

# **The Responsibilities of Universities to Students with Disabilities in Today's Hungary**

## **Abstract**

Young people and young adults living with disabilities (physically disabled persons [motion impairment]), persons with hearing impediments [sensory impairment], visually impaired persons [sensory impairment], persons with severe speech difficulties [speech impairment], persons with dyslexia, dysgraphia, dyscalculia [mental developmental disorder], and autistic persons) have had the opportunity to participate in higher education for almost 15 years. A growing number of the members of that group have entered higher education and have become more and more active in recent years, which is the result of loyalty and social openness that is due in part to education. In my presentation and study, I aim to provide an overview of the situation of disabled students participating in higher education in the last 15 years, in particular the milestones of this process, legal and social environment, and support network. By following the timeline, integration issues that are considered to be of importance from an educational point of view and need to be addressed within the framework of higher education – such as institutional role, the relationship between able-bodied students and students living with disabilities, institutional responsibilities, and special services for students with special needs – need to be highlighted. A further important point to note is whether human rights are fully respected within that institutionalised framework of education.

**Keywords:** disability, students, accepting, social inclusion, institutional responsibilities.

## **1. Introduction**

The 21<sup>st</sup> century presents a multitude of challenges – inter alia, combating various diseases, realising a healthy society, managing cultural conflicts, and promoting the society members' willingness to integrate into society – to the society. The present study

deals with an interesting research gap in the field of disability: changes in the situation of young people with disabilities and the recognition of their rights at institutional level. Students with disabilities (physically disabled persons [motion impairment]), persons with hearing impediments [sensory impairment], visually impaired persons [sensory impairment], persons with severe speech difficulties [speech impairment], persons with dyslexia, dysgraphia, dyscalculia [mental developmental disorder], and autistic persons) have been admitted to higher education institutions in Hungary since the 2000s, and the proportion of them who are involved in higher education keeps rising every year, though their number cannot be considered to be significant.

From the perspective of achieving equal opportunities, education represents a great opportunity for the group concerned, but the degree to which persons with disabilities are accepted within a society and are socially integrated is considered to be low. Concepts relating to disability are defined and the universally accepted interpretations of these concepts are provided in the first section of the study. The opportunities of the students concerned, data relating to their retention in higher education, and legal and funding issues are set out in a summarised form in the overview of the institutional framework of education and training. Disability issues in Hungary are addressed in higher education; higher education institutions are paying a great deal of attention to disadvantaged students, including students with disabilities, and the attention paid by these institutions can be considered to be outstanding in an institutional structure in education.

Therefore, this study seeks to provide a brief outlook on students with special needs who provide their very best performance in a wide range of activities and in various institutions established for the society.

## 2. On disability

The International Classification of Functioning, Disability and Health (ICF) provides health-related definitions, of which *disability* is defined as follows: 'Disability is an umbrella term for impairments, activity limitations and participation restrictions. It denotes the negative aspects of the interaction between an individual (with a health condition) and that individual's contextual factors (environmental and personal factors).' The ICF (WHO, 2001) treats disability as an umbrella term, covering mobility difficulties and activity limitations. A person's pathological health condition (it is considered that their health condition equals to their disabilities) and the physical context in which the person lives imply

passive interaction between personal factors. The medical model views disability as a person's problem caused by a pathological condition or an injury-related impairment, which requires medical care provided in the form of individual treatment by professionals. In this perspective, management of the disability is aimed at cure or the individual's adjustment and behaviour change.

### **3. Brief Overview of the Legal Framework for Disability Legislation in Hungary**

There was no act summarising the rights of persons with disabilities in Hungary until 1998. A ground-breaking act on equal opportunities (Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities) was adopted in 1998, and the aim of the Act has been to secure equal opportunities of persons with disabilities. The Act does not define disability as reduced capacity to work or social participation restriction but recognises it as a condition that hinders their social inclusion. However, the rights of persons with disabilities cannot always be enforced, as services to be provided to disabled people are often unavailable, too expensive and restricted to them. Furthermore, culture, societal attitudes, socialisation and tolerance have also an influence on the enforcement of rights. For the purpose of the harmonisation of legislation at European level, Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities was adopted not only to uphold the rights of persons with disabilities, but also to ensure equal treatment for all private individuals and any groups thereof.

The rights of persons with disabilities are listed in Chapter 2 of Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities and in the amended version of the Act (Act LXII of 2013).

### **4. Access to Education and Higher Education for Disabled Young People**

Before describing the situational picture, the issue of equity should be examined first. In recent years an increasing emphasis has been placed on the principle of equity in Hungary, despite the fact that Hungary is 'the weakest link in the chain' among the Member States of the European Union in this respect.

