

POLICY ON STUDENTS WITH DISABILITIES

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1. PURPOSE

The University of Pretoria's (UP) is committed to ensuring the effective attraction, participation and throughput of students with disabilities throughout the UP learning experience. The principles contained in this policy will be adhered to in order to ensure the inclusion of students with disabilities at UP.

The policy offers an overarching framework for promoting universal access for students with disabilities. It does this by designating appropriate structures, guidelines and process that the guide the inclusion of students with disabilities at UP.

The objectives of this Policy are to:

- promote, protect and provide full and equal enjoyment of rights to education for all suitably qualified students with disabilities;
- not unfairly discriminate against any student student with a disability within the UP learning environment;

- provide students with disabilities with the opportunity to realise their individual capabilities for physical, social, emotional and academic development through full participation at UP;
- promote respect for the inherent dignity of its students with disabilities specifically and persons with disabilities in general;
- ensure the academic integrity of academic programmes offered is maintained at the highest standards and put reasonable accommodation measures in place where required to ensure equality in opportunity and equal participation of persons with disabilities in the UP learning environment to the extent that it does not cause the University unjustifiable hardship and does not impose a disproportionate or undue burden on the University. Such will be determined based on the circumstances of each case;
- develop and maintain, where it will not cause unjustifiable hardship to the University, an accessible and safe built environment in which all persons with disabilities can participate in University activities;
- ensure access to University academic programmes for students with disabilities who meet the criteria for admission and to develop appropriate administrative procedures for their enrolment, induction and orientation;
- encourage students towards independent living in a manner that ensures dignity, self-sufficiency and responsibility;
- make available opportunities, within budgetary constraints, for the participation of students with disabilities in sports, recreational and social activities;
- ensure that the policies and practices relating to the provision of support services and access to the resources and benefits of the University do not discriminate against students with disabilities;
- make it incumbent upon the various professional disciplines across faculties, such as the Faculty of Health Sciences, to make available expertise and support services which enhance the achievement of a positive learning experience for students with disabilities;
- encourage research and policy development in the area of disability towards informed interventions and sustainable service provision; and
- ensure that students with disabilities are provided with opportunities for consultation and participation in decision-making relevant to their role within the University and that matters specific to the needs of persons with disabilities are included in relevant University plans.

2. ORGANISATIONAL SCOPE

- 2.1 This is an internal UP policy document designed to guide internal processes and responses. UP will endeavour to comply with the policy within the limitations of its financial constraints.
- 2.2 The Policy applies to all Faculties, Departments and Units of UP. Responsibility for implementation of this policy will vest in every member of staff. All Deans, Directors and Heads of Units or Divisions will be accountable to the Vice-Chancellor to ensure compliance with this Policy.

- 2.3 Students with disabilities may benefit from the policy provisions contained herein and can apply for reasonable accommodation in accordance with this Policy.
- 2.4 This Policy must be read together with other UP student policies and procedures, as applicable.
- 2.5 This Policy will inform the application of all other UP policies and practices when applied to students with disabilities.
- 2.6 The UP Disability Unit plays an important role in ensuring the implementation of and adherence to the provisions set out herein.

3. KEY CONCEPTS INFORMING THIS POLICY

- 3.1 **“Disability”** as per the UN Convention on the Rights of Persons with Disabilities refers to a social construct resulting from the interaction between a person’s impairment, attitudinal and environmental barriers.
- 3.2 **“Impairment”** means a physical, sensory, mental, emotional or cognitive condition resulting from an injury, illness, trauma and/or congenital factors that is permanent, long term or recurring and which causes or is likely to cause a loss or difference of physiological or psychological functioning which will be determined on a case by case basis. The impairment can be visible or invisible. The impairment impacts substantively on the way the student accesses the UP learning experience and may require reasonable accommodation measures to be put in place.
- 3.3 **“Learning experience”** means UP culture, processes, curricula, teaching methodologies, services including support services, staff expertise, attitudes, built environment and/or facilities that as a collective provide students with the context within which to acquire the academic qualification for which they have enrolled.
- 3.3 **“Persons with disabilities”** as per the UN Convention on the Rights of Persons with Disabilities include those who have long-term physical, mental, intellectual or sensory impairments and/or chronic conditions which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.
- 3.4 **“Policy”** refers to this policy document and all procedures and guidelines issued in terms of its provisions, and those that may be issued in future.
- 3.5 **“Reasonable accommodation”** means any modification or adjustment to the environment that will enable a student with a disability to have access to or to participate or advance in academia. These measures ensure that persons with disabilities enjoy equal opportunities and are equitably represented in the UP student community to the extent that it does not cause the University unjustifiable hardship.

