



**RAJARATA UNIVERSITY OF SRI LANKA**

**POLICY ON DIFFERENTLY-ABLED  
STUDENTS AND STAFF**

**2019**

**Rajarata University of Sri Lanka, Mihintale**

## **POLICY ON DIFFERENTLY-ABLED STUDENTS AND STAFF**

On the recommendation of the Senate, the Council of the Rajarata University of Sri Lanka, as the governing authority of the Rajarata University of Sri Lanka by resolution adopts the following Policy.

Accepted Date: 12.09.2019

Amended Date:.....

Signature:.....

Position: Vice Chancellor, Rajarata University of Sri Lanka

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## **1. Rationale**

There are over one billion differently-abled people in the world, of whom between 110-190 million experience very significant difficulties. This corresponds to about 15% of the world's population and is growing due to population ageing, the global increase in chronic health conditions and increase in man-made and natural disasters.

Nearly 8.7 % of Sri Lankan population aged five years or more reported that they have some sort of functional difficulty at least in one of the domains such as vision, hearing, walking, day to day self-care, remembering and concentration and communication.

It showed that very few differently-abled individuals have had higher education; only 1% of those who had visual disability and 3% of those who had speech disability had been to university. Differently-abled students who fulfil other necessary criteria for admission, are presently required to submit a medical certificate with a special application form. They are subject to a medical interview to gain admission. For even those who do gain admission to universities, freedom to select a particular area of study is curtailed by the limited choice of courses available to them. The National Disability Policy has suggested to review these procedures to expand the opportunities and provide equity for differently-abled students who have completed the General Certificate of Advanced Level examination successfully on par with students who do not have disability.

The Universal Declaration of Human Rights states that all human beings are born free and equal in dignity and rights (Article 1) and that everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind (Article 2). Differently-abled people therefore have the same rights, to express their views, to work, to have a reasonable standard of living.

There has been a paradigm shift in approaches to disability. In recent decades the move has been away from a medical understanding towards a social understanding. Disability arises from the interaction between people with a health condition and their environment. Special attention should be given to environment barriers and provide facilities such as differently-abled friendly access to buildings and transport facilities to minimize the inconveniences of the people with difficulties.

Rajarata University of Sri Lanka is committed to ensuring opportunity and environment that enables and enhances the educational and employment experience of differently-abled

students and staff on the same basis as other members of the University community, in an environment that values diversity, is free from harassment, unlawful discrimination and promotes justice, equality of opportunity. For this purpose, 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 differently-abled students and staff in all aspects of the academic and social life of the institution.

This policy reinforces the University's commitment to ensuring equality for the diverse staff and student body, by protecting the rights of differently-abled students and staff, and to review its policies and practices in light of developments in the Higher Education sector, the legislative framework, and the University strategy.

### **2. Scope**

This policy applies to all applicants, existing students and staff of the Rajarata University of Sri Lanka. This document outlines the University's duties and the options available to differently-abled students and staff including mental health difficulties in seeking support or adjustments to their studying and working environment.

This policy sets out the University's commitment to staff and students with disabilities including mental health difficulties, providing a framework to contribute to the ongoing development of an enabling environment for all members and service users of the University. It addresses some of the specific operational aspects for students and staff, and aims to provide guidance for the University administration, staff and students.

The policy aims to comply with the requirements of national policies and acts, including, Public Administration Circular of 1988, Protection of the Rights of Persons with Disabilities Act - No. 28 of 1996, National Health Policy of 1996, and, National Disability Policy of 2003.

### 3. Definitions

Assistive technology any device, system or design, whether adapted or commercially available, that allows someone to perform a task that they would otherwise be unable to do, or increases the ease with which a task can be performed.

