

## Part 5 - Academic

### Academic Accommodations for Students with Disabilities Policy POL 517

<b>Policy Type:</b>	<b>Management with Academic Implications</b>		
<b>Policy Sponsor:</b>	Provost and Vice-President Academic and Executive Director, SACL	<b>Effective:</b>	December 11, 2006
<b>Office of Administrative Responsibility:</b>	Executive Director, SACL	<b>Last Reviewed:</b>	March 2009
<b>Approver:</b>	Board of Governors upon advice of GFC	<b>Approved:</b>	March 30, 2009

#### A. PURPOSE

The purpose of this policy is to:

- (1) Reflect Mount Royal's commitment to a learning environment that is free of discrimination and harassment on the grounds of a disability;
- (2) Ensure that Mount Royal meets its legal obligations under Alberta and Canadian law;
- (3) Outline the shared responsibilities of the institution and the learner in the duty to accommodate.

#### B. AUTHORITY

The Board of Governors of Mount Royal has authority over this policy. Administration of the policy and the associated procedures are delegated to the institution's senior executive officers who, in turn, have delegated this authority to the Executive Director of Student Affairs and Campus Life, or designate.

#### C. APPLICATION

This policy applies to students seeking academic accommodations at Mount Royal.

#### D. PRINCIPLES

- (1) Mount Royal recognizes the right of students with disabilities who are academically qualified to participate fully in the life of the institution.

- (2) Mount Royal promotes awareness, advocacy and learning partnerships amongst the whole of the Mount Royal community. The institution is committed to providing academic accommodation(s) to overcome discriminatory barriers for students with disabilities to the point of undue hardship for the institution - see item F(7).
- (3) Mount Royal also stresses the development of self advocacy and independence of students with disabilities. Students with disabilities must take the initiative to inform the institution of their needs at the beginning of the term, pursue their studies with the same diligence required of all students, and accept responsibility for the role that they play in achieving their goals.
- (4) Mount Royal commits to a regular review of policy, procedures and services related to students with disabilities.

## **E. RELATED LEGISLATION/REGULATION**

Mount Royal recognizes its legal obligations to students with disabilities and specifically operates under the following:

- Alberta Freedom of Information and Protection of Privacy Act (1995).
- Alberta Human Rights, Citizenship, and Multiculturalism Act (1996).
- Canadian Charter of Rights and Freedoms (1982).
- United Nations Standard Rules on Equalization of Opportunities for Persons with Disabilities (1993).
- Health Information Act (2001).

## **F. DEFINITIONS**

This policy will use the following definitions:

- (1) *Accommodation(s)* refers to the process of making alteration(s) to delivery of academic services so that those services become accessible to more people, including people with disabilities.
- (2) *Accommodation Agreement* refers to the signed arrangement made between Mount Royal and the student that:
  - (a) specifies the accommodation(s) to be provided by Mount Royal for the student, and
  - (b) authorizes the release of information to appropriate individuals when necessary.
- (3) *Barrier* is a structure, design and/or practice that prevents or impedes a person from accessing a facility or service.

- (4) *Bona fide educational requirements* (“BFER”) are those requirements that are a justifiable component of a program that may limit entry to, or completion of, a program or course.
- (5) *Bona fide occupational requirements* (“BFOR”) are those requirements that are justifiable components of an occupation or specific job.
- (6) *Students with disabilities* refer to those individuals who have any verifiable and persistent physical, learning, cognitive, sensory, psychological, neurological, or temporary impairment that may affect their academic progress.
- (7) *Undue hardship* refers to unreasonable and excessive challenges for the institution which may include but are not limited to:
  - (a) The financial cost of the accommodation(s) will hurt the viability of the service, program or institution; and/or
  - (b) The student cannot meet the requirements for entering or completing the program including BFER’s and BFOR’s; and/or
  - (c) There is significant interference with the rights of the other students; and/or
  - (d) There are health and safety concerns.

## **G.. STUDENTS’ RIGHTS AND RESPONSIBILITIES**

- (1) *Students with disabilities have the right to:*
  - (a) *Access services and programs:* A student with disabilities will be granted classroom and/or other accommodation(s), guided by the consideration of undue hardship, recommendations from the professional assessments of the student, and detailed in the Accommodation Agreement prepared by Accessibility Services.
  - (b) *Confidentiality:* All diagnostic documentation about the student’s disability remains confidential within Accessibility Services. Information can only be released to individuals or groups of individuals identified with the signed consent of the student. Mount Royal will comply with all requirements of the *Privacy Act* to protect personal information.
  - (c) *Appeal:* Accessibility Services assesses the information provided by the student with a disability and determines the level of academic accommodation(s) to be provided by Mount Royal. The student has a right to appeal Accessibility Services’ assessment.
- (2) *Students with disabilities have the responsibility to:*
  - (a) Pursue their studies with the same diligence required of all students and accept responsibility for their role in achieving course/program outcomes.

