



THE WBNUJS POLICY FOR PERSONS WITH DISABILITY, 2022

(Adopted in the Academic Council meeting held on 31.05.2022)

The West Bengal National University of Juridical Sciences (“NUJS”) is committed to providing an accessible, supportive, safe and inclusive learning environment for all Persons with disability or disabled persons. We acknowledge that the lack of accessibility and the means of any inclusion could be an impediment for many motivated and meritorious students of NUJS. At NUJS, we strive to ensure that their Special Ability does not become the reason they are not afforded equal and appropriate opportunities to enter and participate fully in the activities of the University. Institutional inclusivity is one of the most fundamental factors which needs to be addressed in order to ensure accessibility to legal education.

In pursuance of this understanding, NUJS shall strive to provide equal and appropriate opportunities to prospective and current students and faculties to enter and participate fully in the activities of the University.

Section 1: Short Title and Commencement This policy may be called the NUJS Policy for Persons with disability. It shall come into effect once notified by the Vice Chancellor.

Section 2: Scope and Application Scope and application of the policy shall be restricted to the regular University students, faculty members and University staff.

Section 3: Definitions

- a) “barrier” means any factor including communicational, cultural, economic, environmental, institutional, political, social, attitudinal or structural factors which hampers the full and effective participation of Persons with disability or disabled persons in society.

- b) “Disability”, “Persons with disability” and “Special Abilities” means
- i. Total or partial loss of the person’s bodily or mental functions; or
 - ii. Total or partial loss of a part of the body; or
 - iii. The malfunction, malformation or disfigurement of a part of a person’s body; or
 - iv. A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
 - v. A disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and includes a Persons with disability that presently exists or previously existed but no longer exists or may exist in the future or is imputed to a person.
- c) “discrimination” in relation to Persons with disability, means any distinction, exclusion, restriction on the basis of Special Ability which has the purpose or effect of impairing or nullifying there cognition, enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field and includes all forms of discrimination and denial of reasonable accommodation.
- d) “Internal Committee for Persons with disability” will essentially mean a resource unit which shall be constituted by the University to to provide necessary guidance and counselling to Persons with disability.
- e) “Inherent Academic Requirements” mean those skills, capabilities and knowledge that students must be able to demonstrate in order to achieve the essential learning outcomes of the program, while maintaining the academic integrity of that program.
- f) “Persons with disability” means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective

participation in society equally with others; or, any person who self-identifies as Persons with disability. Provided, that the person(s) who are self-identifying themselves as Persons with disability have received the necessary verification from the University's Internal Committee For Students With Special Abilities.

- g) "reasonable accommodation" means necessary and appropriate modification and adjustments, without imposing a disproportionate or undue burden in a particular case, to ensure that persons with disability or disabled persons the enjoyment or exercise of rights equally with others.
- h) "Universal Design" means the designing of facilities and the environment in a manner such that it is usable by all people, to the greatest extent possible, without the need for adaptation or Specialized design.

Section 4: Governing Principles

4.1 Persons with disability will have equitable access and practical support to participate fully in the life of the University, including but not limited to:

- a) access to services and events;
- b) access to buildings and facilities;
- c) receiving information in accessible formats;
- d) receiving a high-quality service from staff;
- e) opportunities to make complaints and provide feedback;
- f) opportunities to participate in public consultation; and
- g) any other opportunity present in the University.

4.2 The University will strive to apply principles of Universal Design in its design of facilities, buildings, curriculum and services depending upon the financial support available to the University.

- 4.3 The University will make reasonable adjustments to teaching learning process and without compromising the academic standards or inherent academic requirements of the course, or giving a student an undue academic advantage.
- 4.4 The University will provide resources and staff development opportunities to assist staff to meet the learning and support needs of PWD/ SAP students, including inclusive teaching and learning strategies such as universal design for instruction and assessment practices.
- 4.5 In order to obtain support and reasonable adjustments, students shall provide documentation from a qualified and relevant health professional regarding their persons with disability or disabled person status, to the University's Internal Committee For Persons with Special Abilities.
- 4.6 Statistical information on enrolment, retention, participation and success rates of PWD/ SAP students will be recorded in order to facilitate planning for the continued development of quality services.
- 4.7 The University will foster positive informed and unprejudiced attitudes towards PWD/ SAP students amongst its staff and students.

Section 5: Confidentiality and Disclosure

The decision of whether or not to disclose a Special Ability and the timing of any disclosure belongs entirely to the individual student. However, if opportunities have been given to disclose a Special Ability and an individual decides not to then the University will not be able to offer them individual support or adjustments.

Whilst the University is working hard to make its services as accessible as possible, if a Special Ability is disclosed to the University, this would allow it to explore opportunities to implement appropriate support. For staff it includes, as appropriate:

- a) reasonable adjustments such as reallocation of duties
- b) altering working hours
- c) changing work location
- d) modify in equipment and consideration of other roles.

