

Policy History
<b>Policy No.</b> ST14
<b>Approving Jurisdiction:</b> President
<b>Administrative Responsibility:</b> Vice President Students
<b>Effective Date:</b> September 3, 2024

## Academic Accommodations for Students with Disabilities Procedure

### A. DEFINITIONS

1. **Academic Standards:** The essential knowledge, competencies, and skills that a student must acquire and demonstrate to satisfy the learning objectives of a course or program.
  
2. **Academic Accommodations:**

Prevent, reduce, or remove barriers that impede a student with a disability from participating fully in program or course-related activities;

Refer to individualized support in how a student accesses program or course content and information; participates in learning and course work; and/or demonstrates skills or knowledge;

Accommodate how students learn, not what they learn;

Must support the student’s individual circumstances, right to privacy and dignity, and promote inclusion, integration, and full participation;

Do not confer an advantage, nor do they require that the University lower academic or non-academic standards; and

Do not relieve the student of the responsibility to develop the essential skills and competencies as outlined in University programs, course syllabi, and presentations.

Academic accommodations are developed collaboratively with students through meaningful discussions recognizing the complex and dynamic intersectional identities of students, their backgrounds, and circumstances that impact their disabilities and post-secondary experiences.

Academic accommodation must be reasonable and follow these principles:

- a. Be based on the individual's circumstances;
- b. Respect the student's right to dignity;
- c. Be a collaborative process where all involved parties meaningfully participate;
- d. Allow for the most integrated and inclusive experience possible;
- e. Not compromise academic standards;
- f. Not constitute undue hardship; and
- g. Not fundamentally alter the nature of the education delivery.

3. **Academic Accommodation Plan:**

An individualized legal document listing the supports a student needs in order to remove barriers so that they can be included and fully participate in program and course-related activities.

4. **Disability:**

As defined by the Government of Canada (2013, p. 2): "Disability is a complex phenomenon, reflecting an interaction between features of a person's body and mind and features of the society in which they live. A disability can occur at any time in a person's life; some people are born with a disability, while others develop a disability later in life. It can be permanent, temporary or episodic. Disability can steadily worsen, remain the same, or improve. It can be very mild to very severe. It can be the cause, as well as the result, of disease, illness, injury, or substance abuse... The social model approach views disability as a natural part of society, where attitudes, stigma and prejudices present barriers to people with disabilities, and prevent or hinder their participation in mainstream society."<sup>1</sup>

5. **Duty to accommodate:**

Education service providers have a legal obligation to ensure access and remove barriers to participation and learning. The University's duty to accommodate, up to the point of undue hardship, is legislated by the British Columbia Human Rights Code. Implementing academic accommodations is a multi-party, collaborative process. All responsible parties are expected to work co-operatively.

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<sup>1</sup>Government of Canada (2013). *Federal Disability Reference Guide*.

[https://www.canada.ca/content/dam/esdc-edsc/migration/documents/eng/disability/arc/reference\\_guide.pdf](https://www.canada.ca/content/dam/esdc-edsc/migration/documents/eng/disability/arc/reference_guide.pdf)

6. **Employee:** University administrators, faculty, and staff.
7. **Meaningful discussion:** Collaborative conversation that includes the student and KPU Accessibility Services team member (and may include a student's family member or other personal life support person). The discussion will explore the student's disability, or experience of disability, and their learning access needs from a student-centred holistic perspective including biopsychosocial influences on them and barriers experienced as well as mitigation strategies and supports.
8. **Non-Academic Standards:** Communication and behaviours engaged in through university programs, settings, and/or support services. Refers to an expectation of conduct aligned with values of respect, safety, civility, diversity and inclusiveness, and freedom from harassment and discrimination. See also ST7 Student Conduct (Non-Academic) Policy.
9. **Provisional Academic accommodation Plan:** A conditional and temporary academic accommodation plan arranged on a case-by-case basis typically lasting one (1) semester or less.
10. **Student:** An individual who is in the process of applying to the University, is registered in credit courses at the University or has commenced studies in non-credit courses at the University, and has maintained their eligibility to register.
11. **Undue hardship:** The University has a legal duty to accommodate a student up to the point of undue hardship. Undue hardship describes the limit, beyond which service providers are not expected to accommodate. Some degree of hardship may be expected – it is only if the hardship is “undue” that a specific accommodation will not need to be provided. Service providers are expected to exhaust all reasonable possibilities for accommodation before they can claim undue hardship. According to the Canadian Human Rights Act it is not enough to offer subjective assumptions or impressionistic evidence about what is or is not possible. To claim undue hardship, the postsecondary institution has the onus of proof and the evidence required to prove undue hardship must be objective, real, justifiable, direct and, in the case of cost, quantifiable. The categories of undue hardship include cost, health and safety, significant interference with the rights of

other students and employees, and lowering academic standards.

