

Regulation number 397/2018

The enrollment of Special Needs Students (NEE students) in higher education has been increasing, becoming necessary to take adequate anti discriminatory measures and practices that may contribute to equal opportunities and their social and academic integration.

As a higher education institution, NOVA should promote the realization of the right to an education, with equal opportunities, while still being demanding in the quality and process of teaching and learning.

The lack of instruments to make this happen should create a situation of uncertainty and lack of protection. As such, the present regulation attempts to define the support that will be given and the requirements to access such support by the special needs students, be those permanent or temporary, frequenting NOVA University.

Having heard the Student Council and the Board of Directors, on the 18th and 19th of April respectively, I hereby approve on the terms of paragraph b) number 21st of NOVA University statutes, the regulation of the special needs student from NOVA University, in attachment with this mandamus.

8th of May, 2018 – the Rector, professor Doctor João Sàágua.

Regulation of NOVA University Special Needs Students

The Convention on the Rights of Persons with Disabilities (2007) puts the promotion of accessibility of special needs citizens to higher education and of knowledge as a nuclear objective, considering it an indispensable means to the exercise of the rights that are bestowed to any member of a democratic, inclusive society.

Respecting the constitutional principle of the equality of all citizens before the law demands that each university adopts measures that contemplate students with recognized disabilities, allowing them a true and successful integration, according to their degree of disability.

Physical adaptations are needed in the access to buildings and the usage of adaptative technologies in producing teaching materials, but also adjustments in the process of teaching, learning, and evaluating special needs students, that will ensure equal opportunities to these students and provide a true integration in higher education. The inclusion benefits from the involvement of all hierarchical levels and services, as well as the awareness of all faculty.

1st article

Purpose

1 – Within the scope of the present regulation, Special Needs Students (NEE students) refers to students covered by the categories established by the Organization for Economic Co-operation and Development (OECD):

- a) Transnational category A (CTN. A): includes students with disability or incapacities considered in medical terms as organic disorders, attributed to organic pathologies, for example, associated with sensory, motor, or neurological disability. The special need is considered to primarily emerge from problems attributed to those disability.
- b) Transnational category B (CTN. B): includes students with behavioral or emotional disorders or with specific learning difficulties. The special need is considered to primarily emerge from problems regarding the interaction between the student and the educational context.

2 – The present regulation applies to NEE students of all courses provided by the Nova University of Lisbon (NOVA).

2nd article

Substantiation of the conditions of attribution of the status

1 – the request for NEE student at Nova university status should be required at the competent services of the Organic Units during the act of enrollment, with the exception of cases where the disability manifests itself later or results from an occurrence after the beginning of the school year.

2 – the requirement should be accompanied by reports or supporting documents, issued by specialists, namely doctors, psychologists, speech therapists or other adequate professionals for every specific case, indicating if the disability and/or inability is permanent or temporary according to the World Health Organization definition (OMS, 2004):

a) The disability is permanent, when centered around physical, mental, or sensory conditions, according to a medical evaluation; meaning, measurable and clinically described.

b) The disability may be temporary or permanent, when its severity depends on the surrounding conditions; meaning, what the person is able to do in relation to what their environment (physical and human) offers and demands.

3 – The referred requirement in the last number must be presented just once, in the case of permanent NEE students. In the case of temporary NEE students, the students must periodically test their condition.

4 – The reports or supporting documents must be substantiated, meaning they should specify the type of difficulty and its severity, in relation to the work the student must develop in their university attendance, namely in the fields of vision, hearing, motor capabilities, chronic diseases, psychological/ psychiatric, learning difficulties or other limiting conditions that might weigh in the context of teaching-learning.

3rd article

NEE Student Support Office in NOVA

- 1 – The NEE Student Support Office in NOVA (GAENEE) has as a main objective promoting the inclusion of students with specific needs in the university.
- 2 – The GAENEE consists of:
 - a) three representatives of the Organic Units, proposed by the Board of Directors.
 - b) one student, proposed by the Student Council.
 - c) The SASNOVA administrator and one superior technician of Social Services.
- 3 – The GAENEE is designated by rectory order, that also designates its coordinator.
- 4 – The GAENEE's jurisdiction includes:
 - a) looking out for the enforcement of the NEE student regulation.
 - b) contributing to the promotion of inclusion policies.
 - c) promoting accessibility to buildings, information management systems and NOVA learning.
 - d) contributing to research and development in the inclusion field.
- 5 – The Student Support Office must promote institutional communication between students, faculty and services that enable solving cases related to NEE student situations.

4th article

Analysis and Overseeing Commission

- 1 – In each Organic Unit there must be an Analysis and Overseeing Commission by rectory order.
- 2 – The Commission's jurisdiction includes:
 - a) elaborating written opinions about supports, namely to the teaching process, evaluation or other technical help needed.
 - b) submitting the attribution of NEE student status.
- 3 – to ensure adequate follow-up and organizing available supports, the decision on the attribution of NEE student status should be made before a deadline of 30 days.
- 4 – The decision on the attribution of the status is made by the director of the Organic Unit, after hearing the Analysis and Overseeing Commission.

5th article

Enrollment and attendance System

- 1 – Considering their particularities, NEE students may benefit from priority in any act of enrollment, registration, class, and schedule choice.
- 2 – In terms of the attribution of attendance, NEE students have the following rights:

a) won't be subjected to attendance that makes their school performance rely on attending theoretical, practical, or theoretical-practical, considering, however, the first point of this article.

b) compensation classes or pedagogical support considered to be essential to the evaluation process by faculty or NEE students.

c) postponing presentations or assignment and test realization to a later date, to be defined by the regent of each class, if the substantiation is considered by them as sufficient.

3 – In the beginning of each semester, the program coordinator should promote a clarification session for faculty with NEE students, to explain the specific case of each student.