Differently-abled 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 (A person with disability)

Disability any physical, sensory, neurological, intellectual, psychiatric or learning disability, and includes physical disfigurement, the presence in the body of disease-causing organisms and total or partial loss of part of the body or a bodily function. It also includes a temporary, permanent, current, past or future disability, and chronic health conditions which may not commonly be considered disabilities

Commonly recognized disorders

(a) Blind/Low Vision

According to the U.S. National Library of Medicine (2014), "blindness is a lack of vision, it may also refer to a loss of vision that cannot be corrected with glasses or contact lenses,"

(b) Deaf/Hearing Impaired

(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 Disorder

Mental impairment that includes any mental or psychological disorder, such as emotional or mental illness.

(e) Specific Learning Disabilities

A specific learning disability, as defined in Section 1401 (30) of Title 20 of the United States Code, is described as a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, which may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or perform mathematical calculations.

**(f) Head Injury/Traumatic Brain Injury**

Head injury or traumatic brain injury is considered a medical or clinical diagnosis.

**Harassment** act of someone is made to feel intimidated, insulted or humiliated because of their disability.

**Reasonable adjustments** are administrative, environmental or procedural alterations in the employment or learning situation which remove barriers for people with a disability so that they can perform the inherent requirements of the job or course of study, For staff this could mean adjusting access to buildings and rooms, modifying equipment, re-designing jobs or work areas and implementing more flexible work practices. For students it could mean adjustments to the mode of delivery of lectures or written material or the assessment process and timeframe. An adjustment is reasonable if it takes into account the requirements of the person and balances the interests of all parties affected.

**4. Principles**

4.1. The Rajarata University of Sri Lanka is committed to creating an inclusive, safe and supportive environment for all students and staff regardless of disability (or other protected characteristic) to support a positive experience for all members of the University.

4.2. The University encourages a climate of openness and positive disclosure for students and staff with disabilities, including mental health difficulties; nevertheless it is acknowledged that students and staff may find it difficult to disclose disabilities including mental health difficulties. This policy will facilitate the discussion around

disclosure and appropriate support. Similarly, Student Support Services offer a safe and supportive environment for students to disclose their disability related requirements.

- 4.3. All disclosed disability information is kept confidentially and sensitive personal data is only shared with the person's consent (unless it is deemed that they or others are at risk of harm) with university services, such as student counselling, health-care team, security and administrative officers, who may be responsible for supporting that individual.
- 4.4. The University takes appropriate steps to make reasonable adjustments for differently abled students and staff that meet their individual needs, are relevant, appropriate, anticipatory, inclusive and in accordance with the University's policies and procedures and legislations.
- 4.5. Reasonable adjustments are evidence based and are determined through an assessment of the individual's disability related requirements, taking into consideration additional factors such as the environment, academic standards, and, principles of Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996, National Disability Policy of 2003, National Health Policy of 1996 and Public Administration Circular No. 27/88 and 01/99 to prevent substantial disadvantage.
- 4.6. Training and opportunities for increasing disability awareness is recommended and offered to all staff and are integrated within the University's Learning and Development processes. Student counsellors, administrative heads of service units or immediate administrative officers of differently-abled staff members should communicate with the Faculty or University administration through the proper channel in order to support a differently-abled student or staff member.

## 5. Policy statement

### 5.1. Differently-abled students

#### 5.1.1. Admissions

5.1.1.1. The University welcomes applications from differently-abled students including mental health difficulty.

5.1.1.2. The University encourages applicants to disclose their disability including a mental health difficulty on their application and provide an outline of their support needs, in order that University can make them aware of the range of support and guidance that is available and to also plan ahead for any reasonable adjustments.

5.1.1.3. Admissions decisions are based on academic suitability and where applicable, the requirement of professional bodies.

5.1.1.4. In Student Support, student counsellors and the university administration offer advice and guidance to differently-abled prospective undergraduate and postgraduate applicants on the range of support available in order to help them make informed decisions.

