

## STUDENTS WITH A DECLARED DISABILITY

Please note, as of October 2023, the information in this section of the regulations is in the process of being reviewed and will be re-published shortly.

1. The University is committed to ensuring that disabled students are fully supported in their learning and assessment, in line with current legislation. A student is considered as disabled if they have a physical or mental impairment which has '*a long term and substantial adverse effect on their ability to carry out normal day-to-day activities*'. Teaching and assessment activities at the University fall within this definition. Impairments that may meet this definition include:
  - Specific learning difference such as dyslexia and dyspraxia;
  - Autistic spectrum disorders including autism and Asperger's syndrome;
  - Sensory impairments, especially those impacting hearing or vision;
  - Mobility difficulties and chronic pain impacting on mobility;
  - Long term health conditions, including cancer, HIV, diabetes and immune system disorders;
  - Chronic mental health difficulties including depression, bipolar disorder, psychosis and eating disorders.
2. The University will seek to provide reasonable adjustments (RAs) to learning and assessment for students whose disability meets the definition in the Equality Act 2010 if it is likely to impact on their learning and assessment. The purpose of a RA is to remove or minimise the barriers that a disabled student may face in order to provide them with a fair and equal opportunity to succeed. Examples of RAs for examinations include the provision of an examination paper in an alternative form, such as an enlarged typeface, provision of a small group or individual room, additional examination time (to be used for writing or resting subject to a maximum duration of 4 hours including the additional time) and the use of assistive software on a computer.
3. The University will take an anticipatory approach to the provision of RAs when individual students disclose an impairment, and also takes a broader anticipatory approach by designing its teaching and assessment in such a way that it is accessible to all our students. However, where an assessment mode is used to measure a 'competence standard', the ability and legal duty to provide some types of RA to assessment may be limited. Schools of Study will identify such modes of assessments in their course and module handbooks. The Equality Act 2010, Section 98 4(3) provides the following definition: '*A competence standard is an academic, medical or other standard applied for the purpose of determining whether or not a person has a particular level of competence or ability.*'

### Role of Disability Advice (DA)

4. Disability Advice (DA) provides advice and support for disabled students. Students with an existing disability should let the University know about their disability as early as possible after their place at the University is confirmed, and by week 3 of Semester 1 where possible, or before the start of the first module on an online distance learning course. This is to allow time for RAs to be considered and implemented for the whole of the academic year.
5. In order to be considered for RAs to assessment a student will need to provide recent evidence to DA from an appropriate specialist (e.g. a medical practitioner or HCPC-registered psychologist) to demonstrate that their disability meets the definition in the Equality Act.
6. DA and the student will jointly review the likely impact of the student's disability on their learning and/or ability to engage with the generic categories of assessment. The DA, in collaboration with the student, will then consider RAs to assessment to support the student in an anticipatory manner with their learning and assessment. The DA may suggest RAs that should remove or minimise any disadvantage that the student might otherwise experience. The generic categories of assessment and modes of assessment are available at:  
<http://www.sussex.ac.uk/adqge/standards/examsandassessment>

7. The University will record the RAs that have been agreed to support the student in learning and assessment. Normally RAs will be agreed for the duration of a student's course of study but in some cases DA will suggest that the RAs should be for a fixed period of time, or that the RAs should be reviewed after a stated period of time.

### **Process for applying/approving Reasonable Adjustments to assessment**

8. The process for applying and approving RAs to assessment put forwards by DA is set out below. The table at Annex A provides a summary of the application and approval route for RAs to assessment.
9. Academic judgement will be used to decide whether some types of RA to assessment are possible, to maintain academic standards in delivery and assessment of module learning outcomes. RAs that involve a change in assessment mode, rather than an adjustment to the mode itself, and those that involve a variation to the examination rubric or assessment arrangement, will need to be considered on a module by module basis.
10. An agreed RA to assessment should result in a fair and equal opportunity for a disabled student to succeed without conferring an advantage over other students, in order to comply with the principles of assessment.
11. The agreed RAs will be made available to the student and to members of University staff, as necessary. The student is responsible for raising concerns if the agreed RAs to learning and assessment are not being delivered.

