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Disabilities and the Universities Accord

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Contents

Disabilities and the Universities Accord	2
Paul Harpur, Lisa Stafford and Katie Ellis.....	2
Acknowledgements.....	3
Executive summary.....	7
Method and approach	9
Research for the Universities Accord Panel Discussion Paper response	9
Research interviews and written responses	9
Anonymous survey and responses	10
Focus group discussions.....	10
Recommendations on how the Universities Accord should enhance disability inclusion	11
Recommendation 1: A disability inclusion strategy for the sector led by those with lived experience.....	11
Participatory justice paradigm framing the strategy.....	11
Sub recommendation A: Universities Accord, co-created with persons with disabilities, should set performance targets and specify who in universities are responsible for those targets to be met and reported upon.	12
Sub recommendation B: The co-creation, implementation and monitoring of a Disability Inclusion Strategy for the sector will require that those who live with a disability are resourced to work with the leadership of the sector, as well as create pathways for disability leadership positions within the sector.....	13
Sub recommendation C: If the Universities Accord Panel recommends the establishment of a statutory agency it must include disability targets in strategy, employment and leadership.....	13
Sub recommendation D: Continue to engage with the disability voice.	14
Sub recommendation E: Universities Accord should ensure the disability voice is valued and recognised as full decision makers and leaders with balanced approach in the operationalisation of the strategy.	14
Q2 How can the diverse missions of Australian higher education providers be supported, taking into account their different operating contexts and communities they serve (for example regional universities)?.....	15
Recommendation 2: Fund the actual cost of creating inclusive university experiences.....	15
Recommendation 3: Invest in a sector-wide set of scalable Inclusive Universal Design Campus Guidelines.....	17
Q25 How should Australia leverage its research capacity overall and use it more effectively to develop new capabilities and solve wicked problems?.....	18
Recommendation 4: Create funding options which recognise higher education as a legitimate funding option for academic research.....	18

Q28 What is needed to increase the number of people from under-represented groups applying to and prepared for higher education, both from school and from other pathways?.....	18
Recommendation 5: Develop university outreach activities which include a focus on promoting diversity outcomes.	19
Recommendation 6: Funding and wrap around services targeted at supporting high school students with a disability who wish to transition to university.	20
Q29 What changes in provider practices and offerings are necessary to ensure all potential students can succeed in their chosen area of study?.....	20
Recommendation 6: Seek public interest funding to ensure courses which advance a public interest outcome are available.....	20
Q30 How can governments, institutions and employers assist students, widen opportunities and remove barriers to higher education?.....	20
Recommendation 7: The recommendations of the Bradley Review of Australia Higher Education, a national strategy for improving higher education attainment amongst under-represented student groups, should be developed to benefit students with disabilities.....	21
Q33 What changes to funding and regulatory settings would enable providers to better support students from under-represented groups in higher education?	21
Recommendation 8: Create inclusivity and equity in funding supports for students with disabilities, and mandatory reporting of disability inclusion and equity performance targets that are visible like scorecards.	22
Q38 How can the Accord support higher education providers to adopt sector-leading employment practices?	22
Recommendation 9: Create a research relevant opportunity to performance expert panel and give on only the content to the subject matter experts to review on which they have expertise.	24
Recommendation 10: The Higher Education Support Act 2003 should include requirements to employ persons with disabilities in the same way in which funding under this enactment is linked to Indigenous employment.....	24
Recommendation 11: Ensure disability leadership positions in the sector.	25
Q39 What reforms are needed to ensure that all students have a quality student experience? ...	25
Recommendation 12: Recognise and redress the factors which inhibit students with disabilities ability to enjoy an equal educational experience.....	26
Q. Q40 What changes are needed to ensure all students are physically and culturally safe while studying?.....	27
Recommendation 13: Build a program of inclusive awareness strategies, co-created by people with disabilities in the sector, to shift the significant ableism and stigma of disabilities entrenched in universities.....	28
Q45 How should the contribution of different institutions and providers to key national objectives specific to their location, specialist expertise or community focus be appropriately financed?.....	30

Recommendation 14: Develop greater differentiation between higher education institutions which could contribute to disability expertise, providing that this approach does not result in furthering oppression and exclusion.	30
Summary	31
References	32

Executive summary

We can have a disability inclusive sector.

The Australian Universities Accord is a once-in-a-decade opportunity to help transform the higher education sector. This is the time to introduce a framework which will endure beyond government changes, and have the capacity to continue innovation and improvement, so that the kindergarten, primary and high school students of today can study and work in a higher education sector which regards disability inclusion as essential – not as an afterthought or, in some places, something to be avoided altogether as currently experienced. We are in a unique point in time when those who are running the country, our universities and the Universities Accord, are enthused with big ideas, which can create a just, inclusive and sustainable sector.

Following an explanation of our method and approach, we will make many specific recommendations below, however we want to lead this submission with an overarching big idea. A big idea which comes from existing regulatory structures, practices and from the Universities Accord Panel Discussion Paper itself.

1. A disability inclusion strategy for the sector led by those with lived experience.
 - a. Universities Accord, co-created with persons with disabilities, should set performance targets and specify who in universities is responsible for those targets to be met and reported upon.
 - b. The co-creation, implementation and monitoring of a Disability Inclusion Strategy for the sector will require that those who live with a disability are resourced to work with the leadership of the sector, as well as create pathways for disability leadership positions within the sector.
 - c. If the Universities Accord Panel recommends the establishment of a statutory agency it must include disability targets in strategy, employment and leadership.
 - d. Continue to engage with the disability voice.
 - e. Universities Accord should ensure the disability voice is valued and recognised as full decision makers and leaders with balanced approach in the operationalisation of the strategy.

Following this big idea, and informed by the research reported in this submission, we make the following recommendations:

2. Fund the actual cost of creating inclusive university experiences.
3. Invest in a sector-wide, scalable set of Inclusive Universal Design Campus Guidelines.
4. Create funding options which recognise higher education as a legitimate funding option for academic research.
5. Develop university outreach activities which include a focus on promoting diversity outcomes.

