

# MEMO

---

**Memo To:** All Faculty and All Staff

**Memo From:** Kristi Kerford, Associate Vice-President Student Services and Laurel Schollen, Vice-President Academic

**Date:** August 30<sup>th</sup>, 2016

## Preamble

The purpose of this memo is to provide information on the recently approved Class Absence Operating Procedure, and the process designed to address the College's requirement to comply with the Ontario Human Rights Commission's ruling regarding "Medical Documentation Guidelines and Accommodation" which includes retroactive accommodations. Additionally this memo will provide clarification on when to apply the Class Absence Operating Procedure vs. the new process for retroactive accommodations.

## Class Absence Operation Procedure

A standardized operating procedure for student absences has been developed and approved for implementation effective September 2016. Please review the new operating procedure here: [Class Absence Operating Procedure](#)

Creation of the new procedure stemmed from several significant issues surrounding student absences that occurred throughout 2015 and 2016. After months of researching our current processes, other institutions best practices, and engaging in internal consultation with Academic Council, the Academic Leadership Team, the Student Association, and other members of the College, the Class Absence Operating Procedure was created. Highlights of the new procedure include:

1. Explicit definitions for types of absences (i.e. sanctioned, planned, unexpected and unsubstantiated).
2. Process for supporting documentation that is in accordance with the new regulations pertaining to "Medical Documentation Guidelines and Accommodation".
3. Clarity on expectations of both student and faculty surrounding missed work.

## Medical Documentation Guidelines and Accommodation / Retroactive Accommodation

In January of 2016 York University student Navi Dhanota, ARCH Disability Law Centre, the Ontario Human Rights Commission (OHRC) and York University developed new guidelines designed to support students with mental health disabilities who want to access academic accommodations. Please review the OHRC article here: [Link to Article](#).

Around the same time, the report, "Recommendations for Documentation Standards and Guidelines for Post-Secondary Students with Mental Health Disabilities", a three year joint project between Queen's University and St. Lawrence College funded by the Ontario Ministry of Training Colleges and Universities' Mental Health Innovation Fund was also released: [St. Lawrencecollege\\_Mental-health-research-project](#)

The result of these two reports is that students with mental health disabilities will no longer have to provide their official diagnosis in order to receive accommodations. Instead, their accommodations will be based on the functional limitations experienced by the student as a result of the disability. The Ontario Human Rights Commission has asked for our commitment to have medical documentation guidelines, medical documentation forms and procedures in place across all divisions and Schools that:

- a) Do not require students to disclose their mental health disability diagnosis to register with the Office for Students with Disabilities, or receive accommodation or supports
- b) Make it clear that the students may request interim accommodation for mental health disabilities pending receipt of medical documentation
- c) Make it clear that both temporary and permanent mental health disabilities will be accommodated
- d) Do not state or imply that requests for accommodation after a deadline, test or course completion (**i.e. retroactive accommodation**) will not be considered. Instead, we need to have a statement that the institution will consider requests on a case-by-case basis.
- e) Do not require students to reveal their private medical information to, or seek accommodation directly from, their professors, instructors, teaching assistance, etc.
- f) Are clearly communicated to all students, faculty and staff

As you can see "d" has a clear impact on how we accommodate students and how we address the issue of retroactive accommodation requests. The following procedure for managing retroactive accommodations has been developed to aid students and faculty through the process.

As much as possible the potential need for retroactive accommodations for any documented condition that may have unpredictable or episodic occurrences will be identified and discussed in the student's first accommodation meeting with their counsellor. This will be included in the student's Memo to Faculty.

**Process for Requesting a Retroactive Accommodation**

NOTE: Students are an important part of this process and should be involved.

1. Student meets with counsellor to initiate the process. If the student approaches the faculty first they should be redirected to counselling services to initiate the process.
2. Counsellor hears student's request and related circumstances and requests/retains documentation verifying the presence of a medical/mental health disability from the student.
3. Counsellor connects with the involved faculty for input regarding the request. Counselling services will not reveal the nature of the disability without written consent from the student.
4. Faculty will assess the viability of granting a retro-active accommodation, taking into consideration the student's situation, course requirements, learning outcomes and the logistics of possible solutions.
5. The decision to grant a retroactive request will be determined on a case-by-case basis by the faculty in consultation with Counselling services, as required. Opportunities for student's to make up missed work will be consistent with the Class Absence Operating Procedure.

**Class Absence Operating Procedure vs. Retroactive Accommodation Procedure Examples**

<p style="text-align: center;"><b>Class Absence Procedure</b> <i>Accommodation for students who have been absent from class (as defined within the procedure)</i></p>	<p style="text-align: center;"><b>Retroactive Accommodation</b> <i>Requesting an academic accommodation after a deadline has passed is referred to as a retroactive accommodation</i></p>
<b>Examples</b>	<b>Examples</b>
<p>A SAC member has requested an absence to attend a SAC Conference. This would be defined as a sanctioned absence.</p> <p>A student unexpectedly became ill with the flu and was absent from class. This would be defined as an unexpected absence.</p> <p>A student must take their dependent child to a specialist appointment that occurs during School hours and they have notified you in advance. This would be defined as a planned absence.</p> <p>A student is on their way to an examination and their car breaks down. This would be defined as an unexpected absence.</p>	<p>A student, with a known mental health issue, is hospitalized and misses a final examination</p> <p>A student comes in week 13 with anxiety that they are going to fail the semester. They say they have a history of mental health issues but have not disclosed. They have been struggling with attendance and have not been able to hand in assignments for several weeks.</p>