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MINISTRY OF EDUCATION, SCIENCE AND TECHNOLOGY
MOSHI CO-OPERATIVE UNIVERSITY (MoCU)
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SPECIAL NEEDS POLICY AND GUIDELINES, 2023

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TABLE OF CONTENTS

ABBREVIATIONS AND ACRONYMS	iii
INTERPRETATION OF KEY TERMS	iv
FOREWORD	v
PART I.....	1
INTRODUCTION.....	1
1.1 Background.....	1
1.2 Situation analysis	3
1.3 Rationale	4
1.4 Policy Objectives.....	5
1.5 Scope of the Policy	5
1.6 Guiding Principles	6
PART II	6
POLICY ISSUES, STATEMENTS AND STRATEGIES	6
2.1 Enrolment, Recruitment and Retention	6
2.2 Learning and Working Environment	7
2.3 Research and Consultancy	8
2.4 Guidance and Counselling	9
2.5 Disclosure and Confidentiality	10
2.6 Stigmatisation and Discrimination	10
PART III	11
POLICY IMPLEMENTATION AND COMPLIANCE	11
3.1 Implementation	11
3.2 Overall Responsibility on Implementation	11
3.3 Role of Faculties/Directorates/Institutes/Departments	12
3.4. University Staff.....	12
3.5 Students and Other Stakeholders	12
PART IV.....	13
MISCELLANEOUS PROVISIONS	13
4.1 Monitoring and Evaluation.....	13
4.2 Conflict of Interest	13
PART V.....	14
POLICY GUIDELINES	14
5.1 Purpose.....	14
5.2 Implementation Principles.....	14
5.3 Special Needs Disclosure and Identification	14
5.4 Handling of Special Needs	15
5.4.1 Documenting Information Received	15
5.4.2 Register of Persons with Special Needs	15
5.4.3 Confidentiality	15
5.4.4 Case Handling and Feedback Provision	15

5.4.5 Capacity Building and Awareness Creation.....	16
5.4.6 Offences and Penalties	16

ABBREVIATIONS AND ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
ARI	African Rehabilitation Institute
FCS	Foundation for Civil Society
HIV	Human Immunodeficiency Virus
MoCU	Moshi Co-operative University
MUCCoBS	Moshi University College of Co-operative and Business Studies
NDMS	National Disability Mainstreaming Strategy
PEDP	Primary Education Development Program
PWDs	People with Disabilities
SDG	Sustainable Development Goal
SDGs	Sustainable Development Goals
SN	Special Needs
SUA	Sokoine University of Agriculture
TCU	Tanzania Commission for Universities
THDRC	Tanzania Human Rights Defenders Coalition
UN	United Nation Convention on the Rights of Persons with Disabilities
UN	United Nations
UNCEDAW	United Nation Convention on the Elimination of all Forms of Discrimination Against Women
WHO	World Health Organization

INTERPRETATION OF KEY TERMS

“Applicant” means a person applying for enrolment and/or recruitment at the University.

“Consultancy” has the meaning ascribed to it by the University Consultancy Policy and Guidelines

“Guidance and Counselling” shall have the same meaning ascribed to them by the University Guidance and Counselling Policy

“Learning environment” means all processes, activities and facilities aiming at facilitating dissemination and acquisition of knowledge, skills and competences

“Other persons” means persons in the University premises other than visitors and service providers

“Preference” means positive discrimination for equally qualified persons with special needs

“Research” has the meaning ascribed to it by the University Research Policy

“Service provider” mean a person in the University premises for official business

“Special needs” means any of various difficulties (such as a physical, emotional, behavioural, health, or learning disability or impairment) that causes an individual to require additional or specialized services or accommodations (such as in education or recreation).

“Staff” means any person who is employed by the University on permanent or temporal basis including volunteers, visiting lecturers, researchers, and on contract

“Student” means a person registered at the University for a specified programme of study.

“The Policy” means the Special Needs Policy

“University community” means University staff, students and service provider

“University” means Moshi Co-operative University (MoCU).

