

## BROCK UNIVERSITY ACCESSIBILITY (AODA) POLICY

<b>Category:</b>	Administration	<b>Number:</b>	01
<b>Responsibility:</b>	President and Vice-Chancellor	<b>Approval:</b>	Board of Trustees
<b>Approval date:</b>	December 12, 2013	<b>Issue date:</b>	December 12, 2013
<b>Next review:</b>	January 1, 2016		

### Background

The Accessibility for Ontarians with Disabilities Act (AODA) was passed into law in 2005. The purpose of the AODA is to achieve accessibility for Ontarians with disabilities on or before January 1, 2025 through the development, implementation and enforcement of accessibility standards. The AODA and its standards apply to Brock University.

### Purpose

This policy outlines how Brock University (the “University”) will comply with the requirements of the *Accessibility for Ontarians with Disabilities Act*, S.O. 2005, c. 11 (“AODA”) and its regulations:

- *Accessibility Standards for Customer Service*, O. Reg. 429/07 (Customer Service Standard”);
- *Integrated Accessibility Standards*, O. Reg. 191/11 (“IASR”).

The AODA and its standards do not diminish the University’s legal obligations toward persons with disabilities that arise under the Human Rights Code<sup>1</sup> or any other Act or are otherwise imposed by law (AODA, Section 3). Rather, both sets of obligations will apply to the University, and will have to be complied with. If two laws conflict, the provision that provides the highest level of accessibility for persons with disabilities with respect to goods, services, facilities, employment, accommodation, buildings, structures or premises is the law that must be followed (AODA, Section 38).

This policy replaces the Brock University “*Provision of University Goods or Services to Persons with Disabilities*” policy issued February 18, 2010.

Questions about this policy may be directed to the University Accessibility (AODA) Coordinator at [accessibility@brocku.ca](mailto:accessibility@brocku.ca)

### Scope

#### Scope and Application

This policy applies to the provision of goods, services or facilities to persons with disabilities that are members of the public or other third parties (organizations to which the university provides goods, services or facilities) by, or on behalf of the University. Examples include, but are not limited to, employees, current or prospective students, alumni, local residents, visitors, and representatives from other organizations such as

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<sup>1</sup> The Human Rights Code prohibits discrimination on the basis of disability (and other grounds) in respect of goods, services or facilities, accommodations, contracts, employment and vocational organizations.

government, research, event attendees, guest lecturers, etc.

As required by the IASR, this policy also applies to the University's employment practices, to certain elements of the University's property and facilities, and where the University provides certain transportation services.

### **Responsibility**

All University employees, agents, volunteers or others who are responsible for delivering goods, services or facilities by, or on behalf of, the University to members of the public or other third parties is required to comply with this policy. This includes but is not limited to: food service providers, student organizations or associations, and contracted services on campus.

All University policies and procedures related to the provision of university goods, services or facilities must also comply with the Standards.

To the extent permitted by law, this policy shall be interpreted and applied in a manner consistent with the terms of any collective agreement to which the University is party.

### **Definitions**

As defined by the AODA and/or the Human Rights Code:

**Disability:** (a) any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device, (b) a condition of mental impairment or a developmental disability, (c) a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language, (d) a mental disorder, or (e) an injury or disability for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act, 1997*;

As defined in the Customer Service Standard:

**Service Animal:** (a) A "guide dog" as defined in Section 1 of the *Blind Persons Rights' Act*; or (b) An animal is a service animal for a person with a disability if it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or if the person provides a letter from a physician or nurse confirming that the person requires the animal for reasons relating to the disability.

**Support Person:** (a) in relation to a person with a disability, another person who

accompanies him or her in order to help with communication, mobility, personal care or medical needs, or with access to goods or services.

As defined in the IASR:

**Accessible Formats:** May include, but are not limited to, large print, recorded audio and electronic formats, braille and other formats usable by persons with disabilities.

**Communication Supports:** May include, but are not limited to, captioning, alternative and augmentative communication supports, plain language, sign language and other supports that facilitate effective communications.

**Communications:** The interaction between two or more persons or entities, or any combination of them, where information is provided, sent or received.

**Conversion ready:** An electronic or digital format that facilitates conversion into an accessible format.

**Educators:** Employees who are involved in program or course design, delivery and instruction.

**Kiosk:** An interactive electronic terminal, including a point-of-sale device, intended for public use that allows users to access one or more services or products or both.

#### **Other definitions**

Other definitions commonly accepted in practice:

**Assistive Devices:** Devices and technologies that increase mobility, hearing, vision and communication capacities of persons with disabilities. With the aid of these technologies persons are able to live independently and participate in society.

#### **Policy**

*In fulfilling our mission*, Brock University strives at all times to undertake reasonable efforts to provide University goods, services or facilities in a way that respects the dignity and independence of persons with disabilities. We are also committed to providing persons with disabilities the same opportunity to access University goods, services or facilities and allowing them to benefit from the same services, in the same place and in a similar way as that given to other persons.

