



## Disability Access Policy

<b>Type of Document:</b>	Policy
<b>Purpose:</b>	The aim of this policy is to outline the principles and provisions that would guide Stellenbosch University (SU) on the path to becoming a universally accessible university for staff, visitors and students with disabilities. This implies striving towards disability inclusion regarding physical spaces and information in accessible forms (which includes formats).
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<b>Policy Owner<sup>1</sup>:</b>	Vice-Rector: Learning and Teaching (L&T); Vice-Rector: Social Impact, Transformation and Personnel (SI, T&P) (joint ownership)
<b>Policy Curator<sup>2</sup>:</b>	Senior Director: Division of Student Affairs (DSAf); Chief Director: Human Resources (HR); Chief Director: Facilities Management (FM)
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<b>Validity:</b>	In case of differences in interpretation the English version of this policy will be regarded as the valid version.

SU Policies are available at [www.sun.ac.za/policies](http://www.sun.ac.za/policies)

<sup>1</sup> Policy Owner: Head(s) of Responsibility Centre(s) in which the policy functions.

<sup>2</sup> Policy Curator: Administrative head of the division responsible for the implementation and maintenance of the policy

## **LIST OF ABBREVIATIONS USED**

CSC	Centre for Student Communities
CSCD	Centre for Student Counselling and Development
DSAf	Division of Student Affairs
DU	Disability Unit
FM	Facilities Management
HR	Human Resources
SU	Stellenbosch University
UA	Universal access
UD	Universal design
UDL	Universal design for learning
UDPP	Universal design in physical planning
VR: L&T	Vice-Rector: Learning and Teaching
VR: SI,T&P	Vice-Rector: Social Impact, Transformation and Personnel

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## **The essence of the policy**

The Stellenbosch University Disability Access Policy is aligned with SU's Strategic Plan, as it envisions a transforming university that promotes a diversity of people and ideas on its campus. It does this by being inclusive, innovative and future-focused. People with disabilities form part of the inclusion and diversity which SU embraces.

## **1. INTRODUCTION**

**1.1** In South Africa and globally, the emphasis is increasingly on building inclusive societies where diversity, in all its manifestations, is valued and harnessed as key to society's development and well-being. South Africa's higher education system reflects this diversity and acknowledges the need to transform (Higher Education Act 101 of 1997; Education White Paper 3: A Programme for Higher Education Transformation [1997a]; Education White Paper 6: Special Needs Education; Building an inclusive education and training system [2001]; National Plan for Higher Education of 2000; Strategic Policy Framework on Disability for the Post-School Education and Training System [2018]). SU is no exception with its increasingly diverse student body and staff corps that embody not only South Africa's strengthening democracy, but also broader global trends, such as the increasing inclusion of people with disabilities in higher education. The Constitution of South Africa (RSA, 1996) and the country's legislative framework create an enabling environment to foster respect for diversity and to protect people from discrimination based on race, gender and disability. These principles also feature strongly in the policy governing the higher education system, which emphasises the imperative that all members of society participate equitably in, and benefit from, higher education, with specific reference to people with disabilities in higher education.

**1.2** In line with these developments in society in the broader sense and as a means to strive towards social justice, SU has increasingly sought to assert the importance of these values to its strategic vision and its role as a university in South Africa and greater Africa. The Stellenbosch University Vision, Mission and Value Statement for 2030 (2013a) emphasises the principles of diversity, human dignity, inclusivity, social justice and equal opportunity. SU's Institutional Intent and Strategy 2013–2018 (2013b) notes the prevailing transformation mode at SU, and the need for increased flexibility and innovation. In this way, SU responds to the challenges faced by the country in the context of a globalised world. SU recognises that these challenges have significant implications for all its staff and students, who require new kinds of knowledge and skills, as well as a commitment to progress, new possibilities and opportunities for all, inclusive of people with disabilities.

**1.3** US fully commits itself to promoting the fundamental rights and freedoms of every person on campus, including people with disabilities, as required by the Constitution and related legislation. This policy adheres to the notion that the level of dignity at an institution is determined by how it cares for the most vulnerable in its midst; in this case, persons with disabilities.