“Visitors” means any person in the University premises for non-official capacity

“Working environment” means all settings, social features and facilities aiming at facilitating smooth job performance

FOREWORD

This Policy is set to ensure persons with special needs are recognised and protected at the University. The Policy acts as a basis of University's commitment towards ensuring appropriate opportunities for persons with special needs and creating a conducive environment which enables them to fully and successfully participate in the University life. The University acknowledge the value of every individual and is therefore committed to ensuring full participation of all persons in educational endeavours. To this effect, the University is committed to ensuring access to appropriate facilities in working and a learning environment by persons with special needs. Persons with special needs are an integral part of the University community under this Policy. The Policy, among other things, addresses both equity and equality issues in accessing resources, opportunities, and equal rewards for equal work. It is a prerequisite for sustainable development, a benchmark for institutional advancement and key to problem solving. Therefore, the University has taken various measures to create special needs responsive learning and working environment. Incognisance of increasing cases of special needs, their sensitive nature, the University will continue to take deliberate measures in collaboration with other relevant actors to implement the Policy. The University expects that the Policy will be successfully implemented and bear positive results. The Policy is a product of contributions from various stakeholders of the University. It is therefore, expected that the stakeholders shall also fully participate in its implementation.

Prof. Alfred S. Sife

Vice Chancellor

PART I

INTRODUCTION

1.1 Background

Historically, people with special needs have been facing hardship when it comes to exercising their human and peoples' rights. Issues range from being denied appropriate education, housing, transportation, medical care, social security amongst many. They face many challenges including obtaining quality education, training and general life support; health care (quality of care and affordability); and employment (including wages, training and support).

It is on these bases that the international, regional and national communities have taken steps to protect persons with special needs. United Nations (UN) has adopted several instruments including the Declaration on the Rights of Disabled Persons (1975), the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (1993), the Salamanca Statement on Special Needs Education, 1994, UN Convention on Rights of Persons with Disabilities (UNCRPD), and the UN Agenda 2030 for Sustainable Development.

The Salamanca World Conference on Special Needs Education, 1994 for instance, re-affirmed ninety-two governments and twenty-five international organisations' commitment for education to all, recognising the necessity and the urgency of providing education for children, youth and adults with special education needs within regular education systems. The UNCRPD, promotes, protects and ensures the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities without discrimination of any kind. It seeks to promote respect for their inherent dignity. It embodies State Parties commitment to develop persons with disabilities personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential. The UN Agenda 2030 for Sustainable Development, on the other hand, seeks to realise, among others, the rights to education for all. In this, the UN seeks to eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities.

Worldwide, education systems are still failing to accommodate those with special needs. 50% of students with special needs in low- and middle-income countries are excluded from education. Only 42% of girls with special needs completed primary school compared to 51% of boys with special needs. Likewise, over 60% of people with special needs and of working age still experience unemployment of over 80% higher than average percent of people without special needs (UNICEF, 2022). Renewed commitment and actions from the international community are now vital for fulfilment of obligations and targets for people with special needs.

At the Continental level, the Banjul Charter, 1981 provides for the right to special measures of protection for the disabled with a view of keeping with their physical or moral needs. Besides, the African Agenda 2063, expresses the continent aspiration to prosper through inclusive growth and sustainable development. Goals are set to attain high standard of living, quality of life and well-being for all citizens and ensure the continent has well educated citizens. At the Continental level there is also a Plan of Action for the African decade of Persons with Special Needs and the African Rehabilitation Institute (ARI).

In Tanzania, the Government has been actively involved in both international and local initiatives that address special needs' issues. The Constitution of the United Republic of Tanzania of 1977 (as amended) prohibits discrimination generally including that of people with special needs. In 2004, Tanzania developed the National Policy on Disability which requires, *inter-alia*, working environment and educational facilities to be inclusive in accommodating the needs of persons with special needs. Besides, in 2010 the Persons with Disabilities Act was passed and it aims to, among other things, ensure conducive working, teaching and learning environment for people with special needs.

Moreover, the Universities Act No. 7 of 2005 recognizes people with disabilities. The Act requires the Tanzania Commission for Universities (TCU) *inter alia*, to regulate the broadening of opportunities for persons with special needs to secure admission in higher learning institutions. Tanzania is also a signatory to various special needs specific United Nations and Regional instruments and member of ARI.

