

<b>Category:</b>	Administration	<b>Number:</b>	AODA-01
<b>Responsibility:</b>	President and Vice-Chancellor	<b>Approval:</b>	Board of Trustees
<b>Approval date:</b>	February 18, 2010	<b>Issue date:</b>	February 18, 2010
<b>Next review:</b>	January 1, 2012		

## Background

### Introduction

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 (the “University”).

The Accessibility Standards for Customer Service (Ontario Regulation 429/07 or the “Standard”) are the first to be developed under the AODA. As a “designated public sector organization”, the University must be in compliance with the Standard by January 1, 2010 (O. Reg. 429/07, Section 2 Schedule 2).

The AODA and the Standard 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).

Questions about this policy may be directed to the University Accessibility (AODA) Coordinator.

## Purpose

The policy outlines how Brock University complies with the requirements of the Accessibility Standards for Customer Service issued under the AODA.

### Legislative Authority

Ontario Regulation 429/07 requires every university in Ontario (including its affiliated and federated colleges) that receives operating grants from the Government of Ontario to establish policies, practices and procedures governing the provision of its goods or services to persons with disabilities.

## Scope

### Scope and Application

This policy applies to the provision of goods or services to persons with disabilities who are members of the public or other third parties (organizations to which the university provides goods

---

<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.

or services) by, or on behalf of the University. Examples include, but are not limited to, current or prospective students, alumni, local residents, visitors, and representatives from other organizations such as government, research, event attendees, guest lecturers, etc.

The Standard does not apply to the University in its role as employer. However, where a University employee is provided goods or services, not as an employee, but as generally provided to the public at large, the University will adhere to the Standard as the provider of the goods or services in question.

## **Responsibility**

All University employees, agents, volunteers or others who are responsible for delivering goods or services by, or on behalf of, the University to members of the public or other third parties are required to comply with this policy. This includes food service providers, student organizations or associations, contracted services on campus.

All University policies and procedures related to the provision of goods or services must also comply with the Standard.

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 the Human Rights Code:

### **Disability** means:

- (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 provided in the Standard

### **Service Animal** means:

- (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.

As provided in the Standard

### **Support Person** means:

- (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.

## Policy

### Mission Statement of Brock University

Brock University flourishes through the scholarly, creative, and professional achievements of its students, faculty and staff. Offering a range of undergraduate and graduate programs, Brock fosters teaching and research of the highest quality. As a diverse and inclusive community, we contribute positively to Canada and beyond through our imagination, innovation and commitment.

### Provision of University Goods or Services to Persons with Disabilities Policy

*In fulfilling our mission*, Brock University strives at all times to undertake reasonable efforts to provide University goods or services 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 or services and allowing them to benefit from the same services, in the same place and in a similar way as that given to other persons.

Brock University is committed to excellence in the provision of University goods or services to all persons, including persons with disabilities and we will carry out our responsibilities in the following areas:

#### Use of Assistive Devices

Assistive devices are 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.

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

The University provides some assistive devices for use by:

- Students with disabilities registered with the Student Development Centre - Services for Students with disABILITIES
- Visitors to the University

General information about these devices is found at [www.brocku.ca/accessibility/](http://www.brocku.ca/accessibility/)

Specific guidelines on the use and availability of these devices (including alternative measures available) are obtained by contacting the applicable University department or area.

#### 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 the service animal is excluded by law, 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, University employees should discuss the situation with both parties and 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.

## **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**

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 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 keep records of the training provided.

## **Feedback Process**

The University will create and maintain 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 will allow 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.

## Availability of Documents

The University will prepare one or more documents, describing the following and provide them upon request to any person:

- The University's policies, practices and procedures governing the provision of goods or services to persons with disabilities;
- The University's policies, practices and procedures governing the use of service animals and support persons;
- The steps the University will take to provide notice of the temporary disruption of University facilities or services usually used by persons with disabilities;
- The University's policy on providing training under the Standard; and,
- The University's feedback process on the provision of goods or services to persons with disabilities.

## Format of Documents

If the University is asked to provide these documents to a person with a disability, the University will do so in a timely manner and the document or the information contained in the document will be provided in a format that takes into account the person's disability.

## Related policies

- Ethical Purchasing
- Purchasing
- Inclement Weather
- Respectful Work and Learning Environment
- Quotations and Tenders
- Emergency Management Plan
- Guidelines for Campus Sales

## Related documents

- Provision of University Goods or Services to Persons with Disabilities - Procedures
- Accessibility for Ontarians with Disabilities Act
- Ontario Regulation 429/07 Accessibility Standards for Customer Service
- The Human Rights Code

## Amendments (revision history)

Date revised	Responsible
Enter date	Enter position/title