### **The Student**

12. Students assessed by DA as being eligible for a literacy notification will be supplied with a flag indicating this, so that consideration can be taken in the marking process. It is the student's responsibility to attach the flag to their submitted work, including online exams. Where flags are left off a submission, for whatever reason, the Marker will not be able to give particular consideration to errors symptomatic of specific learning differences or other disabilities. For exams held on campus, refer section 13 (j).

### **The Student Administration Office**

13. The Student Administration Office (SA) will apply the following RAs to assessment:
  - (a) 25%, 50% or 100% additional time for exams (a variation to the exam paper must be considered in cases where the exam duration exceeds 4 hours following the application of additional time)
  - (b) an extended deadline of an additional 4 or 8 hours for a Take Away Paper (DA to propose extended deadline based on the student's circumstances – not necessarily 4 hours for a 24hr TAP and 8 hours for a 48hr TAP).
  - (c) access to the designated rest area outside the examination room
  - (d) use of equipment or voice assisted software to support exams
  - (e) use of a support worker to support exams, for example, a scribe or reader
  - (f) scheduling of exams separately to the main cohort in a small group room or an individual room
  - (g) provision of exam paper in a specified way, for example, large print or coloured paper
  - (h) chaperoning within the designated examination area to enable an earlier/later exam start time
  - (i) deferral of an assessment into the resit assessment period of the current academic year
  - (j) for exams held on campus, the SA will attach flags to the examination scripts of students with a literacy notification before they are distributed to internal examiners. Work submitted prior to disability assessment by DA will not be remarked.

At the beginning of each academic year SA will review assessments to ensure that these RAs are applied where they have been agreed for an individual student.

### School Director of Student Experience

14. The School Director of Student Experience can approve the following RAs to assessment:

- (a) 'Penalty waiver' and individual extended deadlines: All students with a disability who are known to the DA may submit within the late submission period, which is normally 7 days, without the usual penalties. This is referred to as a 'penalty waiver'. No approval is required to submit during the 'penalty waiver'. In addition to the 'penalty waiver', an extended deadline may be considered to ensure that submission deadlines are appropriately staggered, for example, in the assessment periods. This may result in the cohort deadline standing for some assessments, with use of the 'penalty waiver'. Where a deadline is extended the student may also submit without penalty during the late submission period ('penalty waiver') after their individual extended deadline. This may result in a submission up to 14 days after the cohort deadline. The DoSE must ensure that the security of the assessment is maintained when approving an extended deadline, given that the penalty waiver may also be used, so that a student cannot submit after feedback is given to the cohort. This may mean that an extended deadline cannot be given for assessments where feedback is due to be given to the cohort before the 15 day deadline for the return of cohort marks and feedback. An extended deadline may not be approved on a group written submission for an individual student. Extended deadlines must not be agreed where this could result in a submission deadline on a weekend or bank holiday (excludes electronic submissions). In practice, SA will hold a list of modules where an extended deadline is possible. The standard regulations apply in relation to re-submission of an assessment after the cohort deadline or after the individual extended deadline. This means it is not possible to re-submit during the late submission period ('penalty waiver') once a submission has already been made. This applies both to late submission after an individual extended deadline and to late submission after the cohort deadline.
- (b) Presentations: a variation to the arrangements for a presentation for an individual student may be approved, provided this enables the module learning outcomes to be met and the mode of assessment is not changed. For example, a presentation may be given on a one-to-one basis to the same Marker, rather than to a student group and Marker. However, it is not acceptable for a presentation to be made to a different tutor not involved in the marking for the cohort. For a group presentation, a variation to the assessment task may be approved, for example, that a student undertakes a researching role rather than a presenting role, providing this enables the module learning outcomes to be met by all students in the group.
- (c) Group Written Submissions: a variation to the assessment arrangements may be approved for an individual student, provided this enables the module learning outcomes to be met and the mode of assessment is not changed. For example, a student may be asked to write up a section of the group assessment on their own rather than collaboratively.
- (d) Alternative modes of assessment: an alternative mode of assessment may be considered in cases where arrangements to support the approved mode of assessment are not appropriate, due to the nature of the disability. Any alternative mode of assessment must enable the module learning outcomes and any accreditation requirements to be met. An alternative mode must assess, as far as possible, the same range of knowledge as the cohort mode. For some modules it may not be possible to provide an alternative mode due to the specific module/course learning outcomes, Professional and/or Statutory Body accreditation requirements or where the mode approved for the cohort is required to test competence standards. In cases where it is not possible, the DoSE must provide the Chair of the University Reasonable Adjustments Panel with an evidence based rationale. The Chair may accept or reject the rationale for not providing an alternative mode and will confirm the

