

# AN ASSESSMENT ON THE REASONABLE ACCOMMODATION OF STUDENTS WITH DISABILITIES IN JIMMA UNIVERSITY

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Today many students with disabilities in Ethiopia are managing to get admitted to higher education, passing all the hurdles through elementary and secondary education levels. In order to meet the needs of these students, the provisions of the Convention on the Rights of Persons with Disabilities on reasonable accommodation measures should be taken by states members. Ethiopia is a member of this Convention and the higher education institutions have to work towards the accommodation of these students so that they could compete on an equal basis with other students.

The researcher has carried out an assessment on the extent of the reasonable accommodation of students with disabilities at Jimma University. The study is carried out based on structured and semi-structured interviews with the relevant university administration personnels, students, lecturers coupled with a personal observation.

The findings of the research show that the university's facilities are mainly designed based on "ablesim"-for students who have no disabilities. The teaching methodology, the curriculum, the reader materials and the books, internet access and computers, the design of class rooms, office buildings and dormitories, the roads and other infrastructure, and many other things do not meet the standards set by the Convention on the Rights of Persons with Disabilities. This is in effect a violation of the rights of students with disabilities to access education on an equal basis with others as set under article 24 of the Convention on the Rights of Persons with Disabilities.

## INTRODUCTION

There is an undisputed recognition by international human rights law that persons with disabilities<sup>1</sup> have a right to an

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<sup>1</sup> The UN Convention on the Rights of Persons with Disabilities (here in after the CRPD) under article 1 prefers to define persons with disabilities than to give hard fast meaning for disability. This is partly attributed to the evolving nature of the nature of disabilities and the protections that would be afforded to the group with the dynamism of society and law. The definition of persons with disabilities under article 1 runs as: "persons with disabilities include those

inclusive education at all levels ranging from the elementary to higher education on an equal basis with others.<sup>2</sup> Despite this understanding and a series of commitments towards inclusive education, students with disabilities suffer from a pervasive and disproportionate physical and academic barriers at schools due to multi-faceted problems.<sup>3</sup>

In Ethiopia, too, however a good number of students have managed to be admitted to higher education, the universities' facilities are mainly designed for students who have no disabilities. The teaching methodology, the curriculum, the design of class

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who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.” So in general, an individual with a disability is defined as anyone with a physical or mental impairment that substantially limits one or more major life activities, such as walking, seeing, hearing, speaking, working, or learning. The American with Disabilities Act (ADA) under Section 12102 defines disability to include

(A) a physical or mental impairment that substantially limits one or more major life

activities of such individual;

(B) a record of such an impairment; or

(C) being regarded as having such impairment. The lists conditions that may be considered a disability may hence include but are not limited to: anxiety, attention deficit/hyperactivity disorder, deafness/hearing, depression, epilepsy, heart disease, learning disorders, orthopedic, speech, or visual impairments. But throughout those definitions the important bench mark is, whether the impairment hinders ones' full and effective participation in society on an equal basis with others

<sup>2</sup> To list the most important ones: Convention on the Rights of Persons with Disabilities, 2006 (Article 24), International Covenant on Economic, Social and Cultural Rights, 1966 (Articles 2 and 13; General Comments 5 and 13) Convention on the Rights of the Child, 1989 (Articles 2 and 28; General Comments 1 and 9) UNESCO Convention against Discrimination in Education, 1960 (Articles 1, 3 and 4) African Charter on Human and People's Rights, 1981 (Articles 2 and 17) African Charter on the Rights and Welfare of the Child, 1990 (Article 11)

<sup>3</sup> Report of The Special Rapporteur On The Right To Education, Implementation of General Assembly Resolution 60/251 Of 15 March 2006 Entitled “Human Rights Council” The Right To Education Of Persons With Disabilities Human Rights Council Fourth Session Item 2 Of The Agenda, 19 February 2007

rooms and dormitories, the roads in campus, the reader materials and the books, internet access and computers and many other academic and physical facilities are designed based on ableism.<sup>4</sup> This will inevitably limit the effectiveness of these students to become academically competitive on an equal basis with other students.