6. Recommendation 6: Funding and wrap around services targeted at supporting high school students with a disability who wish to transition to university.
7. Seek public interest funding to ensure courses which advance a public interest outcome are available.
8. The recommendations of the Bradley Review of Australia Higher Education, a national strategy for improving higher education attainment amongst under-represented student groups, should be developed to benefit students with disabilities.
9. Create inclusivity and equity in funding supports students with disabilities, and mandatory reporting of disability inclusion and equity performance targets that are visible like scorecards.
10. Create a research relevant to opportunity performance expert panel and give only the content to the subject matter experts to review on which they have expertise.
11. The Higher Education Support Act 2003 should include requirements to employ persons with disabilities in the same way in which funding under this enactment is linked to Indigenous employment.
12. Ensure disability leadership positions in the sector.
13. Recognise and redress the factors which inhibit students with disabilities the ability to enjoy an equal educational experience.
14. Build a program of inclusive awareness strategies, co-created by persons with disabilities in the sector, to shift the significant ableism and stigma of disabilities entrenched in universities.
15. Develop greater differentiation between higher education institutions which could contribute to disability expertise, providing that this approach does not result in furthering oppression and exclusion.

Method and approach

Research for the Universities Accord Panel Discussion Paper response

We write this submission not only as academic experts, but also as those who live with disabilities. We are advocates in our disability communities, yet have also succeeded in our careers. Combined, we have published hundreds of works on promoting disability inclusion spanning across planning and design, law, policies, technology, media, education, and theories.

We are all also members of Universities Enable – a disability steering group which includes leaders with disabilities in the sector, working with other leaders of the sector, to co-create a Disability Inclusion Strategy for the sector.

As leaders in the sector with various disabilities, we believe hearing the voices of those who work in the sector, with and without a disability, is critical and reflects the “nothing about us without us” mantra that is core to the UN Convention on the Rights of Persons with Disabilities (CRPD). Australia is a signatory of the CRPD, and Australian universities have a responsibility to help fulfill these rights through equity and inclusive education and employment systems, supports, and by fostering a culture of inclusion.

This submission is informed by academic research on disability inclusion involving three interviews, 198 anonymous survey and four focus group discussions with staff with disabilities and allies.

In addition to the above research, consultation was also conducted with various stakeholders. These include a national representative of students with disabilities, the principal of a major high school in a capital city who teaches students that transition into university, and a national disability person organisation supporting high school students in their transition into higher education. This was felt to be important as the Universities Accord Panel discussion paper is seeking to increase the flow of students with a disability from K-12 into university.

Research interviews and written responses

The research team interviewed and gained written responses from senior executives in the chancellery from two separate universities which are part of the Regional University Network. We also spoke with several representatives from peak university bodies, as well as academics and students with disabilities, to help inform the focus group discussions. This included people living and studying/working in the Australian Capital Territory, New South Wales, Northern Territory, Queensland, South Australia, Tasmania and Victoria.

Anonymous survey and responses

Drawing from our lived experiences, advocacy and research, we drafted an online anonymous survey consisting of eight questions to gain wide-ranging disability perspectives on the current experiences (barriers and enablers) and the changes needed in the higher education sector to inform our response to the Universities Accord Panel discussion paper. We distributed this through our channels on social media and LinkedIn and had a raft of senior leaders, academics, professional staff, students and others re-share this survey across the country.

We received 198 qualitative responses. 76.26% of respondents had a disability and 23.74% did not. This included 5.63% respondents from regional and rural areas and a spread across Australian jurisdictions. Those who participated in the survey held a range of roles, from senior executives to students. Specifically, the break down of respondents was:

University student	42.34%	94
Professional staff	35.59%	79
Academic staff	14.86%	33
Other	7.21%	16
Total	100%	222

Focus group discussions

Over 5 April 2023 and 6 April 2023 focus groups were undertaken with persons with a disability who work as office holders in the chancellery, professional staff with a disability, and academics with a disability. These participants were drawn from capital, regional and rural universities and included participants from the Australian Capital Territory, New South Wales, Queensland, Tasmania, Victoria and Western Australia.

Recommendations on how the Universities Accord should enhance disability inclusion

Key insights and recommendations were generated from the rich data shared by people who live, study and work in higher education in Australia. We have structured most of the responses according to the questions posed in the Universities Accord Panel Discussion Paper, however our first recommendation is overarching and has the potential to impact positively on diversity in the sector.

Recommendation 1: A disability inclusion strategy for the sector led by those with lived experience.

Australia has a national Disability Strategy (Department of Social Services, 2021-2031), and most universities have current disability action plans, which are created under federal or state laws. There is however no Disability Inclusion Strategy for the sector. In contrast to disability, Universities Australia has had several Indigenous strategies and a raft of gender initiatives. We believe the time is right to advance a new disability inclusion agenda.

This research, along with the Universities Enable steering group, shows that at a minimum a sector-wide disability inclusion strategy is needed to address the systemic barriers in higher education for persons with disabilities. Universities Enable members also presented the need for such a strategy at the 2023 Universities Australia conference in a satellite event and on a panel keynote. Such a strategy must be led by persons with disabilities and have performance targets and measures which we discuss further below.

Participatory justice paradigm framing the strategy

The Universities Accord Panel Discussion Paper positively reflects an inclusion paradigm, noting:

“The voices of people with lived experience should be at the centre of new solutions.”

The participatory justice paradigm in the CRPD requires that persons with disabilities advocate on their own behalf and represent their communities (Harpur and Stein, 2022). Key to this advocacy is ensuring that persons with disabilities are in leadership positions in governance structures that effect their equal participation across all aspects of society. The participatory paradigm is not limited to states simply offering persons with disabilities leadership positions. Instead, it requires states to ensure that persons with disabilities are able to take up those leadership positions. As a group in society, persons with disabilities are only able to take up leadership positions when they have the opportunities to benefit from education, have their economic rights to work and employment protected, their right to engage in public affairs and can exercise their other human rights which empowers them to be full and equal actors in society. The participatory paradigm therefore forms part of an interconnected framework which is focused on removing the systemic barriers to ensure the

actualisation of the rights of persons with disabilities, and to be able to participate as full and equal citizens.

The participatory model requires a paradigm shift in how we have previously operated. This starts with dismantling systemic barriers to education and employment in higher education sector, and providing persons with disabilities in the sector the opportunities to work with and help lead change with all levels of management in the sector, to co-create a strategy and process forward.

