



**ACCOMMODATIONS AND ACCESSIBILITY POLICY**

<b>Policy Type</b>	Academic	<b>Initially Approved:</b>	
<b>Policy Sponsor</b>	Provost, VP Academic	<b>Last Revised:</b>	February 2023
<b>Administrative Responsibility</b>	Executive Director, Enrolment Management and Registrar	<b>Review Scheduled:</b>	February 2028
<b>Approver</b>	General Faculties Council		

**A. Purpose**

The purpose of this policy is to foster academic success by ensuring that students experiencing disabilities receive equal learning opportunities. The policy is based on the University’s duty to accommodate students under the [Alberta Human Rights Act](#).

**B. Scope**

The policy applies to students experiencing disabilities that require academic accommodation. The policy also applies to faculty, and employees responsible for its implementation.

Accommodations other than academic accommodations for students experiencing disabilities are in the purview of facilities and student life.

**C. Definitions**

“Academic Accommodation(s)” refers to the process of adapting the way in which academic services and requirements are provided to eliminate or reduce the barriers that individuals with disabilities experience when attempting to access those services. This includes making exemptions to regulations, policies, standards or practices, or making modifications to physical environments to enable equitable participation and ensure it does not have a discriminatory effect on a student because of the disabilities they experience.

“Accessibility Services” refers to services provided through Student Academic Success, which has the delegated authority to assist the University in discharging its legal and moral duty to provide academic accommodation. This service is responsible for requesting, receiving and retaining the medical or psychological information provided by students requesting accommodation.

“Act” refers to the Alberta Human Rights Act.

“*Bona fide* educational requirement(s)” are those requirements that are a reasonable and justifiable component of a program that may limit entry to, or completion of, a program or course and include the admission, progression, and graduation requirements that are essential to maintain the academic integrity of a program, including those necessary for students to acquire and demonstrate essential skills and knowledge related to course objectives and learning outcomes and, if applicable, any professional licensing requirements.

“Disability” is an umbrella term and means any degree of physical or mental disability (impairment, limitation or restriction) as defined and interpreted pursuant to the Act, regardless of cause or duration. It is a complex phenomenon reflecting the interaction between a person and society.

“Duty to Accommodate” means the legal duty to accommodate an individual’s needs based on a protected ground.

“Letter of Accommodation” refers to the document prepared by the University and provided to the student that details the reasonable accommodation.

“Non-academic Accessibility Requests” refer to physical accommodations required to access and use of the campus and student life activities.

“Protected Grounds” refers to the following as outlined in Section 4 of the Act, as defined and interpreted pursuant to the Act:

- Race
- Religious beliefs
- Colour
- Gender
- Gender identity
- Gender expression
- Physical disability
- Mental disability
- Age
- Ancestry
- Place of origin
- Marital status
- Source of income
- Family status
- Sexual orientation

“Reasonable Accommodation” means an accommodation that addresses discrimination based on a protected ground that does not create an undue hardship for the University. The law requires that students experiencing disabilities be provided reasonable accommodation, not perfect accommodation.

“Student(s)” means an individual or individuals registered in a University course or program of study.

“Students Experiencing Disabilities” refers to those individuals who have any verifiable and persistent physical learning, cognitive, sensory, psychological, neurological, or temporary impairment that may affect their academic progress.

“Undue Hardship” refers to the legal standard where a proposed accommodation would create an unreasonable and excessive challenge for the University, which may include but is not limited to:

- a. Financial costs that would hurt the viability of the University; and/or

- b. Fundamental alterations of the program of study that would compromise *bona fide* educational or occupational requirements; and/or
- c. Significant interference with the rights of others; and/or
- d. Health and safety concerns.

“University” means Ambrose University.

#### **D. Policy Statement**

1. Ambrose recognizes its legal duty to provide reasonable academic accommodation to the point of undue hardship. This duty arises from human rights legislation, and failure to provide reasonable academic accommodation to a student with a documented disability may amount to discrimination under the Act.
2. If a student experiences discrimination based upon a protected ground, the student may request an accommodation pursuant to this policy.
3. The University will protect the privacy, confidentiality, and autonomy of students requiring accommodation, subject to sharing information when necessary to evaluate a request for accommodation or on a need-to-know basis.
4. Provision of academic accommodation will not lower the academic standards of the University. Academic Accommodation will not remove the need for evaluation and the need to meet essential learning outcomes.
5. Students experiencing disabilities will meet the same academic requirements and standards as all students, although the manner by which they meet these standards may vary.
6. Those providing and receiving academic accommodation will uphold the University’s standards of academic integrity.
7. Requests for accommodation will be considered and assessed on a case-by-case basis and in a timely and responsive manner.
8. Students needing an accommodation are entitled to a reasonable accommodation, not a perfect accommodation or the particular accommodation requested.
9. Instructors and other employees have a responsibility to support and facilitate the University’s duty to accommodate.
10. Ambrose emphasizes the development of self-advocacy and independence of students. Students experiencing disabilities must take the initiative to inform the institution of their needs at the beginning of the term in which they are studying.
11. Students will be provided an appeal process.

