
BINDURA UNIVERSITY OF SCIENCE EDUCATION



BUSE POLICY ON STUDENTS WITH DISABILITIES
APPROVED BY 67th SENATE MEETING ON 21 JULY 2021

1 PREAMBLE

Persons with disabilities are protected under a number of legislative enactments including the United Nations Convention on the Rights of Persons with Disabilities. This international instrument was adopted and ratified by Zimbabwe on 23 September 2013. The same provides for a human rights and people-centred based approaches to the conceptualisation of disability as part of “human diversity and humanity; equality of opportunity; accessibility; equality between men and women”. Thus, having embraced and internalized the international human rights practices and expectations in the Zimbabwean Constitution, all institutions and arms of Government are expected to mainstream Persons With Disability (PWDs) in the educational system through policy formulation and institutional reforms. This policy is derived from the Zimbabwe Disabled Persons Act [Chapter 17:01] as amended, which view disability as a human rights and developmental issue. Further, section 83 (a–f) of the Constitution of Zimbabwe lays a basis for the protection of people living with disabilities, wherein paragraph (e) emphasizes need for the provision of facilities for education whilst paragraph (f) thereof puts specific emphasis on the provision of state-funded education and training where need be.

Bindura University of Science Education (BUSE) is committed to ensuring the effective attraction, participation and throughput of students with disabilities throughout the BUSE learning experience. The principles contained in this policy will be adhered to in order to ensure the inclusion of students with disabilities at BUSE. The policy offers an overarching framework for promoting universal access for students with disabilities. It does this by designating appropriate structures, guidelines and processes that guide the inclusion of students with disabilities at the institution.

1.1 The objectives of this Policy are to:

- 1.1.1 Promote, protect and provide full and equal enjoyment of rights to education for all suitably qualified students with disabilities;

- 1.1.2 Not unfairly discriminate against any student with a disability within BUSE learning environment;
- 1.1.3 Provide students with disabilities with the opportunity to realise their individual capabilities for physical, social, emotional and academic development through full participation at BUSE;
- 1.1.4 Promote respect for the inherent dignity of its students with disabilities specifically and persons with disabilities in general;
- 1.1.5 Ensure the integrity of academic programmes offered is maintained at the highest standards
- 1.1.6 Put reasonable measures in place where required to ensure equal opportunity and participation of persons with disabilities in the BUSE learning environment
- 1.1.7 Develop and maintain, where it will not cause unjustifiable hardship to the University, an accessible and safe built environment in which all persons with disabilities can participate in University activities;
- 1.1.8 Ensure access to University academic programmes for students with disabilities who meet the criteria for admission and to develop appropriate administrative procedures for their enrolment, induction and orientation;
- 1.1.9 Encourage students towards independent living in a manner that ensures dignity, self-sufficiency and responsibility;
- 1.1.10 Make available opportunities, within budgetary constraints, for the participation of students with disabilities in sports, recreational and social activities;
- 1.1.11 Ensure that the policies and practices relating to the provision of support services and access to the resources and benefits of the University do not discriminate against students with disabilities;
- 1.1.12 Make it incumbent upon the various professional disciplines across faculties to make available expertise and support services which enhance the achievement of a positive learning experience for students with disabilities;
- 1.1.13 Encourage research and policy development in the area of disability towards informed interventions and sustainable service provision and;
- 1.1.14 Ensure that students with disabilities are provided with opportunities for consultation and participation in decision-making relevant to their role within

the University and that matters specific to the needs of persons with disabilities are included in relevant University plans.

2. ORGANISATIONAL SCOPE

- 2.1** This is an internal BUSE policy document designed to guide internal processes and responses. BUSE will endeavour to comply with the policy within the limitations of its financial constraints.
- 2.2** The Policy applies to all Faculties, Departments and Units of BUSE. Responsibility for implementation of this policy will vest in every member of staff. All Deans, Directors and Heads of Units or Divisions will be accountable to the Vice-Chancellor to ensure compliance with this Policy.
- 2.3** Students with disabilities may benefit from the policy provisions contained herein and can apply for reasonable accommodation in accordance with this Policy.
- 2.4** This Policy must be read together with other BUSE student policies and procedures, as applicable.
- 2.5** This Policy will inform the application of all other BUSE policies and practices when applied to students with disabilities.
- 2.6** The BUSE Student Health Centre plays an important role in ensuring the implementation of and adherence to the provisions set out herein.

