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Developing Inclusive Curricula

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ABSTRACT

This paper aims to address some of the concerns of teaching staff in their support for disabled students and, as such, is intended to constitute a good practice guide. It provides information on models of disability and explains the UK legal context, addressing major elements of the Disability Discrimination Act, UK (2005), within the broader international legislative framework.

Key questions are included that academic staff may find useful to consider in developing and/or implementing a more inclusive curriculum. Having interpreted curriculum in the widest sense of the word, fifteen aspects have been identified, and each set of questions relating to each aspect is preceded by a mini case study that exemplifies particular dilemmas relating specifically to that particular element of the curriculum. Further support for teaching staff is offered through the inclusion of web references to key online support materials specific to each aspect.

Please note that this paper gives general guidance only and should not be treated as a complete and authoritative statement of UK law.

International legislation

In December 1993, the United Nations (UN) adopted a set of Standard Rules which aimed to provide equality of opportunity for disabled persons¹. Rule Six² concerned education and stressed the need for inclusive teaching and learning. Later, the United Nations Education and Scientific and Cultural Organisation's (UNESCO) Salamanca Statement (1994) called on the international community to endorse the approach of inclusion in mainstream education through implementing practical and strategic changes³. Responsibility for the integration of disability within the human rights area fell to the United Nations High Commissioner for Human Rights (UNHCHR). This organisation was charged by the UN:

- to encourage the integration of disability issues in the activities of treaty-monitoring bodies and human rights extra-conventional mechanisms (for example, Special Rapporteurs to the Commission on Human Rights);
- to support the elaboration of a new thematic convention on the human rights and dignity of persons with disabilities;

and

- to strengthen collaboration with the Special Rapporteur on Disability of the Commission for Social Development and other United Nations specialised agencies active in the area of disability.⁴

In December 2001, the UN established an ad hoc committee to:

‘consider proposals for a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities, based on the holistic approach in the work done in the fields of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development.’⁵

The ground-breaking United Nations Convention on the Rights of Persons with Disabilities⁶ was agreed by the ad hoc committee in August 2006, and the draft text then submitted to the General Assembly. On 13 December 2006, the Convention (Resolution 61/016), the first new human rights treaty of the 21st century, was approved with 84 signatures (the highest number of signatories ever recorded supporting a single Bill). This marked a major shift in the rights of the world’s 650 million people with disabilities.

The new UN convention promotes a universal inclusive language emphasising ‘rights for all’, and is based upon the principles of justice, respect, dignity, non-discrimination, equality and accessibility. Article 24 specifically concerns education; in relation to higher education, section five specifies that ‘States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.’

Defining disability

Though there is no single definition that is common across all countries, an integrated model of disability that defines disability as a derivative of the relationship between the environment and the way a disabled person perceives his/her disability has gained in popularity; those countries now signed up to the United Nations Convention on the Rights of Persons with Disabilities aim to define disability in line with the social model of disability rather than the medical model previously used.

The medical model of disability reinforces the idea that the problems that people face are a direct result of their own health or impairment. This model focuses on medical terminology and diagnosis; it adopts a labelling approach that sees the disabled person as in need of 'fixing', or as a problem to be 'cured'. It is a model that can perpetuate stereotypes and create a cycle of exclusion and/or dependency that may be difficult to break. The charity or 'tragedy' model of disability also has negative connotations. It is based on pity and disempowerment, and stereotypes the disabled person as brave, tragic or special, rather than as someone who is capable of determining their own life choices.

The social model of disability identifies disability as a social construct and therefore as a social issue that necessitates changes to the social, educational, working and physical environments. It identifies prejudice as the creator of disabling barriers that prevent participation by disabled people. The legislative and regulatory framework provided by the United Nations also regards disability as a socially created problem. This social perspective on disability is reflected in the International Classification of Functioning (ICF), Disability and Health, adopted by the World Health Assembly in 2002⁷. The ICF 'mainstreams' the experience of disability and recognises it as a universal human experience: it notes that every human being can undergo a 'decrement in health' and, thereby, experience some disability. Though the adoption of the social model is much preferred by many disabled people, for some this fails to acknowledge their individual experiences and contributes to an unwelcome depersonalisation of disability. Increasingly, in the UK, disabled people are espousing the 'Civil Rights' model of disability that demands changes to policies and practices to enable their full participation in society as their entitlement.

UK legislation

In recent years a raft of equality and diversity legislation has been introduced in the UK which includes:

1. the Disability Discrimination Act (DDA) 2005 (extends responsibilities under previous legislation and includes the requirement that all public authorities have a Disability Equality Scheme by December 2006);
2. the Race Relations (Amendment) Act 2001;
3. the Employment Equality (Sexual Orientation) Regulations 2003;
4. the Employment Equality (Religion and Belief) Regulations 2003;
5. the Employment Equality (Age) Regulations 2003;
6. the Equality Act 2006 (came into force in April 2007 and introduced a duty to actively promote equality of opportunity between men and women).

These six legislative equality strands will impact on institutions' employment practices and, at an individual level, will affect how staff conduct their professional practice. It is likely that universities and colleges will need to undertake a significant amount of work to meet the extended responsibilities that include:

1. taking active steps to eliminate discrimination;
2. actively promoting equality of opportunity between different groups;
3. identifying specific equality goals;
4. demonstrating that fair treatment is in place;
5. celebrating diversity;
6. consulting appropriately, and
7. removing any residual barriers that limit full participation or equality.