In developed societies, education is the main means for reducing social inequalities. Several international conventions and regional documents provide

that everyone has the intrinsic right to education. Mention should be made of the Universal Declaration of Human Rights adopted in 1948 – which sets out, for the first time, human rights to be basic standards –, Article 26(1) of which stipulates that: “Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.” A similar sentiment is reflected in Article 11 of the Fundamental Law of Hungary’ (Múltányosság az oktatásban [Equity in Education], 2016:1).

The principle of equity in higher education means that more attention should be paid to students who have limited access to higher education and limited opportunities to successfully complete their studies.

Equity in education is defined by OECD in 2008 as follows:

‘Equity in education has two dimensions. The first is *fairness*, which basically means making sure that personal and social circumstances – for example gender, socio-economic status or ethnic origin – should not be an obstacle to achieving educational potential. The second is *inclusion*, in other words ensuring a basic minimum standard of education for all – for example that everyone should be able to read, write and do simple arithmetic’ (OECD, 2008)

Equity in higher education is interpreted slightly differently. Accordingly, equitable higher education systems ensure that access to, participation in higher education and outcomes are based only on the individual’s innate ability and study effort. Furthermore, they ensure that the achievement of educational potential at tertiary level is not the result of personal and social circumstances. Personal and social circumstances may include, inter alia, age, ethnic origin, or a common characteristic of members belonging to a group, e.g. disability; the present study focuses on one of these groups: students with disabilities.

The group of students with disabilities is different from country to country, depending on what a given country considers to be disabilities. As already mentioned, students with physical disabilities, (a particular type of) mental disability, and skill deficiencies are considered to be students with disabilities in Hungarian higher education, while the highest proportion of students with disabilities in higher education are students with chronic diseases in Germany, and students with hidden disabilities represent the highest proportion of students with disabilities in Great Britain.

The number of students with disabilities has been gradually increasing in the European Union since the 1990s, however they continue to be under-represented.

The family and the immediate environment play a pivotal role in fostering the social integration of young people and young adults living with disabilities; furthermore, the group of secondary social communities – such as educational establishments, peer groups, various cultural spaces and places of leisure – is also essential. These institutions provide a framework for the integration of people with disabilities and their active participation in the process for the oft-repeated inclusion in practice. In respect of persons with disabilities, the concept of subculture is far from negligible; belonging to a group also implies the self-preserving force of a community, including the processes of integration and segregation. Those who belong to subcultures share the same sense of value and group consciousness, and also have in common to belong to a group of disabled people. However, the latter may have a significant impact on relations between the majority and minority, as well as self-isolating tendency (Laki, 2009:2). Figures concerning Hungarian people living with disabilities are available since the 1990s, and, in all cases, those concerned are interviewed in population censuses since then. The purpose of this study is to compare the data of the 2001 and 2011 population censuses for the purpose of determining the changes in the scope of statistics between the two periods. According to the observed disabilities, different types/categories appeared and disappeared among the designations of disabilities both in the 1990 and 2001 censuses. The following categories of disabilities disappeared between 2001 and 2011: lack of upper or lower limb(s), other deficiencies in body, and blind in one eye; and the following categories appeared: autism, mental impairment (psychological damage), speech impairment, severe internal organ impairment, and unknown – a very high proportion of people living with disabilities were classified in the latter category. The data of the two population censuses show that the overall proportion of people living with disabilities dropped, which, of course, seems unlikely; it is more probable that individuals concerned did not declare their disabilities in census interviews or interviewers placed persons with disabilities in the category of the so-called ‘persons with long-term illnesses’. Thereby the data shows a ‘decreasing trend’. Nevertheless, the data also suggests that the number of people belonging to the group concerned decreased by 86,428 persons, i.e. by 8.5% (between 2001 and 2011).

## 5. Disabled Students in Higher Education

Young people and young adults living with disabilities are definitely a remarkable cohort, as they will be society builders and labour market participants in the future. When looking at the issue solely in terms of the above aspects, being building blocks of society is needed to be highlighted, since the more young people and young adults living with disabilities are involved in higher education and later appear on the labour market, the more social mobility and a model of 'open society' based on Karl Popper's principles will prevail. In Hungary, Act CCIV of 2011 on National Higher Education regulates higher education, which also reflects to the group of admissible students living with disabilities. Accordingly, 'student with disability' is identified in the Act as a student with motor, sensory or speech disability, or multiple disabilities, autism spectrum disorder or any other disorder of psychological development (serious learning, attention-deficit or behavioural disorder).

Students with disabilities are admitted to Hungarian higher education institutions since 2002. Prior to the 2000s students belonging to this group could not obtain entry to higher education or higher degrees owing to their seriously reduced educational opportunities.

The past 15 years have seen major changes in this regard, since various education decrees and curricula have increasingly broadened opportunities for students with disabilities, according to their disabilities. 'In developed societies, education is the main means for reducing social inequalities. Several international conventions and regional documents provide that everyone has the intrinsic right to education' (Méltányosság az oktatásban [Equity in Education], 2016:40).

