

**STUDENT ACADEMIC ACCOMMODATIONS PROCEDURE**

<b>Procedure Section:</b>	Academic & Student Experience	<b>Effective Date:</b>	May 15, 2024
<b>Policy Owner:</b>	Vice President Academic & Student Experience	<b>Last Revised:</b>	March 20, 2024
<b>Policy Administrator:</b>	Manager, Accessibility & Wellness Services	<b>Review Scheduled:</b>	Every 4 years
<b>Approver:</b>	Executive Committee Academic Council		
<i>The official controlled version of this document is held with the Legislative Compliance / Policy &amp; Procedure Coordinator.</i>			

**A. PROCEDURES**

This procedure outlines how accommodations are requested and implemented for students with disabilities at Keyano College, as well as the College's practice of providing accommodations to students for the purpose of religious observances and provides the means for addressing concerns related to these accommodations. The College has a duty to accommodate to the point of undue hardship.

**1. PROCEDURES FOR STUDENTS WITH DISABILITIES**

- 1.1 The College will:
  - a. provide an accommodation process that promotes equitable access to all courses, courses of study, programs, and other services;
  - b. protect the privacy, confidentiality and autonomy of students requiring accommodation, subject to sharing information when necessary to evaluate a request for accommodation or on a need-to-know basis; and
  - c. consider and assess all accommodation requests on a case-by-case basis and in a timely and responsive manner.
- 1.2 The student has the right to deny consent for information sharing with relevant parties outside of Accessibility Services at any time.
- 1.3 All parts of the accommodation process related to disabilities will be documented in writing in the student's file in Accessibility Services. Some aspects may be documented in the Office of the Registrar if a student self-discloses a disability during academic registration.  
Reduced course load information is also tracked in the Office of the Registrar.

**2. TIMELINES**

- 2.1 Students should register with Accessibility Services as soon as possible to avoid delays in assessing and arranging accommodations in relation to disability.

- 2.2 Timelines for students are outlined in Appendix A.
- 2.3 Students with a recent diagnosis of a permanent or prolonged Disability, a change in status of a disability, or a program change before the add/drop deadline as defined in the Keyano College Credit Calendar, may request accommodations outside the timelines set out in Appendix A.

### **3. DOCUMENTATION**

- 3.1 Students need to provide documentation outlining their disability impacts in the post-secondary environment. Please see Appendix A for the documentation criteria.
- 3.2 Complying with 3.1 does not guarantee an accommodation.
- 3.3 The College will not assume any costs associated with documentation of a disability to determine reasonable accommodations.

### **4. REQUESTING ACCOMMODATIONS RELATED TO DISABILITY**

- 4.1 Students request accommodations from the Accessibility Services Department.
- 4.2 The request for accommodations is assessed by the Access Strategist.
- 4.3 Accommodations take time to implement; therefore, students need to request accommodations as soon as they know they are required.

### **5. EVALUATING AN ACCOMMODATION RELATED TO DISABILITY REQUEST**

- 5.1 A request for accommodation may be denied in cases of undue hardship.
- 5.2 Undue Hardship is a difficult legal standard to meet, and in most cases, a reasonable accommodation will be available.
- 5.3 A request for accommodation may be denied where the medical or psycho- educational assessment documentation does not support the requested accommodation.

### **6. CREATING AN ACCESSIBILITY PLAN FOR STUDENTS WITH DISABILITIES**

- 6.1 The Accessibility plan is created by the Access Strategist in collaboration with the student, relevant College employees, and documentation provided by a credentialed health professional.
- 6.2 The Accessibility plan outlines the supports and services, accommodations, functional impacts of the disability, and rationale for selecting the accommodations.
- 6.3 The Accessibility plan is finalized by the Access Strategist within 10 business days after receiving both supporting documentation and the student's self-report.
- 6.4 An Interim Accessibility plan will be completed the same way as outlined in 6.3, with an expiry date indicating the date by when the student must submit sufficient documentation.