outcome to the DoSE. An outcome should normally be agreed within 10 working days from when the DoSE is first contacted. The External Examiner should normally sign off the assessment task for an alternative mode and review the student's assessment script as part of the sample for external moderation. The DoSE will not normally be asked to consider an alternative mode of assessment for a Distance Exam. Unlike a timed exam, a Distance Exam allows a student to work on the exam at any time during the 24 hour period, enabling the student to decide when to work on the exam and when to take breaks.

- (e) Variation to the exam rubric: a variation to the examination question paper may be considered where the provision of additional time would otherwise result in the overall duration of the examination exceeding 4 hours. For example, a variation to the rubric such that a student had to answer fewer questions than the cohort. It is University policy that no examination should exceed 4 hours, as a result of additional time, unless a Professional and/or Statutory Body prohibits any adjustment to the examination rubric. A variation to an examination question paper may also be considered in cases where a student's circumstances require a variation, for example, to enable a colour blind student to answer all the questions where colour graphs are used. Any variation to the rubric must enable the module learning outcomes and any accreditation requirements to be met. In cases where a variation is not possible, the DoSE must provide the Chair of the University Reasonable Adjustment Panel with an evidence based rationale. The Chair may accept or reject the rationale for not providing a variation to the exam rubric and will confirm the outcome to the DoSE. An outcome should normally be agreed within 10 working days from when the DoSE is first contacted. The External Examiner should normally sign off a variation to the examination rubric and review the exam answer paper as part of the sample for external moderation. A mock past paper must be provided where the variation is not in keeping with the published exam rubric or guidance. This is to ensure that equivalent guidance is provided to support the variation to the assessment task.
- (f) Alternative exam paper: an alternative exam paper, distinct to the cohort exam paper, to enable the exam to be scheduled at a different time to the cohort, e.g. morning/afternoon or to create a better spread of exams. DA will advise SA of cases where chaperoning arrangements can be provided instead to enable the student to take the cohort exam earlier/later on the same day as the cohort. An alternative paper will not normally be possible for resit/sit examinations in the resit assessment period.

15. At the start of each semester the DoSE will provide SA with a list of modules where an extended deadline may be applied. The DoSE will also review presentation arrangements and group written submission arrangements to ensure the agreed RAs to assessment are considered.

### **University Reasonable Adjustments Panel**

16. University Reasonable Adjustments Panel terms of reference:

- (i) To consider all cases referred by the School Director of Student Experience where the School consider that an alternative mode of assessment cannot be offered as a reasonable adjustment.
- (ii) To use academic judgment to (a) consider the evidence based rationale provided by the School and (b) ensure that academic standards are maintained in line with the University principles of assessment.
- (iii) To ensure that all decisions made allow the University to meet any legal obligations and requirements.
- (iv) The Panel will meet as required.
- (v) The Panel reports to the University Education Committee.
- (vi) To authorise the Chair to make decisions by chair's action on individual cases, where appropriate.

Composition:

Pro-Vice-Chancellor (Education and Students) (or nominee) (Chair), Director of Teaching and Learning from each cluster; Director for the Student Experience; Associate Director Student Engagement and Achievement; two elected USSU Officers and Curriculum Manager (Secretary).

### **Notification of approved RAs to assessment**

17. The University will inform students of RAs to assessment that have been agreed. Extended deadlines and alternative modes of assessment will be shown on Sussex Direct but details of other RAs to assessment will not be shown on Sussex Direct, but will be confirmed to the student by email.

