

AC01 Students with Disabilities

Classification:	Accessibility
Responsible Authority:	Director, Student Support Services
Executive Sponsor:	Vice President, Student Services
Approval Authority:	Algonquin College Executive Team
Date First Approved:	2001.07.09
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PURPOSE

To provide students with disabilities equal opportunity and access to successfully complete a program of study.

SCOPE

This policy applies to students with disabilities who self-disclose and register with the Centre for Accessible Learning (CAL).

DEFINITIONS

This includes terms and abbreviations used within the policy and procedure.

Word/Term	Definition
Academic accommodations	Educational practices, systems and support services designed to accommodate functional challenges due to a disability
CAL	Centre for Accessible Learning
Disability	As defined by the Human Rights Code, a condition that requires accommodations to compensate or minimize the effects of a disability. See Appendix 1 for definitions of specific disabilities
LOA	Letter of Accommodation (LOA) The confidential Letter of Accommodation is the way in which a student notifies faculty of the accommodations he/she is entitled to. Accommodations are listed on the LOA
Reasonable accommodations	Accommodations which do not impose undue hardship on the College in the form of significant changes to the fundamental nature of the learning outcomes and/or academic standards of a program.
Self-identification	Students identify their disability or disabilities to CAL staff. Self-identification is confidential and the release of personal information is subject to Section 39(2) of the <i>Freedom of Information and Protection of Privacy Act</i> .

POLICY

1. College Access

1.1. Students with disabilities must have equal access to all College programs and services. There must not be a limit placed on the proportion or number of students with disabilities admitted to College programs and/or courses, unless undue hardship to the College can be demonstrated as required by the *Ontario Human Rights Commission Guidelines for Assessing Accommodation Requirements for Persons with Disabilities (2000)*.

1.2. Students with disabilities must meet program eligibility criteria and applicant selection criteria relevant to the program. They have the opportunity to be provided with reasonable accommodation in the admission and selection process.

1.3. In the admission and selection process, no greater onus of proof with respect to capability should be required from a student with a disability than is required of other students.

1.4. Assessment of students with disabilities for admissibility is to be based on present functional ability and cannot be influenced by expected future deterioration.

1.5. Students with disabilities are to be provided assistance and accommodations on an individual basis.

1.6. Students with disabilities who use a support person may bring that person with them to the College and to the classroom as described in the accommodation plan.

1.7. Students with disabilities may be accompanied by their guide dog or service animal while at the College, except where excluded by law. Where a service animal is excluded by law, other measures are to be determined to assist the student.

1.8. Once accepted to a program, students with disabilities are deemed to be capable of fulfilling the essential requirements of the program, if provided with reasonable accommodations and services.

2. Access to Information

2.1. Information regarding the availability of services for students with disabilities is to be included in all major College publications such as calendars, student handbooks, recruitment materials, websites, newsletters, and course outlines. All publications are to identify where students with disabilities can obtain accessibility information. This information is to be provided in an accessible format upon request.

2.2. The Registrar's Office is to provide information on the services available to students with disabilities in the College Offer of Admission package.

2.3 All College policies will respect the dignity of persons with disabilities, encourage the principles of universal access design, and take into consideration the *Accessibility for Ontarians with Disabilities Act (2005)*.

3. Centre for Accessible Learning (CAL)

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3.1. The CAL is responsible for delivering services to students with disabilities in order to provide them with the same opportunity to access a program, and demonstrate their abilities in meeting the program requirements and specific learning outcomes.

3.2. The CAL is responsible for the provision of services for students with disabilities and fulfils the obligations as described in the legislative initiatives to provide “fair and equal access”. The purpose of these services is two-fold:

- a. to provide supports that improve the educational development of students with disabilities;
- b. to eliminate barriers to accessibility, both physical and academic, through consultation and professional development activities for faculty members and staff.

3.3. The CAL, with the support of the Centre for Organizational Learning, is responsible for providing professional development opportunities for College staff regarding the needs of students with disabilities.

4. Academic Accommodation

Academic accommodation refers to educational practices, systems, and support services designed to accommodate functional challenges due to a disability. The purpose of the accommodation is to enable students to meet the essential requirements of their academic program. At no time does accommodation undermine or compromise the learning outcomes of a course or program. The principles of respect for dignity, individualization, inclusion and full participation apply both to the substance of an accommodation and to the accommodation process.

4.1. Reasonable academic accommodations are provided to students with disabilities in order to ensure equal opportunity and freedom from discrimination.

4.2. Academic accommodations may include adaptations in the way specific courses are delivered, as well as the use of assistive devices and support services. Assistive devices and services are determined by a CAL Counsellor and the student who will use them.

