



TUS

**Technological University of the Shannon:
Midlands Midwest**

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre Iarthar Láir

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TUS Student Reasonable Accommodation Policy 2022 – 2025



Document Control Record

Academic Quality Assurance and Enhancement Handbook	
Volume 9: No 4	
Document Title	TUS Student Reasonable Accommodation Policy 2022 – 2025
Document Entrust	Academic Council Subcommittee: Student Experience: Management & Services
Document Status	Approved
Revision No	1
Pages	Page 2 of 24
Approval Body	Academic Council
Date of Approval	20/06/2022
Next Revision	2026

Revision History	
Revision No	Comments/Summary of Changes
1.0	Approved by Academic Council (20/06/2022)

Contents

1. Reasonable Accommodation Policy Statement	4
2. Purpose of the Policy	4
3. Definitions	5
4. Guiding Principles related to the Provision of Reasonable Accommodation	7
5. Benefits of the Policy	8
6. Scope of the Policy	8
7. Roles and Responsibilities	8
8. Procedures related to the operation of Reasonable Accommodations	10
8.1 Disclosure	10
8.2 Reasonable Accommodation Assessment Procedures	10
8.3 Confidentiality and the sharing of information	12
8.4 Complaints procedure	12
8.5 Dissemination of this Policy	13
9. References	14
Appendix 1: Definitions	15
Appendix 2: Standard Reasonable Accommodations	17
Appendix 3: Non-standard Reasonable Accommodations	19
Appendix 4: Disability Service - Needs Assessment Procedure	21
Appendix 5: Student Counselling Service – Reasonable Accommodation Procedure	22
Appendix 6: Student Health Service – Reasonable Accommodation Procedure	23
Appendix 7: Implementation of Reasonable Accommodations	24

1. Reasonable Accommodation Policy Statement

The Technological University of the Shannon: Midlands Midwest, hereafter referred to as TUS, is mindful of our statutory obligation under the Disability Act 2005 to support access to services and facilities for people with disabilities. This policy is reflective of the National Strategy for Higher Education to 2030 which describes the educational relationship as being 'particularly important in the context of the promotion and achievement of greater equality in higher education'.

TUS will take all reasonable actions to support students across the full range of their disabilities/specific learning difficulties/ongoing health conditions, including but not limited to: sensory and physical disabilities, specific learning difficulties, mental health conditions, significant ongoing illness, and students with Autism.

2. Purpose of the Policy

This policy provides a framework for the provision of reasonable accommodations for students with a disability/specific learning difficulty/ongoing health condition studying in TUS. This policy is developed in accordance with the Equal Status Acts 2000-2018 (as amended) and the Disability Act 2005.

Equal Status Acts (ESA)

ESA contains significant legislative provisions promoting equality & prohibiting discrimination.

The law which deals with reasonable accommodation in the provision of goods and services is the Equal Status Acts 2000-2018 (as amended) hereafter the 'ESA'. For the purposes of the Acts, TUS as a service provider, is prohibited from discriminating against any person seeking to access a service on any one of the nine discriminatory grounds; including disability. The hallmarks of this service provision in the context of the legislation are an inclusive definition of disability and a requirement for reasonable accommodation provision.

For the purposes of this Act, discrimination includes a refusal or failure by the provider of a service to do all that is reasonable to accommodate the needs of a person with a disability by providing special treatment or facilities, if without such special treatment or facilities, it would be impossible or unduly difficult for the person to avail himself or herself of the service [S 4 (1)].

Disability Act 2005

The key elements of this statute that underpin the implementation of this policy include:

(i) The provision of needs assessment for people with disabilities and (ii) accessibility of public services and premises.

These statutes underpin TUS's commitment to all students availing of reasonable accommodations at the Technological University, as well as the role and responsibilities of the students and staff.

This policy runs in tandem with all other existing policies at TUS.

