Submission to the Higher Education Support Panel

Threshold Standards Review: Disability, Digital Inclusion and Higher Education

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1. About the Submitter

I am Professor Katie Ellis, John Curtin Distinguished Professor and ARC Industry Fellow (FAHA) at Curtin University. I am leading three Australian Research Council Funded projects investigating Disability and Digital Citizenship and Inclusion across domains such as heathcare, entertainment and education. I have lived experience of disability and cochair the Universal Design Committee. I am also Acting Director of the Centre for Culture and Technology (CCAT) at Curtin, which I direct with a policy translation focus.

My research program centres on media accessibility, digital inclusion, and the participation of people with disability in digital life. I am a founding member of the Critical Disability Working Group (CDWG) and lead the Digital Disability Research Program in CCAT. My work has achieved direct legislative impact in broadcasting, education and communication contexts.

The current submission is informed by research undertaken within CCAT,

1. In 2023 CCAT made a submission to the Safe and Responsible AI in Australia Discussion Paper examining AI governance through a disability and social inclusion lens. Relevant insights from that submission have been incorporated into this submission. Available here: Make a submission - Supporting responsible AI: discussion paper - Department of Industry, Science and Resources
2. A paper I coauthored with Paul Harpur and Lisa Stafford in response to the Universities Accord and based on research with 222 university students and staff (76% with disability). I respectfully request the review panel read the entire paper in full (Harpur, P., Stafford, L., & Ellis, K. (2025). A disability-led disability inclusion strategy for the higher education sector. Journal of Higher Education Policy and Management, 47(3), 368–385. https://doi.org/10.1080/1360080X.2025.2478537)
3. Thematic analysis of 1586 narrative submissions collected by the Disability Royal Commission. These narratives were various lengths and provided different levels of detail, dependent on the communication willingness and ability of the person providing the narrative. Our analysis focused on digital citizenship and coded insights related to accessible technology, digital service delivery, and digital rights and participation.
4. A literature review answering the question *What specific artificial intelligence technologies are currently used to support students with disabilities in higher education settings?* This review used an AI-assisted pipeline to identify relevant literature, searching over 126 million papers from the Semantic Scholar corpus and retrieving the 50 most relevant to the research question, which were then screened against eight inclusion criteria spanning population, intervention type, study design, outcomes, recency, and language. Data were subsequently extracted from each included paper by a large language model using structured instructions across five categories: study design, research setting, participant demographics, AI technologies used, and key findings related to AI and disability support.

Why This Moment Matters: The Accord's Failure as Context

This submission is made against the backdrop of a significant policy failure. The Universities Accord Final Report, despite beginning with a visionary call for change, retreated from disability rights at every subsequent stage. Of 47 recommendations, only 3 address disability. Rather than setting targets to increase disability participation, the Accord Panel recommended merely 'maintaining' current enrolment levels. It set aspirational targets for First Nations participation (+0.9%), lowest SES quartile (+5%), and regional students (+4.2%) **but none for students with disability**.

Most damagingly, the Accord excluded persons with 'profound' disabilities from the higher education enrolment share estimate entirely, on the basis that they are not currently enrolling. As Harpur, Stafford & Ellis (2025) observe, this reasoning is circularly ableist: it treats absence from a system that excludes them as evidence that inclusion is not needed. If the same logic had been applied earlier, it would have excluded from enrolment share estimates students who would go on to become senior academics, including one of the authors of that paper. As Harpur, Stafford & Ellis (2025) argue, the Accord's approach 'encourages policy makers to maintain a system which is failing people with a disability to enact their human rights' and that 'business as usual will not address the disabling barriers' identified in their research with 222 university students and staff. The HESP review is the corrective opportunity the Accord failed to be.

2. The Evidence Base: Disability Royal Commission and Digital Citizenship

The consultation paper cites national data on disability participation and outcomes but does not draw on the rich body of evidence generated by the Disability Royal Commission (DRC). My research group has conducted systematic thematic analysis of DRC narrative submissions relevant to higher education and digital citizenship, identifying 140+ cases across six digital citizenship categories, including accessible technology, digital service delivery, and digital rights and participation.

