

Reasonable adjustments guide

Looking at and understanding the needs of students with disabilities





CAMPUS KIRCHBERG



Introduction

The University is committed to providing an inclusive and equitable learning environment that enables students with a disability to access the same opportunities as their non-disabled peers.

The University of Luxembourg welcomes students with a disability and provides care and support to encourage equal opportunities for all. Students are an integral part of our campus community and as such, the University aims to provide an environment to ensure all students can flourish and reach their full potential.

The University has a legal duty to try to remove the barriers students face in education because of a disability, medical or mental health condition. This is called 'making reasonable adjustments'. The purpose of reasonable adjustments is to make it possible for students to participate fully in University life. It is not to give students an advantage over others, to change standards or final outcomes or to guarantee success.

This guide is intended as a reference point and a practical tool to define how the University supports students with a disability, long-term medical or mental health condition during their studies. It also provides information for staff at the University to understand, determine and implement reasonable adjustments in relation to teaching, learning and assessment.



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1. The Law



a. Global

The UN Convention on the Rights of Persons with Disabilities (UN CRPD)[1]

The UN CRPD states that all persons are equal before and under the law and are entitled, free of discrimination, to the equal protection and equal benefit under the law. The convention encourages all appropriate steps to be taken to ensure reasonable accommodation is provided to ensure accessibility to services and products, on an equalized basis with others.

b. European Union

The European Convention on Human Rights[2]

Article 14 of the ECHR enshrines the protection against discrimination in the enjoyment of the rights set forth in the same Convention. The case law of the European Court of Human Rights included 'health' and 'disability' as two fundamental grounds on which individuals may be protected against discrimination.

Charter of Fundamental Rights of the EU[3]

Article 1 of the Charter states that "Human dignity is inviolable. It must be respected and protected." Article 26 states that 'the EU recognizes and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.' Article 21 prohibits any discrimination on the basis of disability.

[1] <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

[2] https://www.echr.coe.int/Documents/Guide_Art_14_Art_1_Protocol_12_ENG.pdf

[3] <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012P%2FTXT>

Treaty on the Functioning of the EU (TFEU)[4]

Article 10 requires the European Union to combat discrimination based on disability when defining and implementing its policies and activities. Article 19 gives the EU the power to adopt legislation to address such discrimination.

European Secondary Law[5]

European Secondary Law provides that in order to ensure and respect the principle of equal treatment of persons with disabilities, the University shall take appropriate measures, as needed in a concrete situation, to enable a person with a disability to access, pursue or advance in their studies.

European Disability Strategy 2010-2020[6]

The European Disability Strategy 2010-2020 supports efforts to remove legal and organizational barriers for people with disabilities to general education and lifelong learning systems; provide timely support for inclusive education and personalized learning, and early identification of special needs; provide adequate training and support for professionals working at all levels of education. The strategy also encourages full access to cultural, recreational, and sports activities for persons with disabilities.

European Accessibility Act[7]

The European Accessibility Act is a directive (2019/882) that aims to improve the functioning of the internal market for accessible products and services. One of the goals of the directive is to reduce the barriers faced by persons with disabilities when accessing education.

[4] <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>

[5] <https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32011R0492&from=FR>

[6] <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM%3A2010%3A0636%3AFIN%3Aen%3APDF>

[7] <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L0882>

Union of Equality: European Strategy for the Rights of Persons with Disabilities 2021-2030[8]

The strategy states persons with disabilities have the right to participate in all educational levels and forms and education institutions and the relevant legislation must provide the conditions for an inclusive approach.

c. Luxembourg Law[9]

Luxembourg law encourages the implementation of reasonable adjustments for students with a disability who may be prevented, by a particular impairment, from demonstrating the competences acquired in assessment tests. Reasonable adjustments are put in place to overcome a particular barrier and to support educational progression.

The new Law of January 7, 2022 on the accessibility to all places open to the public, public roads and collective residential buildings <https://legilux.public.lu/eli/etat/leg/loi/2022/01/07/a26/jo> and the Law of 29 June 2000 relating to the implementation of the principle of equal treatment <https://legilux.public.lu/eli/etat/leg/loi/2006/11/28/n1/jo>

d. University Law[10]

Articles 38 and 39 of the University Law gives responsibility to the Reasonable Adjustment Committee (CAR) to implement reasonable adjustments for students with special educational needs. The University Law allows 13 adjustments to be implemented to remove the barriers faced by students at the University.