## **7. LETTER OF ACCOMMODATION**

- 7.1 For an approved accommodation, a Letter of Accommodation is sent to relevant College employees outlining the accommodations for college services. The student will also be given a copy of the plan.
- 7.2 For an approved accommodation, a Letter of Accommodation is sent to instructors outlining the reasonable accommodations that the student requires for courses and programs.
- 7.3 Letters of Accommodation will be sent out within 5 business days unless exceptional circumstances arise.
- 7.4 As accommodations can change with the impacts of the disability on the student's learning, revisions may be sent throughout the term.

## **8. IMPLEMENTING ACCOMMODATIONS FOR COURSES AND PROGRAMS**

- 8.1 Instructors contact the Access Strategist within 3 business days if they have concerns with the accommodations as outlined in the Letter of Accommodation. No response from the instructor indicates agreement with the Letter of Accommodation.

## **9. IMPLEMENTING ACCOMMODATIONS FOR PRACTICUMS AND WORK PLACEMENTS**

- 9.1 Accommodations need to be initiated at least 4 months prior to the start of the practicum placement in which the student requires accommodation by contacting Accessibility Services. This lead time is required to allow for evaluation of the request and any necessary follow-up.
- 9.2 The Access Strategist, student, College Practicum Coordinator, and organization hosting the practicum placement develop the Accessibility plan for the practicum placement, which outlines the reasonable accommodations.

## **10. SAFETY CONSIDERATIONS**

- 10.1 The Access Strategist is responsible for creating a safety Plan with a student if there are impacts to their safety due to their disability.
- 10.2 The Access Strategist will consult with Occupational Health and Safety, Security, and/or Health Services, as required, after obtaining student consent.
- 10.3 The Safety Plan will be communicated to appropriate College employees with student consent.

## **11. APPEALS BY INSTRUCTOR**

- 11.1 If an Instructor has concerns about a student's Letter of Accommodation, the instructor will meet with the Access Strategist in a collaborative session to clarify the accommodation in question, to determine if the accommodation is currently being provided via another method, to propose alternate pathways to implement the Accommodation, and/or to discuss Bona Fide Occupational or Education Requirements within 3 business days of receiving the Letter of Accommodation.

- 11.2 If consensus is not attained in 11.1 and the instructor believes that the Letter of Accommodation restricts the student's ability to meet Bona Fide Occupational or Educational Requirements, the instructor may appeal the terms of the Letter of Accommodation by consulting with the Program Chair to discuss their concerns about the accommodation and will identify the grounds for an appeal by providing the essential skills, knowledge, course objectives, learning outcomes, and, if applicable, professional licensing requirements that may not be met, in writing to the Manager of Accessibility and Wellness Services within 3 business days of the collaborative session.
- 11.3 Alternatively, if consensus is not attained in 11.1 and the Instructor believes that the Letter of Accommodation represents Undue Hardship, the instructor may appeal the terms of the Letter of Accommodation by consulting with the Program Chair to discuss their concerns about the accommodation and will identify the grounds for an appeal by sending a letter to the Director, Academic Experience (DAE) (or designate) stating the rationale and evidence supporting their claim of undue hardship no later than 3 business days after the meeting with the Program Chair.
- 11.4 The DAE (or designate) may consult with the appropriate Dean, the student, Accessibility Services, legal services (if required), and other relevant personnel when evaluating the Appeal and Letter of Accommodation.
- 11.5 The DAE (or designate) will communicate their decision in writing to the student, the instructor, and Accessibility Services no later than 10 business days after receiving the appeal. The decision will be considered final. If applicable, the Access Strategist will revise the Letter of Accommodation to reflect the appeal decision.
- 11.6 In all cases, accommodations must remain in place until a final decision has been made.

