

PROCEDURE FOR ACAD 09: Accommodations for Students with Disabilities

1.0 Preamble

This procedure sets out how the policies in SKG's Policy ACAD 09: Accommodations for Students with Disabilities shall be put into effect.

As required by the policy, this procedure:

- Sets out the roles and responsibilities of students, instructors, the Accommodations Officer, and SKG with respect to accommodations for students with disabilities;
- Sets out requirements for documentation to support a request for accommodations;
- Sets out requirements for individual accommodation plans; and
- Establishes requirements and procedures for resolution of concerns about academic accommodations, consistent with the directions of this policy concerning the role of the Academic Advisory Committee in resolution of appeals.

2.0 Definitions

“Academic accommodation” or “accommodation” means modification to academic policies, procedures or the educational environment that would result in equal opportunity to attain the same level of performance, or to enjoy the same level of benefits and privileges enjoyed by others, and meet the student’s disability-related needs. Examples of academic accommodations include but are not limited to:

- Advanced provision of reading lists and other course materials to allow for alternate format transcription;
- Alternate scheduling for the completion of course or project work, or examinations;
- Extensions to program completion time limits;
- Making policies and requirements more flexible;
- Use of assistive technology in the classroom/laboratory/field (for example, FM systems worn by instructors);
- Use of oral and visual language interpreters and/or note takers in the classroom;
- Use of audio and/or visual recording or webcast of lectures;
- Use of adaptive technology and alternate format text for written materials;

- Support for examinations including extra time, a private or semi-private room, use of a computer, adaptive software or word processor, or access to a reader or scribe as needed;
- Ergonomic seating or height adjustable accessible tables; or
- Adjustment to academic loads.

“Academic Advisory Circle” or “Circle” means the governance body appointed by SKG’s board to provide advice concerning SKG’s academic mission.

“Accommodations Officer” means the Director of Academics, or an SKG employee designated by the Director of Academics, who is responsible for administration of services and supports for students with disabilities.

“*Bona fide* requirements” for a program means legitimate academic standards or outcomes of an academic program or credential.

“Director of Academics” means the President of SKG, or an individual designated by the President, who is responsible to administer SKG’s academic mission, regardless of the title of that position.

“Disability” or “disabilities” has the same meaning as under the Ontario Human Rights Code and the Accessibility for Ontarians with Disabilities Act in force and as amended from time to time. Disabilities may include those that are permanent or those that fall under the definition of temporary disabilities (see below). Disabilities may include but are not limited to:

- Learning disabilities and specific learning disorders
- Attention-deficit/hyperactivity disorder (ADHD)
- Deaf, deafened, or hard of hearing
- Vision loss
- Autism Spectrum Disorder
- Chronic health disabilities
- Dexterity or mobility disabilities
- Acquired brain injuries
- Mental health disabilities

“Diagnostic information” means the description of a diagnostic procedure, treatment, or underlying cause of a health condition, including a diagnosis.

“Diagnosis” means the identification of a specific disease or disorder as the cause of a set of symptoms.

“Essential requirement” or “essential academic requirement” means core tasks and activities, and knowledge and skills which must be acquired or demonstrated, in order for a student to successfully meet the learning outcomes of the course or program.

“Instructor” means an SKG employee, whether faculty or contract teaching staff, responsible for instruction of a student with disabilities.

“Interim academic accommodations” means appropriate academic accommodations offered (typically for one semester) while a student is in the process of obtaining appropriate supporting documentation.

“Learning disabilities and specific learning disorders” has the same meaning as found in either: (a) the Diagnostic and Statistical Manual of Mental Disorders, as published by the American Psychological Association; or (b) the definition of the Learning Disabilities Association of Ontario, at the discretion of the diagnosing regulated health practitioner.

“Regulated health professional” means an individual who is a member of the regulatory college recognized by the Ontario government for their profession, holds a certificate of registration from that college, and is acting within their approved scope of practice for the purposes of this policy.

“Temporary disability” means a disability that lasts less than twelve months but does not include short-term common ailments or illnesses such as a cold or the flu.

3.0 Accommodation plans

As required by SKG’s policy Accommodations for Students with Disabilities, SKG’s Accommodations Officer shall ensure that an individualized accommodation plan is developed and implemented for a qualified student with a disability who seeks accommodations, provides required information, and participates in the development of the accommodation plan.

The accommodation plan shall be based on the student’s needs and relevant information about the student’s academic program. Decisions about academic accommodations shall be made on an individual basis.

The accommodation plan shall include:

- A statement of the student’s functional limitations and disability-related needs as they relate to accessing the service of education, including any necessary assessments and information from regulated health professionals or other experts;
- A description of the most appropriate accommodations, services and supports to be implemented; and
- A description of the roles and responsibilities for each person involved in the plan.

