

# TORONTO METROPOLITAN UNIVERSITY

## POLICY OF SENATE

### ACADEMIC ACCOMMODATION OF STUDENTS WITH DISABILITIES

Policy Number:	159
Senate Approval Date:	March 7, 2023
Previous Approval Date:	June 7 <sup>th</sup> , 2022
Next Policy Review Date:	2027 (or earlier if required by legislation)
Responsible Office:	Vice Provost Academic & Vice Provost Students

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#### 1. PURPOSE

This policy establishes the principles, conditions, and expectations surrounding the request for and provision of academic accommodations at Toronto Metropolitan University (the “University”).

The University acknowledges and celebrates the diversity of its students. The University recognizes the many intersections between the social, the physical, and the virtual environments within the context of academia and acknowledges the unique barriers, including ableism that may arise for students with disabilities. The University is committed to addressing these barriers to enhance an accessible educational environment and equality of opportunities, benefits, privileges, and participation through the provision of accommodations that maintain academic standards.

#### 2. APPLICATION AND SCOPE

This policy applies to:

- all students at the University
- all faculty, instructors, and staff involved in:
  - the request for, consideration of, and the implementation or administration of accommodations

- the delivery of academic instruction, the evaluation and assessment of courses and non-course degree requirements

where the final goal is for students to acquire and demonstrate the essential academic requirements needed to meet the learning objectives of a course or program.

This policy does not apply to programs or services offered by the University that are not related to the delivery of academic instruction.

### **3. DEFINITIONS**

#### **3.1 Ableism**

A belief system, analogous to racism, sexism, or ageism, that sees persons with disabilities as being less worthy of respect and consideration, less able to contribute and participate, or of less inherent value than others. Ableism may be conscious or unconscious, and may be embedded in institutions, systems, or the broader culture or society. It can limit the opportunities of persons with disabilities and reduce their inclusion in the life of their communities (see [LCO's Framework for the Law as It Affects Persons with Disabilities](#)).

#### **3.2. Academic Accommodation**

A planned variation or modification in the way a student with a disability receives course curriculum and materials, participates in course and non-course degree requirements, and is evaluated and assessed, in order to acquire and demonstrate the essential academic requirements needed to successfully meet the learning objectives of a course or program.

#### **3.3. Accessibility**

Accessibility is the degree to which something (e.g. device, service, physical environment, information) can be accessed by persons with disabilities.

#### **3.4. Essential Academic Requirements**

The core and essential knowledge and skills that a student must acquire and demonstrate to meet the learning objectives of a course or program.

#### **3.5. Disability**

"No single definition of "disability" can fully capture experiences of persons with disabilities. Definitions of disability must recognize the complexity that results from the interaction of an individual with his or her environment."<sup>1</sup> This Policy adopts the definition of disability as defined

<sup>1</sup> [LCO's Framework for the Law as It Affects Persons with Disabilities, page 2, definition of Disability](#)

by applicable law, including Ontario's [Human Rights Code, RSO 1990, c H 19](#), (the "Code") as may be amended:

- 3.5.1. any degree of physical disability, infirmity, malformation, or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device
- 3.5.2. a condition of mental impairment or a developmental disability
- 3.5.3. a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language
- 3.5.4. a mental disorder
- 3.5.5. an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*

### **3.6. faculty (non-capitalized)**

For the purposes of this Policy "faculty" refers to the academic teaching staff of the University including chairs and directors.

### **3.7. Medical Documentation**

Documents that verify or confirm that a student has a disability, or that clarify the impact of the disability, and any resulting functional limitations. Medical documentation must be based on a current, thorough, and appropriate assessment from a registered health care professional qualified to diagnose and assess functional limitations and needs associated with disability. Other supporting documentation may also reasonably be requested by the University as part of the accommodation process.

### **3.8. Instructor**

The person responsible for the course and includes all those represented by the Toronto Metropolitan Faculty Association as well as the part-time, sessional, and Continuing Education contract lecturers who are represented by Unit 1 or Unit 2 of CUPE Local 3904.

### **3.9. Non-course Degree Requirements**

Non-course degree requirements include but are not limited to seminars, theses, major research papers, major research projects, comprehensive/candidacy examinations, dissertations, experiential learning opportunities, clinical placements, and required certifications.

### **3.10. Staff**

Staff are personnel associated with the unit who are designated as MAC or are represented by OPSEU.

### **3.11. Student**

An individual who is registered in a full-time or part-time course or program at the University

## **4. VALUES AND PRINCIPLES**

### **4.1. Senate Policy Framework**

The values and principles outlined in the University's [Senate Policy Framework](#) are applicable and fundamental to this Policy; the substantive values stipulated are: academic excellence, integrity, equity, diversity, and flexibility.