Previous research by the author (Chapman, 2006; Chapman & Carlisle, 2006) has shown that many academic staff continue to have concerns about appropriately supporting traditionally disadvantaged learners, particularly disabled students. Whilst most teaching staff

appear open to changing their practices to ensure equity for disabled learners, many remain concerned about their own liability under the DDA. In addition to their uncertainty about direct and indirect discrimination under the legislation, they are unclear about what is 'reasonable' in making adjustments to practice to accommodate disabled students' particular needs, and are uncertain what changes can be made that will not compromise academic standards.

Under the DDA (2005), a person is defined as disabled if they have 'a physical or mental impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities'. The Act also covers impairment resulting from, or consisting of, mental illness and includes depression or anxiety, if long-term. A substantial impairment is one that is more than minor or trivial. Since December 2005, the definition of disability has been extended by the DDA; the effects of progressive conditions such as cancer, HIV infection and multiple sclerosis are now regarded as substantial immediately on diagnosis for the purposes of the Act, although certain cancers that only require minor treatment may be excluded. A long-term impairment is one that:

- lasted at least twelve months; or
- is likely to last at least twelve months; or
- is likely to last for the rest of the person's life.

Figures extrapolated from a Department of Work and Pensions (DWP) survey (2004)⁸ show that more than one in six students are covered by this broader definition; Higher Education Statistical Agency (HESA)⁹ data show that six per cent (40,430) of undergraduate first years in the UK disclosed a disability for the period 2004/05.

The introduction of the Special Education Needs Disability Act (SENDA 2001) brought all aspects of education under the DDA, including learning, teaching and assessment in universities and colleges. SENDA, along with the European Employment Framework (EEF) Directive (20207/78/EC) that was brought into force by the DDA Amendment Regulations in 2006, have now become Part 4 of the DDA. Part 4 of the Act prohibits discrimination in relation to all activities and facilities that educational institutions provide either wholly or mainly for students. The EEF Directive (op cit) has extended the bases of discrimination to include:

- direct discrimination;
- indirect discrimination;
- failure to make reasonable adjustment; and
- victimisation.

The DDA (2005) has also replaced the *academic standards* justification clause for discrimination with an *exception for competence standards* statement. This is defined by the DDA as 'an academic, medical, or other standard applied by or on behalf of an education provider for the purpose of determining whether or not a person has a particular level of competence or ability'. Dickinson & Cavanagh (2006, p.7) explain that:

'Where the application of a competence standard to a disabled person amounts to disability-related discrimination, the treatment is justified if the institution can show that the standard is (or would be) applied equally to people who do not have his/her particular disability, and that its application is a proportionate means of achieving a legitimate aim' (DDA 1995, s8S (6)).

As a result of the amended legislation, post-16 providers of education must ensure that they have genuine competence standards that are applied to all. To illustrate:

- a) A college geography course included the entry requirement of being 'able to undertake fieldwork'. The student appealed against this admission criterion arguing that, since many courses now offer 'virtual' experiences and/or create alternative methods of allowing the student to demonstrate their achievement of the core learning outcomes, this may no longer be a genuine competence standard. A more realistic competence standard may be expressed as 'the ability to demonstrate knowledge and understanding of issues relating to work undertaken in the field'.
- b) A blind woman applied to do a Higher National Diploma (HND) in Equine Studies which included elements such as coaching both horse and rider in dressage, and stable management. Although she could undertake some parts of the course, and was a competent rider herself, she could not see well enough to undertake core aspects of the course which involved visual analysis of horse and rider's performance, nor to identify health and safety issues involved in stable management and supervision of riding. The course team discussed the possibility of other

students acting as the applicant's 'eyes' in order to make a reasonable adjustment. This led to a discussion about whose knowledge and understanding would be tested in the coaching situation, the observer's or the disabled student's? Staff's main concern focused on whether or not the applicant could achieve the core learning outcomes relating to health and safety given their dependence on a third party. In not accepting this applicant, the institution felt that it was likely to have substantial reason to justify their decision.

Direct and indirect discrimination

Direct discrimination means treating someone less favourably for a reason directly related to their disability and it can never be justified under law. For example, if a blind person applied for a place on a teaching course, and the institution assumed they would not be able to meet the demands of the course because they could not see (for example, marking children's work) this would be direct discrimination and could not be justified. There are many blind teachers employed, as evidenced by the membership of the Association of Blind and Partially Sighted Teaching Association (ABAPSTAS)¹⁰, whose schools have adopted a range of reasonable adjustments, according to the individuals' needs, to allow them to successfully meet the core requirements of their posts.

Indirect discrimination means treating a disabled person less favourably for a reason relating to disability than others for whom that reason did not apply. For example, a student with multiple sclerosis was sometimes absent due to her condition. The course had an attendance requirement and usually penalised students who exceeded the maximum number of absences. However, to punish this student would constitute indirect discrimination because the time had been taken off for a reason relating to her disability.

A person with epilepsy uncontrolled by medication applied for a tree surgery course that involved working at height with dangerous machinery. Although this applicant might have been able to achieve and/or demonstrate the core learning outcomes of the course in terms of knowledge and understanding, following a risk assessment, there were genuine concerns about the health and safety of the disabled person and of those working with them in the practical context and so the applicant was not admitted. Under these circumstances, the discrimination was likely to have been justified.

