Compliance of Adamson University (Manila) to the Accessibility Provisions of the Magna Carta for PWDs: A Basis to Develop a Program for Students with Physical Disability

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ABSTRACT

This study determined whether Adamson University, a Catholic Vincentian University in Manila, Philippines takes into account the special needs of students with physical disability as basis to develop a program for students with physical disability. It also determined the extent of compliance of Adamson University to the Magna Carta for PWDs in terms of: a) Access to quality education and b) Accessibility (barrier-free environment). The study is a combination of qualitative and quantitative study used purposive sampling technique. The respondents were twelve students with physical disability, the employees, administrators and teachers concerned with the welfare of PWD students. The researcher conducted a demographic survey of PWD students of the different colleges which served as a guide in determining the profile of the respondents. The researcher formulated guide questions for focus group discussion to elicit from the student relevant information about the extent of compliance of Adamson University on the Accessibility provisions on the law for the PWDs in the Philippines. In terms of "Access to Quality Education", the Adamson University is in Moderate Compliance with the provision of the law for PWDs. The University provides a moderate opportunity to participate in the programs but the PWDs are not given the opportunity for a maximum participation. As to "Accessibility (Barrier-Free Environment)" provision Adamson University is also in Moderate Compliance but very much lower than the Access to Quality Education. Based on the findings, the researcher recommends that: 1) Upon enrollment of students, the University should take information about disabilities of students; 2) the University should give exemption from taking PE classes to all PWD students; 3) the University should consider the condition of the students in the implementation of its policies.

Keyword: Special Education, PWDs, Magna Carta, Access to Quality Education, Accessibility (Barrier-Free Environment).

Background/Rationale

The United Nations estimates that there are about 650 million worldwide who live with disability (2007). In the Philippines, the estimate number of Persons with Disabilities (PWDs) is 1.57 percent of the 92.1 million household population in 2010. PWDs are persons who are suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being (Magna Carta for PWDs).In accordance with the 1987 Philippine Constitution, the National Council for the Welfare of Disabled Persons (NCWDP) was created as the central...
policy making, monitoring, and coordinating body for all disability programs implemented by the government. The agency oversees coordination and implementation of programs and services for PWDS, according to government policies and works to ensure that there is no duplication of efforts. It is responsible for the registration of PWDS in collaboration with local governments units, the Department of Social Welfare and Development (DSWD), and other organizations. In 1992, the government implemented RA No. 7277 known as the Magna Carta for PWDS. The Magna Carta for PWDS defines disability as a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual. It is the definitive legislation that addresses disability concerns in the Philippines. It contains specific provisions and policies to address the concerns of PWDS and ensures that they are provided equal opportunities and participation in their development. The law provides for the rehabilitation, self-development and self-reliance of PWDS and their integration into the mainstream of society and for other purposes. It provides for the basic rights of persons with disabilities such as equal opportunity for employment, access to quality education, national health program, auxiliary social services, telecommunications, accessibility (barrier-free environment), and political and civil rights. Chapter II of the Magna Carta for PWDS requires that the “state shall ensure that PWDS are provided with access to quality education and ample opportunities to develop their skills and that it shall take appropriate steps to make such education accessible to all PWDS”. Section 12 states that “the state shall ensure that PWDS are provided with access to quality education and ample opportunities to develop their skills”. The law further provides that it is unlawful for any learning institution to deny a PWD admission by reason of handicap or disability. Architect Jaime Silva of the United Architects of the Philippines (UAP) in 2003 provided pictures of compliances to equal access to the built environment in “The Expanding Role of the Architects, Towards the Barrier-Free Environment for Persons with Disabilities” (uiawpafa.hkia.net). The National Council for the Welfare of the Disabled Persons (NCWDP) invited the UAP to help disseminate the Accessibility Law. Quality education means a learning process that makes the individual a better person and prepares him to cope with rapid social change with appropriate skills and positive values leading to productive and meaningful life as responsible citizen. Further, Section 25 of the Magna Carta provides that “the state shall ensure the attainment of a barrier-free environment that will enable PWDS to have access in public and private buildings and establishments”. Further, RA 344, or Accessibility Law, requires that public buildings meet reasonable accessibility requirements in order to promote the mobility of PWDS. Proclamation 125 of President Ramos in 1993 called for the nationwide observance of the Asian and Pacific Decade of Disabled Persons to advance disability concerns. According to Silva, a blind architect and Chairman of the Committee on Accessibility from 2000 to present, there are 5 basic minimum requirements of the Accessibility Law, which the Department of Public Works and Highways had devised. The technical requirements conform to the provisions found in the Accessibility Law. This was intended to simplify the interpretation and serve as a guideline for building officials.
The 5 basic minimum requirements are:
1) Ramp,
2) Toilet for PWDs,
3) Reserve Parking for PWDs,
4) Non-skid materials on stairs, ramps, and toilets, and
5) directional signages.

