

Policy No. & Title: **A101: ACCOMMODATION OF APPLICANTS AND STUDENTS WITH DISABILITIES**

Effective: 2016-09-28

Next Review: 2021-09-28

Policy Sponsor: Vice-President, Student Services

Reference Cttee: College Council

Approvals: 1994-10-12/SA-94-01; 1996-01-13/SA-95-03; 2005-06-01/AC-04-09;
2008-09-10/AC-08-01; 2012-05-16/CC-11-07; 2015-10-21/CC-15-03,
2016-09-28/CC-16-01

1. PURPOSE

The purpose of this policy is to identify College obligations to accommodate applicants and students with disabilities, and to provide a framework for developing appropriate accommodation to the point of undue hardship. The policy also provides an effective and timely process for applicants and students to challenge or appeal accommodation decisions made under this policy.

2. POLICY

The College is committed to providing a welcoming, inclusive, and accessible learning environment. The College provides accommodations to support equal access to educational opportunities for applicants and students.

The Policy Sponsor oversees the development, maintenance and implementation of standards, guidelines and procedures that achieve the objectives of this policy. Such documents align with the College mission, vision and strategic goals, and reflect College values.

3. REFERENCES

Ontario Human Rights Code

Accessibility for Ontarians with Disabilities Act

Freedom of Information and Protection of Privacy Act (FIPPA)

Personal Health Information Protection Act (PHIPA)

Ontario Human Rights Commission: Guidelines on Accessible Education (Approved by the Commission September 29, 2004)

Ontario Human Rights Directive to Post-Secondary Institutions April 2016

College Policy:

[A108: Admission of Students to Post-Secondary Programs](#)

[A112: Course Grade System](#)

[A128: Student Appeals](#)

[P208: Respectful College Community and Prevention of Harassment and Discrimination](#)

4. ADDENDA

Standard 1: DEFINITIONS, PRINCIPLES AND RESPONSIBILITIES

Procedure A: ACCOMMODATION PROCEDURES

Procedure B: REGISTRATION PROTOCOL FOR STUDENTS WITH DISABILITIES REQUIRING A REDUCED COURSE LOAD

Form 1: COURSE REGISTRATION GUARANTEE FOR A STUDENT WITH A DISABILITY

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Policy No. & Title: A101: ACCOMMODATION OF APPLICANTS AND STUDENTS WITH DISABILITIES

Addendum: **Standard 1: DEFINITIONS, PRINCIPLES AND RESPONSIBILITIES**

Issued by: Executive Director, Student Success

Effective: 2016-09-28

1. PURPOSE

The purpose of this document is to elaborate the definitions, principles and responsibilities that apply in the process determining appropriate and effective accommodation for persons with disabilities.

2. DEFINITIONS

Accommodation: Refers to strategies to equalize the opportunity of a person with a disability in meeting essential requirements of applying for or achieving the learning outcomes of a course or program.

Accommodation extends distinctly beyond a standard level of service provided for the general population. Accommodation will be considered appropriate if it will provide an equal opportunity to attain the same level of performance, or to enjoy the same level of educational benefits experienced by others.

Accommodation for qualified applicants: Accommodations provided by the College to support the applicant in demonstrating that they meet the requirements for an offer of admission to a College academic program, course or other academic offering.

Accommodation for students: Accommodations provided by the College to support the Student in achieving required learning outcomes of the student's academic program, course or other academic offering.

Retroactive Accommodation: An accommodation requested after a test, evaluation deadline, or course completion.

Disability: Any physical or psychological condition as defined by the *Ontario Human Rights Code* that limits the opportunities of a person to meet the essential requirements of a course or program. Such conditions may include, but are not limited to: attention deficit disorder, blindness or low vision, brain injury, deafness or hardness of hearing, developmental disability, learning disability, medical condition, mental illness, mobility limitation.

Qualified Applicant: For the purposes of this policy means a person who has applied to the College and whose qualifications appear to meet the requirements to be considered further for an offer of admission to a College academic program, course or other academic offering.