For students it includes, as appropriate:

- a) additional time during examinations
- b) consideration of lecture notes in advance in special software, as and when available;
- c) consideration of alternative forms of assessment.

Section 6: Establishment of Internal Committee for Students with Special Abilities

6.1 The Vice Chancellor shall notify the composition of an Internal Committee for Students with Special Abilities as per the UGC Guidelines for Persons with Disabilities Scheme in Universities XII Plan(2012-2017)

The Committee shall discharge the following functions:

- a) Facilitate admission of PWD/ SAP persons in various courses;
- b) Provide guidance and counseling to PWD/ SAP individuals;
- c) Create awareness about the needs of PWD/ SAP persons, and other general issues concerning their learning; and
- d) Assist PWD/ SAP graduates to gain successful employment in the public as well as private sectors. And ensure the proper implementation of the provisions of this Policy. An indicative list of the major functions to be performed by the Internal Committee for Students with Special Abilities is attached in **Schedule I**.

Section 7: Accessibility

In order to enhance and supplement the working of the Internal Committee for Students with Special Abilities, the university shall fulfill the following requirements:

7.1 General Accessibility

- a) The University should be made fully wheelchair accessible, with ramps and elevators provided in all the buildings / public spaces including the auditorium, quadrangle of the main building, and the hostels.
- b) The Girls Hostel, Boys Hostel and the Academic Block should be equipped with wheelchairs.
- c) Suitable and disabled friendly accommodation to be provided to PWD/ SAP students in the hostels upon their request.
- d) Special toilets shall be constructed in the academic block and the hostels for making the university campus disabled friendly.
- e) Accessible seating for candidates or guests shall be made in any function or event organized by the university
- f) Sign language interpreters shall be installed both at Orientation Day and Convocation Day to enhance the accessibility of parents and guardians
- g) Helpers must be provided by the university for the purpose of assisting students belonging to the PWD/ SAP categories inside and outside the Girls and the Boys hostel and the responsibilities of the helpers must be specified.
- h) Locks/ door latches must be installed near the handle of the door rather than at the top. Handles will be installed in rooms and corridors.
- i) The elevator in the Academic Block shall function from 8:00 AM till 10:00PM
- j) At least one room on each floor must be refurbished in a disability-friendly manner with Special facilities for PWD / SAP students, OR Rooms on the ground

floor of both the hostels must be refurbished in a disability-friendly manner with Special facilities for PWD/ SAP students. Provided that no construction shall be done which is not in accordance with the Guidelines on accessibility laid out by the office of the Chief Commissioner of Disabilities, Government of India.

7.2 Examination and Academic Accessibility:

The University will attempt to implement the accessibility

- a) The classrooms should be equipped with microphones and speakers for the benefit of those with hearing impairments.
- b) Examination timings should be suitably modified for PWD/ SAP students as and when required.
- c) The option of having scribes for exams (End Semester and Repeat/ Improvement) and project submissions must be made available to students belonging to the PWD / SAP categories.
- d) The Vice Chancellor may grant a maximum of 6 grace marks are allotted to PWD/ SAP students, in one or more subjects as per the scheme of the examination.
Provided, that this sub-clause will not apply to persons suffering from physical disabilities.
- e) The University shall ensure that while appearing for their end-semester examinations, the PWD/ SAP students shall be entitled to two toilet breaks.
- f) One computer with JAVA Script will be installed in the library.
- g) 'Accessibility Cell' must be constituted by the Internal Committee for Students with Special Abilities to assist PWD/ SAP students. The Cell should have total of five members, one from each batch. The members should assist PWD/SAP students and see effective implementation of this policy.
- h) Extensions lasting up to a maximum of seven days from the initial deadline must be provided by the academic section to PWD/ SAP students.

7.3 Medical Accessibility

- a) Services of a physiotherapist in the university must be made available to PWD/ SAP students.
- b) The University shall provide for a round the clock ambulance service.
- c) The University shall maintain a separate fund for the purpose of addressing any contingencies that may arise in relation to PWD/ SAP students.

Section 8: Implementation Clause

- 8.1 The University shall provide information about building accessibility and support facilities to the students who disclose their Special Ability under Section 5.
- 8.2 Visually impaired students shall be given the option of having readers and scribes end semester examinations and project submissions.
- 8.3 An active role shall be taken by the university authorities to make provisions for PWD/ SAP students in extra-curricular and co-curricular events conducted by various societies and committees in the college.
- 8.4 The University shall frame rules for the students which shall be followed in the process of applying for accommodation of the PWD/ SAP students.
- 8.5 The University will ensure that in all policies, procedures, regulations, functions and activities, consideration is given to reasonable means of enabling PWD/ SAP staff and students' full participation in all aspects of the academic and social life of the institution

Section 9: Action against Discrimination

- 9.1 Discrimination against any member of the University community on the basis of Special Ability is prohibited.
- 9.2 Any act of discrimination against on the basis of Special Ability can be complained against in the Internal Committee for Students with Special Abilities of the University as per the rules mentioned in Section 10.
- 9.3 University policy and the principles of Social Justice will be taken into account while dealing with the grievance.