This paper determined whether Adamson University takes into account the special needs of students with physical disability with respect to the use of school facilities, class schedules, and physical education requirements and the mobility of the PWD students. Adamson University as a Catholic Vincentian education states that as an institution of learning, it assists in the formation of competent, creative, and socially responsible leaders through its commitment to excellence in discovery, learning and service and as a catalyst of social transformation. It provides quality services that empower others to become agents of change.

Studies on Rights of Persons with Disabilities

Arbour-Nicitopoulos and Ginis (2011) measured the universal accessibility of "accessible" fitness and recreational facilities for Ontarians living with mobility disabilities. They assessed the physical and social environments of 44 fitness and recreational facilities that identified as "accessible". None of the 44 facilities were completely accessible. Mean accessibility ratings ranged between 31 and 63 out of a possible 100. Overall, recreational facilities had higher accessibility scores than fitness centers, with significant differences found on professional support and training, entrance areas, and parking lot. A modest correlation was found between the availability of fitness programming and the overall accessibility of fitness-center specific facility areas. Overall, the physical and social environments of the 44 fitness and recreational facilities assessed were limited in their accessibility for persons with mobility disabilities. Anema and Sligar (2010) studied that rehabilitation professionals often serve persons with disabilities in the Employee Assistance Programs (EAP). There is scant research regarding companies with an EAP that employ persons with disabilities. These researchers reported a 2 year summative evaluation of a grant funded, pilot, internal EAP. The company served by the EAP employs 218 workers, about 88% of whom have a disability. Data collection included reviews of internal reports, employee surveys and a focus group with administrative stakeholders. The findings indicated that the EAP met or exceeded the original start-up goals and that employees and first line supervisors were satisfied with the services, administrative stakeholders perceived the EAP as effective, and the EAP compared favorably to a benchmark organization. Gal et al., (2010) examined the extent to which people with disabilities express their voices and present complaints about the quality of health services, and how their complaints are submitted, compared to nondisabled persons. Data were collected via two national surveys from 243 people with disabilities and 956 nondisabled respondents in Israel who perceived themselves to be aggrieved by their health providers. People with disabilities complained only slightly more often than nondisabled persons, and the majority of complaints were submitted locally and informally by both groups. Since people with disabilities use health services more frequently than nondisabled persons, the fact that a majority of customers with disabilities
remain silent causes the health system to lose important information regarding areas for redress or for service recovery. The results have implications for needed actions by health providers and outreach efforts by advocacy groups as well as for further policy and research directions that can improve the quality of health services to people with disabilities. Mepham (2010) explored the fundamental right of disabled children to feel safe and be free from bullying, harassment and abuse. He claimed that for 20 years since the United Nations Convention on the Rights of the Child, disabled children are still facing barriers to securing this right. The research shows a very high incidence of bullying of children and young people with a learning disability; and also how measures to prevent and tackle bullying are hindered by a lack of compliance around new legal duties on schools to eliminate the discrimination and harassment of disabled people. The study links the high incidence of bullying with the similarly high incidence of abuse of disabled children, and proposes that these should be considered within the context of a safeguarding continuum. Agcaoili (2000) studied that PWDs constitute a significant disadvantage group and a vastly under-utilized human resource base. She said that about ten percent of the Philippine population are in this category. She further claimed that 75 to 85 percent live in the rural areas. “The plight of the children with disability is not an isolated concern,” she said. She noted that impairments or disabilities cut across different developmental stages and there are monitoring mechanisms in the rural areas. Agcaoili enumerated problems encountered by PWDs in the areas of education, rehabilitation, information and advocacy as well as accessibility.