The most pertinent international human rights instrument, CRPD which Ethiopia has ratified, too, sets a duty up on member states, among other things, to adopt measures towards a reasonable accommodation of persons with disabilities.<sup>5</sup> To ensure the implementation of this duty, states must make sure that schools have provided services that can reasonably accommodate students with disabilities. Specifically, higher education institutions are required to make reasonable modifications in their practices, policies and procedures, and to provide supportive systems and services for students with disabilities, without imposing an undue financial and administrative burden on the institutions and without causing fundamental modifications on the nature of the goods, services, facilities provided by the institutions.<sup>6</sup>

Reasonable accommodations can take many forms, depending on the individual student's needs. Modifications that universities might be required to make to their policies, practices and procedures to accommodate students with disabilities may

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<sup>4</sup> Ableism refers to the physical and social ways that people with impairments and lived experience of disability are marginalized, excluded, or otherwise prevented from participating in world and accessing their basic rights.

<sup>5</sup> The text of the CRPD under the definitions part offers a definition of reasonable accommodation as "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."

<sup>6</sup> Report of The Special Rapporteur On The Right To Education, *Supra* at note 3; Guidelines for Reasonable Accommodations of students with disabilities in University of Virginia, available at [http://www.doe.virginia.gov/testing/participation/lep\\_guidelines.pdf](http://www.doe.virginia.gov/testing/participation/lep_guidelines.pdf), accessed on October 23,2014

include: not assessing penalties for spelling errors on papers or exams, allowing course substitutions for certain required or prerequisite courses, allowing extra time on exams, allowing a reduced course load and extended time within which to complete degree requirements, providing housing accommodations for a student's personal care assistant and make modifications to the design of buildings.<sup>7</sup>

In addition to these policy and practice modifications, universities need to adopt inclusive infrastructures and provide supportive aids and services. These may also take many forms, depending on the individual student's needs, which may include but not limited to qualified interpreters or other effective methods of making aurally delivered materials available to individuals with hearing impairments, note takers; qualified readers, provision of assistive technology, coordination of accessible housing needs, tape-recorded or digitally recorded texts, or other effective methods of making visually delivered materials available to individuals with visual impairments or learning disabilities, class materials in alternative formats (e.g. texts in Braille, on audiotape, or as digital files), acquisition or modification of equipment or devices.<sup>8</sup>

The CRPD requires states parties in this respect to take measures including: facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring; facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; ensuring that the education of persons, and in particular children, who are blind, deaf or deaf-blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.<sup>9</sup>

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<sup>7</sup> Rights of Students with Disabilities in Higher Education, A Guide for College and University Students available at <http://www.disabilityrightsca.org/pubs/530901.pdf>, accessed on December 21/2014

<sup>8</sup> Ibid, A Guide for College and University Students

<sup>9</sup> CRPD, *supra* at note 6, Article 24(3)(a,b,c)

The aim of this article is to assess the extent of the reasonable accommodation of students with disabilities in Jimma University. This assessment involves checking the policy and legislative frameworks, the existence of a separate coordination body, academic accommodation and physical accommodation measures. This is carried out based on a structured and semi-structured interview with the officials of the university, students with disabilities and lecturers who offer courses to students with disabilities coupled with the personal observation of the author.<sup>10</sup>

Accordingly, this article is organized in to three parts: the first one discussing on the normative standards of the reasonable accommodation of students with disabilities, the second part on the Ethiopian laws which acknowledge the duty of reasonable accommodation and finally an assessment of the conditions of reasonable accommodation in Jimma University.