4.3. In exceptional circumstances, with the approval of the program or course Chair or Academic Manager, modifications or substitutions of courses may be made, as long as the program learning outcomes are met.

4.4 In the event of a disagreement between faculty member(s) and the CAL Counsellor regarding the recommended accommodations, those accommodations are to be provided until the disagreement is resolved.

PROCEDURE

Action

Responsibility

1. Admission of Students with Disabilities

- 1.1 Request accommodation for admissions testing from the CAL as needed and provide the necessary documentation to support the request.

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2. Supports to Students with Disabilities

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| 2.1 | Self-identify as early as possible prior to the start of the semester, and submit to the CAL documentation from a professional that verifies the diagnosis of a disability. | Students with disabilities |
| 2.2 | Assist students in accessing documentation or facilitate a referral to obtain the documentation, if no professional documentation is available. The cost of the service referral is the responsibility of the student. | CAL Counsellor |
| 2.3 | Develop a Letter of Accommodation (LOA) indicating the accommodations needed by the student and provide copies for the student. | CAL Counsellor |
| 2.4 | At the beginning of each semester, share with faculty the LOA and discuss the accommodations that are required. | Students with disabilities or CAL Counsellor |
| 2.5 | Implement the accommodation plans of students with disabilities, with support from CAL staff. | Faculty |
| 2.6 | Raise any disagreement regarding the recommended accommodations with the program Chair or Academic Manager and the Manager of the Centre for Accessible Learning for resolution. | Faculty,
CAL Counsellor |
| 2.7 | If resolution is not found under 2.6, the matter can be referred for informal review by the Accommodation Advisory Committee | Student
Faculty
Counsellor |
| 2.8 | If the matter is not resolved through the process described in 2.6 or 2.7, then request a formal review using the Academic Appeal process (AA19 Academic Appeal). | Students with disabilities |
| 2.9 | If accommodations to take a test or exam are needed:
a. remind faculty at least one week before the test, to approve the test accommodations on the on-line booking system.
b. book test date and time with CAL Test Centre at least one week in advance.
c. accommodations for Final Assessment Week are to be booked at least two weeks before the start of that week. | Students with disabilities |

3. Information Provision by Centre for Accessible Learning

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| 3.1 | Inform the College Community regarding the needs and legal rights of students with disabilities. | CAL staff |
| 3.2 | Produce statistical reports derived from the CAL database when requested, for information and planning. | CAL staff |

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| 3.3 | Provide a feedback process for students with disabilities who wish to address concerns about the goods or services they received. | CAL staff |
| 3.4 | Where possible, provide advance notice to all CAL students and the College community when CAL facilities or services are temporarily disrupted. | CAL staff |

SUPPORTING DOCUMENTATION

- Appendix 1 Letter of Accommodation Form (Sample)
- Appendix 2 Accommodations Advisory Committee Mandate
- Appendix 3 Accommodations Advisory Committee Case Referral
- Appendix 4 Accommodations Advisory Committee Recommendation to the Dean
- Appendix 5

RELATED POLICIES

- AA13 Evaluation of Student Learning
- AA19 Academic Appeal
- AC02 Client Service Standards for Persons with Disabilities

RELATED MATERIALS

The Canadian Charter of Rights and Freedoms

<http://publications.gc.ca/collections/Collection/CH37-4-3-2002E.pdf>

The Ontario Human Rights Code (Revised Statutes of Ontario; 1990, Chapter H.19; April 1994)

www.ohrc.on.ca

The Accessibility for Ontarians with Disabilities Act – Customer Service Standards:

<http://www.mcsc.gov.on.ca/en/mcsc/programs/accessibility/customerservice>

Orientation for Success: A Resource Guide for College Representatives of the College Committee on Disability Issue

<http://www.disabilityissues.ca/english/guidebook.html>

AC01: Appendix 1

CONFIDENTIAL LETTER OF ACCOMMODATION

The confidential Letter of Accommodation (LOA) is the way in which a student notifies faculty member(s) of the accommodations he/she is entitled to. Accommodations are listed on the LOA. Students may choose to provide faculty member(s) with a copy of the LOA or ask their CAL Counsellor to forward to faculty member(s) in order to discuss their needs. If there are any concerns regarding the LOA, they should be brought to the attention of the student's CAL Counsellor. The CAL Counsellor's name and contact information are listed at the bottom of each LOA.

There is no obligation on the part of faculty member(s) to accommodate a student with a disability if they have not been informed of the accommodation needed through a LOA.