At the institutional level, the Moshi Cooperative University (MoCU) recognises persons with special needs and the need to protect them. Overtime, the University has adopted policies and issued guidelines specific to cater for their protection. Significantly, the University adopted the Student Disability Policy in 2017, Students' Welfare Policy in 2017, Sports, Games and Recreational Policy and Guidelines in 2021, Student Accommodation Policy in 2016, Student Guidance and Counselling Policy in 2021, and the Research Agenda in 2020. All these instruments have provisions seeking to protect and promote persons with special needs. Additionally, the University has a mechanism to detect persons with special needs in order to accommodate them. The University continuously works to improve infrastructure and facilities for persons with special needs including creating conducive accommodation, accessible office premises and providing transportation.

The University efforts to create conducive and inclusive learning and working environment are yet to materialise. There are observable challenges including increase of special needs due to University community growth, limited scope of previous policies; budgetary constraints; and awareness issues. Therefore, a policy to guide procedures and action to redress situations is needed. This Policy identifies existing special needs issues and challenges and draws policy statements which relate to the identified issues. The ultimate objective is to have an inclusive environment for all members at the University.

1.2 Situation analysis

Over time, the University has experienced an increase of number of students with special needs. In academic year 2021/2022, 19 students with special needs were registered while in 2022/2023, the University registered 25 students with special needs. The University has identified students' special needs which include caps, sunscreen, laptops, bags, hearing devices, artificial hand, tricycle and eye glasses. With regard to staff, few of them have disclosed to have special needs. The University has always been committed to support students with special needs. Particularly, it has been allocating budget for supporting them. The University has been providing students with special needs the relevant material support whenever in a position to do so. Moreover,

the University has been offering guidance and counselling services to students with special needs. In addition, the University is always aspired to ensure that the University environment is inclusive. This has been done by *inter alia*, constructing user-friendly buildings and pathways, refurbishing old buildings to make them accessible to people with special needs, providing transportation to people with special needs and providing them with assistive devices. On top of that, the University has adopted and incorporated provisions in its policies which set measures to address special needs of students with disability. In 2017, the University adopted the Students Disability Policy and Students Welfare Policy; and in 2021 the University adopted the Sports, Games and Recreational Policy, Students Guidance and Counselling Policy and Students Accommodation Guidelines, all of which contain provisions that insist on ensuring that the University environment is inclusive to people with special needs. However, the University's commitment is challenged by some factors including non-disclosure of special needs by staff and students, limited scope of the Students Disability Policy as it seeks to address special needs of students with disability only, budgetary constraints and stigma amongst students and staff. Moreover, the available infrastructure are yet to fully address the needs of people with special needs and allow full access to them, including, playgrounds, toilets and pathways. In addition, both human and financial resources are yet to adequately address issues of people with special needs.

1.3 Rationale

The University recognises its moral and legal duty to provide assistance to people with special needs in order for them to realize their rights and freedoms. Bearing that in mind, the need to have a coherent and comprehensive overall framework for guiding the legal rights of persons with special needs is unavoidable.

The University, therefore, justifies a need to put in place procedures and guidelines which will facilitate the enhancement of people with special needs. As such the rationale for this Policy is to demonstrate University commitment and response towards people with special needs concerns; provide a framework for mainstreaming rights of people with special needs; define roles and responsibilities of all members of the University

community in the implementation of the Policy; and enable the University to mobilise and allocate resources to support people with special needs

This Policy mainly focuses on the following area; Enrolment, Recruitment and Retention, Working and Learning Environment, Research and Consultancy, Guidance and Counselling, Disclosure and Confidentiality and Stigmatisation and Discrimination.

1.4 Policy Objectives

The Policy sets out the University's commitment to staff, students, service providers, visitors and other persons with special needs in the University premises. It also provides a framework to contribute to the ongoing development of a quality, relevant and equitable services for all members of the University. To this end, it outlines the University's duties and the options available to the people with special needs to fully participate in the working, studying or accessing services.

Specifically, the Policy seeks to:

- (i) Identify plans to address an increase of special needs due to University community growth;
- (ii) Expand the scope of protection to cover the entire University community;
- (iii) Strengthen the resource mobilisation strategies in order to effectively respond to challenges of persons with special needs;
- (iv) Promote mutual respect, equality and dignity amongst all University community members;
- (v) Foster conducive community learning and working environment; and
- (vi) Set directives towards University community members shared responsibility to address challenges of persons with special needs.

