible. Includes Web Content Accessibility Guidelines that explain how to make Web content accessible to people with disabilities

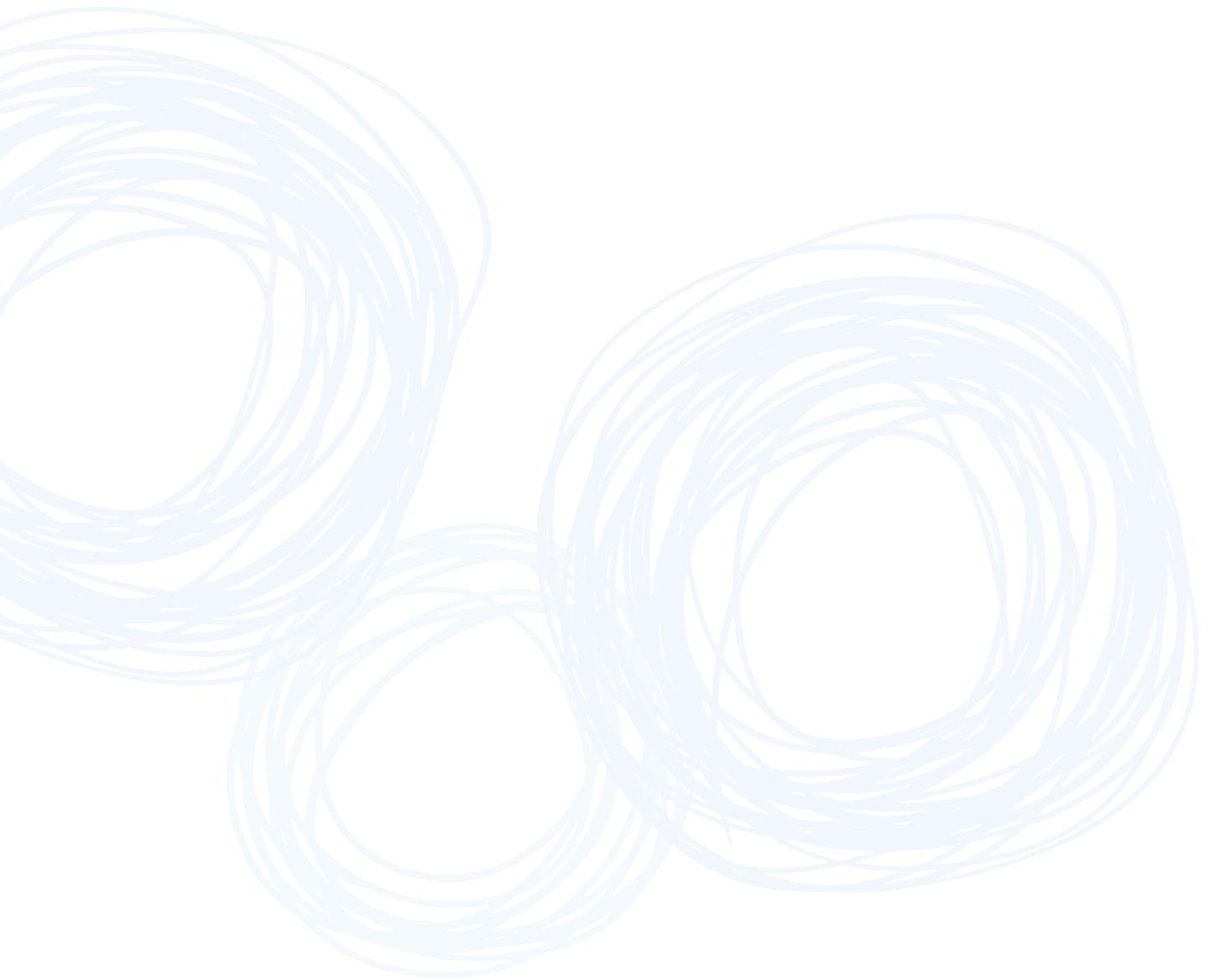
[Web Accessibility Initiative](#)

- **E-standards for Training, Australian Flexible Learning Framework** — contains recommended national standards for technical services, information formats and intellectual property management

[E-standards for training](#)



Fact files



Copyright and reasonable adjustment

Two key provisions of the *Copyright Act 1968* relate to format shifting - the educational and the print disability provisions. In particular circumstances these provisions allow organisations working under a Statutory Education Licence to format shift and/or copy material owned by a third party without the permission of the copyright owner.

In the first instance, copyright infringement can be avoided by checking commercial availability of materials through:

- bookshops
- book distributors (including online catalogues)
- publishers.

If you're considering converting course materials or other information into alternative formats, your organisation's librarian is probably the best person to talk to.

They can explain some of the copyright issues and suggest the most effective way to manage format shifting.

The table below provides a glossary of terms and is a 'ready reckoner' of copyright topics and issues relevant to reasonable adjustment in VET.