## I. THE HUMAN RIGHTS STANDARDS TOWARDS REASONABLE ACCOMODATION OF STUDENTS WITH DISABILITIES

The right to education is enshrined in the 1948 Universal Declaration of Human Rights (hereinafter UDHR) for every individual irrespective of difference based on sex, religion, race, color, ethnicity, nationality, and other status.<sup>11</sup> Reaffirming this pledge, the International Covenant on Economic, Social and Cultural Rights (hereinafter the ICECSCR) solemnly declared the right to education for all without discrimination.<sup>12</sup> Although these two instruments do not refer explicitly to inclusive education for persons with disabilities, certain elements of the right to education implicitly serve to promote the concept. Notably, article 13 of the ICECSCR highlights education's role of enabling, "all persons to

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<sup>10</sup> The fact that author teaches at the University helped him to get first hand information on the physical and academic facilities, and the challenges faced by the students.

<sup>11</sup> UDHR, article 26

<sup>12</sup>ICECSCR, Supra at note 2, Article 13, Article 2

participate effectively in a free society”. Again, the principle was reiterated in the Convention on the Rights of the Child, but this time more explicitly in its articles 29 and 23; the former by focusing on the purposes of education and the latter, relating specifically to children with disabilities, by imposing an obligation on States to ensure that children with disabilities have “effective access to and receive education, training, health-care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child’s achieving the fullest possible social integration and individual development”.

Latter in 1990, the World Conference on Education for All and the 1993 United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities, urge States to ensure that the education of persons with disabilities is an integral part of the education system.<sup>13</sup> Moreover, the Convention on the Rights of the Child<sup>14</sup>, the Salamanca Statement and Framework for Action on Special Needs Education adopted in 1994 by the World Conference on Special Needs Education have all established the obligation of States to ensure an inclusive education system. Inclusive education, as enshrined in the Salamanca Declaration connotes that education is provided for all within the regular education system. Focused on children and young people, the Declaration calls on States to ensure that children with “special educational” needs must have access to regular; that is mainstream schools. The Declaration underlines that inclusion is the most effective means of combating discriminatory attitudes and achieving education for all.

In September 2006, the Committee on the Rights of the Child adopted its General Comment No. 9 on the rights of children with disabilities. This General Comment specifically views inclusive education as the goal of educating children with disabilities and indicates that States should aim at providing “schools with appropriate accommodation and individual support” for these

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<sup>13</sup> In fact in 1960, UNESCO adopted its Convention against Discrimination in Education; however it doesn’t carry a binding force. Unfortunately, these two subsequent documents have no also binding nature.

<sup>14</sup> CRC , Supra at note 2, Articles 23 and 29

persons.<sup>15</sup>

However, all of these efforts were not enough to establish a clear enforceable right towards the equalization of opportunities for students with disabilities at all levels of education. As a result, students continue to suffer from pervasive and disproportionate physical and academic barriers in education institutions due to non-inclusive setup.

With the increased involvement of governments, advocacy groups, community and parent groups, and in particular organizations of persons with disabilities, in December 2006, the General Assembly in its resolution 61/106 adopted the CRPD. The cornerstones of the Convention are inclusion, parity of participation, full enjoyment of rights and dignity for people with disabilities, with additional attention given to the juxtaposition of other factors of exclusion and discrimination, such as combinations of gender, age, childhood, poverty and disability.<sup>16</sup> The CRPD is noteworthy on many levels. It unifies in one international document a range of human rights recognized for people with disabilities, and reaffirms the “universality, indivisibility and interdependence” of human rights.

In seeking to improve access to education for the majority of those with disabilities, the CRPD recognized inclusive education.<sup>17</sup> Accordingly, nations must ‘ensure an inclusive education system at all levels’. Under this Convention, the right to education of persons with disabilities encompasses a right to ‘not [be] excluded from the general education system on the basis of disability’ and access to ‘an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live’<sup>18</sup>

In this respect, the CRPD establishes a duty of reasonable accommodation on the states towards inclusion of persons with disabilities. Because, full inclusion is closely linked

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<sup>15</sup> Committee on the Rights of the Child, general comment No. 9 on the rights of children with disabilities (CRC/C/GC/9, para. 64).