1.5 Scope of the Policy

The provisions of the Policy shall apply to all activities and programmes in education, administration, training, infrastructural development, endowments, research, consultancy, advisory and community services at all levels of the University. It shall also apply to the University staff, students, service providers, visitors, and any other person in the University premises.

1.6 Guiding Principles

The Policy is guided by the following principles:

- (i) Inclusivity and participation;
- (ii) Accessibility of facilities and information;
- (iii) Inherent dignity and autonomy;
- (iv) No discrimination, and;
- (v) Equity and equality.

PART II

POLICY ISSUES, STATEMENTS AND STRATEGIES

2.1 Enrolment, Recruitment and Retention

2.1.1 Issue

Persons with special needs have equal rights to education and employment. They deserve to access educational institutions and employment organisations to meet their human aspirations and needs. The University has over time taken measures to realise education and employment rights of persons with special needs including adopting policies, enacting guidelines and setting up infrastructure and facilities to accommodate them. Despite the measures taken, the enrolment and recruitment of persons with special needs is low in higher learning institutions including at the University. There is also a challenge to retain persons with special needs enrolled and recruited by the University due to inadequate supporting environment.

2.1.2 Statement

The University shall create a conducive environment for enrolment, recruitment and retention of students and staff with special needs.

2.1.3 Strategies

The University will:

- (i) Enact guidelines for hiring, training, equipping and supporting staff with special needs;
- (ii) Hire supporting staff for persons with special needs;

- (iii) Adopt guidelines for enrolment, admission, registration and supporting students with special needs;
- (iv) Build capacity on persons with special needs to its community;
- (v) Provide preferential enrolment and recruitment opportunities for qualified applicants;

2.2 Learning and Working Environment

2.2.1 Issue

People with special needs are equally entitled to conducive working and learning environment. To ensure inclusive learning and working environment, people with special needs requires assistive technology, guarantees on personal safety and security, accommodative infrastructure and facilities among several other entitlements. With security and these infrastructure and facilities, persons with special needs are guaranteed access to friendly learning and working environment. The University has continuously taken measures to improve learning and working environment to cater for the needs of persons with special needs. The measures are evident in, among others, the rehabilitation of infrastructure, purchase of gadgets and provision of transport facilities. However, the University is yet to fully realise the improvement of learning and working environment to the satisfaction of the needs of all persons with special needs.

2.2.2 Statement

The University shall employ all necessary measures to improve learning and working environment for persons with special needs.

2.2.3 Strategies

The University will:

- (i) Develop and implement a plan of making existing infrastructure accessible by persons with special needs;
- (ii) Adhere to infrastructure universal design standards to accommodate persons with special needs;
- (iii) Build capacity on special needs to its community members;

- (iv) Prioritise persons with special needs in learning and working related services; and
- (v) Assess and act upon safety and security threats for persons with special needs.

2.3 Research and Consultancy

2.3.1 Issue

Research and consultancy are amongst the core activities of the University. In an inclusive world, the activities are equally undertaken by persons with special needs. There are, however, special requirements to enable persons with special needs fully and successfully undertake these activities. The University has taken policy initiatives to recognise special needs as amongst the critical research agenda. However, it is yet to address special needs on research and consultancy, especially with respect to their mobility, ensuring fair competition and accessing funds.

2.3.2 Statement

The University shall make efforts to attaining the realisation of rights of persons of special needs in research and consultancy activities.

2.3.3 Strategies

The University will: -

- (i) Introduce provisions on preference for qualified research proposals by persons with special needs;
- (ii) Build capacity to persons with special needs on research and consultancy proposals writing and execution;
- (iii) Encourage participation of people with special needs in research and consultancy;
- (iv) Make available information on “call” for consultancy and research proposal to people with special needs; and
- (v) Introduce mechanisms to financially incentivise research and consultancy works by persons with special needs.

2.4 Guidance and Counselling

2.4.1 Issue

Guidance and counselling services are critical to any University community. There are multiple issues around social, economic, political and cultural settings facing persons in higher learning institutions. Specifically, there are issues challenging persons with special needs including stigmatisation, self-esteem and psychological trauma. These require specific guidance and counselling including provision of special needs counselling services, expertise and facilities. The University implements a Guidance and Counselling Policy and has put in place a department responsible for guidance and counselling. However, the Policy scope is narrow only addressing students related guidance and counselling issues. Furthermore, it lacks peculiarity for persons with special needs as it is general for all students. Staff and other persons with special needs are not recognised in the Guidance and Counselling Policy.