3. Definitions

Disability:

For the purpose of this document, the definition of disability is that which is encompassed by the Equal Status Act (2000) as amended and defines disability as follows:

1. "The total or partial absence of a person's bodily or mental functions, including the absence of a part of a person's body
2. the presence in the body of organisms causing or likely to cause, chronic disease or illness
3. the malfunction, malformation, or disfigurement of a part of a person's body
4. a condition or malfunction which results in a person learning differently from a person without the condition or malfunction; or
5. a condition, illness or disease which affects a person's thought processes, perception of reality, emotions, or judgement or which results in disturbed behaviour.

and shall be taken to include a disability which exists at present, or which previously existed but no longer exists, or which may exist in the future, or which is imputed to a person."

For the purpose of this Policy, we refer to *Students with Disabilities* to include the full range of disabilities described above.

Reasonable accommodations:

Reasonable accommodations are practical changes which service providers, or their agents, have to make so that people with disabilities can get and use all kinds of services on an equal basis with others, whether the service is paid for or not.

Reasonable accommodations are therefore contextualised in consideration of the Equal Status Act 2000, whereby: “Discrimination includes a refusal or failure by the provider of a service to do all that is reasonable to accommodate the needs of a person with a disability by providing special treatment or facilities, if without such special treatment or facilities, it would be impossible or unduly difficult for the person to avail himself or herself of the service.” As noted, this policy covers the provision of reasonable accommodations for students with a disability/specific learning difficulty/ongoing health condition studying in TUS.

Reasonable accommodations support equity of access for students with disability/specific learning difficulty/ongoing health condition associated with their teaching, learning, assessment, examination, and work placement environment.

Reasonable accommodation relates to the action of the service provider that alleviates a disadvantage. This may include altering the physical environment, the use of assistive technology or simply allowing extra time for completion of documentation (AHEAD, 2008).

Factors influencing the determination of what is reasonable will include:

- (i) the effectiveness of taking steps in enabling the student to overcome the relevant disadvantage
- (ii) whether the steps would significantly compromise the academic standards / required learning outcomes or professional practices associated with the course of study
- (iii) health and safety issues
- (iv) financial and other cost to the institution.

For the purposes of this policy, Reasonable Accommodations are defined as standard or non-standard Reasonable Accommodations.

A *Standard Reasonable Accommodation* for a student is defined as an amendment to the student's teaching, learning and assessment, which enables the student to participate fully in their education.

A *Non-standard Reasonable Accommodation* occurs when the Technological University recognises that Faculties/Schools/Departments may need to consider providing alternative non-standard teaching, learning, and assessment methods where standard Reasonable Accommodations are not sufficient to meet the needs of the student.

It is necessary to be familiar with relevant definitions to inform a fuller understanding of this policy, which are set out in detail in **Appendix 1**.

4. Guiding Principles related to the Provision of Reasonable Accommodation

The following are the guiding principles on the provision of Reasonable Accommodations for TUS students:

- TUS is committed to ensuring, as far as possible and within the framework of current legislative policy and requirements, that students with disabilities/learning difficulties/ongoing health conditions have equity of access to and participation in all teaching, learning, assessment, examinations, and work placement activities.
- TUS will strive to ensure that its courses, services, and facilities are inclusive and accessible, and that students with disabilities/learning difficulties/ongoing health conditions can participate as independently as possible as a registered student of TUS.
- TUS is committed to providing reasonable accommodations, informed by the individual assessment of need, which are designed to ensure that students with disabilities/learning difficulties/ongoing health conditions can engage in learning and demonstrate their knowledge, skills, and competencies on an equal basis with their peers.

- TUS will strive to create an environment where students are comfortable to disclose disabilities/learning difficulties/ongoing health conditions to relevant TUS personnel. The Technological University will facilitate students to disclose a disability/learning difficulties/ongoing health condition at any stage throughout their time at TUS.
- TUS is committed to ensuring that the information disclosed by a student regarding their disabilities/learning difficulties/ongoing health conditions to TUS personnel is used only for the purposes for which it is provided will be managed in compliance with GDPR and FoI requirements and only retained for the period for which it is required and in line with the TUS Data Retention policy.