3. DEFINITION OF TERMS

3.1 “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.

3.2“Impairment” means a physical, sensory, mental, emotional or cognitive condition resulting from an injury, illness, trauma and/or congenital factors that is permanent, long term or recurring and which causes or is likely to cause a loss or difference of physiological or psychological functioning which will be determined on a case by case basis. The impairment can be visible or invisible. The impairment impacts substantively on the way the student accesses the BUSE learning experience and may require reasonable accommodation measures to be put in place.

3.3“Learning experience” means BUSE culture, processes, curricula, teaching methodologies, services including support services, staff expertise, attitudes, built environment and/or facilities that as a collective provide students with the context within which to acquire the academic qualification for which they have enrolled.

3.4“Persons with disabilities” as per the UN Convention on the Rights of Persons with Disabilities include those who have long -term physical, mental, intellectual or sensory impairments and/or chronic conditions which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others.

3.5“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.

3.5"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 and are equitably represented in the BUSE student community to the extent that it does not cause the University unjustifiable hardship.

3.7“Students” refer to all full -time or part -time students enrolled in all academic programmes at BUSE.

3.8“Students with disabilities” refers to any person with an impairment (as defined) who is suitably qualified and who experiences restricted access to or progression in the learning experience due to their impairment and/or barriers and/or a combination thereof. 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.

3.8"Suitably qualified" means a person who is eligible for entry into an academic programme at BUSE.

3.9“Unjustifiable hardship” means significant difficulty or expense being incurred by BUSE with respect to the provision of reasonable accommodation to a particular student with a disability. It means that an accommodation would be unduly costly, expensive, substantial, or disruptive to the detriment of BUSE.

3.10“Universal access” means the removal of cultural, physical, social and other barriers that prevent persons with disabilities from entering, using or benefiting from the various systems of society that are available to other citizens and residents. The absence of accessibility or the denial of access is the loss of opportunities to take part in the community on an equal basis with others.

3.11“Universal design” is the design of products, environments, programmes and services to be usable by all persons to the greatest extent possible without the need for adaptation or specialised design.

4. GUIDING PRINCIPLES

4.1 Disclosure of disability status:

- a) The University subscribes to the social model of disability and recognises it as a function of an impairment, the environment and societal attitudes. The definitions contained in this policy namely that of “impairment”, “students with disabilities” and “persons with disabilities” must be read together when deciding on the disability status of any person. BUSE will encourage voluntary

disclosure in order to provide suitable support, but will not impose on any student to disclose their disability status.

- b)** The BUSE Student Health Unit Registration and Reasonable Accommodation Procedures shall be applied. In the case of non-disclosure by a person with a disability, or where the disability is not self-evident or self-reported, it will be more difficult for BUSE to comply with the provisions of this policy. BUSE may require from a student to disclose sufficient medical and other information to confirm the disability status claimed and/or to assist in determining the appropriate reasonable accommodation needs. BUSE has the right to request medical proof from the student to verify any impairment or condition claimed. Support may not be applied retrospectively.
- c)** Disclosure may occur during the initial application process or at any time during the period of study with the University.
- d)** BUSE will take all reasonable measures to protect the confidentiality of information that has been disclosed. Information is released to appropriate stakeholders only with the consent of the student (or, where applicable, the student's parent or guardian).

4.2 Admission of Students with Disability and Conditions

Students with disabilities and conditions are encouraged to seek admission to the Bindura University of Science Education. Admission may occur through the routes that already exist in the University i.e. through standard, special or affirmative criteria.

