

Policy Name:	Academic Accessibility Policy		
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Chapter	14, Academic Accessibility	Responsible Office:	Office of Opportunity and Belonging
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Policy Statement

NSCAD University is committed to the goal of providing equal opportunities within its programs to academically qualified students living with disabilities. NSCAD also recognizes, subject to financial and other resource constraints, and without compromising academic standards, that a student who is academically qualified and who has been admitted to the university has the right to:

1. Access to all educational programs.
2. Access to all learning environments.
3. Access to all institutional facilities and services.
4. Assistance that is individualized according to the student's disability and needs, to legitimate academic requirements, and to NSCAD's capacity to respond.

Reason for Policy

NSCAD University understands that individuals with a disability may have different ways of working within an academic environment, but that their ultimate performance is not inferior simply because it is achieved by different means. In accordance with our obligations under the Accessibility and Human Rights legislation, the purpose of this Policy is to declare that NSCAD University will act reasonably to provide accommodations, up to the point of undue hardship, for students experiencing a barrier as described by the applicable Human Rights legislation. In supporting students to achieve academic success, NSCAD recognizes that it is essential to remove or reduce barriers to education. Academic accommodation allows students a fair and equitable opportunity to engage in academic activities and fulfill essential course and program requirements.

Policy Applies to

All members of the University community bear responsibility for implementing this policy and should make themselves familiar with the policy and the resources available to them. Some areas of the University, however, are specifically accountable for implementing portions of this policy. Accommodations are collaborative in nature and must be based on mutual understanding. Please refer to the protocol document ([Appendix A](#)) for additional details about the role each person plays in accessing/providing academic accommodations.

Who Should Read this Policy

- All members of the university community

Contacts

Director, Opportunity and Belonging
Academic Learning Strategist

Coordinator, Opportunity and Belonging Email: Accessibility@nscad.ca
Telephone: 902-494-8260

Definitions

Academic Accommodations: Academic accommodations are reasonable modifications or adjustments to how a student:

- Accesses course or program content and information (e.g., curriculum);
- Participates in learning and course work (e.g., instructional methods); and/or
- Demonstrates skills or knowledge (e.g., evaluations and assessments).

They allow a student a fair opportunity to engage in academic activities and fulfill essential course and program requirements. Reasonable and appropriate accommodations can be made by providing alternative ways to meet the program outcomes. An Academic Accommodation is not reasonable if it imposes undue hardship on either the student or the academic institution.

Academic Accommodations do not:

- Reduce the student's responsibility to meet academic standards;
- Remove or alter essential course/program content or course/program standards and requirements;
- Remove or alter the fundamental requirements for evaluation and independent demonstration of knowledge and skills; or
- Diminish the academic integrity of the University's programs.

Academic Integrity: Academic integrity refers to the upholding of essential requirements of courses and programs. All courses and programs have core essential requirements against which students are evaluated as to whether they are demonstrating the skills, knowledge or attributes at the designated level of the course. Learning outcomes involve learning tasks and objectives that must be undertaken successfully without compromising the standard required for success in a course or program.

Accessibility: NSCAD defines accessibility in accordance with the Nova Scotia Post-Secondary Accessibility Framework as “the prevention and removal of barriers (physical, attitudinal, technological, or system) to allow equitable participation for persons with disabilities or others who experience barriers to accessibility.”

Barrier:	<p>NSCAD defines barriers in accordance with the Nova Scotia Post-Secondary Accessibility Framework as “anything that hinders or challenges the full and effective participation in society. Barriers can be physical, attitudinal, technological, or systemic (policy or practice). Accessibility barriers may be related to areas such as employment, education, the built environment, transportation, the delivery and receipt of goods and services, or information and communications.”</p> <p>Some barriers students might encounter include:</p> <p>Attitudinal How we think about and interact with persons with disabilities. These barriers are based on our beliefs, knowledge, experience and education – and can be hard to change. For example, assuming that someone who has difficulty speaking also has an intellectual disability.</p> <p>Environmental Physical access to campus, access to learning materials, the way the learning environment is organized.</p> <p>Financial Such as insufficient funds to manage their condition and seek resources.</p> <p>Rate of processing information This can be slow for some students which can impact listening during lectures or demonstrations, time to complete readings, and completing course work/ assignments on time.</p> <p>Social Social exclusion, isolation, bullying, teasing.</p>
Compassionate grounds:	<p>Extension or deferral of course requirements based on unforeseen and transient personal circumstances such as bereavement or temporary illness or injury, but otherwise fall outside the scope of academic accommodations.</p>
Disability:	<p>NSCAD defines disability in accordance with the Accessible Canada Act which explains disability as “any impairment, including a physical, mental, intellectual, cognitive, learning, communication, or sensory impairment-or a functional limitation- whether permanent, temporary or episodic in nature, or evident or not that, in interaction with a barrier, hinders a person’s full and equal participation in society.”</p>
Episodic:	<p>Episodic disabilities fluctuate between periods of wellness and disability. These disabilities can be lifelong and vary in severity and duration at different times during a person’s life. Episodic disabilities can include arthritis, muscular dystrophy and bipolar disorder.</p>
Invisible disabilities:	<p>Invisible disabilities are not observable. A person who experiences invisible disabilities and related barriers may not use assistive devices or show physical cues that indicate they have a disability. Invisible disabilities can include learning disabilities, mental health disabilities and episodic conditions like epilepsy.</p>