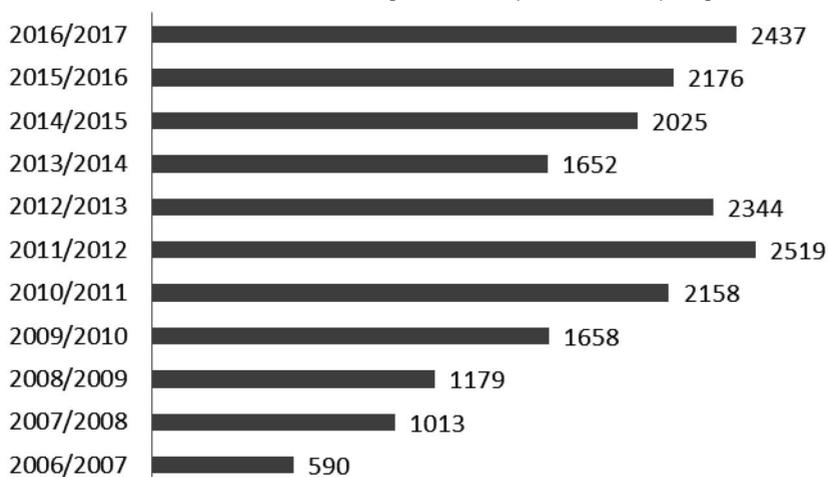
The number of disabled students involved in higher education is still very low in Hungary, the reason for which is multi-faceted; the secondary school leaving certificate results of the students concerned do not offer transition to tertiary education, on the one hand, and there are a number of disabled students who require accessibility in higher education, on the other hand, hence if an institution does not ensure accessibility, they do not apply for admission to that higher education institution.

The improper treatment of students with disabilities, the lack of inclusive climate and their better social integration are further constraining factors for them in the Hungarian education system. All these factors therefore narrow access to higher education because of the situation of those concerned.

The figure below shows that the number of disabled students involved in higher education has increased four-fold since the academic year 2006-2007. The numbers partly reflect the reality, as students are not required to declare their disabilities, so if students do not wish to reveal their disabilities, they are not reflected in the data relating to students with disabilities. Therefore, it appears likely that the true numbers could be a multiple of the relevant statistical data provided by the institutions.

**Figure 1**

Total number of students with disabilities per academic year (academic year/person)

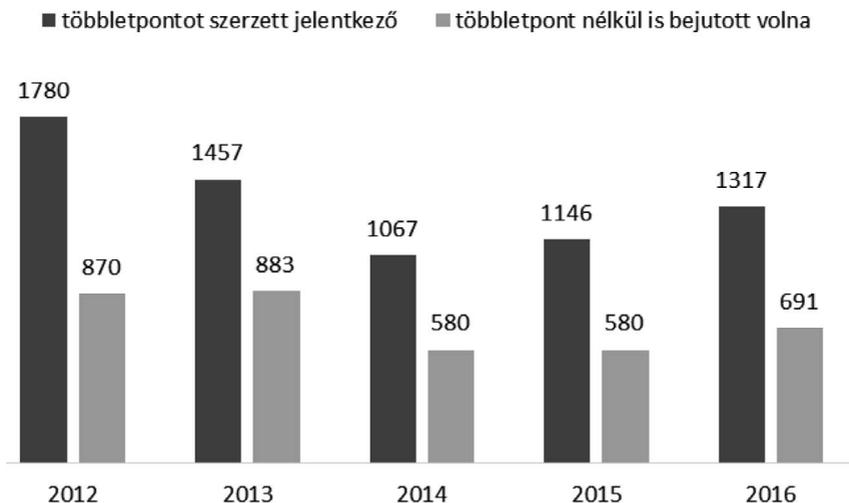


Source: Educational Authority, 2018

Students with disabilities are entitled to preferential treatment in order to assist them to gain access to and improve their retention in higher education. However, it is also true that more than half of the students do not need either extra points or other preferential treatment, as they can gain access to higher education without special treatment merely on the basis of their results and knowledge. The principle of preferential treatment is a sensitive issue in respect of higher education and equity. The Hungarian practice still shows that there are major differences between students with disabilities and students without disabilities, which can be counterbalanced through preferential treatment.

**Figure 2**

Preferential treatment between 2012 and 2016



Source: Educational Authority, 2017

Hence higher education institutions have/should have a considerable responsibility in ensuring equal treatment of their students and recognising student rights, but, at the same time, students should also observe the same principles, including granting preferential treatment to students with disabilities, which would contribute to the creation of an inclusive society.

Such institutions should have a responsibility to develop practical cooperation among students and academics and to build frameworks promoting the creation of the society of tomorrow, whether or not it is a legal obligation.