### **4.2. Accommodation**

The principles of respect for dignity, individualization, inclusion, and full participation apply both to the substance of an accommodation and to the accommodation process. At all times, the emphasis must be on the individual student and not on the category of disability. The assessment and provision of academic accommodations for students with disabilities will be interpreted and applied in accordance with applicable law, including, without limitation, the Code and AODA, as well as applicable University policies and procedures.

### **4.3. Accessible Educational Environments**

For students with disabilities, both accessibility and accommodation must be taken into account. Complementary to its provision of reasonable accommodations, the University is committed to facilitating an accessible educational environment through conscious planning, design, and efforts to assist students in meaningfully participating in teaching and learning environments through, for example, devices, services, physical environments, and information. The concepts of accessibility and accommodation are inherently linked and co-exist in order to achieve a just and inclusive educational experience.

The University acknowledges the Universal Design for Learning framework as one way to increase flexibility for students and provide multiple ways to access content, engage and participate in learning, and demonstrate mastery in learning outcomes. Proactive accessibility planning may help reduce the ways in which students may be excluded in the classroom and identify new and innovative ways to teach that can improve the learning experience of all students.

Faculty and instructors should strive to design course curriculum, delivery methods and evaluation methodologies that are as accessible as possible from the outset, and provide reasonable accommodations in response to requests that have been substantiated by Academic Accommodations Support (AAS) services to address barriers that may exist despite efforts to enhance accessibility through design.

#### **4.4. Equity, Diversity, and Inclusion**

The University supports fair and equitable treatment of the University community by developing policies, procedures, and guidelines that attempt to remove barriers to address historical and current disadvantages for equity-deserving groups consistent with the University's *Senate Policy Framework*, recognizing that fairness does not mean treating everyone in exactly the same way.

#### **4.5. Wellbeing**

Wellbeing is fundamental to positive social and academic outcomes and healthy communities. The University is committed to the academic success of its students by creating a safe, secure, collegial, healthy, and inclusive environment that puts people first, is supportive of the whole person, and enhances the development of physical, mental, emotional, and spiritual wellbeing.

#### **4.6. Confidentiality**

The University is committed to promoting an environment that ensures students feel safe disclosing a disability. Confidentiality should be maintained throughout the accommodation process. Medical information should only be disclosed on a need-to-know basis or in accordance with applicable law or the policies and procedures of the University.

#### **4.7. Flexibility**

Acknowledging that there can be multiple routes to academic excellence and rigor, the University encourages flexibility in creating and supporting reasonable academic accommodations for students with disabilities while maintaining academic standards. Individualized academic accommodations for students with disabilities may require different approaches that do not imply a lesser standard of performance. Flexibility in the design and support of student accommodations may promote fair and equitable processes and outcomes, and therefore support and augment academic excellence.

#### **4.8. Collaboration and Shared Responsibility**

Accommodating students with disabilities is a shared responsibility and a collaborative process that may engage diverse, sometimes competing, needs, responsibilities, and participation of:

students, faculty, instructors, and staff. To this end, the University is committed to fostering an inclusive, collaborative, educational environment that:

- recognizes everyone involved should be prepared to cooperate in the process, share relevant information, and be willing to jointly explore flexible, creative accommodation solutions
- promotes mutual respect
- recognizes the equality, dignity, and autonomy of all persons
- recognizes that lived disability experiences vary greatly and often involves exclusion and inaccessibility
- provides equal opportunity to reasonable academic accommodations
- fosters student learning through a wide range of teaching and learning approaches
- protects the privacy and confidentiality of its students

#### **4.9. Timeliness**

It is in the best interest of students and the University to achieve timely implementation of academic accommodations as early as possible under this Policy. Students in partnership with AAS, faculty, instructors, and staff should work together to ensure timely resolution of any requirements necessary to implement and facilitate a plan to provide individualized academic accommodations.

#### **4.10 Academic Freedom**

The University maintains a strong commitment to academic freedom. For more information about academic freedom in the context of this Policy, please see the [Ontario Human Rights Commission's Policy on accessible education for students with disabilities](#).

### **5. DUTIES OF ACCOMMODATION**

#### **5.1. Duty to Accommodate**

The University shall provide, in accordance with applicable law, reasonable accommodations to students with disabilities to support them in meeting essential academic requirements that maintain academic standards. At all stages of the accommodation process, the principles of respect for dignity, individualization, integration, and full participation shall be considered.

Faculty, instructors, or staff involved in the provision of educational services who have a reasonable basis to believe that a student's academic performance is being negatively affected for reasons relating to disability are expected to refer the student to Academic Accommodation Support where appropriate.