Permanent:	An impairment in accordance with the definition of disability that is expected to remain for their lifetime.
Persistent/Prolonged:	An impairment in accordance with the definition of disability that will last at least 12 months.
Temporary:	An event such as a temporary injury or bereavement which is not classified as a disability but results in temporary barriers. A student facing a temporary barrier should be considered for compassionate accommodations.
Undue Hardship:	<p>Undue hardship describes the limit beyond which an organization is not expected to accommodate an individual with a disability. Undue hardship usually occurs when an organization cannot meet the costs of, or withstand the losses in efficiency resulting from the accommodation. There is no formula for deciding what costs represent undue hardship and there is no precise judicial definition of “undue hardship.” A number of factors are weighed when assessing whether the hardship associated with accommodation is undue, including:</p> <ul style="list-style-type: none"> a) The nature of the requested or required accommodation; b) The financial cost of the accommodation; c) Whether the accommodation would diminish the academic integrity of the program, by altering or removing: <ul style="list-style-type: none"> i. essential program content; ii. essential standards or requirements for evaluation and independent demonstration of knowledge or skills; iii. requirements for external accreditation or certification; iv. learning outcomes; d) The degree to which the accommodation might impact or interfere with the rights of other students or faculty; e) Health or safety concerns that may arise as a result of the accommodation; and f) The cooperativeness of the student seeking the accommodation. <p>“Undue hardship” implies that some hardship may be involved in the duty to accommodate. Organizations are expected to exhaust all reasonable possibilities for accommodation before they can claim undue hardship.</p>
Visible disabilities:	Visible disabilities are observable or identifiable because a person may use assistive devices such as a wheelchair or a guide dog.

The Policy

1. Principles

- 1.1. NSCAD University is committed to providing accommodations and supports for students with disabilities. Reasonable and appropriate accommodations can be made by providing methods of reducing or eliminating barriers that may prevent students with disabilities from otherwise meeting the program outcomes. Reasonable accommodations must:
 - 1.1.1. Be based on documented individual needs;
 - 1.1.2. Allow for the most integrated experience possible;
 - 1.1.3. Not compromise essential requirements of a course or program;
 - 1.1.4. Not pose a threat to public or personal safety;
 - 1.1.5. Not impose an undue hardship or administrative burden on either the student or the University.

- 1.2. There is no set formula for accommodation. Each student's needs are unique and must be considered objectively when an accommodation request is made. At all times, the emphasis must be on the individual student and not on the category of disability. Differential treatment may sometimes be required to provide students with an equal opportunity to achieve full benefit from the educational environment.

2. Documentation

- 2.1. The University requires written documentation to support students' requests for academic accommodations on the basis of a disability.
 - 2.1.1. In an effort to reduce barriers for students with disabilities, NSCAD will accept documentation from a variety of professionals such as a registered psychologist, social worker, registered counselling therapist, psychiatrist, medical doctor, or other medical specialist.
 - 2.1.2. At minimum, documentation should include a statement indicating the existence of a disability or medical condition that could benefit from accommodation.
 - 2.1.3. A formal diagnosis is not required as NSCAD recognizes that this can be difficult to obtain.
 - 2.1.4. Documentation should be recent (completed within the last five years), or since the individual was aged 18 or older.
- 2.2. In appropriate situations, Accessibility Office Staff may approve certain accommodations on an interim basis for a specified period, normally a semester, pending the receipt of (comprehensive) supporting documentation.
- 2.3. In circumstances where a student's accommodation needs are intricate, the student may be asked to provide additional information, up to and including a diagnosis. In these instances, supporting documentation may need to set out:
 - 2.3.1. the functional limitations, impairments, or needs associated with the disability; and
 - 2.3.2. the types of academic accommodations that may be required to allow the student to fulfill the essential requirements of the academic course or program.
- 2.4. An accommodation assessment form is available to simplify the documentation process.
- 2.5. Accessibility Office staff, in collaboration with faculty and the Director, Teaching and Learning, will consider the recommendations of professionals when developing reasonable accommodations.

3. Confidentiality

- 3.1. NSCAD University understands the importance of maintaining confidentiality for students living with disability and recognizes this an integral component of our duty to accommodate. Obtaining pertinent health information is fundamental to NSCAD's ability to collaborate with students and faculty on identifying and implementing the most reasonable supports and services. To this end, students requesting academic accommodations are required to provide information pertaining to their disability and its impact to Accessibility office staff.
 - 3.1.1. Students are not required to disclose their health information to anyone outside of the Accessibility office in an effort to obtain accommodation supports.
 - 3.1.2. At times, the accommodation process may require that the student disclose information regarding the impact of their disability to other staff and instructors on a need-to-know basis such that specific responsibilities can be met under the terms of this policy and protocol.
 - 3.1.3. All requests for additional information should come through the Accessibility office and not be made to the student.
- 3.2. Personal information that identifies a student's disability will remain exclusively with the Accessibility Office in a secure filing system away from student's academic record, to protect the student's privacy. This is meant to protect the University from allegations of discrimination, as well as the student from potential discriminatory practices.
 - 3.2.1 All personal information disclosed is governed by NSCAD University's Confidentiality and Privacy Policy.