5. Benefits of the Policy

The policy defines standard and non-standard Reasonable Accommodations available to students with disabilities/learning difficulties/ongoing health conditions.

The policy explains how Reasonable Accommodations are granted and communicated to all relevant stakeholders.

The policy demonstrates TUS's compliance with relevant national legislation and policies.

6. Scope of the Policy

This policy applies to all registered undergraduate and postgraduate students of TUS with a disability/specific learning difficulty/ongoing health condition studying at TUS who are registered with the appropriate support service (Disability, Student Counselling, Student Health Service), and only for the duration of their registration with TUS.

7. Roles and Responsibilities

Recognition of roles and responsibilities of staff and students is essential to the implementation of this policy. For the purposes of this policy, reference to the term "staff" also incorporates external service providers working on behalf of TUS.

Responsible Office/Person(s)	Role
Staff	Staff have a moral and legal responsibility and a duty of care to respond effectively when a student discloses personal information in relation to a disability/learning difficulties/ ongoing health condition. Academic staff and TUS professional services, external service providers and work placement providers have a duty to facilitate reasonable accommodations identified through needs assessment.
Students	To avail of reasonable accommodations, it is the responsibility of the student to notify TUS of their disability/learning difficulties/ ongoing health condition, provide verifiable evidence and undergo a needs assessment. It is also the student's responsibility to follow specific procedures related to accessing reasonable accommodations in a timely manner as outlined above.
Disability Service	The Disability Service has a responsibility to complete needs assessments in partnership with the student and to advise the student regarding any procedures relating to accessing reasonable accommodations.
Student Counselling Service	Where a student is accessing support for a mental health difficulty through the Counselling Service, the Counsellor may also assess the need for Reasonable Accommodations as appropriate as part of the therapeutic relationship with the student.
Student Health Service	Where a student is attending the Student Health Service for a health issue that may impact their ability to engage in their studies/examinations, the student Health Service will assess the student's need in the context of reasonable accommodations as appropriate.
Vice President Student Education and Experience	The executive oversight for this policy rests with the Vice President Student Education and Experience, the Student Affairs Managers and relevant professional service leader(s).

8. Procedures related to the operation of Reasonable Accommodations

8.1 Disclosure

Disclosure, in the context of this policy, means informing TUS about a disability/specific learning difficulty/ongoing health condition. TUS encourages students to disclose their disability/specific learning difficulty/ongoing health condition during their application process to enrol in TUS or immediately following admission. Students can disclose their disability/specific learning difficulty/ongoing health condition at any time during their studies in TUS. Non-disclosure may severely limit the capacity of TUS to be fully aware of the appropriate reasonable accommodations to be implemented, and/or the capacity to deliver the reasonable accommodations and supports. The provision of Reasonable Accommodations by TUS is in line with: (i) the governing policies; (ii) and/or governing procedures; (iii) and/or to the expected service standards; (iv) and/or to the required timelines.

8.2 Reasonable Accommodation Assessment Procedures

After a student discloses a disability/specific learning difficulty/ongoing health condition to the relevant professional support service (Disability Service/Counselling/Health), a needs assessment will be completed by any of the professional services (Disability Service/Counselling/Health) provided by TUS in partnership with the student to determine the appropriate Reasonable Accommodations relevant to their disclosed disability/specific learning difficulty/ongoing health condition.

In the event of a student crisis/temporary health condition, which impacts the student's ability to engage in their studies/examinations, the relevant Professional Support Service will engage with the relevant stakeholders regarding Reasonable Accommodations.

It is the responsibility of all students to register with the applicable professional support service. Students may be requested to provide any related documentation from relevant qualified professional(s) pertaining to the individual's disability/specific learning difficulty/ongoing health condition to support their needs assessment and/or provision of reasonable accommodations.

