

Guide for Students with Disabilities

Purpose of this Guide

The purpose of this Office of the Ombudsperson guide is to provide information and advice about Western's policies and practices with respect to students with disabilities. This guide does not replace any University policy or publication, nor does it take the place of the advice of an academic counsellor or a counsellor in Accessible Education (AE). *Notes:* Some of the wording in this guide is taken directly from the University policy. "Academic staff member" refers to any professor, instructor or TA who is teaching a course. References to Accessible Education include main campus, and Accessibility, Counselling and Student Development (ACSD) at King's University College.

Before enrolling at Western

If you require academic accommodation because of a disability, contact AE before accepting an offer of admission to Western. Explain your academic program goals to AE and outline the kind of accommodation you have received in the past, either in high school or at a previous post secondary institution. Remember, there may be differences in the accommodation you received in the past and that granted by Western.

Purpose of Academic Accommodation

Academic Accommodation helps to ensure all individuals can participate in academic activities and fulfill essential requirements of a course. Examples of academic accommodations are:

- access to alternative format textbooks or accessible versions of materials on course websites
- use of sign-language interpreters
- permission to audio record lectures
- writing exams in an alternative location or being provided extra time or rest breaks to complete an exam
- use of assistive technology when writing exams (e.g., a computer equipped with specialized software)
- use of an assistant in labs.

Steps to take if you require Academic Accommodation

It is essential to complete all the steps on time if you expect to receive the appropriate academic accommodation. The steps are outlined in the Procedures section of the Policy.

1. Submit the following to AE as soon as possible after receiving an offer of admission; or as soon as possible after registration:
 - a. a written request for accommodation; and
 - b. documentation from your doctor, psychologist or other professional attesting to your disability and supporting your accommodation request (detailed documentation requirements and the forms to be completed by the medical professional are located on the AE web site (http://academicsupport.uwo.ca/accessible_education/index.html))
2. Contact AE to arrange an appointment with a counsellor to discuss your specific accommodation requirements. *Note:* A student must register with AE in order for Accommodated Exams Services to facilitate an accommodated evaluation. AE will review all the information you've provided and determine the range of accommodations that will meet your needs. AE will notify you if they determine the information provided does not support the request for accommodation.
3. Notify AE every time you register for a course (i.e. at the beginning of a new term or during the add/drop period). AE will communicate with academic staff to determine the appropriate accommodation given the course learning outcomes, etc. AE will notify you if an academic staff member does not agree with the accommodation.

Useful, not mandatory, steps to take:

1. Introduce yourself to your instructors early in each course, explaining that you are working with AE to request academic accommodation. (This step is not mandatory; however, an instructor may be able to suggest helpful strategies for dealing with the course material.)
2. No later than three weeks after classes begin, check with AE to make sure your AE counselor has heard back from your instructors, and that the instructors agree to the accommodation for each course.
3. Start a paper or on-line file for all your Western documents. Put in it letters received from the University, copies of letters you write to the University, and your copies of all academic forms, including forms relating to your accommodation requests. Whenever you discuss a matter with a counsellor or instructor, write a note. The note should include the name of the person, the date the discussion took place, and your understanding of any agreements. You may also want a copy of any form or other document relating to your accommodation requests. It is your right to have copies of documents issued by AE.

4. If you go to Academic Counselling in your Faculty's Dean's Office it is helpful if you let the Academic Counsellor know that you are a student with a disability who is registered with AE. The Academic Counsellor will be able to view your accommodations, and communicate with your AE Counsellor if needed.

Important information about accommodation for exams/tests/quizzes

Once you have arranged for accommodation with AE you may register to write on-campus accommodated exams through the online Examination Services portal. For more information on Accommodated Exams please see "How to Schedule Accommodated Exams with Examination Services" www.registrar.uwo.ca/examinations/accommodated_exams.html

Please Note: You **must** submit Online Exam Requests at least 10 days prior to the quiz/test/exam date or the Registrar's Office will deny the request.

What usually happens

Most students requiring accommodation submit their documentation on time. AE processes the documentation, counsels the students, and contacts academic staff. Academic staff, students and AE collaborate to find accommodation that meets a student's needs without compromising the essential requirements of the course or program.

What to do when....

The process of getting academic accommodation involves several steps. That means there are opportunities for things to go wrong. Following are some of the things that can occur, and suggested strategies for dealing with them.

AE is not satisfied with your documentation

If your documentation does not meet AE's requirements, they may ask you to have further assessments. That may delay decisions about your accommodation. If the additional medical or other tests needed to determine the extent of your disability cannot be arranged until after classes begin, make sure you clarify with AE whether there is a sufficient basis for recommending interim accommodation. If AE cannot recommend accommodation until further test results are received, decide what you want to do in the meantime. For example, if you need accommodation for a Speech class, you may want to delay taking that course until the matter is settled.

Your instructor was not contacted by AE or your instructor has not yet replied to AE

At the beginning of every term, AE must contact many academic staff members in a short space of time. Each instructor may be contacted more than once. For example, EA might

contact the instructor initially to discuss accommodations in light of essential course requirements, prior to submitting written recommendations to the instructor.

