

## Guidelines for students with disabilities

### PREMESSA

*The right that students have to an education cannot be impeded by learning difficulties or by other difficulties deriving from disabilities (Law 104/1992 article 12).*

Currently there is no legislation addressed to Afam Institutions (Higher Education in Art, Music and Dance).

Therefore the following guidelines reflect the procedures followed by Italian Universities, taking into account the legislation in force and common sense.

### MAIN REFERENCES TO THE LEGISLATION

- Law of the 5th of February 1992, n. 104: "Framework law for assistance, social integration and rights of people with disabilities".
- Law of the 28th of January 1999, n. 17: "Integration and amendment to the framework law of the 5th of February 1992, n. 104, for the assistance, social integration and rights of people with disabilities".
- Law of the 9th of January 2004, n. 4: "Provisions to help people with disabilities access IT tools".
- Law of the 3rd of March 2009, n. 18: "Ratification and implementation of the United Nations Convention on the Rights of Persons with Disabilities, with optional Protocol, drawn up in New York on the 13th of December 2006 and establishment of the National Observatory of the conditions of people with disabilities".
- CNUDD Guidelines - National University Conference of Delegates for Disability 2014.

The right to an education and the right to study of students with disabilities is guaranteed by law 104/1992: "Framework law for assistance, social integration and rights of people with disabilities".

Law 17/1999 integrates law 104, introducing specific references in relation to the activities that Italian Universities must put in place to support the integration of students with disabilities during their studies.

Law 17/1999 requires each University to select a delegated teacher that must "coordinate, monitor and support all initiatives that concern integration within the University". If a teacher is not selected, this role is entrusted to the Director. The University must also organize administrative support under the name of "Disability and Specific learning disabilities Services", coordinated by the delegate. Each University must provide specific services: specialized tutoring services; teaching and technical aids; personalised support during exams and tests.

Similar guidelines are contained in the UN Convention on the Rights of Persons with Disabilities (2006), ratified by Italy with Law 18/2009: "State Parties recognize the right of persons with disabilities to an education. In order to attain this right without discrimination and on an equal opportunity basis, State Parties will ensure that the education system foresees their integration during all educational stages [...].

In establishing this right, State Parties must ensure that: reasonable accommodation (reasonable adjustment) is provided to meet each student's needs; people with disabilities receive the necessary support within the general education system, in order to facilitate their education; effective personalised support measures are provided in environments that optimize the educational curriculum and socialization, so to achieve full integration. [...]

State Parties will make sure that people with disabilities have access to general post-secondary education, vocational training, adult education and lifelong learning without discrimination and on the basis of equal opportunities.

#### DEFINITION AND LANGUAGE

People with a temporary or permanent physical, psychological or sensory disability, recognized by the competent bodies of the National Health Service, are referred to as disabled. By signing up for the Services for students with disabilities (Disability Services), students with disabilities are guaranteed personalised support during their studies and outgoing guidance.

Full consideration is given to the language used. The wording "handicapped or handicapped students", present in law 104/1992, has been replaced by the appropriate expressions **disabled students**, or even better, **students with disabilities**. The expression "differently able people" is to be avoided.

It is correct to speak of students with motor disabilities, students with psychological disabilities and; when speaking of students with sensory disabilities, deaf, blind or visually impaired terms should be preferred. These expressions, in addition to being provided for by the laws, replace the denial definitions (non-hearing, non-seeing) that are not recognized as correct by the scientific community or by the people involved.

#### IMPLEMENTATION PRINCIPLES

Students are responsible for making their needs known both to the Executive Office or the Students Office and to the teacher of the courses they must attend. Failure to communicate this information relieves the University of any responsibility and regulatory requirement. In order to facilitate the planning and organizing process to meet the needs of each student with disabilities, the student should provide upon enrolment the information related to his/her disability, thus giving the University the possibility to determine a "reasonable accommodation" in the shortest amount of time.

