



## ACCESSIBILITY AND ACCOMMODATION POLICY

Classification:	Academic
Responsible:	Director, Administration Team, Instructional Team
Executive Sponsors:	Director
Approval Authority:	Director
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### A. Purpose

The accessibility and accommodation Policy outlines The Learning Company's commitment to creating an accessible, welcoming, barrier-free, and inclusive learning environment that accommodates students with disabilities and protected characteristics.

### B. Scope

This policy applies to all members of The Learning Company community including applicants, students, graduates, and employees. This policy applies to all on campus environments and learning contexts including classes, labs, online, learning management system, and practicum.

### C. Definitions

#### **Academic Accommodations:**

Academic Accommodations are instructional methods, educational supporters, alternative course materials formats, alternative forms of testing and assessment, and alternative educational practices.

#### **Campus Accommodations:**

Campus Accommodations are physical, facility, and transportation accommodations that support the physical accessibility of the campus.

#### **Disability:**

A Disability is defined by the Manitoba Human Rights Code (policy #1-4, version 1.1), as a condition that requires accommodations to compensate or minimize the effects of a disability.

#### **Learning Disability:**

A Learning Disability is a disability in which individuals have reduced capacity to learn tasks or process information such as Attention Deficit Disorder, and Dyslexia.

#### **Mental Health Disability:**

A Mental Health Disability is a disability such as depression, bipolar disorder, anxiety and schizophrenia, that may impact an individuals' ability to do tasks successfully.



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**Protected Characteristics:**

Protected Characteristics are characteristics that individuals are protected from discrimination from under the Manitoba Human Rights Code.

**Physical Disability:**

A Physical Disability is a disability that affects a person's mobility or dexterity such as an infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness.

**Protected Characteristics Accommodations:**

Protected Characteristics Accommodations are accommodations pertaining to the individual needs of students and their personal situations.

**Reasonable Accommodations:**

Provincial Human Rights Codes in Manitoba protect characteristics including religion, disability, and ethnic background. The Learning Company is committed to providing reasonable accommodation to students with documented special needs due to these protected characteristics.

**Undue Hardship:**

Under Manitoba Human Rights legislation, post-secondary institutions have a duty to accommodate students with disabilities and/or protected characteristics to the point of undue hardship.

**Self-identification:**

Self-identification involves students identifying their disability and/or protected characteristic to The Learning Company staff.

**Student:**

A student is an individual who has applied for admission, is currently enrolled, or has previously been a student of The Learning Company.

**Assessment Accommodations:**

Assessment Accommodations are accommodations to the environment, format, and testing method for tests and exams.

**D. Policy**

The Learning Company has a legal responsibility under the Manitoba Human Rights Code to reasonably accommodate students with disabilities and protected characteristics. The Learning Company is committed to creating an accessible, welcoming, barrier-free, and inclusive learning environment that accommodates students with disabilities and protected characteristics.

**1. Guiding Principles**

1.1 Accessibility and accommodation is guided by Manitoba Human Rights Code.



## **2. Human Rights Code**

2.1 The Human Rights Code protects students with protected characteristics from discrimination in post-secondary education.

2.2 Under this legislation post-secondary institutes have a duty to accommodate students with protected characteristics to the point of undue hardship.

2.3 Post-secondary institutes have a legal obligation to ensure that their policies, processes, and practices do not create or maintain barriers that would impede students with protected characteristics from accessing equal post-secondary education opportunities.

## **3. Protected Characteristics**

3.1 Protected characteristics include;

- a. ancestry
- b. nationality or national origin
- c. ethnic background or origin
- d. religion or creed, or religious belief, religious association, or religious activity
- e. age
- f. sex
- g. pregnancy
- h. gender identity
- i. sexual orientation
- j. marital or family status
- k. source of income
- l. political belief political association. Political activity
- m. physical or mental disability or
- n. social disadvantage

## **4. Physical Disability**

4.1 The Manitoba Human Rights Code protects students with physical disabilities from discrimination in post-secondary education.

4.2 Physical disabilities include both permanent and temporary disabilities.

4.3 Disabilities include, but are not limited to;

- a. physical disability
- b. mental health disability
- c. learning disability, or
- d. mental health disability

## **5. Accommodations**

5.1 Students with disabilities and/or protected characteristics are expected to meet essential learning outcomes, but the methods of achieving those outcomes may vary.

5.2 Once accommodation is provided, students are expected to meet course learning outcomes and essential requirements of their program.