#### 5.1.2. Disclosure

5.1.2.1. The University endeavours to offer an environment that encourages disclosure but acknowledges that it is the individual's right not to disclose. We encourage students to disclose any disability including a mental health difficulty at the earliest opportunity and ideally on application or entrance. Students who choose not to disclose at application stage or entrance or whose disability occurs during their studies are encouraged to disclose at any time thereafter. Students who identify that they have disability support needs are strongly encouraged to discuss these with student counsellors, course coordinators, heads of the departments/Units, any other University academic or administrative staff member at the earliest opportunity so that they are aware of the support available.

5.1.2.2. Disclosing a disability enables the University to inform students about the support options available and to make reasonable adjustments.

These are aimed at minimising any disadvantage in accessing their academic course and contributing towards a positive student experience.

### 5.1.3. Confidentiality

5.1.3.1. All disability disclosure information is treated sensitively. Student Support teams, including student counsellors, course coordinators, heads of the departments/Units, University administrative staff, discuss confidentiality, its limits and the sharing of information with students and other Units. For students whose studies include external placements specific consent is sought to enable reasonable adjustments to be made.

5.1.3.2. In the case of students who choose not to disclose their disability or do not give consent for information to be shared for the purposes of support, there will be restrictions or limitations to the level of support and the nature of reasonable adjustments the University or external placement providers can offer without prior disclosure. For that reason students are positively encouraged to disclose their disabilities and seek support.

### 5.1.4. Reasonable adjustments

5.1.4.1. The University make 'reasonable adjustments' for students in relation to:

- I. A provision, criterion or practice (for example teaching and assessment methods).
- II. Physical features (for example access to lecture theatres, labs, tutorial rooms).
- III. Auxiliary aids (whose definition includes auxiliary services, e.g. for example hearing loops).
- IV. Information in accessible formats.

5.1.4.2. The purpose of reasonable adjustments is to facilitate inclusion, remove barriers to learning, and to contribute towards a positive student experience.

5.1.4.3. Reasonable adjustments on disability grounds including mental health difficulties are evidence based and could involve:

- Changes to existing practices and procedures.
- Changes to course delivery and assessment in accordance with academic standards.
- Inclusive teaching and learning practices.
- Special examination arrangements.
- Alternative methods of assessment in accordance with academic standards.
- Changes to the accessibility of the physical environment.
- Provision of non-medical one to one support.
- Access to assistive technology.
- Consideration when marking.
- Providing Information in alternative accessible formats.
- Accessible on University accommodation.
- Accessible parking.
- Facilitating communications between relevant parties.
- Increasing disability awareness across the institution.

#### 5.1.5. Student Support Services

5.1.5.1. The University offers a comprehensive range of support services to students with disabilities through Student Services Units and Student Counsellors.

5.1.5.2. Maximum utilization of academic support centres (libraries, computer laboratories, etc.), facilities for extracurricular activities (sport, aesthetic, cultural, religious, social, etc.) and other facilities (canteen, banking,

postal facilities, etc.) is ensured through reasonable adjustments made by the University.

5.1.5.3. The University provides with the information on available services, through government departments and non-governmental organizations, for differently-abled people. Such services include provision of assistive devices, payment of disability benefits to individuals, vocational training, making grants for self-employment, registering job seekers and promoting their employment.

#### 5.1.6. Physical Accessibility

5.1.6.1. The University aims to continually improve the accessibility of the University and its facilities.

5.1.6.2. Access to buildings is via lifts and ramps are provided.

5.1.6.3. Locations that conducts academic activities and examinations, such as lecture theatres, tutorial rooms, laboratories and examination halls, are accessible to differently-abled students.

5.1.6.4. Centres that provide academic supportive services, such as libraries and computer laboratories, are accessible to differently-abled students.

5.1.6.5. Easily accessible accommodation blocks that are in close proximity to teaching blocks and other services, such as cafeteria, are offered to differently-abled students (preferably ground floors).

5.1.6.6. University offers range of facilities for extracurricular activities, such as Student Union, sport facilities, aesthetic facilities and facilities for cultural and religious activities. These centres are accessible for differently-abled students.

