

## Students with disabilities

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### 1. Purpose

In line with the University of Pretoria's (UP) vision "to be a leading research-intensive university in Africa, recognised internationally for its quality, relevance and impact, as also for developing people, creating knowledge and making a difference locally and globally", we are committed to ensuring the effective attraction, participation and contribution of students with disabilities throughout the UP learning experience. This commitment is based, firstly, on the fact that we recognise that persons with disabilities form a marginalised and disadvantaged sector in our society, and that we have a moral obligation and a social responsibility to redress injustices through the implementation of disability equity in all aspects of our organisation. UP wants to uphold the principles enshrined in our country's Constitution and related legislation governing the rights of persons with disabilities. UP, also recognises the ability and unique contribution of each student and the value they bring to our organisation regardless of their disability. Inclusion and diversity are a fundamental part of our culture and UP is committed also in relation to its disabled student community to "enable today, achieve tomorrow".

This policy aims to create a holistic framework that is aimed at ensuring an integrated and inclusive learning experience for students with disabilities at UP. We will be guided by our institutional values of quality, relevance, diversity and sustainability when implementing the provisions contained herein.

### 2. Organisational scope

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 the financial constraints. Given the nature of the document and the said constraints the internal guidelines and aspirations set out in the document cannot legally be enforced against the University. This fact does not diminish the University's serious intention to implement the Policy for the benefit of all students with disabilities. The above is subject to the following: Where national and other legislation place an independent standard on the University to act in a certain manner, the University is obliged to comply.

The Policy applies to all Faculties, Departments and Units of UP. Students and prospective students with disabilities, pre- or post-graduate, may benefit from the policy provisions contained herein and can apply for reasonable accommodation in accordance with this Policy.

This Policy must be read together with other student policies and procedures, as applicable.

### 3. Policy statement

UP strives that students with disabilities must be integrated into the learning experience at the University in a manner that allows for their full participation and for them to acquire the necessary knowledge and skills linked to the academic programme for which they enrol. UP understands that students with disabilities may access the learning experience differently from their non-disabled counterparts. UP will treat its students with disabilities in a non-discriminatory way and respectful manner with due cognisance for the diversity in their learning abilities and styles. Where necessary reasonable accommodation measures will be put in place in the learning process, teaching methodology, course content and/or delivery to assist students with disabilities to achieve success in their studies. The University endeavours to make the learning experience a rich and rewarding one and continually strives to improve all aspects of accessibility for its students.

Universal access facilitates the whole learning cycle including aspects such as an understanding of the learning content, campus experiences that leads to the full development of the student, and integration within the broader student population. Students with disabilities have a right to participate in campus activities.

More specifically UP will strive to:

- provide full rights to education for all suitably qualified students and prospective students with disabilities;
- not unfairly discriminate against any student or prospective student with a disability within the UP learning environment;
- promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by its students with disabilities;
- promote respect for the inherent dignity of its students with disability specifically and persons with disability in general;
- 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.

See the remainder of the document below as to the practical implementation of these undertakings.

### 4. Definitions/Abbreviations

Terms used in this Policy have the following meaning:

**“Barriers”** refer to policies, actions, attitudes, behaviour, practices, procedures, physical and structural aspects of the built environment etc. which adversely affect students with disabilities’ prospects of entry and/or advancement in academia or which have the effect of unfairly making facilities and amenities inaccessible, unfair exclusion or unequal rights to use, enjoy and benefit from them.

**“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.

**“Disability Unit”** means the Unit established at UP to promote the integration of students with disabilities at UP and who assists on a daily basis to address their respective learning and reasonable accommodation needs.

**"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.

**"Learning experience"** means UP culture, processes, curricula, teaching methodologies, services, staff expertise, attitudes, built environment and/or facilities that as collective provide students with the context within which to acquire the academic qualification for which they have enrolled.

**"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.

**"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.

**"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.

**"Students"** refer to all full-time and part-time students enrolled in all academic programmes at UP.

**"Students with disabilities"** for purposes of this policy 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.

**"Suitably qualified"** means a person who is eligible for entry into an academic programme at UP.

**"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.

## 5. Admissions

The University welcomes suitably qualified students with disabilities and will admit them using the same academic criteria as for other students. No student with a disability will on that ground alone be refused admission to the University. However, the provision of appropriate support where needed in a particular case will be limited by the affordability of those support systems and with due regard for the current and future financial constraints of the University. Faculty Administration staff will ensure that the admission of students with

declared disabilities is confirmed as early as possible, so that proper arrangements can be made together with the Disability Unit to ensure that they have appropriate support throughout their years of study.