## **2. THE AIM OF THE POLICY**

The policy offers an overarching framework for promoting universal access for people with disabilities. It does this by designating appropriate structures, guidelines and processes that guide the inclusion of people (staff, students and visitors) with disabilities on campus.

## **3. THE SCOPE OF THE POLICY**

**3.1** This policy applies to SU as a whole, that is the physical and non-physical environment of living, learning and teaching, which includes the academic, co-curricular and community spaces.

**3.2** Information available to the campus community, for example learning and teaching materials and web information, must aim to be in an accessible format to ensure that it can be read by people who are print disabled and should conform to the principles as outlined in the documents of the World Intellectual Property Organisation (2013) and the World Wide Web Consortium (2017).

## **4. KEY CONCEPTS INFORMING THIS POLICY**

### **4.1 Universal access**

Universal access (UA) refers to the removal of cultural, physical, social and other barriers that prevent people (including people with disabilities) from entering, using or benefiting from the various systems in a society that are available to other citizens and residents. The absence of accessibility or denial of access means that some members of a community (such as people with disabilities) are deprived of opportunities to engage on an equal basis with others.<sup>1</sup> This is, in itself, a form of unfair discrimination.

### **4.2 Universal design**

Universal design (UD) is the design of products, environments, programmes and services in ways that make these facilities usable by all persons to the greatest extent possible

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<sup>1</sup> Adapted from the *White Paper on the Rights of Persons with Disabilities* (RSA, 2016).

without the need for adaptation or specialised design by the user. All assistive technologies that some individuals, including people with disabilities, may require should meet the principles of UD, a valuable means of achieving UA.<sup>2</sup>

### **4.3 Universal design for learning**

Universal design for learning (UDL) is defined for the purposes of this policy as a framework for designing curricula that enable all individuals to gain knowledge, skills and enthusiasm for learning. UDL provides rich support for learning and reduces barriers to the curriculum, while facilitating optimal achievement standards for all. UDL enables the integration of multiple means of representation, action and expression, and promotes engagement with the course curriculum.<sup>3</sup>

### **4.4 Universal design in physical planning**

Universal design in physical planning (UDPP) refers to the guidelines and standards for designing physical environments on the campus to provide UA, beyond the minimum requirements of the South African National Building Regulations, Regulation 10.<sup>4</sup>

### **4.5 Functional limitation**

For the purposes of this policy, functional limitation describes people's levels of functioning in various contexts at SU; for example, how information or the physical environment is accessed (or not), how students with different disabilities may have differing needs regarding access to the curriculum and full participation in the co-curriculum, the communities and the classroom. Functional limitations also affect staff with disabilities. Mostly, functional limitations are the result of inaccessible environments, services and products, as well as negative attitudes about disability and inaccessible formats of information and materials, rather than limitations imposed by the disability itself.

### **4.6 Progressive realisation**

The concept of progressive realisation expresses the reality that it takes time to realise all economic, social and cultural rights, taking into account available resources, competing requirements, including competing constitutional imperatives. SU can plan to become more disability accessible as resources become more readily available.<sup>5</sup>

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<sup>2</sup> Adapted from the *White Paper on the Rights of Persons with Disabilities* (RSA, 2016).

<sup>3</sup> Center for Universal Design (2008).

<sup>4</sup> South African National Standard (SANS 10400-S:2011) (RSA, 2011).

<sup>5</sup> Adapted from the *White Paper on the Rights of Persons with Disabilities* (RSA, 2016).

#### **4.7 Reasonable accommodation**

The term reasonable accommodation refers to necessary and appropriate modification and adjustment, which includes assistive devices – as defined by the Global Cooperation on Assistive Technology (2017)<sup>6</sup> – to ensure that all people with disabilities can enjoy all human rights and participate in fundamental freedoms equitably. However, such accommodation need not be enabled in all circumstances; it should be provided when required by a particular person.<sup>7</sup> Reasonable accommodation might be hampered by financial and other constraints.

