

Policy and Procedures Manual

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ACCOMMODATIONS AND ACCESSIBLE LEARNING SERVICES FOR STUDENTS WITH DISABILITIES

POLICY STATEMENT

North Island College (NIC) celebrates diversity within its community and promotes an open, respectful, barrier-free and supportive learning environment for students with disabilities. NIC recognizes its commitments under the *BC Human Rights Code* and the *Canadian Charter of Rights and Freedoms* and is committed to providing all students with equitable access to full participation in opportunities for learning and success through the administration and provision of reasonable accommodations and accessible learning services. These services shall be provided in a manner supportive of and consistent with our educational mandate, academic principles and legal obligations.

PURPOSE STATEMENT

The purpose of this policy is to describe the principles, definitions, responsibilities and processes pertaining to the administration and provision of reasonable accommodations and accessible learning services.

SCOPE

This policy applies to students and prospective students with disabilities, and pertains to accommodations related to students' educational pursuits at NIC.

PRINCIPLE

In accordance with NIC's policies and procedures, the Canadian Charter of Rights and Freedoms, the BC Human Rights Code and other relevant legislation, NIC and its Department of Accessible Learning Services (DALs) shall provide reasonable accommodations to the point of undue hardship. NIC respects the privacy and confidentiality of each student's disability-related information in accordance with NIC's Freedom of Information and Protection of Privacy Policy #1-01.

DEFINITIONS

Accommodation

Accommodation refers to any modification that reduces or eliminates barriers to participation arising when students with disabilities interact with NIC's facilities or its teaching, learning and assessment methods and materials.

Accessible

Accessible addresses the degree to which NIC's services and physical environments are useable with or without accommodations.

Attitudinal barriers

Behaviours, perceptions, and assumptions that discriminate against persons with disabilities. These barriers often emerge from a lack of understanding, which can lead people to ignore, to judge, or have misconceptions about a person with a disability. Examples of attitudinal barriers include assuming a person with a disability is incapable; assuming that someone with a speech impairment cannot understand you; and / or making a person feel as though you are doing them a "special favour" by providing their accommodations.

College Community

Employees and students of NIC, including contractors and others, who have committed to an agreement with the college to provide services or become learners.

Disability

Person(s) with a "Disability" or "Disabilities" means persons who:

- a) have a functional limitation caused by a physical, mental, intellectual, cognitive, learning, communication, or sensory impairment;
- b) have a documented restriction or limitation which impacts the activities necessary for them to participate in studies at NIC; or
- c) may experience attitudinal and/or environmental barriers that hamper their full and self-directed participation in studies at NIC.

Documentation

Documentation refers to the written description of the disability and information about its impact. The documentation must be from a relevant, qualified health or educational professional and accepted by NIC. Depending on the nature of the disability and the accommodations requested, further documentation may be required.

Environmental barriers

Elements of buildings or outdoor spaces that create barriers to persons with disabilities. Examples of environmental barriers include sidewalks and doorways that are too narrow for a wheelchair, scooter, or walker; desks that are too high for a person who is using a wheelchair, or other mobility device; poor lighting that makes it difficult to see for a person with low vision or a person who lip-reads, etc.

Learning Outcomes and/or Program Requirements

Outcomes and requirements include, but are not limited to, the acquisition and demonstration of essential knowledge, skills and values that are normally required to pass and complete a course and/or program, licensing process or field practicum. Learning outcomes are listed in the Authorized Course Description (ACD).

Good Standing

All students are deemed to be in good standing unless their student account is in financial arrears and/or there is a current discipline related violation filed with the office of the registrar.

Reasonable Accommodation(s)

Reasonable accommodation refers to the ability of NIC to alter the teaching and learning environment to the point of undue hardship. In all cases, reasonable accommodations:

- a) are based on documented individual disability needs,
- b) do not compromise learning outcomes of a course and/ or program, and
- c) do not pose a safety risk to the College community.

Student

A person the Registrar recognizes as applying to or being enrolled and in good standing in a course or program of studies at NIC.

Undue Hardship

Undue hardship is the test of reasonable accommodation. What constitutes undue hardship will vary according to the unique circumstances of each situation. Undue hardship is likely to exist when an accommodation could reasonably be expected to result in:

- a) a substantial risk to the student or others, or
- b) financial or logistical challenges that would seriously compromise or undermine the viability of a course, program or activity.

Universal Design of Learning

The process of creating learning environments and experiences that are accessible to all people with a wide range of abilities, disabilities and other characteristics.

GUIDELINES

The provision of reasonable accommodations to students with disabilities requires cooperation and collaboration among all parties involved including students, administrators, faculty and staff.

Students seeking accommodations have a responsibility to:

1. meet the admission requirements for their courses and/or programs;
2. demonstrate the essential learning outcomes required for passing a course or program;
3. contact DALs about any requested accommodation in a timely manner;
4. provide acceptable and current documentation and information to DALs (the cost of obtaining documentation is the student's responsibility);
5. comply with instructions and procedures for developing and implementing the accommodation plan;
6. provide consent for the release of information for the provision of accommodations; and
7. notify DALs of any changes to their accommodation requirements.