## **6. Disclosure of disability status**

The University subscribes to the social model perspective of dealing with disability and recognises it as a function of an impairment, the environment and societal attitudes.

The definitions contained 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. The UP disability status and reasonable accommodation procedure 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. Disclosure may occur during the initial application process or at any time during the period of study with the University.

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 written consent of the student (or, where applicable, the student’s parent or guardian).

## **7. Universal access and the removal of barriers**

UP recognizes the necessity of proactively removing barriers to students with disabilities and will aim to establish a universal access design environment that benefits employees, students and visitors alike. It will incrementally remove or limit any barrier impacting on students or prospective students with disabilities as far as is reasonably practicable and financially affordable to do so. Amongst others, UP will ensure, as far as is reasonably possible and affordable, that its built environment is compliant with the National Building Regulations and the Building Standards Act as amended for persons with disabilities. A phased in approach will be adopted with older structures whilst new projects will include universal access requirements from the outset, which caters for different types of disabilities. Universal design also includes virtual access to information via computers and computer applications.

UP will as far as reasonably possible implement websites, portals and applications that comply with international accessibility IT guidelines and technical standards to ensure access to information and services for persons with disabilities.

UP will facilitate diversity sensitisation programmes aimed at ensuring that the attitudes and skills levels of its staff – both academic and administrative – support the integration and mainstreaming of students with disabilities. The same applies to fellow students at the

University where a culture of respect and diversity is nurtured. We strive for an inclusive and open environment that attracts, retains, develops and advances individuals with different needs and expectations.

## **8. Reasonable accommodation**

UP respects and will implement the right of students with disabilities to receive reasonable accommodation, when the student voluntarily requests disability-related accommodation. UP will put in place a fair procedure through which reasonable accommodation requests are assessed and budgeted for. The UP Disability Unit will facilitate the particular ways to best accommodate the student. The Disability Status & Reasonable Accommodation Procedure will be followed – Appendix 1 attached. A central budget administered by the Disability Unit will be made available to meet the accommodation requirements of the University.

A consultative approach will be followed with the student or prospective 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. UP uses a model where accessible facilities and computer labs are made available in a central location for the exclusive use by students with disabilities. Assistive technology and other forms of reasonable accommodation are made available as far as reasonably possible to assist the student with a disability to fulfill their academic responsibilities and to participate in campus life. Additional information on possible accommodation measures for students with mental disabilities are contained in the UP Guidelines on Dealing with Mental Disabilities – Appendix 2 attached.

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.

## **9. Integrated learning**

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. Teaching methodologies and processes will be accessible to students with different types of disabilities as far as reasonably possible.

Universal access and design principles will be applied in relation to faculty instruction and curricula including the content and design of training material, facilitation and teaching style, practicals etc. to facilitate integrated learning.

## **10. Disability Unit**

The UP Disability Unit assists students with different types of disabilities to have access to and succeed in all academic programmes and for them to contribute equally to the University's academic legacy. The Disability Unit provides a number of services including computer facilities, accessible material and notes, sign language interpreters, limited assistive devices, organising of additional time for exams/tests and counselling. The Disability Unit's objective is to promote and support the equal academic participation of students with disabilities in the learning environment.

## **11. 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.

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 lodge an investigation into such a complaint received and must assist the University in deciding on remedial action required, 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.

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 deem appropriate in order to come to some conclusion and for remedial action to be instituted, if necessary. The resolution of the Director is implemented.

Step 3 – Should the student be dissatisfied with the resolution he/she may escalate the matter to the Vice-Principal: Student Affairs & Residences 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.

## **12. Other**

Students with disabilities have equal access to and equal 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.

## **13. Responsibility for implementation**

The Vice-Principal: Student Affairs & Residences will be the first point of accountability for the operational implementation of this Policy. The Head: Disability Unit will be responsible to develop and implement processes to give effect to the provisions of this Policy. The Disability Unit will provide operational support to Faculties, Divisions and all employees in relation to the implementation of the provisions of this policy. The Unit serves as the central point of contact for any student or prospective student with a disability at UP. The Directors of Support Services will work closely together with the Disability Unit.

All Heads of Departments & Deans of Faculties must ensure implementation and compliance with the content hereof in their respective departments/faculties.

## **14. Policy life cycle**

This Policy will be reviewed every 3 years from date of formal acceptance.

## 15. Document metadata

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