In circumstances where a request for accommodation is being assessed to determine what, if any, accommodations are supported and reasonable, the University shall consider whether the provision of temporary interim accommodations is appropriate.

Students shall request academic accommodations in a proactive and timely fashion - ordinarily in advance of due dates.

In circumstances where a student has experienced disruptions in their ability to function for reasons relating to disability such that they were incapable of following the University's processes and practices surrounding academic accommodations, the University may consider requests for retroactive accommodation (see Procedures Section 2).

## **5.2. Duty to Participate in the Accommodation Process**

Students, faculty, instructors, and staff have a duty to cooperate and participate in the accommodation process. All individuals involved in the request for, consideration of, and the implementation or administration of accommodations shall participate in the accommodation process in good faith and in a timely manner, recognizing that the registration, assessment, and implementation of accommodations may take time on account of the complexity of the circumstances, documentation required, and other relevant factors.

## **5.3. Duty to Provide Documentation**

Meeting the individual accommodation needs of students can be complex, challenging, and may require clarification. In order to fully understand and properly facilitate academic accommodation requests, the University, through AAS, is entitled to verify the presence of a disability and the nature and extent of relevant restrictions or functional limitations on a student's ability to meet the essential academic requirements of their chosen course or program. The University may require medical documentation and information from a physician or qualified registered health professional in order to fully assess the needs of students seeking accommodations.

Some examples of information that students seeking accommodation could reasonably expect to provide include, but are not limited to:

- medical confirmation of disability or medical condition
- functional impact/limitations/needs related to that disability
- whether they can meet the essential academic requirements of their course or program with or without accommodation
- recommended accommodation(s) needed to help meet essential academic requirements
- when the student is able to return to their academics following an absence

## **5.4. Limitations to Duty to Accommodate**

The University's duty to accommodate students with a disability is limited in the following circumstances:

### **5.4.1. Undue hardship**

The University shall discharge its duty to accommodate in accordance with

applicable law and the University's applicable policies and procedures by providing reasonable accommodations that maintain academic standards and academic integrity up to the point of undue hardship, which may involve consideration of:

- costs
- availability of outside sources of funding
- health and safety requirements

In considering whether the provision of an accommodation would constitute undue hardship, inconvenience and the negative reactions and preferences of others shall not be sufficient.

#### **5.4.2. Inability to meet essential requirements**

In some circumstances, the nature and degree of a student's functional limitations arising from a disability may mean that no accommodations that could be provided would enable the student to meet the essential academic requirements of a course or program.

## **6. OVERVIEW OF RESPONSIBILITIES AND ROLES**

The University supports the notion that developing and implementing individual accommodations for students with disabilities is a shared responsibility that functions best as a respectful, collegial, collaborative process. Each participant should be prepared to engage, cooperate and contribute meaningfully, share relevant information, and be willing to jointly explore flexible, creative accommodation solutions for students. Designated participants in the process have the following responsibilities:

### **6.1 Students**

Students with disabilities are key advocates for communicating their academic accommodation needs and therefore are essential contributors in developing, and facilitating the implementation of their individualized accommodation plans. Students seeking academic accommodation support will:

- 6.1.1 Agree to proactively consult with AAS, the faculty/instructor, Department or Faculty, as soon as feasible, including prior to enrolling in a course or program, on any concerns they may have about their ability to meet the essential academic requirements of a course/program.
- 6.1.2 Register with AAS as early as possible to determine necessary accommodation(s)



for meeting academic obligations as provided in the course outline(s) (see Policy 166, Procedures section. 7) as well as for non-course degree requirements (see Policy 159, Section 3.9).

6.1.3 Provide AAS services with appropriate disability related documents (see Policy section 5.4) that are reasonably requested by the University, and;

- Keep such information current for the period of their accommodation; and,
- Consent to the University making use of this information on a need-to-know basis for appropriate University purposes, including the administration of this policy.

6.1.4 Collaborate with AAS, instructors, and others (for example, academic advisors, graduate supervisors, chairs/directors, deans, library staff etc.) by participating in the accommodation planning process.

6.1.5 Acknowledge that the process for assessing and providing appropriate academic accommodations involves careful consideration of individual circumstances and must take into account:

- The complex nature of implementing some required accommodation(s);
- The timelines for implementing accommodations during the academic term; and,
- The realistic possibility that some academic accommodation remedies may not be possible or available in specific cases.

