

 CAPILANO UNIVERSITY		PROCEDURE	
Procedure No.		Officer Responsible	
S1999-09.1		Vice-President, Academic and Provost	
Procedure Name			
Academic Accommodation for Students with Disabilities Procedure			
Policy This Procedure is Under		Date of Next Policy Review	
Academic Accommodation for Students with a Disability		December 2028	
Date Issued	Date Revised	Related Policies	
December 5, 2023	NEW	B.700 Privacy and Access to Information Policy S2018-01 Final Grade Appeals	

1. PURPOSE

These procedures are intended to guide all processes related to S1999-09 Academic Accommodation for Students with Disabilities Policy (the Policy).

2. DEFINITIONS

The definitions contained in the Policy are used in this procedure.

3. PROCESS FOR ESTABLISHING ACADEMIC ACCOMMODATION

- 3.1 Students with Disabilities are encouraged to contact Accessibility Services as soon as they have accepted the offer of admission to ensure sufficient time to review documents and arrange corresponding academic accommodation. In general, more extensive academic accommodation requires greater lead time. Services, equipment, and funding requests can require several months.
- 3.2 Students are required to provide reasonable notice to Accessibility Services of their need for academic accommodation to be in place before the start of a program or course, or as the need arises.
- 3.3 Students who believe they may have a disability or believe they have academic access needs that are not being met are encouraged to seek advice from Accessibility Services.
- 3.4 Accessibility Services will make reasonable efforts to respond to a student's request for academic accommodation even after courses have started. However, delays in notifying Accessibility Services of a request for academic accommodation could result in a request not being assessed or implemented in time to take effect for the course or program and may impact the timely availability of certain supports (e.g., alternate format, sign language interpretation).

4. STUDENTS' RESPONSIBILITIES

- 4.1 Students with permanent or temporary disabilities seeking academic accommodation are responsible for registering with Accessibility Services. The registration process begins once verifying documentation of a disability has been submitted.
- 4.2 Application for academic accommodation can be made online using the Accommodation Request form situated on the Accessibility Services' webpage or in person by visiting the Accessibility Services office.
- 4.3 Students requesting academic accommodation participate in academic accommodation planning with an Accessibility Services Advisor ("Advisor") after their verifying documentation has been submitted, as well as engage instructors, staff and others needed to implement their approved academic accommodation.
- 4.4 Students are required to meet deadlines that support the academic accommodation implementation process (e.g., request for exam accommodation arrangements).

5. DOCUMENTATION TO SUPPORT A REQUEST FOR ACADEMIC ACCOMMODATION

- 5.1 Students requesting academic accommodation are expected to provide current, appropriate, and sufficiently detailed verifying documentation of a disability to Accessibility Services to support their request.
- 5.2 The verifying documentation supporting a request for academic accommodation must be obtained from an appropriate qualified professional and follow these guidelines:
 - a) It must be current, meaning it has been issued within the last three (3) years with the exception of a documented permanent disability or a learning disability where a full psycho-educational assessment that is less than five (5) years or that was completed at age 18 or older is required;
 - b) It must cover the functional impact of the disability in sufficient detail to allow for reasonable consideration of the requested academic accommodation. A diagnosis alone, if provided, is not sufficient to support a request for an academic accommodation;
 - c) It must be provided by the appropriate qualified professional as a report, formal assessment, written letter on official letterhead, or a StudentAid BC Appendix 8 Verification of Disability form;
 - d) It must contain the date(s) on which the assessment of the student was conducted and the name, profession, registration, or license number, contact information, or other information to confirm the qualifications of the document provider;
 - e) In cases where a student's functional abilities have improved or deteriorated significantly since the documentation was submitted, or when the student's accommodation request(s) have changed significantly over the course of their studies, Accessibility Services may request new or updated information.
- 5.3 The student is responsible for any costs associated with testing and/or obtaining the verifying medical or other documentation in support of the student's request for academic accommodation. Accessibility Services will provide information about federal and provincial financial aid, grants, or other funding, which may be available to offset some of the student's costs.