The studies cited are relevant to this present study as they support the need to evaluate the implementation of the Magna Carta for PWDs in the Philippines. The literature provides the researcher more insights about the rights and privileges of the PWDs worldwide. This present study focused on the compliance of Adamson University on the accessibility provisions on the law for PWDs.

Statement of the Problem

1. What is the extent of compliance of Adamson University to the Magna Carta for PWDs in terms of:
   a. Access to quality education
   b. Accessibility (barrier free environment)
2. What are the problems observed by the respondents as to the implementation of the accessibility provisions of the law for PWDs?
3. What are the recommendations of the respondents for a successful implementation of accessibility provisions of the law for the PWDs?
4. Based on the findings, what programs can be developed to improve the current conditions of students with Physical Disability?

Objectives

This study intended to achieve the following specific objectives:
1) To determine the extent of compliance of Adamson University on the accessibility provisions of the law for PWDs.
2) To encourage the members of Adamson University community to become advocates of the rights of PWDs and to promote the responsibility of the Vincentians to spearhead the recognition of the rights and privileges of PWDs.
3) To implement conscientiously the responsibility of the Vincentians in spearheading the recognition of the rights and privileges of students with physical disability in Adamson University.

**Significance of the Study**

This research hopes to generate information that would benefit the following sectors of the society: 

a) Persons with Disability- for them to be informed of their rights and privileges; 

b) Students (Nursing, Special education, Political Science and Law) – for them to be reminded of their roles in promoting and protecting the rights of PWDs; 

c) Educators - this study will help teachers to efficiently plan programs for PWDs to make them functional and helpful citizens of the country; 

d) Employees and School Administrators- for them to be enlightened about their important role as Catholic Vincentian university in recognizing the rights and privileges of PWDs under the laws, thereby respecting PWDs as useful members of the community; 

e) Government-for Department of Education, Department of Health, and Department of Public Works and Highways to properly implement the provisions of the laws for the PWDs; 

f) Community- for them to be educated about the existing rights and privileges of PWDs and recognize them as vital part of the Philippine society; and 

g) Future Researchers- for them to consider this study as a baseline for pursuing future studies to strengthen the laws for PWDs.

**Scope and Delimitation of the Study**

This study is designed to determine the compliance of the Adamson University to the accessibility provisions of the law for PWDs. It attempted to identify the problems encountered by the respondents in the implementation of the accessibility provisions of the law for PWDs. It also attempted to test a process of discussion in which the respondent students with physical disability to know their concerns regarding the implementation of the accessibility provisions of the law. The respondents of this study were limited only to the undergraduate students with physical disability who were enrolled in second semester, school year 2012-2013; the regular employees of Adamson University who belong to Office of Security Services (OSS), Office of Student Affairs (OSA), Clinic, Special Education (SPED) of the Education Department; and the school administrators from OSS, OSA, Clinic, SPED and the Admissions office.

**Methodology**

This study used qualitative and quantitative method. The researcher conducted a demographic survey of PWD students of the different colleges. The demographic survey served as a guide in determining the profile of the respondents. The researcher formulated guide questions for focus group discussion to elicit from the students relevant information about the extent of compliance of Adamson University on the Accessibility provisions on the law for the PWDs in the Philippines.
This study used purposive sampling method. The respondents were twelve students with physical disability, the number of employees and administrators for the second semester of academic year 2012-2013. There were three groups of respondents:

Group 1 - Undergraduate Students of Adamson University with physical disability,
Group 2 – Employees of Adamson University from Office of Student Services (OSS), Office of Student Affairs (OSA), Clinic, and Special Education Teachers from the Department of Education, and
Group 3 – Adamson University School Administrators from OSS, OSA and the Registrar.

The criteria for sample inclusion are:

Group 1 - Adamson University Undergraduate Student with physical disability should be: Currently enrolled in second semester for SY 2012-2013.
Group 2 – Adamson University Employees; Regular employees of Adamson University who belong to OSS, OSA, Clinic, SPED of the Education Department.
Group 3 - School administrators from OSS, OSA, Clinic, SPED of the Education Department, and the Admissions Office.