- 3.6 **“Students”** refer to all full-time or part-time students enrolled in all academic programmes at UP.
- 3.7 **“Students with disabilities”** refers to any person with an impairment (as defined) who is suitably qualified and who experiences restricted access to or progression in the learning experience due to their impairment and/or barriers and/or a combination thereof. Disability, as a consequence of an impairment as well as environmental and attitudinal barriers, substantially limits a student from equal participation in the learning environment.
- 3.8 **“Suitably qualified”** means a person who is eligible for entry into an academic programme at UP.
- 3.9 **“Unjustifiable hardship”** means significant difficulty or expense being incurred by UP with respect to the provision of reasonable accommodation to a particular student with a disability. It means that an accommodation would be unduly costly, expensive, substantial, or disruptive to the detriment of UP.
- 3.10 **“Universal access”** means the removal of cultural, physical, social and other barriers that prevent persons with disabilities from entering, using or benefiting from the various systems of society that are available to other citizens and residents. The absence of accessibility or the denial of access is the loss of opportunities to take part in the community on an equal basis with others.
- 3.11 **“Universal design”** is the design of products, environments, programmes and services to be usable by all persons to the greatest extent possible without the need for adaptation or specialised design.

4. UNDERLYING PRINCIPLES

4.1 Disclosure of disability status

- a) The University subscribes to the social model of disability and recognises it as a function of an impairment, the environment and societal attitudes. The definitions contained in this policy namely that of “impairment”, “students with disabilities” and “persons with disabilities” must be read together when deciding on the disability status of any person. UP will encourage voluntary disclosure in order to provide suitable support, but will not impose on any student to disclose their disability status.
- b) The UP Disability Unit Registration and Reasonable Accommodation Procedures shall be applied. In the case of non-disclosure by a person with a disability, or where the disability is not self-evident or self-reported, it will be more difficult for UP to comply with the provisions of this policy. UP may require from a student to disclose sufficient medical and other information to confirm the disability status claimed and/or to assist in determining the appropriate reasonable accommodation needs. UP has the right to request medical proof from the student to verify any

- impairment or condition claimed. Support may not be applied retrospectively.
- c) Disclosure may occur during the initial application process or at any time during the period of study with the University.
 - d) UP will take all reasonable measures to protect the confidentiality of information that has been disclosed. Information is released to appropriate stakeholders only with the consent of the student (or, where applicable, the student's parent or guardian).

4.2 Reasonable accommodation

- a) UP respects and will implement the rights of students with disabilities to receive reasonable accommodation, when a student voluntarily requests disability-related accommodations. UP will put in place a fair procedure through which reasonable accommodation requests are assessed and budgeted for.
- b) The UP Disability Unit will facilitate the particular ways to best accommodate the student.
- c) A consultative approach will be followed with the student requesting accommodation and, where necessary, UP will obtain expert opinion to determine the most effective form of accommodation. UP may decline requests for reasonable accommodation if it causes or may cause unjustifiable hardship to the University. In the event that the University is unable to meet the known requirements of an individual student, the limitations of provision should be explained to the student preferably prior to their admission to the University.
- d) Students with disabilities will have equitable access to recreation and sport facilities on campus as far as feasible and affordable. Housing will be provided with due regard to reasonable accommodation needs of students. Any special arrangements aim to minimise any detrimental impact by reason of disability and should not otherwise disadvantage or advantage the student with a disability.

4.3 Responsibility

All students and staff members are co-responsible for respecting and promoting the principles laid down in this policy.

4.4 Progressive realisation

This principle recognises that making the environment fully inclusive cannot happen overnight; therefore, persons with disabilities and their families cannot expect the University to deliver not withstanding resource constraints. However, UP will endeavour to do all that is reasonably and practicably possible to realise a fully accessible environment.

4.5 Universal Design Principles for teaching and learning

- a) Students must be evaluated on their abilities not their disabilities and, where practicable, methods of teaching and assessment be modified to take account of the differences experienced by students with disabilities.

- b) Teaching methodologies and processes will be accessible to students with disabilities as far as is reasonably possible. Universal access and design principles will be applied in relation to the curriculum, including the content and design of training material, facilitation and teaching style, practicals etc. to facilitate learning.
- c) Any modification of programmes requirements or assessment methods will be discussed and agreed on by the Faculty (or nominee), the Disability Unit and the student. If, after due consideration, the view is that in a certain discipline or programme's teaching methods and specific teaching environments pose insurmountable obstacles relating to a student's level of impairment, and a genuine attempt has been made by all role players to seek solutions, the Disability Unit in consultation with the Faculty may advise the student to register for an academic programmes with fewer access impediments.
- d) The University undertakes to encourage and support wherever possible: Universal Design Principles of learning in new academic programme offerings; and educating academic staff with regard to the range of reasonable accommodations, and alternative assessment modes.

5. FUNDING

There shall be a special budget, for the implementation of support services for students with disabilities administered by the Disability Management Committee. This budget shall cater for resourcing the Disability Unit. The allocated resources must be regularly monitored to ensure collective accountability.