5.1.6.7. University provides range of other services, such as canteen, banking and postal facilities. These centres are accessible for differently-abled students.

### 5.1.7. Teaching and Learning

5.1.7.1. Rajarata University of Sri Lanka is committed to enabling differently-abled students to access the learning opportunities provided by the University and to removing barriers which may lead to those students being disadvantaged.

5.1.7.2. The University will, as far as possible, make reasonable adjustments in order that disabled students can participate in their courses of study and access the facilities and services available to support them in their learning, while maintaining equity for all those being assessed.

5.1.7.3. The University will also promote the use of inclusive approaches to teaching and learning through the design of curricula and methods of delivery and assessment.

## **5.2. Differently-abled Staff**

### 5.2.1. Recruitment/Selection and Training

5.2.1.1. It is the aim of the University to recruit, train, develop and retain talented staff, regardless of any protected characteristic they may have, such as a disability. The University monitors self-declaration of disability at the stage of application and/or appointment.

5.2.1.2. The University offers a variety of training opportunities to meet the requirements of all staff. These are normally held in accessible venues with consideration of the needs of differently-abled staff including larger print handouts for those with visual impairments, or printed on different coloured paper to assist those with scotopic sensitivity. All staff attending a training programme are asked whether they have any access requirements, reasonable adjustments or requirements that need to be accommodated.

### 5.2.2. Disclosure

5.2.2.1. Differently-abled staff are encouraged to disclose their disability at the time of application and/or appointment or earliest possible opportunity thereafter to their immediate administrative officer or University

administration. This is to ensure that at the earliest opportunity, appropriate reasonable adjustments and support can be put in place, to assist the member of staff to carry out the duties of their role.

5.2.2.2. New staff are encouraged to disclose a disability when they begin their employment at the University. Existing staff, who are disclosing for the first time or who have recently been diagnosed with a disability are also encouraged to discuss with their immediate administrative officer or University administration, any support or reasonable adjustments that will help them to achieve the duties of their role.

### 5.2.3. Confidentiality

5.2.3.1. All information disclosed to the University by differently-abled staff will be treated with respect and confidence. Only staff with monitoring responsibilities will have access to data and only statistical data will ever be reported.

5.2.3.2. The immediate administrative officer or University administration consulting on reasonable adjustments with the employee, will keep information confidential, but will be available to support the employee if they wish to disclose their disability to their immediate team members.

5.2.3.3. In the case of staff who choose not to disclose their disability or do not give consent for information to be shared for the purposes of support, there will be restrictions or limitations to the level of support and the nature of reasonable adjustments the University can offer without prior disclosure. For that reason staff are positively encouraged to disclose their disabilities and seek support.

### 5.2.4. Reasonable Adjustments

5.2.4.1. The University will make reasonable adjustments for differently-abled staff, including mental health difficulties.

Examples of reasonable adjustments for staff might include:

- I. Making reasonable adjustments during the recruitment process (e.g. placement in an appropriate unit).
- II. Making reasonable adjustments to premises (e.g. widening a doorway, or building a ramp).
- III. Altering working hours (where operationally possible).
- IV. Acquiring or modifying equipment, e.g. providing an adapted keyboard or telephone.
- V. Providing assistive software, as required for the role.
- VI. Allowing employees who become disabled to make a phased return to work – e.g. working flexible hours.
- VII. Altering the nature of the duty and responsibility.
- VIII. Altering the place of work to more accessible place.

#### 5.2.5. Sickness Absence Relating to a Disability

5.2.5.1. The University acknowledges that sickness absence may result from a disability and staff have an opportunity to obtain an additional number of sick-leaves within the regulatory framework provided by Establishment code of University Grants Commission and the higher educational institutions and Government Establishment Code of Public Administration.

5.2.5.2. Any disability related absence will still form part of a member of staff absence record, but it will provide an opportunity for the University administration with the individual and their immediate administrative officers to identify any further specific reasonable adjustments or support that could be put in place.