[8] <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8376&furtherPubs=yes>

[9] <https://legilux.public.lu/eli/etat/leg/loi/2011/07/15/n1/jo>

[10] https://www.en.uni.lu/university/official_documents



2. Definitions

a. Disability.

Article 1 of the UN CRPD states that “Persons with disabilities include those 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”.

Disability results from the interaction between individuals with a health condition and personal and environmental factors, including negative attitudes, inaccessible transportation and public buildings, and limited social support.

A person’s environment has a huge impact on the experience and extent of disability. Inaccessible environments create barriers that often hinder the full and effective participation of persons with disabilities in society on an equal basis with others.



b. Reasonable Adjustments

A reasonable adjustment or accommodation is the term used to modify the University learning environment and assessment methods to assist a student with a disability.

Where the University's teaching and assessment practices put students with disabilities at a substantial disadvantage in comparison with students not currently experiencing disablement, the University must take reasonable steps to avoid this disadvantage.

Consequently, the purpose of the duty is not to confer an unfair advantage on students with disabilities but to remove barriers where it is reasonable to do so, such that students with disabilities have the same learning and assessment opportunities as students without disabilities.

A reasonable adjustment can be as simple as allowing a rest break during lengthy exam sessions, choosing an accessible font for a student with dyslexia or installing software for a student with a vision impairment.

c. Evidence of Need

Where possible, the University will put in place reasonable adjustments for students who have a disability, specific learning difficulty or long-term medical or mental health condition. Adjustments will arise from an identified need and will only commence from the date that appropriate evidence is provided and the Committee for Reasonable Adjustments (CAR) has met to review the case, including the personal learning situation.

In order to correctly assess the needs of a student, the University requires medical, psychological or a diagnostic report supporting the request for adjustments, written by a medical or other suitably qualified professional in the field.

d. Competence Standards

The aim of reasonable adjustments is to ensure all students can demonstrate their academic abilities, irrespective of a disability or long-term health condition. In order to be awarded a University of Luxembourg diploma, programmes require students to reach specific academic standards.

The CAR will not reduce or change those standards, but it will ensure that the methods of assessing the standards do not put disabled students at a disadvantage. It is important that competence standards set by the University are continually reviewed and approved internally to ensure they are equitable.



3. Reasonable Adjustments



a. Benefits of providing reasonable adjustments

We make reasonable adjustments to make sure students with disabilities have the same educational and assessment opportunities as students without them.

Staff and students can benefit from learning that recognizes and draws upon differences and commonalities, and is based on principles of equity, collaboration, flexibility and accountability.

Aside from the legal context, inclusivity can have a positive impact on the wellbeing, experience and performance of all students. It can make the University a more attractive place to study and can contribute to the development of inclusive working environments and culture by:

- encouraging students to bring their 'whole selves' into the University,
- enriching our community by acknowledging and respecting our differences
- feeling all members of our community are valued, equal, and able to participate and contribute fully to campus social, cultural, and academic life
- improving student and staff engagement and experience
- Reducing levels of harassment and bullying (students with a disability experience greater levels compared to non-disabled students)
- improving understanding within our community about disability, equality and inclusion which in turn, will improve student support and outcomes
- Improving employability prospects, as employers increasingly recognize the value of diversity and inclusion.

b. What is a reasonable adjustment?

The University has a duty to provide reasonable adjustments for students, which means we must plan ahead and take a strategic approach to addressing, reducing or removing the barriers that potentially hamper the progression of students with disabilities. This involves putting in place systems that can be easily activated for students with a disability. Additionally, students are entitled to individual reasonable adjustments in accordance with their specific requirements.

The measure of what is a reasonable adjustment will depend on the:

- a. resources available
- b. cost of the adjustment
- c. practicality of the changes
- d. potential benefit to other students

Reasonable adjustments are the principal way to protect the rights of individuals and the duty of equal opportunity for all. Reasonable adjustments require us to reflect upon how we do things, by looking at and understanding the needs of our students with disabilities. Apart from ensuring programme activities are sufficiently flexible and additional support is available to students where necessary, there are numerous ways to approach reasonable adjustments and to encourage an inclusive culture on campus, such as:



Individual Reasonable Adjustment

Make individual arrangements for a student, for example to sit in a separate room to take an examination, use a laptop during an exam or use a computer with specialist assistive software.