#### **4.8 Disability**

Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in the presence of various barriers, may hinder their full and effective participation in society on an equal basis with others.<sup>8</sup>

### **5. POLICY OBJECTIVES**

**This policy provides a broad framework and context for disability inclusion at SU.**

**5.1** This policy defines important concepts regarded as essential to developing SU as a universally accessible institution of higher education for people with disabilities.

**5.2** This policy aims to establish equitable systems, processes and practices to support all students, visitors and staff members who may experience functional limitations, thus enabling them to enter into and participate fully in all aspects of SU.

**5.3** This policy highlights the various roles and responsibilities required of those tasked with creating this enabling environment.

**5.4** This policy guides the provision of inclusive and universally accessible living, learning and teaching environments that foster the full participation of all students in the living and learning, academic and co-curricular programme, including having reasonable access to the necessary format of information and living and learning systems on campus.

**5.5** This policy provides for inclusive and universally accessible working environments to ensure that all staff can contribute fully to effective functioning at SU.

**5.6** This policy recognises that to become an accessible campus from a disability perspective, it would have to progressively adapt the physical design and structure of the campus and

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<sup>6</sup> Global Cooperation on Assistive Technology (2017) [Online]. Available: <http://www.who.int/disabilities/technology/gate/en/>

<sup>7</sup> Adapted from the *White Paper on the Rights of Persons with Disabilities* (RSA, 2016).

<sup>8</sup> The United Nations Convention on the Rights of Persons with Disabilities (2007).

faculty buildings to ensure that they are accessible to all students, staff and visitors on the full spectrum of abilities.

## 6. POLICY PRINCIPLES

The policy principles below promote disability inclusion at SU to the fullest extent that restraints on resources will allow, while acknowledging difference and diversity. SU promotes UD, redress and equity, inclusivity, responsibility, and institutional alignment, as set out below. These ideals are tempered by realities such as financial constraints and time limitations that impact on the implementation of projects and the University's ability in the short term to meet the needs of persons with a disability.

### 6.1 Universal design<sup>9</sup> is achieved practically in the physical environment and with services and products by means of the following:

**equitable use** of design that is useful and marketable to people with diverse abilities;

**flexibility of use** of design that accommodates a wide range of individual preferences and abilities;

**simple and intuitive use** of design that is easy to understand and to use, regardless of the user's experience, knowledge or language skills;

**perceptible information** where the design communicates the necessary information effectively to the user, regardless of the user's sensory abilities;

**tolerance of error** in design that minimises hazards and the adverse consequences of accidental or unintended actions;

**low physical effort** in design that can be used efficiently and comfortably, and with minimum fatigue; and

**size and space for approach and use** of design of an appropriate size that offers sufficient space for approach, reach, manipulation and use, regardless of the user's body size, posture or mobility.

### 6.2 Redress and equity

This principle features strongly in South Africa's Constitution and legislative framework. It recognises that, historically, particular groups in South Africa – such as people with disabilities – have experienced discrimination. Therefore, specific measures are required

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<sup>9</sup> Adapted from *The Principles of Universal Design* (Center for Universal Design, College of Design, 2008).

to redress these inequalities so that all individuals can participate equitably in our democracy, of which higher education and SU are part.

### **6.3 Inclusivity**

In this policy, inclusivity means creating a disability-inclusive university with institutional practices and systems flexible enough to respond to the differences that people may bring to it. It requires a commitment to transform existing institutional living, learning, teaching and working environments to value and accommodate diversity, rather than seeking to assimilate everyone into an unchanging environment. To this end, building an inclusive and transformative institutional culture that respects and values diversity from a disability perspective is especially important.

### **6.4 Responsibility**

Every student and staff member is an important stakeholder at SU. All students and staff members are co-responsible for respecting and promoting the principles laid down in this policy, including the SU Council and committee members.

### **6.5 Institutional alignment**

This principle is about ensuring that all aspects of SU's functioning, including its various policies, programmes and plans, are aligned with this policy, and support its intentions to further disability inclusion on campus.