- a)** The University shall include the following statement when advertising for programmes "Applicants with disability are encouraged to apply".
- b)** The University Application form shall indicate the kind of supporting documents which must accompany the application by applicants with disability on submission.
- c)** The University shall reserve three places for admission with disabilities through affirmative action on programmes on high demand.
- d)** Faculties shall pay attention to applications indicating any form of disability during the selection process.
- e)** The University will only refuse a student a place on the grounds of their disability/condition where:

- x the content, structure or delivery of the chosen course of study is such that the student would be prevented from fulfilling a major part of the requirements of the course and the University is unable to provide suitable staff or facilities to allow the requirement to be met or
 - x the chosen course of study leads to a professional qualification and the relevant professional body has regulations which would preclude membership by persons with particular disability/condition.
- f) No applicant be refused a place at the University on grounds of disability alone before an opportunity has been provided for full consideration of the specific support or facilities required. Any decision to refuse a place to otherwise suitably qualified candidate will be subject to ratification by SENEX admission.
- g) Affirmative Action to Students with a disability/condition .

Though minimum standards of entry into a programme at the University will be followed, special consideration will be given to students with disabilities as a result of impairments for admission to programmes of their choice provided they have the minimum requirements at “ O” level and “ A” level. Such students may be admitted to programmes if they have two points less than the usual cutoff points required for the course for that year.

4.3 Reasonable Accommodation

- a) BUSE respects and will implement the rights of students with disabilities to receive reasonable accommodation, when a student voluntarily requests disability -related accommodations. BUSE will put in place a fair procedure through which reasonable accommodation requests are assessed and budgeted for.
- b) The BUSE Student Health Unit will facilitate the particular ways to best accommodate the student.
- c) A consultative approach will be followed with the student requesting accommodation and, where necessary, BUSE will obtain expert opinion to determine the most effective form of accommodation. BUSE may decline requests for reasonable accommodation if it causes or may cause unjustifiable hardship to the University. In the event that the University is unable to meet the known requirements of an individual student, the limitations of provision should be explained to the student preferably prior to their admission to the University.

- d) Students with disabilities will have equitable access to recreation and sport facilities on campus as far as feasible and affordable. Any special arrangements aim to minimise any detrimental impact by reason of disability and should not otherwise disadvantage or advantage the student with a disability.

4.4 Responsibility

All students and staff members are co-responsible for respecting and promoting the principles laid down in this policy.

4.5 Progressive realisation

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

4.6 Establishment of Disability Resource Centre

The University shall establish a Disability Resource Centre (DRC) as a Unit of the Student Affairs Division. The Centre shall be the hub of academic social and inclusive services for all students with disabilities enrolled at the University irrespective of their disability, gender, race or religion. The DRC shall offer a wide range of services to facilitate equal access to education and conducive living and learning conditions for students with disabilities.

4.7 Universal Design Principles for Teaching and Learning

- a) Students must be evaluated on their abilities not their disabilities and, where practicable, methods of teaching and assessment be modified to take account of the differences experienced by students with disabilities.
- b) Teaching methodologies and processes will be accessible to students with disabilities as far as is reasonably possible. Universal access and design principles will be applied in relation to the curriculum, including the content

and design of training material, facilitation and teaching style, practicals etc. to facilitate learning.

- c) Any modification of programmes requirements or assessment methods will be discussed and agreed on by the Faculty (or nominee), the BUSE Student Health Unit and the student. If, after due consideration, the view is that in a certain discipline or programme's teaching methods and specific teaching environments pose insurmountable obstacles relating to a student's level of impairment, and a genuine attempt has been made by all role players to seek solutions, the BUSE Student Health Unit in consultation with the Faculty may advise the student to register for an academic programmes with fewer access impediments.
- d) The University undertakes to encourage and support wherever possible: Universal Design Principles of learning in new academic programme offerings; and educating academic staff with regard to the range of reasonable accommodations and alternative assessment modes.

5. FUNDING

There shall be a special budget and subsequent fundraiser as well as identification of donors, for the implementation of support services for students with disabilities administered by the Disability Management Committee (A subcommittee of Student Affairs Committee) . This budget shall cater for resourcing the BUSE Student Health Unit. The allocated resources must be regularly monitored to ensure collective accountability.