Anticipatory Reasonable Adjustment

Review assessment methods at the stages of design, validation and delivery in line with learning outcomes and competence standards, to provide a range of alternative assessment methods to measure student knowledge. Recognize and anticipate students' needs by introducing a choice of formative and summative assessment methods (e.g., quizzes, group work, presentations, projects and coursework in addition to formal examinations) as part of mainstream assessment procedures. This may lessen the need for case-by-case individual adjustments.

Inclusive Approach

Develop a university-wide approach to designing, approving, monitoring and reviewing assessment strategies for programmes and awards. Ensure appropriate means of assessment are used and academic standards are maintained to encourage effective learning.

Alternative Assessments

Alternative assessments are a method of evaluation that measures a student's level of proficiency in a subject as opposed to the student's level of knowledge. The overall goal of alternative assessments is to allow students to demonstrate their knowledge and execute tasks in unique and innovative ways.

Types of alternative assessments include:

- Project-based assignments
- Problem-based assignments
- Presentations
- Reports
- Reflective pieces
- Concept maps
- Critical analysis
- Case-based scenarios
- Oral assessments as alternatives to written tasks.



4. Committee of Reasonable Adjustments

a. Members

The committee is composed of:

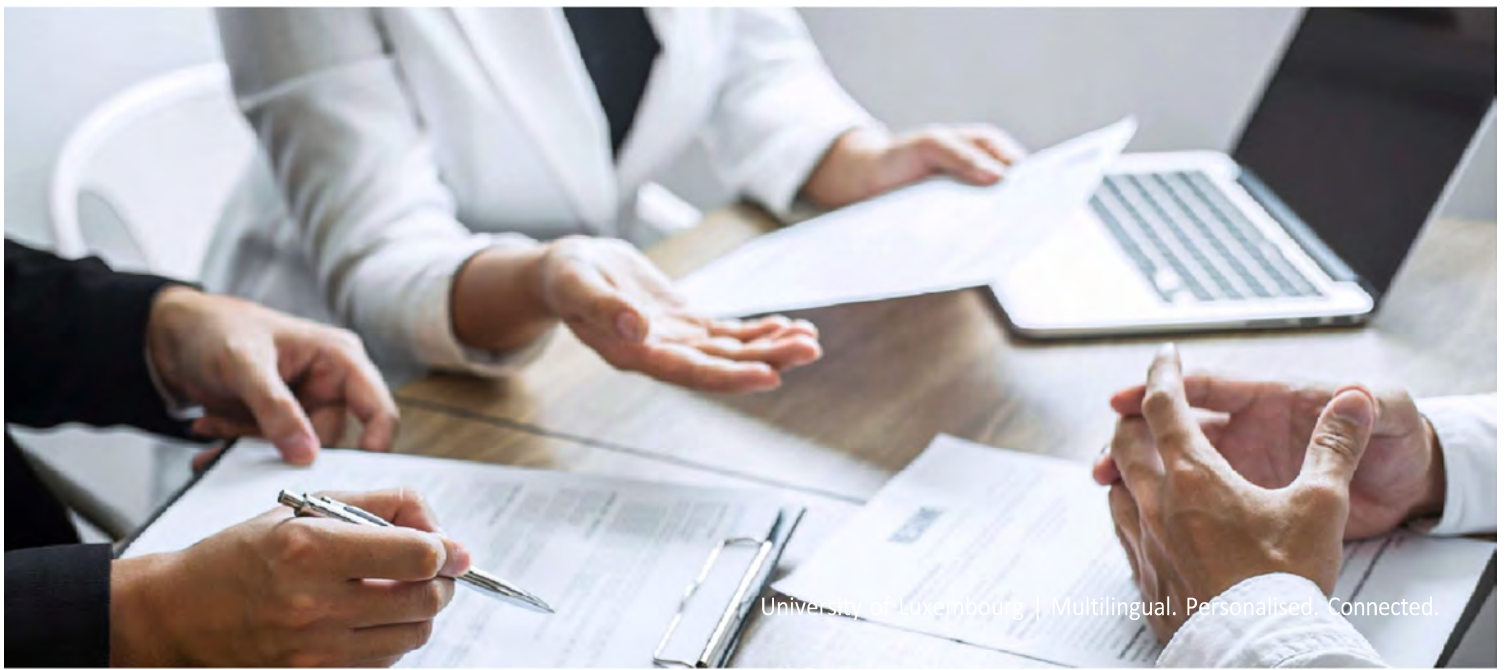
- The delegate of reasonable adjustments
- One member of the rectorate
- One study programme director per faculty
- Two members of the student delegation

