



# **Coalition of Persons with Disabilities**

Newfoundland and Labrador

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Sept 17, 2015

Dr. Gary Kachanoski  
President & Vice- Chancellor  
Office of the President  
Memorial University Newfoundland Labrador  
St. John's, NL  
A1C 5S7

Dear Dr. Kachanoski:

I am writing on behalf of the Network of Disability Organizations – a collaborative of 18 organizations that support persons with disabilities across Newfoundland and Labrador. The Coalition of Persons with Disabilities - NL (COD-NL) chairs the Network. This letter is written on behalf of the Network's member organizations signed below.

It is with regret that we write Memorial University to express dismay and disappointment about the denial of disability-related accommodations and supports to William Sears, a MUN student with a disability. We believe this is a contravention of his rights – rights which are enshrined in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Section 24 of the UNCRPD states, in summary:

States Parties recognize the right of persons with disabilities to education [...]:

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to [...] train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities

We respectfully put forward to you that William's right to equal education has been compromised by the recent decision to support Dr. Panjabi in her decision not to accommodate his hearing disability. The assistive listening device she has been asked to employ ensures a speaker's voice is presented at a consistent decibel level. It helps to overcome the effect of background noise and competing conversations. As well, it improves listening in rooms with poor acoustics and reduces listening effort and maximizes learning. This is the accommodation William requested. This is a reasonable accommodation that should have been readily available to him.

We have reviewed the February 1996 correspondence from Dr. J. Tuinman, Vice-President of Academics, to Nancy Parsons - a former student who experienced this same discrimination. This letter, posted on the VOXM website, cites Dr. Panjabi's reasons for refusing to accommodate Nancy's disability needs, noting these were of "a religious nature based not on a universal precept of a particular tradition but on her personal spirituality and commitments." This same argument is being used in her refusal to support William's request.

We fail to see how an individual's "personal spirituality and commitments" trumps human rights enshrined in an international covenant.

We recognize that Memorial University has demonstrated leadership in many and varied ways to support its diverse student population. We ask that the same leadership be demonstrated in this regard to uphold and safeguard the rights of students with disabilities.

Sincerely



Kelly White  
Executive Director

Autism Society of Newfoundland and Labrador  
Canadian Hard of Hearing-NL (CHHA-NL)  
Canadian Mental Health Association – NL Division  
Cerebral Palsy Association of Newfoundland and Labrador  
CHANNAL (Consumers Health Awareness Network NL)  
CNIB  
Easter Seals Newfoundland and Labrador  
Epilepsy Newfoundland Labrador  
Independent Living Resource Centre (ILRC)  
Learning Disabilities Association of Newfoundland and Labrador

Multiple Sclerosis Society  
NL Association of Community Living (NLACL)  
NL Association of the Deaf  
NL Brain Injury Association  
NL Down Syndrome Society  
People First, Newfoundland and Labrador  
Spinal Cord Injury Newfoundland & Labrador

cc: Steve Bartlett, Managing Editor, The Telegram  
Frank Smith, Frank Smith, National Coordinator-National Educational Association  
of Disabled Students (NEADS)  
James Hicks, National Coordinator, Council of Canadians with Disabilities  
Tony Dolan, Chair, Council of Canadians with Disabilities