Decisions about accommodations and the accommodation plan must be consistent with the essential requirements of the course or program.

The Accommodations Officer shall ensure that the accommodation plan is reviewed as needed to ensure that the student’s accommodation needs are being met. The accommodation plan may be revised as the student’s needs and program requirements change.

4.0 Roles and responsibilities

SKG recognizes that the provision of academic accommodations for students with disabilities is a collaborative process with shared responsibility among students, instructors, and SKG employees responsible for services and supports for students with disabilities.

This section sets out roles and responsibilities of students, instructors, and SKG's Accommodations Officer in accommodations of students with disabilities. It also sets out SKG's corporate role and responsibilities.

4.1 Students

SKG recognizes the importance of a student's experience and knowledge with respect to their disability and its impact on learning.

The role of students includes providing timely, adequate, and current information to SKG to support development of an individualized accommodations plan, and to participate actively in the development and implementation of accommodation plans.

To ensure that SKG has sufficient time to properly review and coordinate academic accommodation requests, students are responsible for submitting their requests for academic accommodations and associated documentation in a timely manner.

Students shall:

- Participate fully in the academic accommodation process.
- Advise SKG of the need for academic accommodations by informing the Accommodations Officer, where possible before the start of an academic semester.
- Make their needs known to the best of their ability.
- Answer questions and provide the Accommodations Officer with current supporting documentation regarding their disability and its impact.
 - This documentation must meet the requirements of this procedure concerning documentation set out below.
- Co-operate with any experts whose assistance is required.
- Participate in discussions regarding possible academic accommodation solutions for the development of an academic accommodation plan.
- Discuss with the Accommodations Officer any concerns they may have about whether or not they will be able to meet the essential requirements (learning outcomes) of a course or program.
- Request that the Accommodations Officer inform instructors, or, if preferred, inform their instructors, as soon as possible about accommodations requested for each course where academic accommodations are requested.
- Fulfill agreed upon responsibilities, as set out in the accommodation plan.

- Work with the Accommodations Officer on an ongoing basis to manage the academic accommodation process.
- Notify the Accommodations Officer, instructors, and other appropriate parties on a need-to-know basis about any changes to their academic accommodation needs.
- Advise the Accommodations Officer of difficulties they may be experiencing in accessing educational life at SKG, including concerns with their arranged academic accommodations.
- Meet *bona fide* and essential academic requirements once academic accommodations are provided.

4.2 Instructors

Instructors shall:

- Determine course content, methods of teaching, textbooks, and resources so that any necessary academic accommodations (for example, alternative formats of print or video/audio materials) can be in place for the beginning of the academic term.
- Identify, with the assistance of Director of Academics, the essential requirements of the course or learning unit for which they are responsible.
- Advise students of available accommodations and support services, and the process by which these resources may be accessed. An instructor should attempt to help a student who is clearly unwell or perceived to have a disability by inquiring further to see if the student has needs related to a disability and by offering assistance and information about accommodation.
- Accept a student's request for accommodation in good faith (even when the request does not use any specific formal language), unless there are legitimate reasons for acting otherwise.
- Refer students who are requesting disability-related academic accommodations to the Accommodations Officer.
- Obtain opinion or advice from the Accommodations Officer and Director of Academics, when needed.
- Maximize a student's right to privacy and confidentiality, including only sharing information regarding the student's accommodation request, as needed, with those directly involved in the accommodation process.
- Take an active role in collaborating with the student and Accommodations Officer in the development of an accommodations plan, to ensure that alternative approaches and possible accommodation solutions are investigated while still maintaining the essential requirements of the respective course or program.
- Implement provisions of a student's accommodation plan that are applicable to the instructor, when the plan has been agreed to by the student, instructor, and Accommodations Officer.

- Work with the student and Accommodations Officer to explore alternative forms of accommodations in the event that the student or instructor find that the current academic accommodations are not working well based on the impact of the student's disability and/or the nature or type of academic activity.
- Notify the student and the Accommodations Officer if there is a concern regarding an academic accommodation, and work in collaboration with the student, Accommodations Officer, and other relevant parties, as appropriate, to resolve any concerns regarding individual academic accommodations.
- Ensure that the classroom environment is welcoming and that all students treat one another with respect.
- Take immediate remedial action in situations where bullying and harassment are or may be taking place.

4.3 Accommodations Officer

The Accommodations Officer has the primary responsibility for determining appropriate academic accommodations and facilitating the provision of services and supports for students with disabilities in order to assist students in meeting the essential requirements (learning outcomes) of their course or program.