6. DETERMINING ACADEMIC ACCOMMODATION

- 6.1 Taking a holistic view of Students with Disabilities and the circumstances, the Advisor, with the involvement of the student, will assess the appropriate academic accommodation based on the student's request, the self-report, the verifying documentation of a disability for which academic accommodation is requested, the history of academic accommodation, and the nature and essential requirements of the course or program.
- 6.2 Upon completion of the assessment, the Advisor will determine if the duty to accommodate exists and will prepare a Notification of Accommodation letter specifying the approved academic accommodation and any other relevant information.
- 6.3 A student may seek reconsideration of the Advisor's determination of approved accommodation (see section 6).
- 6.4 If the Advisor determines that a duty to accommodate does not exist, or where the student's requested academic accommodation would:
- a) significantly alter the essential requirements of the course or program,
 - b) adversely impact learning opportunities for other students,
 - c) impose a safety threat, and/or
 - d) result in undue hardship for the University,

the Advisor will inform the student and provide reasons for this determination in writing through the student's official email. A student may seek reconsideration of the Advisor's decision (see section 6).

7. REQUEST FOR ACADEMIC ACCOMMODATION RECONSIDERATION

- 7.1 Where a student disagrees with a determination made by the Advisor, they can ask the Advisor to reconsider the request. This usually involves an initial discussion between the student and the Advisor who made the determination. The student may request a support person join them. They may also request that the Conflict Resolution Advisor facilitate the reconsideration meeting.
- 7.2 Should the student be unsatisfied with the outcome of reconsideration, the student can appeal the Advisor's determination (See sections 11.1, 11.2 and 11.3).

8. IMPLEMENTING APPROVED ACADEMIC ACCOMMODATION

- 8.1 Notification of Accommodation letters, current to the semester, are used to identify and communicate a student's approved academic accommodation. Instructors or academic units are responsible for implementing the approved accommodation. Accessibility Services is responsible for providing support, available resources, and guidance to instructors and units implementing an approved academic accommodation.
- 8.2 Students are expected to discuss their approved academic accommodation with their instructors when the accommodation involves the academic environment and teaching or learning resources (e.g., extended time on tests, recording lectures, extensions). The Advisor can be involved when

the student and instructor need assistance to support implementation of an approved academic accommodation.

9. REQUEST FOR ASSISTANCE WITH IMPLEMENTATION

- 9.1 Where a student with approved academic accommodation believes that their academic accommodation is not being properly or adequately implemented, the student should raise the concern immediately with the relevant instructor. The student may also seek support from the relevant Chair or Coordinator. If the concern remains unresolved, the student should contact Accessibility Services and their Advisor as soon as possible to discuss their concerns and to attempt to resolve the matter. The Advisor, together with the instructor, as appropriate, will meet with the student as soon as is reasonably possible to review and attempt to resolve the student's concerns. If the Advisor, and instructor, as applicable, and the student, are unable to come to an acceptable resolution, the student may submit an appeal to the Associate Vice-President, Academic. (See section 11).
- 9.2 An instructor who has been notified of an approved academic accommodation for a student in their course or program has a duty to implement the accommodation. If the instructor believes that the academic accommodation determined by Accessibility Services will result in an essential requirement of their course or program being significantly altered, or where they have a concern about undue hardship, the instructor must contact Accessibility Services as soon as possible to discuss their concerns and must work cooperatively with Accessibility Services to attempt to resolve the matter.
- 9.3 If the instructor and Accessibility Services cannot reach resolution, either of them may refer the matter to the Associate Vice-President, Academic for final determination. The Associate Vice-President, Academic will promptly consider the matter, in consultation with Accessibility Services, the instructor, and the relevant Dean, as appropriate and will make a final decision which will be issued in writing, with reasons.

10. MODIFYING ACADEMIC ACCOMMODATION

- 10.1 A student's approved academic accommodation may be revisited with their Advisor and modified when the accommodation is not meeting the need of the student, or when the student's underlying condition or functional ability has changed, or as the academic environment changes. A modification of the student's academic accommodation may be initiated by the student or by Accessibility Services.