### **Changes in Circumstances and Exceptional Circumstances Claims**

18. Reasonable Adjustments can be revised as appropriate should circumstances change (for example, a significant change in a student's condition or a change in teaching or assessment).
19. When there is a sudden and unforeseen exacerbation of the known condition, or where the condition is first diagnosed or declared shortly before a particular assessment it may not be possible to provide RAs to assessment that would otherwise be appropriate. An Exceptional Circumstances claim may be submitted for all such cases.
20. A student may also claim for exceptional circumstances that are unrelated to their long term condition via the on-line claims process.
21. The evidence must relate to the original cohort deadline or the extended deadline, not to any late submission deadline.
22. The DPVC for the Student Experience may be asked, by the Chair of the University Education Committee, to exceptionally hold a review meeting with a student, if it appears that the Exceptional Circumstances Claims process is being used in a situation where RAs to assessment would be more appropriate, or where a revision of the agreed RAs to assessment may be appropriate. However, a RA to assessment will only be considered for a student whose disability meets the definition in the Equality Act 2010. The School Director of Student Experience would normally be included in any such meeting.
23. Although transfer from full-time to part-time study is not a RA, a student may apply to extend the period of study of a single stage over two academic sessions, where this is supported by the DA, providing the curriculum structure permits this and the School DoSE believes that the student is likely to achieve a successful degree outcome. All extensions to a period of study must be approved by the Director for the Student Experience to ensure that the degree can be achieved within the maximum period of registration permitted by the University regulations for taught courses.

### **International Summer School (ISS)**

24. The Director of the International Summer School (ISS) will consider applications from International Summer School students for RAs to assessment, provided the student is known to the Student Support Unit and an application is submitted 3 weeks before the start of the Summer School. (The agreed RAs to assessment will stand for a student already registered on a course at the University, where they decide to take an ISS module.) The Director of ISS can consider

applications for extended deadlines, presentations, group work, alternative modes of assessment, variations to exam papers and alternative exam papers, in accordance with the principles set out in the procedures above.

### **Students registered with the University of Brighton**

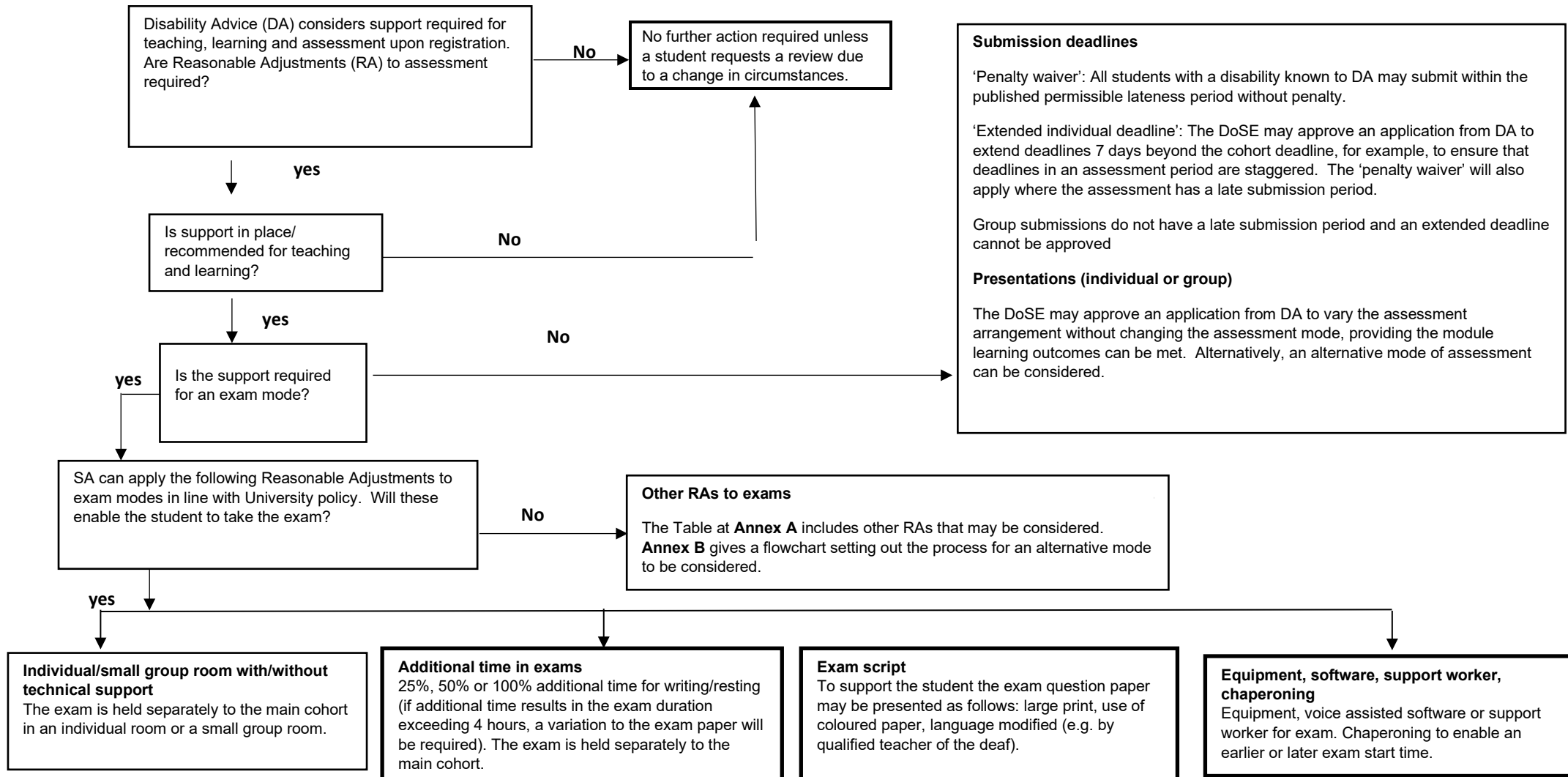
25. The University of Brighton regulations and procedures apply to students registered on a course owned by BSMS. However, the University of Sussex regulations apply where a module owned by the University of Sussex is taken, in accordance with the course structure. Where this occurs, the University of Brighton will advise Disability Advice (DA) of the RAs to teaching and assessment that have been agreed. DA will consider RAs in accordance with the procedure above, without the need to review the evidence provided. Exceptionally, the evidence may be requested and reviewed, should the RA be an alternative mode of assessment.