6. ROLES AND RESPONSIBILITIES

- 6.1 The Vice-Chancellor, first and foremost, is responsible for providing leadership to ensure buy-in from all role players in order to attain the objectives of this policy.
- 6.2 The Pro-Vice Chancellor (PVC) shall be the one responsible and accountable for the operationalisation and implementation of this Policy and will be the sponsor and champion of the various disability initiatives.
- 6.3 The Registrar shall be responsible for continuously conducting physical accessibility audits and progressively remove all physical barriers and

accessibility hazards in the built environment, with the assistance, guidance and input from the Dean of Students.

- 6.4 The BUSE Student Health Unit will be responsible for developing and implementing processes to give effect to the provisions of this policy.
- 6.5 The BUSE Student Health Unit must be staffed with Assistant Technologist/Technical Editor; Disability Coordinator(s); Sign Language Interpreter(s); Student Advisor(s) and Administrator(s), all appointed to address issues of substantive equality and the inclusion of students with disabilities at BUSE.
- 6.6 The BUSE Student Health Unit must provide leadership through achieving best practice and conducting research; conduct local and international benchmarking and ensure that practices adopted by the University match best practice; seek inter-institutional co-operation within Zimbabwe in collecting, developing and disseminating knowledge about creating accommodative environments for students with disabilities. The wider issue of managing disability-related initiatives will be the responsibility of a Disability Management Committee as a subcommittee of the BUSE Student Affairs Committee. The existing levels of service will be maintained and expanded within resource constraints. This will be reviewed annually.
- 6.7 All staff in all faculties/units/departments will be held accountable for compliance or otherwise with the provisions contained herein.

7. COMPLAINTS AND DISPUTES

Students with disabilities are welcome to report concerns and request assistance and support to enable them to be included in all aspects of university life on equal terms with other students.

Step 1

Any student who alleges prejudice or unfair treatment on the basis of disability or non-compliance with any of the provisions contained herein, has the right to lodge a formal complaint with the BUSE Student Health Unit. The Unit must launch an investigation into such a complaint received and must assist the University in deciding on required remedial action, if any. The Unit

will liaise with role players within the BUSE environment as applicable based on the nature of the dispute referred. Should the matter not be concluded to the satisfaction of the student concerned the matter may be escalated as set out below.

Step 2

The matter is formally referred by the aggrieved student to the Dean of Students. The Dean will engage with role players as he/she deems appropriate in order to come to some conclusion and for remedial action to be instituted, if necessary. The resolution of the Dean is implemented.

Step 3

Should the student be dissatisfied with the resolution he/she may escalate the matter to the PVC, who again will engage with role players as he/she deem appropriate in order to come to some conclusion and for remedial action to be instituted, if necessary. The resolution of the Dean, Student Affairs is confirmed or some alternative conclusion reached and implemented.

8. OTHER INTERVENTIONS

Students with disabilities have equal access and opportunity to act as representatives on all student bodies. When contracting with third party service providers on campus BUSE 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. BUSE will encourage its students with disabilities to apply for employment with the University on completion of their academic programmes in line with its workplace disability equity initiatives.

9. ASSOCIATED DOCUMENTS

- 9.1. UN Convention on the Rights of Persons with Disabilities.
- 9.2. Constitution of Zimbabwe, 2013.
- 9.3. The Children's Act [Chapter 5:06], Act 22 of 1971.
- 9.4. The Mental Health Act [Chapter 15:12], Act 15 of 1996.
- 9.5. The Social Welfare Assistance Act [Chapter 17:06], Act 10 of 1988.

- 9.6 The State Service (Disability Benefits) Act [Chapter 16:05], Act 22 of 1971.
- 9.10 The War Victims Compensation Act [Chapter 11:16], Act 22 of 1980.
- 9.11 The Criminal Law (Codification and Reform) Act [Chapter 9:23], Act 23 of 2004.
- 9.12 The National Disability Policy, February 2021