6.1.6 Proactively communicate their academic accommodation plan to all course instructors where the student has an expectation of receiving academic accommodation in that course or to their program director in the case of non-course degree requirements. Students will:

- Send accommodation letters to each instructor through the online accommodation support system used by AAS as early as possible in the semester;
- Understand that choosing not to use an approved accommodation while completing a course or non-course degree requirement may impact any appeal made on the basis of disability in that course or non-course degree requirement; and,
- Follow their academic accommodation plan as designed, and as needed, notify AAS immediately when their academic accommodation(s), or plan no longer supports their academic needs.

- 6.1.7 Follow AAS procedures with regard to registration, renewing registration, booking quizzes, tests and exams, and the provision of accommodation and supports.
- 6.1.8 Request, if appropriate, that their eligibility for University awards, scholarships or other opportunities be considered on the basis of their accommodation (e.g. reduced course load).
- 6.1.9 If applicable, submit a request for retroactive accommodation with explanation and supporting documentation of why the request was unable to be made in advance of applicable deadlines. (see Procedures Section 2).
- 6.1.10 If necessary, engage in the resolution of disagreements process. (see Procedures Section 3.)

## 6.2 **Academic Accommodation Support (AAS)**

AAS works with students to create and implement individualized academic accommodation plans so students can more fully participate in their studies. Developing academic accommodation plans will vary from student-to-student depending on individual disability-related needs. For students with an expectation of receiving academic accommodation support, AAS will partner with students, faculty, instructors, staff and other professionals to facilitate academic accommodations for students with disabilities by;

- 6.2.1 Facilitating the academic accommodations process for students with disabilities by coordinating the requests for and developing plans and assisting in the provision of academic accommodations.
- 6.2.2 Informing students with disabilities of their obligations as AAS registrants.
- 6.2.3 Receiving and verifying all applicable documents regarding a student's disability related circumstances.
- 6.2.4 Requesting and obtaining any additional documents regarding disability reasonably required by the University and per the requirements outlined in the Ontario Human Rights Code.
- 6.2.5 Ensuring that all student information and all documents regarding disability are treated with the highest degree of confidentiality and security.
- 6.2.6 Reviewing all documents related to the student's circumstances and in consultation with the student:
  - 6.2.6.1 Providing problem-solving support to students with disabilities when applicable; and/or,

- 6.2.6.2 Making the necessary recommendations for an individualized academic accommodation plan where appropriate.
- 6.2.7 Consulting with instructors and faculties/schools, as needed, on academic accommodations to ensure an accommodation(s) does not impinge upon the essential requirements of their program of studies.
- 6.2.8 Providing confirmation, upon request and with the consent of the student, confirming a student's registration with AAS and outlining the student's academic accommodation requirements.
- 6.2.9 Acting as the trusted resource by assisting and providing information and expertise pertaining to academic accommodations to instructors, Chairs/Directors, Deans and other administrative staff.
- 6.2.10 Educating, when appropriate, students, faculty, instructor and staff as to their rights and responsibilities under this policy.
- 6.2.11 Ensuring that tests and exams held in AAS are conducted and invigilated in accordance with University policy and procedures.
- 6.2.12 Ensure confidential and timely delivery of tests or exams according to AAS procedures.
- 6.2.13 Provide clear deadlines on the AAS website.
- 6.2.14 If necessary, engaging in the resolution of disagreements process (see Procedures Section. 3)

### **6.3 Faculty and Instructors**

Faculty and instructors have a responsibility to learn about this Policy and its Procedures as well as the barriers faced by students with disabilities, and have a duty to interact with students in a respectful and inclusive manner, to engage in the accommodation process, and to provide appropriate academic accommodations.

Faculty and instructors should strive to design course curriculum, delivery methods, and evaluation methodologies that are as accessible as possible from the outset, and provide reasonable accommodations in response to requests that have been substantiated by AAS services to address barriers that may exist despite efforts to enhance accessibility through design.

Faculty/instructors will:

- 6.3.1 Collaborate with AAS and the Centre for Excellence in Learning and Teaching, to ensure that alternative approaches and possible accessible accommodation solutions are investigated and designed into course curriculum, activities and materials while preserving the essential academic requirements of the course or non -course degree requirement.
  - 6.3.2 Embed by design course content including but not limited to; teaching methods, textbooks, printed materials and audio/video resources so that any necessary academic accommodations can be in place as early as possible to the beginning of the academic term;
  - 6.3.3 Advise students of available accommodation supports, and the process by which these resources may be accessed. When necessary, refer students who identify as having a disability, are suspected of having a disability, or are requesting disability-related academic accommodations to AAS services as soon as possible.
  - 6.3.4 Work in collaboration with students, AAS services, and other University stakeholders, to support students who are registered with AAS and have a current academic accommodation plan in place. Address any concerns regarding individual academic accommodations as soon as possible;
  - 6.3.5 Be responsive to alternative forms of accommodations should the current academic accommodations be insufficient based on the impact of the student's disability and/or the nature/type of course or non-course degree requirement;
  - 6.3.6 Work in collaboration with the Test Centre to ensure timely delivery of assessment information and materials that enable the student to demonstrate their learning in a course/program;
  - 6.3.7 Seek guidance from the chair/director, associate dean, dean and AAS, when needed;
  - 6.3.8 Promote an environment that is inclusive where all students treat one another with respect; and,
  - 6.3.9 If necessary, engage in the resolution of disagreements process (see Procedures Section 3).
- 6.4 **The Department/ School/Program chair/director or designate shall:**
- 6.4.1 Provide an opportunity for all faculty members to familiarize themselves with this policy;

