

Policies and Procedures

Disability Inclusiveness Policy

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1. Policy Statement

This policy supports the University of the South Pacific's (herein referred to as the "University") provision of a physical, working, learning and social environment that enables and enhances the educational and employment experience of students and staff with a disability on the same basis as other members of the University community. It promotes an environment that values diversity, is free from harassment and unlawful discrimination, and advocates inclusiveness and equality of opportunity.

The University is committed to promoting and implementing the principles of the Convention on the Rights of Persons with Disabilities¹, the Goals and Targets of the Incheon Strategy² and recognising of the principle of reasonable accommodation to remove barriers to participation in work or study by persons with disabilities.

It is determined to take appropriate steps to ensure that its responsibilities under the **Fiji Human Rights Commission Act 1999** are enacted in a way that promotes the independence of students and staff with disabilities and which tackles and eliminates discrimination against such individuals. "The Human Rights Commission Act of 1999 aims to promote and protect the human rights of all persons in Fiji."³

USP supports the 2009 Pacific Islands Forum (PIF) communiqué on disability that was subsequently reaffirmed in the proceedings of the Forum Disability Ministers' meeting. It states: Leaders reaffirmed the need for more attention to be directed to the region's most disadvantage group – persons with disabilities – who are among the poorest and most vulnerable in the world. Persons with disabilities face many barriers to full participation in society, and this is no exception in the Pacific; and Forum Leaders have agreed to focus attention on the need to address issues facing persons with disabilities in the Pacific, to build greater awareness on the importance of allowing those with disabilities access to greater and more equitable opportunities to enhance their quality of life and fully enjoy all inalienable human rights.⁴

The University is determined to take appropriate steps to ensure that its responsibilities are enacted in a way that promotes the independence of students and staff with disabilities and which tackles and eliminates discrimination against such individuals. The University attaches great importance to having a diverse student body and staff cohort, which includes people of

¹ <http://www.un.org/disabilities/convention/conventionfull.shtml>

² <http://www.unescap.org/sdd/publications/IncheonStrategy/Incheon-Strategy.pdf>

³ Fiji Human Rights Commission Act 1999.

⁴ Proceedings of the Ministers' meeting can be downloaded from <http://www.forumsec.org.fj/resources/uploads/attachments/documents/>

many different origins, beliefs, personalities, orientations and abilities. It is committed to ensuring that its policies and operations are inclusive and encourage the enrolment, recruitment, and participation of a wide range of people.

As USP is primarily an institution of teaching and research, it is appropriate that the Disability Inclusiveness Policy look in detail at the area of education, and consider the ways in which persons with a disability can be assisted to gain access to, and participate in, the same quality of education which is available to students without such disabilities. However, as the University is also an employer and provider of accommodation and many other services, it is equally appropriate that these areas be included in the Policy.

The University Disability Inclusiveness Policy is designed to formalise existing practice by explicitly recognising the importance of disability issues in the University's formal planning documents. In addition, the policy includes the provision of support and reasonable accommodations to allow students and staff with impairments to demonstrate their abilities, fully participate in University life, and realise their individual goals and potential. This policy supports this commitment.

2. Purpose

To articulate the University's commitment to providing an accessible and inclusive learning and work environment and to give effect to the University's legal obligation to provide an environment free from human rights discrimination.

3. Objective

The aim of the policy and associated regulations and practices are to:

- 3.1. Support and foster positive and informed behaviour and attitudes among its staff and students towards persons with a disability and assist staff to develop the disability-confidence skills to help meet the learning and support needs of students with disabilities;
- 3.2. Provide resources for appropriately accessible and supportive learning and working environments, including assistive technologies and other reasonable adjustments for persons with a disability and, whenever reasonably possible, to provide access to any service provided by the University to staff and students.
- 3.3. Ensure that the academic integrity of courses and programs offered is maintained at the highest standards and ensure students with a disability are provided with appropriate and reasonable accommodation to enable access and participation to all educational classes and written material on the same basis as other students.
- 3.4. Embed universal design principles to minimise barriers to access and participation by persons with a disability in work and study;
- 3.5. Ensure that persons with a disability be given equal opportunity to participate in, and contribute to, the full range of educational, social, political, employment and cultural activities within USP;
- 3.6. Ensure the enjoyment of the civil, political, social, economic, cultural rights enshrined in national laws and international norms and standards; and
- 3.7. Encourage positive, informed and unprejudiced attitudes towards people with a disability through educational and staff development programs.

4. Definition

For the purposes of this policy, disability is defined in the context the Convention on the Rights of Persons with Disabilities⁵ which states:

“Persons with disabilities include those who have a short or long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others”.