<sup>16</sup> CRPD, *Supra* at note 9, General principles, Article 3

<sup>17</sup> *Ibid*, CRPD article 25

<sup>18</sup> *Ibid*, CRPD, (Art. 25 (2)(a))(Art. 25 (2)(b))

with ensuring non-discrimination and successful implementation hinges on the provision of reasonable accommodation.<sup>19</sup> Para (2) of article 24 is cornerstone and enshrines inclusive education by ensuring that persons with disabilities are not excluded from mainstream education. Reasonable accommodation as defined in Article 2 of the Convention is enshrined in Para (c) of article 24.<sup>20</sup>

In exceptional circumstances where the general education system cannot adequately meet the support needs of persons with disabilities, States Parties shall ensure that effective alternative support measures are provided, consistent with the goal of full inclusion.”<sup>21</sup> Obviously, the goal of full and effective inclusion cannot be met, if “some” are left out. As a result Para (d) of article 24(2) covers the necessary support to ensure full and effective inclusion within mainstream education and Para (e) enshrines the support necessary to ensure that in case of non-inclusive settings, the same standards of academic and social development are upheld. When this is read in conjunction with Para 3 (c), it is clearer that deaf, blind and deaf-blind persons in particular should benefit from this provision.<sup>22</sup>

Para 3 details the skills that should be taught,

*“(a)facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of*

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<sup>19</sup> These issues are explicitly covered in Paras (2) (c) & (5) of Article 24 of CRPD

<sup>20</sup> With regard to the cost involved in providing accessible and inclusive education, it might be appropriate to recall the notion of progressive implementation, compare Article 4 Para 2.

<sup>21</sup> Ibid, CRPD, Paras (d) and (e)

<sup>22</sup> The ICESCR committee in its General Comment No 13 outlined the basic features on the right to receive education to include

- Availability – educational institutions providing quality education have to be available in sufficient quantity.
- Accessibility – available to everyone without discrimination:
- Acceptability – the form and substance, including method of teaching have to be relevant, culturally appropriate and of good quality.
- Adaptability – flexible so as to adapt to the needs of changing societies.

*communication and orientation and mobility skills, and facilitating peer support and mentoring;*

*(b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;*

*(c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deaf blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.*

The reference to “most appropriate languages” in (c) does not explicitly refer to sign languages, which should be added though. Para (4) is important in that it calls for training and awareness for all teachers, not just those who work with persons with disabilities. Para (5), as is mentioned above, includes a specific reference to reasonable accommodation.

Based on what is discussed above, Article 24, paragraph 3, of the CRPD imposes a duty up on the States to ensure appropriate languages and modes and means of communication for the individual and environments which maximize academic and social development for students. This means the students should be afforded with an academic system that could reasonably accommodate their needs and a physical environment that doesn't create an obstacle on their day to day activities in the learning environment. Therefore, the measures of accommodation of students with disabilities can be taken in to two broad forms- academic accommodation and physical accommodation.

Academic accommodation means to take measures so as to make the curriculum and the modes of delivery accommodative of the needs of students with disabilities. This requires a proactive consideration of students with disabilities in the design of curriculums and a periodic revision of existing curriculums. Moreover, there should be a room for course substitution and course exemption for students with visual impairments where a curriculum change is not affordable. In the delivery of courses, the teaching methodology should be mind full of the students with impairments. For instance, the student who is visually impaired may exhibit problems in one or more of the following areas:

inability to utilize visuals such as films, graphs, demonstrations, and written materials; difficulty in taking traditional paper and pencil tests; need for a longer period of time to complete assignments; difficulty in focusing on small-group discussion when there is more than one group functioning; and need for a variety of low-vision aids to integrate the classroom. Therefore in those courses that necessarily require unimpaired vision, the students should be allowed to substitute courses or get exemption within the limit set by the University. Because a student is visually impaired, it should not be assumed that she cannot participate in all educational activities.