Student: For the purposes of this policy, unless explicitly defined otherwise, means a person who either has accepted an offer of admission to a College academic program, course or other academic offering, or who is registered in same, or who is a qualified applicant.

Supporting Documentation: Medical or psychological documentation that supports and establishes the existence of a disability, related functional limitations, and the student's accommodation needs. A regulated professional who is qualified and competent to provide the required information, and who is able to provide an objective opinion and evaluation must provide supporting documentation. Where the documentation provided is not sufficient, the College may require further supporting documentation be submitted.

Undue Hardship: The limit of the College's capacity to accommodate without experiencing an unreasonable amount of difficulty. The College is obligated to provide accommodation up to the point of undue hardship. This means that the College is not expected to provide accommodation if doing so would bring about unreasonable difficulties based on health, safety, financial or other relevant considerations. The question of when undue hardship is reached must be evaluated in the context of each specific request for accommodation.

3. GUIDING PRINCIPLES

- 3.1. The College focuses on the removal of barriers to education and services for students by designing facilities, systems, services and curricula in such a way that accessibility is enhanced and the need for individual accommodation is minimized.
- 3.2. Individualized assessment of accommodation options is explored with respect to any remaining disability-related needs to the point of undue hardship.
- 3.3. Accommodation is provided in such a way that integration and full participation of persons with disabilities is encouraged.
- 3.4. The needs of the student are accommodated in a manner that respects their dignity.
- 3.5. Willingness to explore solutions is key to treating students with respect and dignity. As each person has unique needs, accommodation options are explored in an individualized manner.
- 3.6. The accommodation process is a shared responsibility among the student with a disability and College staff, including Professors, Accessibility Services staff and administrators.
- 3.7. Once accommodation is provided, students are expected to meet the published learning outcomes and essential requirements of their academic programs.

4. RESPONSIBILITIES IN THE ACCOMMODATION PROCESS

4.1. Responsibilities of the Student:

- Advise the College of the disability and accommodation needs as early as possible by contacting the Accessibility Services office. Students are not required to disclose a diagnosis in order to be eligible for accommodations, but do need to provide documentation of associated functional limitations to support the development of an accommodation plan.
- Make their needs known to the best of their ability in order that the College may assess accommodation options.

- Discuss their accommodation needs with persons who need to know. This will include College staff in the Accessibility Services office, and in some cases, professors or administrators responsible for providing the accommodation as needed. Students are not required to reveal their personal medical information to, or seek accommodations directly from their professors, instructors, or teaching assistants.
- Provide supporting documentation of the disability and accommodation needs, which will be kept confidential by the Accessibility Services office.
- Participate in discussions regarding possible accommodation solutions.
- Cooperate with any experts whose assistance is required to determine accessibility needs or to manage the accommodation process.
- Work with College staff providing accommodations on an ongoing basis to manage the accommodation process, including providing further supporting documentation to the Accessibility Services counsellor, as required.
- Meet published learning outcomes and essential requirements of courses and programs once accommodation is provided.

4.2 Responsibilities of the College:

- Accept the Student's request for accommodation in good faith, unless there are legitimate reasons for acting otherwise.
- Advise students of accommodation support services including the availability of interim and temporary accommodations and how they can be accessed.
- Take an active role in ensuring that alternative approaches and possible accommodation solutions are investigated.
- Maintain confidentiality and protect privacy.
- Comply with the *Personal Health Information Protection Act* (PHIPA) and the *Freedom of Information and Protection of Privacy Act* (FIPPA) with respect to the collection, use and disclosure of personal health or other personal information collected under this policy.
- Limit requests for information to that needed to enable an appropriate response to the accommodation request.
- Grant accommodation in a timely manner, to the point of undue hardship.
- Keep a record of the accommodation request and action taken.

4.3 Responsibilities of Accessibility Services:

- Serve as the central point of contact for all matters related to students with disabilities.
- Request supporting documentation as required. If there are questions or concerns about the information received, and with the informed consent of the student, the Accessibility Services counsellor may consult further with the student's external health care provider.
- Assess the student's need for accommodation based on supporting documentation of functional limitations and strengths, on input from the student, and on professional judgement.