### **Statement of Commitment**

Brock University is committed to excellence in the provision of University goods, services or facilities to all persons, including persons with disabilities. We will carry out our responsibilities to meet the accessibility needs of persons with disabilities in a timely manner in the following areas<sup>2</sup>:

#### **Use of Assistive Devices**

Persons with disabilities may use assistive devices to access University goods or services.

#### **Communication**

Communication occurs in a variety of ways - in person, by phone, in writing and online. The University will communicate with persons with disabilities in ways that take into account their disability.

#### **Use of Service Animals**

Persons with disabilities accompanied by a service animal may access University owned or operated premises that are open to the public or other third parties, and may keep the animal with them except where excluded by law.

Where law excludes the service animal, other options are to be made available to ensure the owner has access to University goods or services. Where the service animal may affect the health and safety of other persons, the University will make every effort to meet the needs of both parties.

#### **Use of Support Persons**

Persons with disabilities accompanied by a support person may access University owned or operated premises that are open to the public or other third parties.

Where the assistance of a support person is required by a person with a disability they must not be prevented from having access to the support person.

Where a University department or area charges an admission or participant fee, the department or area will ensure that notice is given in advance about the amount, if any, payable in respect of the support person.

The University may require a person with a disability to be accompanied by a support person when on University premises, but only if a support person is necessary to protect the health and safety of the person with a disability or the health and safety of others on University premises.

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<sup>2</sup> Requirements not in effect as of 2013 are identified in italics and the future compliance date is noted.

### **Notice of Temporary Disruptions**

Notice of temporary disruptions of University facilities or services usually used by persons with disabilities will be provided as far in advance, or as soon as possible, as is reasonable in the circumstances, and will include:

- The reason for the disruption
- The anticipated duration of the disruption
- Information identifying alternative facilities or services, if any that may be available.

### **Training - Accessible Service**

The University will provide training to employees, agents, volunteers and others who may be reasonably expected to interact with the public or other third parties on behalf of the University; and, those who develop and approve University policies, practices and procedures governing the provision of goods or services to members of the public or other third parties.

Training will include a review of the purposes of the AODA and the requirements of the Customer Service Standard, and include instruction in the following:

- How to interact and communicate with persons with various types of disability.
- How to interact with persons with disabilities who use an assistive device or require the assistance of a guide dog, service animal or support person to access University goods or services.
- How to use equipment and/or assistive devices available on University premises or otherwise provided by the University that may help with the provision of goods or services to people with disabilities.
- What to do if a person with a disability is having difficulty accessing University goods or services.
- The University's policies, practices and procedures relating to the Standard.

The University will also provide training on the requirements of the IASR and the Human Rights Code as it pertains to persons with disabilities.

The University will keep records of the training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is provided.

### **Training to educators**

The University will provide our educators with relevant accessibility awareness training related to accessible program or course delivery and instruction.

The University will keep a record of the training provided under this section, including the dates on which the training is provided and the number of individuals to whom it is

provided.

### **Accessibility plan**

The University will establish, implement, maintain and document a multi-year accessibility plan, which outlines the University's strategy to prevent and remove barriers and meet its requirements under the IASR.

The accessibility plan will be posted on the University website and will be provided in an accessible format upon request. The University will review and update the multi-year plan in consultation with the Brock University Accessibility Advisory Committee (BUAAC) at least once every five years.

An annual status report on the progress of measures taken to implement the multi-year accessibility plan will be posted on the University website and the report will be provided in an accessible format upon request.

### **Procuring or acquiring goods, services or facilities**

The University will incorporate accessibility design, criteria and features when procuring or acquiring goods, services or facilities, except where it is not practicable to do so.

Where the University determines it is not practicable to incorporate accessibility design, criteria and features, the University will provide an explanation upon request.

### **Self-service kiosks**

The University will incorporate accessibility features when designing, procuring or acquiring self-service kiosks.

### **Feedback Process-Customer Service**

The University maintains a feedback process so that members of the public are able to comment on the provision of goods or services to persons with disabilities.

The feedback process allows for comments in person, by telephone, in writing or by delivering an electronic text, or otherwise and will specify the actions that will be taken by the University if a complaint is received.

### **Feedback - General [in effect Jan 1, 2014]**

The University will ensure that all other feedback processes are accessible to persons with disabilities by providing or arranging for the provision of accessible formats and communication supports, upon request.

### **Accessible formats and communication supports [in effect Jan 1, 2015]**

The University will, upon request, provide or arrange for the provision of accessible formats and communication supports for persons with disabilities in a timely manner that

takes into account a person's accessibility needs due to disability, and at a cost that is no more than the regular cost charged to other persons. The University will consult with the person making the request in determining the suitability of an accessible format or communication support.

**Emergency procedure, plans or public safety information**

The University will provide emergency procedure, plans or public safety information, in an accessible format or with appropriate communication supports, upon request.

**Accessible websites and web content [in effect Jan 1, 2014 (WCAG 2.0 Level A)] and [in effect Jan 1, 2021(WCAG 2.0 Level AA)]**

The University will work toward making its website and web content conform to the Worldwide Web Consortium's Web Content Accessibility Guidelines, initially at level A and increasing to level AA in accordance with the timeframes set out in section 14(4) of the IASR.