Last but not least, when exams are administered, students with visual impairment cannot sit with the others in the same room since they need an assistance of a scribe which involves narration by the student. Therefore, such students should be afforded with an exam setting free from distraction and nuisance.

Physical accommodation on the other hand includes the modes of announcement and notices to get necessary information about the day to day operation in their program of study, including, class schedules, exam schedules and other relevant notices; the accessibility of buildings including the class room, libraries, administration offices, cafeterias, dormitories, roads and others. All the above should be accommodative of the needs of students with disabilities. Unless the notices and announcements in the institutions are considerate of students with disabilities, that will make them ignorant about the day to day operation of the institution or at the very best dependents on their friends. The ableist design of buildings which ignores especially students with mobility problems, who use wheelchairs, crutches, etc is another bulwark against the effectiveness of students in their day to day academic and social development activities in the institutions. The non accessibility of the class rooms, the administration buildings, the dormitories, the buses, the offices of instructors will obviously imply that the students with mobility problems are going to miss classes, contacts with their instructors, and other important places.

Moreover, for the safety of students with visual, hearing

and mobility problems alike, there must be traffic signs for drivers in campus so that they notice the presence of these students who can't hear or see the conventional traffic signals.

## II. THE ETHIOPIAN LAWS ON REASONABLE ACCOMMODATION OF STUDENTS WITH DISABILITIES

When we see the Ethiopian legal framework on the right to inclusive education and reasonable accommodation of students with disabilities, apart from the Constitution,<sup>23</sup> there is a clear and most pertinent provision in the higher education proclamation about the measures of reasonable accommodation for students with disabilities.<sup>24</sup>

The proclamation specifically requires the institutions to make their facilities and programs amenable to use by students with disabilities.<sup>25</sup> This includes reasonable modification measures to relocate classes, develop alternative testing procedures, and provide different educational auxiliary aids in the interest of students with physical challenges.<sup>26</sup> These are related with the academic accommodation of the students with disabilities.

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<sup>23</sup> Ethiopia has ratified the CRPD in 2010, which implies that the Convention has become part and parcel of the law of the land according to article 9(4) of the FDRE Constitution. This further implies that the constitution under chapter three should be interpreted in accordance with the convention, as per article 13(2). More specifically, the constitution under article 41(5) declares

“The State shall, within available means, allocate resources to provide rehabilitation and assistance to the physically and mentally disabled, the aged, and to children who are left without parents or guardian.” However not directly related to inclusive education, there are also proclamations on preferential employment right clause in 2007, A human right oriented Employment legislation in 2008, accessibility or building legislation in 2009 and 2011, disability inclusive national development plan 2011 which show the trend of normative standards towards inclusion of persons with disabilities in different fields.

<sup>24</sup> Ethiopian Higher Education Proclamation, proclamation No. 650/2009

<sup>25</sup> Ibid Article 40(1)

<sup>26</sup> Ibid, 40(2)

In addition to the above measures of reasonable accommodation to academically accommodate students with disabilities, the institutions are required to ensure that the class rooms, residence buildings, administrative buildings and other infrastructure are able to accommodate the needs of the students with disabilities. This means, building designs, campus physical landscape, computers and other infrastructures of institutions shall take into account the interests of physically challenged students.<sup>27</sup> Moreover, in order to assist students with disabilities to be equally competitive, measures of academic accommodations including tutorial sessions, exam time extensions and deadline extensions are required to be introduced.<sup>28</sup>

This provision is a direct reference to inclusive education and measures of reasonable accommodation in higher education institutions in Ethiopia. It requires the institutions to make all the necessary and possible adjustments to let students with disabilities be considered in the mainstream education system, to the extent resources permit.

### III. THE EXTENT OF REASONABLE ACCOMMODATION OF STUDENTS WITH DISABILITIES IN JIMMA UNIVERSITY

#### *A. Introduction*

Like many low income countries, disability in general and reasonable accommodation of students with disabilities in higher education is rarely discussed in Ethiopia. Yet, the number of students managing to be admitted to higher education is growing and now it poses a serious question for universities about whether they provide a reasonable accommodation for this group of students.

