

 <b>CAPILANO UNIVERSITY</b>		POLICY	
Policy No.	Officer Responsible		
<b>S1999-09</b>	<b>Vice-President Academic and Provost</b>		
Policy Name			
<b>Academic Accommodation for Students with Disabilities Policy</b>			
Approved by	Replaces	Category	Next Review
Senate		<b>Academic</b>	<b>December 2028</b>
Date Issued	Date Revised	Related Policies	
<b>November 1999</b>	<b>December 5, 2023</b>	<b>B.109 Student Appeals Policy</b> <b>B.511 Discrimination, Bullying and Harassment Policy</b> <b>B.512 Human Rights, Diversity, Inclusion, and Equity</b> <b>B.700 Privacy and Access to Information Policy</b> <b>E.702 Students Statement of Rights and Responsibility</b> <b>S2003-01 Academic Freedom</b> <b>S2018-01 Final Grade Appeal</b>	

## 1 BACKGROUND AND PURPOSE

- 1.1 Capilano University (the “University”) is committed to providing an accessible and inclusive academic environment for Students with Disabilities in a manner that is consistent with its educational mandate, academic principles, and its obligations under British Columbia’s Human Rights Code.
- 1.2 This policy governs academic accommodation for Students with Disabilities. The University provides reasonable academic accommodation to Students with Disabilities to eliminate, reduce, or mitigate the physical, attitudinal, technological, systemic, communication, or other barrier(s) faced by that student. Academic accommodation facilitates the student’s opportunity to meet the essential requirements of a course or program. It does not give the student an advantage or guarantee the student’s academic success, nor does academic accommodation alter the essential requirements of a course or program.
- 1.3 This policy articulates the responsibilities of Students with Disabilities who seek academic accommodation. The policy also articulates the shared responsibility of the University’s administrators, instructors, staff, and service providers, guided by Accessibility Services, to collaborate and cooperate to facilitate fair and equitable access to the University’s courses and programs by Students with Disabilities.

## 2. DEFINITIONS

For the purposes of this policy and associated procedures, the following definitions apply:

**“Accessible”** refers to the degree to which the University’s academic environment and its components (e.g., courses, programs) are available to be used and benefitted from by all intended audiences.

**“Academic Accommodation”** or **“Accommodation”** refers to an alteration in the academic environment or an adaptation of teaching or evaluation methods to eliminate, reduce or mitigate an access or participation barrier for Students with Disabilities. Academic accommodation may include, for example, priority registration, extended testing time, alternative exam format, sign language interpreting, permission to record, alternative format materials, or assistive technology. Academic accommodation does not include a change in the method of course delivery.

**“Appropriate qualified professional”** means a medical doctor, registered psychologist, or other professional who is considered certified and/or licensed to practice their profession and has specific training, expertise, and experience in the diagnosis of the disability for which the academic accommodation is being requested.

**“Barriers”** that may limit or prevent Students with Disabilities from accessing or participating in the University’s courses and programs in an equitable way include physical, attitudinal, technological, systemic, and communications-based barriers.

**“Duty to accommodate”** refers to the University’s legal obligation to respect the right of Students with Disabilities to seek academic accommodation, to assess the student’s request for academic accommodation in a fair manner that respects the dignity of the student, and to provide reasonable academic accommodation to the student, where circumstances warrant, to the point of undue hardship.

**“Essential requirement”** refers to the bona fide learning requirements or competency components of a course or program that must be acquired and demonstrated by a student and which cannot be altered without compromising the fundamental nature, or the academic standards, or the integrity, of the course or program.

**“Functional impact”** refers to limitations resulting from a disability as determined by an appropriate qualified professional; the professional’s assessment is provided to Accessibility Services to establish reasonable academic accommodation for the Student with a Disability.

**“Interim Academic Accommodation”** is discretionary academic accommodation determined by Accessibility Services, made for a time-limited basis when the student’s disability is temporary or documentation is outdated or incomplete or the results are inconclusive (e.g., a student is in the process of being assessed) or there are other circumstances that may warrant consideration (e.g., a student’s academic accommodation history).

**“Notification of Accommodation letter”** is an official document issued by Accessibility Services that informs course instructors of a student’s approved academic accommodation while maintaining confidentiality about the diagnosis and nature of a student’s disability.

**“Reasonable academic accommodation”** means academic accommodation determined by Accessibility Services that:

- a) does not significantly alter the essential requirements of a course or program;
- b) does not have a significant adverse impact on learning opportunities for other students;
- c) does not impose a threat to personal or public safety; and
- d) does not result in undue hardship to the University, including undue hardship to a particular program or service, the instructor, or other students.

**“Student”** means a person who is presently enrolled at a university in a credit course or who is designated by resolution of the Senate.