#### **E. Rights and Responsibilities**

##### **1. Student’s Rights and Responsibilities**

- i. Students experiencing disabilities have the right to:
  - a. Reasonable accommodation, guided by recommendations from Accessibility Services in accordance with Ambrose’s legal and moral duty to accommodate.
  - b. Confidentiality.
  - c. Discuss academic accommodations in a private setting.
  - d. Be accommodated with dignity and courtesy.
  - e. A respectful, fair, timely and confidential process to reach accommodation decisions, including a process to appeal and resolve disagreements.

- ii. Students experiencing disabilities have the responsibility to:
  - a. Identify their specific needs to Accessibility Services each semester.
  - b. Provide relevant, and if requested by the University, corroborated, current medical, psycho-educational or psychological documentation to Accessibility Services, or be willing to undergo assessment if none is available in order to demonstrate eligibility for accommodation(s) and service(s).
  - c. Engage in discussions of reasonable accommodation options that will facilitate their access to University courses.
  - d. Comply with a reasonable accommodation plan.
  - e. Report any change in their condition or circumstances to their instructor or Academic Services if the change may precipitate changes to their reasonable accommodation.
  - f. If applicable, apply for funding for academic accommodation as identified by Accessibility Services.
  - g. Ensure that sufficient notice, as defined by the Academic Accommodations Procedure, is given to enable the University to make the necessary accommodation(s) for their disability.
  - h. Engage in a dialogue with the appropriate faculty staff and Accessibility Services regarding the use of or any concerns with the recommended accommodations.
  - i. Comply with the terms of the Letter of Accommodation. Students who do not comply with the terms of the Letter of Accommodation will be held accountable according to the [Community Life Standards Policy](#).
  - j. Become familiar with rights and responsibilities under this policy.

## **2. Ambrose's Rights and Responsibilities**

- i. Ambrose has the right to:
  - a. Determine the institution's *bona fide* Educational requirements
  - b. Request valid documentation from a student that verifies the need for the accommodation(s)
  - c. Determine the adequacy of submitted documentation and initiative action as necessary
  - d. Determine the extent and nature of the accommodation(s) based on legislative requirements, professional and corroborated prognoses, and informed practice by Accessibility Services personnel.
- ii. Ambrose has the responsibility to:
  - a. Provide an accommodation process that promotes equitable access to all courses, and programs;
  - b. Respond to student requests for accommodation in a timely, confidential and sensitive manner.
  - c. Inform students of the process to appeal the denial of their request for accommodation.
  - d. Ensure that faculty and employees are knowledgeable about this policy and accompanying procedures, including their right of appeal.
  - e. Treat information as confidential, in accordance with relevant legislation.

## **3. Faculty Rights and Responsibilities**

- i. Faculty have the right to:
  - a. Access information, education and support in relation to the implementation of this policy and its procedures.

- b. Determine course content and methods of instruction.
  - c. Play an active role in ensuring that the academic integrity and standards of the course are not compromised.
  - d. Evaluate student work, performance and competencies related to learning outcomes, including failing any student who has not passed or satisfied the course outcomes.
  - e. Discuss accommodations with Accessibility Services which, in the faculty member's opinion, compromise the integrity of the course.
  - f. Determine the appropriate method of adapting their teaching style to meet the accommodation.
  - g. Consult with professionals to determine how best to accommodate students experiencing disabilities in their course.
  - h. Appeal accommodation decisions as outlined in the accompanying procedures document.
- ii. Faculty have the responsibility to:
- a. Support Ambrose's commitment and duty to accommodate students experiencing disabilities.
  - b. Work with Accessibility Services to gain knowledge of appropriate accommodations for the student.
  - c. Maintain students' dignity and privacy in the accommodation process.
  - d. Provide a private and confidential setting for students to discuss their requests for accommodation.
  - e. Include in their syllabus a statement indicating their willingness to assist in the provision of academic accommodations.
  - f. Engage with students and Accessibility Services to address concerns regarding specific accommodations.
  - g. Comply with the terms of any Letter of Accommodation.
  - h. Acknowledge that accommodation recommendations and decisions made by Accessibility Services are based on appropriate documentation from a qualified professional, in accordance with this policy and relevant legislation, which the student has supplied Accessibility Services.

