

## Special Needs Policy

July 2022

### Summary

This policy applies to Community Language Schools SA and all member schools

**Table 1: Document Details**

|                         |   |
|-------------------------|---|
| <b>Policy Number</b>    | <b>ES40</b>   |
| <b>Related Policies</b> | ES01: Child Safe Environments Policy and Procedures<br>ES02: Risk Management Policy<br>ES02B: General Incident Report Form<br>ES03: Teaching Staff Recruitment Policy and Procedures<br>ES05: School Personnel Code of Conduct Policy<br>ES06: Student Code of Conduct Policy<br>ES07: Enrolment Policy and Procedures<br>ES07A: Student Online Enrolment Form<br>ES07B: General Student Health Support Form<br>ES08: Emergency and Critical Incident Policy<br>ES09: Supervision of Student Policy<br>ES10: Personal Information and Photograph Release Policy<br>ES12: Principal Job Description Policy<br>ES15: Sexual Misconduct Policy and Guidelines<br>ES35: Behaviour Support Policy and Procedures<br>ES36: Excursion and Incursion Policy and Procedures<br>ES37: Medication, Accident and First Aid Policy<br>ES37B: Medication Authority Form<br>ES38: Bullying and Harassment Policy and Procedures<br>ES39: Cyber Safety Policy and Guidelines<br>ES40A: Needs Assessment Form<br>ES42: Student Personal Care Policy and Guidelines |
| <b>Version</b>          | 2.1   |
| <b>Created By</b>       | CLSSA Policy Officer  |
| <b>Reviewed By</b>      | CLSSA Executive Officer   |
| <b>Applies to</b>       | All Community Language Schools  |
| <b>Key Words</b>        | Special needs; adjustment; reasonable adjustments; disability; needs assessment   |
| <b>Status</b>           | Approved  |
| <b>Approved By</b>      | CLSSA Board<br><i>(Administrative updates approved by Executive Officer)</i>  |
| <b>Approval Date</b>    | July 2022   |
| <b>Review Date</b>      | December 2023   |
| <b>Notes</b>            | Version 2.1- Administrative and specific content update   |

**Table 2: Revision Record**

| Date                          | Version | Revision Description  |
|-------------------------------|---------|---|
| March 2017                    | 1.0     | New policy developed  |
| 30 <sup>th</sup> June 2019    | 2.0     | <ul style="list-style-type: none"> <li>• Addendums: Needs Assessment section and proforma; Rights of Students with a Disability;</li> <li>• Additional responsibilities for Principals; Definitions; Introduction.</li> <li>• Amend policy to make it generic by replacing individual school details with "Community Language Schools"</li> <li>• Change name of government departments.</li> <li>• Separated Needs Assessment and created <b>ES40A</b></li> <li>• Reviewed and updated hyperlinks</li> <li>• Changes in 'Created By' and 'Reviewed By' in Table 1; Changed Contents to Table of Contents; Reformatting of table and titles; Added new key words; Changed Further Documents to References and Other Documentation Formatting of policy</li> </ul> |
| 18 <sup>th</sup> January 2021 | 2.0     | <ul style="list-style-type: none"> <li>• Added Policies to Related Policies (Table 1)</li> </ul>  |
| December 2021                 | 2.0     | <ul style="list-style-type: none"> <li>• Updated policy names in 'Related Policies' (Table 1)</li> </ul>  |
| July 2022                     | 2.1     | <ul style="list-style-type: none"> <li>• Added <b>ES15</b> to Related Policies</li> <li>• Changed content in 'Policy' to reflect on enrolment of student/s with disability</li> </ul>   |

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## Special Needs Policy

### Introduction

Community Language Schools are committed to providing accessible and inclusive learning environment. As Community Language Schools provides community education it must comply with the Disability Standards for Education 2005, *Disability Discrimination Act 1992* and the *Disability Service Act 1993*.

### Definitions

**Special needs** are the particular educational requirements that a student may have, resulting from learning difficulties, physical disability, emotional or behavioural difficulties.

