

UNIVERSITY OF SHKODRA
“LUIGJ GURAKUQI”



PROCESSES AND PROCEDURES
FOR THE ESTABLISHMENT
OF ACCESSIBILITY UNIT
(Draft)

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1. LEGAL BASIS

This document is based on the legal acts below:

The United Nations Convention on the Rights of Persons with Disabilities (Ratified by Law no. 108/ 2012).

Law no. 93/2014 “On the inclusion and accessibility of persons with disabilities”.

Law no.10 221/2010 “On the protection from discrimination”.

Law no. 9887/2008 “On the Protection of the Personal Data (Amended 2012, 2014)”.

Law No. 80/2015 “On Higher Education and Scientific Research in the Higher Education Institutions in the Republic of Albania”.

Statute of the University of Shkodra "Luigj Gurakuqi", approved by Order 366, dated 5.07.2018 of the Minister of Education, Sports and Youth.

2. PURPOSE

University of Shkodra “Luigj Gurakuqi” is committed to ensure that all students with disabilities receive education in a supportive environment that values diversity, inclusion, and participation. All units will use inclusive practices and reasonable accommodation to carry out changes in procedures or environments to remove any disabling effects or barriers to participation.

3. APPLICATION

University of Shkodra “Luigj Gurakuqi” will ensure that in all its policies, procedures, functions and activities consideration is given to the means of enabling disabled students’ full participation in all aspects of the academic and social life of the institution.

4. DEFINITIONS

- a. *Persons with disabilities* are individuals who have long-term physical, mental, intellectual or sensory impairments, impairments which, in interaction with various barriers, including environmental and residence barriers, may impede the full and effective participation of such persons, in society, on equal terms with others.
- b. *Reasonable accommodation* is the necessary and appropriate modification and adjustments, when necessary, without placing an excessive burden, to guarantee to persons with disabilities the enjoyment or exercise, on equal terms with others, of all rights and fundamental human freedoms.
- c. *Accessibility* is the removal of barriers of all kinds.
- d. *Denial of a reasonable accommodation* is that form of discrimination that happens whenever there is a denial of or objection to making essential and appropriate regulations or changes that are necessary in a particular case and do not impose an excessive burden, for the purpose of assuring the enjoyment and exercise, on an equal basis, of the fundamental rights and freedoms for persons with a disability.

5. PRINCIPLE

- a) This regulation is based on the social model of disability, which considered that disability is caused not by individual impairments but by the way in which society organizes itself.
- b) This regulation applies to all disabled students without discrimination based on any protected grounds (including nationality, fee status or residence) and in any form of discrimination (including the denial of the reasonable accommodation, victimization and harassment) provided by the legislation for protection from discrimination in force.
- c) The University is committed to review the programs and regulations that enable the adaptation of these programs in order to increase the accessibility of students with disabilities in these study programs.
- d) University of Shkodra will ensure that the requirements of disabled students' are considered during program validation and that appropriate amendments are made.
- e) Students with disabilities have the right to request the appropriate and necessary adjustments in cases of the denial of the reasonable accommodation or the review of implemented adjustments if such adjustments are not proving to be effective in meeting their entitlements.

6. DISCLOSURE AND CONFIDENTIALITY

The University will manage the process of information sharing and will treat all personal data in accordance with the Law on Personal Data Protection Nr. 9887, dated 10.3.2008, as amended. Access to disability-related information will be provided to third parties only under necessary conditions, or in cases when reasonable adjustments must be implemented, after taking the written consent of the concerned student.

7. MECHANISMS

Accessibility process management is realized by:

- a) *University, Faculty and staff*, which in compliance with the regulations in force, guarantee accessibility, at all levels, in order to facilitate the full participation of students with disabilities in the university life.
- b) *The Unit of Accessibility*, which is responsible for the integration of students with disabilities and the proper conduct of the teaching process.

8. RIGHTS AND RESPONSIBILITIES OF THE UNIVERSITY, FACULTY AND STAFF

In accordance with their competencies and responsibilities set out by the legislation for the higher education, the university, faculty and staff:

- a) Ensure the accessibility of premises and places of study and life (classrooms, libraries, laboratories and other facilities) for the students with disabilities;

- b) Set academic and program standards.
- c) Determine the conditions under which an exam is to be administered
- d) Promote the raising of awareness at the institutional level by providing information to the academic, assisting academic and administrative staff members on the available teaching facilities and resources that can be used for students with disabilities;
- e) Ensure the collaboration with specialized staff or specialized centers through the signing of cooperation agreements or memoranda of understanding;
- f) Check the needs of students with disabilities and within the limit of available resources, identifies technological aids, both hardware and software, to be available for free use;
- g) Promote awareness-raising actions outside university structures with initiatives such as, for example, study awards for the best papers on the disability problems of students, conferences on specific issues, organization of the International Day of people with disabilities, etc.

9. RIGHTS AND RESPONSIBILITIES OF THE UNIT

The Unit has the rights and responsibility as follow:

- a) Identifies and formulates proposals on initiatives to be activated on the basis of the data related to students with disabilities enrolled at the University for each academic year;
- b) Guarantees the right of study for students with disabilities through the provision of services and aids necessary to overcome the barriers imposed by the different types of disabilities and the adoption of dispensatory or compensatory measures in cases of learning disabilities;
- c) Informs about the available services and supporting materials for students with disabilities to make them effective and accessible by the interested parties;
- d) Customizes, as far as possible, the service offered by the University through the possibility - on request by interested parties - to adapt schedules and evaluation methods in the exams pursuant to the Law 80/2015 “On Higher Education and Scientific Research in the Higher Education Institutions in the Republic of Albania” and the Law 93/2014 “On the Inclusion and Accessibility of Disabled Persons”;
- e) Organizes awareness raising actions within the respective academic, assisting academic and administrative staff members.

10. RIGHTS AND RESPONSIBILITIES OF STUDENTS

The student with disability has:

- a) The right to equal access to courses, programs, services, activities, and facilities offered throughout the University.
- b) The right to equal opportunity to learn, and to receive reasonable accommodations, academic adjustments, and/or auxiliary aids and services.
- c) The right to appropriate confidentiality of all information regarding their disability.
- d) The right to meet qualifications and maintain the essential University standard for courses, programs, services and activities.
- e) The responsibility to provide the necessary information and documentation in accordance with the current legislation for the disability, in order to benefit from services offered to the students with disabilities.
- f) Act and behave according to the rules and regulations of the university.

11. PROCEDURES

Career counseling office represents the welcome point which provides information and services for all the students with disabilities. The office is responsible for the investigation and procedural fulfilments regarding the related problems and carries out any other function connected to the services offered to them by closely cooperating with the respective Department and other concerned units.

12. GRIEVANCE PROCEDURE

- a) Students with disabilities who believe that they have been discriminated against due to disability may request the restoration of their right, according to the procedures provided by Law 10221 "On protection from discrimination":
- b) Complaint to the Head of the Educational Institution
Complaint to the Commissioner for Protection from Discrimination
Lawsuit in court, which is not conditioned by the exhaustion of the administrative route of appeal.
In considering a complaint on discrimination, when a student with a disability presents facts on which he / she bases the allegation of discriminatory behavior and on the basis of which it can be presumed that there has been discrimination, the University is obliged to prove that the facts do not constitute discrimination.