Sub recommendation A: Universities Accord, co-created with persons with disabilities, should set performance targets and specify who in universities are responsible for those targets to be met and reported upon.

The *Disability Discrimination Act* (1992) and *Disability Standards for Education* (2005) have been in place for decades. Yet, employment and education for persons with disabilities has seen little progress over this time. There is also large inconsistencies across universities in how persons with disabilities are treated and supported, both students and staff.

I think you know, obviously the strategic and culture stuff is really significant, important. But there's also, you know, such variability across the university sector which shouldn't be the case, there should at least the same expectation of having the supports and adjustments. Whatever that looks like, they should be available for you to succeed as a student or staff.
(participant from academic focus groups)

“Reasonable accommodation under anti-discrimination laws is a entitlement, but accessing it creates a significant burden on an already burdened individual. Students with a disability are already struggling, and the process of applying and fighting for reasonable accommodations is exhausting. Even if reasonable accommodations are approved, then some schools refuse to grant the accommodations. They claim not to have funds, even though the university is funded to provide reasonable accommodations. Reasonable design should be mandated to reduce the need to always be asking to change a system that was designed without us in mind.” (interview participant)

We argue that **performance targets**, that specify who in universities are responsible for those targets to be met and reported upon, are required. Empowering and resourcing those in the sector who have lived experience of disability to help co-create measures and solutions is essential to improving current and future students with disabilities education successes, as well as ensure career pathways for persons with disabilities in higher education.

Current experiences reveal a lack of proactiveness and strategic approach by universities to improve inclusion and remove discrimination for students and staff. There are inconsistencies across universities, with no performance targets tied to funding or mandatory reporting of actions and outcomes to improving equity and inclusion of persons with disabilities. This all links back to the need of a sector-wide Disability Inclusion Strategy with appropriate targets and reporting.

*“That was the designate to the Equity University Committee, where we've continually seen all metrics go backwards, and I reinforce with X was saying, with respect to you know, we've got a massive investment in indigenous professoriate actually as well as a residential college that will be built as well. But every time I used to bring up on the Academic Board Equity and Diversity Committee that they just start looking at the disability figures and staff and students were going backwards, I just got a - so that they'll put it on the agenda next time, around so there's that **lack of proactiveness** within yeah, strategic approaches. (Participant from academic focus group)”*

Sub recommendation B: The co-creation, implementation and monitoring of a Disability Inclusion Strategy for the sector will require that those who live with a disability are resourced to work with the leadership of the sector, as well as create pathways for disability leadership positions within the sector.

We recommend that Universities Australia appoint a Vice Chancellor Lead on Disability Inclusion to work with this group. Further, that universities agree to appoint members to a working group, that is resourced by universities, to attend meetings and engage in outreach research to gather the voices of students and staff with a disability, as well as ensuring that solutions proposed are workable. Without resourcing and a secretariate the development, implementation and monitoring of a strategy would be unlikely to succeed.

Sub recommendation C: If the Universities Accord Panel recommends the establishment of a statutory agency it must include disability targets in strategy, employment and leadership.

We support the establishment of such an agency responsible for providing government with independent, evidence-based advice on matters relating to post-secondary education and training. However, such an agency must be specifically required to include a Disability Inclusion Strategy for the sector and have targets to both employ staff with a disability within its workforce and have disability representation on its reference groups, and in leadership positions.

We believe in “nothing about us without us” and see the development of a fresh agency as an opportunity to ensure that all the diversity needs of our community are included.

Sub recommendation D: Continue to engage with the disability voice.

Universities Enable is using the data gathered from preparing this response to the Universities Accord Panel Discussion Paper to outline what the Disability Inclusion Strategy should include. Universities Enable intends to work with the leaders of the sector and the disability community over the next few months to road test this strategy alongside the next phase of the Universities Accord process.

We recognise that the Universities Accord Panel is dealing with a monumental task in a very short timeframe. However, we invite and encourage the Panel to engage with us to further their mission.

The current reality is that persons with disabilities are not being recognised, heard and listened to. There is also a very limited number of disabled people in leadership roles in the sector due to ongoing ableism and stigma towards disability:

“The voices of people with disability just aren't heard in the sector, and for me particularly the fact that you such a champion for the voices of people with disability in lead, and I think that's so much neglected in our sector there's I mean there's so much that should happen and isn't happening at all at levels of universities. But the little bits and pieces that are happening sort of assume that we should be doing things at the ground level, and we do need to do that. But the voices of people with disability are just so absent from leadership positions, and there's almost this perception that if we are in leadership, that means we've overcome our disability.”

(Participant from senior executive focus group)

Sub recommendation E: Universities Accord should ensure the disability voice is valued and recognised as full decision makers and leaders with balanced approach in the operationalisation of the strategy.

The operationalisation of a sector-wide Disability Inclusion Strategy by government and university level will require appropriate resources, monitoring and reporting upon.

Many universities now use their staff and students with disabilities as part of their operational processes – but too often these few people are looked to for everything and students or staff with a disability are often asked to volunteer their time. Persons with disabilities are a minority in higher education. They already carry a heavy burden supporting each other as a community, as well as combatting unjustified prejudice, unnecessary barriers created in society, and impairment matters.

While we champion co-creation, disability leadership and advisory roles, they do not substitute or replace the various university operational areas, responsibilities and tasks/actions to meet their obligations. We wish to encourage discussion on how to avoid the misuse of disability voices in a way that enhances inclusion and the opportunities for

persons with disabilities in our sector, as well as to strengthen universities' operational performance and outcomes to progress equity and inclusion.

Persons with disabilities should be included in all aspects of planning, design, implementation and monitoring as full decision makers and leaders, not used to replace paid professionals. There is a distinction between empowering and including persons with a disability and exploiting and distracting the student or staff with a disability from their studies or career (Sheelagh Daniels-Mayes, Harpur and Stein, 2023). Universities should seek opportunities to include the disability voice that will support the student or staff in their careers, and not use them instead of hiring a professional to perform a task. For example, asking an associate professor in a wheelchair to sit on an interview panel is important for their citizenship activities and a helpful experience. Asking that associate professor to spend hours going around campus looking for access issues should be done by a property manager and the person with a disability gains only limited incidental benefit in this task. Similarly, asking a professor who is blind to participate in drafting a faculty strategy and provide a diversity perspective is helpful for their careers. In contrast, asking that professor to see if a website upgrade is accessible provides them potentially no benefit and is ultimately performing a task that should be completed by an information and technology expert.

