



2.M-2007 Academic Accommodations for Students with Disabilities

1. Overview

St. Mary's University (University) is committed to providing an inclusive and accessible academic experience, free of discriminatory effect, for all students.

This policy recognizes that:

- Accommodations are in place to facilitate full participation in academic life for students with disabilities.
- Accommodation is a collaborative effort across the institution.
- Academic accommodations do not alter the student's responsibility to meet the bona fide or essential requirements of the course or program in which they are enrolled.
- The University has a legal obligation to provide academic accommodations in accordance with the Alberta Human Rights Act.

2. Purpose

The purpose of this policy is to guide the implementation of academic accommodation, define the roles and responsibilities of those involved in putting academic accommodations in place, and support processes and procedures for accessing academic accommodation.

3. Scope

This policy is applicable to:

- students with disabilities, suspected disabilities, or temporarily disabling conditions that impact the ability to fully participate in their academic experience at the University.
- the provision of all services available to students at the University, lectures, practicums, field placements, and experiential learning opportunities, including those delivered in collaboration with third parties.
- the faculty, staff and contractors involved in the provision of services to students.

Approval Authority	Responsible Office	Effective Date	Date Last Revisited	Review Frequency
Academic Council	Academic	March 19, 2007	April 2, 2020	Every 5 years

Academic accommodation is a shared responsibility. The Centre for Learning, Access and Student Success (CLASS) – Access Services has been designated the responsibility to facilitate academic accommodations for students with disabilities, in consultation and collaboration, with Instructors, Deans, Chairs, Coordinators, and other service providers.

The University recognizes its duty to accommodate students with disabilities to the point of undue hardship.

4. Rights and Responsibilities

- 4.1 The Student has the right to:
 - 4.1.1 be fairly considered for admission to programs for which they are qualified and have met admission requirements.
 - 4.1.2 request reasonable accommodations that address the functional impact of their disability in the academic setting.
 - 4.1.3 full consideration of their accommodation request.
 - 4.1.4 choose whether or not to access their accommodations.
 - 4.1.5 choose whether or not and to whom they disclose their disability.
 - 4.1.6 appeal any decision regarding their accommodations through the Accommodation appeal process.
 - 4.1.7 be supported by interim accommodation while waiting on documentation.
 - 4.1.8 confidentiality of their personal information.

- 4.2 The Student has the responsibility to:
 - 4.2.1 identify the need for accommodation to the Access Services office, preferably at the time of admission.
 - 4.2.2 provide documentation of disability to Access Services reflecting the current impacts of the disability in accordance with the documentation requirements identified in the Accommodation Procedures.
 - 4.2.3 disclose sufficient information to determine the most appropriate accommodations.
 - 4.2.4 provide Access Services with sufficient time to arrange accommodations, this includes requesting instructional materials in alternate format, and requesting testing accommodations in a timely manner as set out in student accommodation procedures.
 - 4.2.5 follow the accommodation plan and identify if, and when, the accommodation plan requires modification.
 - 4.2.6 participate in the process of determining, implementing, and managing their accommodations.

- 4.2.7 respect and adhere to any restrictions associated with their accommodation, this includes but is not limited to restrictive usage agreements for alternate format texts, policies and/or procedures applicable to the recording of lectures and class content.
 - 4.2.8 respect the intellectual property rights of others.
 - 4.2.9 respect the privacy rights of others.
 - 4.2.10 comply with the academic regulations expected of all students not withstanding exceptions made through accommodations.
- 4.3 The University, their representatives, administration, staff and faculty have the right to:
- 4.3.1 set admission requirements for courses or programs.
 - 4.3.2 determine essential elements or bona fide academic requirements of its courses or programs.
 - 4.3.3 set the content, instructional methods, course expectations, assessments, evaluations, and assignments.
 - 4.3.4 determine the appropriate method of adapting course material and instruction to meet accommodations.
 - 4.3.5 propose alternative methods of accommodation.
 - 4.3.6 meet with Access Services to discuss the provision of accommodations.
 - 4.3.7 deny accommodations that would result in undue hardship or compromise a bona fide or essential element of the course.
 - 4.3.8 provide accommodations without compromise of academic integrity, academic freedom or the intellectual property rights of others.
- 4.4 The University, their representatives, administration, staff and faculty have the responsibility to:
- 4.4.1 ensure that eligible students are not denied admission on the basis of a disability.
 - 4.4.2 ensure that services and facilities are accessible.
 - 4.4.3 provide academic accommodations for persons with disabilities up to the point of undue hardship.
 - 4.4.4 provide academic accommodations without compromising academic standards or academic excellence.
 - 4.4.5 provide academic accommodations for students attending the University required programming through third parties, including practicum and experiential learning settings.
 - 4.4.6 promote an inclusive campus environment that demonstrates respect and sensitivity towards students with disabilities.