### **6.6 Progressive realisation**

This principle recognises that making the physical environment fully inclusive cannot happen overnight; therefore, people with disabilities and their families cannot expect the University to deliver notwithstanding resource constraints. However, SU will endeavour to do all that is reasonably and practicably possible to realise a fully physically accessible environment.

## **7. POLICY PROVISIONS**

The principles described above inform the policy provisions set out below. These provisions promote access to SU for people with disabilities, and relate to staff, students and visitors and how interaction with information, environment, products and services can promote and advance disability inclusivity.

**7.1** All staff members have to take responsibility for disability access, not only staff at the Disability Unit (DU), Braille Office, Transformation Office, Equality Unit and the Human Resources (HR) Division. Roles and responsibilities are outlined in section 8 below.

- 7.2** SU management must take reasonable steps to inform all deans, vice-deans, senior managers and students, as well as the broader campus community, of this policy.
- 7.3** This policy requires that all faculties and departments on campus observe and comply with the principles of UA, including UD and UDL, when working with staff and students with disabilities.
- 7.4** The deans, vice-deans, senior managers and their respective heads of staff must ensure that there is compliance with the principles and provisions of this policy.
- 7.5** All departments must ensure that all their processes, protocol documents and procedures comply with the principles and provisions of this policy, and must strive for disability inclusion in the work that they do.
- 7.6** Achieving the outcomes above requires careful planning, beginning at the stage when prospective students and staff aspire to join the campus community to when they are fully-fledged members thereof. Such planning must result in practical implementation and action plans for all activities involved – implementing the admission process, distributing information to academic and support departments, facilitating living and learning spaces, sharing support services and resources, etc., with due attention to the Protection of Personal Information Act 4 of 2013 (POPI) (RSA, 2013) and Promotion of Access to Information Act 2 of 2000 (PAIA) (RSA, 2000).
- 7.7** Conversations of engagement must be organised to create a common understanding among members of the SU community of the benefits of UA, UD, UDL, reasonable accommodation and progressive realisation as they relate to people with disabilities.
- 7.8** Conversations referred to in section 7.7 should be undertaken in tandem with the ongoing discussions and training concerning transformation, since the transformation dialogues and engagements have already established a receptive audience and context for discussing disability, UA and related concepts, principles and applications in the various departments.
- 7.9** The Transformation Office and the DU, together with various transformation committees on campus such as in the DSAf, Centre for Student Communities (CSC), Centre for Student Counselling and Development (CSCD), the Centre for Student Leadership and Structures and HR, drive this process of raising awareness through training, with the collaboration of staff and students who have disabilities. Training should also be ongoing for these committees to stay abreast of national and global developments.
- 7.10** The Division for Learning and Teaching Enhancement (at the Centre for Learning Technologies) has to include UDL in teaching and learning professional development sessions.

**7.11** HR staff must receive specific professional development regarding the Code of Good Practice: Key Aspects on the Employment of People with Disabilities (published in accordance with the Employment Equity Act [EEA] of 1998) to assist in drafting practical and feasible plans to meet employment needs.

**7.12** All principles should be adhered to in the co-curricular spaces, such as the Listen, Live and Learn areas and other residence communities on campus.

## **8. POLICY IMPLEMENTATION: ROLES AND RESPONSIBILITIES**

The policy must be implemented in the various environments at SU, including the residences, the Listen, Live and Learn areas, co-curricular and curricular, academic, administrative and support services environments (with particular reference to the following university entities: Administration, DSAf, faculties, Transportation Services, Communications, Facilities Management [FM], CSC and Information Technology). The curators in DSAf, FM and HR delegate the implementation of the policy to functionaries in their respective divisions. The stipulations of this policy become effective as soon as the SU Council has approved it (implementation date is 1 April 2018).

All other SU policies, such as those on language, admissions, and unfair discrimination and harassment (under Supporting Documents), must be read concurrently with this policy, the principles of which will come into operation immediately upon approval by Council.

**8.1** The Rector is responsible for overseeing the execution of this policy. The ownership of the policy is delegated to the Rectorate, specifically the Vice-Rector: Learning and Teaching (VR: L&T) and the Vice-Rector: Social Impact, Transformation and Personnel (VR: SI, T&P), who have joint ownership of this policy.