The assessment of need is strictly confidential. The Professional Support Service (Disability, Counselling, Health) will obtain written consent from the student to release the student's details within TUS for the sole purposes of the provision of support and reasonable accommodation.

The assessment of need outcome can be revised at any point throughout the student's programme of study. The student is responsible for informing the Professional Support Service of any change to their needs/requirements in a timely manner and in particular specific requirements pertaining to their examinations, assessments, and work placement requirements.

Reasonable Accommodations are determined on a case-by-case basis through the needs assessment process. This is carried out by the appropriate professional service (Disability Service/Counselling/Health). A needs assessment considers the nature of the disability/specific learning difficulty/ongoing health condition of the student and the resulting impact of those in the context of their completion of the course requirements the agreed Reasonable Accommodations are recorded by the Professional Service. Examination accommodations are recorded on the confidential student database system.

Most students will be able to manage their disability/specific learning difficulty/ongoing health condition on work placement, however, for those who require reasonable accommodations, a work placement planning process, which includes a meeting with placement organisers may be required in advance of the planned placement or during the placement to consider the impact of the student's disability/specific learning difficulty/ongoing health condition on their ability to practicably complete the planned work placement.

A summary of the reasonable accommodation procedures based on the specific disability/specific learning difficulty/ongoing health condition of the student are respectively outlined in the following appendices:

Appendix 4	Reasonable Accommodation Assessment Procedures for Students registered with the Disability Service
Appendix 5	Student Counselling Service - Reasonable Accommodation (RA) Recommendation Procedure
Appendix 6	Student Health Service - Reasonable Accommodation (RA) Recommendation Procedure

8.3 Confidentiality and the sharing of information

The Professional Support Services recognises that information relating to a disability/specific learning difficulty/ongoing health condition is sensitive personal data and will take great care when handling that data in line with obligations under Data Protection legislation. The Data Protection Policy and Students Privacy Notice are available to view on the TUS website.

The Professional Support Services will seek signed consent from the student to release any details within TUS, as may be required to facilitate the assessment of needs and/or the provision of the reasonable accommodation sought.

A student may at any time request restrictions to the sharing of this information, however, the student will be informed that such restrictions may adversely affect the assessment of their needs, the level of support or reasonable accommodation that TUS or placement providers can offer the student.

8.4 Complaints procedure

If a student with a disability/specific learning difficulty/ongoing health condition feels that their specific needs are not being met, they are encouraged to address the area(s) of concern directly with the relevant Professional Support Service.

The Professional Support Service will work together with the Faculty/School/Department to assess whether an alternative, effective and reasonable form of accommodation can be made for the student in question.

In the event of an agreement on an alternative, effective and reasonable form of accommodation not being reached, the matter will be referred to the Dean/VP as appropriate, who will decide as to what, if any, accommodation should be made for the student in question based on the academic requirements of their programme. The decision of the Dean/VP will be final, binding on all parties, and will be communicated to all relevant parties.

If the student remains unsatisfied with the outcome, they are advised to raise their dissatisfaction through the governing formal policies and procedures that support such notice to TUS, as outlined in the relevant student policies, which are available on the website, including the TUS Student Complaints and Problem Resolution Procedures 2022-2025).

A student may raise a complaint relating, but not limited to the following perceived issues:

- (i) The quality or standard of Reasonable Accommodation applied.
- (ii) The suitability of Reasonable Accommodation applied.
- (iii) A failure or inaction of the TUS Professional Service provider (Disability Service/Counselling/Health, or a Faculty/School/Department, or any administrative or support service or division, or any staff member to follow the administrative processes outlined in this policy.

8.5 Dissemination of this Policy

- This policy will be retained in the Quality Assurance Handbook.
- This policy will be publicly available on the TUS website.
- This policy is available in alternate print format upon request.