4 – Faculty should resort to technical means of minimizing limitations to NEE students when needed.

5 – The presence of an assistant (interpreter, guide dog or other) should be accepted when possible and needed.

6th article

Evaluation Conditions

1 – NEE students should have the possibility to be evaluated in ways and conditions adapted to their situation, without conflicting with the correct evaluation of skills or knowledge that need be tested.

2 – The Head of Department or Program Coordinator should, according to the specific situation, having heard the Professor of the respective class, allow NEE students whose health requires successive hospital stays or prolonged absences for treatment and medication, evaluation moments in alternative dates during the school year.

3 – The adaptations in the evaluation process may consist, among others, in changing the type of evaluation, the duration and place of evaluating, and the instruments of evaluation:

a) Written evaluation instead of oral evaluation or vice-versa.

b) Evaluation adequate to the student's needs.

c) Possibility of support during the evaluation, namely consulting authorized materials or presence of a third party.

d) Dividing the evaluation in two moments if the disability invalidates continuous efforts.

e) Usage of other technical means, approved by the Professor, during the evaluation when the causes of disability justify it.

4 – In the execution of written evaluations:

a) In the case of a disability that implies a slowdown in writing and/or reading, NEE students shall be given extra time.

b) The test questions shall be adequately presented according to the disability type (enlarged text, audio questions, Braille characters) and the answers can be given in non-conventional ways (audio files, Braille, dictated or on a computer).

c) In the case of using texts or other materials in oral evaluations, the specific case of NEE students must be foreseen.

d) Deadlines to submit practical written tasks shall be bigger, defined by the Regent of the class, if the particularities of the NEE student's case recommend it.

e) In the case of students that demonstrably suffer of a chronic disease and need successive hospital stays, faculty must allow evaluation of knowledge in alternative dates to be decided by both parts and longer deadlines for submitting tasks/papers.

5 – In the case of public evaluations of dissertation or thesis that can't take place in their regular conditions, due to cognitive or physical limitations of the candidate, procedures in their own regulation must be followed.

7th article

Access to Special Evaluation Season and Prescription System

1 – NEE students may have access to the special evaluation season, when justified and substantiated, according to documents that support the exception request and a favorable written document emitted by the respective competent services of the Organic Unit.

2 – The NEE students at NOVA University may benefit of a special Prescription System, defined by law, to be determined by the Organic Unit where they are enrolled.

8th article

Technical Help

1 – The Organic Units must try to give technical and material support to NEE students, namely:

a) If needed, faculty should, at the beginning of the year, provide to the Organic Unit the program and bibliography of their respective classes, as well as other work elements that should be used by students, to promote their adaptation to students' specific characteristics.

b) the request to use technical/material supports is made by the NEE student, through a requirement made to the President of the Pedagogical Council, where they must include the following elements:

i) Designate the technical help(s);

ii) Type of utilization: temporary or permanent;

iii) Total cost and, if applicable, if there is another contribution and its value, with budget for different entities;

c) The Organic Unit will promote, according with its means and available briefness, the acquisition/ adaptation of work instruments necessary to a successful realization of the teaching and learning process.

d) NEE students and faculty may arrange amongst themselves a number of things that may be adapted in alternative formats.

e) Considering the specific constraints of some special needs or disabilities, the deadlines for borrowing books to read at home from the libraries may be extended to NEE students.

2 – The program Coordinator or Pedagogical Council President should settle with SASNOVA the NEE student's access to social benefits according to their needs.

9th article

Accessibility and Mobility

1 – The Organic Units and other NOVA services must ensure priority services and accessibility in their buildings, according to current legislation, that specifies the techniques that allow accessibility to low mobility persons.

2 – In the case of accessibility problems, alternative solutions must be procured, while defining a plan to eliminate physical barriers.

3 – In any construction or remodeling of NOVA buildings, as well as their respective borderline access areas, specialized advice may be requested.

4 – Classrooms attributed to NEE students should have easy access and, if possible, adapted furniture.

5 – NEE students are allowed to choose the places in the classroom where their necessities are satisfied best.

6 – Students with sensory or motor disabilities have priority in access to NOVA parking lots.

10th article

Social Supports

1 – Scholarship students with an incapacity level equal or greater than 60% may benefit from additional scholarship aids in the terms provided by the Regulation for the Attribution of Study Scholarships to Students in Higher Education.

2 – Equipment and support services, as well as additional aids to scholarship students, in the scope of the Regulation for the Attribution of Study Scholarships to Students in Higher Education, are provided by SASNOVA, according to reports from a specialized technician.

3 – Students with an incapacity level equal or greater than 60%, whose situation is not frameable in the scope of the social supports from the 24th article of the Regulation for the Attribution of Study Scholarships to Students in Higher Education may solicit to the

Directorate General for Higher Education (DGES), the concession of a study scholarship matching the value of tuition fees.

4 – SASNOVA must prioritize the attribution of accommodation to NEE students, in view of what is available, and provide accommodations with no barriers in student's residencies.

5 – NEE students, in accordance with their needs, have prioritized services, adapted, if possible, in supports necessary for meals, in canteens and cafeterias, managed by SASNOVA, in line with the capacities of said services.

6 – SASNOVA provide psychological help services to NEE students

7 – SASNOVA associate with institutions and entities outside of NOVA, that step in accompanying students, in health matters, transportation, housing and rehabilitation.

11th article

Final Dispositions

Questions and missing cases in this Regulation will be solved by the Rector of NOVA University, having heard the NEE Student Support Office that may solicit opinions of specialists from NOVA University or external entities.

12th article

Implementation

The present Regulation is implemented in the following business date after its publication, with the exceptions of measures that can show results in the school year of 2018/2019.