4.1. **Other Issues of Definition**

It is important to note the broadness of this definition as people sometimes limit their understanding of disability to someone who has a physical disability. In recognition of this, the following is considered:

- a. Total or partial loss of the person’s bodily or mental functions;
- b. Total or partial loss of a part of the body; the presence in the body of organisms causing disease or illness;
- c. The presence in the body of organisms capable of causing disease or illness including HIV/AIDS;
- d. The malfunction, malformation or disfigurement of a part of the person’s body;
- e. A disorder or malfunction that results in the person’s learning differently from a person without the disorder or malfunction;
- f. A disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and includes
- g. A Disability that:
 - i. Presently exists; or
 - ii. May exist in the future; or
 - iii. Is imputed to a person (or presumed to be present in that a person).

5. **Implementation and Responsibilities**

4.1 The University believes that this policy should be implemented and monitored well and should be in the best interests of its students and staff, both present and future. The implementation of this policy is the responsibility of all University stakeholders. All staff and students have a personal responsibility to adhere to and apply this policy in their dealings with others. The University expects its entire stakeholders to be aware of this policy and to treat persons with disabilities, fairly, with respect and in accordance with this policy. The University recognises the issue of ‘teach-ability’ in terms of creating an accessible curriculum for Students with Disabilities. This is important and should be fully embedded in the University policies especially in:

- a) revising guidance and procedures for validation and review to incorporate ‘teach-ability’;
- b) providing training, advice and support for programme teams to review the curriculum within a ‘teach-ability’ framework; and
- c) specifying that programme teams must provide evidence at moderation that Teach-ability has been used to scrutinise programmes in respect of equality and disability

6. **Disability Disclosure**

Members of the University are not required or obliged to disclose a disability or health condition; however, the University cannot make individual adjustments for members of the University who do not disclose their disability or health condition. Therefore, students with disabilities are actively encouraged to inform the University of any Disability they may have,

⁵ <http://www.un.org/disabilities/convention/conventionfull.shtml> Article 1. Convention on the Rights of Persons with Disabilities

and to discuss with the Disability Resources Centre their requirements as early as possible. The University will ensure that the needs of students with disabilities are investigated and determined, and appropriately communicated to staff that need to know. Any disability disclosure will be treated confidentially. Members of the University can contact the Disability Services Office for advice and information on disability legislative obligations, and adjustments options.

7. General Principles

The following principles will determine University policy as they affect students, staff and other individuals who deal with the University.

7.1. Students

7.1.1. Admissions

In accordance with the Human Rights Commission Decree 2009 (No. 11), the University will put in place procedures and practices to ensure that all students with disabilities are treated fairly. USP will ensure reasonable accommodation is done to support students with a learning environment that is accessible and barrier free including their successful participation in all aspects of University life.

The criteria for admission to courses will be made very clear to all those applying to be enrolled in the University. The University will ensure that such criteria do not create unnecessary barriers to applicants who have a disability. The University will strongly advise potential students to contact the Disability Resources Centre as early as possible to discuss their requirements. This allows both the student and University to agree, at the earliest opportunity, what would be needed for their study and whether the facilities and services available would meet their needs.

7.1.2. Access to Courses

All subject areas offering courses welcome applications from students with disabilities. No applicant will be refused a place at the University on grounds of disability before an opportunity has been provided for full consideration of the specific support or facilities required, in consultation with the University's Disability Resources Centre.

7.1.3. Assessment

Student disclosure is strongly encouraged, preferably prior to the point of admission. This is to enable subject area coordinators and the Disability Services Office to make special assessment arrangements. The University will ensure that arrangements for the academic assessment of students with disabilities are compliant with all relevant policy and legislation.

Appropriate modes of examination and assessment will be determined, after consultation with the student and relevant academic staff and the Disability Resources Centre. This is necessary, to enable students to demonstrate that they have met the criteria for progression. All special arrangements done shall not compromise academic standards.

7.1.4. Accessible Curriculum

The University will ensure that courses are organised and delivered in ways that offer the best possible opportunities for full participation by all students, including students with disabilities.

The University regards the accessibility of its curriculum for all students as a crucial aspect of academic quality. Curriculum accessibility will be considered at all times including for example, development of programme documents, validation of new programmes, review of existing programmes and annual programme monitoring. The accessibility of the curriculum for students with disabilities will be monitored by the Disability Resources Centre.

7.1.5. Students Attaining a Disability During the Semester

It is envisaged that some students will develop some form of disability during the course of any semester. As a proactive measure, USP will take all appropriate steps to ensure that these students have every opportunity to complete their course. This will be achieved through USP's provision of the same level of adaptations and support.

