

ACCOMMODATION POLICY for STUDENTS

Dalhousie University recognizes the diversity of its students and is committed to providing a learning environment and community in which students are able to participate without discrimination on grounds prohibited by the Nova Scotia *Human Rights Act*. In particular, the University is committed to facilitating students' access to the University's academic programs, activities, facilities and services.

The University's commitment to safeguarding students and employees from prohibited discrimination is set out in the Statement on Prohibited Discrimination, and the procedures for addressing alleged violations of the Statement by employees are set out in the Statement on Prohibited Discrimination Procedure for Complaints against an Employee of the University.

As stated in the Statement on Prohibited Discrimination:

The University operates in accordance with the Nova Scotia *Human Rights Act*. The *Act* prohibits discrimination in certain activities including the provision of or access to services and facilities, accommodation, publications and employment. Discrimination is defined as making "a distinction, whether intentional or not, based on a characteristic, or perceived characteristic . . . [see list below] that has the effect of imposing burdens, obligations or disadvantages on an individual or class of individuals not imposed upon others or which withholds or limits access to opportunities, benefits and advantages available to other individuals or classes of individuals in society." The *Act* prohibits discrimination based on the following grounds or characteristics:

- (i) age
- (ii) race
- (iii) colour
- (iv) religion
- (v) creed
- (vi) sex
- (vii) sexual orientation
- (viii) physical disability or mental disability
- (ix) an irrational fear of contracting an illness or disease
- (x) ethnic, national or aboriginal origin
- (xi) family status
- (xii) marital status
- (xiii) source of income
- (xiv) political belief, affiliation or activity
- (xv) association with an individual or a class of individuals having characteristics referred to in (i) to (xiv)

The University recognizes that its obligation to provide a learning environment and community free from prohibited discrimination includes the obligation to make accommodations for students in instances where a student's learning environment or the University community in which they operate has a discriminatory effect on the student's ability to fully participate in, and have access to, University academic programs, activities, facilities and services. In particular, the university is obliged to make every reasonable effort short of undue hardship to take substantial, timely and meaningful measures to eliminate or reduce the discriminatory effects of the learning and community environment, including facilities, policies, procedures, and practices.

The purpose of this policy is to set out clear procedures to be followed in all instances where a student seeks accommodation to eliminate or ameliorate discrimination on one of the prohibited grounds. This policy replaces existing policies or practices concerning student accommodation.

The Student Accommodation Office and the Human Rights and Employment Equity Office are resources available to students seeking accommodation and to units considering or implementing an accommodation plan.

Policy

Definitions

1. In this policy,

“academic accommodation” means accommodation in relation to the student’s participation in an academic program or particular class;

“administrative head” means the individual with day-to-day operational responsibility for a University operation, activity, service or non-academic program;

“non-academic accommodation” means accommodation in relation to University activities and services that are not otherwise considered academic accommodation;

“student” shall include individuals enrolled at the University;

“Student Accommodation Liaison” means the individual or committee assigned responsibility for managing accommodation requests by each Faculty in accordance with section 3 of this policy.

Role of Student Accommodation Office, Faculty and Administrative Heads

2. Subject to the terms of this policy, the Student Accommodation Office will be responsible for administering student requests for accommodation, in consultation with the Faculty’s Student Accommodation Liaison in relation to academic accommodation, and in consultation with the relevant administrative head in relation to non-academic accommodation.
3. Each Faculty shall either assign a senior academic administrator or a Faculty, School or Department committee the responsibility to act on behalf of the Faculty in relation to academic accommodation requests under this Policy. Such individuals or committee shall be referred to in this policy as the Student Accommodation Liaison.
4. Prior to the commencement of each academic year, the Student Accommodation Liaison shall be responsible for approving parameters for academic accommodations relative to the Faculty’s particular academic program and class requirements.

Requests for accommodation

5. It is the student’s responsibility to make a request for accommodation in accordance with this policy. The request for accommodation must be made reasonably in advance of the event or process in relation to which accommodation is being sought so that a decision can be made. Except in rare circumstances when significant psychological or mental health issues arise, there should be no “after-the-fact” accommodation. The University will consider a request for accommodation made by a third party (physician, family member, caregiver, advocate or other representative) only where the student has provided prior written consent.
6. A request for accommodation shall be made by the student in writing to the Student Accommodation Office, and shall contain the following information:
 - a) the reasons for the accommodation (*i.e. particulars of the discriminatory impact on the student on one of the prohibited grounds*) and any supporting documentation;

- b) the accommodation being requested and/or any suggestions as to how the accommodation can be achieved;
- c) where a medical condition is relevant to the request, copies of medical reports or additional medical documentation to substantiate the request and/or to assist in identifying the most appropriate means of accommodation; and
- d) where the request relates to academic accommodation in relation to a learning disability, a current psycho-educational report describing the nature of the learning disability.