- Provide the accommodation information or plan to professors and other instructional staff as required to implement the appropriate accommodations.
- On behalf of the College, obtain an expert opinion or advice, where needed.

4.4 Responsibilities of the Executive Director, Student Success

The Executive Director, Student Success (“the Director”) establishes, maintains and implements procedures and other resource documents as are deemed necessary by the Director to implement the provisions of this policy. Such documents reflect effective disability accommodation practices. For ease of access, such documents are attached to this policy in the College Policy Manual.

Review of such documents is initiated by the Director on an annual basis. When major change is contemplated, the Director consults with stakeholders as appropriate. The Director may proceed in these activities without reference to College Council.

5. ACCOMMODATION PRINCIPLES

- 5.1. Persons with disabilities must meet applicant selection criteria and program eligibility criteria. Qualified applicants are provided reasonable accommodation with respect to any activities required by the College to demonstrate that they meet requirements for an offer of admission to a College academic program, course or other academic offering (e.g., providing adequate time to complete a required pre-admission test).
- 5.2. Undue hardship on the College is the only acceptable reason not to accommodate the needs of a student with a disability. The possibility that the student might not be successful in the program or the possibility that the student might not find related employment, are not acceptable reasons for failure to accommodate.
- 5.3. In some circumstances the nature or degree of a student’s disability precludes the person from being able to perform the essential skills or demonstrate the essential knowledge required for a College program or course. However, in accordance with the *Human Rights Code*, a student with a disability cannot be found incapable of performing these requirements unless a reasonable effort has been made by the College to accommodate the needs of the student with a disability to the point of undue hardship.
- 5.4. Where accommodation includes modification or waiver of a health or safety practice, the College assesses the resulting risk to the student and others. If the assessed risk outweighs the benefit of the accommodation, the College may deny the accommodation on grounds of undue hardship.
- 5.5. If a student’s disability or accommodation needs put others at risk, that risk and the severity thereof must be identified and assessed on an objective basis to be a significant health and safety risk before it can become the basis for a refusal to accommodate the person’s disability. The fact that a person has a disability, in and of itself, is not sufficient to establish that there is a risk. Evidence is required to prove the nature, severity, probability and scope of the risk. Where warranted, the College may require additional medical or psychological assessment before the student can be accommodated in the College setting. The student may be required to adhere to a specified treatment plan that addresses safety issues with respect to risk of harm to self or others in order to be accommodated at the College.
- 5.6. The College is guided by the attached *Procedure A: Accommodation Procedures* to facilitate the implementation of this policy.

- 5.7. Where a person with a disability cannot be accommodated in accordance with these principles, or where a person is found incapable of performing the essential requirements of a program or course, alternatives are explored with the student. Any exceptional arrangements regarding withdrawal without academic penalty must be approved by the Senior Vice-President, Academic or designate. Issues related to fees or possible fee refunds are decided by the Registrar's Office.
- 5.8. If a student is unsatisfied with an accommodation decision, the student has the right to appeal that decision under College policy *A128: Student Appeals*.
- 5.9. If a student's identified disability is a substantive barrier to the student's ability to present their appeal case, the College administrator acting under the appeal procedure makes an assessment and provides appropriate appeal process accommodation.
- 5.10. The College is not responsible for costs incurred by a party who retains a paid advisor.
- 5.11. Program policies and practices are to align with principles of academic accommodation and in accordance with human rights legislation.

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Addendum: **Procedure A: ACCOMMODATION PROCEDURES**

Issued by: Executive Director, Student Success

Effective: 2016-09-28

1. PURPOSE

The purpose of this document is to guide College employees, applicants and students during the process of assessing accommodation needs or challenging accommodation decisions. For the purposes of this procedure, “student” means a person who is either a qualified applicant to or a student of the College.