Reasonable accommodation of students with disabilities requires a combination of legislative and administrative measures. The administrative measures can be divided in to two: measures of

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<sup>27</sup> Ibid 40(3)

<sup>28</sup> Ibid 40(4)

academic accommodation and measures of physical accommodation, in which a combination of the two would help to enhance the accessibility of education for students with disabilities in higher education institutions.

In the coming part, the legislative framework, the coordination of services and the extent of academic and physical accommodation for the students will be analyzed in the context of Jimma University.

### *B. Policy and Legislative Framework*

Adopting appropriate legislation, developing policies or national plans of action, are important starting points to inclusion for all. The CRPD under article 4(1) requires specific laws and policies, in general legislative measures to be taken in order to implement the commitments undertaken in the convention. Unfortunately, there is often a lack of national legislation, policy, targets, and plans – or at least significant gaps in them – for reasonable accommodation of students with disabilities.<sup>29</sup> Overall there is a lack of information for governments about how to translate international standards, such as Article 24 of the CRPD, into practice.<sup>30</sup>

In other words, a specific law is necessary to implement the duties of states imposed up on states by the CRPD. One of strategies for inclusion of students with disabilities identified by the Special Rapporteur on Inclusive Education is to create appropriate legislative frameworks and set out ambitious national plans for inclusion. Since the needs of students with disabilities are often neglected, general international conventions and national laws are usually insufficient.

In Jimma University, there is no specific law to regulate the accomodation of the needs of students with disabilities. Disability accommodation policies would have been helpful in the determination of the beneficiaries of the disability services, the type of service available and the mechanism of complaint hearing. The

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<sup>29</sup> Special Rapporteur, Supra at note 4

<sup>30</sup> Ibid

lack of a legislative framework will make the proper accommodation of the students with disabilities arbitrary.<sup>31</sup>

However it has no a policy or comprehensive action plan, Jimma University has a plan for appropriate teacher training, access to school buildings, and the provision of additional learning materials and support.<sup>32</sup>

### *C. Coordination Body: “Focal Point for Disabilities”*

Another very important measure for reasonable accommodation of students with disabilities is to establish a coordination body with a mandate of following up the disability claims and services in a certain institution. This coordination body is supposed to work on the determination of who is eligible for disability services and benefits, consider complains raised by students with disabilities in accommodation of their needs, following up policy making and implementation in relation to students with disabilities.

Jimma University has no such coordination body; the available services are coordinated by the Students’ Services Directorate. Ato Ewnetu Hailu, Director for Students’ Services at Jimma University, said that however there is an understanding with the higher officials of the University on the needs of students with disabilities, it is considered expensive to establish a separate coordination organ in the university for the time being.<sup>33</sup>

### *D. The Availability of Services for Academic Accommodation at Jimma University*

It’s recently that Jimma University started to admit

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<sup>31</sup> Far too often the national education policies has not mentioned disabilities or inclusive approaches however the country is very close to universal primary education. Key gaps included a lack of targets or plans and weak data collection to feed into planning.

<sup>32</sup> Interview with Ato Ewnetu Hailu, Director for Students’ Services at Jimma University, interview held on October 22,2014, Jimma

<sup>33</sup> Ibid, Interview with Ato Ewnetu Hailu

students with disabilities. The common areas of disability observed in the university are visual impairment and mobility problems.

As mentioned above, there is no a separate focal body to follow-up the provision of services for students with disabilities. But the Director for Students' Services carries out the duty in addition to many other duties given by the university administration. Ato Ewnetu Hailu, the Director for Students' Services mentioned that the university provides the materials necessary for students with visual impairments and mobility problems.

