

Student Disability Policy

Introduction

The purpose of the CEU Student Disability Policy is to ensure that the legal rights of students with disabilities are recognized and protected. It establishes the principles and procedures through which students with disabilities are recognized and assisted at CEU, outlining support mechanisms and processes to ensure that students with disabilities enjoy the same educational opportunities as their fellow CEU students.

This policy reaffirms CEU's commitment to legal standards established by Hungarian and international law, and fulfills the relevant provisions of the University's Equal Opportunity policy. Central European University provides reasonable accommodation to qualified students with disabilities, adopting the definition of reasonable accommodation outlined in the UN Convention on the Rights of Persons with Disabilities:

"Reasonable accommodation means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms." (<http://www.un.org/disabilities/convention/conventionfull.shtml>).

All members of the University community are responsible for promoting the realization of the principles in this policy.

1. Definition of Disability

CEU adopts the following definition of **“disability”**: A person with a disability is someone who has a documented sensory, physical, psycho-social, intellectual (learning disability) or other condition which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

2. Types of Disability

“Sensory” disability includes but is not limited to, persons who are deaf or hard of hearing; are blind or visually impaired; or are deaf-blind.

“Physical” disability includes but is not limited to persons who have a physical difference or mobility difficulty.

“Other” disability may include, but is not limited to: long-term medical conditions such as chronic fatigue syndrome, epilepsy, diabetes, HIV or AIDS, or Parkinson's disease.

“Intellectual” disability includes but is not limited to: persons who have a specific learning difficulty such as dyslexia or dyspraxia; have a developmental learning or behavioral condition such as attention deficit or hyperactivity; or have an autism spectrum condition such as autism or Asperger syndrome.

“Psycho-social” disability includes but is not limited to, persons who have a mental health condition (for example, anxiety, depression, eating disorders, bipolar affective disorder, schizophrenia, obsessive compulsive disorder, etc.).

3. General Policies

3.1 The University will inform faculty, staff and students of their responsibilities under this policy and will maintain structures and processes to coordinate the support of students with disabilities.

3.2 The University will strive to ensure that all University buildings and facilities are accessible for physically disabled persons. New and renovated campus facilities will be designed with this goal.

3.3 Students are encouraged to disclose any physical or mental disability so that appropriate support measures can be put in place.

3.4 Information will be provided for prospective students and for admitted students prior to entry giving clear information about how to access support services.

3.5 University faculty and staff are responsible for treating any disclosure of disability in a confidential manner and to refer students to the Disability Services Officer in Student Services to determine appropriate sources of support.

3.6 Students who meet the University’s definition of having a disability are entitled to reasonable accommodation to ensure that they are not at a substantial disadvantage compared to other students.

3.7 Reasonable accommodations do not extend to providing long-term academic or other support to someone who, it can be demonstrated, is not likely to be able to successfully complete their course of study. Such an assertion must be carefully considered and evaluated to ensure full compliance with legal responsibilities under Hungarian law and the provisions of this policy.

3.8 There may be occasions in which a student feels that he or she is unable to study and must take time off due to an illness or disability. It is the responsibility of the student to consult their school or academic department and to follow the procedure for requesting a leave of absence as outlined in the Student Rights, Rules, and Regulations and the CEU Doctoral Regulations.

4. Roles and Responsibilities

4.1 The University will ensure that:

- All members of the University community are aware of the terms of this policy and their responsibilities arising under it;
- Structures and processes are developed and maintained to coordinate the support of students with disabilities.
- Appropriate training is provided for staff and faculty who work with students to recognize disability issues and to seek appropriate support services.
- The Student Disability Policy is reviewed and updated on a regular basis.

4.2 Schools and academic departments will ensure that:

- Reasonable adjustments in teaching and learning are considered for students falling under the definition of disability.
- Students and potential students are given a clear account of the nature and content of a course, the assessment methods and the required learning outcomes through publications and course related materials.

- Clear and practical information on how to access support services is given to students during their orientation.
- Internal school or department procedures do not unlawfully discriminate against students who have disabilities.
- Students with disabilities should be made known to the Disability Services Officer and that they work together to coordinate any necessary accommodations.