The teacher should invite students with disabilities to report any difficulties they may encounter during the course. For this purpose, the University has created a specific form to be filled in online that represents a self-certification used while waiting for the official documents to be provided to the Executive Office or to the Students Office. The teacher should insert the following invitation in the program of his/her course: "*Any student who*

*believes that he/she needs a particular service due to the impact of his/her disability on his/her educational inclusion is invited to contact the delegated teacher to discuss any specific needs. Students with documented disabilities should also contact the Disability and Special learning disabilities Office to organize special services or aids. Absolute confidentiality regarding information and personal data is guaranteed. "*

If a student does not ask for special services or aids, nobody should feel obliged to provide him/her with special academic assistance. Students with disabilities can choose not to benefit from the services offered to them. The services are not provided to students who do not submit adequate medical documentation to the Disability Service. The services may vary for each student depending on his/her disability, which can cause different functional limitations. Compensation skills and strategies vary from one student to another, just as the teaching methods vary from teacher to teacher. It is therefore necessary that the delegated teacher and the student discuss his/her specific needs. It should not be forgotten that students with documented disabilities have the right to services and aids.

## SERVICES AND SPECIFIC TOOLS FOR EDUCATION

Students with disabilities are guaranteed specific technical and educational aids [...], as well as the support of specific personalised tutoring services (art. 16 paragraph 3 bis of Law 17/1999).

Law 17/1999 also provides for "the support of specific specialized tutoring services" to, as reaffirmed by the CNUDD Guidelines (National University Conference for Disability Delegates), "increase the student's autonomy, integration in the University, foster his/her participation in the educational process, improve the learning context and prepare targeted interventions according to the student's personal condition and educational needs, also to create an inclusive environment".

To help achieve these objectives, the University avails itself of the collaboration of specially trained students (peer tutors), professionals (specialized tutors, Italian sign language interpreters, psychological counsellors, communication assistants).

The **peer tutor**, who has been awarded a collaboration grant, is a student who supports the student with disabilities during the lessons and self-studying, to eliminate or reduce the obstacles encountered during his/her chosen studies. Depending on the specific case, the tutor carries out the following activities:

- accompanies the students to classes;
- takes notes;
- transcribes the recordings;
- gathers bibliographic material;
- provides study support;
- reads texts and teaching materials;
- accompanies the student to the library and to meetings with teachers;
- provides information and help in drafting the student's study plan and during the admission tests.

The **specialized tutor** promotes the educational success of students with disabilities through personalized support during their studies. The role of the specialized tutor is a role which is fundamental to identify the supports and services which the student with disabilities will may avail himself/herself of, and to provide methodological and psycho-pedagogical solutions. The personalised plan is agreed with the student through one or more meetings, may vary according to the student's needs and takes into account the changes that may occur during the student's studies.

- The student is supported during the orientation phase, the admission tests, lessons, studying, whenever there are organizational and methodological difficulties, during the exams and, in the final phase of the course, when writing his/her thesis and during the job orientation phase.
- The specialized tutor organizes and monitors the activities of the peer tutors and the Italian sign language interpreters, on the basis of requests received by the students. The specialized tutor also supports the student in completing bureaucratic procedures related to the course selected and in the provision and introduction to the use of software and multimedia study materials.

The **Italian Sign Language (LIS) interpreter** is a professional who works in the field of communication by translating lectures, exams, thesis and meetings with teachers for deaf students from spoken Italian or from the language used in the class to LIS and the other way around. The interpreter's task is to transmit the same concepts expressed in the original text in the target language. By doing so, the interpreter favours communication while always remaining neutral. The teacher will carry out his/her lesson while respecting the breaks that guarantee the optimal performance of the interpreter's work (at least ten minutes every hour).

The **communication assistant** is a professional provided for by law 104/1992 that supports students with communication and / or language impairments, resulting from disabilities.

