



Policy Name: Student Access to Accommodations  
Approving Authority: EDIA Committee

Policy # SA-003  
Approval Date: 1/23/2025  
Date Last Reviewed: 11/30/2023  
Next Review Date: 1/2030

## **Statement**

The Student Access to Accommodations Policy of Yorkville University ("Yorkville" or the "University") supports the commitment to human rights, equity, fairness, diversity, and accessibility. The Equity, Diversity, Inclusion, and Accessibility ("EDIA") Committee will review this policy every five (5) years.

## **Purpose**

This policy provides access to students with disabilities, and/or other needs related to Protected Grounds, particularly by making accommodations that facilitate accessibility. This policy provides information about reasonable accommodations, academic and non-academic, to enable students with disabilities, and/or other needs related to Protected Grounds, to meet and demonstrate the University's high standards in a fair and equitable manner. This policy applies to accommodations for student needs related, but not limited to, other protected human rights grounds such as to family status (caregiving responsibilities), sex (pregnancy/breastfeeding), and gender identity and/or gender expression, among others.

We recognize that the term "disability" can be sensitive for some individuals, and that not everyone may feel comfortable disclosing or identifying with it. However, the University uses this term to ensure students' rights are protected and to facilitate access to the necessary resources. In accordance with the New Brunswick Human Rights Act, the University will promote and protect the rights and dignity of all students and will create a safe, respectful, and supportive environment for all members of the University community. This policy aims to make the University as accessible as possible so that students with disabilities, and/or other needs related to Protected Grounds can participate as equal members in the activities of the University community.

## **Roles and Responsibilities**

Appropriate student accommodation entails shared responsibilities and communication among University staff, faculty, and students. The EDIA Committee has oversight of this policy. The Director of Compliance, Health and Safety, in coordination with the Student Services Accessibility Representative, is responsible for the implementation of this policy.

## **Definitions**

Protected grounds: Human rights grounds protected under applicable provincial and federal human rights legislation.

## **Policy**

The Student Access to Accommodations Policy provides the University with appropriate mechanisms to implement this policy in a reasonable, timely, and effective manner.

Accommodation is rooted in the legal concept of "reasonable accommodation," which refers to reasonable efforts

to modify requirements so that persons with disabilities and/or other needs related to Protected Grounds can participate in a process or perform an essential function. When University environments, facilities, procedures, teaching and learning materials, and methods of assessment are not designed in a manner that is accessible to all students, accommodation may be needed.

Accommodation is an individualized modification of environments, materials, or requirements that provide the student with an alternative means of meeting essential course or program requirements.

Accommodations are individualized for a particular student and may include (but are not limited to):

- (a) adaptation, substitution, or deletion of a component of a program, course, assignment, or method of assessment;
- (b) provision of a service.

Specifically, the University will:

- (a) Provide support to fulfill its mandate to:
  - i. inform and assist faculty and staff in providing suitable student accommodations and understanding disability, and/or other needs related to Protected Grounds, issues;
  - ii. offer advice, guidance, and support for students requiring accommodation; based on supporting documentation, make recommendations and decisions regarding accommodation in a timely manner.
- (b) Give persons with disabilities, and/or other needs related to Protected Grounds, equal consideration for admission to any program offered by the University for which they are academically qualified;
- (c) Make its courses or programs accessible to qualified students with disabilities, and/or other needs related to Protected Grounds, up to the point of undue hardship and within those limits, modify course or program components to meet the needs of students;
- (d) Handle personal information concerning students with a disability, and/or other needs related to Protected Grounds, in accordance with the requirements of the Personal Information Protection and Electronic Documents Act;
- (e) Inform and educate its students, staff, instructors, faculty members, and administrators about the provisions of this policy and the means for appropriately implementing them.

Students with disabilities, and/or other needs related to Protected Grounds, seeking accommodation are expected to contact the Student Services Accessibility Representative to initiate the process of determining and arranging the appropriate accommodation in individual situations.

Specifically, students with disabilities, and/or other needs related to Protected Grounds, will:

- (a) Identify their individual needs and provide appropriate documentation of their disabilities, and/or other needs related to Protected Grounds, with sufficient notice given to enable the University to make the necessary accommodations;
- (b) Engage in discussions and explorations of appropriate accommodation options that will facilitate their access to University academic programs or services;
- (c) Where appropriate, take reasonable measures to address their particular needs and personal requirements relating to the need for accommodation;
- (d) Fulfill their part in implementing the accommodation plan.

Ongoing communication and a collaborative working relationship between all parties involved in the

accommodation process are essential to meet the students' needs for accommodation.

- (a) The Student Services Accessibility Representative has the responsibility to coordinate the process of reviewing requests for accommodation, make decisions about provisions for accommodation, and communicate relevant information to the student and, as appropriate, to faculty and staff of the University.
- (b) When a student, instructor, or Dean is dissatisfied or disagrees with the accommodation, the Director of Compliance, Health and Safety will review the concerns. Other experts, including advocates who may be helpful in resolving the situation, may also be consulted as part of an informal review and mediation process.
- (c) If the matter is not resolved through an informal process, the student, instructor, or Dean may request a formal review by the Director of Compliance, Health and Safety. This office will conduct a timely review, involving individuals who are knowledgeable about accessibility, accommodation, human rights issues, and the issues being adjudicated. The Director of Compliance, Health and Safety will make final recommendations for appropriate action.
- (d) If the student has grounds to believe that the decision did not meet the appropriate standards of procedural fairness, the student may appeal the decision under the principles of natural justice as defined in the University's Student Corrective Action Policy.

