



Moi University

Policy on Disability

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Foreword

This policy document is the outcome of a painstaking process, which was facilitated by commendable team work involving staff at a Moi University. We acknowledge with a lot of appreciation the support given by the University Council, Senate and Moi University Management. The policy is the overall Moi University Disability Policy. It will be implemented by the Office of the Deputy Vice Chancellor, Academic Research and Extension. Special gratitude goes to all groups, individuals and committee members who contributed to the completion and production of this policy.

PROF. B. E. L WISHITEMI
DEPUTY VICE CHANCELLOR
ACADEMICS, RESEARCH & EXTENSION

Executive Summary

The Office of the Deputy Vice Chancellor Academics, Research & Extension (A, R& E) through its research and extension activities is also involved in coordinating disability mainstreaming issues through IGERD department. IGERD is mandated to mainstream disability in line with councils mission to mainstream disability issues and concerns in all aspects of socio-cultural, economic and political development issues within the structures of institutions and as one of the indicators, IGERD seeks to sensitize and train staff on service

provision to persons with disabilities including mental, physically, visually, deaf, albinism, epilepsy, autism cerebral palsy etc to ensure that they are well attended to in provision of goods and services, sensitize staff on disability awareness and equality so as not to unintentionally discriminate against Persons With Disabilities, empower staff on disability sensitivity through confidence building and self rights awareness and advocacy for full and effective social integration and participation to build capacity and confidence of staff members to enable them understand disability rights The policy is expected to take care of the rights of persons with disabilities within the University and the community.

List of Abbreviations

APDK: Association for the Physically Disabled of Kenya

COTU: Central Organization of Trade Unions

JAB: Joint Admission Board

K.I.S.E: The Kenya Institute of Special Education

KNCHR:	<u>The Kenya National Commission on Human Rights</u>
KNSPWD:	Kenya National Survey for Persons with Disabilities
KPDP:	Kenya Programme of Disabled Persons
KSB:	Kenya Society for the Blind
KUDHEHA:	Kenya Union of Domestic, Hotel, Educational Institutes, Hospitals and Allied Workers
MOEST:	Ministry of Education, Science and Technology
MU:	Moi University
MUDD:	The Moi University Disability Directorate
MUDDDB:	The Moi University Disability Directorate Board
MUSNU:	Moi University Special Needs Unit
NCAPD:	National Coordinating Agency for Population and Development
NCPD:	National Council for Persons with Disabilities
PDA:	The Persons with Disabilities Act
PWDs:	Persons with disabilities
UASU:	University Academic Staff Union
UDPK:	United Disabled Persons of Kenya

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CHAPTER ONE

1.0 INTRODUCTION

Moi University was established in 1984 by an Act of Parliament as the second public university in Kenya. The first cohort of 83 students was admitted in 1984 through a transfer from the Department of Forestry, University of Nairobi. Since then, the University has experienced phenomenal growth. In 2012/2013 there were a total of fifteen (15) Schools and four (4) Directorates. The University operates three campuses in Eldoret, namely: Main, Town, and Eldoret West Campus. It also has six (5) Satellite Campuses, (Nairobi, Kitale, Kericho, Odera Akang'o and Coast and campus). Moi University has witnessed the student population grow from 83 in 1984 to 31,700 in 2011/2012 academic year, with female students enrolment achieving the one third rule. The staff increased from 141 at the start of its operations to over 2,500 by 2013. There are over 72 departments which offer a wide range of

programs at undergraduate and postgraduate levels, and four directorates offering specialized services. 2013/2014 academic year has 43 students and 20 members of staff with disability.

The Vision and Mission of Moi University

1.1 Vision:

To be a University of choice in nurturing innovation and talent in science, technology, and development.

1.2 Mission:

To preserve, create and disseminate knowledge and conserve and develop scientific, technological and cultural heritage through quality and relevant teaching and research; to create conducive work and learning environment; and to work with government and private sector for the betterment of society.

1.3 Objectives

The objectives of Moi University are:

- To be an innovative, competitive and world class entrepreneurial University
- To pursue excellence in teaching, research, outreach and extension.
- To produce internationally recognized informed, practical, and self-reliant graduates capable of contributing to knowledge and development in a variety of settings.
- To offer expertise in national and international development in a globalized world.
- To promote science and technology for development.
- To promote culture of corporate social responsibility.
- To offer opportunities for training through Open and Distance Learning and continuing education.
- To secure and manage resources in order to achieve the set goals effectively.

1.4 Core Values

At Moi University we believe in:

- Promotion and defense of intellectual and academic freedom; scholarship and relentless search for truth.
- Fostering teamwork, innovation, networking, tolerance and culture of peace.
- Embracing excellence, transparency and accountability.
- Practicing professionalism, meritocracy, equality, integrity and social justice.
- Maintaining a sense of self respect, discipline, responsibility, institutional loyalty and national patriotism.
- Continual improvement of series in order to remain competitive and relevant.

