



## CONSCIENTIOUS OBJECTION

### Policy and Procedures

#### 1. DEFINITIONS

Terms in this document, for which definitions are not provided in the text or may not be self-evident or for which usage at ACC may differ to that in other higher education institutions are as follows:

**Conscientious Belief** : an individual's genuine and sustained inward conviction of what is morally right or wrong, uninfluenced by any consideration of personal advantage or disadvantage either to oneself or others. A Conscientious Belief can be linked to ethical, religious, or cultural values.

**Conscientious objection**: a genuinely held, enduring and considered ethical, cultural or religious conviction that an action or proposed action is morally wrong. Conscientious objections are independent of fear, personal advantage, convenience, and preference.

**Inherent requirement**: essential requirement of a course that students must satisfy if they are to be granted credit for that course. (Note that some inherent requirements may be quite general and require study or the development of skills relating a wide range of contexts. For example an inherent requirement may refer to 'diverse cultures in Australia').

**Staff Member**: a person who has been offered and has accepted a contract of employment from Australian Chiropractic College.

**Student**: a person who is enrolled in, a unit, course or program of study approved by ACC, and which leads to, or is capable of leading to, an academic award of the College.

#### 2. PURPOSE

The purpose of this procedure is to provide a consistent approach to conscientious objection which recognises that some students and staff may have a conscientious belief that is in conflict with teaching and learning activities (content and mode of delivery), assessment practices, fieldwork education, or engagement in scholarly, professional and/or research activities. Areas of potential conscientious objections may include, but are not limited to vaccination requirements, site visits, scheduling of fieldwork on Saturdays (Sabbath worship day), handling cadavers, physical contact between students of both genders particularly if minimally clad when practising chiropractic related procedures, and the use of animals in laboratory work.

#### 3. SCOPE

These procedures apply to all Staff Members and Students of the College.

#### 4. POLICY

4.1 The ACC values the diversity of the ethics, culture and religions of the members of its community.

- 4.2 It recognises that some students may have conscientious beliefs that conflict with College requirements and aims, where possible, to facilitate students completing their studies without compromising their ethical, religious or cultural convictions, thus providing for an individual student to request a reasonable adjustment to the requirements when that student has conscientious objection to a requirement of a Unit or Subject.
- 4.3 The College also endeavours to provide an optimal learning environment and sound pedagogy.
- 4.4 Nothing in this Policy or Procedure may be taken as allowing less than optimal scholarship including defence and critique of scholarly research and knowledge.
- 4.5 The College will therefore endeavour to include sufficient detail in official College publications for students to identify requirements and activities that may give rise to conscientious objections.
- 4.6 A student concerned that he or she may be required or expected to participate in activities that compromise his or her ethical, religious or cultural commitments is encouraged to raise the matter with the relevant teaching staff at the earliest opportunity.
- 4.7 **Specifically regarding vaccination/immunisation**, the College is committed to ensuring the health and safety of its staff, students, clinic clients and the general public. All reasonable steps will be taken to protect the community from the potential danger of exposure to infectious diseases.

Under normal circumstances, completion of the Bachelor of Chiropractic program does not require a student to be vaccinated. However if special circumstances arise during the program of study e.g. clinical or fieldwork placements in health facilities, that pose a risk of exposure to infectious and Vaccine Preventable Diseases, students will be advised on the risks (to the health of themselves and others, and also to progression with their studies) and the immunisation options available to mitigate those risks, so that they can make informed decisions.

Students who, on the basis of Conscientious Objection, choose not to be vaccinated where it is required for completion of a unit or practical placement, will be provided with alternative options where possible to enable completion of their program of study. In the event that alternatives are not possible, student will also be provided with support services for resolving any dilemma as to how they might proceed.

With respect to staff members (academic and professional), the College does not require them to be vaccinated. However if special circumstances arise or are likely to arise, during the course of their employment, that pose a risk of exposure to infectious and Vaccine Preventable Diseases, they will be advised on the risks to the health of themselves and others, and whether lack of vaccination and immunisation poses a risk to their employment at the College. As for students, support will also be provided to assist staff in resolving any dilemma as to how they might proceed.

The ACC supports the scientific protocol of first screening for evidence of immunity against preventable diseases, and if immunity is not confirmed, vaccination is recommended, followed by a second screening to ensure the vaccine has produced the desired outcome. Students are responsible for all costs incurred for screening and vaccination requirements.

In the event of a pandemic, the College requires students and staff to adhere to both State and Federal Government policy and protocols for vaccination for health practitioners.