### **Appeals**

26. Students have the right of appeal against University Reasonable Adjustment Panel decisions, where the criteria are met. Please refer to the appeals criteria available at: <https://student.sussex.ac.uk/complaints/appeals/types-of-appeal#reasonable-adjustments>

## Appendix 1: Procedures to follow for students with a disability without an Exceptional Circumstances Claim

For students with a declared disability, Disability Advice (DA) will provide support based on an 'anticipatory approach' which commences with a review of the evidence in order for Reasonable Adjustment (RA) to learning and assessments to be considered. RA applications should be made at the earliest opportunity at the start of the course and usually by week 3 of the first semester, where possible.



### Submission deadlines

'Penalty waiver': All students with a disability known to DA may submit within the published permissible lateness period without penalty.

'Extended individual deadline': The DoSE may approve an application from DA to extend deadlines 7 days beyond the cohort deadline, for example, to ensure that deadlines in an assessment period are staggered. The 'penalty waiver' will also apply where the assessment has a late submission period.

Group submissions do not have a late submission period and an extended deadline cannot be approved

### Presentations (individual or group)

The DoSE may approve an application from DA to vary the assessment arrangement without changing the assessment mode, providing the module learning outcomes can be met. Alternatively, an alternative mode of assessment can be considered.

### Other RAs to exams

The Table at **Annex A** includes other RAs that may be considered. **Annex B** gives a flowchart setting out the process for an alternative mode to be considered.

Annex A: University policy regarding application and approval of reasonable adjustments to assessment for disabled students who are known to the Disability Advice (DA) and whose disabilities meet the definition in the Equality Act 2010.