Q2 How can the diverse missions of Australian higher education providers be supported, taking into account their different operating contexts and communities they serve (for example regional universities)?

Recommendation 2: Fund the actual cost of creating inclusive university experiences.

The Universities Accord should introduce a framework which determines the appropriate value of the equity loading. The state should then fund this equity loading and require universities to report on how they are devoting earmarked funds on equity to their intended purposes.

Under the current funding model, universities are partially funded for ensuring an inclusive university experience. Funding considerations need to go beyond just students with disabilities in their curricula activities. For example:

- Universities are places of opportunities and communities that span beyond curricula activities. Students with disabilities need to have all of the university available to them, not just their enrolled units. They should have the same opportunities as other students to make connections, and exercise agency and choice in their participation as part of university life.
- University research is not fully funded. As a consequence, universities find alternative sources of funding for research. Where students and staff with a

disability require additional expenses to complete research, universities can be called upon to cover these additional costs.

- Students and staff with disabilities sometimes need to study or work part-time due to their disability and the regulatory frameworks often struggle to accommodate these needs. For example, when speaking on the funding a university receives for a part-time student, a senior executive in the focus group noted:

Yeah, we're paid. Yeah, we're paid by the amount of study the student does. But just because you're already doing four subjects in a year doesn't mean you only need half a person's support for your physical or mental or social, or whatever support needs that go along with you. Being a student, you only need teaching, for, you know, half a half a student's worth of load. But all of those associated support costs they scale with the, with the individual, not with the number of subjects, and this is a particular issue for regional universities, where the average student is doing about half a full-time load. It's camouflaged at larger, regional, larger metropolitan universities, where the average student is doing sort of about 80% of a full-time load. On average. (participant from senior executive focus group)

- Realising universal design on campus, an issue addressed later in this submission, will incur costs. Currently, some regional campuses are less compliant with disability access requirements than universities situated in capital cities. Funding capital and other investments require scalable investment to address the inequity regional universities encounter.

So, for example, regional universities don't have the same number of international students that [city universities] do. As a result, we don't generate the same kind of surpluses as G.8s and as a result our infrastructure lags behind, which means that much, much more of our infrastructure is older and not compliant with current accessibility standards. I've got a condition report that shows, you know, a range of issues, including the square meterage, and implications that we should be, you know, working to uplift. It means we don't. Our infrastructure is older, and we don't have all of the supports built into a modern building. And so an opportunity through the Accord to talk about infrastructure through the lens of insuring that all of our staff and all of our students can participate equally is really important to me. (Participant from senior executive focus group)

Recommendation 3: Invest in a sector-wide set of scalable Inclusive Universal Design Campus Guidelines.

Staff and students across the focus groups and the survey consistently opined the constant struggle when digital and physical spaces were not fully inclusive. The need to negotiate alternative access, even when provided, takes emotional effort and time. The need to fight to gain digital and physical equality sends a message that disability is not fully welcome. From a university perspective, modifying digital and physical spaces is almost always more expensive than just getting it right in the first place (Kent, Ellis, Peaty, Latter & Locke, 2017).

The Universities Accord should require investment and commission of inclusive Universal Design (UD) Campus Guidelines that are scalable for the various universities in the sector to guide in fulfilling their responsibility and best practice to enhance equity and inclusion in universities for persons with diverse disabilities, illness and circumstances. The guide intends to address the wide gap in knowledge in the sector (including requirements, planning, design procurement and delivery) while helping to address the significant physical, sensory, cognitive, and digital accessibility barriers that currently exist in tertiary education and employment in the tertiary sector for persons with disabilities.

The inclusive UD Campus Guidelines would set a framework for new and renewal projects on campuses and seek to:

- Provide clarity on what inclusive approach and UD is, and how it benefits everyone while upholding human rights and university responsibilities.
- Bring awareness and integration of digital and physical environments together to create inclusive campus experiences and universal design learning outcomes.
- Provide good practice and performance-based solutions to address legacy issues of physical and digital barriers, and address compliance thinking barriers in planning, design and building standards and regulations (Stafford et al, 2023).

To enable these guidelines, investment is required by federal government to fund a leading disabled academic, staff and students with disabilities, and universities to undertake this work, fund operational resources for compiling reviews/audits, and the establishment of leadership reference groups across universities. Furthermore, the establishment of an investment fund by federal-state governments for infrastructure (digital and physical) to address inequities as mentions above.

The need for universal design impacts upon a range of questions, in particular:

- Q16 What practical barriers are inhibiting lifelong learning, and how can they be fixed?
- Q32 How can best practice learning and teaching for students from under-represented groups be embedded across the higher education system, including the use of remote learning?

- Q40 What changes are needed to ensure all students are physically and culturally safe while studying?

Q25 How should Australia leverage its research capacity overall and use it more effectively to develop new capabilities and solve wicked problems?

Recommendation 4: Create funding options which recognise higher education as a legitimate funding option for academic research.

Currently academics cannot secure linkage funding when the partner is a university. The higher education sector, however, is Australia's largest sustainable export industry and research on improving this sector is in the national interest.

We argue that universities can and should be seen as industry partners in academic research. Dr Harpur has led an initiative at the University of Queensland which regards academic research on disability inclusion as simply research (Harpur, et. al, 2023). By viewing research this way, we can reach mutually beneficial outcomes with positive diversity outcomes and academic outputs.

Q28 What is needed to increase the number of people from under-represented groups applying to and prepared for higher education, both from school and from other pathways?

Despite government legislation requiring universities to meet accessibility compliance, including the Disability Standards for Education (2005) and the Disability Discrimination Act (1992) which require education providers to ensure they do not discriminate against persons with disability, our survey revealed fundamental issues in the **accessibility of high education institutions and resources**. Over a third of all responses highlighted either inaccessibility within the built environment (such as stairs, or inaccessible bathrooms) and/or software and technology (audio description, accessible materials, WCAG compliance). Inaccessibility was perceived to be the leading challenge to working and studying in higher education. Likewise, accessibility was the most common factor cited that enabled staff and students in succeeding, and would improve higher education experiences for persons with disabilities.