## **12. APPEALS BY STUDENT**

- 12.1 Consultation: A student who has concerns about the reasonable accommodations in the Accessibility Plan should first discuss their concerns in a meeting with the Access Strategist and the Manager of Accessibility and Wellness Services.
- 12.2 First Level of appeal: If following the discussion meeting in 12.1, the student disagrees with the Accessibility Plan, the student may appeal the terms of the Accessibility Plan by notifying the DAE (or designate) of their concerns in writing within 10 business days of the discussion meeting in 12.1. The initial Accessibility Plan will remain in place while the appeal is ongoing.
- 12.3 The DAE (or designate) will communicate their decision regarding the Accessibility Plan and the student's appeal in writing to the student and the Manager of Accessibility and Wellness Services within 5 business days after receiving the appeal.
- 12.4 Second Level of appeal: If following the decision by the DAE (or designate), the student further disagrees with the Accessibility Plan, the student may appeal the terms of the Accessibility Plan by notifying the Vice President Academic & Student Experience (VP ASE) (or designate) of their concerns in writing within 10 business days. The Accessibility Plan may change. The initial Accessibility Plan will remain in place while the appeal is ongoing.

- 12.5 The DAE and the VP ASE (or designate) may consult with the appropriate Dean, Chair, legal services (if required), Instructor, and representatives from Accessibility Services when evaluating the Accessibility Plan and the appeal from the Student.
- 12.6 The VP ASE (or designate) will communicate their decision regarding the Accessibility Plan and the student's appeal in writing to the student and the Manager of Accessibility and Wellness Services no later than 10 business days after receiving the decision from the DAE and the VP ASE (or designate) in 12.4. This decision will be considered final.
- 12.7 If applicable, the Access Strategist will revise the Accessibility Plan, including any Letters of Accommodation, to reflect the appeal decision.

### **13. COMPLAINTS BY STUDENT**

- 13.1 The student has the right to file a complaint in writing using the Accommodations Complaint Form to Accessibility Services if they do not receive their full accommodations, as outlined in their approved Letter of Accommodation, from their instructors or other College services. Please see Appendix C for this form.
- 13.2 The Complaint will be reviewed by Accessibility Services within 3 business days of being received. Accessibility Services may request more information or clarification about the complaint from the student.
- 13.3 The instructor will be invited to a collaborative session with Accessibility Services to gather more information or clarification and to discuss how the complaint may be resolved.
- 13.4 A Complaint Resolution Plan will be generated for valid complaints by Accessibility Services to address the concern(s).
- 13.5 The complaint resolution plan will be in writing and will be communicated to the Student within 5 business days of receiving the complaint.
- 13.6 If following the creation of the complaint resolution plan, the student disagrees with the outcome, the student may appeal the terms of the complaint resolution plan by notifying the DAE (or designate) of their concerns in writing within 5 business days of receiving the complaint resolution plan.
- 13.7 If following the appeal to the DAE (or designate) the student disagrees with the outcome, the student may appeal the terms of the complaint resolution plan by notifying the VP ASE (or designate) of their concerns in writing within 10 business days of receiving the Associate Vice President Student Experience & Registrar (or designate) and the VP ASE (or designate) decision on the complaint resolution plan.
- 13.8 The DAE (or designate) and the VP ASE (or designate) may consult with the appropriate Dean, Chair, legal services, instructor, employees, and representatives from Accessibility Services when evaluating the complaint from the student.

- 13.9 The VP ASE (or designate) will communicate their decision regarding the complaint in writing to the student and the Manager of Accessibility and Wellness Services no later than 10 business days after receiving the appeal. The decision will be considered final.
- 13.10 Additional actions will be taken to implement the final decision, as required.