6. ROLES AND RESPONSIBILITIES

- 6.1 The Vice-Chancellor and Principle, first and foremost, is responsible to provide leadership to ensure buy-in from all role players to attain the objectives of this policy.
- 6.2 The Registrar will be the first point of accountability for the operational implementation of this Policy and will be the sponsor and champion of the various disability initiatives.
- 6.3 The Director: Facilities Management will be responsible for continuously conducting physical accessibility audits and progressively remove all physical barriers and accessibility hazards in the built environment, under the guidance from the Director: Student Affairs and the Disability Unit.
- 6.4 The Disability Unit will be responsible to develop and implement processes to give effect to the provisions of this policy.
- 6.5 The Disability Unit must be staffed by at least a Head (manager); Assistive Technologist/Technical Editor; Disability Coordinator(s); South African Sign Language Interpreter(s); Student Advisor(s) and Administrator (s), all appointed to address issues of substantive equality and the inclusion of students with disabilities at UP.

- 6.6 The Disability Unit must provide leadership through achieving best practice and conducting research; conduct local and international benchmarking and ensure that practices adopted by the University match best practice; seek inter institutional co-operation within South Africa in collecting, developing and disseminating knowledge about creating accommodating environments for students with disabilities. The wider issue of managing disability related initiatives will be the responsibility of a Disability Management Committee as a subcommittee of the UP Institutional Transformation Committee. The existing levels of service will be maintained and expanded within resource constraints. This will be reviewed annually.
- 6.7 All staff in all faculties/units/departments will be held accountable for compliance or otherwise with the provisions contained herein.

7. COMPLAINTS AND DISPUTES

Students with disabilities are welcome to report concerns and request assistance and support to enable them to be included in all aspects of university life on equal terms with other students.

- o Step 1 – Any student who alleges prejudice or unfair treatment on the basis of disability or non-compliance with any of the provisions contained herein, has the right to lodge a formal complaint with the Disability Unit. The Unit must launch an investigation into such a complaint received and must assist the University in deciding on required remedial action, if any. The Unit will liaise with role players within the UP environment as applicable based on the nature of the dispute referred. Should the matter not be concluded to the satisfaction of the student concerned the matter may be escalated as set out below.
- o Step 2 – The matter is formally referred by the aggrieved student to the Director: Student Affairs. The Director will engage with role players as he/she deems appropriate in order to come to some conclusion and for remedial action to be instituted, if necessary. The resolution of the Director is implemented.
- o Step 3 – Should the student be dissatisfied with the resolution he/she may escalate the matter to the Vice-Principal: Student Affairs and Residence Affairs, who again will engage with role players as he/she deem appropriate in order to come to some conclusion and for remedial action to be instituted, if necessary. The resolution of the Director: Student Affairs is confirmed or some alternative conclusion reached and implemented.

8. OTHER INTERVENTIONS

Students with disabilities have equal access and opportunity to act as representatives on all student bodies. When contracting with third party service providers on campus UP will ensure that the services are non-discriminatory in nature and cater for the needs of its students with disabilities as far as reasonably possible. UP will encourage its students with disabilities to

apply for employment with the University on completion of their academic programmes in line with its workplace disability equity initiatives.

9. ASSOCIATED DOCUMENTS

Governing Documents

- Strategic Plan of the University of Pretoria
- Strategic Plan of the Department of Student Affairs

Related Documents

This policy should be read in conjunction with the Constitution of the Republic of South Africa, 1996; the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000; the Employment Equity Act 55 of 1998; UP language policy; UP policy on social media; Residence Affairs and Accommodation placement policy for University-controlled residences; the disciplinary code for students and the disciplinary code for staff; UP manual to the Promotion of access to information act (2000); UP Anti-Discrimination Policy and UP policy on examinations and related matters.

External documents

- Constitution of South Africa, 1996.
- Green Paper on Post-School Education & Training (2012), Department of Higher Education and Training.
- Promotion of Equality and Prevention of Unfair Discrimination Act, Act 4 of 2000.
- White Paper on an Integrated National Disability Strategy.
- Code of Practice on the Accessibility of Buildings to Disabled Persons SABS 0246.
- Department of Education: Guidelines on additional time.
- A framework for transformation (1996), Report of the National Commission on Higher Education, Department of Education.
- Education White Paper 3: A Programme for transformation of higher education (1997), Department of Education.
- Quality Education for All, Report of the National Commission on Special Needs in Education and Training (1998), Department of Education.
- National Plan for Higher Education (2001), Department of Education.
- Education White Paper 6: Special Needs Education (2001), Department of Education.
- Building Construction – Accessibility and Usability of the Built Environment ISO TC 59/SC 16 N 45 (Draft), ISO.
- Web Accessibility Initiative (WAI) Guidelines & Techniques, World Wide Web Consortium (W3C).
- US Section 508 Standards, Rehabilitation Act, 1973 (as amended).
- UN Convention on the Rights of Persons with Disabilities.
- Occupational Health and Safety Act , 1993 and amendments thereto.

10. POLICY LIFE CYCLE

This Policy will be reviewed at least every four years from date of formal acceptance. The University will operate systems to monitor and review the effectiveness of provision for staff and students with disabilities, evaluate progress and identify opportunities for enhancement to advance disability equality at the University. All aspects of this policy will be subject to ongoing review and amendment, as appropriate in order to improve its effectiveness. This will include consideration of measures which will assist in rectifying any under representation of disabled staff and students in the University.

11. DOCUMENT METADATA

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