Reasonable adjustments

The DDA states that discrimination can occur through failure to make reasonable adjustments that will ensure that disabled students are not placed at a substantial disadvantage compared with their non-disabled peers. If an adjustment is deemed reasonable, failure to implement it cannot be justified under law.

There are no hard and fast rules concerning making reasonable adjustments; most changes to provision and/or practice are simply common sense and can be implemented cost effectively. It is important, however, to remember that students who have the same or similar impairments may have very different life experiences, educational backgrounds, aspirations, motivation and, of course, learning needs that need adapted practice. No assumptions should be made about an individual's needs or abilities when making reasonable adjustments which may involve changes in:

- the way services are offered and supported;
- premises: equipment, signage, lighting, and access;
- ways of communicating with disabled applicants/students;
- staff awareness of the issues facing disabled people.

Such changes can often benefit all users of the university, including staff, students and visitors using its services. For example, building ramps throughout the campus also improves access for those with children in pushchairs and/or porters using trolleys.

Victimisation

This occurs when the university or college treats a student less favourably because they have asserted their rights under the DDA, or have assisted another person in asserting their rights. It is the only occasion on which a non-disabled person may have rights under the DDA. For example, a student with mental health difficulties complains of discrimination after having been refused access to a field trip. A fellow student gives evidence to support his complaint. The course leader then also refuses to allow this student to undertake the trip with no good reason. This amounts to victimisation.

Developing an inclusive curriculum

A philosophy that has gained increasing acceptance in higher education in the UK is one that recognises that disabled students should not be treated as a separate category with distinct and totally different needs, but rather that 'they fall within a continuum of learner differences and share similar challenges and difficulties that all students face in higher education' (Healey *et al.* 2005, p.9). 'Universal design' is a relatively new paradigm that is clearly aligned with this philosophy. It is an approach to the design of products, services and environments which ensures that they are usable by as many people as possible regardless of age, ability or circumstance. Waterfield & West (2006, pp.30-34) also advocate this philosophy within assessment in higher education. They champion a broad-spectrum solution to assessment that benefits everyone, not just disabled people, through clarifying the conceptual distinctions between three common approaches. The 'contingent approach' is one that focuses on the provision of special arrangements (such as extra time or an amanuensis), in effect, force-fitting the disabled students' provision into the existing assessment system, yet setting them apart from their peers; the 'alternative approach' (for example, a *viva voce* instead of a written assignment) provides for a range of alternative modes/formats of assessment, and is established at the course design stage with the intention of benefiting a particular minority of students; however, the truly 'inclusive approach' focuses on flexibility; it allows for the assessment of the same learning outcomes in variety of different ways made available to **all** students.

The following pages offer some key questions regarding the development and delivery of an inclusive curriculum. Though focused primarily on disability issues, bearing in mind that we all have multiple identities (some adopted, some ascribed by others), questions about more general equity issues are also included. Having interpreted 'curriculum' in the widest sense of the word, 15 aspects have been identified and each set of questions associated with each aspect is preceded by a mini case study that exemplifies particular dilemmas relating specifically to that particular element of the curriculum. These case studies are true accounts of events, either experienced by the author, or reported to her directly by other diversity/equality professionals. The key questions draw on the professional experiences of the author and on the literature that describes the difficulties and barriers faced by disabled students in higher education (Adams & Brown, 2006; Fuller *et al.* 2004a, 2004b; Hills & Healey, 2006). Further support for teaching staff is offered through the inclusion of web references to online support materials specific to each element.

Pre-course information/marketing

Case study

The father of a deaf female student contacted the university's registry to check the timing of an evening module that his daughter had chosen to take that semester. Registry staff quite rightly informed him that the relevant information had already been provided to his daughter who, as an adult, had the right to choose whether or not to disclose that information to him. It later emerged from discussion with the student that her father was not so much concerned for her safety, as for her absence in preparing the evening meal!

Some key questions

1. Is it clear which aspects of the curriculum are essential to the identified learning outcomes and which can be modified, for example, the need to undertake field trips? Does the documentation/information indicate the possibility of making adjustments?
2. Is the information available in a range of alternative formats on request, for example, on disc, online, in an enlarged font or Braille?
3. Is the format accessible and non-intimidating? Is information expressed clearly and simply?
4. Do staff understand the need to consider adjusting the curriculum, where appropriate?
5. Have measures been taken to ensure that the information is available in good time for students to take appropriate and/or essential action, for example, for arrangements for personal care on work placement?
6. Is there a flier with brief essential information about the course in languages other than English?

Relevant resources

RNIB (2006) *'See it right' Guidelines*, book plus CD ROM, available from http://www.rnib.org.uk/xpedio/groups/public/documents/PublicWebsite/public_seeitright.hcsp#P8_483 (accessed May 2007).

NATIONAL DISABILITY TEAM *Marketing Checklist*, Action on Access, available from <http://www.actiononaccess.org/download.php?f=420> (accessed December 2007).

Admission/induction

Case study

A student with dyslexia applied for a place on a school-based teaching course and notified the admissions tutor of her condition. She was invited for interview but was subsequently turned down on the basis of her written assignment which featured as part of the selection process. Despite having received additional time to undertake her public examinations because of her dyslexia, the applicant had not been given time concessions to complete her written assignment during the selection process. She lodged an appeal. The admissions tutor contacted the Equality and Diversity specialist at the awarding university for advice, explaining that the calibre of the student's writing was extremely poor and that she could not possibly achieve the standard required. The tutor implied that additional time would not have enabled the applicant to reach the entry standard, no matter how much additional time she received.