**8.2** The Chief Director: HR, the Senior Director: DSAf and the Chief Director: FM are co-curators of the policy, i.e. they must ensure that it is formulated, approved, reviewed, communicated, made available and, finally, implemented at SU, with inputs from the DU.

**8.3** FM fulfils a key role, being responsible for physical accessibility (including facilities planning and development) in both the curricular and co-curricular spaces at SU. For physical accessibility in the Listen, Live and Learn areas as well as the other residential areas for students, CSC collaborates with FM, bearing in mind what is practicably possible.

**8.4** The departments responsible for information technology and communications (i.e. Corporate Communications, Information Technology, Language Centre, Library, and Institutional Planning and Development) also fulfil a vital role, specifically regarding the dissemination of information. They must ensure that information is disseminated and presented in formats that make it accessible to all those with disabilities, such as

information conveyed and accessed via Sign Language, e-learning platforms, alternative fonts, Braille and the captioning of audio-video/visual material where practicably possible.

**8.5** The DU is responsible for supporting, enabling and coordinating the functioning of students with disabilities on campus, as this role relates to support and advocacy work. The DU head has a managerial function and must oversee all activities of the DU, such as facilitating reasonable accommodation and access in curricular and co-curricular programmes as well as in living and learning spaces for students with disabilities. The use of carers and service animals such as guide dogs are permitted. The provision of carers and service animals is the responsibility of the person needing such assistance.

Personal assistance such as the provision of carers and working animals such as guide dogs are permitted but supplied by the students and staff as needed by them.

**8.6** Psychosocial support for staff with disabilities is coordinated by HR. Where common ground exists, such as aspects regarding physical planning and development and access to accessible print and formats, these can be shared with the DU, as these aspects are often relevant to students too. Assistive technologies must be budgeted for by the specific departments where staff are employed, in liaison with HR.

**The DU also has the following responsibilities:**

**8.6.1** To inform deans, vice-deans and line managers, as well as all staff and students, of this policy.

**8.6.2** To ensure that the policy is communicated effectively at SU through professional development.

**8.6.3** To ensure that the orientation programme for staff and students includes education on fundamental constitutional rights and the relevant SU policies, including disability access and provisions outlined in this policy. Workshops should be conducted too.

**8.6.4** To ensure that student leaders (including mentors, house committee members and Student Representative Council members – all positional and non-positional student leaders) receive annual training about what the policy entails.

**8.6.5** To ensure that marketing material and contact details of the DU are easily accessible to people with disabilities.

**8.6.6** To formalise service level agreements with HR, FM, Institutional Planning and the Transformation Office to provide, coordinate and deliver development and awareness campaigns.

## **9. FEEDBACK AND MONITORING**

The joint owners of the policy, as well as its curators, are responsible for establishing the necessary controls to monitor its implementation as outlined in the policy implementation plan noted in section 8 above. The owners of the policy are accountable, while the curators are responsible for reports regarding the policy, the latter including an annual report to the Rectorate and SU Council (summarised) on progress towards achieving the relevant objectives. Monitoring and progress of physical facilities and budgets to make buildings accessible to people with disabilities must be reported to SU Council for notification. The VR: L&T as well as the VR: SI, T&P will set a date for submitting this annual report, which must include the items listed below. It would be advisable to establish a Disability Access Policy Advisory Forum that consists of high-level representation from the DU, HR, DSAf/residences, FM, IT, Centre for Learning Technologies, HUMARGA and Corporate Communications.

**9.1** A report from each faculty and responsibility centre on progress regarding disability inclusion in their respective environments (a template will be provided by the DU for this report);

**9.2** A summary of successes and challenges;

**9.3** Evidence of strategic thinking on how disability inclusion can be further improved; and

**9.4** A report by the VR: L&T and VR: SI, T&P on the efforts undertaken campus-wide regarding disability inclusion, as received from the co-curators (DSAf, HR and FM).