Topic	Discussion	Reference
Copyright provisions for people with a disability	Two key provisions of the <i>Copyright Act 1968</i> relating to format shifting are: • educational provisions • print disability provisions. The Print Disability Copyright Guidelines provide more information on the print disability provisions.	<i>Copyright Act 1968.</i> Print Disability Copyright Guidelines, Australian Copyright Council Print Disability Copyright Guide
CAL	Copyright Agency Limited (CAL) is an Australian copyright management company whose role is to provide a bridge between creators and users of copyright material.	Copyright Agency Ltd
CAL masters catalogue	RTOs can create their own login and access the CAL masters catalogue. This catalogue is for staff use only.	A searchable database of materials format shifted for learners with a print disability. Copyright Works in Alternate Formats

Topic	Discussion	Reference
Commercial availability	Previously converted materials are not permitted to be used if they become commercially available in the format required. This includes materials format shifted by another RTO or other agency. Regular checks for commercial availability are necessary.	
Notification	CAL must be notified within three months of making a master copy of materials. Do this by uploading the details of the materials onto the CAL masters catalogue.	CAL Masters Catalogue
Moral rights	Moral rights relate to the right to attribution and the right of integrity for the creator of a work. Maintain moral rights by checking that format shifted materials: • properly attribute creators • do not 'distort the meaning or effect of the work' through changes made to the original materials, for example, inserting a digital description of a graphic.	<i>Copyright Amendment (Moral Rights) Act 2000</i> (Print Disability Copyright Guidelines, Australian Copyright Council, August 2007, Section 2.6). DET Guidelines on Moral Rights
Print Disability Copyright Guidelines	The Australian Copyright Council has produced comprehensive guidelines for people with a print disability, organisations who assist them and copyright owners. These guidelines explain what you can and can't do under the <i>Copyright Act 1968</i>. They cover the educational and print disability provisions; permissions and exceptions; licences; rights and responsibilities.	Print Disability Copyright Guide
Print Disability Definition	Under the <i>Copyright Act 1968</i>, a person with a print disability is: a person without sight; or a person whose sight is severely impaired; or a person unable to hold or manipulate books or to focus or move his or her eyes; or a person with a perceptual disability.	

Topic	Discussion	Reference
Statutory Education Licence	The Statutory Educational Licence in Part VB of the <i>Copyright Act 1968</i> allows schools and educational institutions to make multiple copies of literary, dramatic, musical and artistic works for educational purposes. The Copyright Agency Limited (CAL) is the collecting society that administers the Statutory Education Licence. FOR TAFE ONLY The Legal Administration and Law Branch currently represents TAFE Queensland / Statutory TAFE institutes as part of a national arrangement in negotiating and administering the terms of copyright licences with collecting societies (for example, CAL).	Smartcopying: copyright issues
Permission from copyright owner	Permission from the copyright owner is needed to format shift materials that are commercially available in the format required but are still not accessible for a learner. For example, a large print version where the font size is not large enough for the learner.	
Uploading resources	Uploading materials to a learning management system, for example, TAFE Queensland's current system, ResourceBank, is considered an online 'communication'. Materials communicated online need to be checked for commercial availability prior to first use and then at set intervals. The Australian Copyright Council suggests the interval should be annually unless otherwise agreed with the publisher.	ACC website
Warning notices	Warning notices should be in the same format as the materials to enable learner access. This includes labelling of resources. For materials that rely on the print disability provisions, refer to the Print Disability Copyright Guidelines Part 4.2 and Part 5. For materials that rely on the educational provisions, refer to the Smartcopying website.	Print Disability Copyright Guide Smartcopying: labelling materials

Format shifting

Format shifting (or converting materials) is the practice of copying material from one format to another to make them accessible for learners with a disability— for example, converting learning materials from hard copy to a digital sound recording for a learner with a print disability.

Because format shifting involves the copying of existing materials, limitations and conditions apply which are outlined in the *Copyright Act 1968*.

See the copyright fact file for more details about copyright conditions and requirements concerning format shifting.

When to format shift

Before embarking on format shifting, consult with the learner and others to decide the best ways to meet their needs.

There may be a number of reasonable adjustments that can accommodate a learner's needs that are 'no less beneficial for the learner' than converting materials into alternative formats. (*Disability Standards for Education 2005*, 3.6)

For example, for some learners with low vision, enlarging text on a computer screen may be the only reasonable adjustment required, rather than format-shifted large print or audio materials.

Or for a learner who is blind, digital text only versions of materials may be accessible by using a screen reader or refreshable Braille display rather than creating a hard copy Braille version.

Think about:

- the delivery and assessment methodology and general technology
- the learner's eligibility to access format shifted materials that rely on the print disability provisions. (Does the learner have an identified print disability?)

- the amount and complexity of material. (For example, large quantities of textbooks format shifted to large print can be very heavy to transport).
- assistive technology that might be used.

Format shifting is permitted when the materials are not available in the appropriate format for the learner.

You can check for availability by investigating:

- other RTOs and agencies
- bookshops, distributors and publishers
- other organisations (for example, Vision Australia)
- specialist databases (for example, The Copyright Agency Limited (CAL) 'masters catalogue' - a searchable database of materials format shifted for learners with a print disability).