It was recommended that the candidate be invited to attend for another attempt at the written assignment, but with an appropriate time extension to accommodate her additional needs related to dyslexia. The admissions tutor was happy to arrange this, but had to be persuaded that it was NOT appropriate to give the student a more challenging written task than previously to really test her written skills; this would have been highly discriminatory since it would not have constituted an equivalent experience with the other applicants. Following these events, the school modified its published admissions process to include reference to making appropriate adjustments to the process for disabled candidates; it also reviewed and redrafted the selection criteria and ensured that all staff were clear about how these should be fairly applied.

Some key questions

1. Are criteria for admission fair, transparent and valid, and applied equally to all candidates?
2. Where interviews feature as part of the admission process, have staff been trained in fair interviewing techniques and do they understand their legal responsibilities?
3. At interview, do staff focus on academic issues rather than on the feature(s) that distinguishes the applicant as 'different', for example, disability, age or colour?

4. Are course-specific issues and reasonable adjustments that may be needed discussed at interview, for example, in relation to field trips/laboratory work?
5. Is disclosure of additional/particular needs encouraged through all promotional literature and course specific handbooks? Does the atmosphere encourage disclosure? In encouraging disclosure, is the reason for related questions in promotional literature explained? Does the situation in which the question is asked ensure confidentiality for the student? (This might be a particular issue during enrolment where large groups of students are queuing to register.)
6. Do admissions staff know what to do in the event of someone disclosing a disability? Who to contact? How to maintain appropriate levels of confidentiality? What adjustments to the process might be necessary?

Relevant resource

NATIONAL DISABILITY TEAM (2004) *Checklist – Admissions*, Ormskirk: Action on Access available from <<http://aoa.ico3.com/download.php?f=837>> (accessed December 2007).

Course content and design

Case study

Recruitment was very buoyant to the Early Years Foundation Degree (FD) course. Students were guaranteed a place on the articulating degree programme on successful completion of their FD, and most of the graduates had opted to take this up. At the end of the first semester, staff teaching on the degree programme became very concerned at the disparity in grades earned by the FD cohort of students as compared with those recruited directly into degree course. Investigation revealed that the FD course assessment included very little essay writing, with the result that many of the students had little practice in academic writing and were now struggling to meet the demands of the undergraduate programme, particularly the students with dyslexia. The course team responded by devising a suite of study skills sessions to be integrated within the first semester, and supplemented these with some additional tutorial support for assignments. The students with dyslexia were referred to the Disability Officer who arranged additional specialist academic support on a one to one basis; this was funded by the Disabled Students' Allowances (DSA), a grant available in the UK.

Some key questions

1. Where a foundation degree leads to automatic entry into a degree programme, is a bridging programme provided to ensure students have the necessary skills?
2. Are there study skills sessions available to all, and at times that suit most people?
3. Is the content free from stereotypes?
4. Is the content reflective of a wide community?
5. Is language support available for those who use English as an additional language?
6. Is specialist academic support available to those disabled students/students with dyslexia who need it?
7. Can disabled students access support workers, e.g. for note-taking etc?

Relevant resources

CHAPMAN, V. & CARLISLE, H. (2003) *SCIPS (Strategies for Creating Inclusive Programmes of Study)*, available from <www.scips.worc.ac.uk> (accessed May 2007).

UNIVERSITY OF STRATHCLYDE (2000/04) *Teachability: creating accessible course or programme design and structure for disabled students*, available from <www.teachability.strath.ac.uk/chapter_2/tableofcontents2.html> (accessed May 2007).

Scheduling of teaching sessions/exams

Case study

The forward thinking department congratulated itself on the success of its widening participation initiative to start all teaching sessions at 10.00 am instead of 9.00 am in order to accommodate the needs of those with childcare responsibilities. However, the institutional decision to schedule an examination at 6.00 pm, not only upset some of those parents who did not have childcare available in the evenings, it also disadvantaged the Muslim students since the examination was scheduled during Ramadan. Fasting (nothing to eat or drink), together with disrupted sleep patterns during this religious festival, can affect Muslim students' concentration. Scheduling the exam for 6.00 pm meant these students would have had to further delay breaking their fast.

Some key questions

1. Are religious holy days e.g. Jewish Sabbath/Eid, recognised and avoided for important events such as examinations?
2. If students miss certain sessions due to their disability, illness or religious festivals, are alternative arrangements made for them to access course materials?
3. Is time allowed between sessions to allow those with particular needs (e.g. mobility difficulties) to get from one classroom to the next?
4. Does the course include field trips or a period abroad? If so, are all students who wish to take up this opportunity able to do so? What alternatives are offered to ensure students have the opportunity to achieve the intended learning outcomes?
5. How is non-discrimination assured during placements? Do staff and/or students receive training? Are there clear guidelines?
6. Where particular students are unable to participate, are alternative arrangements made?

Relevant resources

HILLS, M. & HEALEY, M. (eds) (2006) *Inclusive Curriculum Project*, Geography Discipline Network, available from <www2.glos.ac.uk/gdn/icp/index.htm> (accessed May 2007).

DEMOS PROJECT (2004) *Online Materials for Staff Disability Awareness*, University of Salford, University of Manchester, Manchester Metropolitan University and UMIST, available from <<http://jarmin.com/demos/course/index.html>> (accessed May 2007).