- 6.4.2 Assist faculty in ensuring that course instruction, materials and activities are accessible to develop an inclusive learning environment for students;
- 6.4.3 Provide resources as appropriate to implement approved academic accommodations;
- 6.4.4 Consult with students and AAS, as required, when an accommodation request is in question and/or is denied by the faculty/instructor (see Resolution of Disagreements Procedures Section 3);
- 6.4.5 Discuss with AAS concerns about how accommodations relate to the essential academic requirements of the course/program, communicate findings with the student;
- 6.4.6 Review, upon request by a student, faculty or instructor and/or AAS, concerns with the recommended accommodation plan and assist in developing alternatives; ensure this matter is addressed in a timely manner (this may be done in consultation with the Dean);
- 6.4.7 Ensure that experiential learning placements (e.g., field placements, practica) are informed of, and able to respond to, accommodation requirements of students with disabilities in a timely manner prior to assigning students to a specific placement setting; where possible include any timelines for ensuring accommodations are in place when a student is accepted into an experiential learning placement; and,
- 6.4.8 Ensure the provision of accommodations for students with disabilities is outlined in the department/ school student handbook in accordance with the Course Management Policy (Policy 166).
- 6.4.9 If necessary, engage in the resolution of disagreements process (see Procedures Section 3.)

**6.5 Deans shall:**

- 6.5.1 Work with the Department/ school chairs/ directors to ensure that all faculty and instructors are made aware of this policy and that the practices associated with the delivery of accommodations are consistent with this policy;

- 6.5.2 Assist faculty, chairs, and directors in ensuring that course instruction, materials and activities, and non-course degree requirements are accessible in order to develop an inclusive learning environment for students;
- 6.5.3 Provide resources as appropriate to implement approved academic accommodations;
- 6.5.4 Assess decisions with the Chair/Director not to provide any academic accommodation or a particular academic accommodation;
- 6.5.5 Ensure that academic accommodations received by students will not be a barrier to eligibility for University honours or opportunities;
- 6.5.6 If necessary, engage with the chair/director in the resolution of disagreements process (see Procedures Section 3)

## 6.6 **The Convocation and Awards Office**

- 6.6.1 Shall make accommodations for convocation ceremonies, in conjunction with AAS as appropriate, with advance notice from the student or other relevant parties.

## 6.7 **The Registrar's Office**

- 6.7.1 In accordance with the Equalization of Tuition for Students with Disabilities (see Appendix A), shall maintain a process for fairly assessing tuition fees where a reduced course load is an appropriate academic accommodation.

## 6.8 **Library Services**

- 6.8.1 Shall make efforts to provide access to information for students with disabilities;
- 6.8.2 Collaborate with the instructor, AAS and other campus stakeholders to provide information in accessible formats to students with disabilities;
- 6.8.3 Collaborate with Computing and Communications Services (CCS) and other campus stakeholders to provide adaptive technology within the library to improve accessibility.

## 6.9 **Centre for Excellence in Learning and Teaching**

- 6.9.1 Provide resources to faculty members related to universal design for learning,

inclusive design, and accessible delivery and evaluation methods. The University acknowledges the Universal Design for Learning framework as one way to increase flexibility for students and provide multiple ways to access content, engage and participate in learning, and demonstrate mastery in learning outcomes. Proactive accessibility planning may help reduce the ways in which students may be excluded in the classroom and identify new and innovative ways to teach that can improve the learning experience of all students.

- 6.9.2 In collaboration with AAS, Vice-Provost, Faculty Affairs and others, provide information and training for instructors related to academic accommodations specifically for students with disabilities, including guidance on identifying students that may require accommodation. The guidance shall be informed by this Policy, Ontario's *Human Rights Code*, and the Ontario Human Rights Commission's Policy on Accessible Education for Students with Disabilities.