**“Student with a Disability”** (collectively **“Students with Disabilities”**) means a person who:

- a) has a diagnosable, significant, and persistent mobility, sensory, learning, or other physical or mental health impairment;
- b) experiences functional restrictions or limitations of their ability to perform the range of
- c) life’s activities; and
- d) may experience physical, attitudinal, technological, systemic, communication-based, or other barriers that limit their access to or participation in the University’s courses and programs.

**“Support Person”** is someone chosen by a student to accompany them during any processes outlined in this policy and its corresponding procedures. The support person cannot speak on behalf of a student. A support person could, for example, include a family member, friend, elder, or trusted university employee.

**“Temporary disability”** is usually relatively new and of short duration, with recovery anticipated within a predetermined amount of time because the student’s functional limitations are finite. The student’s functional limitations are usually the result of an incident, injury, or circumstance that creates a temporary barrier, but are not otherwise considered a disability. The academic accommodation is limited to the time that the student’s functional limitations are expected to be experienced. A temporary disability may also be one where full recovery is unknown or guarded, making reevaluation necessary. Examples of this include return to studies after surgery or injury (e.g., concussion), the experience of a traumatic event (e.g., an assault), vicarious trauma (e.g., witnessing an accident), and highly distressing experience (e.g., death by suicide of a close friend).

**“Temporary health issue”** means temporary health impairments or injuries that are likely to be resolved within an academic term such as the common cold, flu, virus, allergy, or physical injury where a full recovery is anticipated, and the duration is short.

**“Undue hardship”** is a legal test developed by Canadian tribunals and courts that places a limit on the academic accommodation which the University has an obligation to provide. What constitutes undue hardship will vary according to the unique circumstances of each situation.

### **3. SCOPE**

- 3.1 This policy applies to students with disabilities, the University's instructors, and other employees who have shared responsibility to provide Academic Accommodation to students with disabilities.
- 3.2 This policy does not apply to students who experience a temporary health issue, such as a brief illness, injury, or surgery. Students experiencing a temporary health issue will follow their program area policies, guides, and procedures pertaining to missed classes, tests, or assignments.

### **4. RESPONSIBILITIES OF THE UNIVERSITY**

- 4.1 The University will create an accessible, inclusive, and equitable environment by preventing, removing, or mitigating barriers such that Students with Disabilities:
  - a) are given access to the University as immediately and unobtrusively at the point of institutional contact as those without a disability;
  - b) have a corresponding level of self-determination as those without a disability;
  - c) are afforded access to the University's courses and programs indistinguishable from those without a disability;
  - d) have available clearly delineated Accessibility Services process and procedure information on the University's website;
  - e) participate in an academic environment where instructors and other University employees have access to disability legislation and support anti-discrimination practices;
  - f) receive reasonable academic accommodation, where circumstances warrant, to facilitate the
  - g) student's opportunity to meet the essential requirements of a course or program.
- 4.2 Accessibility Services is responsible for determining academic accommodation for Students with Disabilities.
- 4.3 Instructors and other University employees are responsible for implementing academic accommodation for Students with Disabilities and assisting Accessibility Services in delivering its mandate.
- 4.4 The University will handle personal information of students in accordance with the requirements of the B.C. Freedom of Information and Protection of Privacy Act and Capilano University Policy B.700, Privacy and Access to Information.

### **5. RESPONSIBILITIES OF STUDENTS WITH DISABILITIES**

- 5.1 Accessibility Services coordinates and determines academic accommodation for all Students with Disabilities at the University. Admission to the University does not guarantee that all requested academic accommodation for a disability will be granted.

5.2 Students with Disabilities have a responsibility to:

- a) contact Accessibility Services in a timely manner to arrange for academic accommodation planning;
- b) provide current verifying documentation of a disability from an appropriate professional that includes sufficient information for Accessibility Services to understand the nature of the student's disability, its permanence, its functional impact, and that it is connected to a barrier in the education setting for which academic accommodation will provide access;
- c) comply with instructions and procedures for developing and using academic accommodation;
- d) allow University employees, most often their instructor(s) or the unit from whom they are seeking academic accommodation, to have a Notification of Accommodation letter at the beginning of the academic term or as the need arises;
- e) collaboratively discuss with their instructor(s) how their academic accommodation will be implemented and include others as needed; and
- f) fulfill the essential requirements of the course or program.

5.3 Students with Disabilities may self-identify to Accessibility Services without requesting academic accommodation. Any information provided by the student will be stored by Accessibility Services, should they request academic accommodation at a future time.

**6. DESIGNATED OFFICER**

The Vice President, Academic and Provost is the Policy Owner, responsible for the oversight of this Policy. The Administration of this Policy and the development, subsequent revisions to and operationalization of any associated procedures is the responsibility of the Registrar.