9. References

- a) AHEAD (2008) Good Practice Guidelines for the Providers of Supports and Services for Students with Disabilities in Higher Education. Dublin: AHEAD. Available at: <https://ahead.ie/publications-for-educational-staff?id=5&qstring=cGc9MiZzb3J0PQ>
- b) Disability Act 2005. Available at: <http://www.irishstatutebook.ie/eli/2005/act/14/enacted/en/html>
- c) Employment Equality Acts 1998-2015. Available at: <https://www.irishstatutebook.ie/eli/1998/act/21/enacted/en/html>
- d) Equal Status Acts 2000-2018 (as amended). Available at: <https://www.irishstatutebook.ie/eli/2000/act/8/enacted/en/html>
- e) National Strategy for Higher Education to 2030: Available at:
- f) <https://www.education.ie/en/publications/policy-reports/national-strategy-for-higher-education-2030.pdf>
- g) Student complaints and problem resolution procedures 2022-2025. TUS Academic Quality Assurance and Enhancement Handbook

Appendix 1: Definitions:

TERM	DEFINITION
Disability	The legal definition of disability stipulated in the Employment Equality Act (1998) and Equal Status Acts (2000) as amended, defines disability as follows: a) “The total or partial absence of a person’s bodily or mental functions, including the absence of a part of a person’s body. b) the presence in the body of organisms causing or likely to cause, chronic disease or illness. c) the malfunction, malformation, or disfigurement of a part of a person’s body. d) a condition or malfunction which results in a person learning differently from a person without the condition or malfunction; or e) a condition, illness or disease which affects a person’s thought processes, perception of reality, emotions or judgement or which results in disturbed behaviour”. and shall be taken to include a disability which exists at present, or which previously existed but no longer exists, or which may exist in the future, or which is imputed to a person.” The Disability Act 2005 defines a “disability”, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment.” Substantial restriction means a restriction that is permanent (or likely to be permanent) which results in significant difficulty in communication, learning or mobility and means that the person has a need for services to be provided on a continuous basis. TUS embraces the broadest interpretation of disability as outlined in the above Acts, which attempts to encompass all conditions that can amount to a disability/specific learning difficulty/ongoing health condition.
Disclosure	Disclosure of a disability/specific learning difficulty/ongoing health condition to TUS means informing the Technological University.

TERM	DEFINITION
Needs Assessment	Under the Disability Act 2005, students with disability/specific learning difficulty/ongoing health condition have a statutory right to an assessment of their educational needs and to the provision of related resources.
Reasonable Accommodation	Equal Status Acts 2000-2018 (as amended) requires that TUS provides reasonable accommodation for people with disabilities/learning difficulties/ongoing health conditions. 'Reasonable accommodation' means providing special treatment or facilities to make sure that people with a disability/specific learning difficulty/ongoing health condition can avail of goods and services, so long as these do not have more than a nominal cost. Within an education setting, reasonable accommodation is a required facility outside the mainstream provision to allow the student with a disability/specific learning difficulty/ongoing health condition to participate fully, and without an educational disadvantage in comparison with their peers. HEIs have only to go as far as being reasonable in accommodating a student with a disability/specific learning difficulty/ongoing health condition, but this concept of reasonableness will vary from case to case. The factors in determining this will include the effect on other students, the effectiveness of the reasonable accommodation, the available resources at the HEI's disposal and the effect on the maintenance of academic or other standards. The Equal Status Acts state that a HEI discriminates against a student with a disability if it does not do all that is reasonable to accommodate the student.