This evidence reveals that the barriers people with disability experience in higher education are not primarily individual or attitudinal, they are structural, embedded in inaccessible systems, inadequately trained staff, inflexible course design, and digital environments that exclude by default. The DRC narrative data is directly relevant to the proposed Threshold Standards amendments and should be incorporated into the HESP's evidence base.

Harpur, Stafford & Ellis (2025) found in their research with 222 university students and staff (76% with disability) that inaccessibility was identified as the leading challenge to working and studying in higher education. Accessibility was the most common factor cited as enabling success when it was present. This finding was identified across all focus groups and in over a third of all survey responses, spanning both the built environment and digital systems and technology. Critically, the research identified a compounding burden that aggregate accessibility data misses: the unpaid administrative and mental load of constantly negotiating access. Students and staff with disability are evaluated against the same performance standards as those without disability, while simultaneously expending energy advocating for adjustments that others receive automatically. An academic participant in that study noted that the 'lack of inclusion makes no sense', echoing earlier research by Kent et al. (2017) that modifying inaccessible digital and physical spaces is almost always more expensive than getting it right in the first place. The Threshold Standards must account for this invisible cost.

DRC Evidence: Digital Barriers in Higher Education

DRC narratives document: communication devices defunded mid-study; online assessment platforms incompatible with screen readers; mandatory Zoom-based capacity assessments for students with autism and intellectual disability; students permanently locked out of government digital portals after accessibility-related errors; and universities consistently failing to provide accessible digital formats despite repeated requests.

These are not outliers, they reflect the systemic failures of a sector that has treated digital accessibility as optional.

3. Responses to Consultation Questions

Question 6

To what extent would the proposed themes drive a more inclusive and equitable higher education system and improved student outcomes?

The three proposed themes, inclusion, universal design, and inherent requirements, are well-chosen and reflect best practice in disability studies and higher education research. I strongly support their incorporation into the Threshold Standards. However, they are not sufficient in their current framing.

Inclusion: Support, with Important Additions

The proposal to promote a 'whole of institution approach' and 'embed explicit requirements for adjustments' addresses longstanding concerns about variable and reactive support cultures. This is welcome. However, the framing of inclusion in the consultation paper remains primarily oriented toward individual adjustments, which, as the DRC evidence demonstrates, continues to place the burden of advocacy on students with disability rather than on the institution.

I recommend the Threshold Standards explicitly require:

- Proactive (not reactive) accessibility planning embedded in course design, not bolted on after complaints
- Mandatory disaggregated reporting on disability outcomes, completion rates, and accommodation uptake, by disability type
- Co-design of inclusion policies with students with disability, not consultation after the fact

Harpur, Stafford & Ellis (2025) found that the concept of a co-created, disability-led inclusion strategy gained strong support across all participant groups from the chancellery to professional staff, academics, and students. The research confirmed the UN Convention's evolution from 'nothing about us without us' to 'nothing about us unless it is led by us'. Policy designed without leadership by people with disability will, as the Accord demonstrates, systematically retreat from the rights framework it starts with.

This has implications for the use of AI tools that is not acknowledged in the position paper. Atcheson et al. (2025) surveyed and interviewed 83 students with disabilities across two universities about their generative AI use. Students described GenAI tools as valuable for personalising learning, promoting self-care, and supporting self-advocacy. However, they consistently reported that unclear institutional policies undermined their confidence in using these tools. This finding illustrates the proactive gap the HESP must close, students are already using AI as an accessibility tool, but universities policy has not caught up.

Universal Design: Extend Explicitly to Digital Environments

The consultation paper references universal design but does not explicitly extend this to digital environments. This is a significant gap. The DRC evidence demonstrates that digital exclusion is now one of the primary mechanisms through which people with disability are denied full participation in higher education.