#### **4. Accessibility Service's Rights and Responsibilities**

- i. Accessibility Services has the right to:
  - a. Engage in a collegial and consultative process with faculty, students, employees and external professionals in order to determine the scope and implementation of the accommodations.
- ii. Accessibility Services has the responsibility to:
  - a. Respond to student requests for accommodation in accordance with this policy and the accompanying procedures.
  - b. Review all documentation to ensure its validity.
  - c. Engage and consult with instructors as necessary to determine the scope of accommodation.
  - d. Prepare the Letter of Accommodation.
  - e. Coordinate accommodations with the student, Accessibility Services, faculty, Chairs, Deans and Associate Deans to facilitate reasonable accommodation.

- f. Provide support to faculty in accommodating and working with students experiencing disabilities.
- g. Work with students, faculty and employees to address concerns regarding accommodations.
- h. Keep current with associated legislation and developments in the provision of academic accommodations.
- i. Provide education, training and awareness related to this policy and issues related to accessibility, accommodation and disability.

#### **F. Accommodation Requests**

1. Students needing accommodation because of a disability should communicate this need to Accessibility Services in accordance with the Academic Accommodations Procedure.
2. The University does not receive or request any information with respect to any need for accommodation from a student's previous educational institution.
3. Any student with a disability who is registered with Student Accessibility, and who requires an accommodation to make audio recordings of course material shall be provided with such an accommodation if determined necessary by an Advisor with Student Accessibility. Students must sign a Lecture Recording Agreement indicating this is for personal private study only and the recordings will be destroyed at the end of the semester. Any other use other than what is agreed upon will be subject to academic misconduct as per the Recording of Lectures policy. Faculty requiring a copy of the audio recording may assume responsibility for the recording and storage and delivery of the recording to the student and indicate such at time of meeting with the student.
4. Students requesting Accommodation should be prepared to:
  - a. identify the protected ground that gives rise to the need for an accommodation;
  - b. provide details on the nature of the accommodation requested;
  - c. provide supporting documentation, if requested;
  - d. participate and cooperate in the process of assessing and determining a reasonable accommodation; and
  - e. meet any *bona fide* educational requirements.

#### **G. Evaluation of an Accommodation Request**

1. Accommodation is assessed and provided on an individual, case-by-case basis by Accessibility Services.
2. Students in professional programs may be required to meet requirements or standards for licensing in their respective professions. Students, faculty, and the Chair should consult any applicable professional licensing requirements when evaluating a request for Accommodation.
3. Accessibility Services receives a student's request for accommodation and engages the student in a discussion sufficient to provide enough details to assess the Accommodation request.
4. Accessibility Services, the student and the faculty member will explore different accommodation options prior to determining if a reasonable accommodation exists.
5. Legal advice and other subject matter experts internal or external to the University may be consulted to evaluate the request for Accommodation.
6. A request for Accommodation may only be denied in cases of Undue Hardship. Determinations of Undue Hardship should be made in consultation with the VP Academic. Undue Hardship is a difficult legal standard to meet and in most cases a reasonable accommodation will be available.

7. The Accessibility Coordinator will prepare the Letter of Accommodation and retain a copy of the letter in Accessibility Services.
8. The faculty member will be informed of a reasonable accommodation provided to the student via a copy of the Letter of Accommodation prepared by Accessibility Services.

#### **H. Appeals**

Accommodation decisions can be appealed by either the student or faculty member following the steps identified in the accompanying procedure for Academic Accommodation.

If the student or faculty member has a concern with the Letter of Accommodation, they have five Business Days from date of electronic receipt of letter to appeal the terms of the Letter of Accommodation to their Dean or Associate Dean. (If the Dean or Associate Dean is the instructor, then the appeal is to the VP Academic.) The Dean will review the concerns and may consult with the VP Academic or obtain legal counsel.

The Dean, or VP Academic depending on the situation, will either confirm or modify the Letter of Accommodation within five Business Days of receiving the appeal. The decision is final.

#### **I. Related Procedure**

Academic Accommodation Procedure

#### **J. References**

- Alberta Human Rights Act, RSA 2000, C A-25.5
- Alberta Human Rights Commission: Duty to Accommodate Students with Disabilities in Post-Secondary Educational Institutions: Human Rights Guide (April 2021)
- University of Calgary Student Accommodation Policy (2015)
- Mount Royal University Academic Accommodation for Students Experiencing Disabilities Policy (2014)
- Recording of Lectures Policy