Course delivery

Case study

Staff in the science department felt increasingly intimidated by a student with mental health difficulties who was also alcohol dependent. Most of the time the student's behaviour was fine but occasionally, when drunk, he was loud and quite aggressive in putting forward his own views and sometimes offended staff and students alike. Things came to a head in the new academic year when some of the subject team sought permission to refuse his admission onto their modules. They feared that he would be disruptive, and they claimed that he was affecting their ability

to deliver the course effectively. However, given that the law suggests that it is inappropriate to penalise someone on anticipated rather than actual behaviour, their request was declined. Though the student had never shown physical violence to anyone whilst on campus, staff concerns for their own and their students' safety was duly noted; training in 'conflict management' was arranged, and a clear policy on safe practice for those teaching in the late evenings was established.

Some key questions

1. How do tutors and lecturers develop a learning environment free from prejudice, discrimination and harassment? Do all tutors use non-discriminatory language?
2. Are tutors familiar with disability etiquette?
3. Are all students' views and contributions equally valued?
4. Are inappropriate behaviours and/or comments challenged?
5. How does the course/programme formally address study skills and different learning styles?
6. In what ways do programmes of study and courses employ an inclusive curriculum that takes into account the varied experiences and needs of ethnic minority students, disabled students, and men and women?
7. Are all staff aware that if there is a genuine overriding health and safety risk, and there are issues about duty of care to the student or other students or staff, then it may be appropriate to break a confidence or even a confidentiality request?

Relevant resource

UNIVERSITY OF STRATHCLYDE STATISTICS AND MODELLING SCIENCE, '*Anticipatory Duty*' (*Making Reasonable Adjustments*), available from <www.stams.strath.ac.uk/specialneeds/anticipatory.php> (accessed May 2007).

Teaching styles

Case study

All the students enjoyed the course taught by the head of department since he was a particularly dynamic speaker who used humour to good effect in his lectures to drive home his message. He was particularly known for his constant movement

around the dais to emphasise certain points and engage with his questioners. When a deaf student who could not lip read joined the course, the tutor was dismayed to think he'd have to limit himself to standing at the lectern and speaking through the microphone so that the deaf student's hearing aid could pick up his voice via the loop system. The situation was easily resolved by discussion with the disability officer, who was able to provide a portable loop system that the tutor was able to wear around his neck allowing him to move freely.

Some key questions

1. Are a range of teaching modes available that enable people with strongly preferred learning styles to access the materials, for example those with predominantly visual, auditory or kinaesthetic learning styles?
2. How will staff take into account the needs of students with impairments; for example, what alternatives to group work have been considered that might be offered to autistic students?
3. Since disabled students may have to budget for support workers, have the demands of group work been discussed with students?
4. How can staff ensure that placement/fieldwork or study abroad is available to all? Do staff know what financial support may be available? Has the site been checked for accessibility? Have appropriate alternatives been identified?
5. Do staff focus on how students learn rather than on the delivery of their sessions' content?
6. Are the experiences and ethics of all students valued and treated with respect?
7. Is the language used acceptable to minority groups? Are staff aware of what could give offence? Is there a quick reference guide on language readily available?

Relevant resources

WRAY, J., FELL, B., STANLEY, N., MANTHORPE, J. & COYNE, E. (2005) *PEdDS Best Practice Guide: disabled social work students and placements*, Hull: University of Hull, available from <www.hull.ac.uk/pedds/> (accessed May 2007).

COWORK PROJECT (2001) *Group Work and Disabled Students*, available from <server1.techdis.ac.uk/archive/cowork/development/materials/> (accessed May 2007).

Assessment/examinations

Case study

Staff from the mathematics department had been very proactive in working with the disability coordinator to support disabled students on their courses; however, they were now in uproar at the number of students who needed a separate room and invigilator for the forthcoming exams. They were short staffed and just did not have the time or resources to cope with the additional invigilation needed. Tempers were frayed and fuses short! After some discussion with the head of student services and registry, a simple compromise was reached. Staff employed as support workers for the disability office were also hired to act as invigilators, thus easing the pressure on the department.

Some key questions

1. Is there a range of assessment modes used throughout the course?
2. Do students have choices in terms of the mode of assessment?
3. Where necessary, are adjustments to assessments for disabled students organised within good time and ungrudgingly?
4. Is there an over-reliance on essays or exams?
5. Is there equitable access to tutorials?
6. Is anonymous marking used?
7. Is clear, detailed guidance on plagiarism provided, particularly for those students unaccustomed to the British educational system?

Relevant resource

WATERFIELD, J. & WEST, B. (2006) *Inclusive Assessment in Higher Education: a resource for change*, The Student Staff Partnership for Assessment Change and Evaluation (SPACE project), Higher Education Funding Council for England (HEFCE), available from <www.plymouth.ac.uk/pages/view.asp?page=10494> (accessed May 2007).

Feedback to students

Case study

Alex was really pleased with the responsiveness of the psychology department who had liaised with the university's disability office to ensure all key chapters in the recommended texts and other relevant course material, including assessment items, had been brailled. He was less impressed, however, when his assignments were returned to him along with the standard handwritten report form giving his grade and feedback on his work. Unlike other students who did not have to share this information with others, he had to ask a friend to read this out to him. After his complaint, the department resolved this issue quite simply by reproducing the standard feedback form in a format that could be completed and sent via email. They also liaised with the disability office to ensure the document's format would be accessible to Alex's text-reading software.