4.3 Individual staff members are responsible for:

- Treating any disclosure of disability seriously and referring students on to appropriate sources of support.
- Helping to create a non-stigmatizing community within the University, where students with disabilities are encouraged to succeed.
- Keeping accurate records of interactions with students which are related to concerns about a student's health.
- Handling written and electronic information which relates to a student's health in a secure and confidential manner.
- Respecting a student's right to confidentiality and verifying that a student has no objections to their disability issues being discussed with others.
- Seeking advice from support services within the University if they are concerned about a student's health.
- Familiarizing themselves with the procedures for helping students with disabilities.
- Following up with students who have agreed to self-refer to sources of support within the University.
- Ensuring that accurate information is given to prospective students regarding the availability of support for students with disabilities in the University
- Familiarizing themselves with the University's responsibilities towards disabled students.

4.4 Individual students and prospective students are responsible for:

- Declaring any pre-existing health conditions prior to entering the university (for medical and insurance purposes)
- Discussing any necessary support arrangements prior to commencing the course, whenever possible
- Notifying the University if their health is having a detrimental impact on their ability to fulfill the commitments of the course
- Notifying the University if they feel their exam performance has been affected by disability issues
- Ensuring that they have a clear idea of what will be expected of them in their course of study.

4.5 The Disability Services Officer in Student Services will:

- Offer advice and guidance to University faculty and staff on supporting students with long-term disabilities and work with faculty to provide reasonable adjustments to the academic environment.
- Carry out assessments of study-related needs for disabled students.
- Work towards improving the provision of support for students with disabilities.

- Provide accessible online information about the services available for CEU students with disabilities.

4. Support for Students with Disabilities

This section describes the types of support and/or accommodations that students may expect the University to provide. Such accommodations do not, however, necessarily extend to providing long-term academic or other support to someone who, it can be demonstrated, is not likely to be able to successfully complete their course of study. In all cases in which the University seeks to rely on the assertion that a student is not likely to successfully complete their course, careful consideration must be given to ensuring full compliance with the provisions of this policy.

5.1 Admissions

The University is committed to admissions practices that do not discriminate against applicants on grounds of disability. The fact that an applicant has a disability will not be disclosed to a school or department during the application process to ensure that admissions decisions are not illegally influenced by an applicant's disability or health status. CEU will continue to include its non-discrimination policy in printed and electronic promotional materials.

Once an applicant has been accepted by CEU for admission, he or she is encouraged to disclose any disability which they think may affect their experience at CEU. This is to ensure that any support requirements can be discussed with the accepted student, and when possible, arranged before arrival. The University's Disability Services Officer will work with students and relevant faculty to discuss and organize support with schools and departments.

5.2 Orientation

As part of the orientation program, information will be provided detailing the University's expectations of students, the non-discrimination policy, the Code of Ethics, the Disability Policy, and the process for requesting disability accommodations.

5.3 Support during the academic year

Some disabilities (in particular psycho-social disabilities) may emerge after the student has already embarked on their CEU studies. A decision to seek help for the problems some students may be experiencing is not easy. However, it is important for students to bear in mind that if they do not communicate their problems with the University via their department and the Disability Services Officer, their grades may suffer and they will not be able to rely on reasonable accommodations which may be provided by the University upon a request.

6. Sources of Support

6.1 Disability Services Officer

The Disability Services Officer is a point of contact for any student who would like informal advice and assistance or who would like to request a reasonable disability accommodation during their time at CEU (see "Process for requesting reasonable accommodation"). The DSO also serves as a point of contact for faculty and staff who need assistance in supporting a student with a disability issue.

6.2 Student Life Office

The Student Life Office provides information and advice on a range of topics, including money, housing (including liaison with the CEU Residence Center), immigration, liaising with doctors and health insurance companies, academic procedures and other university procedures. Students experiencing problems or challenges at CEU Residence Center may turn to the Residence Center Student Services Manager or to the Student Life Office.

6.3 CEU Medical Center

When experiencing physical or mental health difficulties or issues, students may visit the CEU Medical Center. Those experiencing mental health conditions may benefit from medication, which the medical staff can prescribe. The Medical Center has experience with these types of situations, and their network of colleagues includes specialists that can assist in the care of people who require more intensive support or treatment. Medical Center staff can help to guide students through the university procedures and the Hungarian State Health System.

