

## ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES POLICY

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### Policy Information & Responsibilities

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**Executive Responsible:** SSD & AD Directors

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### Revision Dates

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December 13, 2021 – Policy created

## Purpose

The Ontario Human Rights Code (OHRC) provides students with the right to reasonable academic accommodation in post-secondary education. Hanson College ('Hanson'/the College) has a legal obligation to eliminate barriers to equal access for students with disabilities. Accordingly, the purpose of this policy is to provide guidelines for the provision of reasonable academic accommodations to Hanson students.

## Definitions

**Accommodations:** An instructional or environmental change that allows a student to successfully understand and respond to the curriculum. Examples of accommodations include preferential seating in the classroom, extended time on tests, and assistive technology. The student is expected to learn the same material and complete the same assignments as other students, but the accommodations allow alternate ways to learn and respond. An accommodation seeks to provide 'fairness' in the classroom.

Accommodations under this policy include but are not limited to:

- Retroactive accommodations, which are accommodations applied in the present time that affect academic activities that have already taken place
- Temporary and Permanent disability accommodations

**Disability:** A term that covers a broad range and degree of conditions and may be permanent or temporary. Disability is defined in the OHRC as follows:

- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,
- a condition of mental impairment or a developmental disability,
- a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,
- a mental disorder, or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

**Functional limitations:** A disability-related impediment that affects a student's ability to function in the learning environment. Functional limitations often disadvantage a student academically and may require accommodations for the student to have equitable access to the curriculum.

**Undue hardship:** Under the OHRC, every student with a disability is entitled to reasonable accommodation short of undue hardship to the College. Undue hardship is a standard that acts as a limit to the duty of accommodation; once this limit is reached, there is no longer a requirement to accommodate. The OHRC sets out three elements for consideration in assessing whether an accommodation would cause undue hardship: cost, outside sources of funding, if any, and health and safety requirements, if any.

## Application/Scope

This policy applies to all Hanson College students with disabilities.

## Policy Statements

An appropriate accommodation at the post-secondary level enables a student to meet the essential requirements of the program, with no alteration in standards or outcomes, although the manner in which the student demonstrates mastery, knowledge and skills may be altered.

Because decisions regarding accommodation may affect the student's progress in their program of study, the College processes these in a timely manner. In doing so, the College considers academic program structure (e.g., pre-requisites), and official timelines (e.g., semester registration dates, drop/add and withdrawal dates).

Students are required to cooperate in the accommodation process. This means that students are required to request and accept offers of reasonable accommodations related to their disability-related needs (not preferences) that will assist them to meet their required learning outcomes.

**1. Accommodations are Based on a Student's Functional Limitations *not* their Diagnosis**  
Accommodations address a student's identified functional limitations linked to an underlying disability. The type of information that the student seeking accommodation is expected to provide includes:

- a) Confirmation that the student has a medical condition that requires accommodations (however, there is no obligation for the student to disclose their diagnosis);
- b) The limitations or needs associated with the disability; and/or
- c) The type of accommodation(s) needed to allow the student to fulfill the essential duties of participating in an academic course or program.

**2. Accommodations Provided Without Supporting Documentation from a Regulated Health Care Professional**

Students with developing mental health conditions, or who are waiting for medical documentation from their registered health care professionals, will still receive reasonable accommodations. Such students may seek academic accommodations without documentation of a diagnosed condition but must provide information from a physician that a diagnosis is under investigation.

Pending the regulated health care professional's assessment to identify individual needs and limitations of a student, Hanson will use the best information available to make the accommodation decision or provides interim accommodations. The decision shall take into consideration how the student identifies their own needs, pending the assessment.

**3. Temporary Accommodations**

The OHRC protects students with temporary disabilities. For example, some physical or mental health conditions and the associated functional limitations are temporary. Within this context, academic accommodations apply. The College meaningfully considers all OHRC related requests for accommodation in relation to the individual's unique circumstances. These accommodations are not limitless.

**4. Retroactive Accommodations**

The College accepts retroactive accommodation requests as made in good faith, unless there are legitimate reasons for acting otherwise. It examines each case on the unique circumstances and the student's individual needs.

Documentation from a Regulated Health Care Professional about functional limitations that affected academic performance is required to support the request. The College implements an accommodation only after it has made a final decision based on submission of the required medical documentation.

When a student submits a request for retroactive accommodations in relation to one set of circumstances, the College does not support concurrent or sequential requests under the Student Appeals Policy or Academic Integrity Policy for these same circumstances.

At the College's discretion, a grade received for any examination, test or assignment completed under the conditions of a retroactive or temporary accommodation may, upon receipt of medical documentation or a final decision regarding an appeal, be reverted to the grade originally achieved.

**5. Communication of Accommodation Needs to Faculty**

Students are not required to share disability related information with their professors to receive academic accommodations and it is not appropriate for faculty or staff outside the Academic department to request such information. Providing accommodation related information about a student's functional limitation(s) is the responsibility of the Academic Manager.