- 4.4.7 Ensure that information is available (through the course syllabus, the website, recruitment and registration materials) that identifies available disability supports and the process to access those supports.
 - 4.4.8 support and collaborate with Access Services to provide accommodation for students, and provide feedback to Access Services to best identify appropriate accommodations.
 - 4.4.9 Inform Access Services if there is a concern that an accommodation compromises academic integrity.
 - 4.4.10 maintain confidentiality of information shared in the process of providing accommodations.
 - 4.4.11 respect that the student has a right to privacy and may not wish to disclose information beyond what is required and held at Access Services.
- 4.5 Access Services has the right to:
- 4.5.1 Determine reasonable academic accommodation that address the impacts of a student's disability based on the student's self-report, documentation of disability, and barriers identified in the academic environment.
 - 4.5.2 Request additional documentation to support a student's request for accommodation.
- 4.6 Access Services has the responsibility to:
- 4.6.1 Receive accommodation requests in good faith, and to fully consider the accommodation request and creatively explore options for accommodation.
 - 4.6.2 Respond in a timely manner.
 - 4.6.3 ensure that permanent accommodations are supported with appropriate documentation as identified in the Accommodation Procedures.
 - 4.6.4 provide interim accommodations for reasonable requests until documentation can be obtained.
 - 4.6.5 maintain documents in a confidential manner in accordance with PIPA.
 - 4.6.6 document the accommodation process.
 - 4.6.7 maintain accurate records of the student's documentation and accommodations; provide a written letter to the student and the **Director of Student Affairs Assistant Vice-President Enrolment & Student Experience** if application for accommodation is denied including reasons for denial and information about appeal procedures.
 - 4.6.8 Provide opportunity to review the accommodations with the student and modify the accommodations as required.
 - 4.6.9 consult with faculty and other service providers to determine the most appropriate accommodation for the academic setting.
 - 4.6.10 review this policy: *Academic Accommodations For Students With Disabilities*.

- 4.6.11 comply with government reporting requirements.
- 4.6.12 Assist students in seeking disability related funding.
- 4.6.13 securely destroying all *Accommodation Records* at the end of the service period.

5 Confidentiality

- 5.1 Confidentiality means that only people who have a legitimate need for information regarding a student's disability and academic accommodations should have access to this information, and the information is limited to what is required to provide services.
- 5.2 All information obtained by the Academic Access Coordinator, the ~~Director of CLASS~~ Assistant Vice-President Enrolment & Student Experience, the course instructor, the Learning Centre Coordinator, other service providers, and/or the Academic Accommodations Appeal Committee shall be treated as confidential.
- 5.3 Information shall only be shared with others if the student has given consent by signing a *Consent Form*. The student may rescind the consent at any time.
- 5.4 Personal documentation held by the Academic Access Coordinator and/or the Academic Accommodations Appeal Committee shall be destroyed seven years after a student's last registration or two years if the student did not attend.
- 5.5 The Academic Access Coordinator's actions shall be governed by the *Protection of Information and Privacy Act (PIPA)*.

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6 Appeals

- 6.1 Informal Resolution Process
 - 6.1.1 If a student, instructor or other service provider does not agree with the recommendations of the Academic Access Coordinator, he/she is encouraged to discuss the situation with the Academic Access Coordinator.
 - 6.1.2 If through this discussion, no resolution is found, then the appeal may be taken to the ~~Director of CLASS~~ Assistant Vice-President Enrolment & Student Experience.
 - 6.1.3 If no resolution is found, then the appeal may be taken to the Vice-President Academic.
- 6.2 Formal Appeal process
 - 6.2.1 A letter of appeal is sent to the Vice-President Academic clearly stating the decision being reviewed, the grounds for the review of this decision, and the desired outcome.

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6.2.2 Appeal requests regarding discriminatory practices will be directed to the **Campus Integrity and Human Rights Coordinator** and will follow the procedures outlined in Policy 4B-2007.

