

## Academic Accommodations including in the Clinical Environment

Approval Authority: Senate

Established: April 7, 2022

Amendments: None

Category: N/A

Parent Policy: Academic and/or Clinical Accommodations

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### 1.0 Purpose

The Ontario Human Rights Code (OHRC) provides Learners with the right to reasonable academic accommodation in post-secondary education. NOSM University has a legal obligation to eliminate barriers to equal access for Learners with disabilities. Accordingly, the purpose of this procedure is to provide a framework for the development and provision of reasonable Academic Accommodations including in the Clinical Environment consistent with the Policy.

Defined terms in this procedure shall have the same meaning as in the Academic Accommodations including in the Clinical Environment Policy. In addition:

Academic Administrators, in the case of:

- Undergraduate Medical Education, means the relevant Phase Director;
- Graduate Studies, means the Assistant Dean Graduate Studies

Program Leadership in the case of:

- Postgraduate Medical Education, means the relevant Residency Program Director supported by the Residency Program Committee;
- Dietetic internship, means the Program Manager, Northern Ontario Dietetic Internship Program;
- Physician Assistant Program means the University of Toronto Medical Director of the BScPA Program.

In the case of other Health Sciences Students, the home university is responsible for approving and communicating required accommodations to NOSM University.

### 2.0 Scope

This procedure applies to all Learners enrolled in all NOSM University programs who require Academic Accommodation including in the Clinical Environment through the Office of the Registrar - Learner Support Services.

### **3.0 Procedures**

- 3.1 Confidentiality: The personal information of Learners with a Disability shall be managed and protected in accordance with the Freedom of Information and Protection of Privacy Act and applicable University policies and Collective Agreements.
- 3.2 Learners with Disabilities seeking an Academic Accommodation including in the Clinical Environment are expected to begin the process through a confidential meeting with a Learner Affairs Officer (LAO), the Assistant Dean, Learner Affairs or the Assistant Dean, Resident Affairs who will discuss the Learner's individual situation and answer questions.
- 3.3 To proceed with a formal request for accommodation, a meeting with the Accessibility Advisor will be arranged. The Learner may bring a support person of their choice to the meeting(s) with the Accessibility Advisor.
- 3.4 If considered to be appropriate, the Accessibility Advisor shall draft a recommended accommodation plan following receipt of required documentation and information, in collaboration with the Learner and the Academic Administrator/Program Leadership. The draft plan will be shared with the Accommodations Committee for review and approval.
- 3.5 If the Accessibility Advisor does not consider it appropriate to draft a recommended accommodation plan, that fact together with all documentation and information obtained by the Accessibility Advisor shall be shared with the Accommodations Committee which may, if it considers appropriate, request a Committee member to draft an accommodation plan in collaboration with the Learner for approval by the Accommodation Committee.
- 3.6 The relevant Academic Administrator/Program Leadership will review the accommodation plan and determine how to implement the recommendation(s). If the program is unable to implement the plan, the Associate Dean will notify the Learner and the Accessibility Advisor (or in the case of a plan developed under section 3.5, the Accommodations Committee) in writing within five (5) working days of receiving the recommendation. In order to be effectively implemented, accommodation plans should be sent to the program as soon as possible. If plans are not received by the program at least 48 hours before required implementation (e.g., extra time on a test), the accommodation plan may not be able to be implemented at that point.
- 3.7 Resolution of Disagreements
  - 3.7.1 If a plan is not approved by the Advisory Committee on Academic Accommodations including in the Clinical Environment or if the Academic Administrator/Program Leadership is not able to implement it, the Learner (with their support person) may choose to resolve the matter through informal discussions with the Accessibility Advisor, and/or the Accommodations Committee and/or the Academic Administrator/Program Leadership.

### 3.7.2 Review

If the Learner is not satisfied with the decision of the Committee and/or the Academic Administrator/Program Leadership because:

- 3.7.2.1 the question of whether the Learner has a Disability that raises a Duty to Accommodate was not appropriately assessed;
- 3.7.2.2 the procedural obligation to obtain and consider all reasonably available information about the Learner's Disability and its implications for the learning environment and to explore all accommodation options was not fulfilled or was not reasonably evaluated by the Accommodations Committee or the Academic Administrator/Program Leadership, as the case may be; or
- 3.7.2.3 the substantive obligation to accommodate the Learner's Disability, unless to do so would either unduly compromise a Bona Fide Academic and/or Clinical Requirement or an Essential Requirement, or cause Undue Hardship to the NOSM community, was not met,

the Learner has the right to request the Provost and Vice President Academic to convene an Accommodation Review Committee to review the decision.

