



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

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Adopted by Senate: April 19<sup>th</sup> 2010

Latest revision approved by Senate: May 21<sup>st</sup> 2021

### **PURPOSE**

The purpose of this policy is to clarify the roles and responsibilities of Bishop's University, and of students living with disabilities with respect to accessibility to academic programs and physical facilities of the University.

The Senate Committee on Student Accessibility & Accommodation Services review and identify gaps in services for students living with disabilities and makes recommendations where appropriate.

### **GENERAL**

Bishop's University recognizes its moral and legal duty to provide equal educational opportunities to all students, including students living with disabilities. Members of faculty, and instructional staff, support and administrative staff share the University's responsibility under the Québec Charter of Human Rights and Freedoms to provide accommodations to students living with disabilities. The University's goal is to ensure equitable and consistent treatment of all students, including students living with a disability, in accordance with their distinct needs and without compromising academic standards and principles.

Bishop's University is committed to the academic and non-academic development of students. This is demonstrated by promoting a respectful attitude, and awareness of the needs and abilities of students living with disabilities and by fostering, creating, and maintaining both an attitudinal as well as a barrier-free environment. The University understands that persons living with disabilities may have different methods for achieving success and acknowledges that assessment and evaluation outcomes should remain consistent with course objectives.

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.

## DEFINITIONS

In this policy:

**Student:** any individual who is formally accepted, or currently enrolled in one or more credit courses offered by Bishop's.

**Qualified Student:** Current student whose situation has been assessed by the Student Accessibility & Accommodation Services.

**University:** Includes all individuals involved in the provision of University-related services including teaching, advising, administrating and/or other support services.

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

**Disability:** Bishop's University recognizes that disability is actually created by attitudes and assumptions about difference and impairment, rather than the impairment itself <sup>1</sup>.

The World Health Organization's World Report on Disability characterizes disability as difficulties encountered in any or all three areas of the following areas of human functioning:

- **impairments** are problems in body function or alterations in body structure – for example, paralysis or blindness
- **activity limitations** are difficulties in executing activities – for example, walking or eating
- **participation restrictions** are problems with involvement in any area of life – for example, facing discrimination in employment or transportation

Disability arises from the interaction of health conditions with contextual, environmental, and personal factors<sup>2</sup>.

**Reasonable Accommodation:** Reasonable accommodation is a means used to put an end to any situation of discrimination based on disability, religion, age or any other grounds prohibited by the Quebec Charter of Human Rights and Freedoms.

Reasonable accommodation is a duty that Bishop's University carries and must actively look for solutions so that students can fully exercise their rights.

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<sup>1</sup> Stienstra, D. (2020). *About Canada: Disability Rights, 2nd Edition*. Halifax: Fernwood Publishing.

<sup>2</sup> World Health Organization. (2011). *World Report on Disability*. Geneva: WHO Press.

**Undue Hardship:** An accommodation may cause undue hardship if:

- the cost is too high for an institution to absorb
- it interferes with proper operation of the organization
- it significantly impairs the security

Should there be a discrepancy or disagreement regarding the whether or not the accommodation can be provided, the final decision will be determined by the Manager of Counselling, Career and Student Accessibility Services using a best practice to evaluate whether the accommodation involves undue hardship.

## POLICY

Subject to financial and other resource constraints, Bishop's University is committed to providing equitable access and reasonable accommodations for persons living with disabilities and to do so in a manner which promotes as much as possible self-determination. However, it remains an individual's decision whether to request an accommodation or whether to self-identify as a person living with a disability.

The University respects the rights of privacy of the individual. To this end, information on students with disabilities will be treated as confidential. Only information necessary for program development and implementation or for determining reasonable accommodations will be collected or shared. No information will be shared without the informed consent of the person living with a disability who is involved.

Bishop's University is committed to improving access to academic programs, to campus buildings and to support services for students with disabilities.

## ADMISSION AND ELIGIBILITY

This policy applies to students living with disabilities who have formally applied to and been accepted by the University as prospective students and to all Bishop's students who live with a disability.