Under the *Copyright Act 1968*, materials can only be shifted to the following formats:

- hard copy (including Braille and large print)
- electronic
- sound recording.

Your obligations when format shifting

Because format shifting involves copying existing materials, you need to observe the usual copyright provisions regarding attribution, as well as some limitations specifically related to format shifting, to maintain the integrity of the material.

Copyright

In general you should respect and protect the moral rights of the copyright owner by correctly attributing the creator or owner, and by faithfully reproducing the work.

The two key copyright provisions that apply to format shifting are educational provisions and print disability provisions.

Considerations include:

- the amount that can be format shifted / copied
- which of the provisions (educational or print disability) apply to different copyright works, for example, to books and journals, music, graphic materials etc.
- administrative requirements for example, warning notices and notifying the Copyright Agency Limited (CAL).

Using format shifted materials

There are some limitations to the way format shifted materials can be used in VET along with requirements to protect the materials, particularly in the electronic environment.

Limitations

The *Copyright Act 1968* specifies limitations on the use of materials that have been format shifted.

- Materials that rely on the print disability provisions must only be used for learners with a print disability.
- Format shifted materials can only be used if they are not commercially available in the format required.
- Format shifted materials should only be uploaded to an online learning management system (for example ResourceBank/my.TAFE) when specifically required by a learner with a print disability.

- Learners must have legitimate access to copyright materials. For example, before an organisation provides a format shifted copy to a learner, copyright owners may require proof of purchase of original copyright materials. Details of requirements should be made available and/or included in any licence agreements for the format shifted materials.
- Learners should be made aware of the copyright limitations. As a general rule, learners should only use the materials for their own study.

Print Disability Copyright Guidelines are available on the Australian Copyright Council website. These guidelines explain what you can and can't do under the Copyright Act.

[Print Disability Copyright guide](#)

Digital protection

Under the *Copyright Act 1968* materials should be protected by ensuring that:

- password protection is applied to copies made available online, with access limited to eligible learners and relevant staff members
- limitations are communicated with master copies. For example, details of copyright provisions, agreements, licences, permissions etc. This might include details of research undertaken to determine the commercial availability of materials.
- warning notices appear on master copies and all copies for individuals and use the same format as the materials to enable learner access.

Further information

Copyright Amendment (Moral Rights) Act 2000;
Print Disability Copyright Guidelines, Australian Copyright Council, August 2007.

Format shifting—step by step

When planning for format shifting, it makes sense to select learning materials already available in digital format where possible — this saves the time and resources involved in scanning.

For possible format shifting:

- Purchase digital versions at the same time as hard copies.
- Identify alternative digital versions of material for the same competency (different author).

Preferred digital formats for format shifting include:

- html
- xml
- doc
- rtf (note - file size may be large)
- accessible pdf files (technological protection measures disabled).

Publishers agreements

Publishers are not legally obliged to supply digital files and may set specific conditions of use that do not necessarily follow the conditions of the Statutory Education Licence. Refer to your librarian (or equivalent) regarding procedures to record any agreements with the publisher.

1. Assess the materials

Internal or external?

The quantity and structural complexity of the materials will determine whether format shifting can be done internally (by an RTO) or contracted to an external agency.

RTOs generally format shift materials that can be produced quickly and easily. For example, materials which:

- are already available in digital format or can be easily scanned
- contain graphics that would only need the insertion of a text descriptor or alternative text
- are a section of a textbook or workbook with simple tables and heading levels
- contain a reasonable quantity of text only.

Specialised agencies are usually contracted where format shifting:

- involves a significant amount of content
- requires complex editing and transcription
- requires specialist equipment for example, Braille embosser
- involves many graphics that need full descriptors.

All organisations undertaking format shifting need to clearly understand their obligations regarding:

- reasonable adjustment
- copyright limitations
- permissions / licences with copyright owners or publishers.

2. Check the 'base document' for accuracy and accessibility

A base document is an accurate digital version of the original copyright material that can be edited and converted into a format tailored to a learner.

Digital versions of materials are either:

- available online or from bookshops or publishers
- created by scanning.

Digital versions should be checked and amended for:

- scanning errors
- structural alignment with original copyright material. For example, headings, page numbers are the same as hard copy/published version
- application of E-standards for Training (where applicable)
- application of principles of universal design (where applicable).

This checked, amended material is the 'base document' from which a range of formats can be produced.

Where a specialised agency is contracted to scan hard copy material as part of the format shifting process, RTOs should request a copy of the base document for future conversions.

Scanning

Sometimes the process of digitising original copyright material by scanning necessitates the destruction of the hard copy. If the hard copy is owned by the RTO or covered by learner material fees, learners are not responsible for replacing materials destroyed in the format shifting process. Charging 'additional' fees constitutes less favourable treatment because of the person's disability and amounts to discrimination under the *Disability Discrimination Act 1992*.

Where learners are asked to purchase a textbook, they need to be informed that it may be destroyed during the format shifting process.

