



## University of Pretoria - Disability Unit

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### Policy on Students with Disabilities

Document type: Policy

Document number: *Rt 282/13*  
(*amended 8 January 2018*)

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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 social responsibility and a moral obligation 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". UP seeks to adopt and develop leading practice in the area. UP commits to sustainable transformation initiatives and governance mechanisms that value the diversity of its student population and the community it serves. Disability equity is an important component of the UP transformation and diversity agenda.

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. As part, thereof UP will foster and encourage positive and unprejudiced attitudes towards persons with disabilities.

## **2. Organisational scope and nature of the document**

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. Responsibility for implementation of this policy will vest with every member of staff. All Deans and the Directors

of Support Divisions will be accountable to the Vice-Chancellor to ensure compliance with this Policy. 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 and undertakings**

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:

- promote, protect and provide full and equal enjoyment of 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;
- provide current and prospective 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 courses and programs 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 people with disabilities can participate in university activities;
- ensure access to University courses for students with disabilities who meet the criteria for admission and to develop appropriate administrative procedures for their enrolment, induction and orientation;
- encourage and assist 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 Faculty of Health Sciences, to make available expertise and support services which enhance the achievement of a positive learning for students with disabilities;
- encourage research and policy development in the area of disability towards informed interventions and sustainable service provision;
- provide specific and appropriate support to students to enable them to pursue their academic or career goals insofar as resources may reasonably permit;
- 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 people with disabilities are included in relevant University plans.

Through these objectives the University will endeavour to empower students by improving understanding of their rights and the procedures for effective advocacy where required. See the remainder of the document below and the guidelines attached as to the practical implementation of these undertakings.

#### 4. Definitions

Terms used in this Policy have the following meaning:

4.1 “**Barriers**” refers 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. These may be:

- (a) Attitudinal barriers caused by values inconsistent with the spirit of this policy, for example, ignorance and inadequate knowledge, prejudicial attitudes and false perceptions about disability and disabled persons, and which have the effect of discriminatory behaviour;
- (b) Organizational/institutional barriers caused by policies, procedures, guidelines and practices which deprive students with disabilities of fair access to studying and other opportunities.
- (c) Environmental barriers caused by physical and structural aspects of the built environment which have the effect of unfairly making facilities and amenities inaccessible, unfair exclusion or unequal rights to use, enjoy and benefit from them.

4.2 “**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 is imposed by society when a person with a physical, psychosocial, intellectual, neurological and/or sensory impairment is denied access to full participation in all aspects of life, and when society fails to uphold the rights and specific needs of individuals with impairments. Persons with disabilities experience three main types of interrelated barriers: social (including high cost, lack of disability awareness, and communication difficulties); psychological (such as fear for personal safety); and structural (including infrastructure, operations and information). The University recognises the effect and the impact that disabilities, might have on individuals and will attempt to support students with disabilities who need reasonable accommodations.

4.3 “**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.

4.4 “**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.

4.5 “**Learning experience**” means UP culture, processes, curricula, teaching methodologies, services including support 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.

4.6 “**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.

4.7 “**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.

4.8 “**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.

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

4.10 “**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.

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

4.12 **“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

5.1 The University acknowledges that inequalities of access to education throughout the education system for persons with disabilities mean that learners with disabilities have in the past been – and continue to be – especially vulnerable to exclusion from higher education. Consequently UP commits itself to developing admission, recruitment and retention practices and policies for persons with disabilities which will maximise participation in higher education at UP.

5.2 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.

5.3 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

6.1 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 below 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.

6.2 The *UP Disability Unit Registration and Reasonable Accommodation Procedures* shall be applied – Appendix 1 and 2 attached. 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.

**6.3** Disclosure may occur during the initial application process or at any time during the period of study with the University.

**6.4** 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. Reasonable accommodation**

**7.1** 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.

**7.2** 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.

**7.3** 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.

**7.4** 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.

**7.5** Additional information on possible accommodation measures for students with psychological disabilities are contained in the UP Guidelines on Reasonable Accommodation for Students with Psychological Disabilities– Appendix 3 attached.

**7.6** 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. – Appendix 4 attached,



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

**8.1** 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.

**8.2** 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.

**8.3** 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.

**8.4** Universal design also includes virtual access to information via computers and computer applications.

**8.5** 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 students with disabilities.

**8.6** UP will facilitate diversity sensitisation programmes aimed at ensuring that the attitudes and skills levels of its staff – both academic and administrative – support the full inclusion and participation of students with disabilities. The same applies to fellow students at the University where a culture of respect and diversity is nurtured. strive for an inclusive and open environment that attracts, retains, develops and advances individuals with different needs and expectations.

## **9. Delegation of rights and responsibilities**

**9.1** Students are encouraged to identify their support needs to the Disability Unit if they require assistance. In turn, the University will endeavour to ensure, within budgetary constraints, that such assistance is available.

**9.2** Confidentiality of information relating to students with disabilities will be maintained.

**9.3** Access to information will be restricted to staff with a legitimate need to know.

**9.4** Information will not be released until the student has given their consent (written or verbal) for the release of that information.

**9.5** Students are responsible for:

- meeting the inherent requirements of courses which they undertake;
- identifying and registering their need for reasonable accommodations, and giving sufficient time to allow these to be put in place;

- providing documentation from an appropriate professional or organisation verifying the effect of their disability on their ability to access academic resources in line with UP requirements;
- following the University procedures to access appropriate accommodations.