2. ACCOMMODATION PROCESS

- 2.1 The College advises all students about the availability of services for students with disabilities. Information about Accessibility Services is included with Offers of Acceptance for post-secondary programs. The Continuing Education calendar includes a general statement about the availability of assistance for students with a disability.
 - 2.2 The student identifies their disability to the College by contacting the Accessibility Services office in the Counselling and Accessibility Services department. Early identification is encouraged so that appropriate academic accommodations can be put in place by the beginning of the term.
 - 2.3 Accessibility Services meets with the student to collect necessary information, including supporting documentation of the disability and the accommodation needs. Interim accommodations may be implemented while assessment and documentation of disability is in progress.
 - 2.4 The student is assigned to an Accessibility Services counsellor, who reviews the information collected and assesses the supporting documentation. The student is invited to meet with the counsellor to consult about appropriate academic accommodation.
 - 2.5 The Accessibility Services counsellor prepares a written “Confidential Student Academic Accommodations Form” that lists academic accommodations suited to the person’s disability. The student’s supporting documentation remains strictly confidential and is kept secure in the Accessibility Services office.
 - 2.6 The student is provided with an electronic copy of their personal “Confidential Student Academic Accommodations Form.” It is the responsibility of Accessibility Services to provide a copy to the professor in each class for which accommodation is required. It is suggested that the student connect personally with each professor to discuss the required accommodations as needed.
 - 2.7 If the appropriate academic accommodation is a reduced course load, follow the attached *Procedure B: Registration Protocol for Students with Disabilities Requiring a Reduced Course Load*.
 - 2.8 Accommodations are not typically retroactive, and student success is more likely to be supported through an early identification and planning process. However, it is recognized that there may be exceptional circumstances in which retroactive accommodations are appropriate and all requests will be considered.
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3. CHALLENGE OF AN ACCOMMODATION DECISION

- 3.1 If a student has a concern about the adequacy of accommodation or the provision of accommodation, the concern should be raised immediately with the relevant professor or Accessibility counsellor. The professor or counsellor or both should meet with the student as soon as is reasonably possible to review the student's needs and accommodations, and attempt to resolve the student's concern.
- 3.2 Except in extenuating circumstances that justify the delay, concerns that are raised more than 10 business days after the end of the semester to which the concern relates are not considered.
- 3.3 If the professor or counsellor and the student are unable to come to an acceptable resolution within 15 business days from the date the professor or counsellor was first contacted, the student, the professor or the counsellor may refer the concern to the Senior Manager, Counselling and Accessibility Services for review.
- 3.4 The Senior Manager, Counselling and Accessibility Services, within 7 business days of the referral, reviews and decides on the matter, and communicates the College accommodation decision to the student in writing. The Academic Manager for the student's program is consulted prior deciding the matter. This constitutes Step 1 under College policy A128: Student Appeals.
- 3.5 If the student is not satisfied with the College accommodation decision, the student may, within seven business days, initiate a Step 2 appeal as provided under College policy *A128: Student Appeals*.

4. MULTIPLE PROCEEDINGS

- 4.1 Where the Senior Manager, Counselling and Accessibility Services determines that the subject matter of the complainant is more appropriately dealt with under another College Policy (e.g., *P208: Respectful College Community and Prevention of Harassment and Discrimination*), the Manager may, following consultation with the administrator of the other policy, exercise discretion to direct that the matter be dealt with and decided under the other College Policy.
- 4.2 Where the subject matter of a complaint is also the subject matter of another procedure (e.g., an appeal of a grade under policy A128: Student Appeals), the Senior Manager, Counselling and Accessibility Services works with the coordinator or administrator of the other policy to determine under which policy the matter is first addressed.
- 4.3 A complaint or appeal about an accommodation decision is addressed before a case that addresses an issue that results from the accommodation decision.

5. PROTECTION FROM REPRISAL

In order to protect individuals who make use of this policy or participate in procedures under this policy, the College prohibits reprisal or threat of reprisal against these individuals. Individuals who violate these provisions are subject to discipline or other corrective action.

