

MEMO

DATE: February 06, 2018

TO: College Community

FROM: Claude Brulé, Senior Vice President, Academic
Laura Stanbra, Vice President, Student Services



SUBJECT: Ontario Human Rights Commission (OHRC) Directives on Student Academic Accommodation

Algonquin College always welcomes the opportunity to continuously improve and enhance support to our students and their success. The Ontario Human Rights Code provides further opportunities to accommodate the needs of students with disabilities to ensure equal access to educational services.

In accordance with the direction provided by the [Ontario Human Rights Commission \(OHRC\)](#) in March 2016, Algonquin College has implemented guidelines to remove potential barriers that may be experienced by students with disabilities, including mental health disabilities. These revisions apply to medical documentation guidelines, medical documentation forms, and procedures currently in place and are being addressed by the Centre for Accessible Learning (CAL) and the Academic Area.

A brief summary of the major changes in practice that were implemented at the College last academic year to comply with the OHRC directive are outlined below:

- A. Students will not have to disclose a diagnosis to access or receive support from CAL. They will be asked to provide documentation that describes the nature of their functional limitation.
- B. Students may request interim accommodations pending receipt of medical documentation.
- C. Students are not required to provide medical documentation directly to their teachers to receive academic accommodations. This is intended to ensure the confidentiality of the student's personal medical/psychological information. Any necessary medical documentation should be directed to CAL.
- D. All requests for reasonable academic accommodation for students with temporary or permanent disabilities will be considered by the College.

- E. Requests for a retroactive accommodation, after a scheduled evaluation (e.g. test, examination or assignment) has taken place and where the student has failed to meet performance expectations due to a disruption in their mental health or other disability, will be **meaningfully considered**. Do not state (in writing or verbally) or imply that requests for accommodation after a deadline, assignment, test, examination or course completion (i.e. retroactive accommodation) will not be considered. NOTE: The process for retroactive accommodations is outlined below.
- F. This information is to be clearly communicated to all students, faculty and staff. There are training opportunities and resources available through CAL and Centre for Organizational Learning (COL).

The duty to accommodate is informed by three principles: respect for dignity, individualization, and integration and full participation. The College is bound to the duty to accommodate unless the accommodation creates undue hardship for the institution or violates the bona fide course requirements and/or academic integrity.

All faculty should be familiar with [Policy AC01 Students with Disabilities](#). In addition, faculty and staff (both full- and part-time) must be compliant in completing the mandatory online Accessibility for Ontarians with Disabilities Act (AODA) and Ontario Human Rights Commission (OHRC) training modules, accessed through the COL [website \(see the tab entitled “Legislated Training”\)](#).

CAL will continue to receive all student inquiries and determine if students are eligible for academic accommodations. **Letters of Accommodation (LOAs)** prepared by CAL which list the student’s accommodation(s), are provided to students to share with their teachers. CAL Disability Counsellors may also share the LOA with faculty upon the student’s request and consent. It is important that all faculty and staff honour any approved accommodations. Faculty, with questions or concerns about an academic accommodation, are to discuss these directly with the Academic Chair/Academic Manager and/or the Disabilities Counsellor in CAL; **not** with the student.

Retroactive Academic Accommodations:

Requests for retroactive academic accommodations should be given meaningful consideration and cannot be dismissed outright. A student’s need for academic accommodation may be identified at any point throughout the semester or academic year. For example, there may be cases in which a student, due to the nature of their disability, is unable to identify that they have a disability or accommodation needs. Alternately, there may be cases in which a student does not self-identify due to fear of stigma. So, if the student in either of these cases has not met

performance expectations in a test, exam or assignment, and requests an accommodation retroactively, we are obliged to consider the request. As a result, our course outlines and program handbooks have been revised, where appropriate, to clearly reflect that all requests for retroactive accommodation will be meaningfully considered as they arise.

The following are the guidelines for handling a student's request(s) for retroactive accommodation:

1. Upon receipt of a request for retroactive accommodations, faculty and/or staff should confirm with the student whether the request is for disability related reasons or other. If the request for retroactive accommodations is due to a disability, then faculty and/or staff should immediately refer the student to the Welcome Center to request an appointment with a Disabilities Counsellor in CAL. If the student's request is for a reason other than disability (e.g., serious illness, personal or family tragedy, religious observance, legal obligations) then faculty should refer to [Policy AA21 Deferred Evaluation](#).
2. Faculty should immediately discuss the request with their Academic Chair/Academic Manager. Questions and/or concerns about an accommodation must be directed to the Academic Chair/Academic Manager and/or the Disabilities Counsellor in CAL.
3. The Disability Counsellor in CAL will discuss the request for retroactive accommodations with the student, review and confirm the documentation that supports the request, and then communicate the necessary details to the Academic Chair/Academic Manager.
4. The Academic Chair/Academic Manager should then discuss the request for retroactive accommodations with the student and faculty and determine the appropriate accommodations. The request needs to be meaningfully considered (i.e. not just do or deny, but to consider, explore, define, defend, etc.). Retroactive accommodations can take many forms and can include but are not limited to extending deadlines for missed work, re-weighting evaluated work, or retroactive withdrawals.
5. The Academic Chair/Academic Manager or a designated person acting on behalf of the Academic Chair/Academic Manager may consult the Manager of CAL to further discuss the request.
6. When necessary, the Manager of CAL and the Academic Chair/Academic Manager may jointly or separately consult with other stakeholders, as appropriate, in order to meaningfully consider the request and determine the next steps.

7. Once an accommodation is approved, it is important that faculty members honour the approved accommodation. Faculty members are encouraged to consult their Academic Chair/Academic Manager and CAL for assistance in ways in which to honour the approved accommodation and support the student.
8. In cases where resolution cannot be agreed upon during this process, the Accommodations Advisory Committee (AAC) can be consulted to provide an impartial and informal review of the case. The AAC can also be proactively consulted to review complex accommodation requests. Please consult [Policy AC01 Students with Disabilities](#) for further details.
9. Any discussion about accommodation needs to respect individual privacy and confidentiality of the student (i.e. not in class with other students present; not in an open office space with other people present).

Records of all correspondence regarding academic accommodation are to be kept by the Academic Chair/Academic Manager and CAL.

Thank you for your collaboration and support of the changes in student academic accommodation. We will continue to provide updates through future memos and/or through the Deans and Directors Council, Chairs Council, and the Centre for Accessible Learning. Should you have any questions about these changes, please contact your Academic Chair/Academic Manager or the Manager of the Centre for Accessible Learning.

cc: Algonquin College Executive Team
Algonquin College Leadership Team
Deans and Directors Council
Chairs Council
Centre for Accessible Learning
Centre for Organizational Learning