NIC has a responsibility to:

1. make its facilities, courses and programs accessible to students consistent with principles of Universal Design of Learning;
2. provide advice and guidance about the accommodation process;
3. provide information regarding the accommodation process on the institution's academic calendar and website;
4. ensure that administrators, faculty and staff are provided relevant information about NIC's accommodation policies and procedures;
5. provide accommodations on an individual basis as determined by DALs;
6. provide a review and resolution process to individuals who dispute that reasonable accommodations are being provided (see Appendix A);
7. respect the privacy and confidentiality of each student's disability-related information in accordance with NIC's Freedom of Information and Protection of Privacy Policy #1-01.

Resources:

BCIT Policy No: 4501 Accommodations for Students with Disabilities (Draft) Feb. 2021

UBC Policy No: LR7 Accommodation for Students with Disabilities

<https://www.washington.edu/doit/what-universal-design-0>

<https://projects.ncsu.edu/ncsu/design/cud/index.htm>

<https://udlguidelines.cast.org/>

Legislative References:

BC College and Institute Act

Canadian Charter of Rights and Freedoms

BC Human Rights Code

Cross References:

NIC Policy #1-01 Freedom of Information and Protection of Privacy

NIC Policy #2-08 Human Rights

NIC Policy #3-31 Student Complaint Resolution

NIC Policy #3-30 Student Appeals

NIC Policy #3-33 Evaluation of Student Performance

APPENDIX A

Procedures

The following procedures outline the process for determining and administering the provision of accommodations and accessible learning services.

1. Admission

The College encourages applications from individuals with disabilities. Applicants requiring assistance at the admissions stage are encouraged to contact the DALs as soon as possible.

2. Documentation* of Disabilities

- i. Students who would like to utilize accessible support services, referrals for external funding and/or accommodations are required to provide documentation to DALs.
- ii. Students who wish to access services or funding from an external agency should contact DALs to clarify eligibility requirements. DALs is available for consultation with students regarding individual documentation questions.
- iii. Documentation must be from a relevant, qualified health or educational professional. Depending on the nature of the disability and the accommodations requested, further documentation may be required.

Appropriate documentation should include:

- Date of report
- Diagnostic statement identifying the disability
- Description of disability-related restrictions and impact of limitations in an educational setting
- Signature and credentials of diagnosing professional

*NIC does not cover the cost of documentation.

3. Determining Accommodations

- i. DALs will review the documentation provided by the student.
- ii. In consultation with the student, DALs will determine the accommodations that would be appropriate in the course/program based on the functional impact of the disability in that setting. The essential learning outcomes for the course and program requirements will always be considered when determining the accommodations.
- iii. The student and DALs will develop a confidential accommodation letter based on the documentation.
- iv. DALs will forward the accommodation letter to relevant instructional faculty.

4. Review of Reasonable Accommodations (Resolution Process)

Every effort is made to reach agreement regarding accommodations. If there is a lack of agreement with the accommodation plan and its implementation, a review may be requested.

- i. This request can be initiated by the student or an instructor by approaching DALs to discuss the request.
- ii. If discussion does not resolve the concern, an Accommodation Review Form needs to be completed by the concerned party. Once the DALs faculty have signed the form, they will forward it to the Vice President, Students & Community Engagement and relevant parties. The review request process will normally include:
 - the accommodation requested,
 - the party's concerns regarding the accommodation,
 - rationale to support the alteration or addition of an accommodation,
 - course learning outcomes or program requirements, and
 - details about issues or difficulties surrounding the implementation of the accommodation (if relevant).
- iii. After consultation, the Vice President, Students & Community Engagement, will make a recommendation to the relevant parties. The outcome will be shared, in writing, with the parties involved. The Vice President, Students & Community Engagement will liaise with the appropriate dean or director. It may be necessary to consider undue hardship when resolving conflicts regarding accommodations.
- iv. The student may also have recourse to processes outside NIC, such as filing a complaint with the BC Human Rights Tribunal.

5. Accommodated Exams and Assessments

- i. Accommodations for placement assessments, informal class tests or formal examinations such as mid-terms, finals, in-class writing assignments or lab exams will be determined and implemented through DALs.
- ii. Examination accommodations are based on individual requirements as per the disability documentation.
 - When approved for exam accommodations, students complete and submit a Request for Test Accommodation form to DALs.
 - All students requiring exam accommodations are required to advise DALs as early as possible but not less than seven days prior to the testing date.
 - DALs will liaise with the instructor to request the exam or test or to communicate regarding the accommodations and/or alternate arrangements.
 - DALs will schedule and supervise the testing and return completed tests or exams to the instructor.

6. Adaptive Technology and Equipment

Adaptive technology may be required as part of a student's accommodation needs.

- Students are encouraged to contact DALS at least four months before classes begin to determine technology needs.
- DALS will advise students on procedures and eligibility requirements if they require equipment for school use.
- Most adaptive hardware/software is obtained through the Ministry of Advanced Education and/or other funders.
- Students should contact DALS for information about adaptive technology on campus.



Accommodation Review Form

Date:

Initiated By:

Instructor Name: _____ **Course/s:** _____

Student Name: _____ **Student ID:** _____

DALS Faculty representative: _____

What is the Accommodation(s) being requested?

What are the challenges in implementing the requested Accommodation(s)?

Other Relevant Information:

DALS faculty have reviewed the documentation provided and deemed the requested accommodation to be reasonable?

YES NO

Initiator's signature: _____

DALS faculty signature: _____

Resolution:

VP Academic (or designate) Signature:

Date: _____