

1.0 POLICY STATEMENT

- 1.1 MacEwan University (the “University”) is a community of scholarship and service dedicated to the pursuit of knowledge through teaching, research, and study. The University recognizes the creation of a diverse learning environment enriches the student experience through contact with a multitude of perspectives, and human dignity and respect must be preserved and championed, particularly where ideas and viewpoints are tested and challenged. The University is committed to supporting the success of its students, faculty, and staff, through maintaining an inclusive and accessible environment.

2.0 PURPOSE

- 2.1 This policy communicates the University’s commitment to an inclusive and accessible environment and establishes the principles and procedures to support this commitment.

3.0 APPLICABILITY

- 3.1 This policy applies to all Members of the University Community involved in learning, employment and provision of services, including education, recreation, and residence.
- 3.2 Although this policy supports the elimination of harassment and discrimination and the principles of barrier-free design, the following policies provide comprehensive guidance on those principles:
- 3.2.1 Harassment; and
 - 3.2.2 Facilities Planning and Design.

4.0 DEFINITIONS

Academic Freedom

The freedom of Faculty to teach, to design and to develop curriculum and pedagogy; to engage in professional practice; to engage in scholarly activity, including research and creative work; to publish, perform, or otherwise present the products of that scholarly activity; to engage in institutional governance and to engage in service to the University and community without being subject to infringement of the Academic Freedom upon which their work is based.

Accessibility

The degree to which physical, pedagogical, and administrative structures are designed to enable full participation of in the University and community.

Accessibility Need

A disadvantage due to a rule, practice, or barrier related to a Protected Ground.

Accommodation Request

A request for the University to take positive steps in response to a Student, Faculty, or Staff experiencing an Accessibility Need submitted in accordance with an associated procedure.

Bona Fide Requirement

An occupational or educational requirement that, on a balance of probabilities, was adopted for a rational purpose connected to the performance of the job or the provision of the service, was adopted in an honest and good faith belief that it was necessary to the fulfillment of the job or service, and is reasonable and necessary to the fulfillment of the job or service.

Chair

The lead administrative officer of a department, or comparable entity.

Discrimination

Any prejudicial treatment of an individual based on Protected Grounds.

Duty to Accommodate

The legal duty to make changes to certain rules, standards, policies, workplace cultures and physical environments to ensure that they do not have a negative impact on a person due to a Protected Ground.

Faculty

A member of the Faculty Association of Grant MacEwan University.

Members of the University Community

Those persons involved in conducting University affairs or using University property, including all Students, Faculty, Staff, contractors, and all visitors while they are on University property or are using University property.

Protected Grounds

Race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation.

Rights

Rights under the *Alberta Human Rights Act*, the *Alberta Bill of Rights* and Academic Freedom.

Staff

An individual employed by the University, including members of the MacEwan Staff Association and employees not included within the scope of either the MacEwan Staff Association or the Faculty Association of Grant MacEwan University.

Student

An individual enrolled in a course offered by the University, including both credit and non-credit courses.

Undue Hardship

Creation of an onerous condition for the University, including risk to the health or safety of an individual, unreasonable financial burden, the removal of a Bona Fide Requirement, undue disruption, or undue detrimental effect on others.

Universal Design Principles

The design of environments, products, and communications should: (1) be useful and marketable to people with diverse abilities; (2) accommodate a wide range of individual preferences and abilities; (3) be easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level; (4) communicate necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities; (5) minimize hazards and the adverse consequences of accidental or unintended actions; (6) minimize unnecessary physical effort or requirements; and (7) allow for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.¹

¹ Centre for Excellence in Universal Design "The 7 Principles" <http://universaldesign.ie/What-is-Universal-Design/The-7-Principles/>

Universal Design for Learning (UDL)

UDL is a framework to improve and optimize teaching and learning for all people based on scientific insights into how humans learn.

UDL guidelines

Instructional strategies that incorporate multiple means of representation, engagement and action/expression.

5.0 POLICY ELEMENTS

5.1 Human Rights

- 5.1.1 The University recognizes the Rights of all Members of the University Community, and is committed to the elimination of Discrimination through:
 - 5.1.1.1 Eliminating or minimizing rules, practices, or barriers that have negative effects on Students, Faculty, or Staff;
 - 5.1.1.2 Educating Students, Faculty, and Staff on Rights and Discrimination; and
 - 5.1.1.3 Responding to reported incidents of Discrimination.
- 5.1.2 The University is a community of scholarship and service dedicated to the pursuit of truth and knowledge through teaching, research, and study, where the Rights and Responsibilities of Members of the University Community may come into conflict. Such an environment includes the exercise of Rights, which must be balanced against the Rights of another party or parties.