7.1.6. Reasonable Accommodations

A student or staff's impairment is taken into account, and appropriate adjustments are made to the learning and work environment to lessen the impact of their impairment, whenever it is necessary, possible and reasonable to do so. Reasonable accommodations should not compromise academic standards, the essential nature of the course or what are deemed to be essential skills or knowledge in relation to the course. Reasonable accommodations should not compromise a staff's performance or service.

The Disability Resources Centre will document the individual reasonable adjustment and make details available within a reasonable period to the member of the University with the disability or health condition; and the relevant supervisor/course coordinator. The University must implement any reasonable adjustment in a timely manner, and is responsible for any costs associated with the adjustments.

7.1.7. Reviewing Reasonable Adjustments

Individual reasonable adjustments are reviewed annually or as required by the member of the University (student or staff) with the disability or health condition.

7.2. Staff

7.2.1. Applications for Employment at the University

The following two sub sections take into consideration the Employment Relations Promulgation Decree 2007⁶ which addresses employing Persons with Disabilities, the Fiji Employment Relations Bill 2004 and the ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention (No. 159) and Recommendation (No. 168)⁷ and the Millennium Development Goals.

Applications for employment from potential employees who have a disability will be considered against the same criteria for the post as applications from those employees who are not disabled. Discussions about any support requirements on information regarding support

⁶ <http://www.labour.gov.fj/erp.htm>

⁷ http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_103529.pdf

Key ILO instruments relating to the right to decent work of persons with disabilities and prohibiting discrimination on the basis of disability include: ILO Convention No. 159 on Vocational Rehabilitation and Employment (Disabled Persons), 1983, and its accompanying Recommendation No. 168. Convention No. 159 has been ratified by 80 countries (June 2008).

<http://www.un.org/millenniumgoals/>

facilities and physical access to and within buildings on any of its campuses will be possible at all stages of the application.

7.2.2. Applicants and Existing Employees at the University

The University will make reasonable adjustments within available resources to help overcome the practical effects of the individual's disability with regard to working arrangements or physical features or premises.

7.3. Students and Staff

7.3.1. Support for Students and Staff with Disabilities

The University will provide reasonable accommodation, within its available resources, to enable participation by students with disabilities in all aspects of University life on equal terms with other students and staff of University. The University will encourage students, the USP Students' Association and all academic units and administrative departments to have plans for improving access, support and services for students and staff with disabilities both in the short term and in the long term.

Inclusive in this, the University will take reasonable steps in compliance with Fiji's current legislation and within available resources to ensure safe access and working, learning and living conditions within the University for all students and staff with disabilities.

7.3.2. Advocacy and Awareness

The University will provide information and training to increase awareness among staff and students of this policy and of disability issues and requirements. This will also build confidence and practical skills in those who will be working at different levels with students and staff who have a disability. Online awareness and training modules will be developed in a partnership between the Disability Resources Centre and the Centre for Flexible Learning using Open Educational Resources (OERs).

These modules will be made available to all campuses via Moodle, ensuring that all staff complete the self-directed training.

The Disability Resources Centre will continue to support staff and provide access to information, quality advice, guidance and training to support them in their work with students and other staff members who have disabilities. Information will be kept updated and communicated often via the USP website, Moodle and other venues.

7.3.3. Complaints Procedure

In its effort to provide an environment which is fair and supportive, the University will ensure that when problems relating to the operation of this policy do occur, students will be encouraged to advise an appropriate member of staff as soon as possible. All complaints will be dealt with satisfactorily at an all levels available in the University. The University recognises a student's right to express legitimate concerns and complaints and is committed to responding in ways that contribute to a supportive and fair learning environment. The University aims to maintain a student complaints resolution process that:

- a. is accessible, impartial, fair and equitable;
- b. is carried out with transparency and consistency; encourages, where possible, informal resolution of concerns;

- c. is implemented in a timely and responsive manner; ensures (so far as is practicable), privacy, confidentiality and the health and safety of all parties; and
- d. encourages the maintenance of harmonious relationships.

8. Students Roles and Responsibilities

8.1. Student Services

Campus Life Services offers a range of support services to students including the Disability Resources Centre. The Manager Disability Resources is responsible for:

- a. providing a service to individual students, determining support needs, organizing assessments, coordinating specialist support provision and equipment;
- b. providing information and advice relating to support for students with disabilities to staff in relevant Faculties and Sections throughout the University;
- c. working with the Disability Resources Centre to advise and organise staff training and development in relation to disability issues;
- d. promoting positive attitudes to persons with disability through the University programs; and
- e. ensuring the provision of information on the various disability supports through a range of publications, available in various formats.