2.4.2 Statement

The University shall strengthen the provision of guidance and counselling services to persons with special needs.

2.4.3 Strategies

The University will:

- (i) Strengthen the department responsible for guidance and counselling to accommodate persons with special needs;
- (ii) Introduce and implement provisions on guidance and counselling for persons with special needs;
- (iii) Regularly review instruments on guidance and counselling to address contemporary developments;
- (iv) Build capacity to University community on special needs identification and handling;
and
- (v) Facilitate the provision of advisory services to persons with special needs.

2.5 Disclosure and Confidentiality

2.5.1 Issue

Information relating to persons with special needs may be public or private. Accessibility to such information require permission and or consent by a particular person or relevant authorised person. Private information is always sensitive and require high level of strictness in handling. On the other hand, identifying some special needs may be difficult and may require persons with such needs to step forward and declare/disclose. The University has a Students Disability Policy in place which, *inter-alia*, provides for its commitment to create conducive environment for receiving, handling and sharing individuals' information. However, the Policy addresses disclosure and confidentiality of different abled students only. The Policy does not cater for all categories of persons with special needs including University staff and other persons. Furthermore, the University is yet to put in place an effective mechanism for receiving, handling and sharing information of people with special needs. There is also fear amongst persons with special needs to disclose information relating to such needs.

2.5.2 Statement

The University shall strengthen the existing mechanism for receiving, handling and sharing information to cater for the needs of persons with disabilities.

2.5.3 Strategies

The University will:

- (i) Implement guidelines for handling information of persons with special needs;
- (ii) Provide for sanctions against individuals who fails to comply with the guidelines;
- (iii) Build capacity to University community on disclosure and confidentiality; and
- (iv) Encourage applicants, students and staff to disclose any information regarding their special need.

2.6 Stigmatisation and Discrimination

2.6.1 Issue

The University has been sensitising its community on stigmatisation. This has been done through various training, workshops and seminars. It has also considered stigmatization and discrimination as disciplinary offence in its Students Disciplinary

Rules and Procedure (2016). Despite the university's efforts, the two issues need to be adequately addressed by setting specific mechanism for combating and preventing them.

2.6.2 Statement

The University shall strengthen the mechanisms for combating and preventing stigmatisation and discrimination within its community.

2.6.3 Strategies

The University will;

- (i) Organise and conduct sensitisation workshops on non-stigmatisation and non-discrimination to its community members;
- (ii) Provide learning and working environment in which students and employees with special needs are free from discrimination and stigma;
- (iii) Take measures against any person who stigmatise or discriminate another.

PART III

POLICY IMPLEMENTATION AND COMPLIANCE

3.1 Implementation

This Policy shall be implemented and complied with, by all University organs, staff, students service providers, visitors, and any other person in the University premises including but not limited to children and other dependants of staff and students.

3.2 Overall Responsibility on Implementation

The office responsible for persons with special needs shall have the overall responsibility of overseeing the implementation of this Policy at the University. It shall be the custodian of the Policy and shall operate under the office of the Deputy Vice Chancellor responsible for Planning, Finance and Administration. In particular, the office shall:

- (i) Translate policy goals, objectives and strategies into actual programmes;
- (ii) Develop special needs responsive strategic action plans;
- (iii) Coordinate, monitor and evaluate the implementation of the Policy;
- (iv) Coordinate capacity building and special needs awareness programmes;

- (v) Liaise with special needs desk in addressing special needs;
- (vi) Collaborate with other University organs to realise special needs budget; and
- (vii) Liaise with stakeholders in implementation of the Policy.

3.3 Role of Faculties/Directorates/Institutes/Departments

Faculties/Directorates/Institutes/Departments will ensure that the Policy is implemented and complied with in all core functions of the University. In particular, they shall ensure that teaching, research and consultancy services are special needs responsive. They shall put in place mechanisms of detecting, reporting and handling persons with special needs concerns at their levels.

