



UNIVERSITY OF THE
WITWATERSRAND,
JOHANNESBURG

Name of Policy

Students with Disabilities

Version No.3.0

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Policy Title	Students with Disabilities
Policy Officer	Dr Anlia Pretorius
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1. CONTEXT / BACKGROUND

The University of the Witwatersrand (Wits) values diversity and is committed to creating equal opportunities for students with disabilities. The principles contained in this Policy will be applied and adhered to in order to ensure equitable representation of students with disabilities and their full integration into all areas of student life.

- 1.1. Wits recognises that access to higher education is a national imperative in South Africa and that it is imperative that higher education, and Wits specifically, puts measures in place to redress the inequalities and disadvantages created by prejudice and discrimination, and contributes to a democratic vision which is respectful of human rights.
- 1.2. The University accepts its responsibility to remove or limit the barriers to participation, especially for students with disabilities.
- 1.3. In this regard Wits will ensure that knowledge production, transfer and dissemination that support the advancement and empowerment of persons with disabilities are reflected in its academic, research and social engagement plans.
- 1.4. Wits 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 Wits transformation and diversity agenda.
- 1.5. The inclusion, empowerment and integration of students and employees with disabilities are integral elements of “the Wits experience”. The latter requires that Wits creates an intellectually vibrant, socially embracing and culturally diverse environment. As part thereof Wits will foster and encourage positive and unprejudiced attitudes towards persons with disabilities.
- 1.6. Wits commits to principles of redress, equity, social justice, diversity and non-discrimination and will include and integrate persons with disabilities within teaching, learning, and research and service functions.
- 1.7. Wits commits to upholding the principles enshrined in legislation governing the rights of persons with disabilities.
- 1.8. Wits recognises that students with disabilities must be integrated into the learning experience at the institution 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.
- 1.9. Wits 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.
- 1.10. Where necessary all academic staff will put in place reasonable accommodation measures in the learning process, teaching methodology, course content and delivery to facilitate access and success.
- 1.11. Different types of disabilities are catered for and Wits strives to meet the diverse needs of its student population.
- 1.12. In line with the ethos of the University Wits strives for an inclusive culture and integrates students with disabilities in both academic and non-academic activities.
- 1.13. Definitions, words that appear in bold have a specific meaning or definition as explained below:
 - a) **“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. The University recognizes the effect and the impact that disabilities, including chronic illnesses, might have on individuals and will attempt to support students with disabilities who need reasonable accommodations

- b) **“Students with disabilities”** for purposes of this policy refers to any person with an impairment who is suitably qualified and who experiences restricted access to or progression in the learning experience due to their impairment and/or contextual barriers. 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. Note: An impairment is caused by an injury, illness, trauma and/or congenital factors resulting in a physical, sensory, mental, emotional or cognitive condition that is permanent, long term or recurring and which causes or is likely to cause a loss or difference of physiological or psychological functioning. The impairment can be visible or invisible. Medical verification may be required. The impairment impacts substantively on the way the student accesses the learning experience and may require reasonable accommodation measures to be put in place.
- c) **“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.
- d) **“Disability Rights Unit”** means the Unit established to provide academic support to students with disabilities, and which also promotes the integration of students with disabilities at the University.
- e) **“Equality Act”** refers to the Promotion of Equality and Prevention of Unfair Discrimination Act, no 4 of 2000, as amended;
- f) **“Higher education statutes”** refer to the various legislative instruments published by the Department of Education impacting upon institutions of higher education and specifically those provisions dealing with students with disabilities.
- g) **“Learning experience”** means the Wits culture, processes, curricula, teaching methodologies, services, staff expertise, attitudes, built environment and facilities that, as a collective, provide students with disabilities an equal opportunity to complete their studies
- h) **“Students”** refer to all full-time and part-time students in all academic programmes currently studying at Wits;
- i) **“Barriers”** refers to policies, actions, behaviour, practices, procedures, and institutional strategies which adversely affect students’ prospects of entry and/or advancement in academia. 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.
- j) **“Persons with disabilities”** are those persons who have long-term physical, mental, intellectual or sensory impairments and chronic conditions which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.
- k) **“Suitably qualified”** means a person who is eligible for entry into any academic programme. (See Principles 5.1)
- l) **“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;