AC01: Appendix 2

ACCOMMODATIONS ADVISORY COMMITTEE (AAC) MANDATE

Purpose:

To provide an impartial and informal review of an accommodation, at the request of the student, Manager of CAL (or designate) or Program Chair or Academic Manager (or designate), and subsequently recommended to the respective Dean. In cases where a resolution could not be agreed upon during the process outlined in section 2.6. The AAC can also be proactively consulted to review complex accommodation requests that have not necessarily become the subject matter of a disagreement.

Membership:

The membership of the Accommodations Advisory Committee will consist of:

- A Dean or designate who will serve as Co-Chair
- The Director of Student Support Services or designate who will serve as Co-Chair
- One faculty member
- One Chair
- One Disability Counsellor from the Centre for Accessible Learning

In exceptional circumstances, the membership of the AAC can be altered at the discretion of the College, provided it does not cause prejudice to the parties to the accommodation related matter and continues to result in a fair process. At the discretion of the Co-Chairs, the AAC may decide to consult with or add individuals to their informal accommodation review meetings, as needed. For example, an academic staff member or designate staff member with content, assessment or accommodation expertise may be consulted.

Length of Term:

Membership on the ACC will be for three years, subject to renewal. One alternate for faculty member and one for each administrator will be designated for a two-year period.

Conflict of Interest:

No member of the AAC is to have any prior involvement with the case. Any involvement will constitute a conflict of interest and must be declared to the Co-Chairs of the AAC as soon as possible prior to the case review. If in the opinion of the Co-Chairs of the AAC, a conflict of interest is present, the member will be replaced.

Secretarial Support:

The Co-Chairs of the ACC are responsible for providing secretarial support.

Functions:**ACC Review meeting guidelines**

The informal review process of the AAC includes any or all of the following steps:

1. The AAC may discuss the accommodation related matter, jointly or separately, with the student(s), faculty member(s) (or designate) and Disabilities counsellor (or designate).
2. The AAC may proceed with an informal review with or without the attendance of all the parties (or a party) to the accommodation related matter under review.
3. Where the parties to the accommodation related matter under review are invited to attend the AAC review meeting, the invited parties have the right to be assisted by an advisor they choose, at their own expense. Direct participation of the advisor(s), at the review meeting, shall be at the discretion of the AAC Co-Chairs.
4. A summary of the findings from the process in section 2.6 of this policy is to be submitted jointly or separately by the Program Chair, Academic Manager (or designate) and Manager of CAL (or designate).
5. If a member of the AAC who has participated in an AAC review meeting becomes unable, for any reason, to complete the review process, the remaining members of the AAC may complete the review and provide their recommendation.
6. The decision of a majority of the members of the AAC, or their unanimous decision, shall become the recommendation of the AAC.
7. The ACC, upon completion of its review, will provide their recommendations to the Dean of the School involved.
8. The ACC is to consider the applicable policies at the College, federal and provincial legislations, and other factors that have an impact on the accommodation related matter under review.

The AAC review meetings shall be conducted in private. Attendance shall only be at the joint invitation of the AAC Co-Chairs. Also, all cases will be handled informally by the AAC as this is not a formal hearing. Privacy and confidentiality practices will be exercise.

Procedures:

1. When an accommodation or lack thereof is being challenged and cannot be resolved jointly by the Academic Chair or Manager and Manager of CAL, it can be referred to the Accommodation Advisory Committee for review.
2. The case in review must be outlined in writing on the referral form (Appendix 3) by the referring Chair or Academic Manager and or the Manager of CAL along with any other documentation/notes that will help to clarify the situation under review.
A list of potential stakeholders to consult during the review shall be provided with the form submission (see Referral template).
3. The referral form will be signed by both the Chair or Academic Manager and the Manager of

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CAL.

4. A meeting of the committee will be scheduled within 7 working days of the request whenever possible.
5. The Ontario Human Rights Code guidelines and Policy AC01 will be considered during the committee review.
6. The advisory committee's recommendation shall be provided in writing to the Chair or Academic Manager of the referring department and the Manager of CAL with a cc to the Dean of the involved school (see Recommendations template).
7. Where the committee cannot come to an agreed upon recommendation, a subsequent meeting may be called, where stakeholders may be consulted, more information may be requested or persons related to the case consulted.