**Student** refers to the student with an identified and/or verified special need or disability.

**Service** refers to the education services provided by Community Language Schools

### Policy

Community Language Schools recognises the individual needs of students and respects the rights of students. Community Language Schools will make every attempt to accommodate students with special needs and/or disabilities and to comply with the Disability Standards for Education 2005. An adjustment will be considered unreasonable if the adjustment required will cause unjustifiable hardship to the school or risks the well-being, health and safety of school personnel or students.

Families wishing to enrol students with a special need must inform the school upon enrolment. This is to ensure that the students' educational, physical, and social needs are met. Community Language Schools may not be able to accommodate all students who have an identified special need or disability but will consider all enrolments and will endeavour to meet the physical, social, emotional and intellectual needs of all students. If a child has special requirements, the principal will meet with the prospective family to discuss how the school can accommodate the needs of the child. However, if the principal reasonably believes that the school cannot meet the needs of prospective students due to the safety of the student or in any way it is outside their capacity to do so, the school will then contact the Executive Officer of CLSSA to negotiate further enrolment alternatives.

If the Principal has met with the parents and student with a special need and discussed possible adjustments, and the school cannot accommodate the student, then the Principal would then need to contact the Executive Officer of CLSSA to negotiate further enrolment alternatives.

## Adjustments

An adjustment is a measure of actions (or a group of measures or actions) taken by Community Language Schools that has the effect of assisting a student with a disability. Adjustments may be made:

- To apply for admission at the school
- To participate in language and culture programs
- To use facilities or services (on the same basis as a student without a disability and includes an aid, a facility, or a service that the student requires because of them/their disability)

A reasonable adjustment considers the student with a disability and the interest of all parties affected. This includes

- The student
- The student's parents
- The school
- The teacher of the student
- Other Students

Reasonable adjustments may change over time and will take into consideration the following:

- The student's disability
- The effect of the adjustment on the student including the effect on the student's
  - Ability to achieve learning outcomes
  - Ability to participate in school programs
  - Independence
- The impact of the proposed adjustment on anyone else affected including the school, school personnel and other students.
- The cost and benefit of making the adjustment.

## Needs Assessment

A needs assessment is a systematic method for identifying the needs of a student with a disability or special needs. Completing a needs assessment allows Community Language Schools to identify individual needs and to make reasonable adjustments. The outcome of the needs assessment will determine the type of adjustments and whether Community Language Schools will be able to make adjustments to ensure the safety and wellbeing of the student, school personnel, and other students attending the school.

The needs assessment will be completed during a meeting at a mutually agreed time. During this meeting, any concerns can be raised, either by the family or the school and possible solutions discussed. The needs assessment may need to be reviewed by the school committee before a recommendation regarding enrolling the student at a Community Language Schools can be made.

## Rights of Students with a Disability

Schedule 1 – Principles of the *Disability Services Act 1993*, states:

1. Persons with a disability, whatever the origin, nature or degree of their disabilities might be, are individuals –
  - (a) Who have the inherent right to respect for their human worth and dignity; and
  - (b) Who have the same fundamental human rights and responsibilities as other members of the Australian community; and
  - (c) Who have the same right as other members of the Australian community to realise their potential for intellectual, physical, social, emotional and sexual and spiritual development; and
  - (d) Who have the same right as other members of the Australian community to choose their own lifestyle and generally to control their own lives.
2. Persons with disabilities have a right to protection from neglect, abuse, intimidation and exploitation.
3. Persons with disabilities have the same right as other members of the Australian community to the assistance and support that will enable them to exercise their rights, discharge their responsibilities and attain a reasonable quality of life.
4. In receiving the services that supply such assistance and support, persons with disabilities –
  - (a) Have the right to choose between those services, and to choose between the options available within a particular service, so as to provide assistance and support that best meets their individual (including cultural) needs; and
  - (b) Have the right to have those services provided in a manner that –
    - (i) Involves the least restriction of their rights and responsibilities; and
    - (ii) Takes into account their individual needs, goals, age and other personal circumstances; and
    - (iii) Takes into account and further disadvantage that may be suffered as a result of their gender, ethnic origin, aboriginality, financial situation, or location; and
  - (c) Have the right to pursue any grievances in relation to those services without fear of the discontinuance of services or of recrimination or retribution from service providers.