- m) **“Unjustifiable hardship”** means significant difficulty or expense incurred by the University with respect to the provision of reasonable accommodation. Unjustifiable hardship means that an accommodation would be unduly costly, expensive, substantial, disruptive or would fundamentally alter the nature or operation of the business to the detriment of Wits;
- n) **“Wits experience”** means the commitment to uphold values enshrined in the South African Constitution and Bill of Rights in teaching, research, service and social engagement as well as in campus life. The Wits experience has three pillars, namely intellectual project, student centeredness and institutional culture. Its aim is to create an intellectually vibrant, socially embracing and culturally diverse teaching and learning environment.

1.14. Resources

- a) A framework for transformation (1996) Report of the National Commission on Higher Education, Department of Education
- b) Code of Practice on the Accessibility of Buildings to Disabled Persons. SABS 0246 (1993)
- c) Education White Paper 3: A Programme for transformation of higher education (1997), Department of Education
- d) Education White Paper 6: Special Needs Education (2001) Department of Education
- e) Green Paper on Post-School Education & Training, 2012, Department of Education
- f) National Plan for Higher Education (2001) Department of Education
- g) Promotion of Equality and Prevention of Unfair Discrimination Act. Act No.4 of 2000.
- h) Quality Education for All Report of the National Commission on Special Needs in Education and Training (1998) Department of Education
- i) White Paper on an Integrated National Disability Strategy. Office of the Deputy President.

2. PURPOSE

- 2.1. This policy outlines the obligation of Wits to promoting the human rights and interests of its students with disabilities;
- 2.2. It is intended to create an enabling and barrier-free academic environment by removing all forms of unfair discrimination against students with disabilities to enable them to perform in line with their aspirations, talents and abilities;
- 2.3. It sets out measures to comply with higher education statutes in SA, Wits policies and international approaches and practices on integrated learning experiences.
- 2.4. It encourages and supports the representation of students with disabilities on all student structures to foster full participation in university life.
- 2.5. All Faculties, Departments and Units of Wits are bound by the provisions contained herein.
- 2.6. The broader Wits community, including fellow students, must adhere to the principles of non-discrimination, inclusivity and equal opportunities and must act in accordance with prescribed procedures.
- 2.7. Students with disabilities will benefit from the policy provisions contained herein and can apply for reasonable accommodation in accordance with this policy.
- 2.8. The Wits Disability Rights Unit plays an important role to ensure the implementation of and adherence to the provisions set out herein.
- 2.9. This Policy will inform the application of all other Wits’ policies and practices when applied to students with disabilities.
- 2.10. This policy should be considered in conjunction with other university policies such as the admissions policy.

3. PRINCIPLES

3.1. Disclosure of disability status and confidentiality

- a) Wits aims to create a positive and safe environment that promotes acceptance, and protects students with disabilities from prejudice and discrimination. Wits will encourage voluntary disclosure in order to provide suitable support but will not impose any obligation on students to disclose their disability status.
- b) In the case of non-disclosure by a person with disability, or where the disability is not self-evident, Wits may not be held liable for failure to comply with the provisions of this policy. Wits may require the student to disclose sufficient information to confirm the disability and/or to assist in determining appropriate accommodation needs. Disclosure may occur during the application or at any time during the period of study.
- c) The POPI Act guides the collection, processing, and retention/destruction of personal information. Under the POPI Act, Wits ensures the protection and confidentiality of all students' private information and disability disclosures through secure protocols and procedures. Disclosure will take place only under specified conditions, i.e. with the student's consent or when it relates to the health and safety of the student and others, and when reasonable accommodation is requested. Withdrawal of disclosure can be requested at any time, upon which the student's disability record and relevant documents will be removed.
- d) Wits may request medical proof from the student to verify any impairment or condition claimed.