Some key questions

1. Is feedback sensitive to the need to maintain the individual's dignity?
2. Does it take account of institutional policy, for example, dyslexia and sensitive marking/extra time?
3. Are reasonable adjustments readily proposed/adopted and not given in a grudging manner?
4. Does feedback relate to the published marking criteria?
5. Are students well prepared for the particular nature of the assignment (for example group work or presentations)? Have clear criteria been published by which they will be judged?

Relevant resources

SHEFFIELD HALLAM UNIVERSITY (2005) *Accessible Assessments – Staff Guide to Inclusive Practice*, available from <www.shu.ac.uk/services/lti/accessibleassessments/index.html> (accessed May 2007).

OPEN UNIVERSITY (2006) *Making Your Teaching Inclusive – Academic Assessment*, available from <www.open.ac.uk/inclusiveteaching/pages/inclusive-teaching/assessment.php> (accessed May 2007).

Physical environment

Case study

Female wheelchair users from the humanities faculty were delighted when the old washrooms at the university were refurbished to include an accessible toilet. At last they would no longer waste time, or get wet in the rain through having to make their way to the only accessible toilet located in another building. Their pleasure was short-lived. When the first student attempted to use the new facility, because the door had been hung to open inwards, though she could get into the room, she could not then close the door to get to the toilet. Fortunately, this problem was easily rectified by the contractor re-hanging the door.

Some key questions

1. Are the teaching sites accessible?
2. Are staff offices accessible for tutorials? If not, what alternatives are offered to those with mobility difficulties?
3. Is the lighting sufficient and without excessive glare?
4. Are there left-handed as well as right-handed swivel tables on seating?
5. Are there sufficient seats for all students, even for those who may have to arrive late (for example for those who have childcare responsibilities)?
6. Is there an accessible toilet in the building?
7. Is there accessible parking close by?
8. Are there door handles rather than knobs for those with manual dexterity difficulties?
9. Are there low level photocopiers that wheelchair users can reach?

Relevant resources

NATIONAL CENTRE ON WORKFORCE AND DISABILITY, *Access for All: operations management: facilities checklist*, available from
<http://www.onestops.info/article.php?article_id=15&subcat_id=1008>
(accessed December 2007).

OPEN UNIVERSITY (2006) *Making Your Teaching Inclusive*, available from <www.open.ac.uk/inclusiveteaching/pages/inclusive-teaching/practical-environments.php> (accessed May 2007).

Technology/e-learning

Case study

The Nursing Diploma course included an integral session on effective use of information technology (IT) in its first term. On the day of the delivery of the session, the group complained vociferously that they were already skilled in IT and didn't need it; the tutor responded by setting a library-based task instead. Unfortunately, three overseas students, with no prior experience of computers, urgently needed the instruction, but were far too shy to speak up; instead they sought help from some postgraduate (PG) students in their hall of residence. This was fine for a little while, but finally became too burdensome for the PG students who had a heavy workload of their own to contend with. It was they who finally approached the course tutors to explain the nursing students' difficulties. The tutors then quickly arranged some intensive support for the overseas students within the faculty, and also guided them to the centralised services for additional IT training.

Some key questions

1. Is the technology and any Virtual Learning Environment (VLE) enabling and accessible?
2. Is training on accessibility made available to all staff who have responsibility for maintaining webpages?
3. Do different groups of students have equitable access, for example, students at partner colleges or rurally isolated students?
4. Has careful thought been given to how any online tests/ learning activities are constructed so that they do not disadvantage certain groups of learners, for example, students with dyslexia or blind students?

Relevant resources

TECHDIS: *Resources and References, Technology for Disabilities Information Service (UK)*, available from <<http://techdis.ac.uk/>> (accessed May 2007).

WORLD WIDE WEB CONSORTIUM (W3C) (2006) *Web Content Accessibility Guidelines World Wide Web Consortium (International), 27th April*, available from <www.w3.org/TR/WCAG20/> (accessed May 2007).

Learning resources/course materials

Case study

Feedback collected at the end of the year from all students of the university showed that those students studying at partner colleges felt that they were being treated as second class citizens in comparison with those studying on the university campus; limited access to resources was given as one example of inequitable treatment. Further analysis revealed that, though the students were allowed to use the university library and had borrowing rights, they were allowed fewer books per issue than their university counterparts. The inequity involved in these students having to make more frequent visits to the library in order to access the required reading was compounded by the fact that some of the group had mobility difficulties, and some came from rurally isolated areas which made the additional travelling problematic.

Some key questions

1. Is there equitable access to materials/documents for all different groups of students and not based on first come, first served?
2. Are learning resources accessible?
3. Are resources sufficient for the number of students?
4. Do part-time and off-site/partner college students have equitable access?
5. Is material made available early enough for those with certain impairments (for example dyslexia/visual impairments) to have copies in advance?
6. Are adaptations made for disabled students, for example, adjustments to loan periods, low-level photocopiers etc?
7. Are resources and teaching materials checked for disability, gender, racial, and other forms of bias? If so, how often and by whom?

Relevant resources

ELLIOTT, T. (2004) *Library and Learning Resources: improving provision for disabled students checklist*, National Disability Team, available from www.sussex.ac.uk/equalities/documents/library_and_learning_resources_dda_checklist.pdf (accessed May 2007).