11. WAIVING ACADEMIC ACCOMMODATION

- 11.1 A student has the right to refuse (waive) an approved academic accommodation, in total or on a situational basis (for example, varying the academic accommodation with improvement/exacerbation of the student's underlying condition). The refusal should be made in writing by the student and submitted to the instructor and to Accessibility Services.
- 11.2 If a student has waived an approved academic accommodation, the University no longer has a duty to accommodate in the specific instance. The student may not then later claim they were not accommodated, nor may that student seek retroactive academic accommodation.

- 11.3 With reasonable notice to Accessibility Services, a student may re-start accessing academic accommodation at any point.

12. APPEALS

Student Appeal to the Associate Vice President, Student Success

- 12.1 A student may appeal the Accessibility Services Advisor's determination about approved academic accommodation to the Associate Vice President, Student Success after first having completed a reconsideration request with the Advisor (see section 6). The appeal must be made in writing, in an email specifying what the student's requested academic accommodation is, what accommodation has been refused, or what accommodation the student disagrees with and including all the student's supporting documentation.
- 12.2 The Associate Vice-President, Student Success will promptly seek an opinion from an Accessibility Services Advisor not involved in the original assessment who will review the relevant documentation and render an opinion ("Advisor's opinion").
- 12.3 The Associate Vice President, Student Success may consider convening a facilitated dialogue involving all appropriate parties, with or without the aid of an impartial, third-party, such as the Conflict Resolution Advisor.
- 12.4 In the alternative, or if the dialogue is not successful, the Associate Vice-President, Student Success will consider the student's request for appeal, the original Advisor's determination of approved accommodation, the second Advisor's opinion and will make a final decision. This decision, with reasons, will be communicated in writing to the student, through the student's official email.

Student Appeal to the Associate Vice-President, Academic

- 12.5 A student may appeal an instructor's implementation of accommodations under section 8 of these procedures to the Associate Vice-President, Academic. The appeal must be made in writing, in an email specifying why they believe that the instructor's implementation was insufficient and including all the student's supporting documentation.
- 12.6 The Associate Vice President, Academic may consider convening a facilitated dialogue involving all appropriate parties, with or without the aid of an impartial, third-party, such as the Conflict Resolution Advisor.
- 12.7 In the alternative, or if the dialogue is not successful, the Associate Vice-President, Academic will promptly consider the student's request for appeal, in consultation with Accessibility Services, the relevant instructor and Dean, as appropriate, and will make a final decision. This decision, with reasons, will be communicated in writing to the student, through the student's official email.
- 12.8 If a student feels that in the process of either appeal an error has occurred, a policy was applied incorrectly, the decision makers exceeded their legitimate jurisdiction, or important information was ignored, students are able to make a formal appeal via the Student Appeals Policy (B.109).

13. FINAL GRADE APPEAL

Student appeals of final grades are governed by Policy S2018-01 Final Grade Appeals. A student who wishes to appeal a final grade must follow Policy S2018-01 and its accompanying procedures.

14. CONFIDENTIALITY

14.1 All files and information related to a student's registration with Accessibility Services are strictly confidential. Capilano University will adhere to B.700 Privacy and Access to Information Policy and the B.C. *Freedom of Information and Protection of Privacy Act* requirements in the handling and legal disclosure of a student's personal information.

14.2 Only the minimum information needed to implement an approved academic accommodation is shared with instructors or staff in accordance with the Accessibility Services Informed Consent form for the purposes of arranging academic accommodation. If the student chooses to restrict consent to certain individuals or departments, or otherwise constrain or limit the typical exchange of information needed to arrange academic accommodation, they will be informed of the potential impact such limitations may have on the University's ability to effectively consider a student's request for academic accommodation, up to and including the inability to implement an academic accommodation.

14.3 Detailed documentation, or information contained in supporting documentation, including diagnosis, prognosis, medical history, or other information used to inform the academic accommodation process will not be shared with instructors or third parties without the student's explicit consent unless there is imminent risk of serious bodily harm to self or others. Requests for sensitive personal information from instructors or staff are atypical and normally denied by Accessibility Services and any exception requires justification on the part of the instructor or staff member. The student may refuse to consent to such disclosure without penalty, hardship, or academic consequence.

15. DESIGNATED OFFICER

15.1 The Associate Vice President of Student Success is responsible for the development, subsequent revisions to and operationalization of this procedure under the oversight of the Vice President, Academic and Provost.