

DRAFT FOR CONSULTATION

RYERSON UNIVERSITY

POLICY OF SENATE

ACADEMIC ACCOMMODATION OF STUDENTS WITH DISABILITIES

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Responsible Office:	Vice Provost Academic & Vice Provost Students

1. PURPOSE

Ryerson acknowledges and celebrates the diversity of its students. The University recognizes the many intersections between the social, the physical and the virtual environments within the context of academia and acknowledges the unique barriers that arise for students with disabilities.

This policy establishes the principles and guidelines for the academic accommodation and meaningful access for students with disabilities in order for them to receive equal opportunity to achieve full benefit from the educational environment.

At all times, the emphasis must be on the individual student and not on the category of disability. Treating people fairly may require different approaches that do not imply a lesser standard of performance.

2. APPLICATION AND SCOPE

This policy applies to all undergraduate and G. Raymond Chang School of Continuing Education (the “Chang School”), graduate students and law students at Ryerson University (the “University”).

This policy also applies to all faculty, instructors, staff and administrators involved in the delivery, evaluation and assessment of course content **and non-course degree requirements** including but not limited to; printed and electronic mediums, methods of student participation in course activities, and methods used for evaluation and assessment and where the essential goal is for students to acquire and demonstrate the essential academic requirements needed to successfully meet the learning objectives of a course or program.

Recognizing the University’s responsibility to provide meaningful access for students with disabilities to receive equal opportunity to achieve full benefit from the educational environment, and that there are a variety of programs and services provided to facilitate that aim, the specific scope of this policy relates to the delivery of course materials and non-course degree requirements.

3. DEFINITIONS

3.1. Ableism

Ableism may be defined as a belief system, analogous to racism, sexism or ageism, that sees persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate or of less inherent value than others. Ableism may be conscious or unconscious, and may be embedded in institutions, systems or the broader culture of society. It can limit the opportunities of persons with disabilities and reduce their inclusion in the life of their communities ¹

3.2. Academic Accommodation

A planned variation in the way a student with a disability receives course curriculum and materials, and participates in course activities in order to acquire and demonstrate the essential academic requirements needed to successfully meet the learning objectives of a course or program. Accommodation and accessibility involve creativity and flexibility. Ryerson University shall provide academic accommodation that does not impose undue hardship..

¹<https://www.lco-cdo.org/en/our-current-projects/the-law-and-persons-with-disabilities/persons-with-disabilities-final-report-september-2012/a-framework-for-the-law-as-it-affects-persons-with-disabilities/introducing-the-framework-3/>

3.3. **Essential academic requirements**

The knowledge and skills that a student must acquire and demonstrate to successfully meet the learning objectives of a course or program.

3.4. **Applicant**

A person applying to become a student at Ryerson University.

3.5. **Disability**

Ryerson University defines disability to be consistent with the language of the [Ontario Human Rights Code, R.S.O. 1990](#), c. H.19, (*the Code*)

3.6. **Documentation regarding disability**

Any and all documents verifying that a student has a disability, or clarifying the impact of the disability and any resulting functional limitations it places on the student. These documents must be based on a current, thorough, and appropriate assessment from a registered health care professional qualified to diagnose the condition.

3.7. **Instructor**

For the purposes of this document, instructor means teaching staff, which may include faculty and instructional staff.

3.8. **Non-course degree Requirements**

Non-course degree requirements include but are not limited to seminars, theses, major research papers, major research projects, comprehensive/candidacy examinations, dissertations, and required certifications.

3.8. **Student**

A student at Ryerson University registered in full-time or part-time, undergraduate, graduate, continuing education (Chang School), or law programs and/or courses.

3.9. **University**

Ryerson university

3.10. **Related External Definitions**

The Ontario Human Rights Code “the CODE”

<https://www.ontario.ca/laws/statute/90h19>

Accessibility for Ontarians with Disabilities Act (AODA)

<https://www.ontario.ca/page/about-accessibility-laws#section-1>

Accessible Education for Students with Disabilities

<http://www.ohrc.on.ca/en/policy-accessible-education-students-disabilities>

4. VALUES AND PRINCIPLES

4.1. Senate Policy Framework

The values outlined in the University's Senate Policy Framework are applicable and fundamental to this Policy.

4.2. Accommodation

The principles of respect for dignity, individualization, inclusion and full participation apply both to the substance of an accommodation and to the accommodation process. The University is committed to providing and implementing accommodations with the guidance of human rights standards. The assessment and provision of academic accommodations for students with disabilities will be interpreted and applied in accordance with relevant legislation and University policies and procedures concerning the duty to accommodate, including, without limitation, the Ontario *Human Rights Code* and the *Accessibility for Ontarians with Disabilities Act (2005)* (see *Policy section 5*.)

