

# The King's University

## Procedures for Accommodation for Students with Disabilities

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### Overview

- Purpose** 1 The purpose of this procedure is to outline the University's application and review process for a request for Accommodation made by a Student with a Disability.
- Scope** 2 This procedure applies to Instructors, other Employees, other contractors and Students at The King's University in Alberta.
- Definitions** 3 In this procedure:
- 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) "Accessibility Plan" means the plan developed by the Student Support and Accessibility Office (SSAO) to meet the needs of a Student with a Disability for Accommodation, as it may be revised pursuant to this procedure. The plan may include Letters of Accommodation for each requested Accommodation as well as any documentation of additional supports and services that may be provided to the Student through the SSAO.
  - d) "Act" means the Alberta Human Rights Act in force at the relevant time.
  - e) "Appointee" means an individual who is engaged to work for the University, or whose work is affiliated with the University, through a letter of appointment, including adjunct faculty, clinical appointments, and visiting researchers and scholars.
  - f) "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 outcomes and, if applicable, any professional licensing requirements.
  - g) "Business Days" means days that the University is open for business, excluding weekends and holiday closures.
  - h) "Contractors" means an individual or a corporation or other entity who agrees to furnish materials to, or perform services for, the University for consideration.
  - i) "Disability" means any degree of physical disability or mental disability as defined and interpreted pursuant to the Act, regardless of cause or duration.
  - j) "Duty to Accommodate" means the legal duty to accommodate an individual's needs based on a Protected Ground.

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- k) "Employee" means an individual, other than an Academic Staff Member or Appointee, who is engaged to work for the University under an employment contract.
- l) "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.
- m) "Letter of Accommodation" means the document prepared by the University and provided to the Student that details the Reasonable Accommodation, as it may be revised pursuant to this procedure.
- n) "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.
- o) "Reasonable Accommodation" means an accommodation that addresses discrimination based on a Protected Ground that does not create an Undue Hardship for the University.
- p) "SSAO" means the Student Support and Accessibility Office.
- q) "Student" means an individual who is registered in a course or course of study at the University.
- r) "Undue Hardship" means the legal standard where a proposed Accommodation would create unreasonable hardship for the University.
- s) "University" means The King's University.

## Procedure

- 4.1 Students requesting an Accommodation on the basis of Disability are required to register with the SSAO by submitting a Request for Accommodation Form as set out in 4.5 and provide documentation to support their request, as set out in 4.6.

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## Timelines

- 4.2 Students should register with the SSAO as soon as possible to avoid delays in assessing and arranging Accommodations. Individuals who know that they will require an Accommodation should contact the SSAO when they receive their offer of admission to the University.
- 4.3 An Accessibility Plan may not be available for the current semester, session, course, internship placement, exam, event or activity if the Student with a Disability does not register with the SSAO and provide documentation as set out in 4.6:
- a) at least four calendar weeks in advance of the first scheduled day of classes if the Student has not previously been registered with the SSAO;
  - b) no later than ten Business Days after the start of each semester if the Student was registered with the SSAO prior to the start of the semester;
  - c) at least two calendar months in advance of the first scheduled day of classes if the Student requires sign language interpretation;
  - d) at least six calendar months in advance of the first scheduled day of classes if the Student requires structural modifications to the physical environment;
  - e) if the Student is writing final examinations with the SSAO, they must book them three weeks prior to the first day of the examination period.
- 4.4 Students with a recent diagnosis of a Disability, a change in status of a Disability, or a temporary Disability may request Accommodations outside the timelines set out in 4.3.

## Documentation

- 4.5 Students must complete the Request for Accommodation form and submit the form electronically or in-person to the SSAO prior to meeting with the Student Support and Accessibility Coordinator.
- 4.6 Students will be required to provide supporting documentation to the Student Support and Accessibility Coordinator as soon as reasonably possible. Supporting documentation will:
- a) either be in English or have attached to the original documentation an English translation of the documentation certified by a qualified translator;
  - b) confirm the rationale for seeking an Accommodation;
  - c) be from a credentialed health professional;
  - d) include the credentialed health professional's name, title, contact information, and be on official letterhead with an original signature;
  - e) include the date of assessment;
  - f) include a statement on the nature of the Disability and the care plan including any medications and the impact of not following the care plan;
  - g) explain the impact of the Disability on the Student in a post-secondary learning environment;
  - h) make recommendations for Accommodations including a rationale linking the recommended Accommodation to the Disability.
- 4.7 The Student Support and Accessibility Coordinator will assess and determine the relevancy and sufficiency of the documentation provided.

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- 4.8 The University will not assume any costs associated with documentation of a Disability for the purpose of determining Reasonable Accommodations.
- 4.9 Complying with 4.6 does not guarantee an Accommodation.