3.2. Access

- a) Wits recognises 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.
- b) Wits will ensure that a student with a disability can participate in an academic programme through the provision of reasonable accommodation measures, unless it causes the University undue hardship.
- c) Wits will evaluate/audit the environment and where necessary, provide appropriate interventions in order to create an enabling environment.

3.3. Admissions

- a) No student with a disability will on that ground alone be refused admission to the University. However, the provision of appropriate support will be limited by the affordability of those support systems. The University commits itself, within current and future financial constraints, to enabling as many students with disabilities as possible to study at this institution.
- b) As soon as Faculties reach a decision on admissions, the outcome will be loaded onto the Student Information Management System (SIMS). The DRU will access SIMS in order to make necessary provisions to support students with disabilities.
- c) Students must be evaluated on their abilities not their disabilities. Where practicable, methods of teaching and assessment should be modified to take account of the differences experienced by students with disabilities.
- d) The university will endeavour to make teaching methodologies and processes accessible to students with different types of disabilities. 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.
- e) Wits will aim to improve the skills level of its staff – both academic and administrative – through training and advocacy programmes. Teaching staff in particular will be trained to engage appropriately and to be skilled and equipped to deal with different accommodation needs.
- f) Students with disabilities will have equal access to support services, such as, libraries, security, health and counselling services.

- g) At the time of application for admission and/or in any subsequent year of studies, current and prospective students with disabilities must discuss with Course Coordinators and the staff of the Disability Rights Unit, their particular needs in respect of participating in course work, fulfilling course requirements and completing examinations. In the event that the University is unable to meet the known requirements of an individual student, the limitations of provision shall be explained to the student prior to their admission to the University.
 - h) The Head of the Disability Rights Unit and Course Coordinators from Schools will liaise to ensure that appropriate arrangements are made to accommodate the needs of students with disabilities, for example, the conversion of reading material into an audio format or the provision of computers for writing exams.
 - i) Facilities appropriate to the needs of students with disabilities will be made available during examinations and extra time will be allowed, upon application and evaluation. Special assessment arrangements will be available for students who, by reason of disability, would otherwise be unfairly penalised. Any special arrangement is aimed to minimise any detrimental impact of the disability and should not otherwise advantage students.
 - j) All University information will be made available in an accessible format on request.
- 3.4. Institutional Barriers (policies and plans) - Wits will continually re-align its policies and practices with relevant higher education legislation and related codes of good practice.**
- 3.5. Attitudinal Barriers (awareness raising and advocacy) - Wits will implement ongoing sensitisation and advocacy initiatives, which will include attitudinal and skills training, that promotes and maintains an inclusive and enabling learning environment.**
- 3.6. Environmental Barriers (the built environment) -**
- a) Wits will ensure, as far as is reasonably possible, that its built environment is compliant with the National Building Regulations and 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,
 - b) Wits will ensure that adequate signage indicates the location of accessible entrances, parking, toilets and emergency exits, ramps and lifts and other relevant services and facilities related to students with disabilities.
 - c) Safety and evacuation procedures will be communicated and equally applied to students with disabilities with due cognisance of reasonable accommodation needs.
- 3.7. Third party service providers - When contracting with third party service providers on campus Wits 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.**
- 3.8. Student structures - Students with disabilities have equal access to and equal opportunity to participate in all student governance structures.**
- 3.9. Recreation, sport & housing - As part of the Wits experience students with disabilities will have equal access to recreation and sport facilities on campus as far as it does not create unjustifiable hardship to the University. Housing, where possible, will be provided with due regard to reasonable accommodation needs of students.**
- 3.10. Research and/or post-graduate studies -**
- a) Suitably qualified students with disabilities will have equal opportunities to conduct research or to embark upon post-graduate studies at Wits. Reasonable accommodation needs of students with disabilities will be considered.
 - b) Wits is encouraged to contribute to disability research.
- 3.11. Alumni - Alumni with disabilities should enjoy the same benefits and privileges as do their counterparts. Communications to Alumni will be provided on request in an alternative accessible format, as far as reasonably possible.**
- 3.12. Employment and students with disabilities - The DRU will through the Counselling and Careers Development Unit (CCDU) encourage students with disabilities to participate in the Graduate Recruitment Programme and acquire relevant skills to adequately prepare them for the workplace.**
- 3.13. The University welcomes students with disabilities and will admit them using the same criteria as for other students, such as academic ability and suitability for course/degree.**