KENT, D. & ROBERTSON, L. (2002) *Creating Accessible Learning and Teaching Resources: the e-MapScholar experience*, QA Focus case study 04, UKOLN, available from <www.ukoln.ac.uk/qa-focus/documents/case-studies/case-study-04/> (accessed May 2007).

Course monitoring

Case study

As well as collecting feedback from students via end-of-course questionnaires, the college sought student views through the involvement of student representatives on course committees. One course tutor was taken aback by the negative comments made by the representatives about one of the modules he taught. Many of the students on that module were also enrolled on the one he was to teach the following semester so he decided to follow up on their concerns. He was quite shocked to find that the student representatives had not reflected the views of the whole group, but had strongly emphasised their own views; they had also wholly ignored the views of the mature students and of two Deaf students. Subsequently, a short training programme was devised which included equal opportunities, this was made mandatory for all student representatives on course committees.

Some key questions

1. Does the institution keep accurate and up-to-date data on module cohorts that can be made readily available to staff?
2. Are the data reported and analysed by age, ethnicity, gender, postcode, to check for differential rates of achievement, progression, failure, first class degrees?
3. Are patterns/differences that have been identified addressed? By whom?
4. Do the statistics indicate that the current student groups reflect the local and/or national community?
5. How is equity of the student experience ensured? (For example, for mature/part-time/partner college students?)
6. Do all students have equal opportunities to provide feedback on the course?
7. Do students know about the institution's complaints procedure and is it easy to access?

8. Are students trained to become effective in their roles on course committees?
9. Is a variety of methods used to ensure that the views of different groups of students are captured, for example, mature, part-time, disabled, ethnic minorities, partner college students?

Relevant resources

HEFCE (2004) Equality and diversity monitoring in higher education institutions - a guide to good practice, *April 2004/14, Good Practice - Guidance for Managers*, available from <www.hefce.ac.uk/pubs/HEFCE/2004/04_14/> (accessed May 2007).

HEFCE (2004) Conducting impact assessments for equal opportunities in higher education - a guide to good practice, *October 2004/37, Good Practice*, available from: <www.hefce.ac.uk/pubs/HEFCE/2004/04_37/> (accessed May 2007).

Quality assurance

Case study

When the Race Relations Amendment Act (2000) was introduced, some universities struggled to provide appropriate data to establish the benchmark information as demanded by the legislation (now also required by the DDA). The university, following meetings of its newly formed diversity and equalities group, had briefed their management information office sufficiently well that they now had access to a good range of helpful data. The university was very pleased that an analysis of the data indicated that there were no significant disparities between the progress and achievement of students – regardless of ethnicity – for any of its undergraduate courses. However, they were alarmed to discover a very high number of ‘unknowns’ for the postgraduate continuing professional development (CPD) courses, not least since this was skewing the rest of the data. Further exploration established that the high number of ‘unknowns’ were not due to people refusing to complete the forms, but was caused by part-time tutors failing to collect the data. Registry intervened via departmental heads to ensure all part-time tutors became aware of their responsibility to receive, distribute and collect institutional monitoring data.

Some key questions

1. Are there clear policies on equality of opportunity and harassment that staff are made aware of?

2. How are data recorded, reported and acted upon?
3. Are there clear guidelines on lines of reportage and content?
4. How do staff know that students from particular groups (for example, disabled, mature, or black and minority ethnic groups) achieve equitable levels of applications, admissions, retention, progression and achievement?
5. Are staff aware of the Quality Assurance Agency's (QAA) Code of Practice (Students with Disabilities)?

Relevant resources

NATIONAL DISABILITY TEAM (2005) *External Examiners Institutional Focus Checklist*, Action on Access, available from <<http://aoa.ico3.com/resources/files/eeinstitutional.doc>> (accessed May 2007).

QAA (1999) *Code of Practice for the Assurance of Academic Quality and Standards in Higher Education. Section 3: Students with disabilities*, available from <www.qaa.ac.uk/academicinfrastructure/codeOfPractice/default.asp> (accessed May 2007).

Course review and validation

Case study

The university was keen to expand its foundation degree (FD) courses through increasing the number of their partner colleges who would deliver them. In addition to the local college included for the delivery of the new *Learning Assistant's course*, as part of their Widening Participation initiative, it was planned to deliver the programme at a more rural location around 20 miles away from the university campus. At the validation event, the panel noted that little account had been taken of the low resource level at the rural site. To compensate for this lack, the students would have had to travel a substantial distance to the university to access the library's resources. Difficulties of time and/or cost and/or access would have meant that those on low income, with carer or family responsibilities, and/or those with mobility difficulties would have been seriously disadvantaged.

Some key questions

1. Does the institutional quality assurance handbook provide advice and guidance to validation/review panels on equality and disability issues?
2. Are validation panels made up of an appropriately diverse range of staff?

3. Is equality and diversity training provided to those who will serve on validation and review panels?
4. Does the validation panel check that the course team have made anticipatory adjustments to remove potential barriers for disabled students?
5. Do the institution's regulations allow a 'step on step off' mode of study to accommodate student's diverse study needs?
6. Are some potential students disadvantaged by formal entry requirements? Are there alternative forms of accrediting prior learning?

Relevant resources

WATERFIELD, J. & WEST, B. (2002) *SENDA Compliance in Higher Education: an audit and guidance tool for accessible practice within the framework of teaching and learning*, South West Academic Network for Disability Support (SWANDS), available from <www.plymouth.ac.uk/assets/SWA/Sendadoc.pdf> (accessed May 2007).