3. Convert the base document into the new format

Agencies contracted to format shift materials will use their own resources and tools.

RTOs use a range of software applications for format shifting, including:

- general software (for example, Microsoft, Adobe)
- specialised software (for example, Dolphin Easy Converter).

4. Register the master copy on the Copyright Agency Limited (CAL) masters catalogue

Under the Statutory Education Licence, the Copyright Agency Limited (CAL) should be notified within three months of making a master copy of materials. Details of the materials should be uploaded to the [CAL Masters Catalogue](#)

It's important to ensure that format shifted materials are of a high quality.

You can maintain and improve the quality of format shifted materials through:

- collaboration — with the learner, teachers and any administrative staff involved in the production of the new materials
- feedback — provide sample materials to users to check accessibility and align with individual needs; develop ongoing feedback mechanisms for when materials are finalised and in use
- checking — as a minimum standard the format shifted material needs to be checked for errors, aligned with the original materials and where possible, be compliant with the E-standards for Training and the principles of universal design. More information can be found at:

[E-standards flexible learning](#)

Resources - format shifting

Information about creating documents in alternative formats can be found through:

- [Vision Australia](#)
- [Joint Information Systems Committee \(JISC\)](#), UK
- [Round Table](#) on Information Access for People with Print Disabilities Inc
- [Macquarie Customised Accessibility Services](#)
- [Australian Disability Clearinghouse](#) on Education and Training (ADCET)

Dolphin EasyConverter is a computer application which enables the user to create alternative large print, MP3 audio, DAISY talking book and Braille versions of learning materials and other documents.

Information about Dolphin EasyConverter is available from:

- disability practitioners
- Quantum Technology (Australian distributor).

Information about format shifting services can be found through:

- disability practitioners
- other educational / print disability organisations including universities
- [Vision Australia](#)
- [Round Table](#) on Information Access for People with Print Disabilities Inc
- [Macquarie Customised Accessibility Services](#)
- [FAHCSIA](#) Print Disability Services Program

Legislation, standards and obligations to make reasonable adjustment

All RTOs are obliged by law to provide reasonable adjustment to ensure maximum participation of learners with a disability in teaching, learning and assessment activities.

‘Reasonable adjustment’ is a legislative term which relates to a measure or action taken by an education provider to assist a learner with a disability (*Disability Standards for Education, 2005*).

Reasonable adjustment applied to participation in teaching, learning and assessment activities includes:

- customisation within the training package or accredited course
- modification of teaching tools, tasks, methodologies and the learning and assessment environment, for example, alternative tasks, presentation medium, learner support, use of assistive / adaptive technologies
- accessibility of information both prior to enrolment and learning materials
- monitoring the adjustments to ensure learner needs continue to be met.

What is the purpose of reasonable adjustment in teaching, learning and assessment?

The purpose of reasonable adjustment in teaching, learning and assessment is to make sure that learners with a disability are provided with:

- the same learning opportunities as learners without a disability
- the same opportunity to perform and complete assessments as those without a disability.

Practices that facilitate making a reasonable adjustment include:

- encouraging learner disclosure of disability
- gathering relevant supporting information (evidence of need)
- consulting with the learner.

Reasonable adjustment and the AQTF

Reasonable adjustment is relevant to all three AQTF Standards. Standard 2 is explicit about access and equity and states that RTOs should adhere to the principles of access and equity and maximize outcomes for clients.

Element 2.5 applies the concept of reasonable adjustment to all learners. It talks about ensuring that 'learners have every reasonable opportunity to complete their training program' and that they 'receive training, assessment and support services that meet their individual needs.'

Reasonable adjustment and the *Disability Standards for Education 2005 (Standards)*

The Standards describe reasonable adjustment as a measure or action taken in the areas of enrolment, participation, facilities or services, to assist a learner with a disability to participate on the same basis as learners without a disability.

- They clarify and elaborate on the legal obligations of educational institutions which include VET providers.
- They clearly identify rights and responsibilities to assist people to understand and comply with their obligations.
- An adjustment is reasonable if it is based on the individual's needs and abilities and is balanced with the interests of all parties affected. This includes the interests of:
 - the learner with the disability
 - associate(s) of the learner
 - the training provider
 - teachers and staff members involved with assisting the learner
 - other learners.

Reasonable adjustment and the *Disability Discrimination Act 1992 (DDA)*

- RTOs are required to take action to ensure equal access to education for people with a disability.
- The DDA deals with discrimination in provision of educational services.
- RTOs are obligated to make reasonable adjustment if they know an adjustment is required.
- The DDA does not require RTOs to deliver services they are not in the business of providing.
- Refusal to make reasonable adjustments for learners with a disability may amount to discrimination.
- The onus is on RTOs to prove reasonableness where discrimination is believed to have occurred.
- Failure to provide adjustment because the disability was not recognised when reasonably it should have been can be dealt with under the DDA.

Access to information

RTOs are required to recognise and remove the barriers created by information formats which limit access for learners with a disability.