**12. University:** Kwantlen Polytechnic University.

## **B. PROCEDURES**

### **1. Timelines for Academic Accommodation Requests**

Our aim is to have academic accommodation plans developed in a timely manner in response, and anticipation, of students' academic needs. Students may connect with Accessibility Services at any time during their academic career at KPU. Academic accommodation planning is dynamic, and flexible, and is likely to change and evolve over a students' academic career at the University.

Students have a responsibility to give the University ample time to ensure that academic accommodations will be available when needed. The amount of time to plan, develop and implement academic accommodations depends on individual circumstances.

There are some academic accommodations that have a suggested timeframe for fulfilling. These are:

- a. Bookings with Assessment and Testing Services: the request must be no less than fourteen (14) days prior to the assessment date, or as otherwise outlined in Assessment and Testing Services practices.
- b. Interpreting or transcription services: for courses needing a service for a period of study the request must be at least eight (8) weeks prior to first class; for additional program or course-related activities not originally planned for the request must be at least three (3) weeks in advance.
- c. Off campus learning experiences such as Practica, work placements and co-ops: the request must be at least six (6) weeks prior to the start.
- d. Labs or studio learning environments that may require specialized equipment: the request must be at least six (6) weeks prior to first class.
- e. Personal care attendants: the request must be at least six (6) weeks prior to first class when students are applying for funding.

A delay in notifying Accessibility Services for a specific academic accommodation may result in the request not being ready in time for the situation in which the academic accommodation is needed.

## 2. Requesting Academic Accommodation

Students are responsible for requesting individualized academic accommodations through Accessibility Services in a timely manner as indicated in section 1, Timelines for Academic Accommodation Requests (above), and section 4, Accommodation Plan Development (below).

## 3. First Appointment and Information Gathering

Students are to attend a first appointment with Accessibility Services to share important information to determine the barriers the student may face in their selected program and courses. Other information pertinent to academic accommodation planning will be discussed, including documentation of disability, as well as experiences of previous educational support.

## 4. Accommodation Plan Development

Accessibility Services will collaborate with the student to evaluate the accommodation request through a holistic view of the student's access needs. Together they will identify what the appropriate supports the student needs in order to remove barriers to equitable participation and learning.

### a. Documentation:

- 1) Documentation must be from a qualified assessor with training, expertise, and background in diagnosing the disability. Documentation should identify the category of disability and include an explanation of the functional impact in a post-secondary setting.
- 2) Documentation must include the full name, signature, credential and registration/certification of the qualified assessor.
- 3) To register with Accessibility Services:
  - a) For permanent, prolonged or persistent disabilities, no more than three (3) years should have passed between the time of an assessment identifying barriers for educational access in a post-secondary environment, and registration with Accessibility Services. This is so the barriers identified in the documentation are relevant to academic accommodation planning.
  - b) For learning disabilities no more than five (5) years should have passed between the completion of a psycho-educational assessment and registration with Accessibility Services, or it should have been conducted at the age of 18 or later.

- 4) If a student's experience of their disability has shown significant change or when the academic accommodation request has changed significantly over the course of studies (e.g., from 1st to 2nd year), new or updated information may be requested.
  - 5) If the documentation is not in English, the University will accept documentation from certified translation services.
  - 6) A student may be provided academic accommodation for a limited duration without current documentation;
- b. Student self-report: Information (e.g., student's lived experience of disability, reasons for requesting academic accommodations, and barriers experienced or anticipated in learning environments) as shared in the intake meeting and subsequent meetings;
  - c. Supplemental information: As provided and attainable (such as an Individualized Education Plan from high school);
  - d. Course and program information: Including course materials, learning activities, assessments, schedule, course format, and delivery methods; and
  - e. Academic standards: In some cases, and with the student's consent and participation, other University employees may need to be consulted to determine if an academic accommodation is reasonable in accordance with the academic standards (see definition).
    - 1) Consultation with instructional faculty will require a student to provide consent as outlined in ST14 Policy Section 2.a.5) For example, instructional faculty may be consulted regarding the rationale for, and applicability of, alternative assessment/demonstration of learning requested due to the student's disability and learning access needs. See also Section 7 Academic Accommodation Implementation Troubleshooting below.
    - 2) Instructor consultations are a key component of some academic accommodations. If a student does not consent to their instructor's involvement an accommodation may not be provided.
5. Academic Accommodation Plan Distribution

Following a collaborative process with the student, Accessibility Services will share the developed academic accommodation plan with the student and describe the process for distribution and implementation. In accordance with privacy and confidentiality laws,

and University policies and procedures, the student has control over the distribution of the academic accommodation plan.