“More funding [is needed] for staff to do access work/make things accessible. Part of why access doesn't happen is people worry about who's paying. [We need] better tech set up to enable hybrid participation – my faculty has only two meeting rooms that are zoom enabled.”

“[There lacks] accessible work materials; there is no compliance with any accessibility or user design principle let alone WCAG.”

Survey respondents offered a consistent desire for more accessible and inclusive technology, for the principal of Universal Design for learning to be applied across the built environment, learning approaches and university policies.

There were also reflections on the lack of suitable working and learning environments (open working spaces unsuitable for neurodivergent individuals, poor acoustics or lighting, not sensory friendly), which were not traditionally classified as ‘inaccessible’ but should be considered as impacting accessibility. Moreover, respondents noted that while accessibility was considered in the built environment, it was often poorly implemented or managed.

“[The] facility [is in] disrepair and [there is a] general lack of accessibility. What I mean by this is bathrooms [are] in inaccessible locations or only on select floors of buildings, [or] lifts not working for months on end. [There is a] lack of accessible parking/parking in general.”

“I am a disability practitioner at a university recommending reasonable adjustments. Barriers to getting these actioned include... one-size fits all policies/attitudes [and] old buildings and facilities where accessibility is compromised by being ‘added on/piecemeal’.”

Thus we argue that the Accord has an opportunity to rethink the way accessibility is defined in higher education, “the culture of access” (Brewer, Selfe & Yergeau, 2014, p. 151) and the way in which learning spaces, texts and practices configure the ‘normal’ or ‘preferred’ student (Ellis, Kao & Pitman, 2020).

Recommendation 5: Develop university outreach activities which include a focus on promoting diversity outcomes.

Outreach programs need to go beyond professional staff attending schools and academics attending speech nights. More involved outreach will require funding and recognition.

Academics perform service teaching outside their schools within universities and arrangements for service teaching for academics into the school system should be facilitated so that students in K-12 can see how university might be for them. This should not just be for the students at elite schools. Without specific funding, any such arrangement is likely to result in academics spending time at schools near their university or residential residence. Currently, an academic attending a speech night at their local high school would receive the same internal recognition as an academic who spent the day at a rural school. If the Universities Accord Panel desires increasing belief in regions and socio-economic areas, then specific funding and recognition needs to be directed to this.

The need for targeted resourcing and rewards is especially relevant when it comes to students with disabilities and staff with disabilities. It is very difficult for a high school

student in a regional or lower socio-economic area to imagine university is for them. Leaders with a disability can inspire and create belief as mentors and role models (Harpur and Stein, 2018). However the few leaders with a disability who have succeeded in higher education are massively over-committed. To enable these leaders to connect with students requires resourcing. Potentially, having a state initiative which buys out teaching for academics with a disability, to enable them to spend time connecting with high school students with disabilities and funds overhead expenses for the individual, would achieve this positive outcome.

Recommendation 6: Funding and wrap around services targeted at supporting high school students with a disability who wish to transition to university.

High school students who wish to transition to university encounter additional challenges when compared against students without a disability. The additional challenge in arranging supports, managing in a new environment and on campus can deter high school students from applying to university. Specific support and funding should be targeted to reduce the barriers for high school students with a disability who seek to enter higher education.

Q29 What changes in provider practices and offerings are necessary to ensure all potential students can succeed in their chosen area of study?

Recommendation 7: Seek public interest funding to ensure courses which advance a public interest outcome are available.

Universities select which courses/subjects they will offer based upon how many students decide to study a course. Certain groups in society are less represented at university, thus the probability of there being sufficient students to make a course reduces viability for some. Harvard Law School has a class on Disability Law, however there are insufficient students interested in this topic at Australian universities to make such a course economically viable.

If Australia wants to make our course content relevant to all Australians, then we should resource universities to meet this public interest. The Australian Research Council determines what is in the public interest. A similar approach could be taken to identify teaching topics where public interest funding could be targeted.

Q30 How can governments, institutions and employers assist students, widen opportunities and remove barriers to higher education?

While several survey respondents believed that legislation aided in removing barriers and widening opportunities in universities for persons with disability, the majority of respondents saw the university itself as responsible for inclusion and for adhering to the accessibility and anti-discrimination legislation currently in place. Respondents identified that **good governance** and university policies were required to provide a genuine

commitment to inclusion (including increasing representation, quotas and recruitment of persons with disabilities, particularly in leadership roles).

“Quotas can help to address the discrimination that excludes staff with disability in higher education. Mandatory anti-ableism education can also help in removing ignorance. Open minds are needed to acknowledge that work can be done in different ways to the 'normal' and expected ways.”

“[Universities should advertise for] roles that name lived experience of disability or chronic health conditions as essential/desirable criteria; accessibility in the job application and interview process; quotas for hiring people with disability in universities, particularly in leadership, academic, or higher paying positions.”

“[We need] representation of disability and neurodiversity in leadership for aspiring leaders with disabilities.”

Likewise, respondents emphasised that one of the most enabling factors for staff and students was **leadership in equity** – often through individual ‘champions’ and advocates.

“Champions – be they equity and disability units, or staff in faculty who raise their voices and are active in supporting people with a disability – are central [to enabling] people with disability.”

Respondents argued that, again, increasing representation and a commitment to disability training and education would facilitate inclusivity.

Recommendation 8: The recommendations of the Bradley Review of Australia Higher Education, a national strategy for improving higher education attainment amongst under-represented student groups, should be developed to benefit students with disabilities.

With the aim to achieve parity with national attainment rates in the long term, the strategy should include the development of attainment targets for under-represented student groups, including students with disabilities, with respective targets set for each group applied.

Q33 What changes to funding and regulatory settings would enable providers to better support students from under-represented groups in higher education?

Recommendation 9: Create inclusivity and equity in funding supports for students with disabilities, and mandatory reporting of disability inclusion and equity performance targets that are visible like scorecards.

As identified in our opening recommendation and in the Q2 response, there needs to be a Disability Inclusion Strategy embedded in the sector with performance targets and mandatory reporting. Ideas like scorecards were shared. We also understand the need to review how student support funding is allocated, and change is needed to ensure equity and inclusion is embedded in the formula, and is scalable to better support students with disabilities success in higher education.