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Addendum: **Procedure B: REGISTRATION PROTOCOL FOR STUDENTS WITH DISABILITIES REQUIRING A REDUCED COURSE LOAD**

Issued by: Executive Director, Student Success

Effective: 2016-09-28

1. PURPOSE

The purpose of this document is to provide students with identified disabilities, and who require a reduced course load, with an accommodating registration protocol. For the purposes of this procedure “student” is used to mean a person who is either an applicant who has accepted an offer of admission to the College, or a person who is a registered student of the College.

2. INITIAL REGISTRATION IN A PROGRAM

Students are processed, assessed and admitted to the College in full-time status to ensure eligibility and a place in the program. Accommodation involving reduced course load uses the full-time load as a baseline.

3. REQUEST FOR A REDUCED COURSE LOAD

- 3.1. In the program application process, students are encouraged to self-identify their academic accommodation needs as soon as possible upon receipt of the Offer of Admission package.
- 3.2. In order for a student with a disability to be guaranteed consideration for registration accommodation, they are encouraged to identify themselves to the College prior to the commencement of their program and preferably no later than one month before the start of classes.
- 3.3. Accessibility Services counsellors meet with the student and, as needed, provide the student with a copy of *Form 1: Course Registration Guarantee for a Student with a Disability* (attached to this policy) as well as an *Application for Part-time Registration* form. The counsellor retains a copy of the Guarantee form. The student makes an appointment to see the Academic Manager (or designate) to obtain approval for reduced course load.
- 3.4. The Academic Manager (or designate) completes the Guarantee form for a student upon admission to a program. A Part-time Application form must be completed each semester, specifying which courses the student can enroll in on a part-time basis. The student is given a copy of the signed Guarantee form for their records. The white copy of the Guarantee form and the completed Part-time Application form are forwarded to the Office of the Registrar no later than one week prior to the commencement of classes.

4. RESPONSIBILITIES

4.1. Accessibility Services Counsellor

- Liaises with the Program Coordinator to create a program progression plan for the student. Course selection is very important. Consideration of pre-requisites and timing of course offerings must be factored into the progression plan. Pre-requisites are identified on the progression plan for the student.

4.2. Program Coordinator

- Finalizes a written program progression plan and provides a copy to the Accessibility Services counsellor and the Academic Manager.
- Tracks the student's progression in the program. Contacts the student and the Accessibility Services counsellor if there are concerns regarding progression.
- Ensures space is available in courses as designated by the student's progression plan.

4.3. Student

- Meets with the Program Coordinator prior to the beginning of the program and before the end of each term to plan program progression and select courses for the next term.
- Meets the course and program progression requirements each term to be eligible to continue in the program.

Current students who have been in progress without the accommodation of a reduced course load should meet with their Accessibility Services counsellor to identify their need.

4.4. Registrar's Designate

- Registers Students in all courses listed on the Part-time Application form for which they are eligible and contacts the School or Campus office for any section problems.

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Policy No. & Title: A101: ACCOMMODATION OF APPLICANTS AND STUDENTS WITH DISABILITIES

Addendum: **Form1: COURSE REGISTRATION GUARANTEE FOR A STUDENT WITH A DISABILITY**

Issued by: Executive Director, Student Success

Effective: 2016-09-28

In accordance with College policy *A101: Accommodation of Applicants and Students with Disabilities*, this is to certify the need of

Student Name

Student Number

who has met the admission requirements of the _____

Program Name

program, to receive the accommodation of guaranteed registration for specific courses in a reduced course load where the resulting course load does not constitute full-time status. The accommodation is required because of the nature of the disability that has been documented by Accessibility Services. An appropriate combination of courses will be selected after consultation between the student, the Accessibility Services Counsellor and the Program Coordinator. This guarantee is subject to course offerings being available and the student having met prerequisite requirements.

Student Responsibilities

Prior to the beginning of each semester, the student requests a meeting with the Program Coordinator to plan program progression and select courses for the next semester. The student meets with their Accessibility Services counsellor each semester. The student must meet the course and program progression requirements each semester to be eligible to continue in the program.

Student Signature

Date

Accessibility Services Counsellor Signature

Date

School or Campus Chair (or Designate) Signature

Date

Distribution: Copies to Student // School or Campus Chair // Registrar // Accessibility Services

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