



Dispute Resolution Procedure (Academic Accommodations)

Final Approval Body: SLT

Senior Administrative Position with Responsibility for Procedure: Vice Provost Academic Affairs; Office of the Provost and VP Academic

Date Initially Approved: New

Date of Last Revision, if applicable: N/A.

PURPOSE OF PROCEDURE

The Dispute Resolution Procedure (DRP) provides a mechanism for resolving matters relating to academic accommodation when informal processes involving dialogue and consultation with appropriate parties and support units have been exhausted without achieving a satisfactory outcome in a timely manner.

PROCEDURE

A. Denial of a request for accommodation or disagreement with an approved accommodation plan

When a student disagrees with the determination of accommodation from Queen's Student Accessibility Services (QSAS), reconsideration by the Assistant Dean, Student Affairs may be requested if the student believes that the University is in violation of its duty to accommodate for the following reasons:

- i) denial of the request for accommodation, or
- ii) the approved accommodation plan does not address disability-related barriers

A student may request reconsideration by the Assistant Dean, Student Affairs as soon as possible after receiving the directive from QSAS and when informal processes including discussions involving the QSAS Advisor of record, QSAS management and other resources as appropriate (e.g., Human Rights and Equity Office (HREO), Office of the Ombudsperson) have been exhausted and failed to resolve the matter. The request must be in writing to the Assistant Dean, Student Affairs, and include:

- the reason for the request and the requested outcome;
- the date(s) that discussion with the QSAS Advisor, QSAS Management and any other consultations occurred; and
- any new documentation.

The Assistant Dean will confer with the student, QSAS management, and other resources as appropriate (e.g., HREO, Legal Counsel). The decision of the Assistant Dean to either uphold the directive from QSAS or to provide/revise an accommodation plan will be communicated to the student as soon as possible, with written reasons to follow within 3 business days and copied to QSAS.

If the student disagrees with the decision, the student may file a petition with the Vice-Provost Academic Affairs, VPAA (Office of the Provost and Vice-Principal Academic) for a final determination (see Section C. *Petition a decision*).

B. Failure to implement approved accommodation

A student may request review by the Associate Dean Academic (or equivalent) of the Faculty (Undergraduate and Professional students) or the School of Graduate and Postdoctoral Affairs (Graduate Students) if the student believes that there has been a failure to fully implement approved accommodation and informal dialogue and consultation have been exhausted.

Review by the Associate Dean Academic (or equivalent)

A review by the Associate Dean Academic must be requested as soon as possible when informal discussions between the student, the educator and other resources as appropriate (e.g, QSAS Advisor of record, Department/Program Chair, HREO, Office of the Ombudsperson) have been exhausted and failed to resolve the matter. The student must make their request, in writing, to the Office of the Associate Dean Academic (ADA) of the Faculty/School and include:

- a copy of the Accommodation Plan and the approved accommodation at issue;
- a brief statement of the requested outcome and the reasons for the request; and
- the dates of discussion with the educator about the request and of consultations with others (e.g., QSAS, HREO, Program/Department Chair).

The ADA will confer with the student regarding the request and with the educator regarding bona fide issues regarding course/program essential requirements/standards, health and safety concern for others with respect to the accommodation at issue, and proposed equivalent, alternative accommodation. The ADA will review relevant documents* (including course outline/syllabus as appropriate) and consult with others as warranted (e.g., QSAS, Centre for Teaching and Learning).

The decision of the Associate Dean Academic regarding the plan for implementing accommodation will be communicated as soon as possible, with written reasons to follow within 3 business days and copied to QSAS and the educator.

Pending the outcome of the review, the educator must implement accommodation to the fullest extent possible without compromising academic standards, essential requirements, or the health and safety of others.

** Students are not required or expected to disclose disability/diagnosis as supporting documentation.*

If either the student or the educator is dissatisfied with the decision of the ADA and believes they have legitimate grounds for appeal, the individual may file a petition with the Vice-Provost Academic Affairs, VPAA (Office of the Provost and Vice-Principal Academic) for final determination.

C. Petition a decision

Petitions to the Vice-Provost Academic Affairs, VPAA (Office of the Provost and Vice-Principal Academic) must be filed within 5 business days of the preceding written decision from the Assistant Dean, Student Affairs or the Associate Dean Academic. [Note that a request for extension may be made to the VPAA with valid reason; e.g., to access support or seek advice/guidance.]

A petition must be in writing and include:

- the grounds for the petition (procedural, duty to accommodate or infringement on the health and safety of others (undue hardship);
- a summary of the steps followed to resolve the matter related to academic accommodation including dates of informal discussions and consultations;
- copies of all prior decisions and reasons; and
- any relevant supporting documentation (e.g., approved accommodation plan, course outline, syllabus, program essential requirements/standards). *

* *Students are not required or expected to disclose disability/diagnosis as supporting documentation.*

The Petition will be reviewed based on its merits (compliance with policies, procedures, and legislated duty to accommodate to the point of undue hardship). Within 10 business days, the Vice-Provost, Academic Affairs or designate will render a written decision to either uphold the previous decision or describe action to be taken. The decision and reason shall be communicated, in writing, to the petitioner and copied to QSAS and either the Associate Dean Academic of the Faculty/School or the Assistant Dean (Student Affairs).

The decision of the Vice-Provost, Academic Affairs is final, there is no other Queen's University Policy under which the duty to accommodate can be disputed.

Related Policies, Procedures, Guidelines: Academic Accommodations for Students with Disabilities Policy; Academic Accommodations for Students with Disabilities Procedure; and Guide to resolving matters relating to academic accommodations

Procedures Superseded by this Procedure: None, new procedure [with associated revision to the Academic Accommodations for Students with Disabilities Policy;

Contact: Vice-Provost Academic Affairs

Date for Next Review Five years from approval

Please submit your final package to the Secretariat at policies@queensu.ca.