4.3. Equity, Diversity and Inclusion

The University understands that equitable treatment does not necessarily mean treating everyone the same. The University supports fair and equitable treatment of the community by developing policies, procedures and guidelines that attempt to remove barriers to address historical and current disadvantages for equity-deserving groups consistent with the Ryerson University Senate Policy Framework.

4.4. Wellbeing

Wellbeing is fundamental to positive social and academic outcomes and healthy communities. Ryerson is committed to the academic success of its students' by creating a safe, secure, collegial, healthy, and inclusive environment that puts people first, is supportive of the whole person and enhances the development of physical, mental, emotional, and spiritual wellbeing.

4.5. Confidentiality

The University actively promotes an environment that ensures students feel safe disclosing a disability. Maintaining confidentiality for students with disabilities is an important procedural component of the duty to accommodate.

4.6. **Flexibility**

Acknowledging that there can be multiple routes to academic excellence and rigor, the University encourages flexibility in creating and supporting academic accommodations for students with disabilities. Individualized academic accommodations for students with disabilities may require different approaches that do not imply a lesser standard of performance. Flexibility in the design and support of student accommodations leads to fair and equitable process and outcomes, and therefore supports and augments academic excellence.

4.7. **Collaboration and Shared Responsibility**

Accommodating students with disabilities is a shared responsibility and a collaborative process that often involves balancing the, sometimes competing, needs and responsibilities of: students, faculty, instructors, academic administrators, and Academic Accommodation Support (AAS) facilitators. To this end, the University is committed to fostering an inclusive, collaborative educational environment that:

- recognizes everyone involved, including students who are asking for accommodation, should be prepared to cooperate in the process, share relevant information, and be willing to jointly explore flexible, creative accommodation solutions;
- promotes mutual respect;
- recognizes the equality, dignity and autonomy of all persons;
- recognizes lived disability experiences vary greatly and often involves discrimination and exclusion;
- provides equal opportunity to academic accommodations without discrimination.
- fosters student learning through a wide range of teaching and learning approaches;
- protects the privacy and confidentiality of its students

4.8. **Timeliness**

It is in the best interest of students and the University to achieve timely implementation of academic accommodations as early as possible under this Policy. Students in partnership with; Academic Accommodation Supports, Instructors, faculty, chairs and academic administrators should work together to ensure timely resolution of any requirements necessary to implement and facilitate a plan to provide individualized academic accommodations.

4.9. **ACCESSIBLE EDUCATIONAL ENVIRONMENTS**

An educational experience that upholds rights and justice is one that proactively anticipates and welcomes difference and is responsive to the needs of all students. Learning environments committed to student access go beyond “the technical aspects of inclusion to address broader systems and ideas” (Hamraie, 2017, p. 13). Accessible education environments acknowledge diverse needs among the student body and involve negotiation, friction and strategic interventions such as individual accommodations.

For students with disabilities, both accessibility and accommodation must be taken into account. Accessibility is the degree to which something (e.g., device, service, physical environment, information) can be accessed by persons with disabilities. The term implies conscious planning, design and/or effort to ensure something is as barrier-free as possible to persons with disabilities. Accessibility also benefits everyone in the learning environment, by making things more usable and practical for all. An accommodation is needed when barriers still exist despite all efforts to create access. A good accommodation provides modifications or alternatives that enables students with disabilities to participate fully. Accessibility does not preclude accommodation, the two concepts are inherently linked and must co-exist in order to achieve a just and inclusive educational experience.

There are many ways to create just, inclusive and accessible learning environments. With that in mind, one way to think about creating an accessible learning environment is through the framework of Universal Design for Learning (UDL). UDL recognizes that people learn in a variety of ways and therefore learning environments should be flexible, and provide students with multiple ways of accessing course content, multiple ways of engaging and participating in their learning, and multiple ways of expressing how they’ve met the learning outcomes (OHRC, 2018).

Faculty and instructors should strive to design course curriculum, delivery methods and evaluation methodologies that are as accessible as possible from the outset, and to provide alternatives and modifications where barriers still exist. By putting students with disabilities at the centre of the design process, faculty and instructors can identify biases at the heart of educational practice, proactively reduce the ways in which students are excluded in the classroom, and identify new and innovative ways to teach that improve the learning experience of all students.

Where barriers exist, the duty to accommodate requires the University to make accommodations up to the point of undue hardship to provide equal access for students with disabilities. Academic accommodations for students with disabilities are governed by the: Ontario Human Rights Code (OHRC), Ontarians with Disabilities Act (ODA, 2001), and the Accessibility for Ontarians with Disabilities Act (AODA, 2005).