The Accommodations Officer shall:

- Accept a student's request for accommodation in good faith (even when the request does not use any specific formal language), unless there are legitimate reasons for acting otherwise.
- Ensure a student is invited to and made welcome to participate fully in development of their accommodation plan.
- Ensure that students with perceived disabilities receive interim supports, if applicable, from SKG while they seek the verifying documentation.
- Review the medical, psychoeducational, and/or psychological documentation and its appropriateness for supporting the requested academic accommodations.
- Get expert opinion or advice as needed.
- Make referrals to appropriate professionals when assessment and/or treatment services are needed.
- Develop an accommodation plan that meets the requirements of this procedure for each qualified student, in consultation with the student and relevant instructors, and other SKG employees as needed.
- Communicate with the student and instructor, as needed, throughout the term to ensure the effectiveness of the academic accommodation plan.

- When necessary, work with the instructor and student to adjust academic accommodations that support the student while maintaining the academic integrity of the course or program.
- Maintain records for each student with an accommodation plan, including the request or requests for accommodations, actions taken, and supporting information.
- Ensure that confidentiality of records and information is maintained, subject to disclosure for the provision of academic accommodations as consented to by the student, and meets requirements of relevant human rights and privacy legislation and SKG's policy concerning privacy.
- Provide education and support to instructors and other SKG employees as appropriate concerning the provision of academic accommodations as well as disability-related issues.
- Ensure that all students have ready access to information and advice about SKG's commitments to and supports for students with disabilities, and about SKG's processes for academic accommodations
- Ensure that the policy is interpreted and applied to promote SKG's interest in supporting a safe and inclusive learning environment for all students.

4.4 SKG

SKG shall:

- Ensure that the school environment is welcoming and take appropriate steps to ensure that all students treat one another with respect.
- Be committed to and accountable for providing academic accommodations for students with disabilities.
- Take steps to include students with disabilities in all aspects of educational life at SKG.
- Ensure that appropriate resources, including support for instructors, are available to implement this policy.
- Design and develop new or revised facilities, services, policies, processes, courses, programs, or curricula inclusively, with the needs of persons with disabilities in mind.
- Review, and where appropriate update, policies and practices about the nature and extent of documentation required to establish eligibility for academic accommodation every five years (or more frequently as required), as part of SKG's cyclical review process of its policies and procedures.

5.0 Documentation required to support a request for accommodations

SKG requires sufficient information to reasonably evaluate and respond to a student's request for accommodations. For this reason, students requesting academic accommodations are required to provide information pertaining to their disability and its impact.

A student seeking academic accommodations shall provide satisfactory documentation to SKG from a regulated health professional that substantiates the existence of a disability and describes the functional limitations experienced by the student. Specific requirements for documentation are addressed below.

In the absence of current documentation identified below, students may request interim academic accommodations.

5.1 Requirements for documentation

Documentation must be provided by a regulated health care professional and be recent and relevant in nature.

The documentation must be from a regulated health professional who is familiar with the student's disability and has the authority to diagnose the particular disability.

Documentation must be current according to the following standards:

- Learning disabilities, specific learning disorders, and Attention-Deficit/Hyperactivity Disorder (ADHD) must have been assessed at age 18 or older, or within the last three years.
- All other disabilities must be assessed within the time period that the student experiences a functional limitation for which an academic accommodation is needed.
- Documentation may need to be renewed as appropriate to reflect the student's on-going need for academic accommodation.

Documentation must be comprehensive and provide information regarding the student's functional limitations in a university setting. All documentation must include the following information:

- A statement that the student has a disability;
- A statement of the nature of the disability;
- A description of the functional limitations concerning whether the student can perform essential academic requirements with or without accommodation;
- Information about the severity, duration, and intensity of the disability;
- Information concerning the time period over which accommodations would be needed; and
- Information concerning the type of accommodation(s) that may be needed to allow the student to fulfill the essential duties or requirements of their course/program of study.

Documentation may also include recommendations as to the types of academic accommodations that might address a student's specific functional limitations. However, SKG retains ultimate decision-making authority as to which forms of academic accommodations may be granted.

Documentation concerning learning disabilities and specific learning disorders

Students with learning disabilities or specific learning disorders must provide documentation in the form of a psychoeducational assessment report (assessment) that conforms to established standards. The assessment must contain but is not limited to the following information:

- The credentials and signature of the assessor, who must be a registered psychologist or psychological associate;
- A description of the procedures used for the assessment, including relevant contextual information;
- Evidence that appropriate psychometric testing has been employed, including instruments that have been validated against adult norms;
- Information about the severity of the functional limitations experienced by the student;
- Ruling out of other possible explanations for the observed assessment results (differential diagnosis);
- An indication that the results are believed to be a reasonable representation of the student's normal abilities; and
- Confirmation that a learning disability or specific learning disorder exists.