#### 6.10 **Student Financial Assistance**

- 6.10.1 Shall collaborate with AAS and other key stakeholders as needed in the administration of specialized funding according to Ministry guidelines.

### 7. **RESOLUTION OF DISAGREEMENTS**

Students, faculty, instructors, and staff are encouraged to seek agreement regarding mutually satisfactory provision of academic accommodations. In the event of a disagreement, disputes will be resolved in accordance with this Policy and its Procedures (see Procedures Section 3).

### 8. **ACADEMIC INTEGRITY**

The spirit of this Policy is collaborative, inclusive, and well-intended to support students who require academic accommodations. For this reason, the misuse of this Policy to gain academic advantage or benefit, for example:

- (a) submitting false, altered, forged or falsified health certificates or other documents for academic consideration
- (b) making false claims for such consideration to delay or avoid academic requirements

constitutes academic misconduct and will be subject to the processes, penalties and consequences, as outlined in Policy 60: Academic Integrity.

## **RELATED UNIVERSITY POLICIES:**

Toronto Metropolitan Discrimination and Harassment Prevention Policy

<https://www.torontomu.ca/policies/policy-list/dhp-policy/>

Senate Policy 60: Academic Integrity

<https://www.torontomu.ca/content/dam/senate/policies/pol60-procedures.pdf>

Senate Policy 135: Final Examinations

<https://www.torontomu.ca/content/dam/senate/policies/pol135.pdf>

Senate Policy 150: Accommodation of Student Religious, Aboriginal and Spiritual Observance

<https://www.torontomu.ca/content/dam/senate/policies/pol150.pdf>

Senate Policy 167: Academic Consideration

<https://www.torontomu.ca/content/dam/senate/policies/pol167.pdf>

Senate Policy 168: Grade and Standing Appeals

<https://www.torontomu.ca/content/dam/senate/policies/pol168.pdf>

Senate Policy 169: Experiential Learning

<https://www.torontomu.ca/content/dam/senate/policies/pol169.pdf>

## **RESOURCES**

Ontario *Human Rights Code* (the “Code”)

<https://www.ontario.ca/laws/statute/90h19>

*Accessibility for Ontarians with Disabilities Act* (“AODA”)

<https://www.ontario.ca/page/about-accessibility-laws#section-1>

*Accessible Education for Students with Disabilities*

<http://www.ohrc.on.ca/en/policy-accessible-education-students-disabilities>

*Framework for the Law as it Affects Persons with Disabilities*

[\*LCO’s Framework for the Law as It Affects Persons with Disabilities\*](#)

*The Opportunity to Succeed: Achieving barrier-free education for Students with Disabilities*

<https://www.ohrc.on.ca/en/opportunity-succeed-achieving-barrier-free-education-students-disabilities/post-secondary-education>



# TORONTO METROPOLITAN UNIVERSITY

## POLICY OF SENATE

### PROCEDURES for Policy 159: Academic Accommodation of Students with Disabilities

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#### 1. CONFIDENTIALITY

- 1.1. Students' medical information and supporting documentation should be requested from and provided to Academic Accommodations Support (AAS), which collects personal information for the purpose of considering, implementing and administering accommodations and related processes at the University.
- 1.2. Student personal information will be respected, protected, and maintained throughout the Academic Accommodation process. All information, including documentation received regarding a students' disability and subsequent request(s) for Academic Accommodation will be collected, used, disclosed, and retained in accordance with the University's records management and retention schedule, policies, procedures, notices, and practices pertaining to privacy, and the Freedom of Information and Protection of Privacy Act and other applicable laws.

#### 2. RETROACTIVE REQUESTS FOR ACCOMMODATION

Students shall request academic accommodations in a proactive and timely fashion - ordinarily in advance of due dates.

- 2.1. A student may submit a **request for retroactive accommodations** with supporting documentation from an appropriate registered health professional. These requests must be submitted as soon as documentation is received and explain why the student was not able to seek accommodations in advance of the relevant deadline(s).
- 2.2. For students who registered with AAS within the term in which the course is being taken and wish to be considered for retroactive accommodations within the current term, students must submit their requests with supporting documentation directly to AAS for follow-up.
- 2.3. Requests for retroactive accommodations after a final grade has been published in RAMSS may proceed in one of two ways depending on the circumstances;

- 2.3.1. Students may submit a request for retroactive accommodation to AAS. Upon assessing the request and the documentation provided to support the request, AAS will follow up with the student, and faculty/instructor as appropriate. If a faculty member/ instructor does not agree with AAS' assessment of whether retroactive accommodation is appropriate in the circumstances, the student shall use the Resolution of Disagreements process outlined in section 3.1 of these Procedures.
- 2.3.2. Students may submit a request for a Retroactive Withdrawal from a course with supporting documentation. This process is overseen by the [Registrar's office](#) and should be a last resort and will only be considered where a student has faced sudden and serious life events that directly prevented them from meeting the course drop published deadlines.