Results and Discussions

Profile of the Respondents: There were 32 respondents, 12 were PWD students and the other 20 respondents were the employees and administrators of selected offices in Adamson University concerned with student welfare. The PWD students were distributed to first year, second year, third year and fourth year levels at the time the study was conducted. More student respondents belonged to first and fourth year levels - 12.5% respectively, second - 9.4% and 3.1% in third year level. The PWD students suffer from Permanent Knee Injury, Bilateral Clubfoot; Cerebral Palsy; Problem in Walking; Inborn Left Hip; Two-Fingers Only; Gouty Arthritis; Internal derangement of the knee (IDK); Cross Legged; and Dragged Walked.

A clubfoot is a congenital deformity (present at birth) in which the affected foot appears rotated internally at the ankle - the foot points down and inwards and the soles of the feet face each other. It is called bilateral club foot, if both feet are affected (Medline Plus). Cerebral palsy is caused by an injury to the brain or by abnormal brain development but although the injury is neurological in nature, it produces affects to the body that impair movement, coordination, balance and posture. Those with Mild CP means a child can move without assistance; his or her daily activities are not limited (cerebralpalsy.org). Congenital Hip Dysplasia refers to the general instability, or looseness, of the hip joint (International Hip Dysplasia Institute). Gouty Arthritis is typically an extremely painful attack with a rapid onset of joint inflammation which is precipitated by deposits of uric acid crystals (Medicinenet). Internal derangement of the knee is a mechanical disorder of the knee which interferes with normal joint motion and/or mobility. (Veterans Affairs Canada). Spastic gait (Dragged Walk) means one leg is stiff from some chronic or long-term muscle spasm and the foot is dragged across the ground (Neurostream technologies). ACL injury on the other hand is the over-stretching or tearing of the anterior cruciate ligament in the knee which may be partial or complete (Medline Plus). It claims that some people can live and function normally with a torn ACL however, most people complain that their knee is unstable and may "give out" with physical activity.
Extent of Compliance of Adamson University to the Magna Carta for PWDs

1. Access to Quality Education

Table 1. Extent of Compliance of Adamson University

<table>
<thead>
<tr>
<th>A. Access to Quality Education</th>
<th>Mean</th>
<th>Interpretation</th>
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<tbody>
<tr>
<td>1. Adamson University assures that PWDs have:</td>
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<tr>
<td>1. opportunities to fully participate in the programs and activities of the University without experiencing any stigma attached to their disability.</td>
<td>3.28</td>
<td>Moderate Compliance (Average Conformance)</td>
</tr>
<tr>
<td>2. the right to participate in academic, cultural, &amp; social activities even with their disability and physical need to develop their talents and skills while in the University.</td>
<td>3.25</td>
<td>Moderate Compliance (Average Conformance)</td>
</tr>
<tr>
<td>3. not experienced any form of discrimination (academically due to the lack of accommodations, support services and attention to their personal needs) and have adequate access to quality education being offered by the University</td>
<td>3.13</td>
<td>Moderate Compliance (Average Conformance)</td>
</tr>
<tr>
<td>4. access to admission to any course offered by the University, regardless of their disability.</td>
<td>3.13</td>
<td>Moderate Compliance (Average Conformance)</td>
</tr>
<tr>
<td>5. their special requirements (special needs assistants supporting students on a one-to-one basis or specialized equipment, laptop computers, or extra time in exams) are considered in the formulation of educational policies and programs.</td>
<td>2.88</td>
<td>Moderate Compliance (Average Conformance)</td>
</tr>
<tr>
<td>6. access to parent-teacher-student forums which are conducted to address concerns of students with special needs in the University.</td>
<td>2.91</td>
<td>Moderate Compliance (Average Conformance)</td>
</tr>
<tr>
<td>7. no experience being ridiculed by anybody while in the University.</td>
<td>3.03</td>
<td>Moderate Compliance (Average Conformance)</td>
</tr>
<tr>
<td>8. access to financial assistance like</td>
<td></td>
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</table>
The Table shows that the “opportunities to fully participate in the program and activities of the University without experiencing any stigma attached to their disability” got the highest mean of 3.28; “The right to participate in academic, cultural, & social activities even with their disability and physical need to develop their talents and skills while in the University” got the second highest mean of 3.25; “Access to financial assistance like scholarship programs, grants, financial aids, subsidies and other incentives for the economically marginalized but deserving students with disabilities.” got the highest mean of 3.28.
student with disability" got a mean of 3.16; A mean of 3.13 goes to both “access to admission to any course offered by the University, regardless of their disability”; and “not experienced any form of discrimination (academically due to the lack of accommodations, support services and attention to their personal needs) and have adequate access to quality education being offered by the University”. “No experience being ridiculed by anybody while in the University” has a mean of 3.03. With the lowest means of 2.91 and 2.88 respectively are “access to parent-teacher-student forums which are conducted to address concerns of students with special needs in the University” and “their special requirements (special needs assistants supporting students on a one-to-one basis or specialized equipment, laptop computers, or extra time in exams) are considered in the formulation of educational policies and programs”. The overall mean in Access to Quality Education is 3.09 which is interpreted as Moderate Compliance. This means that Adamson University is Moderately Complying to the Access to Quality Education provision of the law for PWDs. The University provides a moderate opportunity to participate in the programs but the PWDs are not given the opportunity for a maximum participation. Offices of Adamson University which should be responsible for PWD concerns particularly the Admission Office, Health Services Office and the P.E. department have no records or information about students with any kind of disabilities. It was learned in the focus group discussion (fgd) that one female respondent was enrolled in PE class and was religiously attending it. The researcher visited the Guidance Office and learned that the office also has no list of PWD students. Though the University has Moderate Compliance on the law for PWDs, there are rooms for improvement to elevate the conditions of the PWD students inside the campus.