## **10. NON-COMPLIANCE**

In the case of failure to comply with the policy, the relevant curator (Chief Director: HR, Chief Director: FM or Senior Director: DSAf), in collaboration with the DU and the relevant parties, must investigate the matter. Supportive actions must be discussed in collaboration with the DU, with a view to improved disability access and inclusion in the environment concerned, for alignment across campus. Time frames for moving towards disability inclusion, where practicably possible, must be agreed on between all parties. In the case of a refusal to adhere to the practices of UA to foster disability inclusion, mediation procedures may be instituted in accordance with SU's disciplinary procedures. Line managers must be informed about the principles and provisions of this policy to ensure equitable treatment of all staff, students and visitors in their environment.

**10.1** Line managers must notify the relevant department or designated official of physical barriers in their environments that need to be removed, e.g. the designated FM official where there are physical access barriers in a particular environment.

- 10.2** Should transgressions or barriers in an environment be allowed to persist, the process of mediation set out in **10.3** to **10.9** is advised.
- 10.3** In the case of academic grievances, personal engagement and mediation between the opposing parties concerned (e.g. student and lecturer, or lecturer and departmental chair, for instance) are the preferred options. Should these fail to resolve the problem by mediation, the prescribed grievance procedure has to be followed via the relevant dean's office. The problem could also lie in physical spaces or information being in a print format inaccessible to a student or staff member who has a disability.
- 10.4** Academic grievances may relate to the content or presentation of modules and graduate programmes, the learning environment, assistive technology, or assessment procedures of undergraduate or postgraduate programmes for people with disabilities.
- 10.5** Administrative disability-related grievances may relate to registration, programmes and subject choices, or study fees, and should be discussed with the administrative official involved, the faculty secretary or, if necessary, the Registrar.
- 10.6** Difficulties can arise in the co-curricular areas. These must be addressed with the DSAf, in collaboration with the DU.
- 10.7** Students who have a problem that cannot be resolved within their immediate environment must address this with the DU at [disability@sun.ac.za](mailto:disability@sun.ac.za). If the DU is unable to facilitate a solution, the Director: CSCD must follow the official grievance procedure in consultation with the Senior Director: DSAf. As a last resort, students may report their cases to the Equality Unit ([unfair@sun.ac.za](mailto:unfair@sun.ac.za)) or the SU ombud ([ombudsman@sun.ac.za](mailto:ombudsman@sun.ac.za)).
- 10.8** Staff who have a problem that cannot be resolved within their immediate environment must address this with HR. If HR cannot facilitate a solution, the Chief Director: HR must follow the grievance procedure contained in the SU's policy regarding human resources. As a last resort, staff may report their grievance to the Equality Unit ([unfair@sun.ac.za](mailto:unfair@sun.ac.za)) or the SU ombud ([ombudsman@sun.ac.za](mailto:ombudsman@sun.ac.za)).
- 10.9** All other disability and UA-related complaints (including those concerning the physical environment in relation to disability) may be reported to the relevant division, such as Risk and Protection Services or FM at [fmhelpdesk@sun.ac.za](mailto:fmhelpdesk@sun.ac.za).
- 10.10** A summary of matters that arise in 10 should also be submitted to SU Council for notification.

## **11. POLICY GOVERNANCE**

The policy is approved by Council.. The owners of the policy are the VR: L&T and the VR: SI, T&P, who receive the DU report from the DSAf. A short chapter on the reports referred to above must be included in the SU annual report.

## **12. REVISION**

This policy must be reviewed every five years – or sooner, as might prove necessary in light of the annual reports and the experiences of departments and faculties on the SU campus – always taking into account the progressive nature of realisation of disability inclusion as outlined in this policy.

## **13. DISCLOSURE**

This policy is a public document, which is published on the SU website.

## **14. REPEAL**

The Disability Access Policy repeals and replaces the Disability Policy on Students with Disabilities, which was accepted by Senate and revised most recently on 15 October 2011.

## **15. REFERENCE DOCUMENTS**

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## 16. SUPPORTING DOCUMENTS

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Disability Unit. s.a. Admissions process for reasonable accommodation.

Disability Unit. s.a. Alternative and adapted assessment.

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