Making information and learning materials accessible to learners with a disability by using various formats is a reasonable adjustment.

In fact Standard 6.3 (*Disability Standards for Education, 2005*) explicitly states the need for RTOs to provide study materials in a format that is 'appropriate' for individual learners. It also stipulates that learners should not be disadvantaged because of the time taken to convert materials into suitable formats.

Format shifting is the practice of copying material from one format to another, for example, converting learning materials from hard copy to a digital sound recording (e.g. MP3) to make them accessible for learners with a print disability.

Course integrity, modifications and alternatives

Any changes or modifications to courses and assessment need to be done in ways that maintain the integrity of the course and the qualification.

To maintain the integrity of the qualification the RTO needs to balance the principles inherent in the *Disability Discrimination Act 1992* (DDA) and the limitations of reasonable adjustment.

- The DDA makes it unlawful to refuse to admit a person to a course on the basis that they are unlikely to be able to gain employment because of their disability.
- Reasonable adjustment is not intended to bridge the gap between the learner's aspirations or career goals and their current capacity to successfully complete the training.

The following references clarify the principles around integrity, modifications and alternatives:

- Assessment Foundations – Resources for VET professionals, Department of Education and Training Queensland, 2009

Flexibility and fairness apply to modifications of the assessment process to meet individual learner need. The amount of modification possible is limited to 'reasonable adjustment'. When determining 'reasonableness' assessors must ensure they maintain the integrity of the unit so it does not impact on the validity of assessment.

- *Disability Standards for Education 2005* (Section 3.4(3))

Training providers are not required to make changes to courses which would undermine the academic integrity of the course.

- AQTF Essential Conditions and Standards for Continuing Registration (Element 1.5)

Assessment, including Recognition of Prior Learning (RPL), must meet the requirements of the relevant training package or accredited course.

- The Australian Human Rights Commission

Some adjustments - such as provision of course materials in alternative formats - would not appear to raise any issues of academic standards. Others, such as being excused from performing a practical task, could call into question whether the learner has mastered and demonstrated the skills which the course is designed to teach and test.

[AHRC FAQ - Acknowledge learning disability](#)

Resources

The following is a list of resources to help with reasonable adjustment in VET.

Resources are organised alphabetically under the following headings:

- copyright
- inclusive practices
- information design
- learner engagement
- legislation, policy and guidelines
- other useful links.

Disclaimer:

Every attempt has been made to ensure the resources and tools are current. Archived resources may contain references that do not relate to current policy and standards and some links may no longer be active.

Copyright

***Copyright Act 1968* (Cth)**

Copyright provisions which allow copyright product to be format shifted (alternative formats) for people with a print disability.

[ComLaw Act Compilations - Copyright Act 1968 \(63\)](#)

Copyright Agency Limited (CAL) masters catalogue

A searchable database of materials format shifted for learners with a print disability.

[CAL Masters Catalogue](#)

DET Guidelines on Moral Rights

[Guidelines on Moral Rights](#)

Intellectual Property Policy for TAFE Queensland Institutes and Statutory TAFE Institutes 2009 (QLD) [PDF 137kb]

[Intellectual Property Policy](#)

Print Disability Copyright Guidelines (2007) and information sheets, Australian Copyright Council

[Print Disability Copyright Guide & Information sheets](#)

Smartcopying, National Copyright Unit

The official guide to copyright issues for Australian schools and TAFE.

[Smartcopying website](#)

Inclusive practices

A Way with Words: Guidelines for the portrayal of people with a disability

Department of Communities (Disability Services) resource designed to raise awareness of language based issues specific to the portrayal of people with a disability. Download at:

[A way with words](#)

Australian Council for Private Education and Training (ACPET)

ACPET provide a range of information to VET and higher education providers, including resources on inclusive practices and supporting learners with a disability.

[ACPET website](#)

Australian Disability Clearinghouse on Education and Training (ADCET)

Provides up to date and comprehensive information about inclusive teaching, learning and assessment strategies, reasonable adjustment and support services for people with a disability in post-secondary education and training.

[ADCET website](#)

Assistive Technology: dynamic learning tools (2005)

(Archived resource)

Provides teachers and trainers with documented practices, strategies and guidelines on the use of assistive technology in training delivery.

[Assistive Technology resource](#)

Getting to grips with learning styles

Authors: Peter Smith, Jennifer Dalton. NCVER (2005)

This booklet gives teachers and trainers in VET some easily digestible information about learning styles. It provides practical tips on how to identify learners' learning styles, and how to respond to individuals and groups based on their preferred methods of learning. There is not a 'best' theory about learning styles; however, understanding learning styles theories helps teachers to observe their learners more systematically and be more methodical in experimenting with alternative teaching approaches.

[Getting to grips with learning styles](#)

Not Exactly Rocket Science (ANTA 2005) [PDF 910kb]

A resource that identifies good practice initiatives and characteristics. It:

- analyses the reasons for success
- distils key lessons; and
- develops principles and models that can be used to support the broader replication of the identified good practices.

