

Student Accommodation Policy

Overview

- Purpose** 1 The purpose of this policy is to set out the University's Duty to Accommodate Students, in its role as a service provider, under the Alberta Human Rights Act.
- Scope** 2 This policy applies to Instructors, other Employees, other Contractors and Students at The King's University in Alberta.
- Definitions** 3 In this policy
- a) "Academic Staff Member" means an individual who is engaged to work for the University and is identified as an academic staff member under Article 1 of the collective agreement between the Faculty Association of The King's University and the Governors of The King's University in effect at the relevant time.
 - b) "Accommodation" means providing support to access services, courses, courses of study or programs, making exemptions to any regulations, policies, standards or practices, or making modifications to physical environments to the extent necessary to address discrimination against a Student based on any Protected Ground.
 - c) "Act" means the Alberta Human Rights Act in force at the relevant time.
 - d) "Appointee" means an individual who is engaged to work for the University, or whose work is affiliated with the University, including adjunct faculty, clinical appointments, and visiting researchers and scholars.
 - e) "Bona Fide Educational Requirements" means the admission, progression and graduation requirements that are essential to maintain the academic integrity of a course, course of study or program, including the requirements for Students to acquire and demonstrate essential skills and knowledge related to course objectives and learning outcome and, if applicable, any professional licensing requirements.
 - f) "Business Days" means days that the University is open for business, excluding weekends and holiday closures.
 - g) "Contractor" means an individual or a corporation or other entity who agrees to furnish materials to, or perform services for, the University for consideration.
 - h) "Disability" means any degree of physical disability or mental disability as defined and interpreted pursuant to the Act, regardless of cause or duration.
 - i) "Duty to Accommodate" means the legal duty to accommodate an individual's needs based on a Protected Ground.
 - j) "Employee" means an individual, other than an Academic Staff Member or Appointee, who is engaged to work for the University under an employment contract.
 - k) "Instructor" means the Academic Staff Member, Appointee or other individual that is on record as the individual teaching a course or the Academic Staff Member serving as the supervisor or co-supervisor of a Student.
 - l) "Letter of Accommodation" means the document prepared by the University and provided to the Student that details the Reasonable Accommodation.

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- m) "Protected Grounds" means the grounds listed in Section 4 of the Act as they are defined and interpreted pursuant to the Act including:
 - i. race;
 - ii. colour;
 - iii. ancestry;
 - iv. place of origin;
 - v. religious beliefs;
 - vi. gender (including pregnancy and gender identity);
 - vii. physical disability;
 - viii. mental disability;
 - ix. marital status;
 - x. family status;
 - xi. source of income; and
 - xii. sexual orientation.
- n) "Reasonable Accommodation" means an accommodation that addresses discrimination based on a Protected Ground that does not create an Undue Hardship for the University.
- o) "SSAO" means the Student Support and Accessibility Office.
- p) "Student" means an individual who is registered in a course or course of study at the University
- q) "Undue Hardship" means the legal standard where a proposed Accommodation would create unreasonable hardship for the University.
- r) "University" means The King's University.

Policy

Policy Statement

- 4.1 The University has a Duty to Accommodate to the point of Undue Hardship in the provision of its services. The Duty to Accommodate applies to all services offered by the University including but not limited to:
 - a) all courses, courses of study and programs;
 - b) student services;
 - c) athletic services;
 - d) library and IT services;
 - e) residences;
 - f) parking; and
 - g) booking space.
- 4.2 Instructors, other Employees and other Contractors have a responsibility to support and facilitate the University in meeting its Duty to Accommodate.

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- 4.3 The University will:
- a) provide an Accommodation process that promotes equitable access to all courses, courses of study, programs and other services;
 - b) protect the privacy, confidentiality and autonomy of Students requiring Accommodation, subject to sharing information when necessary to evaluate a request for Accommodation or on a need-to-know basis; and
 - c) consider and assess all Accommodation requests on a case-by-case basis and in a timely and responsive manner.
- 4.4 If, in relation to the service provided by the University to Students, a Student experiences discrimination based upon a Protected Ground, the Student may request an Accommodation pursuant to this policy.
- 4.5 Students needing an Accommodation are entitled to a Reasonable Accommodation, not a perfect Accommodation or the particular Accommodation requested.

Requesting an Accommodation

- 4.6 Students needing an Accommodation because of a Disability should communicate this need to the SSAO in accordance with the Procedure for Accommodation for Students with Disabilities.
- 4.7 The University does not receive or request any information with respect to any need for Accommodation from a Student's previous educational assessment.
- 4.8 Students requesting Accommodation should be prepared to:
- a) identify the Protected Ground that gives rise to the need for an Accommodation;
 - b) provide details on the nature of the Accommodation requested;
 - c) provide supporting documentation, if requested;
 - d) participate and cooperate in the process of assessing and determining a Reasonable Accommodation; and
 - e) meet any Bona Fide Educational Requirements.
- 4.9 Requests for Accommodation are confidential. Student information including the request for Accommodation, supporting documents and any Letter of Accommodation are shared only when necessary to evaluate the request or on a need-to-know basis.

Evaluating a Request for Accommodation

- 4.10 Accommodation is assessed and provided on an individual, case-by-case basis.
- 4.11 Students in professional faculties may be required to meet requirements or standards for licensing in their respective professions. Students, Instructors, Deans, Department Heads and/or the designated contact person should consult any applicable professional licensing body when evaluating a request for Accommodation.
- 4.12 An Instructor, Dean, Department Head, the designated contact person or the Vice-President of Student Life who, in accordance with this policy, receives a Student's request for Accommodation will engage the Student in a discussion sufficient to provide the Instructor, Dean, Department Head, designated

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contact person or Vice-President of Student Life with enough details to assess the Accommodation request.

