1.0 POLICY:

MacEwan shall take all reasonable measures, short of undue hardship, to provide accommodation to students with disabilities. The reasonable accommodation of students with disabilities shall not require MacEwan to lower its standards, academic or otherwise, nor shall it relieve a student of the responsibility to develop and demonstrate the essential skills and competencies expected of all students pursuing post-secondary studies.

2.0 RATIONALE AND GUIDING PRINCIPLES:

This policy is intended to support MacEwan’s mission and the provision of an accessible environment in support of teaching and learning excellence, as well as judicious stewardship of resources, respecting the importance of a consultative learning community.

This policy is guided by federal and provincial human rights legislation and by the following principles:

2.1 MacEwan is committed to the principles of equality and inclusion.

2.2 Members of MacEwan’s community are required to act in compliance with federal and provincial legislation regarding the accommodation of persons with disabilities and the regulations and rules set out in this policy.

2.3 Students with disabilities have an equal right to access all MacEwan programs and services subject only to MacEwan policies, regulations and procedures that provide for admission to MacEwan programs and those which regulate student conduct.

2.4 Students with disabilities are responsible for identifying all need(s) for academic accommodation to MacEwan’s Services to Students with Disabilities department in accordance with this policy. A student’s responsibility to identify the need for accommodation is an on-going responsibility that may begin at the admission stage and continue throughout the student’s enrolment at MacEwan.

2.5 Upon admission to a MacEwan program in accordance with policy C5010, students with disabilities are presumed to be capable of fulfilling the academic requirements of their program with the provision of reasonable accommodation.
3.0 SCOPE AND DEFINITIONS:

3.1 SCOPE

This policy pertains to students with disabilities who apply to and, having satisfied admission criteria, are enrolled in MacEwan programs and courses including off campus activities such as clinical and practicum placements. Academic activities undertaken off campus are addressed by agreement with the third party involved.

3.2 DEFINITIONS

Accessibility refers to the extent to which services and facilities can be used by all regardless of disability.

Accommodation means the process of making alterations to the delivery of services to become more accessible to students with disabilities with the goal to ensure full participation in all aspects of their educational experience (Alberta Human Rights Duty to Accommodate Students with Disabilities in Post-Secondary Institutions, interpretive bulletin, August, 2004, pp. 2-5).

Disability encompasses the definitions of the terms “physical disability” and “mental disability” that are included in provincial human rights legislation (Alberta Human Rights, Citizenship and Multiculturalism Act, Section 44).

Duty to Accommodate refers to the requirement under federal and provincial legislation to make arrangements, adjustments and alterations in the educational environment to ensure that it does not have a discriminatory effect on a student because of the student’s disability.

Reasonable Accommodation under provincial legislation and the Supreme Court of Canada, refers to the requirement of educational institutions to provide accommodation up to the point of undue hardship, that is, the provision of accommodation to a standard that overcomes a discriminatory effect, but does not require the institution to choose the most expensive or comprehensive level of accommodation.

Shared Responsibility refers to the expectation that accommodation is a shared responsibility between the student and the institution, and that arriving at accommodation is an iterative, consultative process.

Undue Hardship, under both provincial and federal legislation, is deemed to have a very high standard and would include, but is not limited to, the following: financial cost that hurts the viability of the service, program or institution; a situation in which students cannot meet the requirements for
entering or completing a program; significant interference with the rights of other students; and health and safety concerns. The institutional responsibility requires due diligence and may require adjudication under legislation.

**Services to Students with Disabilities department** means the MacEwan department responsible for coordination of reasonable accommodation for students with disabilities.

### 4.0 REGULATIONS:

#### Administrative Responsibilities

4.1 The Vice President Student Services is responsible for the overall management of this policy.

4.2 Under the authority of the Director, Student Resource Centre, the Chair of the Services to Students with Disabilities department is responsible for the administration and coordination of MacEwan’s duty to accommodate students with disabilities in accordance with this policy.

4.3 The Director of Facilities is responsible for the administration and implementation of alterations to the physical environment of MacEwan facilities in accordance with this policy.

#### MacEwan’s Responsibilities to Students with Disabilities

4.4 MacEwan acknowledges and accepts its duty to accommodate students with disabilities up to the point of undue hardship.

4.5 MacEwan shall foster and support positive relationships between itself and students with disabilities through open communication regarding the duty to accommodate. To this end, communication between MacEwan and its students with disabilities will be made accessible to all such students from the time of inquiry.