I recommend that the Threshold Standards require:

- WCAG 2.1 AA compliance as a threshold requirement for all university digital platforms, including learning management systems, assessment platforms, and student services portals
- Mandatory accessibility audits of digital learning environments as part of provider registration and re-registration
- Procurement policies that require accessibility compliance as a non-negotiable condition of contract for any externally sourced digital tools

CCAT's 2023 AI submission called for an inclusive design approach to all public-facing digital communications, specifically arguing that when communication strategies are designed with people with disability as the primary audience, the entire population benefits (Goggin & Ellis, 2020). This principle applies directly to higher education digital environments: universal design that centres disability access produces better learning systems for all students.

Hyatt & Owenz (2024) provide direct empirical support for this argument: their study of AI-based assessments designed with Universal Design for Learning (UDL) principles found that when students with learning disabilities are the design reference point, all students benefit with high overall satisfaction and well-distributed engagement across assessment options, including rewriting, commenting on, or providing a video critique of AI outputs. Critically, the even distribution of choices confirms that flexibility designed for disability is used by all.

Inherent Requirements: Clarify with Disability Rights Lens

The proposal to 'clarify and refine' inherent requirements is welcome, but the framing risks reinforcing existing misuses of this provision. DRC evidence documents cases where 'inherent requirements' were

invoked to exclude students with disability without genuine consideration of whether the requirement was truly inherent or whether adjustments were possible.

I recommend that any clarification of inherent requirements:

- Be explicitly grounded in the CRPD framework, which Australia has ratified, and require universities to demonstrate, not merely assert, that a requirement is genuinely inherent
- Include a right of appeal and independent review mechanism
- Exclude digital format requirements from inherent requirements claims i.e., a university cannot claim it is an inherent requirement of a course that students access materials in an inaccessible format

Question 7

Are there specific changes to the Higher Education Standards Framework that would improve outcomes for students with disability?

A Standalone Disability Standard

I recommend that the HESP develop a standalone disability standard within the Framework, rather than integrating disability considerations across multiple existing standards where they remain vulnerable to being deprioritised. A standalone standard would:

- Create clear accountability through a single point against which providers can be measured and reported
- Signal to the sector that disability inclusion is a non-negotiable quality threshold, not a supplementary consideration
- Align Australia with international best practice. The UK, for example, has had sector-specific disability equality duties since 2010

Harpur, Stafford & Ellis (2025) document that disability is systematically the least-resourced equity attribute in Australian higher education. The Universities Accord set aspirational participation targets for First Nations students, lowest-SES students, and regional students but recommended only that disability enrolment be 'maintained'. Their research participants were explicit that this is a rights issue requiring the same boldness applied to gender and Indigenous equity: 'there are now really great targets and a strong policy around gender and Indigenous students and staff 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.' A standalone disability standard with mandatory public performance reporting is the structural response to this gap.

Digital Accessibility as a Standalone Obligation

Digital accessibility must be named explicitly in the Framework as a distinct obligation. The current approach in which digital accessibility is subsumed within broader accessibility requirements has demonstrably failed. DRC evidence shows that universities routinely comply on paper with general accessibility obligations while maintaining systematically inaccessible digital environments.

The CCAT AI submission (2023) argued that AI governance must require transparent, accessible communication across the entire AI lifecycle and that notices and explanations must be available in plain language and formats accessible to people with disability. This principle extends directly into higher education: as universities adopt AI-assisted teaching, assessment, and student support tools, the accessibility of those AI systems must be governed by the same Threshold Standards as other digital infrastructure. A student using a screen reader must be able to interact with an AI-powered learning tool on the same terms as any other student.

Zhang et al. (2024) systematic review and meta-analysis of 29 quasi-experimental studies globally found a medium effect size (Hedge's g = 0.588) of AI-based interventions on learning outcomes for students with disabilities across robots, computer software, and intelligent virtual reality systems. This is the strongest available quantitative evidence that AI tools produce measurable educational benefit for students with disability. The implication for the Threshold Standards is direct: if AI interventions

demonstrably improve outcomes, then inaccessible AI tools demonstrably harm them. The Standards must name this.

