



## SENATE POLICY

### **Policy on Academic Accommodation for Students with Disabilities**

(Board of Governors approved: November 23, 2004 formerly Special Needs Policy)

(Approved by Senate: October 13, 2004)

(Amended by Senate: March 13, 2015, November 11, 2016)

Amended Due To Administrative/Organizational Changes: July 17, 2017

### **STATEMENT OF INTENT**

The University of Windsor is committed to ensuring that reasonable and appropriate academic accommodations are provided to students with documented disabilities. Disabilities are defined as those conditions designated by the [Ontario Human Rights Code](#).

The university will promote and affirm its commitment to students with disabilities by maintaining current policies and operationalizing those policies in an equitable and fair manner. It is understood that all members of faculty, instructional staff and administrative staff share the responsibilities outlined in the Ontario Human Rights Code for the provision of accommodations to students with disabilities.

This policy is one of the ways that the University of Windsor will put relevant Human Rights legislation into effect including: the Canadian Charter of Rights and Freedoms ([Section 15](#)), the Ontario Human Rights Code ([Section 17, Subsections 1-4](#)), the Ontarians with Disabilities Act ([Bill 125](#)) and the Accessibility for Ontarians with Disabilities Act ([Bill 118](#)).

More detailed accommodation policies and procedures are available for review on the Student Accessibility Services' website: [www.uwindsor.ca/disability](http://www.uwindsor.ca/disability).

### **GENERAL PRINCIPLES**

1. The University of Windsor is committed to providing equal access and accommodation to the point of undue hardship to all academically qualified students with identified and documented disabilities. This will be done in order to foster accessibility and the full participation of students with disabilities in the academic environment. See Appendix A for criteria for the assessment of undue hardship.
2. The university recognizes its responsibility to maintain equal rights for all students with disabilities in a fair and non-discriminatory manner. The university will uphold its responsibilities by ensuring the physical accessibility of the campus, as well as, by creating an environment that is free from bias and, instead, embodies inclusiveness, mutual respect and understanding.
3. The University of Windsor's Student Accessibility Services will work with students and faculty members to identify potential barriers to academic participation and to determine appropriate accommodations to address those barriers for students with disabilities. This will be done on a case by case basis provided that students have provided Student Accessibility Services with appropriate documentation and sufficient notice of their accommodation needs so that reasonable steps may be taken to accommodate those needs.

### **PURPOSES OF ACCOMMODATION**

The overarching purpose of academic accommodations is to ensure that students with disabilities may fulfill the

essential requirements of their academic programs as well as learn and demonstrate learning in ways that accurately reflect each student's potential.

While students will, as an essential requirement, be expected to master the curriculum, there are various ways in which mastery may be demonstrated. For example, it may be demonstrated in the form of an oral as opposed to a written test. However, on other occasions it may be that the format that is to be utilized to demonstrate competency is, in and of itself, the essential requirement. See Appendix A for more information related to essential requirements and typical accommodations.

## **OPERATIONAL PRINCIPLES**

When it receives a request for accommodation, the University has a procedural duty to take reasonable steps to obtain information, examine alternatives, consult with the student, maintain confidentiality and weigh available accommodations. Conversely, the student has a duty to disclose sufficient information and cooperate with the University in fashioning an appropriate accommodation.

### **Documentation**

Students with disabilities who self-identify to Student Accessibility Services are required to adhere to the documentation guidelines outlined by that office, in accordance with current legislation. Any such documentation should clearly indicate that the student has been diagnosed with, or is being assessed for a disability. Depending upon the disability, there are circumstances (specifically, mental health) where the student may elect not to disclose a specific diagnosis and is not required to do so.

### **Confidentiality**

The University is dedicated to maintaining the privacy of a student's information to the greatest extent possible. Any information related to the specific nature and impact of a student's disability will remain on file in a secure location within Student Accessibility Services.

In some circumstances, the accommodation process may require that a student disclose information to staff or faculty beyond Student Accessibility Services if the knowledge is required to perform their duties under the terms of this policy.

Medical and other health-related information should generally be restricted to Student Accessibility Services, and should not be disclosed to faculty or staff of the University. This restriction is founded in several grounds, including the importance of confidentiality as a human rights principle of dignity and respect.

All such information disclosed to faculty or staff will only be provided with the consent of the student.

### **Flexibility**

Accommodations that may be applicable to one student with a particular type of disability may not apply to another student with the same type of disability. Therefore, academic accommodations must be determined on an individual basis.

Students, instructors and administrative staff must develop solutions, and in doing so exercise creativity and flexibility, to meet the needs of the students while preserving the essential academic requirements of the University's courses and programs. The provision of academic accommodations is therefore a collaborative process, which requires effective and open communication between all parties involved.

To that end, this policy encourages an effective and meaningful dialogue between students, their instructors, university staff and advisors in Student Accessibility Services in an effort to best determine how individual needs can be accommodated within legislative terms, as well as, within the current guidelines established by the university.

## APPENDIX A: BACKGROUND

### Undue Hardship

The Ontario Human Rights Commission (2004) states that, “education providers have a duty to accommodate the needs of students with disabilities to allow them to access educational services equally, unless to do so would cause undue hardship”. The only factors to be taken into account in assessing to the point of undue hardship are:

- Consideration of cost
- Examination of outside sources of funding
- Exploration of any health and safety concerns that may be involved in the provision of a particular accommodation (Ontario Human Rights Commission, 2001)

### Essential Requirements

The Ontario Human Rights Commission (2003) defines essential requirements as being “indispensable, vital, and very important. Thus, a requirement should not lightly be considered to be essential, but should be carefully scrutinized. This includes course requirements and standards”.

Essential requirements can therefore be defined by two factors: a skill that must be necessarily demonstrated in order to meet the objectives of a course; and a skill that must be demonstrated in a prescribed manner.

### Academic Accommodations

An accommodation refers to any service, equipment, or arrangement that is put in place to support a student with a disability in the university setting and is meant to enable students to best perform the essential requirements of their academic program. Functional limitations that lead to accommodations will be identified by medical professionals who are supporting the student. Accommodations do not undermine or compromise the essential requirements of the courses or curricula established by the academic regulatory bodies of the university. An appropriate academic accommodation will not provide an unfair advantage but rather minimize the impact of, and the barriers caused by, the disability.

Classroom accommodations are adjustments provided to ensure that students with disabilities have fair and equal access to the curriculum and an opportunity to process classroom information in a way that respects and addresses differences in learning styles, strengths, and needs. Examples include but are not limited to:

- Assistance from a note taker
- Use of a laptop for note taking
- Preferential seating (usually at the front of the class) / Ergonomic modifications
- Provision of written material in advance (overheads, PowerPoint presentations, lecture notes)
- Textbooks or articles in alternate format (Braille, large type, PDF, or other electronic text)

Examination accommodations are adjustments to standard exam conditions that lessen the impact of the disability without fundamentally altering the nature or security of the examination or providing unfair advantage. Examples include but are not limited to:

- Extended time to write exams
- A quiet, distraction free environment in which to write
- Alternative format for exams (i.e., oral, take-home, or electronic versions)
- Assistance from a reader or a scribe
- Allowances for spelling/grammatical errors, with grading focus on content
- Use of a computer for essay exams
- Use of assistive technology on exams (including magnification devices)