The current members are:

- Joanna West, Chair (Team Leader of Student Services)
- Prof. Dr. Catherine Léglu, Vice-Rector for academic affairs (Member of the rectorate)
- Michael Scheuern, Senior lecturer (Programme director of FSTM)
- Prof. Dr. Luca Ratti, Associate professor in European and comparative labour law (Programme director of FDEF)
- Prof. Dr. Justin Powell, Full professor (Programme director of FHSE)
- Jinyuan Wang, Member of the student delegation (PHD)
- Leonid Gnutov, Member of the student delegation (FSTM)

Consultative vote:

- Marcela Zambrano (Inclusion Specialist - Psychologist)





b. Reasonable adjustments recognized by the University Law

Article 39 of the University law gives responsibility to the Reasonable Adjustment Committee (CAR) to implement reasonable accommodation for users with special educational needs. The University Law allows 13 adjustments to be implemented to remove the barriers faced by students at the University due to a disability. They are:

- a. Changes to the room / auditorium layout
- b. A separate room for assessments
- c. An adapted layout of assessment papers
- d. Additional time allowed for examinations (typically 30%)

Exam duration	With additional time (30%)
1hr	80mins (1hr 20)
2hr	160 mins (2hrs 40)
3hr	235 mins (3hrs 55)

- e. Additional breaks during examinations (typically 10mins for exams >1 hour)

Exam duration	Break	With break(s)
1hr	-	-
2hr	10 mins	130 mins (2hrs 10)
3hr	2 x 10 mins	200 mins (3hrs 20)

- f. Use of technological support and/or a helper
- g. Split of assessments into multiple sessions
- h. Replacement of part of the assessment for a course
- i. Exemption from some of the examinations or elements of work, participation or attendance planned for a course
- j. An exemption from the criteria regarding the percentage of ECTS credits to be completed after the first year of study and/or an extension of the maximum duration of studies as referred to in Article 36, paragraph 7, and article 37, paragraph 5
- k. An exemption of the mobility semester during studies leading to the bachelor's degree as referred to in Article 36, paragraph 6
- l. Option to take assessments outside the University
- m. Option to complete certain elements of a study programme outside the university.

c. Assessing Reasonable Adjustments

There is no checklist against which we can determine what is reasonable. The consideration of whether an adjustment is 'reasonable' is judged against:

- a) The effectiveness of the adjustment in preventing disadvantage
- b) The extent to which it is practicable for the University and study programme to make the adjustment
- c) The cost and availability of resources including external assistance and finance
- d) The extent to which making the adjustment would disrupt the University's activities


Students on Mobility

The University offers opportunities for students to study abroad as part of their study programme (“outbound”), as well as for students attending University of Luxembourg as part of their studies from other institutions (“inbound”).