For students with visual impairments, the University provides Braille books borrowing from Addis Ababa University, White cane, tape recorders; arrange exam readers and scribes, who are paid by the university. However the students complain that there is no provision of the recorders and Braille books for all the courses and they are too much dependent on their friends and lecture notes from the lecturers to cope up with the existing situation.<sup>34</sup> There are no computers suited for blind students. All the computer labs in the university are not thoughtful of the needs of the students with visual impairments.

In addition, there is no an accommodating curriculum, like course substitution and exemption for the visually impaired students who are not able to attend courses which involve arithmetic works, especially at the departments of sociology and psychology on statistics and quantitative research methodology courses. But the lecturers may have their own reasonable measure taking in to consideration the difficulties their students may suffer from. But due to the absence of any policy framework, the lecturers are working only out of intuition and sympathy and that lacks normative standard and consistency.<sup>35</sup>

Tutorial sessions, exam time extensions and deadline extensions which are required to be introduced by the higher education proclamation are non-existent in the practice of Jimma

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<sup>34</sup> Interview with Shegaw Birhanu, fifth year law student who has visual impairment, interview held on October 23, 2014, Jimma

<sup>35</sup> Interview with Addisu Tegegne, a lecturer of social work, Jimma University, interview held on December 26, 2014

University.

In the law school, where there are about five blind students, they don't have an option to substitute or to be exempted the tax law course which has also an arithmetic work. It's up to the discretion of the course lecturer to accommodate them.<sup>36</sup>

For students with visual impairments, separate exam rooms are not available; they are obliged to take their exams at the corridors of classes, full of nuisance and distraction.<sup>37</sup>

*E. The Availability of Services for Physical Accommodation at Jimma University*

Jimma University has about four campuses offering different fields of study. The students with visual impairments who are mostly in the fields of social sciences, governance and law are attending their study at the main campus. The students with mobility problems who use wheelchair and crutches are however attending their education throughout all colleges.

The modes of announcement and notices to students about the day to day operations in their study ignore students with visual impairments as it is designed based on the idea of ableism, only based on print media. If students with visual impairments should compete equally with others in higher education, they should have to get necessary information about the day to day operation in their program of study, including, class schedules, exam schedules and other relevant notices. This destined the students to be dependent on friends who can manage to tell them about the notices and that will in turn affect their effectiveness in their study.

When we observe the physical accessibility of the buildings in Jimma University, it is mostly constructed on the basis of ableism, without giving due regard to students who use a

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<sup>36</sup> Interview with Yosef Alemu, tax law lecturer, Law School, Jimma University, interview held on October 26, 2014

<sup>37</sup> Interview with Destaw, a second year law student who has a visual impairment December 27, 2014

wheelchair and a crutch. The student's clinic which is at the ground floor of the Students' complex can be accessed by wheel chair user students. Moreover, the university gives dormitories for these students at the ground floor with a special bathing room design which accommodates students who use wheelchairs, which is a very commendable measure. There is also a separate library for students with disabilities close to their dormitories.

Beyond that, not a single building of the university has an elevator. All academic and administrative buildings above the ground floor are not easily accessible by person using wheelchairs, unless they are supported by others. It is possible to verify this assessment by taking sample buildings.

The Green building is one of the huge buildings constructed in Jimma University having four storeys to serve as a resource center. But when we see the way it is constructed, we cannot find any consideration to students who use wheelchairs and crutches. Even the ground floor is not accessible as there is no any way to drive a wheelchair, since it has breaks and steps in front of the main gate of the ground floor. This problem is, too, observed at the newly built Social Science and Humanities College building, where administrative and lecturer's offices situate.