### 3.7.3 Review Process

- 3.7.3.1 To commence a review the Learner shall forward a written request for review concisely setting out which of the ground(s) of review set out in subsections 3.7.2.1 - .3 above are relied upon, the facts and arguments supporting the review, along with all supporting documentation to the Provost and Vice President Academic within 15 working days of the receipt of the decision of the Committee or the Academic Administrator/Program Leadership.
- 3.7.3.2 Upon receipt of a request for review, the Provost and Vice President Academic shall provide a copy of the request for review and supporting documents to the Accommodation Review Committee and/or the Academic Administrator/Program Leadership, depending on whose decision is being reviewed. The original decision-maker(s) shall be the respondent(s) in the review. If the original decision-maker was the Advisory Committee, the chair of that committee shall appoint a member of said committee to represent the committee as a respondent in the review.

- 3.7.3.3 The respondents may forward a written response to the request for review to the Learner, the Provost and Vice President Academic and the Accommodation Review Committee within 5 working days of its receipt of the request for review.
- 3.7.3.4 The Accommodation Review Committee shall consider the review within 15 working days of the submission of the request for review.
- 3.7.3.5 The Accommodation Review Committee may conduct the review in any manner that it considers to be appropriate so long as the process is conducted in a manner that provides a fair opportunity for all parties to present their positions on the review. The Learner may have a support person (who may be a lawyer) present at any hearing or meeting with the Accommodation Review Committee but, unless an accommodation is merited in this regard, shall present their own position with respect to the review.
- 3.7.3.6 After hearing from the parties, the Accommodation Review Committee may, if it is satisfied that a change is merited based on one of the grounds for review set out in subsections 3.7.2.1 - .3 above, make any changes to the decision of the Advisory Committee on academic accommodations and/or the Academic Administrator/Program Leadership, as the case may be, that it considers to be appropriate.
- 3.7.3.7 The decision of the Accommodation Review Committee will, whenever possible, be determined by consensus, but if a consensus is not possible, by majority vote. The Chair will only vote in the event of a tie.
- 3.7.3.8 Subject to any further rights of review under section 3.7.6, the decisions of the Accommodations Review Committee will be deemed final.
- 3.7.3.9 The decision of the Accommodations Review Committee will be communicated to the Learner within 5 working days of the conclusion of the process referred to in section 3.7.3.5 above. A letter setting out the reasons for the decision of the Accommodation Review Committee will be sent to the Learner within 10 working days of the conclusion of the process referred to in section 3.7.3.5 above. Once the learner has

been notified, the Academic Administrator/Program Leadership will be notified of the final decision.

3.7.4 The Accommodations Review Committee will be convened at the request of the Provost and Vice President Academic and its composition will include:

- Provost and Vice President Academic (Chair)
- Associate Dean Equity & Inclusion
- Faculty members with expertise in accommodations or disabilities (selected by Associate Dean, Faculty Affairs)
- Human Resources Representative (selected by Director, Human Resources)
- Associate Dean PGME/UME (The Associate Dean not previously involved with the initial review)
- Learner (will be a representative from a different academic program) appointed by the Senate)

3.7.5 All communication to the Learner related to the review shall only be sent to their NOSM University email account.

3.7.6 At the request of the Learner, the Associate Dean, a member of faculty impacted by an accommodation plan, or on its own initiative, the Advisory Committee on academic accommodations shall review an approved accommodation plan to determine whether the plan continues to be appropriate. Upon such review, the Committee may amend the plan as it deems appropriate. If the Committee amends the plan, the amended accommodation plan shall be reviewed by the Academic Administrator/Program Leadership in accordance with section 3.6. A Learner may request a review of the decision of the Committee in regard to a review of an accommodations plan or the decision of the Academic Administrator/Program Leadership in accordance with section 3.7.3.

## **4.0 Roles and Responsibilities**

Appropriate academic accommodation entails shared responsibilities and communication among Academic Administrator/Program Leadership, Academic Staff, NOSM University staff, (faculty and professional librarians), and Learners.

4.1 Learner responsibilities:

- 4.1.1 Learners who self-identify or who have been identified as potentially requiring an academic and/or clinical accommodation are advised to meet with the applicable Learner Affairs Officer (LAO) or other appropriate wellness resource person. All discussions are confidential.

4.1.2 It is the Learner's responsibility to initiate the process of determining and requesting an accommodation and where appropriate, take reasonable measures to address their particular needs and personal requirements relating to the need for academic accommodation.

4.1.3 All Learners requiring an accommodation must supply the necessary supporting documents from a regulated health professional. The type of supporting documentation is dependent upon the type of accommodation. This documentation will remain confidential and will only be shared with the Learner's permission as needed to support the accommodation plan.

4.2 Learner Affairs Officer (LAO) responsibilities:

4.2.1 Arrange a meeting with the Accessibility Advisor on the Learner's behalf if appropriate.

4.2.2 Work in close collaboration with the Accessibility Advisor to ensure Learner's needs are met.

4.2.3 Ensure that the applicable program receives the details of the approved accommodation plan a minimum of 48 hours before it needs to be implemented.