#### 5.2.6. Time Off for Medical Appointments Related to a Disability

5.2.6.1. The University acknowledges that employees with on-going health condition(s) may require on-going treatment and time off from their work to attend medical appointments, these appointments will be accommodated wherever possible and will not normally be counted as

sickness absence. Employees should discuss their need to attend such medical appointments with their immediate administrative officers as early as possible.

5.2.6.2. Where possible, staff are asked to make appointments at a time that causes minimum disruption to their work, i.e. at the beginning or end of the normal working day. Part-time staff and shift workers should try to schedule appointments for when they are not working. However it is recognised that this is not always possible, and that is why it is important to inform immediate administrative officers as soon as possible, so that the appropriate arrangements can be made.

#### 5.2.7. Physical Accessibility

5.2.7.1. The University aims to continually improve the accessibility of the University and its facilities.

5.2.7.2. Access to buildings via lifts and ramps are provided.

5.2.7.3. The University will make reasonable adjustments for differently-abled staff to improve the accessibility to carry out their duties effectively.

5.2.7.5. Accessibility is ensured to the additional facilities at the University premises for differently-abled staff members (e.g. canteen, banking and postal facilities).

### **5.3. Academic focus and Capacity Building**

5.3.1. The University include disability as a module in relevant curricula – e.g. medicine, psychology sociology, etc.

5.3.2. The University promotes disability-related research

5.3.3. Steps are taken to equip student counsellors and administrative officers to deal with special problems that may be faced by differently-abled students and staff.

## 6. Related legislations and documentations

6.1. The policy aims to comply with the requirements of following national polices and acts:

- I. Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996
- II. The Disabled Persons (Accessibility) Regulations, No. 1 of 2006 made by the Minister of Social Services and Social Welfare, Sri Lanka.
- III. Amendment to The Disabled Persons (Accessibility) Regulations, No. 1 of 2006 made through extraordinary gazette, on 18<sup>th</sup> September 2009, Ministry of Social Services and Social Welfare
- IV. Public Administration Circular No. 27/88, by Ministry of Public Administration, Sri Lanka
- V. Public Administration Circular No. 01/99, by Ministry of Public Administration, Sri Lanka
- VI. National Policy on Disability for Sri Lanka, 2003.
- VII. National Health Policy 1996
- VIII. National Health Policy (Draft) 2016-2025, By Ministry of Health, Nutrition and Indigenous Medicine, Sri Lanka
- IX. University Student Charter by University Grants Commission of Sri Lanka, 2012
- X. Establishment code of University Grants Commission and the higher educational institutions
- XI. Government Establishment Code of Public Administration.
- XII. Universal Declaration of Human Rights of United Nations.
- XIII. Convention on the Rights of Persons with Disabilities (with Optional Protocol) of United Nations.

6.2. Other legislations and documentations that may be referred by the University in providing services and information.

- I. Rehabilitation of the Visually Handicapped Trust Fund Act, No. 09 of 1992
- II. National Institute of Social Development Act, No. 41 of 1992
- III. Social Security Board Act, No. 17 of 1996
- IV. Social Security Board (Amendment) Act, No. 33 of 1999
- V. Welfare Benefits Act, No. 24 of 2002
- VI. The mental Health Policy of Sri Lanka 2005-2015

## **7. Role and responsibilities**

Rajarata University of Sri Lanka is committed to ensuring opportunity and 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, in an environment that values diversity, is free from harassment and unlawful discrimination and promotes equality of opportunity.

### **7.1. Governing Council of the University**

7.1.1. University council is the supreme governing body of the University and is responsible for ensuring the student and staff welfare. Therefore, the University council bears the responsibility of validation, approval, reviewing and monitoring of student and staff welfare activities and processes.

7.1.2. The University council is the main reviewing and monitoring body of the implementation of the policy and progress made on achievement in policy principles.