- (b) Identify their specific needs to Accessibility Services.
- (c) Provide relevant, and if requested by Mount Royal, 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). The documentation of their disability must be:
  - (i) From a medical, psychological/psychiatric professional or other appropriate individual;
  - (ii) Submitted on letterhead and include the clinician's name, title, phone number, address; date(s) of assessment(s) and;
  - (iii) Dated.
- (d) In addition, the documentation must, at the minimum:
  - (i) State the disability(ies)/condition(s) and indicate how the disability(ies)/condition(s) interfere(s) with the student's educational progress.
  - (ii) Suggest/recommend specific academic adjustments, services, and accommodations that may assist to minimize the impact of functional limitations on the student's academic performance.
- (e) Develop their Accommodation Agreement with Accessibility Services.
- (f) If applicable, apply for funding for academic accommodation as identified by the Accessibility Consultant.
- (g) Ensure that sufficient notice, as defined by Accessibility Services' procedures, is given to enable Mount Royal to make the necessary accommodation(s) for their disability.
- (h) Contact Accessibility Services each semester to review their needs and their current personal information.
- (i) Work with the appropriate faculty member and Accessibility Services to resolve any disagreements regarding accommodation(s).

## **H. FACULTY MEMBERS' RIGHTS AND RESPONSIBILITIES**

- (1) *Faculty members have the right to:*
  - (a) Determine course content and methods of instruction.
  - (b) Ensure that the academic integrity and standards of the course are not compromised and ensure that established entry-to-practice competencies and requirements for professional disciplines are not compromised.

- (c) Evaluate student work, performance and competencies related to the course content and relevant academic standard, including failing any student who has not passed or satisfied the course requirements.
- (d) Discuss any particular accommodation(s) with Accessibility Services if in the faculty member's opinion, the accommodation(s) compromise(s) the integrity of the course.
- (e) Determine the appropriate method of adapting their teaching style to meet accommodation(s).
- (f) Consult with professionals, on or off campus, to determine how best to accommodate students with disabilities in their course.
- (g) Have the assurance that any recording of lectures by the student or service provider conforms to Policy 505 (5): Tape Recording of Lectures. Faculty may contact Accessibility Services to confirm the need for recording.

(2) *Faculty members have the responsibility to:*

- (a) Support Mount Royal's obligation to accommodate students with disabilities.
- (b) Work with Accessibility Services to gain knowledge of appropriate accommodations(s) for the student(s).
- (c) Provide accommodation(s) recommended by Accessibility Services without compromising the academic integrity and professional standards of the course.
- (d) Maintain the student's dignity and privacy in relation to the disability.
- (e) Communicate in the classes their willingness to meet with students with disabilities who request classroom, examination, clinical, practicum or Directed Field studies accommodation(s).
- (f) Work with students and Accessibility Services to resolve disagreements regarding accommodation(s).
- (g) Work with Accessibility Services when considering accommodations for field trips or clinical practica that are requested or required.

## **J. THE ACCESSIBILITY SERVICES' RIGHTS AND RESPONSIBILITIES**

(1) *Accessibility Services has the right to:*

- (a) Engage in a consultative process with academic staff, students, other administrative staff and external professionals in order to determine the scope and implementation of the accommodation(s).

- (2) *The Accessibility Services has the responsibility to:*
- (a) Review all documentation to ensure its validity.
  - (b) Make recommendations regarding appropriate service(s) and accommodation(s). Accessibility Services will consider the suggestions/recommendations noted in the documentation of a disability/condition but may not agree to all of the suggestions/recommendations.
  - (c) Coordinate service(s) and accommodation(s) for students with disabilities to ensure that the needs of students with disabilities are addressed.
  - (d) Provide support to faculty in accommodating and working with students with disabilities.
  - (e) Work with students and faculty to resolve disagreements regarding recommended accommodation(s).
  - (f) Keep current with associated legislation.
  - (g) Prepare the Accommodation Agreement between Mount Royal and the student with the disability.
  - (h) Prepare an annual report for the institution's senior executive officers summarizing the Accessibility Services' academic accommodation activity.

## **K. MOUNT ROYAL'S RIGHTS AND RESPONSIBILITIES**

- (1) *Mount Royal has the right to:*
- (a) Request valid documentation that verifies the need for the accommodation(s).
  - (b) Determine the adequacy of submitted documentation and initiate action as necessary.
  - (c) Determine the extent and nature of accommodation(s) of the student's disability(ies) based on legislative requirements, professional and if requested by Mount Royal, corroborated diagnoses, and informed practice by Accessibility Services personnel.
- (2) *Mount Royal has the responsibility to:*
- (a) Respond to students' request for accommodation(s).
  - (b) Create a supportive and responsive academic, social, and physical environment. Such commitment on behalf of the institution, however,

does not deter students with disabilities from being active participants in their ultimate success.

- (c) Inform the student on the process to appeal the denial of or modification to the request for accommodation(s).

## **L. APPEALS PROCESS**

Students who believe that they have not been treated fairly in accordance with this policy or who are not satisfied with the type of accommodation are expected first to discuss this matter with the instructor and the Accessibility Consultant. Any matters unresolved by discussion between student, instructor and the Accessibility Consultant will be handled in accordance with appropriate institutional appeals procedures.