2. Accessibility (Barrier-Free Environment)

Table 1 presents that “exempted from attending Physical Education classes got the highest mean of 2.94 which is interpreted as Moderate Compliance. The second highest mean goes to “able to move freely in the University and fully participate in all student activities” with 2.88 also means Moderate Compliance. One recommendation of the student respondents is for them to be exempted from taking up PE classes. Some experienced difficulty from moving freely in the University and they don’t participate at all in any kind of student activity. The students with physical disabilities being “allowed the use of wide doorways for wheelchairs to pass through easily” got a mean of 2.81 which is interpreted as Moderate Compliance. All student respondents do not use wheelchairs in the campus. There are also no ramps in Adamson University for such equipment. The indicator PWD students being “allowed the use of wide doorways for wheelchairs to pass through easily” got a mean of 2.81 which is interpreted as Moderate Compliance. All student respondents do not use wheelchairs in the campus. There are also no ramps in Adamson University for such equipment. Perceived as Slight Compliance are “assigned to classrooms in the ground floors of buildings to provide them access” and “given designated with comfort rooms in the ground floors intended for PWDs” with the means of 2.47 and 2.44 respectively. Adamson University needs to designate office which should monitor the presence of students with any kind of disabilities and be in charge also of assigning special classroom assignments and comfort rooms to them. The mean of 2.69 is given to “allotted designated parking spaces for their exclusive use” and “provided with easy access to the different buildings through the use of ramps for mobility” which means that Adamson University also Moderately Complied with the law for PWDs especially on it Barrier-Free Environment provision. Most student respondents commute to the university and one cannot see such signage in the different parking lots in the campus. Adamson University “providing adequate signages in
the different buildings and on the facilities of the University” got a mean of 2.63 which is also Moderate Compliance. If one looks around Adamson University there are no signages on any building. The University needs to put one to make life easier for the students with physical disabilities inside the campus. Perceived as Slight Compliance are “assigned to classrooms in the ground floors of buildings to provide them access” and “given designated with comfort rooms in the ground floors intended for PWDs” with the means of 2.47 and 2.44 respectively. Adamson University needs to designate office which should monitor the presence of students with any kind of disabilities and be in charge also of assigning special classroom assignments and comfort rooms to them. In Accessibility (Barrier-Free Environment) provision of the law for PWDs is 2.69. It is still interpreted as Moderate Compliance but very much lower than the Access to Quality Education. Adamson University can do so much in terms of improving the access of PWDs to their classes. Most respondents said their rooms are still reachable but since they have physical disabilities it takes much of their time to reach the upper rooms of buildings in the campus. Adamson University can make their lives easier and better by assigning their rooms in the ground floors of building.

