

DISABILITY PROVISIONS

Applying for disability provisions

Any HSC student with a disability recognised in the Commonwealth Disability Standards for Education 2005 can apply for disability provisions.

The definition of 'disability' in the *Disability Discrimination Act 1992* includes:

- physical
- intellectual
- psychiatric
- sensory
- neurological, and
- learning disabilities, as well as
- physical disfigurement, and
- the presence in the body of disease-causing organisms.

Disability provisions apply only where the disability needs a practical arrangement to reduce disadvantage in an exam situation.

Disability provisions also apply to temporary and emergency-related disabilities such as where a student breaks their writing arm a week before an examination.

Students who become ill during an examination period may be eligible to make an illness/misadventure application rather than a disability provisions application.

Completing the application

At PHHS the Head Teacher Secondary Studies needs to complete the online application form through schools online. In doing so, they will:

- Indicate the provisions for which the student is applying.
- Indicate how the disability affects the student's work in the classroom and in examination situations.
- Supply evidence of the student's disability. If the student cannot obtain an appropriate diagnosis, then other detailed information must be submitted to establish the existence of a disability. It is necessary to provide details about why the student cannot obtain relevant documentation and diagnosis, a reasonable history of the student's difficulty and needs (including previous and current in-school support), and detailed teacher comments which indicate the impact of the student's condition on their classwork and in examinations.

It is important that schools submit completed applications to us by the due date, which is always the last day of Term One. Applications exempt from this date are based on chronic fatigue syndrome, post-viral syndrome, Ross River fever or glandular fever and should be submitted in July of the examination year, with teacher comments and medical documentation, also dated July.

If all the necessary information is not provided, some requested provisions may be declined due to insufficient evidence.

How does the process work?

Once we have received the application, a letter acknowledging receipt is published on Schools Online. We then process the application.

We have a panel of specialists that includes medical practitioners, educational psychologists, and consultants for the visually or hearing impaired. The category of the disability and the evidence presented will determine who reviews the file.

When a decision has been made, a decision letter listing the approved and/or declined provisions is published through Schools Online, with a copy for both the principal and the student.

Appeal procedures

If a student wants to appeal the decision to decline a provision, they must submit the appeal through the school within 14 days of receiving the disability provisions decision letter. The appeal must state the reason why the decision is considered unacceptable, making reference to the evidence supplied in the original application.

The appeal must include new supportive evidence, such as a further medical report, which clearly states why the student needs the provision, or additional reading, writing or spelling test results.

We will conduct an independent review and make a decision within 21 days. The outcome of the appeal will be advised to the school and to the student via Schools Online.

Needing provisions

Disability provisions assist students to read examination questions and write their answers. Provisions include rest breaks and extra time. The use of any provision is not written on the student's results.

Students may need provisions for:

- a permanent condition, such as diabetes or reading difficulty
- a temporary condition, such as a broken arm, or
- an intermittent condition, such as back pain when sitting for long periods.

It is not embarrassing to apply for or use provisions. More than 7000 HSC students apply for provisions each year. Provisions help students to show the markers what they know and can do.

To apply for provisions, the school submits an online application to the NSW Education Standards Authority. This application tells us which provisions the student is requesting and includes recent evidence. Evidence may include medical reports, reading results, spelling results, writing samples and teacher comments.

Much of the evidence can be collected by the school, but the parents' role is welcome and needed. Parents help by talking with the school, describing the student's needs, and providing the school with medical or other reports.

Applications for provisions should be submitted to us by the end of Term 1. Late applications are accepted for an emergency, such as a broken arm, until the time of the examinations.

Once we have decided which provisions are approved or declined, a decision letter is provided to the school. The school will provide the student with a copy of the letter.

If you or the school are not satisfied with our decision, it is possible for the school to lodge an appeal. Appeals must state why our decision is unsuitable and must include new evidence to support the appeal.

If you think that you or your child may require support in completing the Higher School Certificate examinations, please discuss the matter with the Year Adviser, School Counsellor or teacher.

Principles for examination modifications

NESA has a set of principles to guide decisions about the types of arrangements it provides to students with a disability, to best access the Higher School Certificate examinations. The principles were developed to ensure that NESA complies with the Disability Standards for Education, issued under the Commonwealth *Disabilities Discrimination Act (DDA)*.

The principles give all students fair access to its examination papers. The principles help ensure that reasonable and fair measures are taken to help students with disabilities access examinations on the same basis as other students.