1.5 Legal and Policy Context

In the 21st century, Kenya is a party to numerous international human rights treaties and is obligated to put in place legislative and administrative measures that ensure that human rights of all Kenyans are protected and fulfilled. The Government has to ensure that women and men enjoy the same rights to employment opportunities, promotion, job security and all the benefits and conditions of service, including training irrespective of one's physical, visual, sensory, mental or other impairment (Persons with Disability Act, 2003).

Disability is defined by reference to the nature of the particular disability being defined or the cause or the consequences of that disability. In the People with Disability Act (PDA) (2003) a statutory definition of the term 'disability' reads as follows:

Disability is a physical, sensory, mental, or other impairment including any visual, hearing, learning or physical incapacity which impacts adversely on social, economic or environmental participation (Part 1 Section 2)

The above definition includes persons who traditionally may not have been regarded as disabled and therefore is all inclusive.

The PDA includes provisions to prohibit discrimination on the basis of disabilities in various sectors including education, employment, health, and provision of services in both the public and private sector among others (see Section 15-employment, 17-education and 20-health). Section 25 prohibits discrimination in accessing premises where as Section 39, 40 and 41

prohibit indirect discrimination against persons with disabilities in areas such as television programmes, telephone services and postal charges.

1.6 Government of Kenya Initiatives

The Persons with Disabilities Act was enacted in 2003 and in 2004, the National Council for People with Disabilities (NCPD) was established. The Council was mandated to implement the Act.

Other institutions that address issues touching on people with disability in addition to NCPD are the Kenya Society for the Blind, Kenya Institute of Special Education (K.I.S.E.) and the Kenya National Commission on Human Rights (KNCHR). The Kenya Institute of Special Education (K.I.S.E.) was established in 1986. Its role has been primarily capacity building.

The government of Kenya has made headway in formulating policies meant to address issues of disability in the last 10 years; implementation of the PWD Act remains a challenge. Through this policy, Moi University affirms its commitment and resolves to address policy and practical issues to facilitate the achievement of opportunities for all.

1.7 Ongoing Efforts to Address Issues of Disability at Moi University

Establishment of a Unit/desk: Moi University established a unit for students with disability in the 1990s. The unit was mandated to provide welfare services to students with disability such as Braille services as well as facilitate mobility of students and staff in the University. A disability committee has been operational since 2011 to spearhead disability mainstreaming in all university activities.

Student Admission: Moi University is a public institution and a member of the Joint Admission Board (JAB) and PSSP whose mandate is to process admission of students into the public universities. In 2006 JAB developed affirmative action policy aimed at

facilitating admission of students with special needs. In that regard, MU has since implemented the JAB policy.

Student and staff welfare: To ensure smooth progression, timely completion and graduation by students, the University, through the Student Affairs Office, offers general counseling services and organizes career talks. In addition, the Student Affairs Office, in collaboration with the Admission Office, liaises with the Higher Education Loans Board to ensure needy students receive loans and/or bursaries.

The University has a medical cover up that offers services to all staff including staff with disability and those in need of assistance devices. Members of staff who need sign language interpreters have been provided in the past.

Scholarships, bursaries and research grants: The University also collaborates with local and international foundations and universities that offer bursaries to needy students and/or scholarships. MU through the Finance, Planning and Development Committee ensures equitable and fair distribution of scholarships to staff. Both the scholarships and bursaries are competitive.

The University has included disability as criteria for awarding research grants and scholarships to staff. Issues of disability and persons with disability are therefore gaining recognition though the process is slow.

Staff recruitment: There are efforts to recruit persons with disability in ensuring 5% representation.

1.8 Justification of the policy

This policy is a fulfillment of Moi University efforts to domesticate the disability Act (2003) and the Constitution of Kenya (2010)

This policy shall guide the University in its efforts to respond to the needs of the students and staff with disability.

1.9 Goal and Objectives of the Policy

1.9.1 Goal

To improve the quality of life for persons with disabilities by providing and creating a conducive working and learning environment, that shall optimize their potential in the university and also for the nation.

1.9.2 Objectives of the Policy Document

This policy shall guide in the provision of equal opportunities for all irrespective of one's disability and gender at Moi University

This shall include:

- Provision of appropriate and timely information to persons with disability.
- Provision of services.
- Provision of appropriate infrastructure.
- Inclusion of persons with disability in appropriate sections, activities and programs of the University.
- Identification of constraints that may hinder persons with disability at MU from realizing their potential.

1.10 Scope of the Policy

The policy provisions shall focus on core functions of the University. This includes access to services, resources and buildings; equity, retention, transition, promotion, completion, relevance, and quality; in financing, governance and management of MU units and activities at all levels for the benefit of all. The disability policy provisions shall therefore apply to all activities and programs of the University.

