

Eastern University, Sri Lanka

Policy Name: Policy on Students with Disabilities (SWDs)

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Approving Authority: The Council, Eastern University, Sri Lanka

Administrative Responsibility: Vice Chancellor, Rector, Director of Institute, Deans of Faculties, Senate, Directors of centers and Units, Librarian, Heads of Departments.

1 Overview

Both International & National norms require that persons with disabilities are provided with special facilities in order to help them pursue their education on equal terms with persons without disabilities. National Universities in Sri Lanka admit a limited number of students with disabilities (SWDs) from among those who satisfy the minimum requirements for University admission under the category of ‘special intake’. Every year a small number of students with disabilities enter the Eastern University, Sri Lanka under ‘**special intake**’ and ‘**normal intake**’.

The University is committed to maintain a learning environment that provides opportunities and minimum facilities required by those students, to protect their rights and to ensure that they are free from discrimination and harassment and to make reasonable adjustments to provide for the access, participation and learning and support needs of those students.

2 Scope and Application

2.1 Purpose

This policy affirms the University’s commitment to providing an environment where students a disability are valued, supported and encouraged to, as far as practicably possible, participate fully in the life of the University. The purpose of this policy is to

1. Provide an accessible, safe and inclusive learning environment for students with disabilities and to ensure that they are appropriately supported and encouraged and are free from discrimination or harassment.
2. Enable the University to comply with the Protection of the Rights of Persons with Disabilities Act No. 28 of 1996 and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) signed by the Government of Sri Lanka on 30 March 2007 and ratified on 08 February 2016.
3. Promote and foster an environment which encourages positive, informed and unprejudiced attitudes towards people with disabilities.
4. Implement procedures for any reasonable adjustments needed by students with disabilities.
5. Ensure that the needs of people with disabilities are met in relation to the physical environment including buildings and facilities.

2.2 Application

This policy applies to all students involved in University related activities including students visiting from another institution and staff.

3 Policy Statement

3.1 Procedures

The University will ensure that in all policies, procedures, regulations, functions and activities, including strategic planning and resource allocation, consideration is given to reasonable means of enabling full participation of students with disabilities in all aspects of the academic and social life of the institution.

3.2 Access and Equity

1. The University is committed to complying with all relevant legislation regarding access and equity for people with disabilities.
2. The University will ensure that students with disabilities will have equitable access to participate fully in University life without any disadvantage as a result of a Disability in the following;
 - a. access to services and events;
 - b. access to buildings and facilities;

- c. receiving information (general, programme, publicity and other) in accessible formats;
 - d. receiving service from staff;
 - e. opportunities to make complaints and provide feedback;
 - f. opportunities for employment at the University.
3. The University will strive to apply principles of Universal Design in its design of facilities, buildings, curriculum and services.
 4. The University aims, as far as possible, to eliminate disability discrimination; to ensure that people with disabilities have the same rights as the rest of the community; and to promote recognition and acceptance of these rights within the campus community.
 5. The University will foster positive informed and unprejudiced attitudes towards students with disability amongst its staff and students.

3.3 Reasonable Adjustment

1. The University will make reasonable adjustments to course content, delivery and assessment methods without compromising the academic standards
2. The adjustment may take the form of an aid, a facility or a service that the student requires because of his or her Disability.
3. Make adjustments to examinations for students with a Disability (including students with chronic medical conditions), to provide students with an equitable opportunity to demonstrate their knowledge and competency for assessment purposes.
4. Alternate arrangements for examinations will be recommended after considering standard practices that redress the impact of a student's disability on their performance in examinations. These may include adjustments such as:
 - a. Extensions of time
 - b. Use of assistive technology
 - c. A separate room
 - d. Use of reader, scribe or computer where necessary
 - e. Use of ergonomic chair
 - f. Alternative formatting of exam papers
 - g. Negotiation of an alternative assessment.
5. The University will ensure that it has a number of specially adapted rooms on campus for disabled students. Extra consideration will be given if the student has a disability or medical condition that requires them to live on campus.
6. The University will provide resources and staff development opportunities to assist staff to meet the learning and support needs of students with disabilities, including inclusive teaching and learning strategies such as universal design for instruction and assessment practices.