[Not exactly rocket science](#)

Training and work: Environments that are inclusive of people who are Deaf or hard of hearing (2009)

Queensland VET Development Centre resource designed to assist those who work with people who are Deaf or hard of hearing in the training (VET) and work environments.

[Training and work resources](#)

Information design

Adobe accessibility using InDesign

Information on accessibility best practices for authors using InDesign.

[InDesign accessibility best practices blog](#)

E-standards for Training, Australian Flexible Learning Framework

Recommended national standards for technical services, information formats and intellectual property management.

[E-standards for Training Reference Site](#)

FAHCSIA Print Disability Services Program

Information about this program that funds nine organisations to create materials in alternative formats.

[FAHCSIA print disability services](#)

Joint Information Systems Committee (JISC), UK

JISC have produced an 'Accessibility Essentials Series' which has recently been updated for Microsoft Office 2007. The series includes practical and easy-to-read information on:

- Making electronic documents more readable
- Writing accessible electronic documents with Microsoft Word
- Creating accessible presentations
- Making the most of PDFs.

[JISC accessibility essentials](#)

Macquarie University Customised Accessibility Services

Provides a conversion service of learning materials into an alternative formats.

[Customised Accessibility Services](#)

Queensland Government Information Standard 26 – Internet

Information from the Chief Information Office (Department of Public Works) on the minimum requirements for Queensland Government agencies' internet sites for the delivery of information and services.

[IS26](#)

Round Table on Information Access for People with Print Disabilities Inc

Information and resources on the production and use of quality alternative formats for people with a print disability.

[Round Table on Information Access](#)

Universal Design Principles Checklist (2009) [Doc 424kb]

A tool for VET providers to assess materials and communications and enhance accessibility for everyone.

[Universal design principles checklist](#)

Vision Australia

Information, resources and services relating to Web accessibility.

[Vision Australia website](#)

WAVE web accessibility evaluation tool, WebAIM

Free web accessibility evaluation tool.

[WebAIM, free evaluation tool](#)

Web Accessibility Initiative (WAI)

Information, standards and guidelines to assist organisations make the Web accessible. Includes Web Content Accessibility Guidelines that explain how to make web content (the information in a web page or web application) accessible to people with disabilities.

[WAI website](#)

Learner engagement

Choosing your Path – Disclosure: It's a Personal Decision (2003)

National Disability Coordination Officers resource (formerly the Network of Regional Disability Liaison Officers & Disability Coordination Officers).

[Choosing your path](#)

Informed Choice (information for learners)

Information sheets on jobs and their inherent requirements. The sheets have been drafted so that RTOs can insert their own details. They have been developed using Universal Design principles, therefore the layout and style should be preserved during customisation, e.g. font style and size, spacing, left justification.

[Informed Choice fact sheets](#)

Training and work: Resources for people who are Deaf or hard of hearing (2009)

This resource is designed to assist people who are Deaf or hard of hearing. It provides information about resources that may be available to help planning for training (VET) and work.

[Training and work resources](#)

Or email request to Queensland VET Development Centre (Strategy and Research).

EquityAndDiversity.QVDC@deta.qld.gov.au

Legislation, policy and guidelines

Australian Human Rights Commission – disability rights

[AHRC - disability rights](#)

Australian Quality Training Framework (AQTF 2010): AQTF 2010 Essential Standards for Continuing Registration

[AQTF 2010](#)

Disability Discrimination Act 1992 (Cth)

[DDA 1992](#)

Disability Services Act 2006 (QLD)

[DSA 2006](#)

Disability Standards for Education 2005 (Cth)

[DSE 2005](#)

Privacy Act 1988 (Cth)

[Privacy Act](#)

Queensland Government Information Standard 33 – Information Access and Use

[IS33](#)

Right to Information Act 2009 (QLD) and the Information Privacy Act 2009 (QLD)

New legislation replacing the Freedom of Information Act 1992 (QLD) came into effect on 1 July 2009.

[RTI Act](#)

Social Inclusion, Australian Social Inclusion Board

This site includes information on the principles of social inclusion and current Australian Government initiatives.

[Federal Social Inclusion website](#)

United Nations Conventions on the Rights of Persons with Disabilities

[UN Conventions](#)

Other useful links

Disability and VET, NCVER

A summary of NCVER's statistics and research on learners with a disability in relation to VET.

[NCVER Disability and VET](#)

Equity and Diversity website, Training Queensland

[DET Equity and diversity](#)

Resource Generator

The Resource Generator website is a support resource for national Training Packages. It provides information on units of competency, qualifications and learning resources across a range of industries.

[Resource generator](#)

Working With Diversity: Quality Training for People with a Disability, ANTA 2004

[Working with Diversity](#)

Who can help?

Making reasonable adjustment in teaching, learning and assessment is primarily the role of teachers and trainers, but there are people and organisations who can help.

If you need some advice or clarification about some aspect of reasonable adjustment, talk to:

- specialist educational staff
- relevant industry skills council.

For TAFE institutes, contact your lead institute.