6.4 CEU Psychological Counseling Office

CEU's Psychological Counseling Office provides confidential individual counseling and can make referrals to other psychological and psychiatric practitioners. CEU psychological counselors are professionally trained and have experience enabling students to deal with motivation and concentration difficulties, self-confidence problems, anxiety, stress, panic attacks, perfectionism, obsessions/compulsions, depression, relationship concerns, emotional trauma, concerns that may result from racial, cultural or other identity issues.

CEU Psychological Counseling primarily offers brief counseling interventions and is not a crisis service, although it can help by facilitating referrals to relevant agencies in Budapest. In certain cases the center can offer extended sessions to students who have issues which are affecting their ability to concentrate on their studies.

7. Support for students helping peers with disability issues

Students often find themselves in situations in which they are supporting a fellow student with a disability or even a mental health crisis. This can be a very difficult time for the supporting student, and occasionally, situations arise in which a student's behavior (as a result of mental health difficulties, or a mental health crisis) causes distress to other students. In this situation, students are advised to speak to the Disability Services Officer or their department head. Any student needing advice on how to support a friend in crisis can contact the CEU Psychological Counseling Office or the Disability Services Officer in confidence.

8. Support for University employees in helping students with disabilities

If a student discloses a disability to an employee, it is vital that the member of staff takes this disclosure seriously and is able to guide the student towards appropriate support services in a timely manner to reduce the potential impact on the student's academic performance and general well-being.

Employees may at times feel that they do not have the knowledge or expertise to deal with a particular situation and that they require advice from colleagues within the University. It is the responsibility of individual employees to recognize situations that lie beyond their job role and to make appropriate referrals to the Disability Services Officer, the Psychological Counseling Office, or the CEU Medical Center.

Employees are advised to keep factual and accurate records of any interactions with students where there have been disability or mental health concerns. It is advisable to make a note of what actions were taken in these situations, and be mindful of guidelines on data protection and confidentiality. (see section on confidentiality).

9. Confidentiality

Any initial disclosure of a disability to a faculty or staff member must be treated with sensitivity. The staff member will discuss the possible sharing of this information for the purpose of providing assistance with the student.

It is understood that students may feel uncomfortable about information relating to their disability or health being shared with other members of staff within the University and with outside agencies. In order to reinforce students' confidence and their willingness to seek help, and in accordance with the University's Data Processing Regulations, the University makes the following assurances about the way in which such sensitive information will be handled:

- Information relating to a student disability will not normally be shared by the Disability Services Officer with other university schools or departments, parents, other students or outside agencies without that student's written permission.
- Under all normal circumstances, students will be made aware of who their information is being shared with, and the reason for this.

All university staff have responsibilities related to data processing, and must comply with the University's Data Processing Regulations, with special regard to Article 6 on Data Processing Officials.

It is the responsibility of the Disability Services Officer to ensure that reasonable accommodations are put in place, and that relevant school(s) or department(s) are carrying these out. In communications between Student Services and an employee of a school or department, the Disability Services Officer may not disclose the nature of the student's disability without the student's express permission, merely the accommodation which has been agreed with the student, according to standard best practices of student disability services.

10. Disclosure

Students or applicants to the University may be reluctant to disclose a disability as they may fear negative responses such as not being admitted to the University, being stigmatized in class, or receiving lower grades. The University encourages students to disclose any difficulties at an early stage so that the help they may need can be discussed and addressed in a timely and confidential manner.

It is the student's responsibility to inform the head, or a faculty member of their school or department if they are unable to fulfill the requirements of their course for any reason, whether this is done personally or through a friend or support person.

There may be exceptional circumstances in which there is a need to disclose without a student's permission. For example, it may be necessary if there is reason to believe that a student's mental health poses an immediate danger to themselves or to others. In these rare instances, information will have to be disclosed to third parties and outside agencies who are experienced in dealing with such emergencies.

11. Process for requesting reasonable accommodation

A student requesting reasonable accommodation from the University should put this request in print or email format to a department head or coordinator, the Student Life Office, or the Disability Services Officer. The request should include:

- The nature of the disability;
- An assessment from a licensed medical doctor, clinical psychologist (Psy.D or equivalent, that is, BA or MA specialization in clinical psychology is not acceptable) or psychiatrist confirming

the disability. In the case of a psychological or psychiatric assessment, the documentation needs to state the relevant ICD-10 code (F code). This document should be in English or include a translation, and must be no older than two years from the date on which the request is made.