AC01: Appendix 3

Case Referral		Accommodations Advisory Committee (ACC)	
Date:			
Referral for review made by:			
Student Name:		Student Number:	
Program:	Course Number:	Level:	
School:			
Summary of issue for review:			
Key considerations following initial review by Chair or Academic Manager and Manager of CAL (or designate):			

Please attach any documentation referring to issue along with potential employees/staff to consult during review (Name and Contact):

Required Signatures:

Referring Chair or Academic Manager:

Date: _____

Manager of CAL (or designate):

Date: _____

AC01: Appendix 4

Recommendation to the Dean		Accommodations Advisory Committee (AAC)	
Date of Committee Meeting:			
Present:			
Student Name:		Student Number:	
Program:	Program Number:	Level:	
Dean:			
Case Referred By:			
Recommendations:			
Key Considerations:			

AC01: Appendix 5 Retroactive Academic Accommodations

PREAMBLE

Although Algonquin College (the College) asks learners to communicate their accommodation needs to the Centre for Accessible Learning (CAL) a reasonable amount of time before requiring those accommodations to provide the College with an opportunity to review and put those accommodations in place, the Ontario Human Rights Commission (OHRC) advises that a learner's need for academic accommodation must be meaningfully considered at any point and granted if reasonable. This includes requests from learners seeking to be "retroactively" accommodated after a deadline has passed (e.g., after a test has occurred, an assignment due date has passed or a course has ended).

At Algonquin College, requests for retroactive accommodation relate to circumstances where the learner has failed to meet a deadline due to a significant and/or unanticipated change in their functional abilities or health status. These changes can happen suddenly, outside of the learner's initial awareness, and/or at any point in an academic term. These changes may also make it impossible for the learner to utilize the existing academic accommodations granted through their Letter of Accommodation (LOA). When these changes occur, time will often be required for the learner to recognize those impacts, notify the College of these impacts, complete an assessment with their health provider, and recover sufficiently to make participation possible; any of which could prevent the learner from meeting academic deadlines or even completing the term on time.

All requests from learners for retroactive accommodation must be meaningfully considered using the procedures outlined in this appendix. College employees are not to state (in writing or verbally) or imply that requests for accommodation after a deadline, assignment, test, examination, or course completion will be automatically refused. However, the duty to accommodate has limits and the College has the right to reasonably enforce policies and deadlines. The OHRC notes, "There may be narrow circumstances where it may not be reasonable or possible to accommodate a student's disability, such as, for example, where too much time has passed since the person took a course." (Section 8.3.4, <https://www.ohrc.on.ca/en/policy-accessible-education-students-disabilities> (2018)).

The College has a responsibility to offer appropriate academic accommodations while ensuring all learning outcomes are met by learners within reasonable deadlines. The learner has a parallel responsibility to meet all learning requirements within the provided deadlines. This applies to retroactive accommodation plans and the revised deadlines outlined in those plans.

PROCEDURE

	<u>Action</u>	<u>Responsibility</u>
1.	Learner notifies the College	
1.1	Learner must communicate their accommodation needs as they relate to a change in their functional abilities as soon as they are reasonably able.	Learner

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| 1.2 | If the learner notifies a professor, proceed with Step 2 below. | Professor |
| 1.3 | If the learner notifies an employee other than a professor, the learner should be directed to CAL and proceed directly to Step 3 below. | Employee |
| 1.4 | If the learner wishes to notify CAL directly, they are to proceed directly to Step 3 below. | Learner |
| 2. Response of Academic Area | | |
| 2.1 | If notified by learner that they have experienced a change in their functional abilities or health status that has impacted their ability to complete course requirements or meet deadlines, a professor should consult with their Academic Administrator on the appropriate action for addressing the situation. | Professor |
| 2.2 | Academic Administrator should consider and apply any college policy that more appropriately addresses the learner's request as an alternative to the retroactive accommodation procedure listed in the steps below. This could include consulting with CAL on how to apply existing accommodations from the LOA as per AC01 – Students with Disabilities or utilizing an appropriate academic policy, such as AA21 – Deferred Evaluation. | Academic Administrator |
| 2.3 | If no clear alternative policy to retroactive academic accommodation can reasonably be applied, the learner will be referred to CAL through the Welcome Centre. | Academic Administrator |
| 3 Assessment by the CAL | | |
| 3.1 | Learner schedules an appointment to meet with CAL Disabilities Counsellor through the Welcome Centre as soon as they are reasonably able and attends to discuss their request for retroactive accommodation. | Learner |
| 3.2 | CAL Disabilities Counsellor verifies whether the timing and nature of this request meets the preliminary requirements for consideration as a retroactive academic accommodation. The Disabilities Counsellor will consult with the Academic Administrator Faculty and/or Program Coordinator to gather relevant information and explore whether an alternative to retroactive academic accommodation is appropriate. | CAL Disabilities Counsellor |

If the Request Meets the Preliminary Requirements:

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| 3.3 | CAL Disabilities Counsellor proceeds with reviewing the request. This step will often include asking the learner to provide supporting documentation from a medical professional qualified to diagnose and treat the functional limitations in question. Documentation must specifically cover the changes in functioning and time period in question. | CAL Disabilities Counsellor |
| 3.4 | Learner provides information relevant to their retroactive accommodation request, including medical documentation, to the CAL Disability Counsellor or as directed. | CAL Disabilities Counsellor |
| 3.5 | CAL reviews information to determine whether a retroactive academic accommodation is appropriate and supported. | CAL |
| 3.6 | In cases where CAL has confirmed that a retroactive accommodation is appropriate, information necessary to provide the retroactive academic accommodation will be communicated in writing to the Academic Administrator. The learner will also be notified of the status of their accommodation request by the CAL Disabilities Counsellor. | CAL Disabilities Counsellor |
| 3.7 | The learner compiles information related to their request, such as a written list of course activities impacted. | Learner |
| 3.8 | Learner should review the potential impacts that retroactive accommodation may have on program completion plans, financial aid or sponsorship agreements, study permits, or any other relevant considerations. These may be necessary to inform the discussion and implementation of the Retroactive Academic Accommodation Plan (the Plan) in step 4.3. | Learner |
| Retroactive Academic Accommodation Not Supported | | |
| 3.3.b | If, at Step 3.2, the Disabilities Counsellor determines that learner's request for retroactive academic accommodation cannot be supported by CAL, a written decision and rationale will be provided to the learner by the Disabilities Counsellor. The Disabilities Counsellor will also explore potential alternatives to retroactive accommodation with the learner. Learners can request a review of this decision by the CAL Manager. Learners who are dissatisfied with the decision of the CAL Manager should refer to Step 6 below. | CAL Disabilities Counsellor, Lead Disabilities Counsellor, or CAL Manager |
| 4. Development of Retroactive Academic Accommodation Plan | | |
| 4.1 | The Academic Administrator may consult with CAL to further discuss and clarify the request and accommodations. The Academic Administrator may also consult with other stakeholders such as faculty, program coordinators and | Academic Administrator |

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learner, as appropriate, to meaningfully consider the accommodations and determine the next steps.

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| 4.2 | Academic Administrator will determine what accommodations are academically appropriate, draft recommendations and complete the “Retroactive Academic Accommodation Plan” (the Plan) form. The plan will include defined learner expectations and deadlines. | Academic Administrator |
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| 4.3 | Meet with the learner to review the Plan and discuss information necessary for the learner to make an informed decision regarding accepting the Plan. E.g., impacts on financial aid or sponsorship agreements, student or work visas, or any other relevant considerations. | Academic Administrator |
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Student is provided with a reasonable, but defined, time-period to consider the Plan.

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| 4.4 | Learners who are dissatisfied with the proposed Plan and are unable to reach a satisfactory resolution with the Academic Administrator should refer to Step 6 below. | Learner |
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| 4.5 | The “Retroactive Academic Accommodation Plan” is finalized and signed by the Academic Administrator and the learner. A copy of the Plan will be distributed to the program, learner, CAL, and the Academic Administrator. | Academic Administrator |
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5. Implementation of the Retroactive Academic Accommodation Plan

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| 5.1 | Once approved and signed by the Academic Administrator and the learner, it is the responsibility of all parties to follow the Plan as agreed. | Academic Administrator |
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| 5.2 | Should a faculty member or learner have questions or concerns about the implementation of the Plan, they must consult the Academic Administrator for clarification and assistance. | Faculty or Learner |
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| 5.3 | Changes to the Plan must be approved by the Academic Administrator, in consultation with the CAL Manager, to ensure that the Plan and its contents remain appropriate and that all necessary supports and resources are in place. | Academic Administrator |
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| 5.4 | Registrar’s Office is notified of academic accommodations that result in a change to the transcript. | Academic Administrator |
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6. Review and Appeal Options

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| 6.1 | In cases where a resolution for retroactive accommodation cannot be agreed upon between the learner, CAL Manager and/or Academic Administrator, the Accommodations Advisory Committee (AAC) can be consulted to provide recommendations on if and how the learner could be accommodated. The AAC can also be proactively consulted to advise on complex retroactive accommodation requests. Consult Appendix 2 and 3 of Policy AC01: Students with Disabilities for further details on how to engage the AAC. | Learner, CAL Manager and/or Academic Administrator |
| 6.2 | In cases where the AAC has provided recommendations to the academic area and the learner is not satisfied with the recommendations or their implementation, the learner can proceed to the appeal process outlined in policy AA19: Academic Appeal. | Learner |