Incoming students are encouraged to self-identify by contacting Student Accessibility & Accommodation Services as soon as they accept their offer of admission. They are not required to declare their disabilities on admission applications however, they may wish to self-identify and submit additional material to highlight their abilities to participate in University studies.

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 Student Accessibility & Accommodation Services for assistance.

Students living with disabilities have the right to choose whether or not they make use of their accommodations. Choice does not remove eligibility.

## RESPONSIBILITIES OF THE UNIVERSITY

1. The University acknowledges that students living 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 to:
  - a. Full access to all educational programs of the University
  - b. Full access to the educational process and learning environment (including but not limited to, classes, laboratories, residences, and library)
  - c. Full access to the University campus
  - d. Full access to the University facilities and services
2. The University is committed to fostering, creating and maintaining both an attitudinal as well as barrier-free environment for students living with disabilities, including
  - a. Providing support and advocacy services, subject to its capacity to respond to the request and its financial resource constraints
  - b. Promoting a respectful attitude for students living with disabilities
  - c. Promoting awareness of the needs and abilities of students living with disabilities
  - d. Informing the University community about the services available to students living with disabilities and seeking to ensure that such services are delivered in ways that promote equity
3. The University acknowledges that students living with disabilities have the right to assistance and to reasonable accommodation(s) that are individualized with respect to scope and pace, consistent with the student's needs and the University's academic standards to the point of undue hardship.
4. Where warranted and without compromising its academic standards and subject to the criteria outlined in article 3, the University shall modify, as appropriate, in close consultation with the instructor, one or more of the following for a qualified student living with a disability:
  - a. Workload
  - b. Examination procedures
  - c. Other course requirements

5. All newly admitted students shall receive on their letter of acceptance, a general statement informing them of their rights to accommodations, should they require, directing them to Student Accessibility & Accommodation Services.
6. The University shall take all reasonable steps to consult students living with disabilities as fully as possible about decisions relating to matters affecting them.

## RESPONSIBILITIES OF STUDENTS

7. Every student living with a disability requiring assistance or reasonable accommodation(s) from the University shall:
  - a. Initiate and maintain regular contact with Student Accessibility & Accommodation Services. Initial contact should happen as early as possible but can also take place prior to admission or at any time during the student's course of study
  - b. Provide appropriate documentation to the Student Accessibility & Accommodation Services in order to be considered for assistance or reasonable accommodation(s). Student Accessibility & Accommodation Services can work with students to facilitate this process
  - c. Students must register with Student Accessibility & Accommodation Services each semester they require accommodations
  - d. Be expected to undertake a reasonable measure of self-advocacy

## IMPLEMENTATION

While 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, administrative and support staff as well as management personnel.

## ADVISORY COMMITTEE

A Committee on Student Accessibility & Accommodations will be appointed by University Senate and membership will include the Manager and Coordinators of the Student Accessibility & Accommodation Services, faculty members and students.

The mandate of the Committee is to identify gaps and provide consultation in matters related to guidelines, policies and programs for students living with disabilities. The

Committee will meet at a minimum twice in the Fall and Winter semesters, review this policy annually and make recommendations where appropriate.

## CONFIDENTIALITY

The University is required by law to maintain confidentiality to the greatest extent possible when providing accommodations and related support services to students.

Student files and documentation are confidential and virtually safeguarded through Accommodate, a secure file management platform.

Students living with disabilities may request and authorize Student Accessibility & Accommodation Services to share relevant information from their files to assist in obtaining access, accommodations or services. This authorization will involve signing a "Consent to Release or Obtain Information" form.

Student Accessibility & Accommodation Services will compile non-identifying information on students living with disabilities for statistical purposes, program planning and evaluation, service delivery and research.

## APPEALS PROCESS

**Academic:** Students who believe that they have not been treated fairly in accordance with this policy in an academic matter are encouraged to discuss the issue with their 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 Ombudsperson who is available to facilitate an appeals procedure to the Academic Appeals Committee.

Students are entitled to support and advocacy from their Student Accessibility & Accommodation Services Coordinator, Bishop's University Student Representative Council representative or person of their choice throughout the appeals process.

**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 the Dean of Student Affairs.