

## ACCOMMODATION AND ACCESSIBLE LEARNING FOR STUDENTS WITH DISABILITIES

<b>Policy Name</b> Accommodation and Accessible Learning for Students with Disabilities	<b>Responsible Owner</b> Vice President Academic and Research	<b>Created</b> 1994 November
<b>Policy Number</b> E-4.02	<b>Approval Body</b> Education Council	<b>Last Reviewed/Revised</b> 2024 April
<b>Category</b> Education	<b>Replaces</b> Access Policy	<b>Next Review:</b> 2030 April

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### PURPOSE

The purpose of this policy is to outline the principles and responsibilities for the provision of accommodation(s) for students with disabilities.

### SCOPE

This policy applies to prospective and current NLC students with temporary or permanent disabilities or medical conditions that may require accommodation in the learning environment. This policy also applies to NLC faculty and staff with respect to their shared responsibility to accommodate students with a disability.

### DEFINITIONS

**Accommodation-** A modification that reduces or eliminates barriers to participation for a student with a disability.

**Accessible-** The absence of barrier(s) to support increased inclusion and independence for all members of the NLC community.

**Barrier-** A barrier is anything that hinders the full and equitable participation of a person with a disability. Barriers can be caused by environments, attitudes, practices, policies, information, communications or technologies.

**Disability-** Any impairment, including a physical, mental, intellectual, cognitive, learning, communication or sensory impairment—or a functional limitation—whether permanent, temporary or episodic in nature, or evident or not, that, in interaction with a barrier, hinders a person's full and equal participation in society (Accessible Canada Act, 2022)

**Documentation-** Information from a qualified health provider which outlines the disability and gives a detailed explanation of the functional impact of the disability on the student's learning.

**Duty to Accommodate-** Employers and service providers have an obligation to adjust rules, policies or practices to enable persons with disabilities to participate fully (to the point of undue hardship). It applies to needs that are related to the [grounds for discrimination](#). This is called the duty to accommodate.

The duty to accommodate means that sometimes it is necessary to treat someone differently in order to prevent or reduce discrimination. For examples, asking all job applicants to pass a written test may not be fair to a person with a visual disability. In such cases, the duty to accommodate may require that alternative arrangements be made to ensure that a person or group can fully participate.

The duty to accommodate is informed by three principles: respect for dignity, individualization, as well as integration and full participation.

[\(Canadian Human Rights Commission, n.d.\)](#)

**Grounds of Discrimination- 8 (1)** A person must not, without a bona fide and reasonable justification,  
(a) deny to a person or class of persons any accommodation, service or facility customarily available to the public, or  
(b) discriminate against a person or class of persons regarding any accommodation, service or facility customarily available to the public because of the Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person or class of persons. ([BC Human Rights Code, 2023](#))

**Reasonable Accommodation-** NLC's ability to modify the learning environment to the point of undue hardship. Reasonable accommodations:

- a) are based on documented need;
- b) do not compromise the learning requirements of a course or program; and
- c) do not pose a safety risk to the College community.

**Student-** A person who is in the process of applying to, or is registered in, any course or program at NLC.

**Temporary disability-** A temporary medical impairment or injury which is likely to be resolved within a term.

**Undue hardship-** Undue hardship is the test of *reasonable* accommodation. Undue hardship may occur when an accommodation could reasonably be expected to result in:

- a) a substantial risk to the student, other students, the instructor, or others; or
- b) a financial and/or logistical challenge that would seriously compromise the viability of a course, program or activity; or
- c) an inability of the student to meet the required learning outcomes of the course or program.

## **POLICY STATEMENTS AND PRINCIPLES**

Northern Lights College (NLC) is committed to equity, diversity and inclusion through the creation of an accessible learning environment for its students. In accordance with Duty to Accommodate, the BC Human Rights Code, the Canadian Charter of Rights and Freedoms and the Accessible BC Act, NLC is committed to providing students with disabilities equitable learning opportunities through the administration of reasonable accommodation(s).

The provision of reasonable accommodation(s) to students with disabilities is an institutional commitment and legal responsibility which relies on cooperation and collaboration between students, faculty, staff and administrators.

### **NLC will:**

1. provide an inclusive and welcoming environment for students with disabilities;
2. provide reasonable accommodation(s) to students with disabilities to the point of undue hardship;
3. provide information and guidance about accessibility and the accommodation process;
4. respect the privacy and confidentiality of each students' disability-related information and the personal information of other students, faculty and others, in accordance with the Freedom of Information and Protection of Privacy Act ("FIPPA");
5. provide opportunities for personal and professional development for faculty and staff to increase knowledge and understanding of accessibility, disability, equity, our responsibilities, and the related legislation;
6. ensure that information of students, faculty and others that is collected in the process of accommodation is collected, used and disclosed in accordance with the College's obligations under FIPPA;
7. ensure that all personal information collected in the accommodation process is used only within the accommodation process and in accordance with FIPPA. They will not be used for performance evaluation, discipline or any other non-classroom purpose except as required by law;
8. determine accommodation(s) for students with disabilities through Access Services; and
9. provide accommodation plans in writing to faculty and staff so they are able to implement the accommodation(s) in collaboration with Access Services.

## **SUPPORTING FORMS, DOCUMENTS, WEBSITES, RELATED POLICIES**

Accommodation and Accessible Learning for Students with Disabilities Procedures E-4.02.1

Recording Device – Student Acknowledgment Form E-4.02.2

Accommodation and Accessible Learning for Students with Disabilities FAQ

Access Services Forms: <https://www.nlc.bc.ca/student-services-hub/access-services>

Animals on Campus Policy (in development)

[Student Housing Handbook](#)

NLC Accessibility Plan 2023 (in development)

**RELATED ACTS AND REGULATIONS**

[Accessible BC Act \(2021\)](#)

[Accessible Canada Act \(2019\)](#)

[BC College and Institute Act \(1996\)](#)

[BC Human Rights Code \(1996\)](#)

[Canadian Charter of Rights and Freedoms \(1982\)](#)

[Freedom of Information and Protection of Privacy Act\[RSBC 1996\] c. 165](#)

**RESOURCES**

[Camosun Policy E-2.11 Academic Accommodations for Students with Disabilities \(2020\)](#)

[BCIT Policy No: 4501 Accommodation for Students with Disabilities \(2021\)](#)

[NIC Policy 3-17 Accommodations and Accessible Learning Services for Students with Disabilities \(2022\)](#)

[UBC Policy No: LR7 Accommodation for Students with Disabilities \(2019\)](#)

<https://udlguidelines.cast.org>