- 4.13 The Student and the Instructor, Dean, Department Head, designated contact person or Vice-President of Student Life will explore different Accommodation options prior to determining if a Reasonable Accommodation exists.
- 4.14 University Legal Services and other subject matter experts internal or external to the University may be consulted to evaluate the request for Accommodation.
- 4.15 A request for Accommodation may only be denied in cases of Undue Hardship. In determining whether or not there is Undue Hardship the University may consider, among other things:
 - a) financial cost to the University as a whole (not to a unit, program or department);
 - b) significant disruption of operations;
 - c) health and safety concerns;
 - d) substantial interference with the rights of other individuals or groups; and
 - e) Bona Fide Educational Requirements.
- 4.16 Determination of Undue Hardship should be made in consultation with University Legal Services. Undue Hardship is a difficult legal standard to meet and in most cases a Reasonable Accommodation will be available.
- 4.17 The Instructor, Dean, Department Head, designated contact person or Vice-President of Student Life will document the request for Accommodation and any Accommodation options that are discussed with the Student.

Letter of Accommodation

- 4.18 When a Reasonable Accommodation has been identified, the Instructor, Dean, Department Head, designated contact person or Vice-President of Student Life will prepare a Letter of Accommodation to be provided to the Student. The Instructor, Dean, Department Head, designated contact person or Vice-President of Student Life will retain a copy of the Letter of Accommodation.

Appeals

- 4.19 If the Student, Instructor, Dean, Department Head, or designated contact person has any concerns with the Letter of Accommodation, they may appeal the terms of the Letter of Accommodation to the Vice-President of Student Life or, if the Vice-President of Student Life prepared the Letter of Accommodation, to the Vice-President Academic and Research. The Vice-President of Student Life or the Vice-President Academic and Research will review the concerns and may consult with University Legal Services.
- 4.20 The Vice-President of Student Life will either confirm or modify the Letter of Accommodation within five business days of receiving the appeal. The decision of the Vice-President of Student Life or the Vice-President Academic and Research is final.

Special Situations

- 5.1 A request for Accommodation made on the basis of Disability will be managed by the SSAO in accordance with the Procedures for Accommodations for Students with Disabilities. Instructors will be

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informed of any applicable Reasonable Accommodations provided to the Student in a Letter of Accommodation prepared by the SSAO.

Responsibilities

6.1 Students will:

- a) become familiar with their rights and responsibilities under this policy;
- b) identify when they need an Accommodation and request an Accommodation from their Instructor, Dean, Department Head, designated contact person or Vice-President of Student Life or the SSAO;
- c) engage in discussions of Reasonable Accommodation options that will facilitate their access to University courses, courses of study, programs or other services;
- d) fulfill their duty to cooperate in determining a Reasonable Accommodation;
- e) comply with any Reasonable Accommodation plan requirements; and
- f) report any change in their condition or circumstances to their Instructor, Dean, Department Head, designated contact person, Vice-President of Student Life or the SSAO if the change may precipitate changes to their Reasonable Accommodation.

6.2 Instructors will:

- a) ensure that the statement relating to the University's Duty to Accommodate Students is included in all course outlines;
- b) respond to Student requests for Accommodation in accordance with this policy;
- c) work with the Student requesting an Accommodation, SSAO, the Dean, the Department Head or the designated contact person and/or the Vice-President of Student Life to facilitate Reasonable Accommodation; and
- d) comply with the terms of any Letter of Accommodation.

6.3 Deans and Department Heads will:

- a) respond to Student Requests for Accommodation in accordance with this policy;
- b) work with the Student requesting an Accommodation, the Instructor; the SSAO, and/or the Vice-President of Student Life to facilitate Reasonable Accommodation; and
- c) comply with the terms of any Letter of Accommodation.

6.4 SSAO will:

- a) respond to Student Requests for Accommodation in accordance with this policy and the Procedure for Accommodations for Students with Disabilities; and
- b) comply with the terms of any Letter of Accommodation.

6.5 If a department or faculty has designated a central contact person for the implementation of Accommodation requests, that person will:

- a) respond to Student requests for Accommodation in accordance with this policy;
- b) work with the Student requesting an Accommodation, the Instructor, the Dean, or Department Head, SSAO, designated contact person or Vice-President of Student Life to facilitate Reasonable Accommodation.

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6.6 The Vice-President of Student Life will:

- a) respond to Student requests for Accommodation in accordance with this policy;
- b) work with the Student requesting an Accommodation, SSAO, Instructors, Deans, Department Heads and/or designated contact persons to facilitate Reasonable Accommodation; and
- c) consider and decide appeals made under this policy.

6.7 The Vice-President Academic and Research will:

- a) consider and decide appeals made under this policy.

6.8 University Legal Services will:

- a) provide advice on issues of Accommodation and Undue Hardship.

Relevant Policy Dates

Approved: 11 September 2018

Effective: 11 September 2018

Review Frequency: 3 years

Accountability

Office of Accountability:

Student Life

Office of Administrative Responsibility:

Academic Administration

Approved by:

President's Council

Modification History

n/a

Authority and Sources of Info:

Appendices	7	Procedure for Accommodations for Students with Disabilities
Instructions/Forms	8	Student Request for Accommodation Form
Standards	9	Alberta Human Rights Commission Interpretive Bulletin: Duty to Accommodate Students with Disabilities in Post-Secondary Educational Institutions
Related Policies	10	Privacy Policy
Related Information	11	FAQ Student Accommodations
References	12	Alberta Human Rights Act