Problems Encountered by the PWD students and their Recommendations

The most common problem of PWDs is they “have no chance to attend seminars sponsored by the University for PWDs”. There is no office in Adamson University with list of PWDs thus it follows that it cannot send anyone to such seminar. That should be monitored upon enrollment of the students. The student respondents are satisfied thus they intend to finish their degrees at Adamson University but it would be better for them if the University should consider also their conditions in some programs. The respondents suggested that Adamson University should be considerate to them especially on the policies being implemented by OSA, and also most of them hope that they should be exempted from taking PE classes. Adamson University should scout all the students with different kinds of physical disabilities as there is no office with such data now. That should be monitored upon enrollment of the students. The Administration should look into different ways on how to help these students while they are in the Adamson University. It should consider these recommendations to develop happy and healthy students even with physical disabilities inside the campus. Proper considerations should be given to them especially in making programs and assigning rooms which affect their well-being.

Focus Group Discussions with the Students with Physical Disability

PWDs, in going around Adamson University premises said they can survive. Most claimed they spend their vacant periods in school with their friends: talking, eating, studying, and listening to music. They claimed they are not discriminated by their teachers from their fellow students. They are happy in Adamson University, but when they were encouraged to talk, one respondent claimed that she is sad. They feel it as a challenge having their physical disability.

Conclusions
Adamson University is perceived to have a Moderate Compliance in both Access to Quality Education and Accessibility (Barrier-Free Environment) provisions of the law for PWDs. The researcher feels though that the respondents are too kind or passive in their assessment as even if there are no special provisions intended for them they still rate the University as Moderate Compliance. Most of the times the student respondents feel happy in the campus because they rarely experience discrimination by both their professors and their classmates. Some feel difficulty though in moving around the campus as some of their classes are in the upper floors of buildings. This is reflected in the following areas which are perceived as Slight Compliance by the respondents “assigned to classrooms in the ground floors of buildings to provide them access and “given designated with comfort rooms in the ground floors intended for PWDs”. The problems that the PWDs observed is the “lack of chance to attend seminars sponsored by the University for PWDs”. This is followed by “limited socialization with the other members of the University”. PWDs also claimed they “cannot participate in events in the University” and they “have lack of freedom of speech on issues concerning PWDs”. They also have “difficulty in moving around freely in Adamson University premises” and “have less exposure for their talents and skills in the University and cannot fully exercise their rights and privileges in the University. The main recommendation of the student respondents is for Adamson University to “give opportunity for PWDs to move freely in the University premises”. They would also like the University to “create opportunity for PWDs to socialize with other members of the University; Offer seminars sponsored by the University for PWDs; and Create exposure among talented and skilled PWDs in the University. Lastly, the “Administration should create programs whereby PWDs could participate”. Adamson University should create an office which is in charge of monitoring the well-being of the students with different kinds of disabilities.

Recommendations to Improve the Current Conditions of Students with Physical Disability in Adamson University

Based on the findings of the study, the researcher presents the following recommendations:

1. Upon enrollment of students, Adamson University should take information of any kind of disabilities that the students have.

2. Adamson University should give exemption from taking PE classes to all students with physical disabilities.

3. Adamson University especially the Office for Student Affairs should consider the condition of the students in the implementation of university policies. Girls with foot disability must not be required to use closed black shoes as this gives them pain.

4. Sped Teachers and students under the Department of Education should develop materials such as videos and leaflets to make members of Adamson University more aware about the rights and privileges of the PWDs.

5. On the problems that were observed by the respondents on the implementation of the law for PWDs, the following should be given enough attention and considerations:

   a. Physical disabilities of students should be considered in giving room assignments.

   b. Physical Facilities Office should put up signages in the different buildings.
c. Possible ways of including the PWDs in decision-making

d. Making the school environment of Adamson University as PWD-friendly.

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My ChildTM at CerebralPalsy.org http://cerebralpalsy.org