### **Reasonable Adjustments applied by SA**

<b>Number</b>	<b>Reasonable Adjustment application</b>	<b>DoSE approval</b>	<b>SA to apply</b>
1	Additional time for writing or resting: 25%, 50%, 100%, up to a maximum of 4 hours, which may be used for writing or resting at the desk in examinations. <sup>1</sup> (An additional 15 minutes will be included per examination where 25% additional time is given; an additional 15 minutes will be included for resting in exams of less than 60 minutes where 50% additional time is given.)	n/a	Yes
2	An additional 4 or 8 hours for a Take Away Paper to enable submission on the same day as the cohort. DA to advise of extended deadline based on the student's circumstances – not necessarily 4 hours for a 24hr TAP and 8 hours for a 48hr TAP.	n/a	Yes
3	Resting outside the exam room within the designated rest area.	n/a	Yes
4	Use of equipment: PC; use of own ergonomic keyboard; use of own mouse (e.g. roller ball); use of own back rest, foot rest; adjustable chair; adjustable desk; voice assisted software	n/a	Yes
5	Use of Support Worker: Scribe; Reader; Lip-speaker; BSL Interpreter; presence of carer	n/a	Yes
6	Small group room; individual room; seating preference; permission within exam room to walk, stand, exercise; room requirements (warm or cool, lighting, windows, background noise).	n/a	Yes
7	Exam Script: large print; use of coloured paper; language modified (e.g. by qualified teacher of the Deaf)	n/a	Yes
8	Examination start time scheduled before/after cohort start time: chaperoning within the designated examination area on the day of the cohort exam to enable an earlier/later start time.	n/a	Yes
9	Deferral of assessment into the resit assessment period of the current academic year. This will be a sit of the resit mode at the weighting of the deferred assessment.	n/a	Yes

<sup>1</sup> Students may rest at their desk in the examination room or use the additional time for writing, up to the maximum additional time. No further time is given for toilet visits which may be taken throughout, including during the first hour. SA will advise of any cases where a variation to the exam paper is required due to the exam duration exceeding 4 hours, following the application of additional time.



**Reasonable Adjustments requiring approval by the School Director of Student Experience (DoSE)**

Number	Reasonable Adjustment application	DoSE approval	SA to apply
1	Individual extended deadline to an assessment (7 days beyond the cohort deadline <sup>2</sup> )	Yes via SA	Yes
2	Presentations: 1-1 <sup>3</sup>	Yes	n/a
3	Group Written Submission <sup>4</sup>	Yes	n/a
4	Alternative mode of assessment <sup>5</sup>	yes	Yes
5	Variation to examination rubric e.g. to answer fewer exam questions from the same exam paper as the cohort. <sup>6</sup>	yes	Yes
6	Alternative exam paper to enable exam to be scheduled at a different time to the cohort e.g. morning, afternoon or every other day. <sup>7</sup>	yes	Yes

<sup>2</sup> All disabled students known to the Disability Advice may submit in line with the published late submission period without penalty ('penalty waiver'). Applications from DA for individual extended deadlines beyond the cohort deadline may be approved by the DoSE, provided the security of the assessment is maintained. An extended deadline may not be agreed for a group written submission.

<sup>3</sup> Individual or group presentations can be held separately, other than to an audience, provided they are made to the same Marker. A variation to the presentation arrangements may be approved by the DoSE for an individual student, provided the mode is not changed and the variation enables the module learning outcomes to be met.