Okay, well, universities love their rankings. So we should create one for this. (Participant of professional focus group)

This is about disability rights. It is about reframing it. I know we've talked about rights for a long time. But yeah, we've got to be bolder about it here, you know like what X was talking about the pride, you know that this [disability] is not an ugly word. ...But across the sector is that missing gap that we just don't have, you know, like as people have mentioned there are now really great targets and a strong policy around gender and Indigenous staff and students in the sector, but there's just nothing that covers that for disability, that's one of the big pieces of work that's missing. Like to see this with some outcomes, targets and measures, and hopefully, I would love to see mandatory reporting.

We need to mitigate stigma, which I know is horribly blue sky thinking, and when we think about practical implications, I think about things like making a structure – let's make a structure. Let's have a committee. Let's have representation. Let's have straight communication to the VC. Money to support all of those things, and then other structures underneath it, like, say, a disability network. Say structures similar to what we'd use to support students there for staff which might come back. So the structures that sit underneath might come from different parts of the universe. So I think that then becomes part of it. ... If you don't make them do things, then they don't do it. And that comes back to our disability rights kind of fist bumping on the table kinda activity.

Q38 How can the Accord support higher education providers to adopt sector-leading employment practices?

Access to, use of and funding for support services was consistently mentioned by students, but while several noted that they were able to utilise these services, both the seeking of and

constant requests for ‘accommodations’ was an ongoing challenge and added a significant administrative/mental load.

“[I am constantly] navigating barriers to access support services (confirming disability, arranging extra appointments, etc.).”

“[I have to] navigate university policies that may not appropriately differentiate nor account for the individualised experiences of disability. [I] feel forced to repeatedly disclose my disability 'status' in order to access accommodations.”

“In university, having to constantly advocate my needs for every unit, every semester; to have to do my own research instead of relying on disability support staff; and, getting adequate support on top of juggling university work.”

The dominant model of providing “accommodation” for students with disability in universities, while an important addition to increasing inclusivity, has been critiqued as a flawed method (de Bie et al. 2020; Matthews, 2009; Roberts et al., 2011).

The adjustments provided in response are typically targeted at the individual, but are less likely to result in systemic changes to socially constructed barriers to participation. Policies and procedures, major infrastructure, financing and other macro responses – consistent with a redistributive approach – are not generally the outcome of a reasonable adjustment (Pitman et al., 2021, p. 8)

In emphasising the individual requirement for accommodations, attention is diverted away from “collective political solutions that can change disabling social and physical environments” (Collins et al. 2019, 1477).

In conjunction with the need for ‘better’ support services, survey respondents reflected on the need for **more flexibility** in higher education settings, noting that policies and approaches around disability should not be “one size fits all”. Several respondents reflected that increased flexibility (such as online learning and working options) that had been implemented for COVID-19 were welcomed and revealed how they alleviated several of the challenges faced by students and staff with disabilities, including commutes to the institution or unsuitable working environments. Indeed, the need for flexibility in learning and working arrangements was a consistent theme across survey responses, with the lack of flexibility being the second most cited challenge, and the third most cited factor that would *enable* staff and students with a disability. Increased flexibility was sought for a range of situations – working or studying from home, time in exams or assignment deadlines, alternative testing methods, or removing mandated contact hours. What was clearly articulated was that flexibility was not only lacking but often stigmatised: “[We need]

leadership to remove the stigma around flexibility; that it constitutes an 'easier ride' and devalues academic rigor”.

Recommendation 10: Create a research relevant opportunity to performance expert panel and give on only the content to the subject matter experts to review on which they have expertise.

There is a perception that the grant process shows bias towards certain groups in society. With disability, persons with disabilities worry that they should not include all their disability factors in the opportunity and performance sections in grant applications. There is concern that if persons with a disability include how their disability has impacted negatively upon their careers, then this could lead reviewers to wonder if the person could complete the grant if awarded it. One academic with a disability said they were told not to include too much detail on their disability in grants as it would create a perception that they cannot do the work. So they lie about their disability now to avoid any bias in the system. Another academic was told to alter how they described their disability to make it sound less complex for reviewers.

We note that asking a content expert on architecture, law, physics, or science to decide on a relative to opportunity (ROPE) involving a physical, sensory, psychological, or other disability is unfair on the reviewer and on the applicant. Similarly, if a researcher has been a refugee, lost a child to a miscarriage or the like, what expertise does the reviewer bring that enables them to determine how this event has impacted upon the researcher?

To reduce the perception of bias, and to increase the accuracy of ROPE decisions, a specialist ROPE panel should be created. Then the subject matter experts only get the content of the grant with a note explaining the impact of the ROPE without giving the cause. For example, if a researcher was hit by a car and unable to work for three years, the subject matter expert would receive a note that the person was unable to work for three years. The reviewer would not know if that was caused by family, health, or another reason. It is not relevant to the content expert reviewer.

Recommendation 11: The Higher Education Support Act 2003 should include requirements to employ persons with disabilities in the same way in which funding under this enactment is linked to Indigenous employment.

The Higher Education Support Act 2003 provides university funding for students with a disability but does not set targets for numbers in higher education or their transition into leadership. This lack of attention in promoting the leadership of persons with disabilities can be contrasted with the approach to promoting Indigenous leadership (Harpur and Szucs, 2023). The Indigenous Student Success Program is administered under Part 2-2A of the

Higher Education Support Act 2003. To be eligible for program funding, a university must have at least two Indigenous Australians involved in the university's governance, consisting of at least one senior academic and a committee constituted by a majority of Indigenous persons, each of whom has skills and experience relevant to the role (Australian Government, 2021). This has resulted in a rapid increase of Deputy Vice-Chancellors and Pro Vice-Chancellors who are Indigenous. The success of such measures provides opportunities for Indigenous leaders with disabilities, as well as providing a potential roadmap for other underrepresented groups in the sector.

Recommendation 12: Ensure disability leadership positions in the sector.

Significant disparities in employment of persons with disabilities continues to exist in Australia. However, for persons with disabilities in senior executive leadership roles, it is even worse.