1.11 Guiding Principles

Disability poses a challenge to both staff and students in realizing their potential. The University shall be guided by the following principles:

- Equitable and quality education for all.

- Safe and conducive working and learning environment for all.
- Equal access to health care, treatment and support.
- Fair labour practices-sensitive to persons with disabilities.
- Gender responsiveness and inclusiveness.
- Need to establish and maintain partnership and networks with various organizations.
- Reinforcement of disability as a cross-cutting theme in all programmes.
- Equal opportunity for all irrespective of disability.
- Affirmative action shall be used as a corrective measure.

1.12 Target of the Policy

The policy is intended to be used by Management, staff and students as a reference for planning, decision-making, implementation, monitoring and evaluation of activities and programmes at MU. However, the policy is not designed to contravene the existing University policies.

CHAPTER TWO

2.0 ISSUES OF DISABILITY AND POLICY CONSIDERATIONS

This chapter discusses issues of disability in the various levels and areas of the University, and the strategies of addressing them. The levels and areas discussed include policy, student enrolment, performance, achievement and retention; teaching,

research and extension programs; staff recruitment, training, deployment, promotion, retention and welfare; university governance; and organizational culture.

2.1 Policy Levels

Situation analysis and policy issues

An institution that offers equal opportunities to all anchors issues of disability in all processes including vision, mission, core values, policies, plans, budgets, programs, projects and activities. Analysis of Moi University policy documents reveals that there is a limited consideration of disability issues.

Issue:

- Limited and/or non-consideration of disability in MU policy documents.
- Limited platform for action.

Policy statement

Moi University shall regularly review all core functions and corresponding policy documents with the aim of making them responsive to the needs of all staff and students irrespective of one's disability.

Strategies

- Create awareness on issues of disability through all MU policies.
- Establish mechanisms for mainstreaming issues of disability in policies, programs, plans and functions.
- Translate all policies into Braille.

2.2 Student Enrolment, Performance, Achievement and Retention

Situation analysis and policy issues

Students with disabilities represent about 1% of the total enrolment in any given institution. With the implementation of the JAB Policy on Admission of Students

with Special Needs (2006), the numbers of students with disability are on the increase. The existing policies inadequately address academic and student welfare matters.

Issues

- Inaccessibility of hostels, lecture halls and other social amenities.
- Inadequate equipment and other support services for students with disabilities.
- Limited or non-existent academic resource materials, tutorials and remedial clinics for students with special needs.
- Limited/non-existent recreational services for students with special needs.
- Lack of data base on students with disability at School level.
- Limited specialized health services for students with disabilities.

Policy statement

Moi University shall endeavor to:

- Provide equal opportunities for all students in all campuses.
- Correct the historical imbalance through affirmative action.
- Improve and diversify student welfare and recreational services with the aim of meeting the needs of the students with disabilities.

Strategies

- Enhance affirmative action efforts such as those instituted through JAB.
- Promote measures aimed at improving performance of all students, especially those with special needs.
- Provide adequate gender responsive recreational facilities and services for students with disabilities.
- Establish gender responsive welfare services for students with special needs.

- Provide adequate and appropriate facilities for students with disability e.g. accommodation and sanitary facilities.
- Provide specialized health services for students with disabilities as per University medical guidelines.
- Facilitate mobility of students with physical and visual impairment within campuses.
- Create a data base of students with disability at School and Campus level.

2.3 Teaching, Research and Extension Programs

Situation analysis and policy issues

Curriculum review and development of new programs are central to Moi University's contributions to national development needs; and hence should provide equal opportunities for all. However, there are limited academic programs at Moi University for persons with disability.

Issues

- Few academic programs and courses include issues of disability in MU
- Insensitivity to disability issues in teaching, research and extension initiatives.

Policy statement

Moi University shall endeavor to:

- Mainstream issues of disability in all academic programs, research and extension activities.
- Provide conducive teaching and learning environment with appropriate infrastructure and equipment that is safe for students with disabilities.

Strategies

- Departments to review curricula for sensitivity and responsiveness to issues of disability.
- Provide reading resources in Braille.
- Provide sign language interpreters and personal assistant as per student needs.

- Build capacity for lecturers to be able to respond to the needs of students with special needs.
- Lecturers to embrace teaching practices/styles that are sensitive to students with special needs.
- Support and fund research and extension activities responsive to issues of disability.

2.4 Staff Recruitment, Training, Promotion, Retention and Welfare

Situation analysis and policy issues

In 2003, People with Disability Act was enacted by Parliament and a Council (NCPWD) established in 2004 to oversee the implementation of the Act. Despite the progress made at the national level.

Although the University provides health services to both staff and students, men and women have different health needs. The staff with disability may have special needs over and above what is normally provided for at the University health units.