Specialist educational staff

Educational managers or educational quality advisers have a critical role in supporting teachers, trainers and other staff to develop the skills and knowledge to apply reasonable adjustment.

They can help with making decisions about reasonable adjustment strategies and refer you to specialist help.

Marketing teams

Marketing teams can help by making information on reasonable adjustment available to learners with a disability through their marketing materials, and on the RTO website.

Disability practitioners

A disability practitioner is often the first point of contact for learners and teachers when it comes to supporting learners with a disability.

Disability practitioners have access to a range of networks and resources —they can help learners and teachers by:

- negotiating about making reasonable adjustments in teaching, learning and assessment activities

- suggesting and arranging the use of adaptive/ assistive technologies and format shifting resources
- providing support services (for example, accredited Auslan interpreters, disability support workers, coaches)
- providing information to teaching staff on inclusive teaching practice for learners with different types of disabilities
- clarifying the RTO's role with contractual arrangements such as VET in Schools delivery and international learners.

The disability practitioner will work with teachers, tutors, trainers and learners to monitor the quality and effectiveness of the adjustments.

Disability support

Under the direction and guidance of the disability practitioner and/or teaching staff, a mix of the following support can be provided for individual learners:

- assistance in the learning environment
- note taking during classes
- reading to the learner
- amenuensis (scribe) for the learner during assessments
- mentoring the learner
- coaching the learner
- interpreting in the learning environment.

Disability support personnel need to be mindful of their responsibilities when working with learners with a disability.

Considerations include:

- **boundaries**

Support personnel need to maintain a professional distance, while showing empathy for the learner.

- **work completion**

Learners need to complete their own work to show competency. It is unacceptable for the support worker to complete work on the learner's behalf.

- **punctuality**

Support staff must be on time for all commitments and appointments.

- **accuracy**

Learners should not be disadvantaged by mistakes in note taking or interpreting — accuracy is crucial.

- **staying out of it**

Support staff should encourage direct communication between teaching staff and the learner.

- **service improvement**

Support staff should aim for continuing improvement in their performance — following learner's instructions; seeking feedback from learners about their level of satisfaction with the support worker's job performance; and being prepared to accept constructive criticism.

- **preparation**

Support workers need to prepare in advance for appointments with learners, for example, become familiar with terminology, concepts, signs, spelling of technical terms and language used in the unit of competency.

- **adherence to the relevant code of ethics**

Support staff should be aware of and abide by their professional standards (for example, the Australian Institute of Interpreters and Translators Inc (AUSIT)) and the code of conduct of the training organisation.

Exemplar: Reasonable adjustment - information for learners with a disability

Reasonable adjustment can be made for learners with a disability participating in vocational education and training. This information will assist you to understand how reasonable adjustment works.

What is 'reasonable adjustment'?

Reasonable adjustment means modifications or changes that give you the same opportunities in training as a person without a disability.

Adjustments need to be 'reasonable'. That is, they need to consider the needs of everyone involved so that no one is disadvantaged. This includes you, other learners, your teachers and the impact on your training organisation.

Reasonable adjustment does not:

- give you an advantage over others
- mean that course standards or outcomes will be changed for you – you still need the basic knowledge and skills to do the course and will need to show competency in all tasks
- mean that you do not have to follow the student rules
- give you a guarantee of successful course completion - you still need to do the work.

You will have a say in deciding what your reasonable adjustment will be. The decision will take account of:

- your needs, abilities and independence
- how and where your course will take place
- the types of reasonable adjustment and resources available.

Some examples of reasonable adjustment are:

- books or learning materials in an alternative format, e.g. audio, electronic
- access to specialised software or equipment
- assistance from a support person, e.g. a note-taker or sign language interpreter
- extra time to complete assessments.

What you need to do

Make sure you understand the theoretical and practical requirements of the course before you enrol. Find out about any professional association registration and industry licences that you will need for a job.

Make sure you have the underpinning knowledge and skills for the course you want to do.

Be aware that reasonable adjustment can take a significant time to organise and may need several meetings. If you will need learning materials in an alternative format it is critical to make contact as early as possible. It is your responsibility to make contact and request assistance.

The earlier you discuss your needs with the disability services officer and / or your teacher the better.

Disclosure

It is a difficult decision whether to tell someone about or disclose how your disability affects you. The main benefit of disclosing is that the disability services officer / teacher can then discuss with you whether reasonable adjustment can help you in your course.

For further information go to: [Choosing your path: Disclosure it's a personal decision](#)

The information you disclose will be treated confidentially. It will not be passed on to others without your permission, unless it is requested by law or to prevent harm / injury.

You will be asked to sign a 'consent to release information' form. By signing this form you are agreeing to have your details passed on only to the people who need it.