In universities, structural and cultural forms of oppression are impeding career pathways

as a leader. But it's also really, really frustrating as a mentor and a role model to other people. Because I'm trying to say to the people who come to me for career advice yes, you can be successful in the university sector. Yes, you can achieve the things you want to achieve, and it's really hard to show them examples of that working, you know, and that to me is where we really need to be changing things. (Participant from senior executive focus group)

Q39 What reforms are needed to ensure that all students have a quality student experience?

An explicit, tangible suggestion made by almost one third of survey participants was the need for disability training for staff and an increase in disability education more broadly. Again, this aligned with an emphasis on genuine organisational commitment to and responsibility for equity in higher education. Ideas for disability training included:

"Comprehensive mandated PD for staff on understanding and being committed to valuing diversity and inclusion."

"Training for Chairs in challenging biases (unconscious and conscious) and inclusive design in work tests."

"Biannual Mandatory Disability Awareness training for all academic and professional staff at the higher education institutions. For example, the free online training developed by ATEND and NDCO."

“Requiring all students to take a short compulsory module in the beginning of their enrolment regarding all kinds of disabilities and how we can be a good friend for those with disabilities.”

The emphasis on training extended to the requirement for management and senior staff to be educated on the legislative requirement pertaining to accessibility and antidiscrimination. Respondents reiterated throughout the survey that while legislative requirements were important for ensuring the inclusion of persons with disability in higher education, these were either unknown, misconstrued or misapplied by higher education staff.

“Higher education teachers must complete training to raise their disability awareness, understand legal obligations, and competently design inclusive learning and assessment experiences (including WIL). I want to be recognised as belonging to a diverse cohort, and not treated as an afterthought by teachers.”

Recommendation 13: Recognise and redress the factors which inhibit students with disabilities ability to enjoy an equal educational experience.

Students with disabilities have a raft of additional challenges in the community than students without a disability. For example:

- A student who is seeking to travel to a regional university is unlikely to have public transport options or accessible footpaths.
- A student who is able to reach public transport options might find those options are unreliable or inaccessible for persons with disability.
- Public spaces are often unsafe for persons with mobility or sensory disabilities to navigate. For example, bus ways are built with a requirement for a person to see and run to the respective bus. A person who cannot read the buses or move fast may find such environments impossible or challenging.
- A person who uses a support worker to reach an appointment can find themselves unable to attend medical appointments or other essential services as they cannot afford to pay a carer to sit in a waiting room when appointments are delayed.
- The interaction between National Disability Insurance Agency funding, university student focused funding, employer focused funding and other funding sources is complex. Often this requires a person with a disability to negotiate with multiple parties so they are able to access opportunities that other members of the community can access without days of effort.
- The lack of Universal Design learning embedded in universities has significant implications for students with disabilities across their studies and university experience generally.

*And I feel like what is left out of that discussion quite often is the experience of students with disability, and what we need to be thinking about specifically to retain those students. And then how that filters down into the support, so they're receiving teaching practice. And in my work generally we have a lot of conversations with staff about how they make the teaching materials inclusive, and that kind of thing. But making that broader, so that **universal design for learning** is really built into curriculum would be really amazing. (Participant from professional focus group)*

Q. Q40 What changes are needed to ensure all students are physically and culturally safe while studying?

A consistent theme across responses from students and staff was the need for understanding and flexibility. The importance of **an inclusive culture** was noted consistently, across all three survey questions, and survey respondents overwhelmingly believe that a more inclusive, empathetic, caring and respectful culture is the most enabling factor for staff or students with a disability. An inclusive culture can be both an outcome and an approach. For example, Hamraie (2019) and Titchkovsky (2015) identify that elevating accessibility practices as 'best practice' and sites of innovation contribute to challenging entrenched ableism in the institution. If inclusivity is prioritised, informing accessible practices, it will also increase participation by persons with disabilities and further normalise diversity.

Over one third of respondents noted that a lack of understanding by either university staff or management was the most challenging part of being a student or staff member with a disability.

"[I experience] discrimination by university staff, [and witness a] lack of willingness to accommodate disabilities from university staff [as well as a] lack of training about disabilities for university staff."

"[I experience] direct and indirect discrimination and ableism by other staff."

"[There is a] lack of understanding from lectures and staff regarding access to notes and slides, needing Medical Certificates often for long-term conditions despite no change in circumstances."

"[There is a] lack of sufficient resources to support growing numbers of students with disabilities, particularly those with mental health challenges, [and a] lack of understanding and/or commitment of some staff to inclusive design of learning materials."

"Supervisors [are] not understanding [of] how well I can work when I am supported and inspired. Instead, I have experienced years of bullying, limited support and sadly no understanding from my managers. They all

see me as slow and useless but I am clever and very capable, I just need support and understanding."

"Attitude is the biggest challenge. When I need to work from home, I'm lazy. When I ask for accommodations, like captioning on zoom calls, people brush me off and say that it's "too hard." When I point out that spaces are difficult to access, the attitude is "that's your problem."

Inclusivity was also linked in survey responses to an understanding of the diversity of disability, with staff and students with 'invisible' disabilities identifying that their disability was less likely to be validated and acknowledged.

"[It is difficult] accessing disability adjustment as an international student with an invisible disability [and there is a] lack of understanding of what constitute disability for the purposes of accessing Disability Services in the first place."

This also aligns with the emphasis placed by all respondents on the need for a more diverse understanding of accessibility. Wood argues for a broader understanding of inclusive education, particularly for students with disabilities. Specifically, she argues that the term "diverse students" is more appropriate, "acknowledging the transient nature of some disabilities, the varying ways in which individuals choose to identify, the multiple layers of equity overlap, and the benefits of inclusive design of technology enhanced learning for all students" (Wood, 2015).

Recommendation 13: Build a program of inclusive awareness strategies, co-created by people with disabilities in the sector, to shift the significant ableism and stigma of disabilities entrenched in universities.

"What we need is to create is a culture that's, you know, safe and inclusive. And we need people that are actually championing that, not just us." (Participant from academic focus group)

The research and consultation informing this submission, along with other academic publications, reveals that universities are often unsafe and exclusionary places for many persons with disabilities due to entrenched attitudinal and cultural prejudice towards disabilities. Ableism, stigma, neurotypical systems and structures are entrenched in university, and have significant impacts on staff and students with disabilities success and wellbeing.

