

# **Policy Regarding Student Accessibility & Accommodation Services**

**(Adopted by the Senate, April 19, 2010)**

## **PURPOSE**

The purpose of this policy is to clarify the rights and responsibilities of Bishop's University, its staff and students with respect to academic accommodations for students with disabilities.

## **GENERAL**

Bishop's University recognizes its moral and legal duty to provide academic accommodation to students with disabilities. Bishop's University will, where reasonable, remove barriers and provide opportunities to disabled students.

Bishop's University will provide reasonable academic accommodations to students with documented disabilities in accordance with Quebec Charter of Human Rights and Freedoms, the Act Respecting Equal Access to Employment in Public Bodies and the United Nations Convention on the Rights of Persons with Disabilities, to the extent that the accommodation does not cause undue hardship to the University or lower the performance standards of any academic program. The University's goal is to ensure fair and consistent treatment of all students, including students with a disability, in accordance with their distinct needs and without compromising academic standards and principles.

## **DEFINITIONS**

**Student:** For the purposes of this policy, a student is a person who has formally applied to Bishop's, or who is currently enrolled in one or more credit courses offered by Bishop's.

**University:** Includes all individuals involved in the provision of University-related services including teaching, advising, administrating or other support services (e.g., faculty, administrators, counselors, or other support staff).

**Student Accessibility & Accommodation Services:** The designated office responsible for verifying students' eligibility for accommodations, and administering, reviewing, maintaining, and supervising a variety of support procedures and services for eligible students.

**Disability:** Bishop's University recognizes the World Health Organization's 1985 definition of disability which states that a disability is caused by a mental, physical or sensory impairment or combination that may result in a permanent or temporary loss of ability to function in major areas of life activities, such as self-care, reception or expressive language, learning, mobility and self-direction. Therefore, individuals with disabilities include, but are not necessarily limited to,

those with physical disability, vision or hearing loss, learning disability, psychological disorder, chronic illness or temporary disability.

**Learning Disabilities:** Refer to a number of disorders which may affect the acquisition, organization, retention, understanding or use of verbal or non-verbal information. These disorders affect learning in individuals who otherwise demonstrate at least average abilities essential for thinking and/or reasoning. As such, learning disabilities are distinct from global intellectual deficiency.

**Appropriate Documentation:** Means a written evaluation or report provided by a certified clinician in a specific profession or area of expertise who is considered qualified to make the diagnosis. The documentation must be comprehensive and may include clinical and social histories from parents, counselors and specialist. The documentation must conform to well-established practices in specific areas/fields and a diagnosis must be included. Documentation should outline the nature of the disability, along with a detailed explanation of the functional impact of the disability. A diagnosis alone (e.g., "visually impaired", "hearing impaired" or "learning disability") is not sufficient to support a request for an accommodation

Documentation must be current:

- For new students that have a stable condition, no more than three years must have elapsed between the time of the assessment and the date of the initial request for accommodation.
- For returning students whose condition has remained stable since the time of submission of the original supporting documents, no further documentation will be required.
- When a new or returning student's functional abilities have shown significant change (i.e. either an improvement or deterioration of status has taken place or is expected to take place) or when the accommodation requests have changed significantly over the course of studies (e.g., from 1st to 2nd year), new or updated information may be requested by the Student Accessibility & Accommodation Services. Bishop's University does not provide or assume the cost of diagnostic services.

**Reasonable Academic Accommodation:** Means adjusting a course, program, policy, procedure, or the physical environment that adversely affects a student with a disability without changing essential educational requirements. Such accommodations must be provided in a way that most respects the dignity of the student with a disability to the point of undue hardship to the institution, without compromising Academic Integrity of the course, program or assignment. Accommodations are assessed on an individual basis.

Accommodations are thus subject to three limitations:

1. The first limit is that of academic integrity. All accommodations must be compatible with academic standards, individual standards, individual course objectives, and the health and safety standards of Bishop's University.
2. The second limit is that of reasonableness. The accommodation must be sensible and workable. For example, it would be reasonable for a student to receive preferential seating to reduce distraction; receiving private lectures is not reasonable.

3. The third limit of that of undue hardship. Undue Hardship generally means excessive cost or excessive disruption, excessive interference with the normal operations of the University, or posing a threat to personal or public safety

**Academic Integrity:** means that a student who is given Reasonable Accommodation must be able to demonstrate acquisition of the body of knowledge or the skill normally required for passing a course and/or completing an academic program as determined by the Academic Unit subject to all University regulations.

## ADMISSION AND ELIGIBILITY

This policy applies to persons with disabilities who have formally applied to and been accepted by the University as prospective students and to all Bishop's students who have documented disabilities and who pay student service fees (an additional fee paid over and above tuition fees).

New students are encouraged to identify themselves at the time of their acceptance to Bishop's by contacting the Student Accessibility & Accommodation Services as soon as they receive the offer of acceptance. Delays in notifying or disclosing a disability for which accommodation is sought may result in an accommodation request not being processed in time for the commencement of the term/course in which the accommodation is being sought.

