



Persons with Disabilities Policy and Procedure (Adults with Special Needs Policy and Procedure)

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This is the new Policy and Procedures of Brac University.

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1. Introduction

BRAC University is committed to provide an equal opportunity to everyone related to the university. The rights of adults with special needs will be protected on an equal basis with others, including the right to just, favorable and accessible services and to equal opportunities and equal remuneration for education and service provision of equal value. This also encompasses safe and healthy work environment, including protection from harassment and the redress of grievances. BRAC University is committed to admit, employ, retain and develop students and employees (adults) with special needs, at all levels of responsibility, and across all areas of campus and workplace, where it is possible through reasonable accommodation. BRAC University will continue to strive for the betterment of all its manpower in all Institutes and Schools, Departments, Courses, Programs including regular, permanent, temporary, contractual, trainee (apprentices & interns), consultants, visitors etc. with targeted initiatives for persons with special needs, and address any concerns they may have through the complaints processes.

BRAC University has safeguarded its people in the first place, by making their safety a primary consideration already, at the level of the design of programs and enterprises. The prevention of sexual harassment, intimidation, violence, bullying, humiliation and discrimination, neglect and exploitation, is as far as possible, built into the classroom/ work practices by itself. If the design and its implementation cannot reduce risks sufficiently, BRAC University has installed secondary safeguarding mechanisms, like selecting and training of personnel, supervising and monitoring activities, reporting channels, investigations and punishments. The safeguarding policy also described BRAC University's ethos and prevention practice in general.

This BRAC University Adults with Special Needs policy and Procedure is a description of how this university deals with situations, where (despite all its efforts) incidents of humiliation, discrimination, and/or sexual harassment still do take place.

2. Scope of Policy

This policy should be read and interpreted, in line with the overarching Safeguarding Policy. The objective of this policy is to promote and ensure equal opportunities for persons with special needs. The complaint process outlined in this policy will also be followed, in the event that persons

with special needs face behaviors, which are intimidating, threatening, bullying, humiliating, discriminatory, neglect, exploitation that needs to be addressed.

This policy applies to all students, faculties, management, staffs etc. including regular, contractual, project, service, trainee (including apprentices & interns), volunteers, temporary staffs and non-graded staffs and programme participants of BRAC University.

3. Definitions

Disability Rights: By ratifying the United Nations Convention on the Rights of Persons with Disabilities, Bangladesh activated the national law on disability, Disabilities' Rights and Protection, Act 2013. According to the Constitution of Bangladesh, all citizens of the country have the right to enjoy their dignity, fundamental human rights, and have social equality.

Special Needs: Particular supports or requirements, resulting from different types of disabilities, like-physical disability, hearing and speech disabilities, visual disabilities including low vision, neuro-disorder & intellectual disabilities, learning difficulties or emotional and behavioral difficulties.

Reasonable Accommodation: A reasonable accommodation is assistance or changes to a position or workplace, that will enable an individual with a disability to do his or her job. The university has a duty to make reasonable efforts, to modify the job requirements, or put supports in place for accessibility, so the person can perform the job with suitability within their disability.

Undue Hardship: The global standard of providing reasonable accommodation to an individual is until the point of undue hardship for the employer. The threshold of undue hardship depends on national jurisprudence. Currently, the majority accepted threshold of undue hardship is, if the accommodation would be a heavy financial or administrative burden on the institution.

Discrimination: With regards to disability, refers to any act that prevents persons with disabilities to get fair treatment, enjoy rights, and have access to opportunities open to others.

Consultation: Determining a reasonable accommodation for a person with special needs, should be done in consultation with the person directly. The particulars of their needs should be taken from the individual directly, and not a standard general approach should not be used.

Individualized: When determining accommodations or supports for persons with special needs, a “one size fits all” approach cannot be used. Any accommodation plan has to be specialized to the requesting individual’s needs.

4. Employment Equity

Adults with special needs will not be discriminated against at any point in the employment cycle. This includes all matters related to recruitment, selection, appointment, career guidance and development, learning opportunities, performance evaluations, promotions, transfers, retention in employment, and return to work. BRAC University has developed standard practices/guidelines for candidates with special needs, to follow during recruitment:

- When advertising, appropriate language will be used that is neutral and positive and conveys accurately, that BRACU is inclusive and accommodating of disabilities.
- Statements in adverts, such as, "we encourage persons with disabilities" or “we recruit persons with disabilities on their abilities” will be used. This wording indicates the recruitment process is inclusive in nature.
- BRACU will ensure that the methods by which it advertises are accessible to candidates with different disabilities, and that multiple sources and selection networks are used.
- BRACU will network with Disabled Persons' Organizations (DPOs), other academic institutions.
- BRACU will host and participate in employment events, such as disability career expos, recruitment and trade fairs, as well as disability conferences and exhibitions.
- A candidate's disability should not be used as a basis to determine suitability for the job. The focus will be on the competencies, required to meet the job demands, i.e. on inherent requirements and essential functions when shortlisting. The focus should be on what the candidate can do.
- As a standard procedure, BRACU will inquire as to whether any reasonable accommodation or special need, requires to be addressed during the interview process.