4.6 Where deemed by MacEwan to be reasonably necessary, MacEwan shall retain qualified and knowledgeable consultants to facilitate the assessment and coordination of accommodation to students with disabilities.

4.7 MacEwan shall educate all members of its community, including faculty, staff, students and contractors, on the duty to accommodate students with disabilities and the existence of this policy.
4.8 The Services to Students with Disabilities department shall publish procedures for students with disabilities in accordance with this policy.

Responsibilities of Students with Disabilities to MacEwan

4.9 In addition to the responsibilities of all students as indicated in E3101 Student Rights and Responsibilities, students with disabilities who seek accommodation are also responsible for the following:

4.9.1 To provide all required documentation in support of the request for accommodation in a timely manner to the Services to Students with Disabilities department in accordance with published procedures (4.8).

4.9.2 To abide by all recommendations and procedures for accommodation developed or coordinated by the Services to Students with Disabilities department.

Documentation in Support of a Request for Accommodation

4.10 Documentation in support of a request for accommodation must meet guidelines as developed and published by the Services to Students with Disabilities department and as noted below:

-be completed by a licensed professional with specific training and expertise in the diagnosis and description of the condition(s) for which accommodation is being requested.

-describe the nature of the disability and provide an explanation of the functional impact(s) of the disability.

-describe the student’s current functioning.

4.11 In exceptional circumstances, at the discretion of the Services to Students with Disabilities department, a student will be provided accommodations on an interim basis without documentation.

4.12 A student is not required to reveal the specific details of his or her disability to anyone other than the Services to Students with Disabilities department.

4.13 All information obtained by the Services to Students with Disabilities department will be treated as confidential and according to the
Freedom of Information and Protection of Privacy (FOIP) Act. Personal documentation held by the Services to Students with Disabilities department will be destroyed consistent with the institution’s Records and Information Management policy (D7220) and any relevant professional body’s regulations (e.g. University of Alberta Psychologists).

Decisions Regarding Recommended Accommodations

4.14 The Services to Students with Disabilities department will review the documentation submitted by a student with a disability and conduct an assessment of the individual’s need for accommodation.

4.15 To determine the appropriate reasonable accommodations, consultation will take place between the student and the Services to Students with Disabilities department, and, where necessary, the appropriate academic personnel. The student and/or the Services to Students with Disabilities department will document the recommended accommodations in writing. The student will deliver this documentation to each instructor. Efforts will be made to provide timely notice to instructors of the needs of students with disabilities in their classes.

4.16 The determination of reasonable accommodations for an individual may vary between courses, including required off campus components of programs, and/or over time depending upon individual circumstances. MacEwan reserves the right to alter or discontinue the provision of accommodation upon review of individual needs and relevant course or program demands.

4.17 If an instructor does not agree with the recommendations of the Services to Students with Disabilities department, he or she will communicate this disagreement to the Services to Students with Disabilities department in an attempt to reach a resolution that meets the duty to accommodate.

4.18 If a resolution is not reached in 4.17, the Chair of Services to Students with Disabilities shall discuss the matter with the Chair of the program. If necessary, the matter may then be referred to the Director of the Student Resource Centre who will consult with the Dean and may seek the advice of the Vice President Student Services, legal and/or human rights counsel to facilitate a resolution that meets the duty to accommodate.
Appeal

4.19 Students wishing to appeal matters pertaining to this policy must follow the regulations as set out in E3103 (Student Appeals).
FACT SHEET

DATES:

Approval 97.11.20
Review 2014.06

SOURCE:

97.11.20 Approved in accordance with Academic Council recommendation, by Board Motion 3-11-20-97/98 for implementation January 1, 1998.

2003.02.01 Format updated.

2009.06.16 Revisions approved 09.06.16 by Academic Governance Council Motion AGC-05-06-16-2009.

2009.10.08 Terminology updated to reflect name change to Grant MacEwan University. Approved by Board motion 01-10-8-2009/10

RELATED POLICIES:

• C5010 Admissions
• D7220 Records and Information Management
• D7230 Information Security Policy
• E3101 Student Rights and Responsibilities
• E3103 Student Appeals

REFERENCES:

• Alberta Human Rights, Citizenship, and Multiculturalism Act
• Canadian Charter of Rights and Freedoms
• Freedom of Information and Protection of Privacy (FOIP) Act

IMPLEMENTATION DATE: July 1, 2009