Commented [KB2]: Do we have such a position?

6.2.3 Appeals addressing the accommodations that have been approved will be addressed by the ad hoc Accommodation Appeal committee.

6.2.3.1 The Vice-President Academic will convene a meeting of the ad Hoc Accommodation Appeal Committee to request a review of the appeal.

Commented [KB3]: Would this be the VP or the Director of Student Affairs?

6.2.3.2 The Vice-President Academic shall set a time and date to meet and communicate the appeal request within five (5) working days of receipt of the letter.

6.2.3.3 The Accommodation Appeal Committee shall conduct a complete review of the case and make a final decision, within two (2) days of completing the review, with an implementation plan.

7 Review

7.1 Policy

7.1.1 This policy will be subject to review by Academic Council every five years or sooner as required.

7.1.2 Policy will be accompanied by all associated procedures, definitions, and forms utilized at the time of the review.

7.2 Procedures

7.2.1 Procedural changes will be made in consultation with the Teaching and Learning Committee.

8 Relevant Legislation/Interpretation/Policy/Regulation

This policy is interpreted with respect to the

- Alberta Human Rights Act
- Duty to Accommodate Students with Disabilities Interpretive Bulletin
- Policy 2.A-2003 Statement on Academic Freedom
- Policy 2.E-2005 Establishment of a Committee
- Policy 4.B-2007 Campus Integrity and Human Rights Policy and Procedure

APPENDIX A: DEFINITIONS

- 1.1 *Physical disability* means 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 epilepsy, paralysis, amputation, lack of physical coordination, blindness or visual impairment, deafness or hearing impairment, muteness or speech impediment, and physical reliance on a guide dog, wheelchair or other remedial appliance or device (*Alberta Human Rights Act*: section 44).
- 1.2 *Mental disability* means any mental disorder, developmental disorder or learning disorder, regardless of the cause or duration of the disorder. (*Alberta Human Rights Act*: section 44).
- 1.3 *Temporary Disability* (or temporarily disabling conditions) pertains to illnesses or injuries that impact the student over a period of time, typically within a semester or academic year, and are accommodated during the period of impact. Accommodations for temporary disabilities are adjusted or phased out as the impacts of the condition change.
- 1.4 Episodic disability - the impact of some medical conditions (chronic illness, chronic pain, cancer, mental health conditions) may vary over time and under changing conditions, requiring flexibility in the accommodation process.
- 1.5 Accommodation Academic accommodations are educational practices, systems and support mechanisms designed to accommodate persons with disabilities, and are an alteration in the usual way in which students perform academic tasks. For example, writing examinations in a course would typically be an essential course requirement; however, writing the answers to essay examinations by hand typically would not be essential. Therefore, a student who has difficulty writing by hand because of a disability may be permitted the use of a computer to complete the examinations. In this example, the use of a computer would be an academic accommodation. Accommodations are determined on an individual basis with consideration for the impacts of a student's disability, the demands inherent to the classroom, laboratory, field study, or practicum environment, and with consideration for upholding the essential requirements of the course or program. Appropriate accommodations require input, coordination, and

collaboration across departments, and the full participation of the student receiving the accommodations.

1.6 Interim Accommodations

Requests for accommodation from students awaiting documentation or appointments with a specialist, will be taken in good faith and temporary accommodations may be put in place. Documentation provides a more complete understanding of the impact of the student's disability and accommodations provided on an interim basis may be modified as more information becomes available.

1.7 Essential Requirements or bona fide academic requirements, are those elements of the course that if waived, modified, or accommodated would compromise the academic integrity of the course or program.

1.8 Assistive technologies are interventions that can improve the functional abilities of individuals with disabilities, examples include assistive software that provides speech to text and text to speech capabilities.

1.9 Undue Hardship is the term used for special circumstances that partially or fully exempt a person or institution from performance of a legal obligation so as to avoid an unreasonable or disproportionate burden or obstacle. Standards are very high and may include, but are not limited to:

1.9.1. Financial costs that hurt the viability of the service, program or institution. To be considered an undue hardship, the financial cost of an accommodation must amount to a significant part of the university's applicable program budget.

1.9.2. Health and safety concerns for the student receiving the academic accommodation, for other students, or for their service providers. Safety and health risks that contravene legally required occupational health and safety and worker's compensation requirements may be considered an undue hardship.

1.9.3. significant interference with the rights of other students.