Once a student's application for disability provisions is approved, the principles are applied to ensure that:

- Every effort is made to provide reasonable adjustments and access arrangements to a student with a disability needing such adjustments.
- The same academic standards are applied to all students.
- Adjustments and access arrangements are made without giving an unfair advantage.

If you have any questions about NESA's principles, please contact Neal Crocker, Manager, Student Records and Support by e-mail or phone (02) 9367 8117.

10 principles for examination modifications

1. The same academic standards must be applied to all students. Any adjustments or access arrangements made must maintain the academic rigour of the examination and the integrity of the credential.
2. Adjustments and access arrangements must not confer an advantage on the candidate. If a required adjustment is considered to confer an unfair advantage an alternative adjustment may be offered depending on the circumstances. The principle of non-discrimination must be balanced with the maintaining of rigour and integrity and equity for all students.
3. The adjustments made to an examination will be designed to facilitate access rather than remove the requirement to demonstrate a skill being tested by the examination.
4. Access arrangements are intended to increase access to assessments but cannot be granted where they will directly affect performance of the skills that are the focus of the assessment. All inherent requirements of the course are to be maintained at the same standard for all candidates.
5. If required and approved, reasonable adjustments will be made to the examinations themselves, and/or the procedures for conducting the examinations. Support to the candidate through assistive technologies and other means may also be made available as long as equal rigour and challenge are maintained.
6. The individual needs of candidates who apply for and are granted disability provisions in examinations will vary. Every effort should be made to provide reasonable adjustments and access arrangements to a student with a disability needing such adjustments. A consistent approach to determining any adjustments should be used for all students. The adjustment must be an effective one that can reasonably be provided taking account of any technical or other difficulties that can arise in making the adjustments while maintaining equal rigour and challenge.

7. A proposed adjustment may not be put in place if to do so would impose unjustifiable hardship on NESAA in any way, including the cost, the resources required or the degree of expertise required to achieve the change.
8. In the development phase of the examination, committees will consider ways to develop inclusive questions that are appropriate for all students and reduce the need for making adjustments for students with a disability without reducing or limiting the rigour or integrity.
9. Adjustments that are not considered routine need sufficient time for the adjustment to be made. Examination committees and others involved in the adjustment process must be given reasonable notice of requirements for adjustments, except where exceptional circumstances exist.
10. Consistent with the above Principles, access arrangements may include using greater proportions of school-based assessments or flexible examination scheduling.

Some of the Disability Provisions that are Provided

Disability provisions are approved by the NSW Education Standards Authority (NESAA) to provide students who have a **permanent** or **temporary** disability with practical support in the Higher School Certificate examinations.

Regardless of the nature of the disability, the provisions granted will be solely determined by the implications for the student's functioning in an examination situation.

Provisions may include Braille papers, large print papers, use of a writer, use of a reader, extension of examination time, rest breaks, small group supervision, individual supervision, permission to take medication, or other provisions as judged appropriate.

Most provisions are self-explanatory. However, some are more complex requiring more information. The rules for these provisions are as follows:

Diabetic Needs

Diabetic provisions allow students to:

- Have small group supervision or be seated near an exit, to leave the room if necessary.
- Take bite-sized food and drink into the examination room.
- Take blood glucose testing equipment into the examination room to monitor their blood glucose level (BGL).
- Take their insulin syringe or insulin pump into the examination room for use as necessary, or wear their insulin pump into the examination room (pump may be worn at all times).
- Have five minutes per half-hour without access to the exam paper or responses, that can be used to eat, drink, go to the toilet or check their BGL.
- Take remedial action of up to 20 minutes if the BGL is below 5 mmol/L or above 15mmol/L.

Diabetic provisions are approved for students with a medical diagnosis of Diabetes Mellitus. This provision is delegated by NESAA to be 'Principal determined', meaning that evidence of the disability is provided to the principal (or their delegate) who then advises NESAA of the student's need for diabetic provisions. The medical evidence must be held at school.

- **NOTE:** Students must **NOT** have access to their examination questions and answers during any extra time associated with diabetic provisions

Rest Breaks

Rules for rest breaks

Rest breaks may be approved for students with a disability that impacts on their ability to complete an exam without one or more extended breaks to respond to pain or loss of concentration

Rest breaks are breaks in the examination time in which students:

- must turn over or close their examination questions and answers
- must not read, write or make notes
- may stretch, move, rest or refocus in their seat.

How are rest breaks calculated?

The maximum amount of time granted is given as a rate of minutes per half-hour of examination time, usually five minutes per half-hour of examination time. The total amount of time allowable for breaks is calculated by multiplying this rate by the number of half-hour intervals.