### **7.2. University Senate**

7.2.1. The Senate is responsible for academic governance. Hence, the University Senate bears the responsibility of validation, approval, reviewing and monitoring of student disclosures, student requests and Reasonable Adjustments made to facilitate differently-abled students.

7.2.2. The Senate is the main reviewing and monitoring body of the implementation of the Policy related to academic matters and progress made on achievement in policy principles.

### **7.3. Internal Quality Assurance Unit (IQAU)**

7.3.1. IQAU is responsible to promote quality assurance culture within the University. A proper mechanism should employ to monitor the progress of activities and

processes related to facilitation of differently-abled student and staff at University level.

#### **7.4. Internal Quality Assurance Cell (IQAC)**

7.4.1. IQAC is responsible to promote quality assurance culture within the Faculty. A proper mechanism should employ to monitor the progress of activities and processes related to facilitation of differently-abled student and staff at Faculty level.

7.4.2. IQAC employs a proper mechanism, to gather information from the staff members and students who wish to disclose about the disability, and, to monitor the progress of the process.

7.4.3. IQAC should have a proper mechanism to monitor outcome of Reasonable Adjustment made, case-by-case basis.

#### **7.5. Academic and non-academic establishment branch**

7.5.1. Academic and non-academic establishment branches promote the disclosure regarding disabilities of staff at the recruitment, appointment or earliest opportunity following the disability.

7.5.2. They ensure the confidentiality of the information given by the staff members.

7.5.3. Establishment branches employ a proper mechanism, to gather information from the staff members who wish to disclose about the disability, and, to guide the employee and administrative staff regarding reasonable adjustments, Time Off for Medical Appointments and Sickness absence.

#### **7.6. Staff Development Centre (SDC)**

7.6.1. SDC is responsible to support the University's goal ensuring that staff have every opportunity to acquire the skills, knowledge and expertise to carry out their duties effectively and to achieve their full potential irrespective of disability status.

7.6.2. SDC should have a mechanism to empower the staff members to deal with the disabilities and carry out their duties effectively.

7.6.3. SDC should train student counsellors, to address the challenges and needs of differently-abled students, to empower the students to deal with the disabilities and carry out their studies effectively, and, to provide guidance on Reasonable Adjustment.

7.6.4. SDC ensures the capacity of academic and administrative officers to address the challenges and needs of differently-abled staff members, to empower them to deal with the disabilities and carry out their duties effectively, and, to provide guidance on Reasonable Adjustment.

### **7.7. Career Guidance and Counselling Unit and Student Service Units**

7.7.1. These Units promote the disclosure regarding disabilities of student at the point of application, entry or earliest opportunity following the disability.

7.7.2. They ensure the confidentiality of the information given by the students.

7.7.3. Units employ a proper mechanism, to gather information from the students who wish to disclose about the disability, and, to guide the student regarding reasonable adjustments.

### **7.8. Student counsellors**

7.8.1. Student counsellors promote the disclosure regarding disabilities of student at the earliest opportunity following the disability.

7.8.2. They ensure the confidentiality of the information given by the students.

7.8.3. Student counsellors empower the students to deal with the disabilities and carry out their studies effectively.

7.8.4. Student counsellors provide guidance regarding reasonable adjustments.

**7.9. Faculty Board, Board of studies, Course/Module coordinators, Heads of the Departments and Assistant registrars**

- 7.9.1. Establishment of a proper mechanism, to gather information from the staff members and students who wish to disclose about the disability, and, to monitor the progress of the process, in different levels accordingly.
- 7.9.2. They ensure the confidentiality of the information given by the staff members and students.
- 7.9.3. Consult other Units and Branches where necessary.
- 7.9.4. Make recommendations on appropriate reasonable adjustments to Senate and/or Council where necessary.
- 7.9.5. Make decisions on reasonable adjustments.

**8. Approval and amendments**

- a. Date Adapted:.....
- b. Date Commenced:.....
- c. Administrator: University Senate and Council
- d. Date of Review:.....
- e. Date Rescinded:.....