The students' complex building, which hosts mainly the registrar office, the student's directorate offices and the student's clinic, has a road constructed for wheelchair users leading to the main gate. However, a student who uses a wheelchair can't access the offices above the ground floor, where many of the student's affairs are carried out. Ato Ewnetu Hailu said that he would go everytime down to the floor to talk to students who use wheel chairs, which seems very much unrealistic. The main hall of the university which is situated at the College of Agriculture and Veterinary Medicine can't be accessed by a wheel chair user since it has steps and breaks which do not allow driving a wheelchair. All the other buildings across the university are ignorant of the needs of the students with disabilities.<sup>38</sup>

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<sup>38</sup> In fact the Construction Proclamation 624/2009 under article 33(4) any building, which is more than 20 meters above the ground floor, shall be provided with a lift or other similar service. This is customarily accepted that

This barrier created on students with mobility problems will have a further implication on their effectiveness in their study and complicate to manage their lives in campus. Infrastructure services have a central role as a facilitator or barrier based on their design. As a result, the role of properly designed infrastructure is particularly important in the efforts to provide equal access to education for all without discrimination.

The other very important factor that affects the education and life of students in campus is the accessibility of roads in campus. The roads have breaks and steps that cannot mitigate the difficulty of the persons using wheelchair and for visually impaired students, too. Since the roads are not suitable for them students with disabilities are unable to access many offices of the academic and administration services at the university.<sup>39</sup> This in turn affects the competitiveness of the students in their study and in fact a threat to their life and security of their person, because they are unable to move without difficulties and they are destined to be dependent on someone else.

For what is worse, there are no traffic signs for driving in campus so that they can be wary of students with hearing and visual impairments. A combination of these problems exposes their life and security to danger in addition to its implication on their academic performance.

But this is not a total rejection of the limited adjustments made by the University in making the roads accessible, however it's very much limited. Parallel to the main road at the main campus, there is an adjustment for wheel chair users, however it is only one single way and the main road is not comfortable to drive wheel chair. Moreover, in some areas it is beyond their capacity to roll their wheelchairs and climb the mountainous road.

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buildings above ground plus four should have a lift. But this cannot be used to defend the claim of students who are admitted to the universities based on an assumption that they would get equal treatment with the others.

<sup>39</sup> Interview with a health science student (who asks his identity be kept anonymous) who use wheelchair. He says he needs the support of his friends to drive his wheelchair in campus since the road has ups and downs, interview held on October 25,2014

Because of this, students are observed assisted by other persons to drive the wheel chair.

Generally the problem relating to the design of the infrastructure in Jimma University play its own role in limiting the academic and social life of students in addition to the lack of academic accommodations. Added to the problems resulting from the social construction of our society, the design of the infrastructure at the university is becoming a barrier affecting students with disabilities in their educational and personal activities during their stay in campus.

## CONCLUSION

The movement towards inclusive education has received much support in recent years. Despite this, students with disabilities are still experiencing different obstacle in their academic and personal life at the mainstream education system. Among other obstacles, the discrepancy that exists between the normative framework and the resources available for realizing the right to inclusive education, as well as the lack of genuine political will to achieve this goal are the critical ones. Students with disabilities at higher education face various forms of discrimination in educational settings. This results in education systems in which persons with disabilities are denied the right to education as enshrined in article 24 of the Convention on the Rights of Persons with Disabilities

The researcher find out that, students with disabilities in Jimma University are still experiencing serious difficulties and facing barriers to the full enjoyment of the rights enshrined in the CRPD and other national and international human rights standards. The barrier is not the disability itself but rather a combination of social, cultural, attitudinal and physical obstacles which students with disabilities encounter in their daily lives.

Jimma University has to act now to halt the marginalization of students with disabilities from the mainstream education system, and minimize the gap in the delivery of academic and physically accommodating measures. It should work to ensure that students with disabilities are not academically and personally affected in the

inclusive education system.

Curriculums must be re-evaluated and developed to meet the needs of students with disabilities. Modification in training programmes for teachers and other personnel involved in the educational system must be achieved in order to fully implement the rights of students with disabilities to inclusive education and reasonable accommodation.

Finally, the measures of reasonable accommodation at Jimma University must no longer be seen as a marginal policy issue, but as central to the achievement of high quality education for all learners, and the development of more inclusive societies. In order to effectively respond to the real needs and issues 'on the ground', it is important to ensure that the voices of students with disabilities are included in policy planning processes and monitoring.