This information should be sought from all candidates, regardless of whether a candidate has disclosed a disability or not.

- The entire process must accommodate any needs, in consultation with the applicant with the disability (e.g. parking, building entry and exit, interview room, attitude of support staff, toilet facilities, waiting area, access to information, site tours, assessments etc.
- Interview questions should be consistent, and ask the same questions to candidates with and without disabilities. Questions should be related to the job, and represent valid employment issues.
- It is within BRACU right to ask questions about the disability, if it relates to the job e.g. the impact of the disability on carrying out the function.
- All forms of assessments used to test competency and work performance will be applied fairly to applicants with disabilities, with due cognizance to reasonable accommodation needs, and fairness in the test identification, administration, and interpretation.
- Should the results of the functional assessment demonstrate that the candidate can successfully meet the inherent requirements of the job, and that the accommodations are “reasonable” with no “hardship” incurred by BRACU, then the job offer should be finalized.

5. Reasonable Accommodation in the Workplace

An employer has a duty to make modifications to the workplace or the specific job role, if it is reasonable to do so, and would not be undue hardship on the organization for doing it. Examples of reasonable some accommodations are:

Physical changes should be made, by modifying and altering the layout of a workspace, to accommodate for disabled employees. Then, employers should ensure that computer software is accessible for disabled persons, with accessible and assistive technologies, that will be easy for them to use. This can be color refreshable Braille display, colour coded keyboards etc. Even screen reader software can be provided, and also using videophones, to facilitate communications with colleagues who are deaf. Furthermore, sign language interpreters at meetings and events can be, provided, as well as making materials available in Braille or large print, for blind colleagues.

6. Reporting and Response

Additional measures that will be implemented in Special Needs complaints are:

Office of the Proctor

- Intake/initial complaint handling: The victim/survivor need not lodge the complaint. The complaint may be lodged through his or her guardian or other person of trust.
- It is not necessary that the victim/survivor must communicate directly to the person lodging the complaint. If the complainant has witnessed, or come to know of a child or adolescent being faced with an incident, a complaint can be lodged.
- When interviewing or communicating with Victims / Survivors, the BRACU Guidelines should be followed.
- Due diligence needs to be taken during interviews, with special consideration to the issues such as; if the victim/survivor requires any accommodations to attend/participate in the investigation, if the perpetrator is in a position of authority, if the abuse is still ongoing and with reasonable accommodations in place, gather as many details as possible without forcing them to “re-live” the experience.
- At any time of the investigation/Inquiry process, if it is felt that the victim/survivor is at risk, steps shall immediately be taken to ensure their safety.

A Report related to discrimination or harassment based on a person's disability can be made by a victim, peers, supervisors or witnesses using the methods below:

Complaints are received through letters, phone calls and emails. Report can be lodged immediately through any of the following ways:

Complaints or allegations can be made directly to the SHBREC, Proctor's Office, Counsellor, Persons of Trust (PoT).

- **Direct Complaint:** Complaints can be lodged through letters, phone calls, and emails immediately through the following ways:
- **Calls:** Anyone can call to lodge a complaint 24/7 through the helpline number **+8801729071209** or **+8809617445235**
- **Emails:** Complaint can be lodged directly to the Proctor's Office in person or in writing (proctor@bracu.ac.bd).
- Complaints can also be lodged directly to SHBREC administration in writing [shbrec@bracu.ac.bd (proposed)] or in person to [SHBREC Administrator (Senior Officer-SHBREC) (yet to be appointed)].
- The incidents involve students and staff, complaint can also be lodged indirectly to Persons of Trust (PoT)/Student Counsellor/Proctor's Office/HRD.
- **Indirect Complaint:** Those which are initiated on behalf of the survivors. If the survivors feel uncomfortable, he/she can inform the immediate supervisor for further actions.

If the survivors complain via their line management, the manager will send the complaint to the Person of Trust (POT), Proctor's Office, SHBREC Senior Officer, who are responsible for reviewing the complaint, and deciding whether it warrants inquiry. If so, they will refer to the Head SHBREC for Inquiry.

7. Training and Awareness

- Orientation about current Adults with Special Needs policy, during every employees onboarding
- BRACU Human Resource Division (HRD)/Registrar Office will develop Reasonable Accommodation guidelines
- Create campaigns/event calendar to support, create awareness among staffs and stakeholders on regular basis with support of digital platforms

8. Confidentiality

In accordance with medical and other norms of confidentiality, BRACU will respect the confidentiality of any information, provided by a staff member or job applicant, relating to the individual's special need.

9. Review of Policy and Procedure

The policy will be reviewed at a minimum of every 2 years or when it is shown necessary that additional issues need to be identified and addressed, such as with a significant change in context or program or change to legislation.