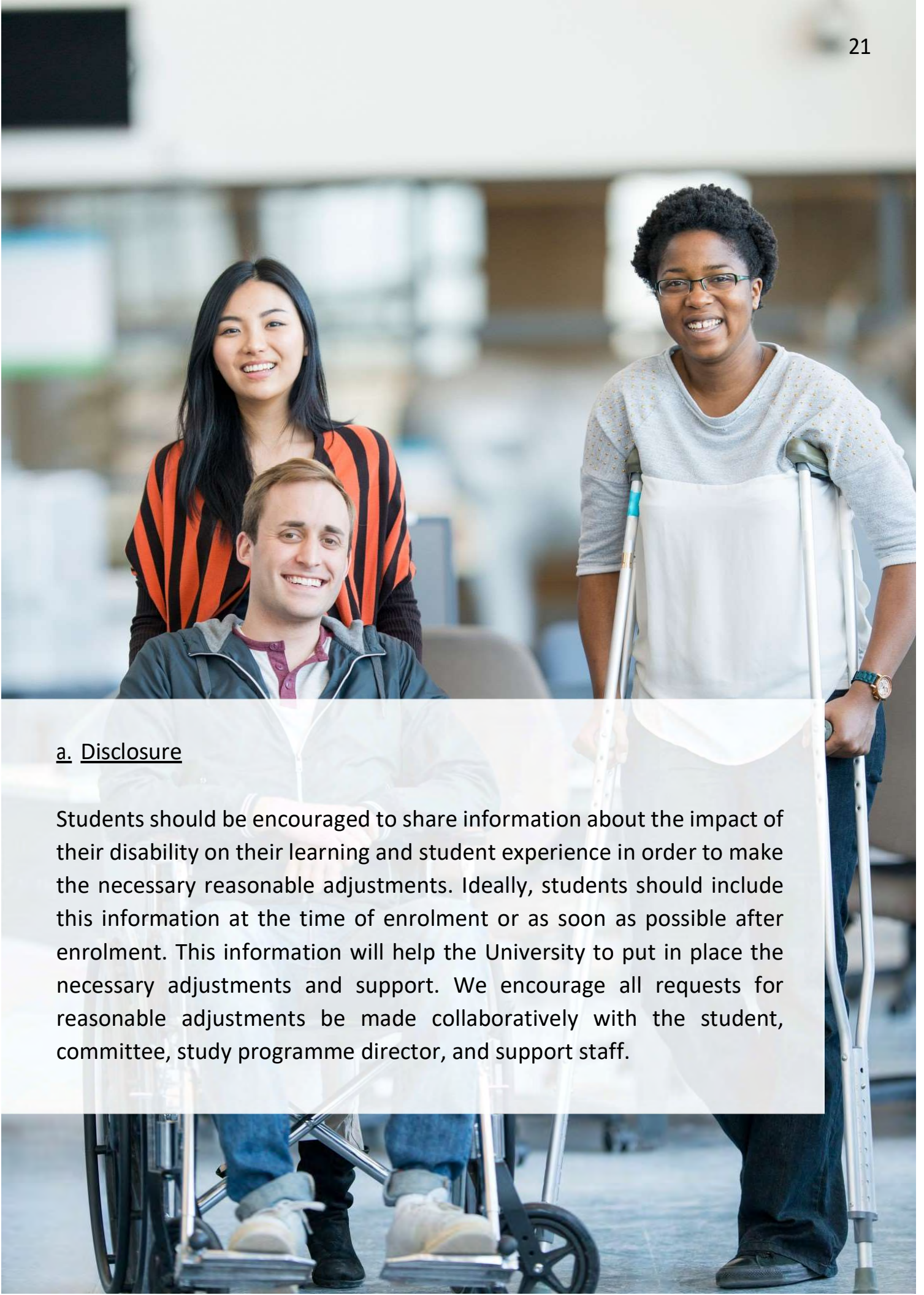
For outbound students the University cannot guarantee the adjustments that are in place at the University of Luxembourg will be put in place by the host institution. Students should consult with the Inclusion Service or CAR, who may be able to provide support and guidance during a mobility semester. Should the student meet with the Inclusion Service, and give their consent to share their personal information, the Inclusion Service can forward on any relevant information to the host institution.

Inbound students will be treated with equivalence to University of Luxembourg students, however there may be limitations if the student is only studying for one semester, unless they are in contact with the Inclusion Service prior to arrival.