## 6. Academic Accommodation Implementation

Academic accommodation plans are shared with course instructors as decided by the student.

- a. Instructors need to understand the rights the student has and the instructors' legal obligation to provide the academic accommodations. Students should not be advised to withdraw from courses for disability related reasons without consultation regarding the University's legal duty to accommodate, and/or a legal determination of undue hardship;
- b. Both the student and instructor(s) are to meet to discuss the academic accommodation plan so they understand it and how each academic accommodation is to be applied. This discussion can be supported by a member of Accessibility Services if student requests;
- c. Accessibility Services is responsible for coordinating support and academic accommodation plan implementation where those services cannot reasonably be provided at the program level (e.g., providing interpreting or transcribing, and adaptive technologies); and
- d. Accessibility Services can assist in providing support and resources to instructors in mitigating accessibility-related barriers through a Universal Design for Learning framework.

## 7. Academic Accommodation Implementation Troubleshooting

Academic accommodation implementation may require concern resolution. In such instances, the concern should be raised in a timely manner so as to ensure there is time to consult and resolve concerns as follows:

- a. Where possible, students and instructors should attempt to resolve the concern together;
- b. If the concern is not resolved, the student or instructor may raise it with the student's Accessibility Services case manager;
- c. If the concern is still not resolved;
  - 1) the student may raise it with Accessibility Services management.

- 2) the instructor may raise it with their department chair and/or associate dean/director; and

- d. If the matter remains unresolved the student may consider the Complaints about Instruction, Services, Employees or University Policy (AD2) following steps outlined from stage 3 onwards in that policy.

#### 8. Procurement of Academic Accommodations Involving Third Parties

Some academic accommodations, such as interpreting and transcription services, are delivered through the support of third parties. Accessibility Services is responsible for coordinating and paying for such services. A student receiving these accommodations must be in attendance to receive the transcript and/or service.

#### 9. Academic Accommodation Plan Revisions and Renewals

- a. Current student renewals: academic accommodation plans are designed to be congruent with the academic environment for each course a student enrolls in. The process is that:

- 1) An email reminder is sent to any active student enrolled in the last three consecutive semesters during the enrolment period for next semester;
- 2) The student is invited to collaborate in identifying academic accommodations that are required for new courses; and
- 3) Revisions: if anything has changed with regards to the student's academic accommodation-related needs, then the student should share this information with Accessibility Services in a timely manner so both parties can collaborate to determine reasonable and appropriate changes to the academic accommodation plan.

- b. Returning student renewals: if a student has not been enrolled in courses or received academic accommodations for three (3) consecutive semesters the student's file would be marked inactive. If the student intends to return to the University, the student is to reach out to Accessibility Services to discuss their academic accommodation needs.

#### 10. Provisional Academic Accommodation Plans

Provisional academic accommodations may be approved when sufficient documentation is not yet available. This is typically for a limited time, up to one (1) enrolment period, to allow for more time to acquire information. A provisional



academic accommodation plan may be extended under exceptional circumstances. Students contact Accessibility Services for consultation.

#### 11. Requirements Established by Third Parties

- a. Certification and licensure: A student seeking academic accommodation for an external certification or licensing exam should make the request directly to the certifying body.
- b. Third party sites: Some University programs offer off-campus learning experiences delivered by third parties (such as, but not limited to, practicum sites, work placements, co-ops, and other postsecondary institutions jointly offering programs with the University). A student who makes an academic accommodation request for off-campus learning experiences must make the request to Accessibility Services in accordance with policy ST14. Accessibility Services will inform the department arranging the practicum or co-op placement of the University's obligations regarding policy ST14. The University program department will communicate with the third party to coordinate academic accommodation developed with the student. The University will do its best to make reasonable efforts to match academic accommodations with third party placements, but the University is unable to ensure that reasonable academic accommodations will be accepted by third parties, as third parties have their own policies and regulations.

### **C. RELATED POLICY**

Refer to Policy ST14 Academic Accommodations for Students with Disabilities.