5.2 Accessibility

- 5.2.1 Members of the University Community have the right to fully participate in educational, employment-related, living, and social offerings of the University.
- 5.2.2 The University strives to minimize rules, practices, or barriers that have a negative effect on Students, Faculty, or Staff on the basis of a Protected Ground through the use of Universal Design Principles, including Universal Design for Learning.
- 5.2.3 The University strives to ensure that all rules, practices, or barriers that have a negative effect on a Student, Faculty, or Staff on the basis of a Protected Ground are Bona Fide Requirements.
- 5.2.4 The University has a Duty to Accommodate a Student, Faculty, or Staff on the basis of the Protected Grounds.
- 5.2.5 The University takes all reasonable measures to fulfill its Duty to Accommodate an Accessibility Need of a Student, Faculty, or Staff, to the point of Undue Hardship.
- 5.2.6 Where a Student, Faculty, or Staff experiences an Accessibility Need, an Accommodation Request may be made pursuant to the relevant procedures. Participation in the relevant

Accommodation Request procedure is necessary if the Student, Faculty, or Staff desires to have the Accessibility Need addressed by the University.

- 5.2.7 The University will not lower its academic standards (in the case of a Student request), or alter the essential skills or competencies required by a position (in the case of a Staff request), to accommodate an Accessibility Need.
- 5.2.8 The University is committed to working with external parties on accessibility needs impacting career development and experiential learning opportunities.

5.3 Responsibilities

- 5.3.1 The Director, Office of Human Rights, Diversity and Equity is responsible for:
 - 5.3.1.1 Providing information and training to Students, Faculty, and Staff relating to Rights and Discrimination; and
 - 5.3.1.2 Assisting the University in developing best practices relating to accessibility, including reviewing current practices with respect to incorporating Universal Design Principles.
- 5.3.2 The Chair, Access and Disability Resources is responsible for:
 - 5.3.2.1 Managing Accommodations Requests from Students relating to classroom learning arising from physical disability or mental disability, as detailed in the underlying procedure; and
 - 5.3.2.2 Providing information and training to Faculty related to Accommodation Requests.
- 5.3.3 Department of Human Resources (the Director, Labour Relations and Employment Services) is responsible for:
 - 5.3.3.1 Managing Accommodations Requests from Faculty and Staff, as detailed in the underlying procedure;
 - 5.3.3.2 Ensuring compliance with the Duty to Accommodate as it relates to Accessibility Needs of Faculty and Staff, as detailed in the underlying procedure;
 - 5.3.3.3 Determining Bona Fide Requirements in relation to employment opportunities, as detailed in the underlying procedure; and
 - 5.3.3.4 Providing information and training to Faculty and Staff related to Accommodation Requests.
- 5.3.4 The Faculty/School Dean is responsible for:
 - 5.3.4.1 Ensuring compliance with the Duty to Accommodate as it relates to Accessibility Needs of Students relating to classroom learning within the Faculty/School, as detailed in the underlying procedure.

- 5.3.4.2 Managing Accommodations Requests from Students relating to student learning arising from Protected Grounds other than physical disability or mental disability within the Faculty/School, as detailed in the underlying procedure.
- 5.3.4.3 Managing Accommodations Requests from Students relating to non-classroom learning within the Faculty/School, as detailed in the underlying procedure;
- 5.3.4.4 Engaging Faculty with respect to incorporating Universal Design for Learning in the learning environment; and
- 5.3.4.5 Determining Bona Fide requirements for courses within the faculty/school.

5.4 Records and Confidentiality

- 5.4.1 Records generated, collected, and maintained in connection with this policy and the underlying procedures will comply with the Records Management Policy
- 5.4.2 Confidentiality of all information collected and maintained in connection with this policy and the underlying procedures will comply with the Privacy Policy.

6.0 ASSOCIATED PROCEDURES

- Employee Accommodation Procedure
- Students with Disabilities Procedure
- Student Accommodation on Non-Disability Grounds Procedure

7.0 RELATED POLICIES, FORMS, AND OTHER DOCUMENTS

- Harassment
- Privacy
- Records Management
- Facilities Planning and Design

8.0 ACCOUNTABILITY

Policy Sponsor

Vice-President and General Counsel
Provost and Vice-President Academic

Responsible Office

Student Affairs
Human Resources
Legal

9.0 HISTORY

Relevant Dates

Approved: **20.06.18**

Effective: **20.06.18**

Next Review: **25.06**

Modification History

20.06.18: New policy. Approved and recommended for Board of Governors approval by General Faculties Council Executive Committee on behalf of GFC on May 11, 2020 (Motion GFC-EC-03-05-11-2020). Approved by Board Motion #02-06-18-2019/20.