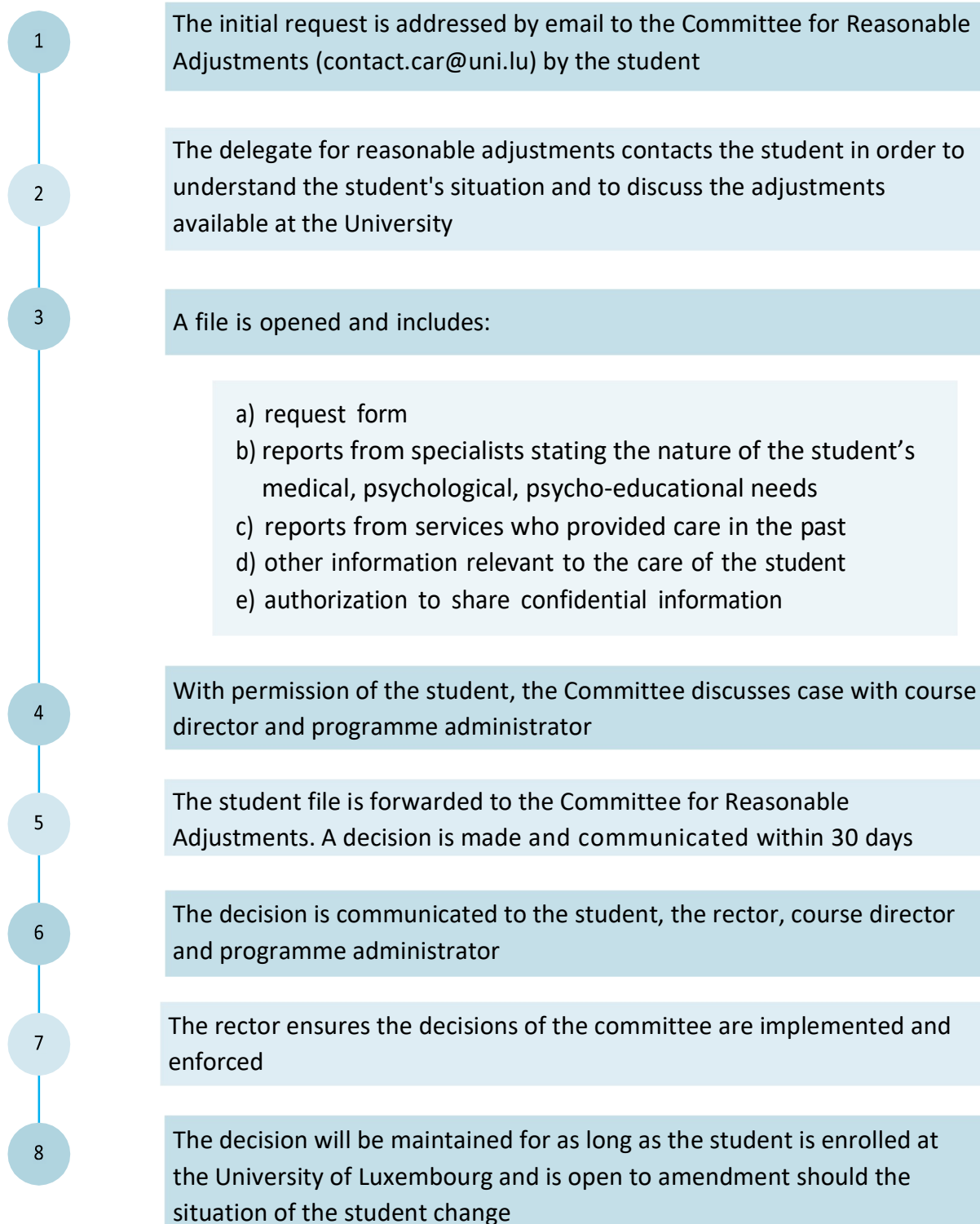
4. Requesting reasonable adjustments



a. Disclosure

Students should be encouraged to share information about the impact of their disability on their learning and student experience in order to make the necessary reasonable adjustments. Ideally, students should include this information at the time of enrolment or as soon as possible after enrolment. This information will help the University to put in place the necessary adjustments and support. We encourage all requests for reasonable adjustments be made collaboratively with the student, committee, study programme director, and support staff.

b. Process



If you have any questions, please contact the Committee for Reasonable Adjustments (CAR) by email at contact.car@uni.lu

Deadlines

The following deadlines have been established by the CAR in order to allow sufficient time to evaluate all students' requests and for the staff to make the necessary arrangements.

- For the Winter semester students must file the request before 15th of October.
- For the Summer semester students must file the request before 15th of March.

In case of exceptional circumstances such as accident or temporary illness, the delegate of reasonable adjustments may call an emergency meeting



A young woman with long dark hair and glasses is smiling broadly. She is wearing a black and grey floral-patterned shirt. She is holding a book with a floral cover. She is standing in a doorway, leaning against a white concrete pillar. The background is dark, and the lighting is soft, highlighting her face and the book. In the foreground, a hand is visible holding a book, and a blue bag is partially visible.

