

Accessibility @ Lakehead University

Accessibility for Ontarians with Disabilities Act (AODA)

In 2005, the government of Ontario passed the Accessibility for Ontarians with Disabilities Act (AODA), which requires that Ontario be an accessible province by 2025.

As a "designated public sector organization," the University must be in compliance with the Act and associated Standards.

In 2007, the Accessibility Standards for Customer Service (Regulation 429/07) was enacted under AODA establishing standards for designated public sector organizations, which is applicable to the University. These standards articulate the requirements for policies, practices and procedures that govern the provision of goods or services to persons with disabilities. This legislation was effective January 2010.

In 2011, the new Integrated Accessibility Standards Regulation (Regulation 191/11) was enacted under the AODA to help public, private and not-for-profit organizations identify, prevent and remove barriers to accessibility. Within the IASR general requirements are being articulated in addition to specific accessibility standards being articulated in four areas, namely:

- Information and communications standards
- Employment standards
- Transportation standards
- Design of public spaces

The AODA and its Standards do not diminish the University's legal obligation toward persons with disabilities that arise under the Human Rights Code¹ or any other Act or are otherwise imposed by law (AODA, Section 3). Rather, both sets of obligations will apply to the University and must 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).

Statement of Commitment

In fulfilling our mission, Lakehead University is committed to the full inclusion and participation of persons with disabilities in all aspects of university life. The University strives at all times to provide its 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 the University's goods and services and allowing them to benefit from the same services, in the same place and in a similar way, as others unless alternate measures are necessary whether temporarily or on a more long-term basis. Moreover, Lakehead University is committed to meeting the accessibility needs of persons with disabilities in a timely fashion and in a way that takes into account the person's disability.

¹ 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.

Lakehead University is committed to meeting its obligations under the Accessibility for Ontarians with Disabilities Act (AODA) and the associated Standards: the Accessibility Standards for Customer Service (Regulation 429/07) and the Integrated Accessibility Standards (Regulation 191/11).

Timeframe

Lakehead University's timeline for compliance with all requirements within the two Standards are outlined in the chart appended to this document.

Related Documents and Resources

Specific policies and documents relevant to Accessibility @ Lakehead University includes (but is not limited to):

1. Provision of University Goods and Services to Persons with Disabilities
2. Policy on Academic Accommodations for Students with Disabilities
3. Procedures Associated with the Policy on Academic Accommodations for Students with Disabilities
4. Harassment and Discrimination Policy and Procedures
5. Accessibility for Ontarians with Disability Act, 2005 (AODA)
6. Accessibility Standard for Customer Service, Ontario Regulation 429/07
7. Ontarians with Disabilities Act, 2001 (ODA)
8. Ontario Human Rights Code

Definitions

Accessible - means 'useable' for persons with disabilities

Accessible formats - include, but are not limited to, large print, recorded audio and electronic formats, Braille and other formats usable by persons with disabilities

Accommodation - describes a process or a series of adjustments that are customized to the needs of an individual with a disability

Alternative measures - are those steps or actions that bring about equivalent results, taking into account the needs of individual persons with disabilities. Alternate measures are generally temporary unless it constitutes an individual accommodation.

Assistive Devices - includes equipment persons with disabilities bring with them to assist in daily living such as a walker, scooter, cane, magnification or specialized learning software.

Assistive Measures - includes technologies, equipment or people such as amplification systems, real time captioning or a support person as an attendant.

Assistive Technologies (or Adaptive Technologies) - includes equipment or software such as screen readers, audio recordings and voice recognition that persons with disabilities use to obtain information and to communicate with others.

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

Conversion-ready - refers to an electronic or digital format that facilitates conversion into an accessible format that is acceptable to the person with the disability.

Customer - is the term used in the Regulation to describe patrons, stakeholders or anyone in receipt of goods and services. The primary recipients of a university's services are its students, prospective

students, their family members and members of the broader community, including alumni who use the teaching, research, library, conference, cultural and sports facilities. Faculty and staff may also become internal "customers" when they use these same services and facilities.

Disability - as defined in the Ontario Human Rights Code but would include:

- Any degree of physical disability
- Mental impairment or developmental disability
- Learning disability
- Mental disorder
- Injury or disability for which benefits were claimed or received under the Workplace Safety & Insurance Act, (1997)
- The Code also specifies that ... the right to equal treatment without discrimination because of disability includes the right to equal treatment without discrimination because a person has or has had a disability or is believed to have or to have had a disability. 2001, c. 32, s. 27 (4)
- Link to Code: http://www.e-laws.gov.on.ca/html/statutes/elaws_statutes_90h19_e.htm

Equal Opportunity - means having the same chances, options, benefits and results as others in the way services are provided. There should not be significantly more effort required to access or to obtain a service, nor should there be an expectation that lesser quality or more inconvenience is tolerated.

Equal Treatment - incorporates the principles of dignity, independence, equal opportunity, integration and inclusion.

Extranet website - refers to a controlled extension of the intranet, or internal network of an organization, to outside users over the Internet.

Independence - means respecting an individual's autonomy in exercising choice, subject to cost and safety considerations as defined by the regulatory standard of undue hardship.

Information - includes data, facts and knowledge that convey meaning and exist in any format, including text, audio, digital or images.

Integration - means inclusiveness and full participation.

Internet website - refers to a collection of related web pages, images, videos or other digital assets that are addressed relative to a common Uniform Resource Identifier (URI) and are accessible to the public.

Intranet website - refers to an organization's internal website that is used to privately and securely share any part of the organization's information or operational systems within the organization, and includes extranet websites.

Kiosk - an interactive electronic terminal, including point-of-sale device, for public use that allows users to access one or more services or products.

Service Animal - the Regulation defines a "service animal" as an "animal for a person with a disability" if:
a) it is readily apparent that the animal is used by the person for reasons relating to his or her disability; or
b) 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 - means, 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.

Undue Hardship - The AODA states that undue hardship is defined in the Code and is the standard required by the Regulation. "Reasonable efforts" for a university funded by government grants and fee-

paying students incorporates considerations of the more exacting standard of undue hardship as defined by the Ontario Human Rights Code, Section 24(2) and includes quantifiable costs based on available and foreseeable funding as well as health and safety considerations.

Web Content Accessibility Guidelines - refers to the World Web Consortium Recommendation, dated December 2008, entitled "Web Content Accessibility Guidelines (WCAG) 2.0."