- An explanation of the accommodation requested.

Students may first approach a faculty or staff member in their department or school to ask for advice on reasonable accommodation. However, even in these cases, a request for reasonable accommodation will have to be registered with the Disability Services Officer.

After receiving a request from a student for reasonable accommodation, the Disability Services Officer, in conjunction with relevant faculty and staff, must communicate the University's response as soon as possible, but not later than ten working days from the date of the request. S/he may request further documentation from the student, and may require the student to consult with a medical doctor or psychologist for further information on the disability.

If the reasonable accommodation request is granted, the Disability Services Officer will inform the relevant school(s) and department(s) about the type of accommodation that is needed, and will make referrals to other sources of support both internal and external whenever necessary.

12. Appeals

Should the student be dissatisfied with the decision of the Disability Services Officer, the student may appeal to the Dean of Students. The Vice-President will adjudicate the case as soon as possible, but no later than one month after receiving the student's appeal request.

13. Leave of absence

There may be occasions when a student feels that he or she is unable to study and needs to take time out due to an illness or disability (particularly cyclical disabilities such as psycho-social disabilities). This could be for a short period, such as a week, or could be for a much longer period, such as a semester. It is the responsibility of the student to consult their school or department if they wish to take time out, and the student will be required to follow department and university policy regarding a leave of absence.

If students are absent from the University for a prolonged period of time without explanation or prior arrangement, they may be presumed to have left the University and their enrolment may be terminated. In this situation, when a student is known or suspected to be subject to a disability, schools and departments are advised to attempt to make contact with the student to clarify the nature of their absence.

13.1 Temporary withdrawal for reason of disability

There may be extreme circumstances in which students are refusing or unwilling to seek help or advice for their disability (in particular a psycho-social disability), and University staff feel that the student is unfit to continue his or her program of study. In such situations, when it is judged by a school or department that a student is suffering serious disability or ill-health, and either the student has (i) declined to seek medical help and advice or (ii) the effects of the treatment are insufficient to allay the school or department's concerns, the school or department may make a request for the Student to be temporarily withdrawn (official status: "leave of absence: personal"). This is done by sending a request in writing to the Vice President for Student Services who will confer with a medical professional as well as the Provost and the department or school head about whether there are grounds to exclude the student temporarily for reasons of disability. The student will be consulted prior to a decision being reached except in extreme circumstances in which the student may be unable to participate in this discussion due to his or her psychological condition.

A decision about such a withdrawal needs to be made in writing to the student, information about appealing the decision should be made explicit, and a copy of this Disability Policy should be appended.

During the period that a student is absent, the Student Services Office will attempt to maintain contact with the student in an appropriate manner.

13.2 Returning to study after a leave of absence

All Students temporarily withdrawn for reasons of ill health retain the right of readmission. A student who has been required to temporarily withdraw on the basis of ill health may at any time send a written request to the Dean of Students to be readmitted to the University. Upon receiving such a request, the Dean of Students will confer with the Provost and the department head to determine the course of action. In making a determination, the Dean of Students must consult the school or department which initiated the process, and the student concerned. It may also request an opinion from a medical practitioner, which it will share with the student

The Dean of Students shall inform the student and the head of the relevant school or department in writing of its decision within two working days and initiate the “change of status” procedure in the cases when student is allowed to return. If the decision is not to allow the student to return to study, the student can resubmit a request for readmission no earlier than 30 days after the decision.

A student who is allowed to return after a withdrawal to continue their studies may discuss reasonable accommodations with the Disability Services Officer, who will work with the relevant school or department to put in place any appropriate support provisions to enable the student to continue his or her studies.

14. Disciplinary issues

As part of Student Orientation, information is given which sets out the University’s expectations of students. These expectations include attendance at teaching sessions and exams (where applicable) and the timely submission of coursework. When students are unable to comply with these expectations, it is important that communication is maintained between the student and the University, and where applicable, longer-term adjustments to the course can be considered in the case of physical or mental health difficulties.