Assessment and Decisions concerning accommodation

7. The assessment by the Student Accommodation Office is a two-step process. First, the Student Accommodation Office screens the requests to ensure that only requests arising in relation to one of the prohibited grounds of discrimination are permitted to proceed. If the request does arise in relation to one of the prohibited grounds, the Student Accommodation Office shall proceed to the second step, and shall consider all relevant factors in making a preliminary assessment as to whether an accommodation could be made without imposing an undue hardship to the University. In making such an assessment, the Student Accommodation Office will usually consult with the student making the request. Relevant factors include, but are not limited to, the following:
 - a) Linkage – whether the proposed accommodation will have the practical effect of eliminating or reducing the identified barrier;
 - b) Safety – whether the proposed accommodation would pose a safety risk to faculty, staff or other students or to the student seeking accommodation;
 - c) Financial Cost – what are the costs (estimate out-of-pocket expenses to put the accommodation in place together with any long-term costs to sustain the proposed accommodation), and would such costs be prohibitive;
 - d) Size and nature of the program or service – how disruptive would the proposed accommodation be to the program or service, considering the number of students, faculty and staff and the nature and inter-relationships of their roles;
 - e) Impact on academic requirements – whether the proposed accommodation will substantially undermine the academic requirements of the program; and
 - f) Alternatives – where a requested accommodation appears to create an undue hardship based on the above factors, whether an alternative accommodation may be available.

8. Where the request is for academic accommodation, the Student Accommodation Office, in consultation with the class instructor, shall assess the recommendation in light of the factors set out in section 7 above, and the parameters for academic accommodation approved by the Faculty responsible for the delivery of the class, and shall make a decision concerning the accommodation. Where the circumstances are not addressed by the approved parameters, the Student Accommodation Office shall also consult with the Student Accommodation Liaison. The Student Accommodation Office shall inform the student, those who are necessary for the implementation of the decision (such as the course instructor), and the Student Accommodation Liaison of the decision. Except in extraordinary circumstances, decisions concerning accommodation shall be communicated within five (5) working days of the student's request. A request can be expedited at the request of the student if circumstances warrant. In consultation with the Student Accommodation Liaison, and class instructor as required, the Student Accommodation Office may review accommodation plans from time to time to determine whether any adjustments to the accommodation plan are necessary.

9. Where the request is for non-academic accommodation, the Student Accommodation Office shall work with the appropriate administrative head to determine what accommodation should be provided, consulting others, including the student making the request, as necessary. The Student Accommodation Office shall communicate the decision to the student. Accommodation plans may be reviewed from time to time to determine whether any adjustments to the accommodation plan are necessary.

10. The Student Accommodation Office in consultation with the Student Accommodation Delegates and the administrative heads, as appropriate, will monitor accommodation plans from time to time to ensure that they have been implemented in accordance with this policy.

Appeals

11. There shall be an Accommodation Appeals Committee comprising two members appointed by the Vice-President Finance and Administration, two members appointed by the Vice-President Academic and Provost, two members appointed by the Vice-President Student Services, and three students appointed by the Vice-President Student Services.
12. Where a student believes that his or her request for accommodation has not been handled in accordance with this policy or is not satisfied with the type of accommodation provided, the student may appeal such decision by providing written notice to the Student Accommodation Office within ten working days of the date of the decision. Upon receipt of such notice, the Student Accommodation Office shall ask the Vice-President Academic to select a hearing panel comprising three employees and two student members of the Accommodation Appeals Committee to hear the appeal.
13. The Accommodation Appeals Committee hearing panel may uphold the initial decision concerning the accommodation or may determine that an alternate form of accommodation should be provided.. The decision of the hearing panel is final, and cannot be appealed further.

Confidentiality

14. Particulars of requests for accommodation, including supporting documentation, shall be treated as strictly confidential, and shall not be disclosed to other persons without the consent of the student requesting accommodation, except and to the extent that such disclosure is reasonably necessary for the effective implementation of the accommodation plan.

Cooperation

15. All faculty, staff and students shall cooperate with accommodation plans implemented under this policy. Failure to cooperate may be considered prohibited discrimination under the Statement on Prohibited Discrimination.
16. Notwithstanding anything in this policy, students have the right at any time to seek the assistance of the Nova Scotia Human Rights Commission.

Procedures

1. Requests for accommodation under section 5 of the policy shall be on Form A.
2. The notice of appeal described under section 10 of the policy shall be on Form B.