## Eliminating Harassment and Victimization

Every effort will be made by Community Language Schools to eliminate harassment and victimisation of students with special needs. Community Language Schools will ensure that school personnel and students are informed about:

- Their obligation not to harass or victimise students with disabilities, or special needs
- The appropriate action to be taken if harassment and victimisation occurs
- Complaint process available to a student who is being harassed or victimised

**ES35:** Behaviour Support Policy and Procedures, **ES39:** Cyber-Bullying and Guidelines, and **ES38:** Bullying and Harassment Policy and Procedures outlines procedures for students who have witnessed or have been harassed or victimised. The Behaviour Support Policy outlines expectations and provides strategies for dealing with inappropriate behaviour. **ES04:** Grievance and Complaints Policy and Procedures outlines procedures for dealing with and making a complaint. For further detail please refer to these policies.

## Confidentiality and Privacy Procedures

It may be necessary for Community Language Schools to ask for personal and health information from a student. Personal information will be securely stored with restricted access to authorised school personnel. Information will be collected with informed consent and will be used only for the intended purpose.

## Supervision of Students

Community Language Schools strives to have a safe, fun and educational learning environment. This extends to excursions and incursions. If an excursion is organised and will be attended by students with special needs, Community Language Schools will look at the student and school personnel ratio and adjust accordingly. In most circumstances, extra school personnel or parental volunteers will be required.

During break times, Community Language Schools will adjust the number of teachers on supervision duty to accommodate student with special needs.

## Responsibilities

*It is the responsibility of the School Administrator and/or Principal to:*

- Identify students who may require additional support
- Conduct a needs assessment with parents and students
- Review on a regular basis the needs of the student, parents, teachers and other students
- Provide reasonable adjustments for students with special needs

- Liaise with parents who have a child/children with special needs to discuss appropriate measures and reasonable adjustments
- Liaise with teachers who will teach students with special needs to identify the support and additional resources required
- Meet regularly with parents, teachers, and students to discuss progress and any concerns pertaining to the student.
- Advise parents of changes to the school and the impact these changes will have on the student with special needs
- Advise parents when the school can no longer meet the needs of the student
- Ensure adequate supervision is provided at all times
- Securely store any personal and health information provided to the school and restrict the access of this information to only relevant personnel.

## References and Other Documentation

- Australian Government: Department of Education and Training, (2016); Disability Standards for Education 2005 - [Disability Standards for Education 2005 - Department of Education, Skills and Employment, Australian Government \(dese.gov.au\)](https://www.dese.gov.au/disability-standards-for-education-2005)
- Australian Government: Department of Education and Training; Fact Sheet: Disability Standards for Education 2005 - [Fact Sheet 2: Disability Standards for Education 2005 - Department of Education, Skills and Employment, Australian Government \(dese.gov.au\)](https://www.dese.gov.au/fact-sheet-2-disability-standards-for-education-2005)
- Australian Government: Federal Register of Legislation; Disability Discrimination Act 1992 - [Disability Discrimination Act 1992 \(legislation.gov.au\)](https://www.legislation.gov.au/idx/instruments/1992-0001)
- Australian Government: Federal Register of Legislation; Australian Education Act 2013 - [Australian Education Act 2013 \(legislation.gov.au\)](https://www.legislation.gov.au/idx/instruments/2013-0001)
- Government of South Australia: Attorney General's Department; Disability Service Act 1993 - [Disability Services Act 1993 \(legislation.sa.gov.au\)](https://www.legislation.sa.gov.au/instruments/1993-0001)