9. Accessibility within the University

The University recognises that physical access to all its buildings is an important aspect of its policy towards students with disabilities. The University will ensure that:

- a. students with disabilities are given priority with regard to parking access to buildings;
- b. personal side entrance and exit plans are in place for relevant students;
- c. the needs for students with disabilities for accessible teaching accommodation and appropriate timetabling of classes are considered; and
- d. equipment and furniture is suitable for use by students with disabilities.

10. Key Roles and Responsibilities for the University

The University should have a devolved system in place to support students with disabilities. It will include the following:

- a. All members of the University must not engage in unlawful discrimination;
- b. It is the responsibility of all staff with supervisory responsibilities to exercise their leadership and authority and to use their best endeavors to ensure an inclusive learning and work environment that is free from discrimination;
- c. Faculties will use their best endeavors to ensure that their staff members are assisted in supporting and enhancing the development of inclusive pedagogies, through appropriate professional development activities and opportunities;
- d. The University will use its best endeavors to ensure that all courses approved for initial and continuing accreditation accord with the principles for inclusive curricula;
- e. Organisational areas of the University outside the Faculties will contribute to the implementation of this policy by providing appropriate expertise and advice, supporting course development and learning environments or directly supporting students, as and where appropriate; and
- f. The Disability Resources Centre is responsible for raising awareness and implementing preventative and educative strategies and programs to eliminate all forms of discrimination, amongst members of the University, as well as managing complaints of discrimination.

10.1. Legal Framework

The University will refer to legal instruments available within its ambit for the actions of the institution as a whole and for the actions of individual employees of the institution in the course of their employment, whether they are full, part time or temporary.

Individuals may also be held personally responsible if they knowingly discriminate against a student with disability, employee or applicant wanting to be enrolled in the University.

10.2. Implementation and Review

Implementation of the University's Disability Inclusiveness Policy is delegated to the Deputy Vice- 11 Chancellor LTSS and GM Campus Life. The Disability Resources Centre Manager, through Campus Life Group Manager, will advise the USP Senate on the implementation of all aspects of the Disability Inclusiveness Policy, every semester.

10.3. Deans of Faculties and heads of Schools and Sections

Deans and Heads of Schools, with support from the Disability Resources Centre, will support students with disabilities in any legal proceeding that affects them and will ensure that students and staff with disability are not treated less favorably in comparison to others in the institution.

Deans will be responsible to the Deputy Vice-Chancellor for Learning, Teaching and Student Services for the final determination of Individual Learning Plans (ILPs) for students with disabilities and for facilitating 'reasonable adjustments' for students within the institution, in consultation with other responsible individuals in identified schools and sections. Acting on advice received from Disability Liaison Coordinators and the Disability Resources Manager, Deans will be responsible for ensuring that the strategies incorporated within individual ILPs are acted upon by those responsible.

10.4. Disability Liaison Coordinators

The appointment of a Disability Liaison Coordinator in each faculty, section and regional campus is central to the implementation of the University's Strategy and the provision of effective support to students with disabilities across the region. Acting as the key contact (i.e. point person) for students with disabilities within a faculty, section or regional campus, the Disability Liaison Coordinator will provide support, information and guidance to students from initial enquiry through to graduation. The Disability Liaison Coordinators also play a key role in disseminating information and acting as an initial reference point for colleagues within their faculty campus or section.

10.5. Effective Learning Service

An Effective Learning Service will be set up as part of the Disability Resources Centre. It will provide learning support and guidance to individual students and staff as needed. The Effective Learning Service will ensure that USP venues, as far as is practicable, are accessible to students with disabilities, and are able to be adapted to meet different needs, e.g. hearing loop, voice activated computing, scheduling of classes in accessible rooms etc. The Effective Learning Service works with the Manager Disability Resources Centre on referrals from Disability Liaison Coordinators and campus leaders to ensure, where practicable, adjustments are anticipated and in place prior to a student taking part in its provision.

10.6. Study Skills Programmes and Materials

All materials and workshops will be made available in a range of different delivery modes and formats to meet the needs of students with disabilities, and one-to-one support will be provided to ensure full participation in any study skill workshop or discussion, particularly those held by Student Learning Specialists (SLS).

Student feedback regarding the experience of students with disabilities and the quality of the provision of the Effective Learning Service and the Disability Resource Centre will be monitored annually to evaluate their effectiveness.

Staff and students helping to develop the Effective Learning Service will receive training to raise awareness and skill in anticipating and providing appropriate support for disabled students.

11. References

The University of the South Pacific gratefully acknowledges the work of the Disability Office at Queen Margaret University in Scotland and thanks them for giving us permission to use and adapt their policy as we saw fit. We are also grateful for the input of specialist staff in this field at Auckland University of Technology and Victoria University in New Zealand, and Deakin University in Melbourne, Australia for insights and ideas on the formulation of appropriate disability accessibility policies.