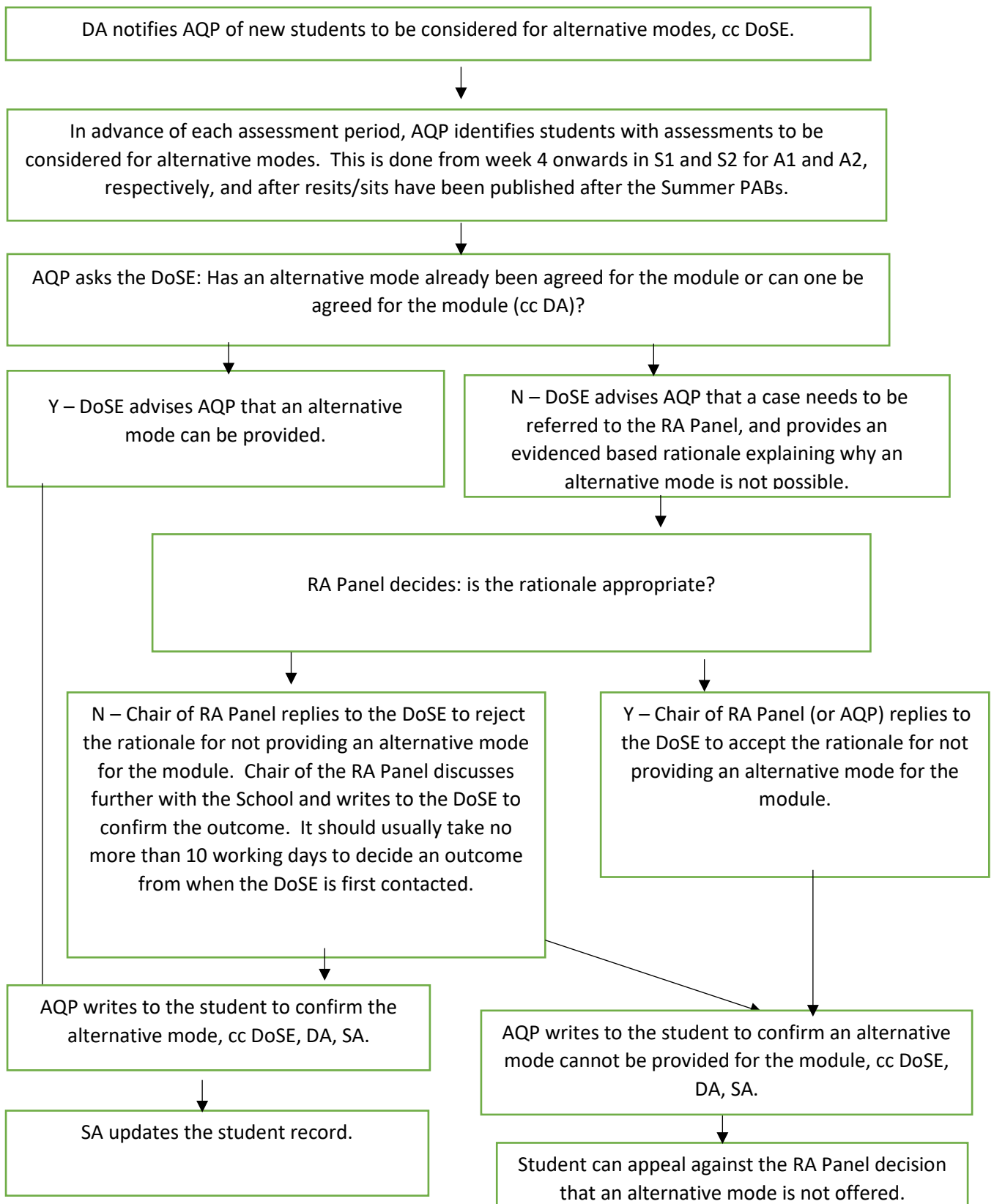
<sup>4</sup> A variation to the arrangements for a group written submission may be approved by the DoSE for an individual student, provided the mode is not changed and the variation enables the module learning outcomes to be met. An extended deadline may not be approved for a group written submission.

<sup>5</sup> The School may be asked to provide an appropriate alternative mode of assessment. The School must ensure that the alternative mode enables the relevant module learning outcomes and any accreditation requirements to be met. (This is usually for exam modes in the assessment period but can be for presentations and for Tests, weighted at more than 30%, during the teaching period) The School must refer any cases to the Chair of the University Reasonable Adjustments Panel where they consider an alternative mode cannot be provided. See flowchart at Annex B.

<sup>6</sup> The School may be asked to provide an appropriate adjustment to the exam question paper in cases where additional time results in the exam duration exceeding 4 hours, for example, to answer fewer questions than the cohort. The School must ensure that any adjustment enables the relevant module learning outcomes and any accreditation requirements to be met. SA will advise of any cases where a variation to the exam paper is required

<sup>7</sup> The School may be asked to provide an alternative exam paper, distinct to the cohort exam paper, to enable an exam to be scheduled at a different time to the cohort. DA will advise SA of cases where chaperoning arrangements can be provided instead to enable the student to take the cohort exam earlier/later on the same day as the cohort. An alternative paper will not normally be possible for resit/sit examinations in the resit assessment period.

## Annex B: Flowchart setting out process for alternative modes to be considered



Key: RA Panel – University Reasonable Adjustment Panel; DA – Disability Advice; SA – Student Administration Office, AQP – Academic Quality and Partnerships Office.