5. Roles and Responsibility

a. The University

- a. The University seeks to provide equal access for its disabled students through inclusive design where possible and, otherwise, through reasonable adjustments. This commitment builds upon the foundation of equality legislation and anti-discrimination guidance
- b. Has a legal duty to comply with reasonable adjustments
- c. Commits to inclusive practice and to support a diverse population of students
- d. Commits to ensuring all students can learn effectively by different means

b. The Committee for Reasonable Adjustments

- a. Meets with the student to assess their needs
- b. Informs students of their responsibilities
- c. Reviews relevant documentary information and writing up a request, in collaboration with the student with reference to any barriers to learning
- d. Reviews requests and communicating decisions to the students, study programme directors and the rector
- e. Updates the requests when needed
- f. Liaises with relevant staff where adjustments are required





c. Responsibility for the Study Programme Director, Teaching and Research Staff

- a. The course director must ensure all members of the student's teaching staff are aware of the adjustments they are required to make. This includes any teaching assistants, senior tutors, guest lecturers, technicians or supervisory staff involved
- b. Addressing the needs of the student as identified in the decision of the committee by implementing the recommended adjustments or alternative assessments
- c. If part of the decision is not understood or it is not possible to implement a certain adjustment, this should be discussed with the Committee for Reasonable Adjustments as soon as possible.

d. Student Responsibilities

- a. Declare their disability or barrier to learning to the University and any partner institutions, e.g. for students engaging in study abroad programmes as early as possible. The University can only act and support a student if it is aware of a student's needs
- b. Attend the appointment with the CAR representative and provide relevant documentation as required
- c. Give consent to share the information to ensure reasonable adjustments can be put in place. If consent is not given this will limit the adjustments that can be made
- d. Understand there are deadlines by which the SPA has to be in receipt of all decisions so they can be put in place for the next exam session.
- e. Inform the University if their adjustments are not being made, or if the barriers to their learning are not satisfactorily addressed, so the University can remedy the situation as soon as they are made aware
- f. Keep the University informed of any changes which need to be made and allow sufficient time for these to be made
- g. Be aware that if they are interacting with other services (e.g. training, workshops), they may need to pro-actively ensure that any barriers to learning have been communicated with those organizing the training





7. Parental Involvement

The University is unable to share personal information without the student's permission. This includes sharing information to parents, legal guardians and next of kin. If the University feels it would be helpful to contact parents, the student will be asked to sign a permission form outlining the information that can be shared.

8. Types of Disabilities

In order to facilitate a common understanding, the types of disabilities have been categorized as follows. This list is not complete/exhaustive. The most common examples are:

- Cognitive processing disorders - dyslexia, dyspraxia, executive function need, speech
- Neurodiversity - Autism Spectrum disorder, Attention Deficit Disorder with or without Hyperactivity
- Long standing illness - diabetes, heart conditions, cancer, chronic fatigue, IBS
- Mental health conditions - anxiety, depression, phobias, addictions
- Physical disabilities or mobility – arthritis, cerebral palsy, paraplegia
- Hearing needs - auditory processing disorders
- Visual needs - blindness
- Accidents
- Covid-19 related

For a more detailed description and information please contact the CAR at contact.car@uni.lu



9. Accommodation and non-academic services

This guide covers the University adjustments for learning, teaching and assessment and can be found under CAR or U Matter – Learning and Disability Support.

If you are a student with a disability or long-term condition you may need other adjustments to access accommodation, library or administration services. Students can contact the Inclusion Office, SEVE (inclusion@uni.lu) for a confidential one-to-one appointment at any time during their studies.



10. Closing comment

Inclusive education has positive short- and long-term effects and helps develop a positive self-image, empathy, social skills, problem solving and analytical skills and creativity.

The presence of diversity in the classroom allows students to consider perspectives and opinions beyond those they have already formed. By presenting students with viewpoints different from their own, it gives them the opportunity to think critically about their own beliefs and examine the world in fresh ways.

Interacting with people of all different backgrounds and mindsets can present a challenge without prior exposure to diversity. When students enter the professional world, they join a vast and diverse workforce. Companies are taking note of their employees' ability to handle diversity with grace and maturity.