In my university, that also is related to the attitude issue I spoke about before, I've been spoken to by more than one department that I couldn't use the word disability. "It's a bad word." So marketing, the research office

at one point, my Dean of research, people don't like the word disability. Yeah, so there's a lot of euphemism going on to which I don't think helps us if we're trying to establish any kind of pride movement around, you know, culture and community. And it's a challenge. You know that coming straight from the top, you don't use the word disability. (Participant from Academic focus group)

Some staff and students fear disclosing their disabilities due to risks to careers and how they will be treated. There was also concern with how information would be used, or in some cases just used to tick a box, with no action or follow through.

It's about how many people that are, as we find with some students that disclose their disability, and some find it difficult because they're not sure what's gonna happen with that information. And I can see why that unless you're really confident... I am, and you've been around a while, and yet quite happy to tell someone to rack off if you have to. But if you're not confident around disclosing that information, or what's gonna happen with that information, and plus, is it just going to tick a box somewhere? Oh, look how good we are! We've employed, you know this percentage of people, disabilities. And nothing happens with that. (Participant from professional focus group)

Even when persons with a disability disclose their disability, explain its impact and have reasonable adjustments in place, still they encounter academics refusing to make the adjustments for students or supervisors pushing back on staff with disability. One professional staff member in the focus groups gave the example of challenges in attending meetings at certain times of the day due to their disability. They explained their disability, its impact and had formal approval for these adjustments. They recounted in the focus group an example of their supervisor telling them they just had to be present at the meetings, even though at this time it was not possible.

This is the reality of my life, so I constantly get this back-channel of you're not performing. (Participant from professional focus group)

We also heard that disability often falls off or is on the fringe of diversity, inclusion and equity (EDI) agenda. This needs to change with disability to be centred in these agendas.

I don't know exactly what the answer is, but it needs to be on the agenda because we disability is often left out of the EDI discussion generally across the board, across universities, across all industries really it's only just sort of getting on the agenda in the diversity space. So we need to get it there. And we need to build up that in leadership. (Participant from professional focus groups)

Too often disability is viewed as charitable or medical in universities – not as rights, equity and diversity. This way of thinking has had detrimental implications leading to a lack of investment in students and staff within both education and research.

Furthermore, the message universities convey is that students and staff with disabilities are not welcomed here:

*“In the university sector, there are many, many messages that students and staff with disabilities just aren't actually welcome at university. They're not thought about. The spaces aren't accessible, you know. I mean, I'm sure we can all tell stories about digital platforms that are inaccessible to **people with disabilities**. And you know the university doesn't really care when you point it out to them, and they tell stories about how they've signed up to these for cost reasons and so on. So I think there needs to be, you know, an attitude shift in order for the systemic change to happen. (Participant from academic focus group)*

Q45 How should the contribution of different institutions and providers to key national objectives specific to their location, specialist expertise or community focus be appropriately financed?

Recommendation 15: Develop greater differentiation between higher education institutions which could contribute to disability expertise, providing that this approach does not result in furthering oppression and exclusion.

The development of a higher education sector where comprehensiveness is achieved through a network of partner institutions, rather than through the activities of each individual university, creates the opportunity of scalability for disability. Currently students with a disability make up around 9% of the total student population and the number of staff with a disability is much lower. Out of this, there are various disability types and intersecting needs. Most universities have policy responses dealing with only one attribute as there is insufficient resources and needs at a single university to respond to all needs in the community (Harpur, Szucs and Willox, 2022). It is foreseeable that different universities could become specialists in certain needs and share those resources with their partners.

Persons with disabilities would benefit from this partnering approach more broadly. For example, partnering on higher degree research has been proposed. Rather than every university attempting to provide specialist higher degree training in every field, a few universities could become experts and share these resources with their partners. This specialisation could enable a university to also develop greater skills at supporting higher degree students with a disability.

The risk from oppression and exclusion flows from the historic segregation of persons with disabilities. Persons with disabilities used to be forced out of mainstream schools into under-resourced schools where their educational opportunities were often discounted. We

would not support a model where disability research and teaching specialisation was not available in leading research universities and was instead all focused in lower ranked universities. This risk could be offset by mandating targets for staff and students at all universities, and linking this to funding opportunities, as well as ensuring that disability specialisation, to the extent this occurs, includes hubs at research intensive universities.

Summary

Key themes emerged across the survey, focus groups and interviews, highlighting a definitive need for increased accessibility (both digital and physical) and clear leadership in equity and inclusivity from universities. While many respondents noted the value of formal disability support in higher education, there were also consistent concerns with access to formalised support and the 'emotional and administrative labour' involved in seeking accommodations. Instead of, or in conjunction with, disability support services respondents commonly sought flexibility, either with study requirements, working environments, or learning materials. Fundamentally, inflexibility was cited as being the result of issues with an ableist culture within higher education. Indeed, respondents stated there were issues with a culture of exclusion and discrimination, and a lack of care, compassion and understanding. This was particularly pertinent in responses by staff who identified that while there was some disability support for students, support and consideration for staff with disabilities was lacking. Again, survey respondents looked to university governance and leadership to effect change, provide an accessible environment, provide training and education on disability and take organisational responsibility for an inclusive culture.

For a sector that professes to be a leader in knowledge and innovation, its resistance to and in some case outwardly hostile and denial of body-mind diversity is its failure. Higher education must deal with its prejudice, as disability is a natural part of being human, is diverse, cross-sectional, and are people who driving change, innovation and new knowledges and are the future of this sector.

Universities Accord can help drive change needed by requiring the development of a Disability Inclusion Strategy for the sector with performance targets and reporting all of which is co-created and lead by persons with disabilities and sector leaders. This strategy must be adequately resourced. Universities must resource equity and inclusion in universities appropriately, with scalable model of investment, and investment tied to mandatory reporting.

Investment in inclusive awareness program of disability must occur across all levels of university to create more safe inclusive environments by eliminating Ableism, Stigma and Neurotypical structures and systems in higher education.

Finally, we recommend investment in development of University Design Campus Guidelines for the sector to guide inclusive practice and implementation in curriculum, digital and

physical environments to make university inclusive and help achieve their responsibilities under supranational, national and state requirements.

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