

# Ontario Human Rights Commission Directive: Accommodating students

## Frequently Asked Questions

Issue #1: October 2016

1. Should all requests for temporary or interim accommodations be referred to Counselling and Accessibility Services?

No. Decisions for temporary or interim accommodations should only be referred to C&AS to support the request for medical documentation if the situation looks like it will become longer term and impact more than one assessment or evaluation, or if the student requires additional services such as a scribe or tutor. Faculty members are still strongly encouraged to consider requests for consideration of accommodations based on compassionate grounds. It is expected that the vast majority of temporary requests will continue to be addressed by professors or Coordinators and will not need to go to C&AS.

2. Will students still have Accommodation Forms?

Yes. In most instances professors will now receive these accommodation forms from Accessibility Services and should also check the Professor Accessibility Services tab on their FOL site. Professors may also still receive accommodation forms directly from some students this year as we continue to update our processes for returning students. All forms should be accepted, and any questions or concerns can be directed to the Counsellor noted on the form. The Ontario Human Rights Commission has directed that students should not be required to request accommodations directly from their professor.

3. Should students be asked to provide proof of their mental health condition before an interim, temporary, or retroactive accommodation is made?

No. Students with Disabilities have never been required to provide details of a diagnosis or medical condition to their professors or Student Success Advisors in order to receive accommodations for a disability. This information is considered private health information and is managed through Counselling and Accessibility Services. Should a professor, Coordinator or Student Success Advisor receive this information, they should refer the student to C&AS for assessment of the documentation. Medical “notes” indicating a student was seen for an appointment may still be submitted/required when students are requesting consideration of a missed evaluation and the issue is not disability related.

4. How do I decide? What does the student have to say to me to “convince” me to provide interim accommodations?

The guidelines from the Ontario Human Rights Commission outline the importance of accepting information and requests from students “in good faith” which means carefully considering the information that is available at the time. It is important to distinguish between requests based on compassionate reasons and requests based on disability related reasons. Requests for accommodations based on a disability related need should be followed up with a referral to Counselling and Accessibility Services to determine the overall accommodation needs.

5. Does the same student have to ask me for interim accommodations prior to each assessment in the course, or does one request cover the rest of the term?

Interim Accommodation Forms will provide an “Effective Date” that will inform professors about the estimated duration of the accommodation need. Depending on the nature of the disability and the wait times for particular assessment services, this date may be for a few weeks, one term, or beyond.

6. Scenario: A student requests additional accommodations from the professor later in the semester but discloses that they did not go to C&AS as requested after the initial accommodation was granted. Should this second request for accommodation be declined?

Each situation should be considered on an individual basis. In most instances the request should not be declined outright, however it would be reasonable to remind the student that ongoing accommodations need to be formalized. The student should be asked to meet with Accessibility Services to obtain an Interim Accommodation Form prior to granting the request or prior to receiving a mark for the submitted assignment/test.

7. Is there a time restriction for requests for accommodation after a deadline, test, or course completion?

No, there is no specific time restriction for making a retroactive request however timing could be a factor under consideration in determining a response to the student’s request. For example, was there a reason the student did not come forward and request accommodations at an earlier time? A comprehensive checklist for use for when considering retroactive accommodation requests is available on FOL.

8. What information needs to be considered when a request for retroactive accommodation is made?

There are a host of factors that should be taken into consideration. As indicated, the Checklist for Consideration of Retroactive Accommodations is available on FOL. The specific factors critical to a particular request may be different with each student, situation, and program area. Program areas are encouraged to be proactive and discuss how they would approach retroactive requests so they have a protocol in place should a request be made.

9. Which requests for accommodations (e.g. extensions, rewrites, and alternative evaluations) fall under the Ontario Human Rights Commission Directive and which ones do not?

All requests for accommodations for mental health disabilities should be considered in the context of the OHRC Directive. This Directive is based on legislation, Tribunal findings, as well as recently published research and recommendations related to academic accommodations for students with mental health disabilities in post-secondary education institutions.

10. What if the student's accommodations for extra time on exams/tests result in the student not being able to write all of their tests during Exam Week?

The Test Centre is still open M-F when the College is open. Consider moving tests outside of Exam Week and assigning an "I" (incomplete) to the student's record until their test has been taken.

11. What if your CIS indicates that there are firm deadlines beyond which requests for extensions will not be considered?

Any language that suggests requests will not be considered must be removed or supplemented with "except under extenuating circumstances".

12. How much discretion do Accessibility Counsellors have in recommending accommodations?

Accessibility Counsellors use a multi-pronged approach in determining appropriate accommodations for students. Counsellors review medical and/or psychoeducational documentation of the disability and any recommendations made by a regulated health professional to accommodate for associated functional limitations. Counsellors also explore students' previous experiences with accommodations and perspectives on current needs. Counsellors then assess this information and use their own clinical judgment and knowledge of the post-secondary environment to determine appropriate disability related academic accommodations.

13. What processes need to be in place to support students on field placements?

Students can work with their Accessibility Counselors to create a field placement accommodation form. Ideally this form is discussed with field placement coordinators or supervisors early in the planning process to determine the best way to incorporate these accommodations within the placement environment. This team approach helps ensure the accommodation needs and learning outcomes are both being met.

14. If a student is registered with Accessibility Services and does not notify their Professor, do they still receive consideration?

Currently Accessibility Counsellors are sending accommodation forms directly to professors via email so they have access to this information in a timely manner in order to accommodate the student. Accommodation information is also available on the professor's FOL site. If a student wishes to distribute their forms personally this is still an option in addition to the process outlined. The process does require professors to be informed about accommodations in order to be responsible for the implementation.

15. If a test has already been structured to provide additional time for all students, does the professor still need to provide the extra time required on the Accommodation Form?

The professor does need to take into account the accommodation need and the time allotted for the test or exam. If the exam is structured to take 30 minutes, but all students in the class are given 1 hour, then the accommodation for a student who requires 1.5 time or double time has been met. This is an example of universal design for learning. The professor should be clear to all students about this design with respect to the expectation and time allotted that will support accommodation needs.

If the professor finds that the majority of students have required the full hour to complete the exam, the accommodation issue may need to be reconsidered. Please note that students may also require use of the Test Centre in order to access adaptive technology or for other disability related reasons.

16. How can I learn more about accommodating students with disabilities including mental health related needs?

Information and resources for faculty members and staff will continue to be posted on Fanshawe OD & L sites including:

<https://www.fanshawec.ca/teaching-and-learning/teachers-toolkit/accessibility-requirements>

Many courses and workshops are available through OD&L such as Mental Health First Aid and Universal Design for Learning.

Information on the Ontario Human Rights Commission including guidelines for accommodating post-secondary students with disabilities and the recent OHRC Directive can be found at: [http://www.ohrc.on.ca/en/news\\_centre/new-documentation-guidelines-accommodating-students-mental-health-disabilities](http://www.ohrc.on.ca/en/news_centre/new-documentation-guidelines-accommodating-students-mental-health-disabilities).

For information on Fanshawe's Accessibility Plan and commitment to accessible education, see <https://www.fanshawec.ca/about-fanshawe/corporate-information/accessibility-fanshawe-college>

For more information on provincial campus mental health projects visit the website for Centre for Innovation in Campus Mental Health: <http://campusmentalhealth.ca/>