DICKINSON, Y. & CAVANAGH, S. (2006) *Disability Legislation: practical guidance for academic staff*, p.7, Higher Education Academy & Equality Challenge Unit, available from <www.heacademy.ac.uk/learningandteaching/DisabilityLegislation_practical_guidance.pdf> (accessed May 2007).

Staff development

Case study

At the beginning of the academic year, the disability coordinator approached all the academic departments to offer training in disability awareness and making reasonable adjustments for disabled students. This was taken up by all but two of the departments over the course of the semester, and the disability coordinator entered into discussion with the head of student services to determine how they could convince the remaining two departments to take up the training. They were both taken by surprise therefore by a complaint by students with dyslexia from one of the departments who had undertaken training. The students complained that staff appeared to be ignoring the stickers they were entitled to use on their submitted assignments that should have triggered sensitive marking (that is, marking for content only, and not penalising the student for poor grammar or spelling). Discussion with the head of department identified the problem: part-time teaching staff who had not attended the training sessions were unaware of the sticker system and the policy for marking the work of students with dyslexia.

Some key questions

1. Are all staff appropriately trained in equality and diversity issues?
2. Do all staff know and understand their responsibilities under equal opportunities-related legislation, for example, the Race Relations Amendment Act (2000) and the DDA (1995)?
3. Does staff induction include an introduction to the institution's equal opportunities-related policies?
4. Are all staff aware of the institution's bullying and harassment policy? Do they know how to initiate action in relation to the policy?
5. Do staff know what to do if someone discloses a disability?
6. Do staff have a clear understanding of their responsibilities in relation to confidentiality and the Data Protection Act/DDA?
7. Does the staff review and development process include discussions on the management of diversity?

Relevant resources

DISABILITY RIGHTS COMMISSION (2007) *Disability Discrimination Act 1995 Code of Practice - Post-16 Code of Practice (revised) for providers of post-16 education and related services*, available from <www.equalityhumanrights.com/Documents/Disability/Education/Post16_Code.doc>.

Conclusion: addressing the need for change

Following the introduction of the DDA in Australia in 1992, research showed that all cases of unlawful discrimination brought to a court of law were not related to the provision of centralised services, but to teaching staff's failure to make appropriate adjustments to their practice (Adams & Brown, 2001). It is reasonable to expect that some of the issues raised by the preceding questions and case studies may be addressed only by changes to policy at the institutional level, whilst others may necessitate discussion and agreement within departments. At the individual level, it is hoped that teaching staff in the UK will find this paper helpful in meeting their responsibilities under the law, and that they, and teachers internationally, will find it useful in developing their own inclusive practice. It is also hoped that the reader will take away the message that what is good inclusive practice for disabled students, is simply good practice for all.

Notes

1. <www.un.org/esa/socdev/enable/dissre00.htm>
2. <www.un.org/esa/socdev/enable/dissre04.htm>
3. <<http://inclusion.uwe.ac.uk/csie/slmca.htm>>
4. <[www.unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.RES.2000.51.En?Opendocument](http://www.unhcr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.RES.2000.51.En?Opendocument)>
5. <www.un.org/esa/socdev/enable/rights/adhoccom.htm>
6. The UN summary document listing various member states and international bodies' definitions of disability may be found at <www.un.org/esa/socdev/enable/rights/ahc8docs/ahc8bkdoc3.doc>
7. <www3.who.int/icf/icftemplate.cfm>
8. <www.dwp.gov.uk/asd/dcm.asp>
9. <www.hesa.ac.uk/holisdocs/pubinfo/student/disab0405.htm>
10. <www.abapstas.org.uk/>

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- DICKINSON, Y. & CAVANAGH, S. (2006) *Disability Legislation: practical guidance for academic staff*, p.7, Higher Education Academy & Equality Challenge Unit, available from <www.ecu.ac.uk/publications/pubs_guidance.html#200610DisabilityLegislationGuidance> (accessed December 2007).
- DISABILITY RIGHTS COMMISSION (2005) *The Disability Discrimination Code of Practice (Public Authorities) (Duty to Promote Equality)*, HMSO, available from <www.opsi.gov.uk/SI/si2005/20053340.htm> (accessed May 2007).

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- WATERFIELD, J. & WEST, B. (2006) *Inclusive Assessment in Higher Education: a resource for change*, The Student Staff Partnership for Assessment Change and Evaluation (SPACE project), Higher Education Funding Council for England (HEFCE), available from <www.plymouth.ac.uk/pages/view.asp?page=10494> (accessed May 2007).

About the author

Val Chapman is the Director of the Centre for Inclusive Learning Support at the University of Worcester. Formerly an academic, her work in the area of equal opportunities was recognised in 2004 by the award of a National Teaching Fellowship, and in 2005, by her inclusion as one of 16 HE partners forming the *LearnHigher* Centre for Excellence in Learning and Teaching. During 2006/07, Val took up an appointment as a UNESCO-funded Chair in Special Education at Qatar University, Doha.

Val has a strong track record in research and disability, in quality assurance, and in managing national and European funded projects. She wrote the bid, and will take the lead, for the National Teaching Fellowship Scheme 'Employability and Disability' project (2009/10). She is currently a member of the Higher Education Academy's Disability Special Interest Group, HEFCE's Leadership Foundation Diversity Advisory Group, the Higher Education Equal Opportunities Network's (HEEON) Steering Group (formerly Chair and Deputy Chair).