Explicit CRPD Reference

The Framework should explicitly name and invoke the CRPD as the rights architecture within which the Threshold Standards operate. At present, the connection to Australia's international human rights obligations is implicit at best. Making it explicit would strengthen the standards' legal grounding and provide a principled basis for their interpretation and enforcement.

Mitre & Zeneli (2024) highlight in their literature review that ethical concerns about AI in education consistently centre on one issue: the absence of disabled people from the design and development process. This is a participation rights problem that maps directly onto CRPD Article 4.3, which requires states to actively involve persons with disability in decisions that affect them. The Threshold Standards should embed this obligation explicitly, requiring that universities involve students with disability in the design and evaluation of any AI tools deployed for teaching or support.

Question 8

What changes would better support providers to meet their obligations to students with disability?

Three targeted changes would substantially improve provider capability:

1. Funded Sector-Wide Digital Accessibility Infrastructure

Individual universities should not be required to independently develop accessible versions of core learning tools. The Australian Government should fund a sector-wide digital accessibility infrastructure program, similar to the UK's Jisc, that:

- Develops and maintains accessibility standards for commonly used higher education platforms
- Provides procurement guidance and pre-assessed vendor lists
- Funds shared accessibility testing resources that smaller providers can access

2. Mandatory Staff Training

DRC evidence consistently identifies inadequately trained staff as a primary barrier. The issues are structural ignore, not malicious exclusion. The Threshold Standards should require mandatory accessibility training for:

- All academic staff designing or delivering units of study
- All professional staff with student-facing roles
- Senior leadership with accountability for compliance

Almost one-third of Harpur, Stafford & Ellis' (2025) survey participants explicitly called for disability training for staff as their top practical recommendation, with specific proposals including biannual mandatory disability awareness training for all academic and professional staff, mandatory short modules for students at enrolment, and training covering legal obligations, inclusive course design, and work-integrated learning. Participants were clear that mandatory training is critical not only for legal compliance but for culture change.

3. Disability Leadership Appointments

The Threshold Standards should require universities to create and resource formal leadership pathways for people with disability. This is currently the most significant structural gap in Australian higher education and the most consequential, because a disability equity and inclusion policy cannot succeed unless people with disability are at the leadership tables.

Harpur, Stafford & Ellis (2025) found that participants from all focus groups called for disability leadership appointments at both sector-wide and institutional levels, explicitly paralleling the approach taken to Indigenous leadership. Participants noted that people with disability in universities are routinely asked to support their institutions' equity work without recognition of that labour or pathways into leadership. The research recommends linking disability student funding to disability executive appointments — a concrete

mechanism already proposed by Harpur & Szucs (2023) and directly actionable through the Threshold Standards. Specifically, I recommend the Standards require universities to: report publicly on the representation of people with disability in senior leadership and governance roles; demonstrate pathways for students with disability to transition into postgraduate study and professional roles; and recognise and resource the equity work currently being done by staff with disability on an unpaid basis.

4. AI and Emerging Technology Guidance

The CCAT AI submission emphasised that AI governance must account for unforeseen risks and flexibility be built into governance frameworks because new use cases emerge rapidly. This applies with particular force in higher education, where AI adoption is accelerating faster than institutional policy. I recommend the HESP develop supplementary guidance on AI and emerging technologies within the Threshold Standards framework specifically addressing: (a) accessibility obligations for AI-assisted assessment tools; (b) transparency requirements when AI is used to make or inform decisions about students; and (c) the need for plain-language, accessible student communications about AI use.