5. DUTIES OF ACCOMMODATION

5.1. Duty to Accommodate

Under the Ontario Human Rights Code, The University, and its employees, have a legal obligation to make access to educational services available to all students in a manner that does not discriminate. Accommodation involves removing barriers and providing academic accommodations for any remaining needs of students with disabilities, in a way that respects their dignity and provides equal opportunity. The duty to accommodate is informed by three principles: respect for dignity, individualization, as well as integration and full participation.

5.2. Duty to Inquire about Accommodation

The duty to accommodate a disability exists for needs that are known. Where some students may be clearly unwell or perceived to have a disability and may not be aware, the University has a duty to inquire about the student and their wellbeing in relation to their academic needs. When the University is aware, or reasonably ought to be aware, that there may be a relationship between a disability and someone's performance, the organization has a "duty to inquire" into that possible relationship before making a decision that would affect the person adversely. Once any disability related needs are known, the legal onus shifts to those with the duty to accommodate.

5.3. Duty to Provide Documentation

Meeting the individual accommodation needs of students can be complex, challenging and may require clarification. In order to fully understand and properly facilitate academic accommodation requests, the University, through Academic Accommodation Support services (AAS), is entitled to verify both the presence of a disability and the nature and extent of relevant restrictions or limitations on a student's ability to fulfill the essential academic requirements of their chosen program. The provision of medical information from a medical doctor may be required in order to fully assess the needs of students seeking accommodations.

Some examples of information that students seeking accommodation could reasonably expect to provide:

- medical confirmation of disability or medical condition
- functional impact/limitations / needs related to that disability
- whether they can perform the essential duties/requirements of their program/course with or without accommodation
- recommended accommodation(s) needed to help fulfill essential duties
- when able to return to academics following a leave

AAS services will not ask for more confidential medical information than what is reasonable and necessary to assess and provide appropriate academic accommodations.

5.4. Limitations to Duty to Accommodate include;

5.4.1. Undue hardship

The University is required to accommodate students with disabilities to the point of 'undue hardship'. The University bears the onus of proof of undue hardship. The Ontario Human Rights Code identifies three (3) factors that are to be considered in assessing whether a requested accommodation would cause undue hardship. These are;

- cost
- availability of outside sources of funding, and
- health and safety requirements

The nature of the evidence required to prove undue hardship must be objective, real, direct and, in the case of cost, quantifiable.

5.4.2. Inability to meet essential requirements

In some circumstances, the nature and degree of a disability may mean that no accommodation would enable an individual to meet the essential requirements. Essential requirements may include, but are not limited to, the 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. In such cases the onus is on the University to demonstrate that no form of academic accommodations would enable the student to meet the essential requirements of a course or program

6. RESOLUTION OF DISAGREEMENTS

Faculty, instructors, students and Academic Accommodation Support are encouraged to seek agreement regarding mutually satisfactory provision of academic accommodations. In the event of a disagreement, disputes will be resolved in accordance with the principles of this policy and using the procedures described below. (See procedures section. XXXXX)

7. PRIVACY AND CONFIDENTIALITY

Student privacy will be respected, protected, and maintained throughout the Academic Accommodation process. All information, including documentation received regarding a students' disability and subsequent request(s) for Academic Accommodation will be collected, securely maintained and disposed of in accordance with Ryerson's records management, records retention schedule, privacy and information classification policies, procedures and

standards. Information required for assessing academic accommodation will be released on a need-to-know basis within the University community or when the student consents to a broader release of information.

8. ACADEMIC INTEGRITY

The spirit of this policy is collaborative, inclusive and well-intended to support students who identify with and require academic accommodations. For this reason, the misuse of this Policy to gain academic advantage or benefit, by, for example:

- (a) submitting false, altered, forged or falsified health certificates or other documents for academic consideration, or;
- (b) making false claims for such consideration to delay or avoid academic requirements,

Misuse of this Policy constitutes academic misconduct and will be subject to the processes, penalties and consequences, as outlined in Ryerson's Policy 60: Academic Integrity.

RELATED POLICIES:

Senate Policy 60: Academic Integrity

<https://www.ryerson.ca/content/dam/senate/policies/pol60-procedures.pdf>

Senate Policy 135: Final Examinations

<https://www.ryerson.ca/content/dam/senate/policies/pol135.pdf>

Senate Policy 150: Accommodation of Student Religious, Aboriginal and Spiritual Observance

<https://www.ryerson.ca/content/dam/senate/policies/pol150.pdf>

Senate Policy 167: Academic Consideration

<https://www.ryerson.ca/content/dam/senate/policies/pol167.pdf>

Senate Policy 168: Grade and Standing Appeals

<https://www.ryerson.ca/content/dam/senate/policies/pol168.pdf>

Senate Policy 169: Experiential Learning

<https://www.ryerson.ca/content/dam/senate/policies/pol169.pdf>