In the event that questions arise during the application process pertaining to the University's ability to reasonably accommodate, the applicant is encouraged to contact the Student Accessibility & Accommodation Services for assistance.

Persons with a disability should recognize that admission to the University does not in and of itself guarantee that accommodation for a disability will be made.

## RESPONSIBILITIES OF THE UNIVERSITY TOWARDS STUDENTS WITH DISABILITIES

The University acknowledges that qualified students with disabilities have a right to receive support services, subject to the University's capacity to respond to the request and the University's financial and other resource constraints,.

The University is committed to fostering, creating and maintaining both an attitudinal as well as a barrier-free environment for qualified students with disabilities, including promoting a respectful attitude for students with disabilities, and promoting awareness of the needs and abilities of students with disabilities. The University will also ensure that faculty and staff are familiar with policies and procedures regarding persons with disabilities and are aware of the legal duty to provide reasonable accommodation to these students.

The University will review documentation to ensure that recommendations and decisions regarding accommodation are based on appropriate medical and/or psychological educational information and diagnostic assessment. The Student Accessibility & Accommodation Services is responsible for receiving and reviewing documentation relating to accommodation requests and facilitating reasonable accommodation.

In order to assist in fulfilling the University's commitment, all newly admitted students shall receive on their letter of acceptance a statement indicating that if they have a learning disability or any other disability for which they may require reasonable accommodation or other assistance, they should contact the Student Accessibility & Accommodation Services to ascertain the degree to which their needs can be met. The University will take all reasonable steps to consult students with disabilities as fully as possible about decisions relating to matters affecting them.

The University will treat all information about a student's disability as confidential. The accommodation process, however, may require that the student, and/or the Student Accessibility & Accommodation Services, disclose information about the nature of his/her disability to staff and faculty beyond the campus coordinating centre on the basis that they "need to know" this information to consider and implement accommodation requests.

Information pertaining to a student's disability may be disclosed without the student's knowledge or consent in the following circumstances:

1. Where a student presents a serious danger to others or is likely to harm himself or herself unless protective measures are taken;
2. In case of emergency situations such as a medical crisis;
3. In rare cases in which the courts subpoena an individual's records.

When the student is no longer registered at the University, all documentation held by the Student Accessibility & Accommodation Services will be destroyed after seven years. Students are advised to keep a copy of all documentation submitted by them to the Student Accessibility & Accommodation Services.

## RESPONSIBILITIES OF STUDENTS WITH DISABILITIES

Every student with a disability who seeks academic accommodation shall:

1. Initiate contact with the Student Accessibility & Accommodation Services as early as possible and make the nature of their disabilities and needs known; new students are encouraged to identify themselves at the time of acceptance.
2. Provide appropriate and current (within the past three years) documentation to the Student Accessibility & Accommodation Services, outlining the nature of the disability, the impact of the disability on academic and classroom performance and suggested or recommended accommodations.

3. Bring the request for accommodations or changes in the accommodations needs to the attention of appropriate personnel in a timely manner (normally a minimum of three months in advance) in order to allow for arrangements of accommodations.

All new and returning students who will be requesting an accommodation are required to contact and register with the Student Accessibility & Accommodation Services at the beginning of each term.

Students are expected to undertake a reasonable amount of self-advocacy to ensure that they are provided with an equal opportunity by the University. At the beginning of each term, all students should inform each of their instructors that they are availing themselves of services of the Student Accessibility & Accommodation Services. The Student Accessibility & Accommodation Services coordinator will contact instructors prior to this meeting if requested to do so by the student.

All requests for exam and other test accommodations (e.g., extended time, alternative location, etc.) should be received by the Student Accessibility & Accommodation Services at least one week prior to the scheduled date for mid-term examinations/tests and one month prior to the start of final examination periods.

If reasonable accommodation requires the acquisition of special or additional resources not regularly available within the University (e.g., significant structural changes to existing premises), it is recommended that at least six months' advance notice be given in order for the University to assess the accommodation request.

## ADVISORY COMMITTEE

A Committee on Students with Disabilities will be appointed by University Senate and membership will include the coordinator of the Student Accessibility & Accommodation Services, faculty members and students. The mandate of the Committee would be to provide consultation to the Student Accessibility & Accommodation Services Coordinator in matters related to guidelines, policies and programs for students with disabilities. The Committee will thus review annually this policy and make recommendations where appropriate.

## IMPLEMENTATION

While the Student Accessibility & Accommodation Services is the administrative unit responsible for the implementation of this policy, this responsibility is shared by all members of the University community including all faculty members, staff, administrative and management personnel.

## APPEALS PROCESS

*Academic:* Students who believe that they have not been treated fairly in accordance with this policy in an academic matter are expected first to discuss the matter with the instructor. Any matters unresolved by discussion between students and instructors may be appealed to the Department Head, then to the Academic Dean. If the student is dissatisfied with the recommendation of the Academic Dean, then the student may approach the University Ombudsman who is available to facilitate an appeals procedure to the Academic Appeals Committee.

*Non-academic:* Students who believe that they have not been treated fairly in accordance with this policy in a non-academic matter are expected first to appeal to the Director of the non-academic department in question, then to the Dean of Student Affairs.