6.0 Confidentiality

Maintaining confidentiality for students with disabilities is an important part of the duty to accommodate.

Personal information relating to an student's disability shall be managed in a manner that is consistent with SKG's privacy policy and guidelines and applicable privacy legislation, where appropriate, and the OHRC guidelines concerning confidentiality.

Personal information that identifies that a student has a disability shall remain exclusively with the Accommodations Officer in a secure filing system away from the student's academic record, to protect the student's privacy.

The accommodation process may require that the student disclose information regarding the impact of their disability to other staff and instructors on a need-to-know basis, so that specific responsibilities of this policy can be met.

Students shall be asked to provide written consent when medical, psychological or other health-related records or information may be shared.

7.0 Resolving concerns about academic accommodations

7.1 Concerns of a student

Students should discuss any concerns regarding the academic accommodation plan and/or problems with implementation of accommodations with the Accommodations Officer.

If the student does not agree with the academic accommodation plan or its implementation and their concerns are not resolved through discussion with the Accommodations Officer, they may appeal the academic accommodation plan or the decision not to provide the requested academic accommodation through an appeal process.

An appeal can be initiated by the student, through a formal written request, to the Accommodations Officer. The written request must include the reasons for appeal.

SKG's Academic Advisory Circle (Circle) shall consider the student's appeal.

The Circle shall consider the student's appeal and determine a resolution of the appeal in a timely manner.

The Circle may establish an ad hoc or standing committee with responsibility to consider the appeal.

An appeal committee established by the Circle shall include at least three members appointed to the Circle by the board.

The Circle or the committee of the Circle:

- May have access to relevant information concerning the student's request for accommodation and information provided to SKG concerning the student's functional limitations.
- May meet with the student, an advocate for the student if the student so chooses, instructor, and/or Accommodations Officer.
- May seek and consider advice from experts external to SKG (without disclosure of personal information unless with the consent of the student).
- Shall consider:
 - The student's reasons for the appeal;
 - Perspective and advice of the instructor and Accommodations Officer;
 - The essential requirements of the academic program;
 - Information concerning the student's functional limitations and accommodations that may be required;
 - Information from SKG concerning undue hardship, if applicable; and
 - Other appropriate and relevant matters at the discretion of the Circle or its committee.
- Shall render a decision.

The decision of the Circle or its committee shall be final.

7.2 Concerns of an instructor

Instructors should discuss any concerns regarding an academic accommodation plan with the Accommodations Officer. The Accommodations Officer shall endeavour to resolve concerns in good faith through an informal resolution process.

If the instructor's concerns are not resolved through discussion with the Accommodations Officer, the instructor may appeal the academic accommodation plan through an appeal process.

An appeal can be initiated by the instructor, through a formal written request, to the Accommodations Officer. The written request must include the reasons for appeal.

The instructor's appeal shall be shared with the student.

SKG's Academic Advisory Circle (Circle) shall consider the instructor's appeal.

The Circle may establish an ad hoc or standing committee with responsibility to consider the appeal.

An appeal committee established by the Circle shall include at least three members appointed to the Circle by the board.

The Circle or the committee of the Circle:

- May have access to relevant information provided to SKG concerning the student's disability or disabilities.
- Shall invite the student to provide comment on the reasons for the appeal.
- May meet with the student, an advocate for the student if the student so chooses, instructor, and/or Accommodations Officer.
- May seek and consider advice from experts external to SKG (without disclosure of personal information without consent of the student).
- Shall consider:
 - The instructor's reasons for the appeal;
 - Perspective of the student if the student chooses to provide comments on the appeal;
 - Perspective and advice of the instructor and Accommodations Officer;
 - The essential requirements of the academic program;
 - Information concerning the student's functional limitations and accommodations that may be required;
 - Information from SKG concerning undue hardship, if applicable; and

- Other appropriate and relevant matters at the discretion of the Circle or its committee.
- Shall render a decision.

The decision of the Circle or its committee shall be final.

8.0 Related Policies, Procedures & Documents

ACAD 09: Accommodations for Students with Disabilities

OP 01 Accessibility

SKG's policies and procedures may be found on its website.

9.0 Responsible Officer

Director of Academics

10.0 Version history

Board's approval pending recommendation of Academic Advisory Circle: December 2023

Reviewed by Academic Advisory Circle: ADD DATE

Approved by: ADD

Original Approval Date: ADD DATE

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SKG gratefully acknowledges that parts of this procedure are patterned on those of OCAD University and the University of Guelph and guidelines of the Ontario Human Rights Commission (*A policy primer: Guide to developing human rights policies and procedures* and *Accessible education for students with disabilities* policy)