The **compensatory technological tools** (hardware and software) allow the person with disabilities to acquire greater autonomy in carrying out his/her activities and improve his/her learning opportunities. Among these tools, that are useful for the lessons and/or for self-studying, the University is obliged to guarantee:

speech software;

- speech recognition software;
- voice user interface;
- word prediction software programs;
- extended keyboards;
- video magnifier;
- text recordings in MP3 or WMA formats;
- scanning texts to create txt documents;
- digital texts;
- multimedia / multifunctional tables arranged in specific locations in libraries and socialization spaces.

Some of these services, such as the peer tutoring, the specialized tutor and the compensatory technological tools are provided by RUFA for free. Others, such as the LIS (Italian Sign Language) interpreter and the communication assistant, may become available if requested by the student. If so, RUFA will contribute to 50% of the administrative costs of the professionals (and in any case, for a maximum of € 2,000.00) by applying a discount on the enrolment fee.

### **PERSONALISED SUPPORT FOR EXAMS AND TESTS**

Students with disabilities have the right to meet each of their teachers in private so to be able to discuss the problems derived from their disability. By doing so their right to privacy must be assured according to the laws in force. All news related to the disability must be treated as confidential medical information. If there are particular requests or problems, the teacher should draft a written request or a series of written comments to be issued to the student and sent to the Disability Service.

Students with disabilities must have access to the course materials and information presented in the classroom at the same time as all the other students. Regarding this particular aspect, teachers play a key role in ensuring that the teaching materials are available, if necessary, in an alternative forms and in a timely manner. Converting printed material into alternative forms, such as braille, digital audio/video files, enlargements or other support systems, is a complex and time-consuming job. Therefore it is important that the Disability Service is informed about the textbooks and hand-outs that the teacher intends to use during the course.

Students with disabilities can use the aids they need when sitting their educational performance tests and exams. They may use specific technical tools related to their type of disability or they may benefit of alternative testing processes proposed by the specialized tutoring service (art. 16 paragraphs 4 and 5 of law 104/1992).

The teacher can adapt the evaluation methods, while keeping the knowledge verification objectives the same. Thanks to the support of the Students Office/ Executive Office it is possible to find the most suitable solution for each case:

- to carry out a test through an alternative testing process (oral instead of written);
- to divide the test into several parts to be carried out in subsequent moments;
- to give the students additional time (up to a maximum of 30% more than usual);
- to carry out a quantitative (and not qualitative) reduction of the test;
- to take advantage of the support provided by the professionals in relation to the type of disability (LIS interpreter, communication assistant or other);
- to use aids and technical tools or to take advantage of the presence of a tutor to provide support for the specific type of disability;
- provide the students with facilitated and appropriate access to notes taken in the class.

## **PERSONAL DATA PROCESSING**

The processing of data, acquired through any means, must comply with the data protection law (Legislative Decree of the 30th June 2003 n.196 - personal data protection code and the European regulation 679/2016 of April 27, 2016 - GDPR). The processing of personal data allows for the institutional functions of the University to be carried out. To perform the institutional functions, the University, represented by the person who is responsible for the procedure, processes personal data without the need to ask the interested party for his/her consent.

Data related to disability are classified as "sensitive" information and must be collected and recorded only for institutional purposes, they must be relevant and not exceed the purposes for which they are processed. A very recurring example is the communication to the teacher made by the Students Office/ Executive Office of the student with disabilities, based on his/her certification. The indication is relevant and complete, while it would be excessive to indicate his/her diagnosis.

To take advantage of the services offered, the student with disabilities, in addition to declaring himself/herself as a disabled student and signing up for the Disability Services, is required to transmit an invalidity certificate and / or disability certificate equal to or greater than 66%, in accordance with law 104/1992.

The Privacy Guarantor has intervened several times in the protection of data regarding the state of health and various aspects concerning the processing of information of people with disabilities. It is illegitimate to indicate publicly (for example by posting rankings or lists) the wording handicap or disability next to the names of the students.