## **14. PROCEDURES FOR FAITH-BASED ACCOMMODATIONS**

- 14.1 The student should contact the instructor via email as soon as possible to avoid delays in assessing and arranging faith-based accommodations.
- 14.2 Timelines for students for faith-based accommodations are outlined in Appendix B.
- 14.3 The student should notify the instructor of any religious observances that may conflict with scheduled classes, exams, or other academic activities via email only.
- 14.4 The student must notify the instructor as soon as possible, and at least 10 business days in advance of the anticipated religious observance or absence. Notifications (email) should include the name of the holiday or faith-based observance, and the name of the associated faith, religion, spirituality, or practice.
- 14.5 The instructor shall take requests for faith-based accommodation in good faith unless there is evidence that request is not genuine.
- 14.6 As faith-based accommodation is the right to have time away from study to practice the tenets of one's faith, the instructor will make reasonable efforts to provide alternative arrangements for the student, including but not limited to rescheduling exams, laboratory work, or assignments.
- 14.7 It is the student's responsibility to arrange the collection of missed course work, notes, or other materials.
- 14.8 Final exams may be deferred for the purpose of policy and must follow the timeline indicated in the Examination Policy under Examination Procedures 1.8 for writing the deferred exam.
- 14.9 The instructor may ask which faith, religion, spirituality, or practice and observance the request entails, but may not inquire as to the degree of sincerity held in the beliefs.
- 14.10 Documentation from a religious or spiritual organization is not required to be eligible for faith-based accommodations.
- 14.11 Accessibility Services will publish and share a list of faith-based observances with faculty for reference in determining whether to implement an accommodation by December 15 of each year for the upcoming calendar year.
- 14.12 The instructor may contact Accessibility Services to inquire about potential faith-based observances not mentioned on the list in 14.9. Accessibility Services will determine whether the requested date is considered a faith-based observance.

- 14.13 There is not a duty to accommodate cultural events, such as Lunar New Year. However, there is a duty to accommodate faith-based and/or religious events.
- 14.14 Some faiths may require more frequent obligatory practice than others. For example, the student may be required to be away from study at certain times for prayer, or to carry a kirpan (See definitions for further details), or to wear attire to fulfill faith-based and/or religious obligations. Accommodations are a legal requirement and must be met.

## 15. COMPLAINTS PROCESS FOR STUDENTS – FAITH-BASED ACCOMMODATIONS

- 15.1 If a student believes they have not been afforded appropriate faith-based accommodations by an instructor or other member of the College. The student may make a complaint following the Student Complaint Policy and procedure located on Keyano’s website with the DAE (or designate) through the Office of the Registrar.
- 15.2 The complaint should detail the specific incident(s), the accommodation sought, and any communication with the instructor or department regarding the matter.
- 15.3 The DAE (or designate) will review the complaint, consult with relevant parties, and provide a resolution within 10 business days of receiving the complaint.

## B. DEFINITIONS

- (1) **Access Strategist:** means the Keyano College Employee responsible for reviewing disability documentation and determining whether a student qualifies for accommodations. The Access Strategist will determine appropriate accommodations and create the Letters of Accommodation and the Accessibility Plan
- (2) **Accessibility Plan:** means the plan developed by Accessibility Services (AS) to meet the needs of the student with a disability for accommodation
- (3) **Accessibility Services (AS):** means the department at Keyano College responsible for supporting the accommodations process and creating and coordinating Accessibility Plans
- (4) **Accommodation:** means making alterations to the delivery of services, courses of study or programs, or making modifications to physical environments to the extent necessary to address discrimination against a student based on any protected ground
- (5) **Accommodation Process:** means a collection of steps that are taken to capture, evaluate, and implement an accommodation request

- |      |  |  |
|------|--|--|
| (6)  | <b>Act:</b>  | means the <i>Alberta Human Rights Act</i> in force at the relevant time  |
| (7)  | <b>Alberta Apprenticeship and Industry Training (AIT):</b> | means the provincial organization under Advanced Education responsible for the training of Alberta Apprentices   |
| (8)  | <b>Apprentice:</b>   | means the individual completing industry training in a trade under AIT at Keyano College   |
| (9)  | <b>Appeal:</b>   | means the process the student or instructor initiates when they disagree with the determined Accessibility Plan or Letter of Accommodation   |
| (10) | <b><i>Bona Fide Educational Requirements:</i></b>          | means the requirements that are a reasonable and justifiable component of the program that may limit entry to, or completion of a program or a course. They include the admission, progression and graduation requirements that are essential to maintaining the academic integrity of a program, including those necessary for students to acquire and demonstrate essential skills and knowledge |
| (11) | <b>Business Days:</b>                                      | means the days that the College is open for business, excluding weekend and holiday closures   |
| (12) | <b>College:</b>  | means Keyano College   |
| (13) | <b>Complaint:</b>  | means the process the student initiates when they believe their accommodations are not implemented properly  |
| (14) | <b>Disability:</b>   | means any degree of physical or mental disability as defined and interpreted pursuant to the Act, regardless of cause or duration. A protected ground under the Act  |
| (15) | <b>Documentation:</b>                                      | means a report signed and dated by a credentialed health professional qualified to diagnose. It will be current and describe how the disability, and treatment if applicable, impacts the student's functioning in the academic setting  |
| (16) | <b>Duty to Accommodate:</b>                                | means the legal duty to accommodate a person's needs based on a protected ground (as defined by the <i>Alberta Human Rights Act</i> ) to eliminate discriminatory effects upon students with disabilities  |
| (17) | <b>Employee:</b>   | means an individual, other than an instructor, who is engaged to work for the College under an employment contract   |



