

**PROCEDURE TITLE:** NCT 100 Student Accommodations

**RELATED POLICY:** NCT 100 Student Accommodations

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### **A. Definitions**

A **student with disabilities** is a person who has or has had, or is believed to have had any of the following:

- a) Any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal, or on a wheelchair or other remedial appliance or device;
- b) A condition of mental impairment or a developmental disability;
- c) A learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- d) A mental disorder; or
- e) An injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997.

**Undue Hardship:** Is otherwise recognized when it can be proved objectively that in the interest of safety or cost, if deemed to be significant, the benefits of equality are outweighed. Analysis of cost and safety, as it pertains to Undue Hardship, is realized according to high standards. Assumptions or presumptions based on documented history. Unsubstantiated opinion or preferences of third parties do not constitute Undue Hardship.

### **B. Procedure Purpose**

Respectful of its obligation to students with disabilities, Niagara College -Toronto adheres, in spirit and practice, to the Ontario Human Rights Code. The College is committed to providing access to an educational environment that fosters a climate of mutual respect, fairness, dignity and equitable treatment, and to extend to students, opportunities to exercise their worth and potential.

In keeping with Niagara College-Toronto's obligations under, and commitments to the Ontario Human Rights Code, accommodations will be arranged as needed, short of Undue Hardship.

This procedure outlines the steps for students with disabilities to follow in order to access and receive disability-related academic and service accommodations at Niagara College -Toronto.

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### **C. Scope**

This procedure applies to all Niagara College students registered and attending classes at the Niagara College – Toronto (NCT) campus.

### **D. Procedure Statements**

1. Applicants with disabilities desiring to understand accommodations for different programs will be referred to Accessibility Services by the Admission Office, academic advisors, community agencies, agents and faculty, or may be self-referred.
2. Applicants with disabilities who require assistance are strongly encouraged to self-identify during the college admissions process. Where assistance is appropriate or necessary, it is recommended that students with disabilities contact Accessibility Services well in advance of entering a new semester or program in order to avoid delays in the accommodation process and to provide sufficient time to provide information, arrange an assessment and establish accommodations.
3. Students with disabilities who are already enrolled at NCT may choose to seek out the supports of Accessibility Services on their own or may be referred by Program Coordinators, Faculty, Academic Advisors or Counsellors.
4. When a student is referred to Accessibility Services, an appointment is arranged for the initial interview, after which, assessment of the student's disability is determined and/or confirmed.
5. It is the student's obligation to provide necessary and sufficient documentation in order to confirm their disability and receive accommodation. The Accessibility Consultant may request additional documentation for further understanding and/or clarification of a student's accommodation needs. If additional information is needed by the Accessibility Consultant from a student's healthcare practitioner in order to make an accommodation, the student will be asked to provide express and voluntary consent prior to NCT's Accessibility Consultant requesting such information.
6. Students are not required to disclose their disability diagnosis to register for accessibility services and access accommodations and supports. A diagnosis will only be requested in rare circumstances such as where a person's needs are complex, challenging or unclear and more

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information is needed or where information clearly related to the accommodation being sought. Students may need to consent to providing a diagnosis if applying to certain federally or provincially funded bursaries or grants, and privately funded external scholarships or financial awards.

7. Once established, and having regard to the essential program, or course requirements, appropriate accommodations and referrals are provided according to the assessed nature of the disability, limitations and/or restriction and these accommodations are arranged from that point forward.
8. **Interim Accommodations:** Students may require accommodations on an interim basis, as appropriate, and for a reasonable period of time, pending receipt of medical documentation. Once established, and confirmed by the Accessibility Consultant, interim accommodations based on documentation and/or functional limitations are arranged on a case-by-case basis.
9. **Temporary Accommodations:** Students may require temporary accommodations which will be arranged for the period of time that the disability and related limitations and/or restrictions are evident. Once established, temporary accommodations are arranged on a case-by-case basis, according to documented recommendations and/or functional limitations.
10. If students with accommodation feel additional or different accommodation is required, they are to request an appointment with the Accessibility Consultant to discuss the potential support for any new accommodation.
11. **Retroactive Accommodations:** Any requests for retroactive accommodation will be meaningfully considered by the Accessibility Consultant on a case-by-case basis and reported to the Academic Director.
12. All students seeking accommodations will sign the consent for release of information section of the Functional Limitations Assessment form, under the auspices of the Freedom of Information and Protection of Privacy Act, for Accessibility Services to communicate the nature, type and duration of accommodation requirements to all staff within the College who are required to know of the information to meet the Colleges' obligations.
13. Students may choose not to provide consent to the Accessibility Consultant to communicate information, on their behalf, about the nature, type and duration of their accommodations. In

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such cases, the student assumes responsibility for establishing and communicating their accommodation needs directly, using the confirmed accommodation plan developed by Accessibility Consultant, with NCT faculty and other individuals who facilitate the implementation of the accommodations.

**E. Related Documents**

Forms: Functional Limitation Assessment Form

**F. Document History**

Date	Approval/Review/Key Change(s)
March 2, 2023	New