1. POLICY PURPOSE

In accordance with the Canadian Charter of Rights and Freedoms, the B.C. Human Rights Code, and the University of Victoria Policy on Human Rights, Equity and Fairness, the University of Victoria (the “University”) will promote and protect the rights and dignity of students with disabilities and will create a safe, respectful and supportive environment for all members of the university community. This policy aims to make the University as accessible as possible so that students with disabilities can participate in the activities of the University as equal members of the university community.

2. POLICY STATEMENT

The University endeavours to provide the best educational experience for all its students. The academic excellence for which the University strives is unattainable without a commitment to human rights, equity, fairness and diversity. The provision of reasonable academic accommodation allows students with disabilities to meet and demonstrate the University’s high standards in a fair and equitable manner.

This policy is guided by the following principles:

2.1 The University celebrates diversity within its community and welcomes the contributions, experiences and full participation of persons with disabilities as valued members of the university community;

2.2 All members of the university community share the responsibility to promote equality, remove barriers, and create a respectful and inclusive learning environment. Persons with disabilities will be involved in the development of policies and programs and in decisions that directly affect them;

2.3 The University will take steps to dispel stereotypes and prejudices about persons with disabilities and promote an understanding of persons with disabilities as equal members of the University community;

2.4 An inclusive learning environment may require the provision of suitable individual academic accommodation for persons with disabilities and the University has a legal duty to accommodate students’ needs to the point of undue hardship (see Appendix 1, Definitions);
2.5 If a suitable academic accommodation cannot be agreed upon, the University recognizes the right of students to appeal the academic accommodation decision as described in Sections 4.2 and 4.3 below.

3. RESPONSIBILITIES

Appropriate academic accommodation entails shared responsibilities and communication among university staff, faculty, and students.

3.1 The University will provide appropriate mechanisms to implement the provisions of this policy in a reasonably timely and effective manner.

Specifically, the University will:

(a) Through the Office of the Vice-President Academic and Provost, appoint and maintain an Advisory Committee on Academic Accommodation and Access for Students with Disabilities that will address issues relevant to the implementation and improvement of this policy. This committee will provide a report of its activities to Senate on an annual basis;

(b) Support the operations of the Resource Centre for Students with a Disability (RCSD) to fulfill its mandate to:

   (i) inform and assist faculty and staff in providing suitable student academic accommodation and understanding disability issues;

   (ii) offer advice, guidance and support for students requiring academic accommodation; on the basis of supporting documentation, make recommendations and decisions regarding academic accommodation in a timely manner;

(c) Give persons with disabilities equal consideration for admission to any program offered by the University for which they are academically qualified;

(d) Make its courses or programs accessible to qualified students with disabilities up to the point of undue hardship and within those limits, modify course or program components to meet the needs of students;

(e) Handle personal information concerning students with a disability in accordance with the requirements of the Freedom of Information and Protection of Privacy Act;

(f) Inform and educate its students, staff, instructors, faculty members and administrators about the provisions of this policy and the means for appropriately implementing them.
3.2 Students with disabilities seeking academic accommodation are expected to contact the RCSD to initiate the process of determining and arranging the appropriate academic accommodation in individual situations.

Specifically, students with disabilities will:

(a) Identify their individual needs and provide appropriate documentation of their disabilities with sufficient notice given to enable the University to make the necessary academic accommodations;

(b) Engage in discussions and explorations of appropriate academic accommodation options that will facilitate their access to university academic programs or services;

(c) Where appropriate, take reasonable measures to address their particular needs and personal requirements relating to the need for academic accommodation;

(d) Fulfill their part in implementing the provisions of the academic accommodation.

4. REACHING ACADEMIC ACCOMMODATION

Ongoing communication and a collaborative working relationship between all parties involved in the accommodation process are essential to meet the students’ needs for academic accommodation.

4.1 The RCSD has the responsibility to coordinate the process of reviewing requests for academic accommodation, make decisions about provisions for academic accommodation, and communicate relevant information to the student and, as appropriate, to faculty and staff of the university.

4.2 When a student, instructor or Department Chair is dissatisfied or disagrees with the academic accommodation, the RCSD Coordinator will review the concerns. Other experts including advocates who may be helpful in resolving the situation may also be consulted as a part of an informal review and mediation process.

4.3 If the matter is not resolved through an informal process, the student, instructor or Department Chair may request a formal review by the Associate Vice-President Academic and Student Affairs. This office will conduct a timely review, involving individuals who are knowledgeable about accessibility, academic accommodation, human rights issues, and the particular issues being adjudicated. The Associate Vice-President Academic and Student Affairs will make final recommendations for appropriate action.

4.4 The student may appeal to the Senate Committee on Appeals if the student has grounds to believe that the decision did not meet the appropriate standards of procedural fairness.
APPENDIX 1 – DEFINITIONS

The following definitions are provided as a guideline to clarify the meaning and intent of the Policy on Academic Accommodation and Access for Students with Disabilities.

Student

A student is a person who is registered in at least one course in on- or off-campus programs at the University of Victoria. Prospective students, persons recently enrolled at UVic, or persons intending to continue from a previous session as a continuing student will also receive consideration under this policy.

Disability

Disability has traditionally been defined as a physical or mental impairment that substantially limits one or more major life activities. The social model of disability locates impairment not within the individual but within the physical, social and attitudinal barriers that exist in society.

For the purposes of this policy, a student with a disability is a person who has a long-term or recurring physical, mental, sensory, psychiatric or learning impairment.

Accessibility

Accessibility refers to the degree to which university environments, facilities, procedures and teaching and learning materials are usable by all people, with or without adaptation or special design. Many barriers to full participation reside in the environment (physical, curricular, attitudinal, informational, etc.).

Essential Requirement

Essential requirements are those activities which are considered essential to the course of instruction or program of studies or which are directly related to licensing or field-based employment requirements.

Academic Accommodation

Academic Accommodation is rooted in the legal concept of “reasonable accommodation” which refers to reasonable efforts to modify requirements so that people with disabilities are able to participate in a process or perform an essential function. When university environments, facilities, procedures, teaching and learning materials and methods of assessment are not designed in a manner that is accessible to all students, academic accommodations may be needed.

An academic accommodation is an individualized modification of environments, materials or requirements which provides the student with an alternative means of meeting essential course or program requirements.
Academic accommodations are individualized for a particular student and may include (but are not limited to):

(a) adaptation, substitution or deletion of a component of a program, course, assignment or method of assessment;

(b) provision of a service.

Undue Hardship

Undue hardship is the test of reasonable accommodation. What constitutes undue hardship will vary according to the unique circumstances of each situation. The following would likely constitute undue hardship:

(a) when accommodation alternatives would result in an essential course or program requirement being unmet; or

(b) when the accommodation would result in a risk to public safety or a substantial risk of personal injury to a student; or

(c) when financial cost is such that the operations of the university would be fundamentally diminished, or a program or service would cease to exist due to the financial burden of the accommodation.

Revised June 97
Reviewed October 1999
Revised June 2000
Revised May 2001
Revised January 2006