



## **Policy on Students Living with Disabilities**

<b>Reference number</b>	7P_7.3.4
<b>Accountable executive manager</b>	Executive Director: Student Life
<b>Policy Owner</b>	Executive Director: Student Life
<b>Responsible division</b>	Student Life
<b>Status</b>	Approved
<b>Approved by</b>	Council
<b>Date of approval</b>	18 November 2021
<b>Date of amendments</b>	
<b>Review date</b>	November 2026

## POLICY ON STUDENTS LIVING WITH DISABILITIES

### Preamble

The North-West University strives to create an environment which includes and affords students living with disabilities opportunities to participate in the teaching, learning and research activities of the University, as well as the co-curricular and community engagement environment. In doing so the University aims to positively contribute towards the development of its students, the community and society. The University therefore commits itself towards removing the barriers which unfairly obstruct persons living with disabilities from enjoying such opportunities and to reasonably accommodate the needs of such persons.

### 1 Application and interpretation

This policy must be applied in a manner which is consistent with –

- 1.1 the Constitution of the Republic of South Africa Act 108 of 1996, as amended;
- 1.2 the Higher Education Act, 101 of 1997, as amended;
- 1.3 the Statute of the North-West University (2020);
- 1.4 the Promotion of Equity and Prevention of Unfair Discrimination Act, 4 of 2000, as amended;
- 1.5 the National Building Regulations and Building Standards Act, 103 of 1997 (Part S);
- 1.6 the White Paper on the Rights of Persons with Disabilities (2016);
- 1.7 the Strategic Policy Framework on Disability for the Post-School Education and Training System (2018);
- 1.8 the University Macro-Infrastructure Framework: Infrastructure Management Guidelines for Universities (2019);
- 1.9 the Protection of Personal Information Act, 4 of 2013 (POPIA); and
- 1.10 additional policies, rules and regulations as approved by the Council and/or University Management.

### 2 Definitions

In this policy:

**“student”** – is defined by the statute (2020) as a person admitted and registered as a student to attain a qualification.

**“impairment”** - must be understood to include either physical or mental health impairment or a combination of both which are progressive or recurring conditions that have no overt symptoms or which do not substantially limit a person in reasonably participating in the activities, programmes, and learning experiences offered by the University.

**“students living with disabilities”** refers to students who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers may reasonably hinder their full and effective participation in society on an equal basis with others.

### 3 Disability

The University recognises that disability is regarded as an evolving concept that refers to instances where a person is denied or unable to fully participate in an aspect of life, as well as when society in turn fails to uphold the rights of such persons by reasonably accommodating and including such persons.

Disability within the university context therefore refers to the restriction or limitation of participation of any person(s) with a temporary, permanent or long-term impairment which has been medically certified and who experiences restricted access to, or progression in, teaching, learning, research and co-curricular activities due to their impairment and can include contextual, environmental and attitudinal barriers.

## **4 Policy statement**

It is the policy of the University to –

- 4.1 recognise and include the needs of students living with disabilities where possible;
- 4.2 create an environment which supports students living with disabilities by removing environmental, attitudinal and other barriers which would otherwise diminish the reasonable access to opportunities to partake in both the academic and co-curricular environment;
- 4.3 develop and improve systems, procedures and infrastructure that support and include students living with disabilities in both the academic and co-curricular environment;
- 4.4 allocate resources towards the reasonable accommodation and inclusion of students living with disabilities, thus enabling them to participate in University activities, programmes and opportunities; and
- 4.5 cultivate a culture of understanding and awareness on impairments and disabilities and assist in the eradication of discrimination and the violation of the rights of the students living with disabilities.

## **5 Disclosure and determination of disability**

- 5.1 Disclosure of a disability or specific need(s) to the NWU is a voluntary process for all prospective and current students.
- 5.2 In an instance where a disability or specific need is disclosed to the University, an assessment(s) and evaluation will be conducted by the University to determine the nature and extent of support required in reasonably accommodating and including the student.
- 5.3 If a prospective student or student living with a disability chooses not to disclose the impairment(s) they are living with which is the cause of the disability at the point of their application to the University or at the point when the disability occurs after their registration with the University, the University will engage the affected student to determine whether assistance and support can be provided if and when the University is made aware of the disability or specific need.

## **6 Confidentiality**

### **6.1 Legitimate purpose**

The personal information relating to students living with disabilities, including information related to the specific impairments faced by such students, may only be gathered to enable the University To achieve a legitimate purpose. In the event that such personal information is gathered for a legitimate purpose, it must be done with the full knowledge and informed consent of the individual providing such information.

### **6.2 Confidentiality**

Personal information gathered of students living with disabilities may only be accessible by those members of the NWU who have a legitimate interest in providing assistance or services to such students. Personal information relating to students living with disabilities may not be shared with unauthorised internal or external parties to the University.

### **6.3 Management of personal information**

Personal information gathered on students living with disabilities must be managed in accordance with the relevant legislative prescripts and University rules and procedures guiding the management of personal information.

### **6.4 Consent**

in addition to the required consent when gathering personal information on persons living with disabilities, and unless legally required<sup>2</sup>, the University may not disclose personal information of students living with disabilities in a manner which contravenes the relevant legislation, policies and rules under management of personal information.

## **7 Manual on students living with disabilities (MSLD)**

- 7.1 The Policy manual on students living with disabilities is provided for in terms of this policy, and must be developed by the University and approved by the University Management Committee.
- 7.2 This manual must further guide the assistance available to students living with disabilities as it pertains to:
  - 7.2.1 procedures related to academic applications of students living with disabilities;
  - 7.2.2 procedures related to concession applications of students living with disabilities;
  - 7.2.3 procedures on the non-approval of applications;
  - 7.2.4 rules on scribes, readers and amanuensis for students living with disabilities;
  - 7.2.5 Framework on education and awareness on disabilities; and
  - 7.2.6 procedures on the monitoring, evaluation and reporting on students living with disabilities.
- 7.3 As part of creating an enabling environment which supports students living with disabilities, the Registrar annually establishes the Central Admissions Committee on Students Living with disabilities (CACSLD) for the purposes of addressing matters related to the admission of students living with disabilities.
  - 7.3.1 Three Campus Concessions Panels on Students Living with Disabilities (CCPSLD) are established as functional committees of the CACSLD which further facilitate the reasonably required support of students living with disabilities.
  - 7.3.2 The composition, functioning and rules of the committee and panels must be provided for in the manual

Original details: (11664754) P:\Policies\2021\7P\_7.3.4\Policy on Students Living with Disabilities.docm  
23 November 2021

File reference: 7P\_7.3.4