

## MEMORANDUM

**TO:** Academic Chairs  
All Faculty  
Lorretta Neebar, Registrar  
Tyler Evans-Tokaryk, Director, Academic Skills Centre

**FROM:** Elizabeth Martin – Director, Accessibility Services

**DATE:** March 16, 2020

**RE:** **Duty to Accommodate Requirements: COVID-19 Continuity Planning**

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Dear Campus Partners:

We have received numerous questions and concerns from staff, faculty and students about how to best respond to changes in course delivery formats that are taking place across the University in response to COVID-19 continuity planning, while still meeting accessibility and ‘duty to accommodate’ obligations under the Ontario Human Rights Code.

Our office is attempting to work through each and every student request and concern as quickly as possible and reach out when necessary to our various campus partners to find a solution.

Recent and ongoing changes in course delivery options over the last few days have meant that all of our students are now individually reconsidering and assessing their needs. For some students, these changes in course delivery and evaluation will be inconsequential; for other students it may mean certain accommodations that are needed in a regular classroom are no longer required (e.g. students with mobility concerns who can now study online).

For a significant number of our students however who specifically chose a certain course delivery and evaluation format, and carefully planned an accommodation plan around this, they will need to fully reconsider their options. For many of our students the reality is that significant modification and adaptation of their program obligations will be required. For others, there are no accessibility related accommodations that can be put in place that will successfully allow them to navigate the revamped course formats, particularly where these are online (e.g. students with vision concerns, students with acquired brain injuries/ concussion/ seizure disorders/ neurological disorders where computer screen time is impossible; students with hand injuries or motor skills difficulties who will not be able to type or write through a keyboard).

We need to carefully reconsider each of these situations individually to ensure ‘duty to accommodate’ obligations under the *Code* are being met and that we are ensuring fairness for all our students. Over the coming days and weeks we will be reaching out for your support and

for your assistance in navigating these challenging student situations. Each Faculty and Division is unique, just as our students are unique individuals with unique concerns; one size does not fit all in these situations.

At the same time, we recognize that everyone is already working hard to navigate a number of concerns. At this point in time, it would seem a realistic way forward for all of us is to empower students and faculty, wherever possible, to come up with reasonable solutions that are agreeable to everyone involved and avoid unnecessary paperwork and procedures. In this way, Accessibility Services can prioritize cases where clear pathways forward are not apparent, and serve the students who are most in need of our help at this time.

We have attached several resources that divisions may find helpful as they navigate this process. We have also laid out several key principles, priorities and suggested pathways forward for academic divisions to consider. As this is not one size fits all, some may be feasible and others will be impractical. If it would be helpful to discuss this in further detail, particularly in terms of messaging to faculty, staff and students, our office remains available to you at all times.

Thank you for your continued support of our students, and our office. It is deeply appreciated by myself and the staff at Accessibility Services.

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### **Key Principles**

1. Everyone needs to come at accessibility and inclusion in good faith – students, faculty and staff.
2. We all need to make appropriate efforts to find reasonable solutions, given these are currently circumstances beyond everyone’s control.
3. In meeting the duty to accommodate, one size may not fit all; flexibility and creative thinking on that part of all involved is critical.
4. Our goal is reasonable and appropriate, not perfect; ideal outcomes are desirable, but not always realistic in continuity planning

### **Key Priorities**

1. Options for students overall, and in each individual course, need to be presented clearly, concisely and transparently to students so that they can make informed choices.
2. Students need to be accommodated wherever possible, as much as is reasonably possible, including when course evaluation formats and testing formats have changed from the original course syllabus by class vote or other methods.
3. Students need to be provided clear alternative pathways when accommodation options are limited; bureaucracy, paperwork and ‘hoops to jump’ need to be minimized or eliminated wherever possible (e.g. allowing academic petitions without documentation or a personal statement being required from the student, allowing Credit/No Credit options after the deadline, extending course drop dates).

4. An academic evaluation of the student needs to take place regarding all aspects of the key learning outcomes of the course before a grade is assigned; the duties of an individual student to demonstrate competency in course material (vis-à-vis their peers) should not be compromised when attempting to navigate accessibility concerns; this is especially true when considering options to reweight the value of various course requirements.
5. A student needs to have a grade that is reflective of the learning that has taken place in the course when considering accommodation options.
6. Students should not have to pay for accessibility related accommodation alternatives to be put in place (e.g. deferred exam fees).

### **Options for Course Completion that can be Considered (in order of preference)**

#### **Course Instructor Options:**

1. **Accommodation in online formats** inasmuch as it is possible
2. **Alternative evaluations** to testing if this is not feasible (e.g. essay, take-home exam, presentation, research paper) that allow the instructor to perform similar evaluations of the student's competencies in the course material.
3. **Reweighting** (if core competencies and learning outcomes of the course have been demonstrated in previous evaluations).

#### **Faculty / Divisional Options:**

4. **Credit / No Credit** with consideration given to waiving limits and use for program requirements in this unique instance, if possible; or **Aegrotat Standing**.
5. **Deferred Exams** (at no cost to student, and with little to no paperwork, no documentation required and clear pathways provided).
6. **'Backdated' Course Drops** – to allow the student some form of refund and so as to allow the course not to be recorded on the student transcript. This should only be considered as an absolute last resort, and only where all reasonable alternative methods of accommodating have been exhausted.
7. **Extended Course Drop Deadlines**
8. **Late Withdrawal** – this should only be considered as an absolute last resort, and only where all reasonable alternative methods of accommodating have been exhausted, or reasonable alternatives have been provided to the student and a preference has been expressed by the student to withdraw.