If there is a delay in decisions concerning your requested accommodation, ask your AE counselor for advice. Your counselor may be able to negotiate interim accommodation.

Your professor wants to know more about your disability

If you are comfortable discussing the matter, do so. But remember that you have a right to privacy. See next entry on how to say "no".

Your professor asks to see documentation you provided to AE

A request to see documentation may be an indication that your professor feels uncomfortable about providing the specific accommodation recommended for you. Although this situation is unlikely to occur, if you do receive such a request it is important to understand that you are not required to provide this information. Medical documentation contains information which is private to you. Even if your instructor seems to be in a discipline that might give them the background knowledge to be able to interpret your documentation, you should be careful about agreeing to share it. Discuss the matter with SAS or your doctor first.

How do you say "No" to your instructor? Be polite but firm!

"I'm sorry, but I just don't feel comfortable doing that."

"I suggest you to talk to AE"

"I have given you all the information I feel should be necessary."

"My doctor (parent, ombudsperson, counsellor) has advised me that this information is private and confidential."

Your instructor wants to consult with colleagues about whether to accommodate you

Ask yourself how you feel about your instructor talking with others in the department about you and your disability. If you have no objection, let your instructor know that. If you feel uncomfortable, remember that, without your permission, such discussion may be a violation of your privacy rights. Remind your instructor that the information you provided through AE is confidential, and you expect the instructor to respect that by not sharing it with colleagues. Suggest that they consult AE instead. If you feel uncomfortable saying this in person, say it in an email to your instructor or to the chair of the department.

An alternative accommodation is suggested

Through your AE counselor, your instructor may suggest an alternate accommodation that better meets your needs, to protect the essential requirements of the course, or both. Give the suggestion serious consideration, and discuss the matter with your AE counsellor.

An accommodation is suggested which you believe does not meet your needs

You are not obliged to prove that a particular accommodation is unsuitable for you. The University is obliged to accommodate your disability unless, to do so, would result in undue hardship or unless, to do so, would relieve you of performing essential tasks or compromise the essential requirements of the course. "Accommodating your disability" means putting in place the accommodation suggested by AE, after AE has carefully reviewed both your supporting documentation and all the information your instructor provided about the essential academic requirements of the course.

Give serious thought to why you believe one accommodation is more appropriate for you than another, and try to explain that to your instructor through AE.

Your instructor may believe it is important to evaluate you in the same manner as other students. If other students are judged on the neatness of their handwriting, on their command of a specialized vocabulary, or on the speed with which they carry out certain tasks, the instructor may believe you should be judged in those same ways. If judging you in those ways is an essential part of learning the material, or demonstrating your learning, the instructor may be right. What is essential for a particular course? Academic departments determine what is essential through the course approval process. You may choose to challenge their view through the appeal process.

Your AE counsellor encourages you to accept an alternative accommodation

The role of an AE counsellor is to provide information and advice to the University community. To be an effective go-between between you and your instructor on the subject of your disability and academic accommodation, your AE counselor must listen carefully to you both. Your counsellor is not an advocate for you, nor for your professor, but for fairness: for accommodating each student with a disability in a fair way. He or she recommends the accommodation which seems most appropriate in light of your disability and the essential demands of the course.

You receive accommodation, but do poorly in the course

It is important to remember that the purpose of academic accommodation is to provide you with a fair opportunity. If you cannot complete your exam or you do poorly in your course, it

does not follow that your accommodation was inadequate - other students, too, sometimes do poorly or cannot finish an exam.

You believe the accommodation offered falls short of meeting your needs

If you find yourself in disagreement with the AE counsellor, you may wish to discuss your concerns with the Associate Director, Accessible Education. If, after that meeting, you still feel that the recommendations of AE are not sufficient, you can contact the Ombudsperson. You may also decide to appeal the decision. Appeal information is located further on in this guide.

Your instructor or another decision maker says, "But every student would like to have...."

A common academic accommodation is extra time to write exams or tests. If your disability means you have to take more time than others to do certain tasks, it may make sense that you need extra time for tests and exams.

If your instructor says "But every student would like to have extra time!" what are they really saying? The instructor may be challenging you to explain why you should get extra time (or a computer, or a private room), and other students should not. If you feel that you are being put in a position where you are being asked to defend your need for accommodation, a simple response is:

"I understand that you have questions about the accommodations recommended for me. Please contact my counsellor at AE."

Remember, you are not required to justify and/or defend your need for accommodation. The documentation you provided to AE should be sufficient for making appropriate accommodation arrangements.

Your instructor rejects your request for a particular accommodation.

Instructors may ask AE to reconsider proposed accommodation but only on the ground that the accommodation compromises the essential requirements of the course or program. Your AE counselor will attempt to resolve disputes between you and the instructor. If an agreement can't be reached, you can appeal that decision. The appeal procedures are available on line and described later in this document.

What if you thought you didn't need accommodation and you change your mind?

It is sometimes hard for a person to accept that they have a disability, and needs academic accommodation. If you realize you made a mistake in not approaching AE at the start, don't

be embarrassed - be fair to yourself! Make an appointment right away. Get the process started. It will take time to sort out your situation, but better late than never.