- 3.14. Reasonable accommodation -**
- a) Wits respects, and will support the rights of students with disabilities to receive reasonable accommodations, when the student voluntarily requests, in writing, a disability-related accommodation need.
 - b) Wits will develop and implement fair procedures through which reasonable accommodation requests are assessed and granted. The Disability Rights Unit, in consultation with the student, will determine the best ways to accommodate the needs of student.
 - c) Guided by expert opinion, Wits may decline requests for a specific reasonable accommodation if it causes unjustifiable hardship to the University. In an instance where a request is declined Wits will explore alternative ways of accommodating the student.
- 3.15. Disciplinary procedures -**
- a) The University has comprehensive complaint, grievance and disciplinary procedures applicable to all staff and students.
 - b) All students are expected to abide by the Student Code of Conduct.

4. ROLES AND RESPONSIBILITIES

- 4.1.** The Chancellor and Vice-Chancellor are first and foremost responsible to provide leadership to ensure the buy-in from all role players to attain the objectives of this policy.
- 4.2.** 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.
- 4.3.** The Head: Disability Rights Unit will be responsible to develop and implement processes to give effect to the provisions of this policy.
- 4.4.** The Director: Property and Infrastructure Management Division (PIMD) 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 Head of the Disability Rights Unit.
- 4.5.** The Disability Rights Unit (DRU) -
- a) The main task of the Disability Rights Unit is to provide academic support to students with disabilities thereby making access to education fair and equitable. It further aims to create and maintain a barrier free environment for students with disabilities.
 - b) The University will encourage research, policy and programme development on disability. The DRU should also strive to serve as a sustainable model for funding and policy development in higher education in South Africa.
 - c) The DRU presently provides a number of services to students with different disabilities. The existing levels of service will be maintained and expanded within resource constraints. This will be reviewed annually.
 - d) The DRU will provide support to Faculties, Schools, Departments and Units in relation to the implementation of this policy. All staff in all faculties/units/departments will be held accountable for compliance or otherwise with the provisions contained herein.
- 4.6.** Students -
Students with disabilities have the following rights:
- a) Equal access to processes, courses, programmes, academic adjustments, information, auxiliary aid, housing, facilities, and all campus activities
 - b) Confidentiality of all information pertaining to the disability with a choice of whom to disclose their disability to, except as required by law.
- 4.7.** The University -
- a) Attracting students with disabilities - Wits will actively attract students with disabilities, for example through accessible advertising, career exhibitions, and visits to high schools (including special schools) to showcase the University's inclusive academic culture and approach.

- b) Co-operation with other institutions and organisations - In the interests of providing students with disabilities the best possible support and to optimise the use of resources, the University will interact with other higher educational institutions nationally and internationally.
- c) The University will liaise with external University role players, e.g. Department of Higher Education and Training, National Student Financial Aid Scheme of South Africa, corporate, etc. to explore ways of financing disabled students' studies.

VERSION HISTORY

Version	Date	Summary	Changed by
1.0	18/12/2015		Dr A. Pretorius
2.0	09/05/2016	Disability Unit name change to Disability Rights Unit	Dr A. Pretorius
3.0	06/05/2022	Editorial: New policy template	Dr A. Pretorius