Can students take a rest break for longer than five minutes?

Yes. If the student does not feel sufficiently rested after five minutes, they may elect to take a longer break, as long as the total time taken for rest breaks does not exceed what has been approved. The supervisor is to record the amount of time taken to rest and ensure it does not exceed the maximum allowance.

For example, if a student is approved rest breaks at the rate of five minutes per half hour, the total amount of rest breaks taken in a three hour examination must not exceed 30 minutes. Therefore the student may choose to take, for example, one 12 minute, one 8 minute and two 5 minute rest breaks.

Must breaks be taken at half-hourly intervals?

No. The student can determine the times at which rest breaks are to be taken and must advise the examination supervisor whenever they wish to take a rest break.

Must students be in small group supervision to take rest breaks?

Students approved rest breaks are automatically granted small group supervision. Most students choose to use small group supervision but some students may elect to sit with the main body of students and be placed at the front or back of the examination room.

Either option is permitted but students should be aware that if they elect to sit with the main body of students, they may still be doing their

Oral and Sign Interpreters

Rules for oral and sign interpreters

Oral and sign interpreters may be approved to support students with a moderate to severe hearing loss, to address the delay in the acquisition of vocabulary.

Who can be an oral or sign interpreter

Interpreters must be skilled and a familiar communication partner with the student, for example the support class teacher or itinerant support teacher. The interpreter must not act in the role of a supervisor.

What an oral or sign interpreter can do

- Access the examination paper up to 15 minutes before the start of the examination to familiarise him/herself with the content. During this time the interpreter must remain strictly supervised and may not communicate with the student or any other person.
- Read or sign verbatim the directions to candidates.
- Explain words or phrases in the instructions, questions and stimulus material.
- Simplify the structure of a sentence grammatically.
- Paraphrase questions. The student may write this rephrasing on the examination paper and/or check their understanding of the question with the interpreter.

What an oral or sign interpreter cannot do

- Explain vocabulary specific to the subject, eg 'bisect' should not be explained in a mathematics examination.
- Advise the student on the selection of questions.
- Read or sign stimulus material and/or passages in their entirety.
- Explain each of the alternative answers in multiple-choice questions. (If the student is perplexed by the answer choice, explanation of individual vocabulary may be given, provided that this does not indicate the correct response.)
- Assist the student with planning or writing responses.

What extra time is permitted with an oral or sign interpreter?

Extra time is allowed for the time in which a student engages with the interpreter. The maximum time allowable is calculated at the rate of five minutes per half-hour of examination time. The supervisor will record the amount of time that the student engages with the interpreter and extend the student's examination time accordingly.

Computers/Laptops

Rules for computers and laptops

A computer or laptop may be approved for students whose disability prevents them from independently communicating their responses in a handwritten format, and there is strong medical evidence that the student's writing difficulty cannot be addressed with any alternative provision, such as a writer or rest breaks.

A student who has approval to use a computer or laptop must use ExamWriter for their examination responses unless an exception has been granted.

Before examinations, ExamWriter instructions and access information will be sent to schools that have a student approved a computer.

What types of computers or laptops can be used?

- Either a notebook or desktop computer, must be provided by the school and cleared of any subject-related materials.
- If a notebook is used, the student should be seated near a power point if possible and the notebook plugged in.
- If a power point is not close, the battery must be fully charged before the start of each examination, as a flat battery will not be considered grounds for illness/misadventure.

Setting up computers and seating

Computers must be set up in the examination room by school staff and ready for use before the examination starts. Students are not permitted access to the computer before examinations begin.

All students approved to use a computer or laptop are automatically given small group supervision. The supervisor should sit where they can see the screen, without intimidating or distracting the students.

Setting out and answering exams

When answering exam questions, students must type the section number and question number at the top of every page. Students with approval to use software other than ExamWriter must also type their student number, centre number and examination name at the top of every page (or in the page header).

Suspicious behaviour

If a supervisor notices a student opening another file or document, or transferring information from a pre-existing file or document into their answers, then the supervisor should ask the student to move back from the computer.

If the unauthorised material is still open on the computer, the supervisor must take a photograph of the screen with assistance from the presiding officer or school staff if necessary. All unauthorised documents or programs must then be closed.

If the student is seen using an external storage device such as a USB flash drive or memory card, the device should be confiscated immediately.

The student should be warned not to access any other file or page other than their examination responses again, and permitted to continue with the exam. The supervisor must make a detailed record of what was observed and the time at which it occurred.