5.3 Accommodations are best determined through a collaborative approach between The Learning Company and the student.

## **6. Types of Accommodations**

6.1 A variety of accommodations will be facilitated by The Learning Company.

These include but are not limited to;

- a. academic accommodations
- b. campus accommodations
- c. protected characteristics accommodations

## **7. Undue Hardship**

7.1 Under the Human Rights Code post-secondary institutes have a duty to accommodate students with disabilities and/or protected characteristics to the point of undue hardship.

7.2 The Learning Company has a legal obligation to ensure that their policies, processes, and practices do not create or maintain barriers that would impede students with disabilities from accessing equal post-secondary educational opportunities.

7.3 The Learning Company will explore individual accommodations for students with disabilities and/or protected characteristics to the point of undue hardship as defined by the Human Rights Code.

7.4 The general test for undue hardship includes;

- a. the cost of providing accommodations to the institution
- b. the availability of outside source of funding, and
- c. health and safety requirements.

7.5 Concepts such as inconvenience, employee morale, third-party preference, are not valid considerations in assessing if an accommodation causes undue hardship.

7.6 The Learning Company will work to accommodate a student to the point of undue hardship; however, it is possible that a student with a disability and/or protected characteristic will not be able to meet essential requirements of a course or program because of the nature of the disability and/or protected characteristic.

## **8. Self Identification**

8.1 Self-identification involves students identifying their disability and/or protected characteristic to The Learning Company staff.

8.2 Self-identification is confidential and the release of personal information is subject to the Manitoba Freedom of Information and Protection of Privacy Act.

## **9. Dignity**

9.1 Students will be accommodated in a manner that is respectful and considerate.



9.2 Students with disabilities and/or protected characteristics will not be identified unnecessarily or subjected to expectations beyond those required of other students.

9.3 Willingness to explore solutions is fundamental to treating applicants/students with respect and dignity.

#### **E. Related Legislation:**

Manitoba Human Rights Code [section 9(2)]  
Freedom of Information and Protection of Privacy Act

#### **F. Procedure**

##### **Action**

##### **Responsibility**

##### **Student Application**

Students should advise their student admissions advisor about their need for accommodations prior to enrolling with The Learning Company.

Administration Team

Students who are in a program can request accommodations.

Student

##### **Admissions Advising Meeting**

(For cases where students are requesting accommodations prior to the start of the program; this is not necessary for students who request accommodation while in their program.)

Administration Team

The Admissions Coordinator should provide the student with the opportunity to provide written documentation in order to gain the necessary information prior to the beginning of studies about needs and supports.

Administration Team

##### **Provision of Documentation**

Students must show evidence of how their need is a protected characteristic listed in the Manitoba Human Rights Code. Students are required to provide The Learning Company with documentation from a recognized health care professional or recognized service provider identifying their needs and possible accommodation solutions.

Student

##### **Development of Accommodation Plan**

The development of an Accommodation Plan is a shared responsibility between the student and the Administration Team. The Administration team will work with the student to create an Accommodation Plan that addresses the student's identified needs.

Administration Team/  
Student



### **Communication with Course Instructors**

The Administration Support Team is responsible for communicating in writing with course instructors around accommodations which will be provided for a student. The Learning Company employees will be notified only if the student's Accommodation Plan directly applies to them. This may include, but is not limited to the Director, Admissions Coordinator, and the Education Coordinator. Students may request an explanation as to why a particular employee(s) will be notified regarding their Accommodation Plan.

Administration Team

### **Confidentiality**

All The Learning Company employees who are included in the student's Accommodation Plan are expected to maintain confidentiality and follow the guidelines under the Manitoba Freedom of Information and Privacy Act to ensure the student's privacy is respected.

All TLC Employees

### **Documentation of Accommodation Plan**

Students will be provided with a written copy of their Accommodation Plan and a written copy of the names of The Learning Company employees who have been notified of their Accommodation Plan.

Administration Team

### **Communication with Practicum**

Should The Learning Company need to communicate with a host practicum site regarding a student's accommodation needs, the college will ask the student to sign a waiver document allowing in this matter. The student may request an explanation regarding this matter.

Administration Team

### **Review of Programming**

The Administration Team will monitor and review the student's Accommodation Plan at regular intervals with the student and follow up with college staff as necessary to ensure the Accommodation Plan is meeting the student's needs and that the student is meeting academic/learning outcomes of their program.

Administration Team

## **G. Supporting Documentation**

None

## **H. Related Policies**

None

## **I. Related Materials and Documentation**



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None

**Approved:** August 7, 2024

**Approved by:** The Learning Company Leadership Team

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