



TRINITY COLLEGE DUBLIN

COLÁISTE NA TRÍONÓIDE, BAILE ÁTHA CLIATH

THE
UNIVERSITY
OF DUBLIN



CHOICE Matters

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AHEAD Conference 15th March 2012



- To reflect and offer advice on recommendations made in the CHOICE report 2009 'Candidates with disabilities/specific learning difficulties: The Challenge for Colleges of Education'.
- To clarify what constitutes reasonable (and unreasonable) accommodations for students with disabilities undertaking professional courses.



- **Recommendation 1:** The Colleges should recognise the benefits that teachers with disabilities can bring to education;
- **Recommendation 2:** ...Colleges explore alternative routes of admission;





- **Recommendation 8:** ...Colleges ensure that all students are aware of the new Occupational Health Service procedures;
- **Recommendation 9:** ...Colleges clearly set out the circumstances and procedures for a needs assessment or a reassessment of needs;





Continued

- **Recommendation 10:** ...Colleges request the Department of Education and Science to urgently seek legal advice regarding the continued use of the Health Declaration Form;
- **Recommendation 12:** All applicants should be encouraged to disclose a disability / specific learning difficulty in order that appropriate support may be provided.





- 59 students are shown to be on Teacher Training courses:
- 26 in Colleges of Education representing 0.7% of the total student body (26/3,627) and
- 33 in Universities probably on postgraduate teaching training course for 2nd level schools, this equates to 1.2% of this total student body (33/2,673).





- ‘Disabled Teachers: Our aim is to inspire talented and enthusiastic people to become teachers...There is nothing intrinsic about disability that should prevent you from becoming a teacher’

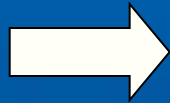
The UK government agency Teaching and Development Agency





The situation

Disabled student applies to College



College cannot discriminate, but must provide reasonable accommodations



Reasonable accommodations established and put in place.



- If the student meets set competence standards, with the provision of reasonable accommodations, they pass and are fit to practice.
- If the student does not meet the competence standards, with reasonable accommodations, then they fail.



Requirement of College

1. To assess what accommodations a student will require to complete the course.
2. To assess whether these are reasonable and deliverable.
3. To provide accommodations.

The student then undertakes the course, with accommodations in place. If the student meets the demands, they are “fit to practice”.



Assessing What Is A Reasonable Adjustment

- In assessing what is a 'reasonable' adjustment – education providers will have to consider:
- Whether the adjustment would effect the maintenance of academic and other standards.
- The cost of the adjustment and the financial resources available.
- Whether making the adjustment or additional provision is practical.
- The effectiveness of the adjustment or additional provision.
- The disruption caused to others.
- Whether the student, or others, should provide the additional provision or services.
- The importance of the service to which access is being sought.



- Fitness to practice has been defined as a person's ability to practice their profession in a way which meets appropriate standards, meaning that a person has the skills, knowledge, attitudes, character and health to perform necessary functions safely and effectively (*adapted from HPC, 2005*).





Definition of Fitness to Practice

- Framework for ensuring quality and safety
- Demonstrates fitness to learn, graduate and practice:
 - Knowledge, skills
 - Competence
 - Capability
 - Attitudes, character, conduct
 - Health





Not fit to practice - indicators

- Deficient performance
- Deficient competence
- Misconduct
- Ill-health, physical or medical
- Criminal conviction/caution





What is a competence standard?

- 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 level of competence or ability
- Need to differentiate between the standard and the process of attaining the standard
- Standard must be objectively justifiable – a proportionate means of achieving a legitimate aim



What isn't a competence standard?

- Being able to cope with the demands of a course
- Having good health or fitness (if unnecessary)
- Attendance requirements (if unnecessary)
- Completing a course in a certain timeframe
- Speaking clearly
- Handwriting an examination





- Schools/disciplines formulating fitness to practice requirements should address the following four questions
- What competency(ies) is/are being assessed in the specific course/placement?
- Is the competency requirement justifiable in relation to each specific course/placement?
- How is the competency assessed?



- It is recognised that disclosure of disability is the ideal;
- It may be possible to have mandatory disclosure, but this can result in people being more afraid to disclose (or part-disclose to the disability office) or seek reasonable accommodations;
- Generalised health questions are not appropriate, nor do they provide adequate or specific information.



- Rule 155 (4)(a) of the Rules for National Schools (1965) states that,
- Before a candidate is admitted to a Training College the medical officer of the College must certify that he is of sound and healthy constitution and free from any physical or mental defect likely to impair his usefulness as a teacher; the medical certificate shall include such details as the Minister may require;





Reasonable Accommodation (RA)

- The most important area for the purposes of students with disabilities may be the provisions in respect of reasonable accommodation. The Act deals with the reasonable accommodation provisions, and states:
- ... discrimination includes a refusal or failure ... to do all that is reasonable to accommodate the needs of a person with a disability ... if without such special treatment or facilities it would be impossible or unduly difficult for the person to avail himself or herself of the service



RA in a College context

- a reasonable accommodation might be any action that helps alleviate a substantial disadvantage. Making a reasonable accommodation might involve changing procedures, modifying the delivery of the course taken, providing additional services (e.g. examination arrangements, materials in large print), or altering the physical environment.





RA and competence standards

- Competence standards cannot be adjusted
- But assessment processes must be
- Anticipatory duty applies





- If a student does not meet the course requirements, assuming that appropriate accommodations are in place, then they fail, as with any other student.
- The key is to ensure that all appropriate reasonable accommodations are in place.





- It is NOT College's responsibility to decide whether a student will be employable.
- College is responsible for making accommodations for students as long as they are undergoing training.
- The student either passes or fails (as with any student) based on whether they have met the competences, with accommodations.
- Once a student graduates, they are fit to practice- it then becomes the role of the employer to provide reasonable accommodations.





The next steps...

- Colleges needs to establish:
- Clear, consistent decision making route, from admissions to graduation.
- Standards / practices relating to reasonable accommodations for students undertaking professional courses (similar to document that is already in existence)
- Professional bodies need to establish interpretations of core competences





Next Steps Continued...

- Decision-making route – admissions, reasonable accommodations, practice education. What routes should be used? How are decisions documented? What steps are needed to produce a pro-forma that will enable College to act in such a way as to protected from possible discrimination and ensure standards?





- Full report available at:
- http://www.tcd.ie/disability/banner/Links/Conf_papers.php
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