### Implementation

#### How Reasonable Accommodations Are Decided Upon

When deciding whether a requested accommodation is reasonable, the Student Services Accessibility Representative will rely upon the following elements:

- The appropriate documentation of the disability, and/or other needs related to Protected Grounds, by a qualified professional and any recommendations made by the diagnosing professional;
- A student's request for a given accommodation;
- Barriers that might result from the documented disability, and/or other needs related to Protected Grounds, in the campus environment;
- Accommodations that might remove such barriers;
- Whether a student may obtain access to the course, program, service, activity, or facility without a given accommodation (that is, whether the student is otherwise qualified for participation in the course or program);
- The relative cost and burden of providing the accommodation given the size and resources of the school;
- Whether or not essential elements of the course, program, service, activity, or facility are compromised by the requested accommodation; and
- Whether or not, even after the accommodation is given, a student can perform the essential functions of the educational program.

Academic adjustments are based upon an individualized assessment of the student's needs. Ideally, initial accommodation requests should be made prior to the start of class so that the student has the necessary resources in place prior to attending class. All requests should be made in writing to the Student Services Accessibility Representative, who will coordinate the University's effort to provide assistance to students with diagnosed disabilities, and/or other needs related to Protected Grounds, that substantially limit a major life activity.

Once the student has provided appropriate documentation from a professional qualified to diagnose their disability, and/or other needs related to Protected Grounds, submitted a written request for an accommodation

to the Student Services Accessibility Representative and met with the Student Services Accessibility Representative to discuss the accommodation services request, the Student Services Accessibility Representative will send all documentation to the Compliance department for review. Ultimately, the University's Director of Compliance, Health and Safety is responsible for determining whether a given request may interfere substantively with the requirements of a course. If the Director of Compliance, Health, and Safety so determines, the student will be informed in writing within fourteen (14) days of the original request for accommodation. Students have the right to appeal any negative decision on accommodations resulting therefrom under the principles of natural justice as defined in the University's Student Corrective Action Policy.

### **Related Policies and Documents**

AA-004 Student Corrective Action Policy

HR-004 Equity, Diversity, and Inclusion Policy

HR-013 Gender Inclusion Policy

HR-014 Accommodations for Religious and Cultural Observances Policy

SA-003-F Student Accessibility & Accommodation Request Form

Addendum: Student Access to Accommodations Procedures

## **Addendum**

### **Student Access to Accommodations Procedures**

The University will provide reasonable accommodations to students who self-identify as having a disability and/or other needs related to Protected Grounds and provide the Student Services Accessibility Representative with the documentation required to understand the nature of the disability/other human rights protected need and identify the types of accommodations that are appropriate. Protection of privacy in implementing this policy will be consistent with the requirements of the Personal Information Protection and Electronic Documents Act (PIPEDA) and the New Brunswick Personal Health Information Privacy and Access Act. Accommodation appropriate to the mode of study will be provided to serve students studying on campus and those studying online.

Initial accommodation requests should be made using the Student Accessibility & Accommodation Request Form at least fourteen (14) days prior to the start of class so that the student has the necessary resources in place prior to attending class.

All Student Accessibility & Accommodation Request Forms should be completed using the link provided by the Student Services Accessibility Representative. The Student Services Accessibility Representative will coordinate the University's effort to help students with diagnosed disabilities, and/or other needs related to Protected Grounds, that substantially limit a major life activity, or to students requesting non-health accommodations.

In the event a student is unable to complete the online form, they should contact the Student Services Accessibility Representative at [accessibility@yorkvilleu.ca](mailto:accessibility@yorkvilleu.ca).

The student must provide appropriate documentation from a professional qualified to diagnose their disability, and/or other needs related to Protected Grounds, to the Student Services Accessibility Representative.

After submission, the Student Services Accessibility Representative will reach out to schedule a meeting via email or phone to discuss the accommodation services request.

After the meeting, the Student Services Accessibility Representative will send all documentation to the Director of Compliance, Health, and Safety for review.

The University's Director of Compliance, Health and Safety, is responsible for determining whether a given request may interfere substantively with the requirements of a program. Students will be informed of the decision within fourteen (14) days of the original request for accommodation.

Students can appeal any unfavourable accommodation decision based on the principles of natural justice outlined in the University's Student Corrective Action Policy.

The Student Services Accessibility Representative will keep records related to students' self-identification, ensuring that students understand and sign informed consent for confidentiality procedures. In determining eligibility of a student for accommodation, the Student Services Accessibility Representative will consult with relevant academic staff, as necessary, and will work with each student to develop a written plan to accommodate that student's needs. The Student Services Accessibility Representative will support students by communicating with course instructors or by notifying instructors on the student's behalf, as agreed upon by the student.