At the conclusion of the examination, the supervisor and/or presiding officer should follow the procedures for Breach of Examination Rules/Malpractice. Any storage devices that were confiscated must be sent to NSW Education Standards Authority (NESAs) with the Breach of Examination Rules/Malpractice paperwork.

Students not using ExamWriter

If students are unable to use ExamWriter in one or more courses, they need to get permission from NESAs to use another word processor, and include evidence to show why ExamWriter is not feasible.

In these approved cases, the student's access to functions must be limited to those that can be replicated by handwriting.

Students can:

- cut and paste
- underline, **bold** and *italicise*
- use superscript and subscript.

Students cannot:

- use spell-check or grammar check
- use auto-correct or auto-text functions
- create automatic graphs by entering data.

Submitting work

If a student has been given approval to use software other than ExamWriter, their responses **must be printed**. It is not necessary to save the student's work to a storage device and send it with the printed answers. Only the printed answers are required.

If the student is using a computer that is NOT connected to a printer, the student should transfer their answers onto a flash drive or memory card and give this to the supervisor. Together, the supervisor and student (and an appropriate teacher if necessary) should take the flash drive or memory card to a computer connected to a printer. The student should check the printed file.

After thoroughly checking the printed examination response is correct, the computer coordinator, supervisor or appropriate teacher **MUST ERASE ALL SAVED WORK** from any associated storage device or network.

Readers and Writers

Rules for readers and writers

Readers may be approved for students whose disability prevents them from independently reading and/or comprehending written questions.

Writers may be approved for students whose disability prevents them from independently communicating their responses in a handwritten format. This includes, spelling difficulty, and illegible or extremely slow handwriting

People who act as readers and writers do so on a voluntary basis.

Who can act as a reader and/or writer?

- A Year 11 student. It is recommended that a competent Year 11 student act as a reader/writer for a Higher School Certificate student. These students should be familiar with the subjects being examined.
- A former student of the school.
- A suitable adult.
- A retired teacher.

Who cannot act as a reader and/or writer?

- A relative or friend of the student.
- A currently employed teacher or private tutor.
- A non-teaching employee at the student's school (eg a teacher's aide, school secretary, lab technician).
- Anyone who recently taught the student.
- Anyone who has a close relative sitting the same examination.
- A NSW Education Standards Authority (NESA) appointed examination supervisor or presiding officer.

Can the reader and writer be the same person?

Yes. If a student has been granted both a reader and a writer, NESA would expect that the same person act as both.

What qualities should a reader/writer have?

- Ability to communicate clearly in English with a sufficient literacy level
- Understanding of the subject(s) being examined
- Clear, legible handwriting (if writing for the student)
- Willingness to spend time practising with the student
- Patience and sensitivity
- Understanding of the need to maintain confidentiality and an ability to do so.

Can students use a reader and/or writer in a language examination?

A reader and/or writer may be used in some parts of a language examination. The support person is permitted to read and/or write in English only. The student will need to read and/or write for themselves in the language being examined.

What a reader can do

- Read the exam questions and any incorporated stimulus or resource material *as many times as the student asks them to*.
- Read the student's answers back to them.

What a reader cannot do

- Interpret the question(s) for the student.
- Advise the student in any way.
- Read in the language being examined in a Language examination.

What a writer can do

- Write the student's answers exactly as dictated by the student.
- Ask the student to repeat a word or sentence.
- Ask the student to spell difficult or obscure words.
- Punctuate and use capital letters without the specific direction of the student.
- Operate a calculator at the student's direction.
- Rule lines as directed by the student.
- Re-read the last two sentences that have been written, to enable the student to regain their place in their work.

What a writer cannot do

- Interpret the question or advise the student in any way.
- Make comments on the student's work.
- Alter the student's work or write words that the student has not dictated.
- Re-write a student's written work (ie a student cannot write out their answers and then have the writer re-write them).
- Type for the student.
- Draw (if the student is unable to draw, please contact Student Support).
- Write in the language being examined in a Language examination.

What the student can do

- Practise using a writer as often as possible before the actual examination.
- Dictate his or her answers exactly as he or she wishes them to be written down.
- Advise the writer when to start a new paragraph, when to put something in brackets or inverted commas, and when to underline something.
- Regularly read over what the writer has written.
- Make notes, essay plans or jot down ideas during the writing time.

- Use a writer for part of the exam and write the other parts for themselves. Please note that extra time (to compensate for the dictation process) applies only to the time the student uses a writer.

What the student cannot do

- Ask to have the question interpreted.
- Ask a reader in a Language examination to read in the language being examined.
- Ask a writer in a Language examination to write in the language being examined.