- (18) **Faith-based Accommodation:** means making alterations to the delivery of services, courses of study, or programs to the extent necessary to permit the student to have time away from study to practice the tenets of their faith
- (19) **Faith-based Observance:** means the act of following a faith-based custom, such as attending worship services, ceremonies, or events, praying, or wearing faith-based symbols
- (20) **Interim Accommodations:** means bridging accommodations provided when there is significant rationale indicating the need to address a functional impact caused by a disability, yet the student is in the process of obtaining the appropriate documentation. Interim accommodations may be issued only once for the duration of education as a registered student at Keyano College
- (21) **Instructor:** means the employee that is on record as the individual teaching a course, lab, or practicum placement
- (22) **Kirpan:** means a small blade (knife, dagger, or sword), worn in a sheath on a strap or belt
- At Keyano College, a kirpan must comply with the following guidelines:
- worn under clothing;
  - always enclosed in a sheath; and
  - the kirpan must be sewn into the sheath.
- (23) **Letter of Accommodation:** means the document prepared by the College in Accessibility Services and provided to the student that details the reasonable accommodation
- (24) **Practicum Placement:** means a placement that is a component of the learning environment to support students in developing essential skills. It often takes place off-site (not on College premises) and is coordinated by a College department and an individual at the worksite
- (25) **Reasonable Accommodation:** means an accommodation that addresses discrimination based on a protected ground, such as disability status, that does not create undue hardship for the College
- (26) **Safety Plan:** means the plan created by an Access Strategist in Accessibility Services to address any safety concerns that arise from a student's disability

- (27) **Special Requirements:** means the term used by AIT to define accommodations for exams and technical training
- (28) **Student:** means an individual registered in a College credit course or program of study
- (29) **Testing Services:** means the department at Keyano College responsible for proctoring tests and exams and is responsible for the implementation of approved accommodations for course evaluation
- (30) **Undue Hardship:** means the legal standard where a proposed accommodation would create unreasonable hardship for the College. Undue hardship is the point of accommodation that creates onerous conditions for the employer or service provider that could deem the accommodation to be unreasonable. It includes prohibitive costs, disruption, or interference with the proper or necessary functioning of the College, or increased probability of health or safety hazards to any person or class

## C. RELATED LEGISLATION

- *Alberta Freedom of Information and Privacy Act*
- *Alberta Health Information Act*
- *Alberta Human Rights Act*
- *Canadian Charter of Rights and Freedoms*
- *Citizenship and Multiculturalism Act*
- *Post-secondary Learning Act*

## D. RELATED DOCUMENTS

- Academic Standing Policy and Procedure
- Animal on Premises Policy and Procedure
- College and Association of Registered Nurses of Alberta (CARNA)—Document Library
- Defenses to Human Rights Complaints: Human Rights Guide – Alberta Human Rights Commission
- Duty to Accommodate: Human Rights Guide – Alberta Human Rights Commission
- Duty to Accommodate Students with Disabilities in Post-Secondary Institutions: Interpretive Bulletin (2010). Alberta Human Rights Commission
- Employee Progressive Discipline Policy and procedure
- Examination Policy
- Respectful Workplace Policy
- Student Academic Accommodation Policy
- Student Complaint Policy and procedure
- Student Non-Academic Misconduct Policy and procedure