### **10. Integrated learning**

**10.1** 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.

**10.2** 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.

### **11. Teaching and learning support for students with disabilities**

**11.1** The University will provide for the learning needs of students with disabilities, and recognises that this may in some cases entail modifying, substituting or supplementing curricula and course work requirements, including alternative but equivalent assessment modes, ensuring at all times that academic standards are not compromised and that students will graduate with the requisite skills and competencies. This will, where practicable, include fieldwork and practical/laboratory work, provided that no hazard is created for the students with special needs or for others associated with the activity. Examples include alternative projects or the granting of extensions.

**11.2** Any modification of course requirements or assessment methods will be discussed and agreed on by Faculty (or nominee), the Disability Unit and the student. If, after due consideration, the view is that in a certain discipline or course 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 head of the Disability Unit in consultation with the dean of the faculty may advise the student to register for a course with fewer access impediments. Should a student still feel that his/her rights have been violated the student would follow the procedure as set out in Section 19 of this policy.

**11.3** The University undertakes to encourage and support wherever possible: Universal Design Principles in new course offerings; and educating academic staff with regard to the range of reasonable accommodations, and alternative assessment modes.

## **12. Disability Unit**

**12.1** 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.

**12.2** 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.

**12.3** The Disability Unit provides a number of services including accessible computer facilities with the required software, accessible material and notes, sign language interpreters, limited assistive devices, organising of concession support for exams/tests and counselling.

**12.4** The University will progressively, where it will not pose an unjustifiable hardship, provide up-to-date adaptive and assistive technology for students and staff with disabilities.

**12.5** The Disability Unit's objective is to promote and support the equal academic participation of students with disabilities in the learning environment.

**12.6** Provide expert advice to the University on disability issues, policy and practice for students arising in any area of the University's work, and across all its operations and campuses; monitor and provide advice on embedding responsibility for creating an inclusive working and learning environment for persons with disabilities

**12.7** Collaborate with other units throughout the University with responsibility or interest in issues of disability.

**12.8** 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 people with disabilities .

**12.9** 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 Disability Management Committee will meet monthly and will be chaired by the Director: Department of Student Affairs.

## **13. Funding**

**13.1** 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 equipment, furniture, access, capital building projects and academic development.

**13.2** Adequate funds and resources must be allocated towards the implementation of this policy and allocated funds and resources must be efficiently utilised to ensure:

- the provision of coordinated, sensitised, specialised, professional, integrated and multi-disciplinary centered services;
- the appropriate and targeted training of all staff involved in implementing any aspect of the policy,
- effective awareness programmes around the policy,
- The allocated resources must be regularly monitored to ensure collective accountability.

#### **14. Media & communication**

**14.1** The image of the University in promotional materials will reflect a welcoming institutional culture for persons with disability and these materials will where possible be available in alternate formats.

**14.2** The University will undertake to ensure access to information and communication services to staff, students and visitors with disabilities, including where appropriate, tactile signage; high contrast signage on noticeboards; circulars, library databases, learning materials, and electronic media. It will strive to maximize, through appropriate dissemination of information, opportunities for students with disabilities to participate in all University wide consultation and debate and in grievance mechanisms and decision making processes.

#### **15. Complaints and disputes**

**15.1** 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.

**15.2** 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.

**15.3** 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.

**15.4** 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.

## **16. 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.

## **17. Associated documents**

### **Internal UP documents**

- Disability Unit Registration & Reasonable Accommodation Procedure with its Appendices ;
- Student Registration Policy and Academic Criteria;
- Student Code of Conduct ;
- Housing Policy;
- Placement Policy;
- Parking Disc Policy.

### **External documents**

- Constitution of South Africa, 1996.
- Green Paper on Post-School Education & Training (2012), Department of Higher Education & 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
- University of Pretoria Policy on Examinations and related matters (S 4671/10)
- 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.

## 18. Appendices

- UP Disability Status & Reasonable Accommodation Procedure – Appendix 1.
- UP Guidelines on Dealing with Mental Disabilities – Appendix 2.
- UP Disability Disclosure Form – Appendix 3.
- UP Request for Reasonable Accommodation Form – Appendix 4.
- UP Consent Form – Appendix 5.

## 19. Policy life cycle

This Policy will be reviewed every 3 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.

## 20. Document metadata

<b>Document</b>	
Number:	<i>Rt 282/13 (amended 1 October 2013)</i>
Version:	<i>Final approved 1 October 2013</i>

<b>Role players</b>	
Owner:	<i>Disability Unit</i>
Author:	<i>Disability Management Services</i>
Entity of author:	
Contributor(s):	
<b>Recommended</b>	
<i>Director's Forum</i>	<i>not applicable</i>
<i>Senate Committee</i>	<i>not applicable</i>
Date:	
<b>Approval</b>	
<i>Senate</i>	<i>not applicable</i>
Meeting reference number:	
Date:	
<i>Executive</i>	
Meeting reference number:	<i>Rt 356/13</i>
Date:	<i>2013-10-01</i>
<b>Announced</b>	
Date of announcement:	<i>2013-10-08</i>
<b>Effective from</b>	
Implementation date:	<i>2013-10-08</i>
<b>Review</b>	
Next review date:	
Last review date:	
Last reviewer:	
<b>Successions</b>	
<i>Superseded (this document has been replaced):</i>	
<i>Supersede (this document replaces):</i>	
<b>Revoke</b>	
Cancellation date:	