The use of AI for accessibility support in higher education is an example of rapidly evolving use cases. In an example of current practice that even in the recent past may have seemed like future aspiration, Yeguas-Bolivar et al. (2022) demonstrate what is possible when AI tools are purpose-built for accessibility: their VRAIlexia system, using machine learning algorithms including Random Forest and Support Vector Machine, achieved over 90% mean accuracy in predicting the right support strategies for students with dyslexia, dysorthography, dyscalculia, and dysgraphia across 719 students at Italian universities.

The question for the Threshold Standards is not whether AI can support students with disability effectively, but whether Australian universities will be required to deploy and procure AI tools that actually do.

5. Fund the Actual Cost of Inclusion

The current funding model for students with disability is structurally inadequate. Students with disability often study part-time due to their disability, but the support costs they require do not scale with enrolment load, they scale with the individual. Under existing arrangements, a part-time student with high support needs may generate significantly less funding for their university than a full-time student, while requiring equivalent or greater support.

Harpur, Stafford & Ellis (2025) document this directly: a Chancellery focus group participant described how universities 'are 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... support needs that scale with the individual, not with the number of subjects.' This structural mismatch is particularly acute at regional universities where average loads are lower. The paper recommends that government introduce a framework determining the appropriate value of equity loading with universities required to report on how equity funds are used, and sanctions for misuse. The Threshold Standards should mandate this transparency.

The sector currently lacks any consistent guidance on how disability access obligations apply to AI tools. Without explicit guidance, the default will be inaccessibility as it has been with every previous wave of educational technology.

Question 9

What evidence would help measure the effectiveness of changes to the Standards in improving outcomes for students with disability?

The consultation paper does not adequately address measurement. I recommend a three-tier evidence framework:

Tier 1: Mandatory Disaggregated Data

The Australian Government should require universities to collect and publicly report disaggregated data on disability outcomes annually, including:

- Enrolment, completion, and attrition rates by disability type

- Accommodation uptake rates and time-to-provision
- Grievance and complaints data by disability type
- Digital platform accessibility audit results

Tier 2: Student Experience Data

Mandatory inclusion of disability-specific questions in the Student Experience Survey, codesigned with disability communities and validated against the CRPD framework.

Tier 3: Co-design with Lived Experience

Any measurement framework must be co-designed with people with disability. My ARC Fellowship research demonstrates that when people with disability are research participants rather than research subjects, when they design the questions, not just answer them, the resulting evidence is both richer and more policy-relevant.

Significantly, Harpur, Stafford & Ellis (2025) found that performance targets and public reporting gained the strongest support of any single recommendation across all participant groups. One participant was unambiguous: 'universities love their rankings — so we should create one for this.' Another, an academic on equity committees, described watching disability metrics 'continually go backwards' while Indigenous and gender metrics improved under targeted strategies, and being unable to get disability onto the committee agenda proactively. The case for mandatory public disability performance reporting is not theoretical; it is the mechanism most consistently called for by people with disability in Australian universities.

Such an approach has the potential to benefit the entire student population. As the CCAT AI submission (2023) demonstrated, communication designed for people with disability generates better outcomes for the whole population. The same logic applies to educational data collection: outcome measures designed to be meaningful for students with the most complex needs will capture systemic failure more accurately for all students. This includes Zhang et al.'s (2024) call for research into whether AI enables students with disability to take an agentic role in AI-mediated learning, a question that any national measurement framework should be equipped to answer.

Question 10

Are there other issues related to students with disability that the Panel should consider?

AI Literacy as an Equity Issue

The CCAT AI submission argued that AI and digital literacy are not evenly distributed and without active intervention, existing inequalities are reproduced and amplified by new technologies. For students with disability, this compounds existing disadvantage: they are more likely to depend on assistive technologies, more likely to face inaccessible digital environments, and less likely to have had prior access to quality digital literacy education. Universities should be required, under the Threshold Standards, to provide digital and AI literacy support that is designed with accessibility as a baseline — not an afterthought.