There may be instances in which a student’s mental health causes them to behave in a disruptive manner. If staff members who have come into contact with this student believe that a student’s mental health may have been a contributory factor in the behavior, or if the student himself/herself discloses this information, careful consideration should be given to the way in which the incident or behavior is treated. If disciplinary action is considered, the student should be given the opportunity to raise issues around his or her support needs. It may be that this student is not currently receiving any help and that their behavior is beyond their own control.

Signed by *CEU President and Michael Ignatieff*

The original document is filed at the Office of the Academic Secretary.

Annex to the Disability Policy

Student Services *Central European University*

Introduction

Hungarian law, European Union law, US law, and UN conventions all recognize the rights of persons with disabilities and promote measures to ensure that those living with disabilities have access to equal opportunities in education. CEU's own Equal Opportunity Policy includes the University's commitment to the principle of equal opportunity in education for students and prospective students of the University, and to develop practices and programs compatible with this goal. As a result of barriers in accessing services, including primary, secondary and tertiary education, people worldwide with disabilities experience discrimination in numerous aspects of life. They have poorer health outcomes, lower education achievements, less economic participation and higher rates of poverty than people without disabilities. A way of empowering people living with disabilities is making quality education accessible, which corresponds to CEU's mission.

Disabilities and in particular psycho-social (mental health) disabilities, can emerge for a number of reasons. They can be exacerbated by stressful situations such as being away from home, being in a different country, the stress of intensive education with exams and deadlines, pressure of meeting new friends and fitting in, managing a tight budget, living with strangers, being in a competitive environment where there is pressure to succeed, and not being able to understand Hungarian.

Students with disabilities are not a homogenous group, and disability varies greatly. Many people with disabilities are able to manage by themselves, some require minimal support. For others the barriers they face are significant and other people need to adapt to enable the person with disability to enjoy aspects of life on an equal basis with others. A student's disability can impact on their ability to function and it may adversely impact on their ability to realize their full academic and social potential.

Legal foundation

The present policy refers to Hungarian, European Union and US laws and derives guidelines and inspiration from the standards enshrined in the international and domestic law affecting the rights of people with disabilities, including:

Hungarian law

- Basic Law of 25 April 2011

Article XV Section (2) prohibits discrimination on the basis of disability and Article XV Section (5) declares that people living with disabilities are protected through special measures.

- Act No CXXV of 2003 on equal treatment and the promotion of equality of opportunities

The Act's objective is to provide effective legal protection to those suffering from negative discrimination banning direct negative discrimination, indirect negative discrimination, harassment, unlawful segregation, retribution and any orders issued for those. One of the protected grounds listed by the law is disability.

- Act No XXVI of 1998 concerning the rights and equal treatment of people with disabilities

The aim of the Act is to define the rights of persons living with disability including the right to education and the instruments for the exercise of these rights, further to regulate the complex rehabilitation to be provided for persons living with disability, and as a result of all these, to ensure equality of opportunity, independent living and active participation in the life of society for persons living with disability.

- Act No CCIV of 2011 on national higher education

The Act considers the special needs of applicants and students living with disabilities and calls upon higher education institutions to help students to adjust and support the progress of students by paying special attention to students with disabilities.

EU law

- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation

The purpose of this Directive is to lay down a general framework for combating discrimination on grounds of among others disability with a view to putting into effect in the Member States the principle of equal treatment.

US law

- Section 504 of the Rehabilitation Act of 1973

This is a federal law that protects qualified individuals from discrimination based on their disability in organizations that receive financial assistance from any federal department or agency. Section 504 forbids organizations from excluding or denying persons with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

- The Americans with Disabilities Act (ADA) of 1990

The ADA prohibits discrimination on the basis of disability. To be protected by the ADA, one must have a disability or have a relationship or association with an individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.

UN law

- UN Convention on the Rights of Persons with Disabilities, 2006

The Convention promotes the inherent dignity and promotes, protects and ensures the full and equal enjoyment of all human rights and fundamental freedoms by persons with disabilities. Article 5 ensures equality and non-discrimination, which includes the obligation of reasonable accommodation. Article 24 sets out the right to every person with disabilities, inclusive education, and sets out a state obligation to “ensure an inclusive education system at all levels and lifelong learning.”

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