3.4. University Staff

University staff shall implement and ensure compliance with the Policy when discharging their teaching, research, advisory, and consultancy roles. Specifically, they shall be:

- (i) Special needs sensitive in contents preparation, delivery and assessment;
- (ii) Encouraging persons with special needs to build self-esteem and confidence;
- (iii) Guidance providers to special needs identification and handling procedures;
- (iv) Advisors on special needs sensitivity;
- (v) Accountable for Policy non-observance.

3.5 Students and Other Stakeholders

University students and all those associated with the University shall implement and comply with the Policy. They shall play roles in identifying special needs, disclose them to the relevant authorities and observe all the principles guiding the implementation of the Policy.

PART IV
MISCELLANEOUS PROVISIONS

4.1 Monitoring and Evaluation

Monitoring and evaluation of the Policy implementation shall be an ongoing activity under the mandate of the Deputy Vice Chancellor responsible for planning, finance and administration through relevant office dealing with special need issues. To appraise the steps taken and the success in the implementation of the Policy, the University Management shall ensure compliance of the Policy at all levels and that the necessary measures are taken promptly for non-compliance.

4.2 Conflict of Interest

In handling special need issues, members of decision-making organs shall at all times avoid conflict of interest. A member with conflict of interest shall declare it to the relevant organ. Such a member shall not be allowed to participate in decision-making processes concerning the person with whom he/she has a conflict of interest.

PART V
POLICY GUIDELINES

5.1 Purpose

These Guidelines are meant to provide for specific procedures for implementing the Special Needs Policy and shall be read together with the Policy.

5.2 Implementation Principles

The implementation of this Policy shall be based on the following principles:

- (i) Fair and preferential treatment;
- (ii) Confidentiality;
- (iii) Respect;
- (iv) Privacy;
- (v) Dignity and equality; and
- (vi) Inclusivity and participation.

5.3 Special Needs Disclosure and Identification

5.3.1 Special needs may be identified through disclosure by a person with special needs or any other person including parents, relatives, staff, students, visitors or other relevant authorities with mandate to do so.

5.3.2 Disclosure of special needs may be through:

- (i) Declaration in admission/enrolment/recruitment form;
- (ii) Informal declaration in formal and informal occasions;
- (iii) Reporting to University department responsible for special needs; and
- (iv) Any other way which is deemed fit by the person wishing to disclose.

5.4 Handling of Special Needs

5.4.1 Documenting Information Received

On receipt of information regarding special needs, officer(s) in the University office relevant for handling persons with special needs shall document in the appropriate register all details including personal particulars and initiate action on response.

5.4.2 Register of Persons with Special Needs

For purposes of implementing the provisions of guideline 5.4.1, the office responsible for persons with special needs shall establish a register.

5.4.3 Confidentiality

All the information documented shall be treated with confidentiality.

5.4.4 Case Handling and Feedback Provision

5.4.4.1 Where a case is capable of being resolved at the department level, the officer in the office responsible for persons special needs shall take action to resolving it as soon as possible;

5.4.4.2 The officer(s) action shall encompass inquiries to verify information received and may involve contacting the person who made a disclosure, the person with special needs and or any other relevant authority;

5.4.4.3 Where a case requires other relevant University or outside authority attention and decision, the officer shall in person or through the use of confidential means report such a case to such authority;

5.4.4.4 The officer responsible for persons with special needs, on receipt of the case, shall act on it or cause it to be addressed as soon as possible;

5.4.4.5 A person, at whose information, a disclosure of special needs was made shall be required to report to the relevant office;

5.4.4.6 the officer responsible for persons with special needs shall make regular follow ups to relevant University authorities to facilitate timely response to particular needs; and

5.4.4.7 Where officer(s) provide feedback to a person with special needs or his/her representative, there shall be evidence of such provision.

5.4.5 Capacity Building and Awareness Creation

5.4.5.1 For effective implementation of the Policy, the University shall regularly facilitate the conduct of workshops/seminars/trainings on special needs.

5.4.5.2 The University may collaborate with other actors in addressing contemporary and emerging special needs;

5.4.5.3 There shall also be awareness creation and dissemination programmes organised by the Department responsible for persons with special needs; and

5.4.5.4 All capacity building and awareness creation and dissemination programmes shall be documented.

5.4.6 Offences and Penalties

A member of the University community who contravenes the provisions of the Policy and Guidelines commits a disciplinary offence and shall be penalised by the relevant University disciplinary authorities or such other authority mandated with the handling of the contravention.