Atcheson et al. (2025) provide the sharpest evidence for this point: students with disabilities are already using generative AI tools for self-advocacy and personalised learning. However, they are doing so without institutional guidance or clear policy. The result is a two-tier system where students who are confident, resourced, and digitally literate can navigate the policy vacuum, and those who are not cannot. The Threshold Standards must close this gap. Atcheson et al. found that students explicitly wanted 'guidance demonstrating safe, acceptable uses of GenAI tools, along with clear policies and resources that acknowledge diverse student needs'. This is a directly actionable finding for the Panel.

I recommend the Panel consider:

- Requiring universities to include accessible digital literacy components in all foundational units
- Ensuring that AI literacy programs explicitly address how AI tools interact with assistive technologies

- Funding targeted digital literacy support for students with disability as a distinct stream within broader student support services

Intersectionality and Compounding Disadvantage

The consultation paper treats disability as a single category. DRC evidence and my ongoing ARC Fellowship research both demonstrate that outcomes for students with disability are shaped significantly by intersecting factors including Indigeneity, gender, age, rurality, and socioeconomic status. A student who is First Nations, regional, and has a psychosocial disability faces compounding barriers that no individual adjustment can adequately address.

The Threshold Standards should require universities to develop and report on intersectional approaches to disability inclusion — not simply aggregate disability data.

Harpur, Stafford & Ellis (2025) found that disability in universities is too often understood through a narrow medical model focused on individual diagnosis and adjustment rather than the diversity of disabilities, needs, and the social model of disability. Research participants from all groups emphasised that culture change is as important as structural reform: 'what we need is to create a culture that's safe and inclusive, and we need people that are actually championing that, not just us.' The Threshold Standards have an important role in mandating and measuring cultural change, not just structural compliance.

The Digital Divide Is a Disability Rights Issue

Finally, I ask the Panel to recognise that the digital divide is not a technical problem awaiting a technical solution. It is a disability rights issue. The DRC evidence, my ARC Fellowship data, and CCAT's broader research program all demonstrate that digital exclusion is one of the primary mechanisms through which people with disability are denied the rights guaranteed under the CRPD, including the right to education on an equal basis with others.

The Threshold Standards review is an opportunity to make Australia's higher education system a world leader in disability-inclusive digital education. I urge the Panel to take it.

4. Summary of Recommendations

Key Recommendations

1. Standalone Disability Standard

Develop a dedicated disability standard within the Framework with clear accountability mechanisms, explicitly grounded in the CRPD and benchmarked against the targets set for other equity groups.

2. Digital Accessibility as Explicit Obligation

Require WCAG 2.1 AA compliance, accessibility audits, and accessible procurement as threshold conditions. Explicitly extend universal design requirements to digital environments, including AI-powered tools.

3. Disability-Led Leadership Requirements

Require universities to report publicly on disability representation in senior leadership and governance, create pathways from undergraduate to postgraduate to professional roles, and link disability student funding to disability executive appointments (Harpur & Szucs, 2023).

4. Mandatory Staff Training and Culture Change

Require biannual mandatory disability awareness training for all academic and professional staff, covering legal obligations, inclusive design, and anti-ableism. Require measurement and public reporting of cultural indicators, not only structural compliance.

5. AI and Emerging Technology Guidance

Develop supplementary guidance on accessibility obligations for AI-assisted tools in teaching, assessment, and student support. Require plain-language, accessible student communications about AI use.

6. Mandatory Disaggregated Outcomes Data and Performance Reporting

Require annual public reporting of disability outcomes disaggregated by disability type, intersecting characteristics, and platform accessibility audit results. Publish sector-wide disability performance rankings.

7. Fund the Actual Cost of Inclusion

Establish an equity loading framework that funds support costs per individual rather than per enrolment load, require universities to report on use of disability equity funds, and apply sanctions for misuse.

8. Co-design Requirements

Require co-design (not merely consultation) with students and staff with disability in the development of all accessibility policies, measurement frameworks, and AI tool adoption decisions.

I thank the Higher Education Standards Panel for this consultation and welcome any opportunity to provide further evidence from my research program.

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