



**Carleton**  
UNIVERSITY

**Canada's Capital University**

**Policy Name:** Academic Accommodation Appeal Process for Students with Disabilities

**Responsible Department:** Associate Vice-President (Students and Enrolment) and University Registrar

**Approval Authority:** Senate

**Date of Origin:** May 6, 2006

**Last update:** May 2011

**Next Mandatory revision:** May 2016

**Contact:** Director, Student Affairs

### **Informal Appeal Procedures**

In cases where the instructor refuses to implement the recommended accommodation, the student may elect to contact the Paul Menton Centre and request the Centre initiate an informal review of the instructor's decision to deny the recommended accommodation. The informal review process includes the following steps:

1. The student should ask the Paul Menton Centre to discuss the matter with the instructor to clarify any possible questions the instructor may have concerning the recommended accommodation.

2. If, following consultation with the instructor, the instructor continues to deny the recommended accommodation, the Paul Menton Centre may, with the agreement of the student, discuss the dispute concerning the recommended accommodation with the Departmental Chair or School Director responsible for the course and request him/her to intervene. The Departmental Chair or School Director may:

- (1) Direct the instructor to provide the recommended accommodation;
- (2) Support the instructor's decision that the recommended accommodation is inappropriate; or
- (3) Refer the matter to the Faculty Dean.

3.a) If, following consultation with the Departmental Chair or School Director, the recommended accommodation is not implemented, the Paul Menton Centre may, with the agreement of the student, discuss the dispute concerning the recommended accommodation with the Faculty Dean (or designate) responsible for administering the course and request his/her intervention. Instructors who believe they have been directed by a Chair/Director to provide an accommodation they believe is unjustified may also appeal to the Dean (or designate). The Dean may:

- (1) Direct the instructor to provide the recommended accommodation;
- (2) Support the instructor's decision that the recommended accommodation is

inappropriate; or

(3) Refer the matter to the Committee.

3.a) In the case of a graduate student, the Faculty Dean shall consult with the Dean of Graduate Studies and Research prior to making a decision.

### **Formal Appeal Procedures**

1. If the dispute concerning the recommended accommodation is not resolved during the informal review process, either party may appeal to the Academic Accommodations Appeal Committee. In response to pressing academic deadlines, students may by-pass the informal appeal process and request the Paul Menton Centre make a formal appeal at any time.

2. The Academic Accommodations Appeal Committee, (hereafter known as the Committee), is a Standing Committee of Senate appointed by Senate consisting of three faculty members. The Director, Student Affairs will serve as secretary to the Committee. A staff member from Equity Services will attend meetings to advise the Committee.

3. Appeal requests will be made to the Office of Student Affairs. The appeal request should state the grounds on which the appeal is based and provide supporting documentary evidence. Normally the case will be heard within five working days after receipt of the appeal request. The original decision will remain in effect until the appeal is completed.

4. Instructors involved in these student appeal cases must present their expectations of competencies for the course as articulated in the course outline and their reasons for denying the recommended accommodation based on these course competencies. Instructors may present their case in writing to the Committee or may make their presentation in person at the Committee meeting. A representative from the Paul Menton Centre will present the PMC's rationale for the recommended accommodation based on:

- (1) An assessment of the student's disability;
- (2) An understanding of the institution's Human Rights obligations; and
- (3) An understanding of the instructor's course requirements.

Students involved in these student appeal cases may rely on the rationale presented by the PMC in support of the recommended accommodation. In addition to the PMC presentation, students may also choose to present their own case in writing to the Committee or may make their own presentation in person at the Committee meeting. The Committee shall determine the appropriate length and format of written or oral submissions, with particular consideration of the confidential nature of accommodation requests and the need for expeditious hearings and decisions.

5. Instructors who wish to appeal a decision to accommodate made by their Faculty Dean may also submit a formal appeal to the Committee. Normally, the appeal should be made in writing and state the reason for the appeal such as whether the instructor believes the accommodation threatens the academic integrity of the course.
6. The Committee will make a decision regarding the case based on the merits of the case, considering the University's obligations under the Human Rights policy and Carleton's Accommodation policy. Decision-making guidelines are based on principles of procedural fairness and natural justice.
7. Normally, the Committee will inform both the student and the instructor within two working days after adjudication of the appeal with a written decision to follow.
8. The decision of the Committee shall be final.

### **The New Standing Committee**

The proposed process for managing appeals with respect to academic accommodations for students with disabilities includes a requirement for a new standing committee of Senate. This section makes this aspect of the proposal explicit.

## **Academic Accommodations Appeal Committee**

### **Terms of Reference**

1. The authority of the Committee derives from the policy "Academic Accommodations Appeal Process for Students with Disabilities" (the Policy) approved by Senate on June 1, 2006.
2. This committee shall consider and decide appeals with respect to academic accommodations for students with disabilities on a manner that follows the process and requirements of the Policy. In particular the decisions of the Committee are final.
3. The Committee may recommend changes to the Policy through the Educational Equity Committee.
4. The Committee reports annually to Senate on its activities.

### **Composition**

1. One representative from each Faculty elected by Senate.
2. Associate Vice-President (Students and Enrolment) and University Registrar (Chair)
3. Director, Paul Menton Centre
4. Representative from Equity Services appointed by the Director of Equity Services.