4. Compassionate Considerations

- 4.1. Requests for extension or deferral based on unforeseen and transient personal circumstances such as bereavement or temporary illness or injury should be considered on compassionate grounds and are not

generally matters of academic accommodation under this policy. The decision to grant accommodation on compassionate grounds is made by the course instructor, with the support of their Chair if needed.

5. Procedure

5.1. Request for Accommodation

A request for accommodation is to be made to the Accessibility and Accommodations Office by the student in accordance with the Accessibility and Accommodations protocol document developed by the Accessibility Office.

5.2. Assessment of Individual Need

The Accessibility and Accommodations Office will conduct an initial assessment of the request for Accommodations to determine the student's needs, the nature of the barrier(s) that is being experienced. If the barrier is one that can be overcome in accordance with human rights legislation but is assessed to impose undue hardship as defined above otherwise conflicts with reasonable accommodations as defined, the accommodation request shall be denied.

5.3. Considerations

When making decisions on a request for accommodations, certain considerations must be taken into account. The determination for a reasonable accommodation includes, but are not limited to the following:

- 5.3.1. impact on academic requirement – will the proposed accommodation markedly undermine the integrity of the academic requirements of the program;
- 5.3.2. safety risk – whether the accommodation requested would pose a risk to the safety of the student seeking the accommodation, other members of the student population, faculty and/or staff;
- 5.3.3. alternative accommodation – when the requested accommodation creates undue hardship for the University, can an alternative accommodation be made available?
- 5.3.4. appropriateness of the request – whether the accommodation request is complimentary to the student's need, thereby, reducing or eliminating the identified barrier.
- 5.3.5. financial cost to the University – whether the expected expense for the accommodation requested is cost prohibitive and lies in the scope of undue hardship;

5.4. Consultation and Decision

In consideration of the procedures outlined above and in consultation with the student and relevant faculty member, the Accessibility Office will work collaboratively to decide on the provision of accommodations.

5.5. Objections to Decision

If a student disagrees with the accommodation decision, the student should attempt to resolve the matter through informal discussions with Director of Opportunity and Belonging.

5.6. Appeal

If the student's objection is not resolved, the student may appeal this decision by filing a written appeal to the Accommodation and Accessibility Academic Committee (made up of SUNSCAD VP Equity or designate; Director, Opportunity & Belonging; Accessibility Learning Strategist; Academic Dean; Director, Teaching & Learning) within ten (10) business days of the date the final decision was made by the Accessibility Office.

- 5.6.1. The Academic Dean may appoint a designate to act in their place.
- 5.6.2. The committee will meet and conclude a decision within ten (10) business days of receipt of the appeal request.
- 5.6.3. If the student is unsatisfied with the result of appeal, the student may appeal to the Vice-President and Provost Academic and Research for consideration on the grounds of procedural fairness. The Vice-President (Academic & Research) and Provost may uphold the initial accommodation decision, may ask for reconsideration of the appeal, or may determine that an alternative form of accommodation should be provided with a recommendation to the Academic Learning Strategist. This decision is final and cannot be appealed further.

Forms and Tools

References

Accessible Canada Act:

<https://laws-lois.justice.gc.ca/eng/acts/A-0.6/FullText.html>

House of Commons Canada Taking Action: Improving the Lives of Canadians Living with Episodic Disabilities:

<https://mssociety.ca/library/document/lrMZUL0gi74WqjxFn3HfyNkoKBJA9E6u/original.pdf>

Mount Saint Vincent Policy on Academic Accommodations for Students with Disabilities: <http://www2.msvu.ca/DocumentCentral/Documents/Academic%20Accommodations%20for%20Students%20with%20Disabilities.pdf>

Nova Scotia Accessibility Resources Introduction to Disability Webinar:

<https://vimeo.com/725734618/b8aaf42f5b>

Nova Scotia Community College:

<https://www.nsccl.ca/about/publications/policies-procedures/policies/academic-accommodations-policy.asp>

Nova Scotia Post-Secondary Accessibility Framework:

<https://www.nsccl.ca/docs/about-nsccl/nova-scotia-post-secondary-accessibility-framework.pdf>

Ontario College of Art and Design University Academic Accommodation for Students with Disabilities Policy:

<https://www.ocadu.ca/Assets/content/registrarial/3007%20Academic%20Accommodations%20for%20Students%20with%20Disabilities%20Policy.pdf>

York University Academic Accommodation for Students with Disabilities (Policy):

<https://www.yorku.ca/secretariat/policies/policies/academic-accommodation-for-students-with-disabilities-policy/>

Appendix

- A. [Accessibility and Accommodations Protocol](#)
- B. [Accommodation Assessment Form](#)
- C. [Accommodation Letter Template](#)
- D. [Confidentiality Agreement and Consent Form](#)