### **3. RESOLUTION OF DISAGREEMENTS**

#### **3.1. Review of Accommodation Plan if Not Accepted:**

- 3.1.1. If an instructor does not agree to implement an academic accommodation approved by AAS, the instructor will outline (a) the essential course requirements that cannot be met with the approved accommodation, and/or (b) the academic standard that would be compromised by the accommodation, and the AAS designate shall review if another academic accommodation is possible. If it becomes clear that there will be no agreement on the provision of academic accommodations, the Chair/Director will be promptly notified.
- 3.1.2. The chair/director in consultation with the Dean or designate will meet with the AAS manager (or designate) and others as appropriate to review all relevant information as appropriate. The chair/director may request additional information from the parties through AAS. If the chair/director agrees with the approved academic accommodations, the chair/director shall direct in writing that those academic accommodations be provided. If the chair/director does not agree that the academic accommodations requested by the student are appropriate, or if the faculty/instructor refuses to apply the accommodation(s) as directed, the chair/director shall provide notice, including their rationale, to AAS and the student in writing within 5 (five) business days from the date of the meeting.
- 3.1.3. If the student is not satisfied with the chair/director response, they may, in consultation with AAS, write to the Vice-Provost Academic within 10 (ten) business days from the date of the chair/director's letter.

- 3.1.4 The Vice-Provost, Academic, in consultation with the Vice-Provost, Students, or the Vice-Provost and Dean, Yeates School of Graduate Studies (for graduate students) shall review all relevant documentation and will consult with others as appropriate in an effort to resolve the matter. The Vice-Provost Academic may request additional documentation from all parties. The Vice-Provost Academic will render a final decision on the matter.
- 3.1.5 There shall be no review of or appeal from the decision of the Vice-Provost, Academic.

### **3.2 Accommodation During Dispute Resolution Process**

- 3.2.1 The University recognizes that decisions involving academic accommodations must be made expeditiously. In the event that a request for accommodation is under review, the faculty/instructor and AAS shall review the accommodation plan to determine what portion, if any, of the plan it is appropriate to implement on an interim basis pending finalization of the accommodation review and implementation process.
- 3.2.2 Pending the final outcome of all reviews, and where the final result is that the academic accommodation cannot be granted:
- 3.2.2.1 the student may choose to drop the course by the official drop deadline period in good academic standing or
- 3.2.2.2 if it is past the official drop deadline period in good academic standing and before the last day of classes for the course for the term, the chair/director and student, in consultation with AAS, may after all other options are considered, as a last resort recommend that a student be considered for a late course drop through the Registrar's Office.

**PROCEDURES****1. PREAMBLE**

Some students with disabilities must, as a result of their disability and as part of their approved accommodation plan, take a reduced course load which could extend the time it takes for them to complete their degree. In such cases these students could end up paying more in tuition fees to complete their program than a student who is able to take a full course load and complete their degree in a shorter time frame. In 1995, the University committed to resolving this imbalance and developed a process to address inequities.

**2. PURPOSE**

The purposes of Policy 159:

**2.1.** To ensure that students who must take a reduced course load, based on an approved accommodation for their disability, pay no more in tuition and applicable ancillary fees for completion of their program than a student without a disability completing the same program.

**2.2** To outline the parameters for how eligibility for this equalization will be determined.

**2.3** To outline inclusions and exclusions in the calculation of equalization amounts.

**3. SCOPE**

These procedures apply to students enrolled in Undergraduate, Masters, or Ph.D. degree programs at Ryerson who are registered with Academic Accommodation Support (AAS) and for whom AAS has approved a reduced course load as an accommodation for their disability.

**4. DEFINITIONS**

**4.1. Equalization**  
To make equitable.

**4.2. Approved Accommodation**  
Planned variation in the way a student with a disability proceeds through their academic program as verified by documents based on assessment from a qualified health professional. These documents are used to determine the student's functional limitations requiring accommodation and are approved as per Academic Accommodation Support.

**4.3 Tuition fees**  
Fees charged to students for delivery of a degree program. Does not include ancillary fees.

**4.4 Ancillary fees**  
Additional university or program fees (non-tuition fees) charged to the student. For the purposes of the tuition equalization calculation, does not include fees collected on behalf of third parties (e.g. student union dues, health and dental plan fees, etc.).