- Substance Use Policy and procedure
- Testing Services Guidelines

## E. REVISION HISTORY

Date (mm/dd/yyyy)	Description of Change	Sections	Person who Entered Revision (Position Title)	Person who Authorize d Revision (Position Title)
05/23/2019	New	All	Director, Student Services	Vice President Academic
02/23/2021	Revised	All	Director, Student Services	Vice President Academic
03/20/2024	Revised, including addition of faith- based accommodations. Previous Accommodations for Students with Disabilities Policy and procedure will be rescinded.	All	Manager, Accessibility & Wellness Services	Vice President Academic & Student Experience

## Appendix A: Procedures for Students

- 1) An Accessibility Plan may not be available for the current semester, session, course, co-op placement, practicum placement, exam, event, or activity if the student with a disability does not register with Accessibility Services by the following timelines:
  - a. At least six calendar weeks in advance of the first scheduled day of classes if the student has not previously been registered with AS;
  - b. No later than the add/drop deadline, as defined in the Keyano College Credit Calendar, after the start of each semester if the student was registered with AS prior to the start of the semester;
  - c. At least six calendar months in advance of the first scheduled day of classes if the student requires sign language interpretation;
  - d. At least six calendar months in advance of the first scheduled day of classes if the student requires structural modifications to the physical environment;
  - e. At least 4 calendar months in advance of the first day of practicum placement in the Nursing, Allied Health, and Bachelor of Education programs;
  - f. No later than ten business days after the release of the final examination schedule if the student is writing examinations in Testing Services;
  - g. Timelines for apprentices will align with special requirement protocols as defined by Alberta Apprenticeship and Industry Training.
  
- 2) Students must provide supporting documentation to Accessibility Services as soon as possible. Supporting documentation will:
  - a. Either be in English or have attached to the original documentation an English translation of the documentation certified by a qualified translator;
  - b. Confirm the rationale for seeking an accommodation;
  - c. Be from a credentialed health professional;
  - d. Include the credentialed health professional's name, title, contact information, and be on official letterhead with original signature;
  - e. Include the date of assessment;
  - f. Include a statement on the nature of the disability and the care plan including any medications and the impact of not following the care plan;
  - g. Explain the impact of the disability on the student in a post-secondary learning environment; a diagnosis alone is insufficient.



# Procedure

## **Appendix B:**

### **Procedures for students for faith-based accommodations**

- 1) The student must notify the instructor, via email, as soon as possible, and at least 10 business days in advance of any religious observances that may conflict with scheduled classes, exams, or other academic activities. Notifications should include:
  - a. The name of the holiday or faith-based observance; and
  - b. The name of the associated faith, religion, spirituality, or practice.



# Procedure

## Appendix C:

### Accessibility Services Student Accommodations Complaint Form

Student Name: \_\_\_\_\_

Student ID: \_\_\_\_\_ Keyanomail Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Program: \_\_\_\_\_

#### Accommodation Information

Letter of Accommodation Date (all relevant):

\_\_\_\_\_

Specific Accommodations Approved:

\_\_\_\_\_

#### Complaint Details

Please describe your concerns or incident using dates, places, other people (staff/student) present and a description of the action. Please include any relevant details regarding how your approved accommodations were not fully provided:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### Desired Resolution

Describe your desired resolution or outcome regarding this complaint (e.g., rewriting an exam):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Additional Information or Documentation (if any):**

Attach any additional documents or provide more information that might help review this complaint.

**Submission Instructions:**

- 1) Complete this form and submit it to Accessibility Services via email at [accessibility.services@keyano.ca](mailto:accessibility.services@keyano.ca).
- 2) Your complaint will be reviewed within 5 business days of receipt. A complaint resolution plan will be generated and communicated to you within 5 business days of receiving the complaint.
- 3) If unsatisfied with the resolution plan, you can submit an appeal to the Associate Vice President, Student Experience, and Registrar (or designate) within 10 business days. Further appeals can be made to the Vice President Academic as per the procedure outlined in the Academic Accommodations for Students Policy. You may submit your appeal to [accessibility.services@keyano.ca](mailto:accessibility.services@keyano.ca). Please retain a copy of this form for your records.