Issues

- Unequal opportunities for women and men with disability in recruitment and training.
- Lack of clear policy on recruitment of staff with disability. This should ensure gender balance within this category of employees.

Policy statement

Moi University shall be an equal opportunity employer by establishing policies that are all inclusive irrespective of one's disability and/or gender. This shall include a monitoring mechanism in staff recruitment, deployment, training, promotion, and retention.

Strategies

- Adopt affirmative action during recruitment as a method of increasing the number of employees with disability in academic and administrative positions by 5% of total staff.
- Create a mechanism for monitoring how each unit (College, School, Department /Unit) adopts and implements plans for achieving equal opportunities for all.
- Generate and maintain data showing the nature of disability and gender distribution in staff recruitment, training, promotion and retention.
- Establish and implement support programmes for employees with disability (EWD) and in the reproductive age group so that they benefit from training, research and promotion opportunities.
- Ensure criteria for nominations for scholarships include disability.
- Provide adequate and appropriate facilities for employees with disability e.g. sanitary facilities.

2.5 University Governance

Situation analysis and policy issues

MU has endeavored to provide equal opportunities for all in teaching and administrative assignments. There are also forums where persons with disability are not represented.

Issues

- Limited participation by employees and students with disability in positions of leadership at MU.

Policy statement

Moi University shall establish responsive structures and processes to increase participation by employees and students with disability in University governance.

Strategies

- Operationalize equal opportunity procedures when nominating and or appointing individuals for leadership positions and decision making organs of MU.
- Embrace at least one-representative principle in Student governing council.
- Establish a system for holding office bearers accountable for mainstreaming disability issues in their units.
- Make known disability issues and responsiveness as part of the terms of reference for all office bearers in governance positions at MU.
- Create awareness on disability and related issues for staff and students at MU.

2.6. Organizational Culture**Situation analysis and policy issues**

At MU, there are a number of buildings that are not yet accessible to persons with disabilities (i.e. visual and physical impairments).

Issue

- Disability sensitive organizational culture is slowly taking root at MU.
- A number of buildings and corresponding services (i.e. fire exits) are inaccessible to persons with disabilities.

Policy statement

Moi University shall establish disability sensitive rules and practices to eliminate all forms of inequalities.

Strategies

- Adopt advocacy processes designed to encourage MU community to embrace a culture of inclusivity.
- Upgrade all buildings for accessibility to wheel chairs and the visually impaired.
- Improve mobility of persons with disability around campuses.
- Carry out regular disability awareness activities and audit.
- Establish a special needs desk in all Schools and administrative units.
- Translate all policies, rules and regulations and key official documents to Braille. This includes all application forms.
- Appoint adequate number of sign language interpreters as need arises.

CHAPTER THREE

3.0 IMPLEMENTATION OF DISABILITY POLICY

The implementation of the Disability Policy shall be through the existing Moi University structures. These includes: University Council, University Management, Senate, School Management Boards, College boards, Student Affairs Office and Student and Staff Unions.

The responsibility for the implementation lies with the Vice Chancellor (VC) on behalf of Council. However, the functions and responsibilities outlined in the policy shall be delegated according to the structure of the University. Therefore, the Senior Management is responsible for mainstreaming disability issues in their specific sections, Departments and Schools.

This system of delegation shall be followed throughout the University and in the day-to-day work of the staff. Hence the implementation of the policy shall be a collaborative effort by all units of the University.

3.1 The Institute for Gender, Equity, Research and Development (IGERD).

The Institute shall be responsible for mainstreaming disability in line with the council's mission

to mainstream disability issues and concerns in all aspects of life socio-economic, economic and political development issues within the structures of institution. The Director shall coordinate activities of Moi University Disability Committee. (MUDC)

3.2 Monitoring and Evaluation

MUDC shall design and institutionalize a monitoring and evaluation framework to ensure efficient and sustainable management of the Directorate.

3.3 Organizational Structure

Vice Chancellor

Deputy Vice Chancellor
(A, R&E)

DIRECTOR IGERD

DISABILITY COMMITTEE

REFERENCES

Association of African Universities Policy Document, 2005

UNESCO (1997). *Disabled Students at universities* UNESCO Sub-Regional Office for Southern Africa Harare, Zimbabwe August 1997

Epstein, Susan (1997). *We Can Make it. Stories of disabled women in developing countries.* International Labour Office. Geneva.

Hegarty, S. *Educating children and young people with disabilities. Principles and the review of practice.* UNESCO.

Joint Admission Board (2006). Universities Policy on Students with Disability

University of Nairobi (2013). University of Nairobi Strategic Plan, 2008 – 2013

Moi University (2005). Moi University Strategic Plan 2005-2015

Moi University (2006). HIV/AIDS Policy 2006

University of Sussex Disability Policy 2005

MOEST (2007) – Gender Policy in Education