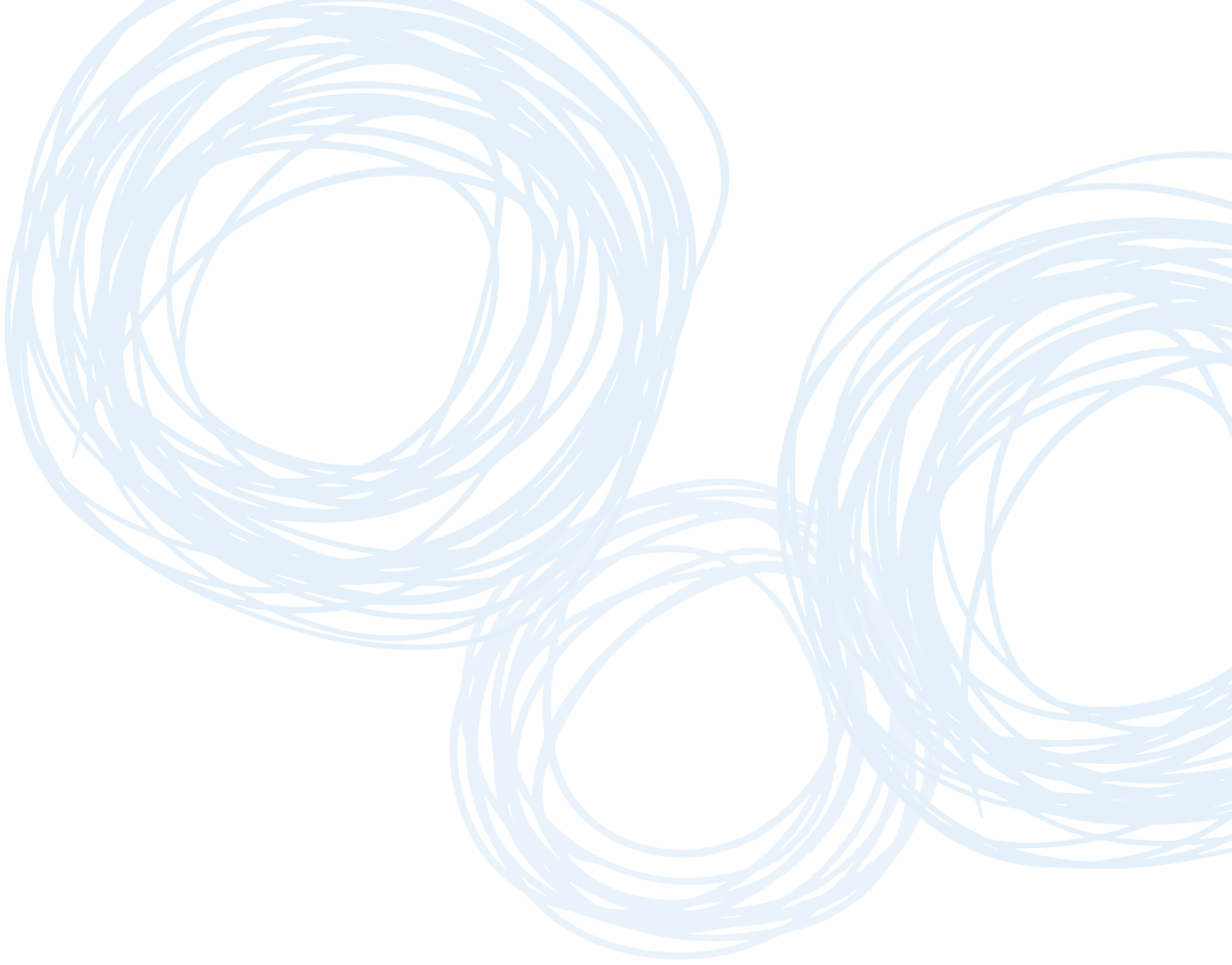
You can take someone with you when you meet with the disability services officer / teacher. This could be a family member or case worker who can help to explain your needs.

Be prepared to give details and evidence about the nature and impact of your disability. A medical and / or school report could be suitable.

Support you have used in the past may not work in a new training environment. Discuss other supports and try new things so that the reasonable adjustment works for you.

Remember that reasonable adjustment is only reasonable if it considers the needs of everyone involved. The type and amount of support will be negotiated with you.

Keep in contact with the disability services officer / teacher. Your needs may change over time so your reasonable adjustment may need to be altered.



The information in this guide has been developed in accordance with the following:

- United Nations: Convention on the Rights of Persons with Disabilities (2006)
- *Copyright Act 1968*
- *Disability Discrimination Act 1992*
- Disability Standards for Education 2005
- *Privacy Act 1988*
- *Disability Services Act 2006 (Qld)*
- *Information Privacy Act 2009 (Qld)*
- *Right to Information Act 2009 (Qld)*
- Social Inclusion Principles, Australian Social Inclusion Board, 2008
- Australian Quality Training Framework: Essential Standards for Continuing Registration, National Quality Council, 2010
- E-standards for Training, Australian Flexible Learning Framework
- Queensland Government Enterprise Architecture Information Standards - 26 (Internet), 33 (Information Access and Use) (Qld)
- Guidelines on Moral Rights, Department of Education and Training, (Qld)
- Intellectual Property Policy for TAFE Queensland Institutes and Statutory TAFE Institutes 2009 (Qld).

