

## ***Duty to Accommodate Procedures***

**Responsibility:** Vice Provost Teaching, Learning and Student Experience (306-966-8710 or [vp-teaching@usask.ca](mailto:vp-teaching@usask.ca))

The following information outlines the responsibilities of those identified under the scope of the *Duty to Accommodate* policy, the procedures for receiving accommodation and the dispute resolution and appeals process for approved accommodations on the basis of a prohibited ground(s).

### **Responsibilities:**

#### **1. Access and Equity Services (AES)**

The role of AES is to provide advice, information, and assistance to the University community and to provide services and resources to undergraduate and graduate students requesting accommodations on the basis of a prohibited ground(s).

To fulfill its mandate, AES will:

1.1 Encourage all students who are requiring accommodations on the basis of a prohibited ground(s) to register with AES. If a student discloses a need for accommodation to a person or office other than AES, that student should be referred to AES.

1.2 Assist the University in the duty to inquire and investigate once an accommodation has been requested by a student on the basis of a prohibited ground.

1.3 Assist students, staff, and instructional staff in understanding how to apply the procedures section of this document.

1.4 Approve appropriate academic accommodations for each individual student registered with AES, taking into consideration the accommodations specified by the student's documentation, available resources, and essential skills and requirements of the student's course and/or program. AES will consult with Legal Services and Saskatchewan Human Rights if it is necessary to do so.

1.5 Accommodations will be approved through a joint AES-College Accommodation Planning Committee where applicable (see section on "Accommodation Planning Committees" below). Where no joint AES-College Accommodation Planning Committee applies, AES will engage in appropriate consultations with the instructional staff that would be impacted by the accommodation.

1.5 Coordinate the requests for, and assist in the provision of, academic accommodations; and provide advice and assistance regarding accessibility issues.

1.6 Provide and maintain programs and services that are necessary to support students on the basis of a prohibited ground.

1.7 Provide assistance and advice to students regarding available options for redress wherever students who request accommodation on the basis of a prohibited ground have complaints related to academic or non-academic matters.

#### **2. Responsibilities of Instructional Staff**

2.1 To help accommodate students who request accommodation on the basis of a prohibited ground(s) and facilitate their academic success while maintaining the University's academic requirements and standards, instructional staff will:

2.2 Foster a respectful atmosphere for all students, including those who request accommodation based on a prohibited ground(s). Instructional staff will ensure that issues related to people on the basis of prohibited ground(s) are addressed and discussed in a fair, sensitive, and nondiscriminatory manner.

2.3 Recognize and uphold the University's duty to inquire. If instructional staff become aware that there may be a relationship between a student's performance and a possible disability or other factor under a prohibited ground(s), the instructor has a duty to inquire with the student about this possible need for accommodation. Referrals to AES should be done without breaching the confidentiality of the student, whenever possible.

2.4 Instructors, in consultation with AES, will make every reasonable accommodation to facilitate and foster the learning of all students. This may require course assignments and other methods of assessment, physical environment, instructional atmosphere, supplementary instruction, instructional tools, or other resources. These accommodations will not remove the need for the student to meet the essential skills or bona fide requirements of the course or program in question.

2.5 Instructors must not deny any reasonable accommodation requests that have been approved by the University. Instructors will Inform AES and their Assistant/Associate Deans, Directors, and/or Deans of their Colleges if they are concerned that their department may be unable to provide the approved accommodation.

2.6 Consult with the Director or Department Head (or Dean in non-departmentalized Colleges) in situations where necessary accommodations require resources beyond those that can be provided by instructional staff.

2.7 Maintain confidentiality of information regarding students who request accommodation on the basis of a prohibited ground(s). Questions about how to apply Section 2.7 should be addressed to AES or the instructor's department head or dean.

### **3. Responsibilities of Department Heads in departmentalized Colleges**

Department Heads will:

3.1 Ensure that instructional and administrative staff are familiar with this policy.

3.2 Commit the resources of the department to implement the accommodations and consult with the Dean in situations where necessary accommodations require resources beyond those that can be provided by the department.

3.3 Inform AES and the Assistant/Associate Deans and/or Deans of their Colleges if they are concerned that their department may be unable to provide the approved accommodations.

### **4. Responsibilities of Deans, Assistant or Associate Deans, Executive Directors of Schools, Directors of Centres or Designates**

Deans, Assistant or Associate Deans, Executive Directors, Directors of Centres or their Designates will:

4.1 Promote a respectful learning environment for students who request accommodation on the basis of a prohibited ground and consult with AES as needed.

4.2 Ensure that department heads and instructional staff under their jurisdiction are aware of this policy and understand their legal requirements to accommodate students who request accommodation on the basis of a prohibited ground(s).