Can a student simply ask an instructor for an accommodation, without going to AE?

Instructors and others who learn that a particular student has a disability that may need academic accommodation must refer that student to AE. Trying to determine accommodation without involving AE may be well intentioned, but is contrary to University policy and may be unfair.

The Appeal Process

Should you appeal?

This is a question only you can answer. However, here are some points to consider:

- In rejecting the suggested accommodation, academic staff are asserting that granting the accommodation would compromise the essential requirements of the course. Think very carefully about what that means. Do you understand their position? Do you believe they are mistaken?
- What view does AE take of the matter?
- How important is the specific accommodation to you? Will you be unable to achieve your academic goals without the accommodation?
- The appeal process takes time and effort. Do you have the time and effort to put into it?
- Can you pursue the appeal without jeopardizing your other academic work?
- If you decide not to appeal, will you regret it six months or a year from now?
- If your appeal is denied, will you regret the time and effort you put into it?
- Be clear about your own goals in launching an appeal, do your best to understand the other side, and then you will be prepared, whatever the outcome.

What is an "essential requirement"?

The University's Academic Accommodation Procedures say, "Essential Requirements refer to the bona fide academic requirements of a course or program of study, which cannot be altered without compromising the fundamental nature of the course or program. Essential Requirements will vary from course to course and from milestone to milestone, depending on the nature of the subject matter, the teaching methods employed and the knowledge and skills that are to be learned and/or demonstrated. While it may be an essential requirement that a student master core aspects of a course curriculum, it is less likely that the means in which a student demonstrates the mastery will be essential, unless mastery of that format (*e.g.* oral communication) is also a vital requirement of the program."

How does an appeal work?

Either the student or academic staff member can appeal an academic accommodation or denial of an accommodation. When an accommodation is under appeal, the accommodation will be provided on an interim basis. The interim accommodation will remain in effect until the appeal is decided. The information below outlines the steps students take in appealing an accommodation decision:

1. Before you can make a formal appeal, you must request reconsideration by the director of EA or their designate. This request must be done in writing, and must clearly outline the ground(s) on which the request is being made and the reasons why you disagree with the recommendation of the AE counsellor.
2. The Associate Director of Accessible Education or their designate will review all requests for reconsideration and may consult with the academic staff member or the chair of the department to understand the essential requirements of the course or program. *Note:* In the case of a King's student, the Associate Director of Accessible Education will consult with the Manager of Student Wellness at ACSD before making a decision.
3. Within five days of receiving the request (not including Saturdays, Sundays, statutory holidays and other University closures), the Associate Director of Accessible Education will respond to the student requesting the reconsideration.
4. If you disagree with the decision made by the Associate Director of Accessible Education or designate, you may appeal to the Vice Provost or designate. The appeal must be made in writing and identify the grounds upon which the appeal is being made, and the reasons why you disagree with the reconsideration decision.
5. In making a decision, the Vice Provost or designate may consult with Equity and Human Rights Services, and the academic staff member, Department Chair, Associate Dean, or others as appropriate. The Vice Provost or Designate will also seek recommendations from the Academic Dean of the affiliate college before making a decision.
6. Normally a decision will be made by the Vice Provost or designate within five days of receiving the appeal (excluding Saturdays, Sundays, statutory holidays and other University closures).
7. The decision of the Vice Provost or designate is final and cannot be appealed under any other University policy or procedure.

Is there help for a student going through an appeal?

Yes, the Office of the Ombudsperson can help. Before deciding to appeal, or if you have begun an appeal, talk to someone in the Ombuds Office. An ombudsperson is an impartial, confidential advocate for fairness. She can be a source of information, advice and support. You can reach the Ombudsperson at 519-661-3573; ombuds@uwo.ca; or drop in at Western Student Services, Room 3135 (one floor below the Student Accessibility Services). The Office of the Ombudsperson is open 8:30 to 4:30, five days a week.

People, policies and websites that may be useful

- Accessible Education : Western Student Service Building (WSS) 4111
519-661-2147 http://academicsupport.uwo.ca/accessible_education/index.html
- Office of the Ombudsperson: WSS 3135. Email: ombuds@uwo.ca
519-661-3573 www.uwo.ca/ombuds/
- Equity and Human Rights Services: Somerville House 2319
519-661-3334 www.uwo.ca/equity
- Examination Services: includes steps for writing Accommodated Exams with Examination Services.
www.registrar.uwo.ca/examinations/accommodated_exams.html
- Academic Policies
https://www.uwo.ca/univsec/academic_policies/rights_responsibilities.html
includes:
 - The Policy on Academic Accommodation for Students with Disabilities
- UWO Guidelines on Access to Information and Protection of Privacy:
<https://www.uwo.ca/univsec/privacy/index.html>
- Ontario Human Rights Commission: <http://ohrc.on.ca/en>

NOTE: This guide was produced by the Office of the Ombudsperson www.uwo.ca/ombuds. It is not an official university document and does not replace university policy. Version date: Oct 2019