3.4 Disclosure of Disability

1. An individual with a disability who does not require any adjustments is not obliged to disclose their disability at any time.
2. An individual with a disability who requires an adjustment is encouraged to disclose their need for the adjustment to the University, with appropriate documentation, as soon as possible.
3. Information regarding the disability, and any adjustments needed, may only be disclosed to the staff on a need-to-know basis. This may include disclosure to teaching staff, supervisors, facilities services, and other staff who may be required to implement the required adjustments. Subject to the above, University staff must treat as confidential and private any disclosure of information concerning a person's disability.
4. Evidence of a disability may be required for appropriate adjustments to be provided.
5. Staff will respect students' rights to confidentiality and decision to disclose personal information.

3.5 Complaints

Students with disabilities who believe that they have been discriminated against based on their disability or have not been provided equitable access to participate fully in University life without any disadvantage as a result of a Disability may file a grievance to the University. The complaints will be treated seriously by the University and will be managed promptly in a thorough and confidential manner. The Disability Action Plan should contain the procedure that Dean of the relevant faculty. The procedure followed in such cases will be clearly stated in the **Disability Action Plan** of the University.

3.6 Disability Action Plan

In conjunction with this policy, the University will introduce a Disability Action Plan which sets out the University's approach to meeting its obligations and responsibilities.

4 Definitions

4.1 Disability

"Any person who as a result of any deficiency in his physical or mental capabilities whether congenital or not is unable by himself to ensure for himself, wholly or partly the necessities of life (Department of Census and Statistics, Census of Population and Housing 2001)". . It also

includes a temporary, permanent, current, past or future disability, and chronic health conditions which may not commonly be considered disabilities.

Commonly recognized disabilities include (but not limited to);

- (a) Blind/Low Vision
- (b) Deaf/Hearing Impairment
- (c) Physical and Systematic Disorders Including but not limited to: multiple sclerosis, cerebral palsy, chemical sensitivities, spinal cord injuries, cancer, AIDS, muscular dystrophy, and spina bifida.
- (d) Psychiatric/Psychological Disorders: Mental impairment that includes any mental or psychological disorder, such as emotional or mental illness.
- (e) Specific Learning Disabilities
- (f) Head Injury/Traumatic Brain Injury

4.2 Direct Disability Discrimination

When a person with disability is treated less favorably than a person without disability in similar circumstances (and otherwise, as defined in the Protection of the Rights of Persons with Disabilities Act of 1996).

4.3 Indirect Disability Discrimination

Indirect disability discrimination is considered to occur if a person with a disability is not able to comply with a requirement or condition, because of their disability. The requirement or condition will also be likely to have the effect of disadvantaging persons with disability in a way that is not reasonable (and otherwise as defined in the Protection of the Rights of Persons with Disabilities Act of 1996).

4.4 Reasonable Adjustments

A person with a disability may require reasonable adjustments in order to ensure equal participation in work or study. The aim of reasonable adjustments is to provide negotiated measures to ensure that students with disabilities have equality of access to education. Such adjustments are not intended to compromise academic standards or to provide an undue advantage to students with a disability. A student must be able to fulfil the inherent requirements to undertake a course of study, unless their inability can be overcome by making a reasonable adjustment. In practice, the principle of reasonable adjustment allows that whenever it is possible, necessary or reasonable to do so, the usual policy or practice will be varied to meet the needs of a person with a disability. Examples of reasonable adjustments include variations to examinations and assessments, provision of adaptive equipment and modifying course delivery methods.

4.5 Universal Design

The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

5. Related Acts, Rules, Regulations, Key Circulars

1. United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).
2. Protection of the Rights of Persons with Disabilities Act No 28 of 1996, Sri Lanka.
Accessible at
http://socialemwelfare.gov.lk/web/images/content_image/pdf/legislation/act1996.pdf
3. Disabled Persons (Accessibility) Regulations, No. 1 of 2006 promulgated under Article 23 (2) of Act No 28 of 1996. (Accessible at
http://socialemwelfare.gov.lk/web/images/content_image/pdf/legislation/act1996.pdf).
4. **Disability Action Plan = to be prepared by the University.**

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