**4.5 Rebate**  
A refund (issued in the form of a taxable bursary).

## 5. PROCEDURE DETAILS

Tuition fees for eligible students will be rebated in the amount of any difference between the total amount of tuition fees billed (in dollars) to the student to program completion (with some exceptions outlined below) as compared to a student taking the same program with a 100 percent course load as outlined by the program curriculum in the Ryerson University calendar. Rebate consideration will be based on the current program that the student is graduating from compared to a student who entered the same program in the same term who graduates within four (4) years. Tuition will be averaged across the duration of attendance to factor inflation. Equalization requests related to financial hardship, need to work, or other factors that can apply to non-disabled students will not be considered.

The Ministry of Education and Advanced Skill Development (MAESD) requires the University to provide for the equalization of tuition fees for undergraduate and graduate degree program students. In addition, but subject to available funds, Ryerson University is committed to providing equalization of university ancillary fees.

### 5.1. Eligibility

To be eligible for equalization of tuition and ancillary fees under this policy:

- 5.1.1. The student must be officially registered with AAS for the purpose of accommodating a disability.
- 5.1.2. AAS must have an assessment on file that justifies the relationship between the student's disability and their inability to complete the program with a full course load.
- 5.1.3. The student must be enrolled in their final semester and have submitted an application to graduate, per the university's stipulated deadlines, from their Undergraduate, Master's or Ph.D. degree program at Ryerson. Applications for equalization after the degree has been conferred will not be considered.
- 5.1.4. The student must have paid more in tuition and ancillary fees for their program of study than would be required if they were able to take a 100% full course load as outlined by the program curriculum in the Ryerson calendar.
- 5.1.5. The student must be a domestic student (eligible to pay domestic tuition fees) and Ontario resident. Out-of-province Canadian citizens and international students will be considered subject to available funds.

### 5.2. Equalization calculation - Exclusions and Inclusions

The following will not be included in the equalization calculation:

- 5.2.1. Courses taken for personal interest and/or courses that are not applied to the degree requirements.
- 5.2.2. G. Raymond Chang School courses not applied to the degree requirements.
- 5.2.3. Courses repeated for the purposes of improving GPA or repeating failed courses.
- 5.2.4. Scholarships and awards received by the student solely on the basis of merit (there is no financial need component).

The following will be included in the equalization calculation:

- 5.2.5. All courses taken at Ryerson University used to meet program graduation requirements.
- 5.2.6. Bursaries and other forms of need-based financial assistance provided to the student to off-set academic costs.

### 5.3. Timeline

- 5.3.1. For application  
Students must submit a tuition equalization application to AAS in the last semester of study before they intend to graduate. Applications received after graduation will not be considered.

- 5.3.2. For decision  
Every effort will be made to communicate decisions on tuition equalization applications to the applicants within 30 business days of the submission of the application to AAS.

5.4. **Application of the tuition rebate**

Any refund to students under this policy will be applied in the following order:

- 5.4.1. To any outstanding debts owed to the university (including but not limited to tuition fees, residence fees, late fees, fines or other charges).
- 5.4.2. To the National Student Loan Service Centre (if the student has been in receipt of government bursaries, grants and/or loans) and has an overpayment on record, in accordance with MAESD.
- 5.4.3. To the student.

5.5. **Appeal of equalization application decision**

- 5.5.1. Appeals or the equalization calculation must be submitted to the University Registrar within 10 business days of the date on the decision communication to the student.
- 5.5.2. Appeal requests will be reviewed and final decisions will be decided on by the University Registrar.

**6. Roles and Responsibilities**

6.1. **Student Applicants** shall be responsible for:

- 6.1.1. Reviewing eligibility criteria.
- 6.1.2. Completing their application to graduate by the posted deadline.
- 6.1.3. Submitting the tuition equalization application in their last semester of study prior to graduation.

6.2. **Academic Accommodation Support** shall be responsible for:

- 6.2.1. Making eligible students who are entering their last semester of study aware of this program and providing information about the tuition equalization application.
- 6.2.2. Accepting applications for tuition equalization and verifying registration with AAS and eligibility based on approved academic accommodations (actual documentation remains confidential in AAS).
- 6.2.3. Forwarding applications to the Office of the Registrar for a decision.

6.3. **Units within the Office of the Registrar** shall be responsible for:

- 6.3.1. Verifying the applicant's eligibility to graduate from their program
- 6.3.2. Reviewing the application, confirming eligibility and making the tuition equalization calculation.
- 6.3.3. Communicating decisions to applicants.

6.4. The **University Registrar** shall be responsible for:

- 6.4.1. Reviewing and deciding on appeals from applicants related to eligibility and/or calculation decisions.

**7. Jurisdiction**

These procedures are under the jurisdiction of the University Registrar.