Pursuant to the government decree on the admission to higher education institutions, preferential treatment granted to disabled young persons during the secondary school-leaving examination – longer preparation time, the use of aids applied during their studies, and, if necessary, having a written test instead of an oral test, or an oral test instead of a written one – shall also be granted to them during the entrance examination. On account of preferential treatment, applicants with disabilities shall be given extra points in the admission procedure for all tertiary vocational, bachelor's, master's and single-cycle long programmes.

Under Hungarian Act CCIV of 2011 on National Higher Education, students with disabilities shall be given the opportunity to prepare for and take examinations

in a manner adapted to their disabilities, and shall receive assistance for meeting the obligations arising from their student status. In justified cases, disabled students shall be exempted from the obligation to take certain courses or certain parts thereof, or the obligation to undergo an assessment. Where necessary, exemption shall be granted in respect of a language examination, or a part or level thereof. Disabled students shall be allowed a longer preparation time when taking an examination, to use aids, such as a typewriter or computer, at written examinations and, where appropriate, the option of taking a written examination instead of an oral one or an oral examination instead of a written one. The exemptions pursuant to this paragraph shall be granted only in respect of the grounds thereof and shall not entail exemption from the basic academic requirements that are requisite to the award of the professional qualification certified by the bachelor's and the master's degree, or of the vocational qualification evidenced by the certificate of higher-level vocational training.

A person may participate in tertiary education programmes, including tertiary vocational programmes, funded through Hungarian state scholarship for a total period of twelve semesters. Higher education institutions may extend the period of funding by up to four semesters for students with disabilities.

Additional normative per-capita grant that amounts to HUF 120,000/person/year shall be granted to higher education institutions after the actual number of their students with disabilities. Additional normative per-capita grant shall be used for the funding of tasks necessary for the improvement of conditions for their education according to the special needs of students living with disabilities.

Higher education institutions shall maintain an information and counselling system to help the integration and progress of students during their studies in higher education, giving particular attention to students with disabilities, and provide assistance in career planning during and following the completion of their studies.

In accordance with the higher education institution's rules for organisation and operation, it shall:

- assess the applications submitted by students with disabilities for assistance, exemption and preferential treatment;
- perform its tasks and appoint an institutional coordinator to provide assistance to students with disabilities;
- provide or organize personal and technical assistance and services – which are provided by the institution itself or are not provided by the institution but are otherwise available – for students with disabilities according to the type and severity of their disability;

- make available for students with disabilities the special notes or other technical aids that substitute notes and help students in preparation.

The duties of Faculty Disability Coordinator:

- taking part in the assessment and registration of the applications submitted by students with disabilities;
- keeping contact with students living with disabilities and their personal helpers;
- ensuring the availability of the aids and assistance for students with disabilities during their studies and at examinations, and organizing consultation sessions at the students' request during the study period;
- giving suggestions on the use of the normative per-capita grant for assisting the studies of students with disabilities and on the procurement of equipment necessary for providing assistance.

## Summary

This summary seeks to give a brief overview about relations between students and institutions in the higher education of Hungary. Changes in recent years have resulted in a more open society, but social acceptance is not yet full. Higher education is in a fortunate position of being a fast-evolving level of the education system for people with disabilities, however, if primary and secondary education lags far behind, a decreasing number of the students concerned will be involved in higher education.

‘Changes in social norms and the inclusive approach have resulted in the openness of higher education institutions to students with disabilities. All this has had a positive impact on that youth group’s living conditions and perspective for the future’ (Pusztai–Szabó, 2014:1).

It is difficult enough to create terms relating to groups of people with disabilities, it is therefore advisable to use the existing definitions in various fields. Issues relating to students with disabilities may be easier to address, as members belonging to this group are also identified on the basis of their age and certain disability types, in legal or medical/social terms. The first part of the study briefly describes that matter. The intended purpose of the overview of Hungarian and international students with disabilities is to make the proportion of disabled students involved in higher education known. It can be seen that the number of the students concerned in higher education is low in Hungary, despite the fact that

current legislation and economic regulation benefit them by providing significant support and assistance. It is also evident that facility disability coordinators provide support to students with disabilities in order to ensure equal opportunities, equal treatment, institutional integration and the provision of information on opportunities offered by the institution.

Although an increasing number of students with disabilities participate in higher education in Hungary, their number appears to be rather low, when compared to European countries and, in particular, countries outside Europe.

Higher education institutions have a responsibility towards students with disabilities, since a higher number of students belonging to this group may participate in higher education in the future, and they have special needs and expectations of these institutions and their functioning.

Furthermore, it should also be borne in mind, besides the responsibility of the institutions, that a major culture-change, i.e. change in community attitudes toward greater inclusion and acceptance, is needed, as the approach to those educational issues is still prejudiced and discriminatory.

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