**6. Disability Education**

Hanson is committed to supporting faculty members with assisting students requiring academic accommodations through the provision of disability education in two key areas:

- a) general disability awareness
- b) education and training, support and information on interacting with a student who appears to have a disability-related issue that is interfering with their studies

**7. Accommodation Process**

Hanson ensures a consistent process to guide accommodation decisions as follows:

- a) Student initiates the accommodation process by contacting the Academic Department.
- b) Student attends appointment with the Academic Manager/Advisor and brings in requested documentation.
- c) Student participates in the process to determine reasonable accommodations.
- d) Student decides if they or Academic Advisor share disability related information with their professors to receive academic accommodation.
- e) Students seeking a change in accommodations will do so through requesting an appointment with their Academic Advisor.

## **Responsibilities and Accountability**

### **Students with Disabilities:**

- Cooperate in the facilitation of reasonable accommodations.
- Notify the Academic Department about their need to request an accommodation as soon as the student becomes aware that they require academic accommodations. Ideally, the student will request accommodation before the need for accommodations arises. However, the College will consider all accommodation requests it receives.
- Submit the required medical documentation forms, provided and/or requested by the Academic Advisor, to the Academic Department in a timely manner. Note that students are not required to disclose the diagnosis of their disability to the College in order to receive academic accommodations.

- Students are required to follow their academic responsibilities as per the 'Students Rights and Responsibilities Policy'.
- Make best efforts to understand and meet all administrative deadlines and obligations related to the academic program of study (i.e. enrolling in pre-requisite courses; meeting semester registration dates, drop/add and withdrawal dates, etc.).
- Participate in meetings with faculty and the Academic Manager/Advisor, as may be required, to cooperatively determine and/or strategize the accommodation necessary to meet academic performance requirements.
- Follow the guidelines for a Retroactive Accommodations Appeal in the event of a disagreement on the retroactive application of an accommodation.

#### **Vice President:**

- Facilitate policy and procedures and assist staff and faculty with informal resolution of accommodations issues.
- Consult with Academic Director/Manager when departmental and/or financial resources are required.
- Consult with students and accessibility services as required.
- Discuss with students, accessibility services, or departmental/school concerns about suggested accommodations and/or how the accommodations relate to the essential requirements of the course/program.
- Review, upon a student or faculty request, concerns with the recommended accommodations plan and assist in developing alternatives.
- Review, upon student or Vice president request, a faculty member decision to not provide accommodation.
- Work collaboratively with a student and faculty with field placements/practicum to take the accommodation requirements of students with disabilities into account.
- Provide relevant updates and training as required to students, faculty, and support staff.
- Participate in the appeal process for accommodations.
- Finalize grade-change forms resulting from retroactive accommodations.
- In consultation with the faculty, review and determine that the correct assessment has been identified in the retroactive accommodations memo.

#### **Academic Director/Manager/Advisor:**

- Meet with the student requesting an accommodation.
- Review the process with the student.
- Provide the student with the information and process for psycho-educational assessments, if required.
- Issue an accommodation memo to the student and/or faculty.
- Ensure faculty compliance with accommodations.
- Receive the completed medical documentation form from the student or their physician.
- Meet with the student, and the faculty as required, to discuss the accommodation.
- Work with the student to determine who will communicate information about accommodation needs (accommodations memo) to faculty.

#### **Faculty**

- Refer to the Academic Manager/Advisor:
- Any student requesting a disability-related accommodation.
- Any student demonstrating behavioural or learning difficulties.
- Participate in the accommodation process, as required.

- Provide the student with the approved accommodation outlined in the accommodation memo.
- Complete grade-change form for accommodations or retroactive evaluations when applicable.
- In consultation with the Vice President/Designate, review and determine that the correct assessment has been identified in the retroactive accommodations memo.

## Related Policies

### Existing Internal Policies

- Student Appeal Policy
- Academic Integrity Policy
- Student Complaints Policy
- Academic Standing and Promotion Policy
- Attendance Policy
- Code of Conduct Policy
- Student's Rights and Responsibilities

### External Directives

- Accessibility for Ontarians with Disabilities Act, 2005 (AODA)
- Ontario Human Rights Code, 1962
- OHRC Education and Disability: Human Rights Issues in Ontario's Education System, July 2002
- OHRC Guidelines on Accessible Education, Revised December 2009
- OHRC The opportunity to succeed: Achieving barrier-free education for students with disabilities
- OHRC Policy on Preventing Discrimination Based on Mental Health Disabilities and Addictions, January 2014
- OHRC Policy and Guidelines on Disability and the Duty to Accommodate, Revised December 2009
- The Personal Information Protection and Electronic Documents Act (PIPEDA), amended June 2015
- Personal Health Information Protection Act (PHIPA), amended 2010

## References

Ontario Human Rights Commission (2018). *The opportunity to succeed: Achieving barrier-free education for students with disabilities. Post-Secondary Education.*

Retrieved from <http://www.ohrc.on.ca/en/opportunity-succeed-achieving-barrier-free-education-students-disabilities/post-secondary-education>