- 4.8 Where a student has conscientious objections to participation in a requirement of a unit or subject, the College will endeavour to make reasonable adjustments on a case by case basis. However, adjustments will not be made in the following circumstances:
- it is an objection to an inherent requirement of the course and unless the requirement is met staff are unable to certify that the graduate has the basic competencies of the course or competencies required for external professional registration;

- the only adjustment available would be in breach of legislation or expose the College to legal liability;
- the only adjustment available will disadvantage the quality of education of other students;
- the resources (including time) required for adjustments are not available; and
- it is an objection to a requirement of an external body, compliance with that external body's requirement is necessary to complete the course and that external body does not allow the objection.

4.9 Similar considerations to those that apply to students in 4.8 will apply to staff, who have a conscientious objection to participation in an activity inherent in their role or specifically requested by their Line Manager. Adjustments will not be made if a staff member will:

- be in breach of legislation or expose the College to legal liability;
- disadvantage the quality of education of students or pose a risk to their health;
- Pose a risk to the health of other staff;
- require resources to which the College cannot commit;
- be in contravention of the requirements of an external body, to which the College has given assurance of compliance.

## 5. PROCEDURAL DETAILS

5.1 Where the College foresees that a prospective student, current student or staff member may have conscientious objection in conflict with their education or employment, will publish relevant information about requirements (a) for students in either the Student Handbook or Unit Outline and (b) for staff in their Position Description or other contracts pertaining to their activities/services.

5.2 The onus is on the person who has a conscientious belief to identify their objection and to provide reasonable notice of it to the relevant supervisor (Unit Coordinator for students or Line Manager for staff).

5.3 The College will record details of all conscientious objections in order to determine whether consideration is provided to future design of alternative teaching/assessments or work practices that are acceptable to the College.

5.4 If a student and/or staff member has a conscientious objection which conflicts with College Policy and Procedure, including teaching and learning and assessment practices and employment duties, they will contact their supervisor (Unit Co-ordinator/Line Manager) as soon as possible outlining their conscientious objection and the specific implications of their objection for their studies or employment duties.

5.5 Upon exploration of the feasibility, the Unit Co-ordinator/Line Manager will formally notify the student/staff member, in a timely manner, of the decision and reasons for the decision to either accommodate or not accommodate the conscientious objection, and if applicable, the appropriate arrangements.

5.6 Alternatives made available to a student/staff member with a conscientious objection are not required to be made available to all other students/staff members.

5.7 In considering alternatives, the following LIMITS apply:

5.7.1 A student/staff member may request that there be a suitable alternative, but has no right to demand that the alternative take a particular form.

5.7.2 The College is not obliged to accommodate a conscientious belief.

5.7.3 Where the conscientious objection relates to an assessment item or teaching/learning activity, the Unit Co-ordinator will explore the feasibility of an alternative that:

- is of comparable difficulty requiring a similar amount of time and effort and;

- meets the unit learning outcomes and/or professional competencies required for professional registration bodies;
- is able to be implemented/achieved in a timely manner;
- does not disadvantage other students in the quality of their education;
- does not violate any legal obligations; and
- does not create unreasonable hardship.

5.7.4 Where the conscientious objection relates to a staff member’s employment duties, the Line Manager will explore the feasibility of alternative duties that:

- meet the inherent requirements of the position;
- are able to be implemented/achieved in a timely manner;
- do not disadvantage other staff/students;
- do not violate any legal obligations; and
- do not create unreasonable hardship.

## 6. APPEALS

6.1 A student/staff member who has evidence that consideration was not provided to their conscientious objection may appeal to the Academic Services Manager (students) or General Manager (professional staff) or Academic Dean/Program Coordinator (academic staff).

6.2 A student/staff member will have 20 working days from the date on which they were formally notified of a decision by the Unit Co-ordinator/Line Manager to lodge an appeal.

6.3 The student/staff member will document the grounds of their appeal and provide evidence to substantiate their claims

6.4 The appeal will be lodged in accordance with the College’s Student Grievance and Complaints (Non-Academic) Procedure or the College’s Staff Grievance and Complaints Procedure, and will be conducted accordingly.

## 7. RESPONSIBILITIES

Responsibilities are those as set out in sections 4 and 5 above and in relevant related policies and procedure.

## 8. RELATED POLICY AND PROCEDURE

Grievance Management Non-Academic (Students) Policy and Procedure

Grievance Management (Staff) Policy and Procedure

Equity Anti-Discrimination Policy

Academic Progress Domestic Students Policy and Procedures

Code of Conduct

Conflict of Interest Policy and Procedures

## 9. VERSION CONTROL

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<b>Responsible Officer:</b> Academic Dean

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