4.2.4 Provide ongoing support for any Learner with an accommodation plan.

4.3 Accessibility Advisor responsibilities:

4.3.1 The Accessibility Advisor works collaboratively with each Learner to develop appropriate accommodation recommendations.

4.3.2 The Accessibility Advisor prepares the Learner's initial intake information.

4.3.3 If the Learner has existing documentation, the Accessibility Advisor examines documentation to ensure that it is appropriate.

4.3.4 If the Learner has no existing documentation, the Accessibility Advisor determines if an assessment is needed and supports the Learner to obtain the needed assessment.

4.3.5 The Accessibility Advisor collaborates with Learner Affairs Officers, Assistant Dean, Learner Support Services, Assistant Dean, Resident Wellness, Indigenous Affairs, and Francophone Affairs to ensure the Learner has appropriate personal wellness support.

4.3.6 The Accessibility Advisor is responsible for the completion of any government reporting documentation including the Accessibility Funding for Students with Disabilities (AFSD) report.

- 4.3.7 The Accessibility Advisor [in consultation with the Advisory Committee on Academic Accommodations] finalizes the confidential Accommodation Plan and Recommendations. The Accessibility Advisory with the LAO will inform and assist faculty and staff in providing suitable Learner accommodations and understanding of disability issues as required.
- 4.3.8 When necessary, the Accessibility Advisor participates in meetings of the Advisory Committee and where required, attends feedback sessions with medical practitioners and psychologists.
- 4.3.9 Recommendations are shared with program staff on a need-to-know basis only, consistent with the plan recommendations. Faculty members who are teaching the accommodated learners shall be informed of the student accommodations relevant to their teaching.
- 4.3.10 The Accessibility Advisor annually reviews and renews accommodations recommendations for all Learners with existing accommodations within NOSM University programs.
- 4.3.11 The Accessibility Advisor will work with the Learner Support Services and other experts to make informed decisions related to accommodations and/or review including the referral to the Learner's program-specific review procedure.

#### 4.4 Accommodation Committee responsibilities:

- 4.4.1 The committee is responsible for the initial review, subsequent revisions, and approval of accommodation plans.

The committee will consult appropriately with other key stakeholders and collaborate effectively to reach decisions and recommendations to assist with implementation of Learner accommodations within the academic setting, including the clinical environment.

- 4.4.2 Through the Office of the Provost and Vice President Academic, address issues relevant to the implementation and improvement of the Policy and Procedure. This committee will provide a report of its activities, through the Provost and Vice President Academic to Senate on an annual basis.

#### 4.5 Roles and Responsibilities of Faculty

- a) Refer to Learner Support Services learners who self-identify with a disability.
- b) Refer to Learner Support Services those students who they suspect may benefit from the services of the Office.
- c) Implement the terms of any agreed accommodation plan.

- d) consult with the NOSM University Accommodations Committee for possible alterations to any agreed accommodation plan if the accommodation plan is not appropriate or effective.
- e) Work cooperatively with the Learner Support Services Office in implementing accommodation requests when required (e.g., request for note-takers).

#### 4.6 Roles and Responsibilities of Library Services

The Library and Professional Librarians shall:

- a) Make every reasonable effort to provide Learners with disabilities equal access to information, facilities and services.
- b) Collaborate with the Learner Support Services Office in the provision of information in alternate formats.
- c) Make every reasonable effort to collaborate with the Learner Support Services Office to ensure the provision of adaptive technology within the library to improve accessibility.

#### 4.7 Program Responsibilities

- 4.7.1 Academic Administrators/Program Leadership will collaborate with the Accessibility Advisor and the Advisory Committee on the content and implementation of the Learner accommodation.
- 4.7.2 Academic Administrators/Program Leadership will communicate concerns and/or seek guidance from the Learner Affairs Officer.
- 4.7.3 For specific regulations pertaining to assessment and academic accommodations see academic assessment program regulations.

### 5.0 Related Policy, Procedure, and Documents

In support of this procedure, the following related document and/or companion forms are included, and should be consulted:

- Academic Accommodations including in the Clinical Environment Policy
- Advisory Committee on Academic Accommodations including in the Clinical Environment Terms of Reference.

### 6.0 Getting Help

Queries regarding interpretations of these documents should be directed to:

[directorLearnersupportservices@nosm.ca](mailto:directorLearnersupportservices@nosm.ca)



**AUTHORITIES AND OFFICERS**

The following is a list of authorities and officers for this procedure:

- a. Approving Authority: Senate
- b. Responsible Officer: Director – Learner Support Services
- c. Procedural Authority: Director – Learner Support Services
- d. Procedural Officer: Director – Learner Support Services

**Review and Revision History**

**Review Period:** As Required

**Date for Next Review:** TBD

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Version	Date yyyy-mm-dd	Authors/Comments
2.0	2023-01-17	Changed « Vice Dean Academic » to «Provost and Vice President Academic »