### Assessment of the Accommodation Request

- 4.10 The Student will be contacted by the SSAO within five Business Days of submitting the Request for Accommodation to arrange a meeting to review the Accommodation request, the supporting documentation and potential Accommodation options.
- 4.11 If necessary, and with the Student's written consent, the Student Support and Accessibility Coordinator may seek further information from or consult with subject matter experts, either internal or external to the University.
- 4.12 When the Student Support and Accessibility Coordinator is satisfied that the documentation and the discussions with the Student support an Accommodation, the SSAO will prepare an Accessibility Plan which will be outlined on a Letter of Accommodation.

### Letter of Accommodation

- 4.13 If a faculty or department has designated a central contact person pursuant to 4.8 of the Student Accommodation Policy, the Student must present the designated contact person with the Letter of Accommodation no later than ten Business Days after the Letter of Accommodation has been issued by the SSAO. The designated contact person will then provide a copy of the Letter of Accommodation to the appropriate Instructors.
- 4.14 If a faculty or department has not designated a central contact person pursuant to 4.8 of the Student Accommodation Policy, the Student must present each of their Instructors who are affected by a Letter of Accommodation no later than ten Business Days after the Letter of Accommodation has been issued by the SSAO. Students should arrange to present each Instructor with the Letter of Accommodation during the Instructor's office hours.
- 4.15 The Instructor or the designated contact person, upon review of the Letter of Accommodation may contact the Student Support and Accessibility Coordinator to discuss any concerns raised by the Letter of Accommodation.

### Appeal by Instructor

- 4.16 When the Instructor or the designated contact person has concerns that the Accommodation restricts the Student's ability to meet Bona Fide Educational Requirements, the Instructor or the designated contact person will identify and provide the essential skills, knowledge, course objectives, learning outcomes and, if applicable, professional licensing requirements that may not be met to the Student Support and Accessibility Coordinator within ten Business Days of receiving the Letter of Accommodation.
- 4.17 When the Student Support and Accessibility Coordinator and the Instructor or the designated contact person cannot resolve the concerns relating to the Letter of Accommodation, a meeting

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will be arranged as soon as practical which will include the appropriate Dean or Department Head, the Instructor, or the designated contact person, and the Student Support and Accessibility Coordinator or the Vice-President of Student Life.

- 4.18 If after complying with 4.16 and 4.17, the Instructor or the designated contact person believes that the Letter of Accommodation may represent an Undue Hardship, the Instructor or designated contact person may appeal the terms of the Letter of Accommodation by sending a letter to the Vice-President of Student Life stating the rationale and evidence supporting their claim of Undue Hardship no later than five Business Days after the meeting referred to in 4.17.
- 4.19 The Vice-President of Student or delegate may consult with the appropriate Dean or Department Head, Vice-President Academic, University Legal Services, the Student and representatives from the SSAO when evaluating the Letter of Accommodation and the appeal from the Instructor or the designated contact person.
- 4.20 The Vice-President of Student Life or delegate will communicate their decision in writing to the Student and the Instructor or the designated contact person no later than five Business Days after receiving the appeal and the decision will be considered final. If applicable, the Student Support and Accessibility Coordinator will revise the Letter of Accommodation to reflect the appeal decision.

## Appeal by Student

- 4.21 A Student who has concerns about the Reasonable Accommodation in their Accessibility Plan should first discuss their concerns with the Student Support and Accessibility Coordinator.
- 4.22 If following the discussion referred to in 4.21, the Student disagrees with their Accessibility Plan, the Student may appeal the terms of the Accessibility Plan by notifying, preferably in writing, the Vice-President of Student Life of their concerns no later than five Business Days after the discussion referred to in 4.21.
- 4.23 The Vice-President of Student Life or delegate may consult with the appropriate Dean or Department Head, Legal Services, the Instructor or designated contact person and representatives from the SSAO when evaluating the Accessibility Plan and the appeal from the Student.
- 4.24 The Vice-President of Student Life or delegate will communicate their decision regarding the Accessibility Plan and the Student's appeal in writing to the Student and the Student Support and Accessibility Coordinator no later than five Business Days after receiving the appeal and the decision will be considered final. If applicable, the Student Support and Accessibility Coordinator will revise the Accessibility Plan, including any Letters of Accommodation, to reflect the appeal decision.

## Accountability

Office of Accountability:	Academic Administration
Office of Administrative Responsibility:	Academic Administration
Approved by:	President's Council

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## Modification History

Revised Procedure – September 11, 2018 (President's Council for information sharing purposes)

## Authority and Sources of Info:

**Parent Policy**            5            Student Accommodation Policy

**Instructions/Forms**    6            [Student FAQ](#)