4.3 Maintain the confidentiality of student information and documentation as per policy guidelines.

4.4 Commit the necessary resources of the college/centre/school to implement the accommodations and, in exceptional circumstances, consult with the Provost where the college/centre/school lacks the necessary resources to provide the accommodations.

4.4 In circumstances where the student is seeking accommodation in a University course or clinical activity outside the student's home College, the Dean who is responsible for the course or clinical activity in which the accommodation is being sought shall carry out the responsibilities under Section 4.

## **5. Student Responsibilities**

5.1 Students requiring accommodation have a duty to inform the University of this need for accommodation through registration with the Access and Equity Services (AES) office.

5.2 Students have a shared responsibility in the duty to accommodate. Students must actively participate in developing and implementing strategies related to their own academic success and be open to trying solutions proposed by AES, instructional staff, and others. The University has a duty to accommodate to an acceptable level that removes the barrier the student is experiencing.

5.3 The University recognizes that there may be some situations where due to the nature of the disability or an episodic experience of escalating symptoms, the student cannot meaningfully engage in the accommodation determination process at that time. Student services such as Access and Equity Services and the Student Affairs and Outreach should be consulted in these situations.

5.4 Students will comply with any reasonable accommodations determined and/or will report any concerns or changes to their circumstance to the AES office or their Accommodation Planning Committee (APC).

5.5 Students must provide reasonable notice in order to receive academic accommodations. Numerous programs, departments, and individuals across campus may provide accommodations and questions regarding what reasonable notice entails should be directed to the provider of accommodations, which in most cases will be the college in which the student is enrolled.

5.6 Students should be prepared to provide supporting documentation appropriate to the nature of the accommodation requested if such documentation is required.

5.7 Students receiving academic accommodations must meet the essential skills or bona fide educational requirements for the program they are applying to or currently enrolled in.

5.8 Students enrolled in colleges or programs that have an accommodation policy and/or procedures are expected to adhere to those policies and procedures in order to receive accommodations.

5.9 Students enrolled in programs with professional standards or standards for licensing must meet these requirements. Consultation with professionals and/or professional licensing bodies may be undertaken when determining accommodations in a clinical practice setting.

5.10 Students will engage with their Accommodation Planning Committee (APC) prior to or during any field placements, residencies, co-op placements or internships. Students have a responsibility to report to their APC if they are experiencing difficulty while in a placement or if they feel their accommodation needs are not being met.

## **6. Process for Accommodation on the basis of a prohibited ground(s):**

- Students requesting accommodation on the basis of any of the prohibited ground(s) are responsible for contacting AES to begin the process of registering with the office to receive academic or non academic accommodation (such as athletics or residence accommodation).

- Students may register at any point during the academic year, however students must meet AES or academic program deadlines in order to receive accommodation. Requests for accommodation should be made in a manner timely enough so that the arrangement of the accommodations with any involved parties is possible.
- Students must provide information and documentation (if applicable) specific to the prohibited ground they are requesting accommodation for to the AES office in order to proceed with a registration appointment
- Student's documentation will be reviewed with the student and an AES advisor during the registration appointment. Depending on which College or program the student is in, appropriate processes for establishing accommodations will be followed. When deemed appropriate, Accommodation Planning Committees will be used during this process.
- Once an appropriate and reasonable plan is developed, it will be shared with those responsible for implementing and providing the accommodations. Instructional staff are responsible for providing AES and the student with all necessary information within AES deadlines in order for the accommodation to be provided.

## **7. Documentation Requirements**

- Students must submit appropriate documentation prior to their registration appointment with AES. The documentation required will be specific to the prohibited ground for which the student is requesting accommodation. Students can contact AES or view the documentation requirements on the website to determine what documentation is required to register.
- The documentation submitted must contain the information requested by AES and must be current. Outdated or incomplete documentation will not be accepted.
- Students who have a break in studies, enter a new program, have temporary documentation or require significant changes to their accommodations may be required to submit updated documentation prior to receiving accommodations.
- Student documentation is confidentially stored with AES and details pertaining to accommodations are shared only on a need to know basis to the parties who would be responsible for the implementation of the accommodation.
- The cost for medical forms or other forms of assessment and documentation are the responsibility of the student.

## **8. Dispute Resolution**

If there are any questions or concerns about an accommodation decision made through the AES process, these should be addressed first to AES staff for informal resolution.

If informal resolution cannot be reached, the Vice-Provost, Teaching and Learning (VPTL) may be asked to review the accommodation decision, provided that the review request is made in a timely manner. The VPTL will seek appropriate legal advice from the Legal Office prior to rendering their decision. The decision of the VPTL on the review is final.

For questions regarding these procedures please contact the AES office at (306) 966-7273; [aes@usask.ca](mailto:aes@usask.ca) or <https://students.usask.ca/health/centres/access-equity-services.php/>