Section 10: Complaints and Appeals

- 10.1 **Scope:** Any student enrolled in the University, who believes that they have been discriminated against on the basis of Special Ability may seek the assistance of the Internal Committee for Students With Special Abilities through the filing of a disability grievance under this process as mentioned forthwith.
- 10.2 **Grievances Relating to Accommodations:** A student with a grievance relating to a requested accommodation for disability may seek direct review by Internal Committee for Students with Special Abilities under this process.
- 10.3 **Limitation:** Grievances under this policy must be filed within 90 days of the alleged act of discrimination. The University may extend this time frame where a delay is due to circumstances beyond a student's control such as illness or incapacity.

Procedure: The grievance shall be in the form of a written complaint addressed to Internal Committee. A clear and concise statement of the problem or issues to be reviewed and a summary of steps taken, if any, by the student to resolve the problem or issues prior to the filing.

10.4 Committee for Students with Special Abilities. The grievance should include the following a clear and concise statement of the problem or issues to be reviewed and a summary of steps taken, if any, by the student to resolve the problem or issues prior to the filing.

a) A reasonably detailed description of the relevant facts, including the student's alleged Special Ability, names of persons with information, and a description or copies of relevant documents or other evidence relevant to the grievance.

b) The name, contact information and signature of the person initiating the complaint. Electronic signatures are acceptable. In response to a grievance, Internal Committee for Students with Special Abilities may take some or all of the following steps as per its discretion:

- i. Meeting in person with the student;
- ii. Requesting additional relevant medical documentation or an independent medical evaluation on the request for accommodation and,
- iii. Gathering other information by initiating a fact-finding process.
- iv. If Internal Committee for Students with Special Abilities determines that a fact- finding process is required, the student grievant will be so informed.
- v. The Internal Committee for Students with Special Abilities will interview the student grievant and other fact witnesses as necessary, and will review documents and other evidence.
- vi. At the conclusion of the fact-finding process a report of findings will be prepared and the grievant will be provided with findings and a summary of conclusions or recommendations made.
- vii. The Internal Committee for Students with Special Abilities may request that an accommodation be provided on a provisional basis pending the conclusion of this fact-finding process.

- viii. Best efforts will be made to complete the investigation with written results within 45 University working days of receipt of the complaint. The timeline may be extended, if there are circumstances that affect the University's ability to reach fact witnesses and to review documents (e.g., semester breaks, the availability of parties within formation).

10.5 Confidentiality: The University will strive to maintain the confidentiality of information shared throughout the grievance process. However, disclosures may be required for the purpose of fact-finding or efforts to resolve the grievance. In the limited instances where disclosures must be made, disclosures will be limited to those persons necessary to proceed in the fact- finding process or to otherwise address the grievance.

10.6 Prohibition Against Retaliation: Consistent with applicable law, The University prohibits retaliation against any person who requests accommodation, files a grievance alleging Special Abilities discrimination or participates in the grievance process. Any concerns about retaliation related to this process should be disclosed immediately to the Internal Committee For Students With Special Abilities.

Section 11: Rule Making and Amendment

The Internal Committee for Students with Special Abilities constituted under Section 6 may suggest changes to this policy from time to time, in consultation with the Vice Chancellor.

SCHEDULE I.

The major functions of the Internal Committee for Students with Special Abilities will be as follows: -

- a) To provide counselling to PWD/ SAP students on the types of courses they could study at the higher education institutions.
- b) To ensure admission of as many PWD/ SAP students as possible through the open quota and also through the reservation meant for them.
- c) To gather orders dealing with fee concessions, examination procedures, reservation policies, etc., pertaining to PWD/ SAP students.
- d) To assess the educational needs of PWD/ SAP students enrolled in the higher education institutes to determine the types of assistive devices to be procured.
- e) To conduct awareness programmes for teachers of the institute about the approaches to teaching, evaluation procedures, etc, which they should address in the case of PWD/ SAP students.
- f) To study the aptitude of PWD/ SAP students and assist them in getting appropriate employment when desired by them after their studies.
- g) To celebrate important days pertaining to Special Ability such as the World Disability Day, White Cane Day, etc., in the institute and also in the neighbourhood in order to create awareness about the capabilities of PWD/ SAP students.
- h) To ensure maintenance of Special assistive devices procured by the higher education institute under the HEPSN scheme and encourage PWD/ SAP students to use them for enriching their learning experiences.
- i) To prepare annual reports with case histories of PWD/ SAP persons who are benefited by the HEPSN scheme sanctioned to the higher education institute. An expert team appointed by the University Grants Commission will carry out evaluation of the functioning of the Internal Committee for Students with Special Abilities from time-to-time to enrich their services to PWD/ SAP students.