**Educational and training resources and materials, etc.**

On notification of need the University will provide:

- Educational or training resources or materials in an accessible format that takes into account the person's accessibility needs due to a disability by procuring through purchase or obtaining by other means an accessible or conversion ready electronic format of the educational or training resources or materials, where available, and if not available arranging for the provision of a comparable resource in an accessible or conversion ready electronic format.
- Student records and information on program requirements, availability and descriptions in an accessible format to persons with disabilities.

**Producers of Educational or training material - Textbooks [in effect Jan 1, 2015] and Printed Materials - Educational or training supplementary learning resources [in effect Jan 1, 2020]**

The University will, upon request, make accessible or conversion ready versions of textbooks or supplementary print-based learning material produced by the University.

**Libraries of educational and training institutions - Print based resources or materials [in effect Jan 1, 2015] and Digital or Multimedia resources or materials [in effect Jan 1, 2020]**

Where available, the University's libraries shall provide, procure or acquire by other means an accessible or conversion ready format of print, digital or multimedia resources or material for a person with a disability, upon request. This requirement does not apply to special collections, archival materials, rare books and donations.

## **Employment Standards [in effect Jan 1, 2014, except Workplace Emergency Response already in effect]**

### **Recruitment**

The University will:

- Notify its employees and the public about the availability of accommodation for applicants with disabilities in recruitment processes.
- Notify job applicants when they are individually selected to participate in an assessment or selection process that accommodations are available upon request in relation to the materials or processes to be used.
- Consult with the applicant to provide or arrange for the provision of a suitable accommodation that takes into account the applicant's accessibility needs due to disability.

### **Notice to successful applicants**

- When making offers of employment, the University will notify the successful applicant of the University's policies for accommodating employees with disabilities.

### **Informing employees of supports**

The University will inform employees of its policies used to support its employees with disabilities including those on the provision of job accommodations that take into account an employee's accessibility needs due to disability.

This information will be provided to new employees as soon as practicable after they begin their employment with the University.

Updated information will be provided to employees whenever there is a change to existing policies on the provision of job accommodations.

### **Accessible formats and communications supports for employees**

When requested by an employee with a disability, the University will consult with the employee to provide or arrange for the provision of accessible formats and communication supports for information that is needed to perform the employee's job, and information generally available to employees in the workplace.

### **Workplace emergency response information**

The University will provide individualized workplace emergency response information to employees who have a disability, if the disability is such that the individualized

information is necessary and the University is aware of the need for accommodation due to the employee's disability.

The information required will be provided as soon as practicable after the University becomes aware of the need for accommodation.

Where an employee would require assistance in an emergency, with the consent of the employee, information will be provided to the person designated by the employer to provide assistance to the employee.

Individualized workplace emergency response information shall be reviewed when an employee moves to a different location, when the employee's overall accommodation needs or plans are reviewed and when the University reviews its general emergency response policies.

#### **Documented individual accommodation plans**

The University will develop and have in place a written process for the development of documented individual accommodation plans for employees with disabilities. The process will include the elements outlined in section 28(2) of the IASR.

#### **Return to work process**

The University will develop, document and have in place a return to work process for employees who have been absent from work due to disability and require disability-related accommodations to return to work.

#### **Performance management, career development and advancement, and redeployment**

The University will take into account the accessibility needs of employees with disabilities and individual accommodation plans in performance management processes, when providing career development and advancement opportunities and when considering redeployment of employees with disabilities.

#### **Transportation - Public Sector Organizations**

The University is not primarily in the business of transportation, but when the University does provide transportation services it shall provide accessible vehicles or equivalent services upon request, when reasonable notice is given.

#### **Design of Public Spaces Standards (Accessibility Standards for the Built Environment) [in effect Jan 1, 2016]**

The University will apply the requirements of the Design of Public Spaces Standards to public spaces that are newly constructed or developed on or after January 1, 2016 and that are covered by Part IV.I of the IASR.

## Availability and Format of Documents

The University will prepare one or more documents describing this policy and will provide them upon request to any person. If the University is asked to provide these documents to a person with a disability, the University will do so in a timely manner in a format that takes into account the person's disability.

### Related policies

- Purchasing
- Accommodation for Employees with Disabilities
- Academic Accommodation for Students with Disabilities (Senate 595)
- Respectful Work and Learning

### Related documents

- Accessibility for Ontarians with Disabilities Act
- Ontario Regulation 429/07 Accessibility Standards for Customer Service
- Ontario Regulation 191/11 Integrated Accessibility Standards
- Blind Persons' Rights Act
- The Human Rights Code
- Brock University Multi-Year Accessibility Plan
- World Wide Web Consortium Web Content Accessibility Guidelines (WCAG)
- Animal Use and Care in All Areas of Brock University

### Amendments (revision history)

Date revised	Responsible
Enter date	Enter position/title