Appendix 2: Standard Reasonable Accommodations

Standard reasonable accommodations relate to: (i) Examinations; and (ii) Teaching and Learning Accommodations. The nature of the accommodations that are respectively addressed for each are outlined in **Table 1** and **Table 2**:

TABLE 1: STANDARD REASONABLE ACCOMMODATIONS: EXAMINATIONS
Extra Time 10/15/20 minutes per (standard extra time is 10 minutes, in exceptional circumstances this can be increased to 15/20 minutes per hour).
Scribe
Reader
Reading software (e.g., ClaroRead / Texthelp)
Exam Reader (Scanning) pen
Exam paper in Audio Format e.g., MP3 player
Speech to Text Software e.g., Dragon Naturally Speaking
Separate Room (Alone)
Shared Room
Enlarged print paper
Marking Guidelines (SpLD) or Hearing
PC to type exam
Electronic paper
Coloured exam paper
Coloured exam script (answer booklet)
Special furniture (e.g., standing desk)
Food and drink in examinations
Room near bathroom
LENS report – specifying additional information on examination accommodation

TABLE 2: STANDARD REASONABLE ACCOMMODATIONS: TEACHING AND LEARNING ACCOMMODATIONS:

Allow additional time to develop practical skills

Allow student to record lectures

Allow personal assistant, lab assistant, academic assistant, note taker

Provide lecture material in advance, wherever possible

Ensure field trips and off-campus visits are accessible.

Permission to take rest breaks in teaching and learning session

Irish sign language interpreter in teaching and learning session

Marking the work of students with specific learning difficulties and students who are deaf/hard of hearing

Appendix 3: Non-standard Reasonable Accommodations

Non-standard reasonable accommodations relate to: (i) Examinations; and (ii) Teaching and Learning Accommodations. The nature of the accommodations that are respectively addressed for each are outlined in **Section 1** and **Section 2**:

Section 1: EXAMPLES OF NON-STANDARD REASONABLE ACCOMMODATION FOR EXAMINATIONS.

Examples of non-standard examination accommodation include, but are not limited to:

Reschedule exams (dates and times) within the examination session – this may be required for students who have significant physical difficulties, stamina, anxiety, and fatigue issues because of a disability/specific learning difficulty/ongoing health condition.

For example: a candidate who requires extra time and experiences fatigue may find it difficult to manage a few examinations in quick succession. Examinations may therefore need to be scheduled so that, where possible, rest periods are provided between examinations.

Alternative forms of assessment – where standard accommodations cannot be made, it may be necessary to consider an alternative form of assessment to continuous assessment and examinations.

For example: a student with Cerebral Palsy who was unable to undertake all end of year exams due to pain and fatigue may be offered a reweighting in favour of continuous assessment over end of year examinations.

A student with ASD and anxiety issues who was unable to attend tutorials, carry out presentations, and group assignments may have alternative continuous assessments (Viva Voce to lecturer alone and solo assignments) agreed.

Non-standard accommodations listed are common examples and other academic reasonable accommodations may arise based on an individual's needs. This can be explored during the needs assessment process and will be subject to the approval of the relevant Dean.

SECTION 2: EXAMPLES OF NON-STANDARD REASONABLE ACCOMMODATION: TEACHING AND LEARNING.

Examples of non-standard teaching and learning accommodations include, but are not limited to:

Flexible assessment deadlines: Due to the nature of their disability/specific learning difficulty/ongoing health condition some students may require additional time to

complete some aspects of their coursework. The individual needs of the student are considered alongside the specific course requirements, meaning the length of an extension may vary. Repeated or ongoing requests for flexibility shall be reviewed by the course coordinator, head of department or Dean of studies, as appropriate.

Flexibility with course attendance requirements: Where a student is unable to attend due to their disability/specific learning difficulty/ongoing health condition they should not be penalised or be required to provide additional medical documentation for non-attendance.

Students with a disability/specific learning difficulty/ongoing health condition should be treated differently in this regard when a request for flexibility with attendance is deemed a Reasonable Accommodation for a fixed period.

Appendix 4: Disability Service - Needs Assessment Procedure

The Disability Service will complete a Needs Assessment to determine what supports and accommodations will be required throughout the student's programme of study. It is the responsibility of all students to provide the required documentation from the relevant qualified professional(s) pertaining to the individual's disability/specific learning difficulty/ongoing health condition.

The Needs Assessment process is completed by the Disability service through the following steps:

- The student completes a needs assessment form, which is reviewed.
- An interview with the student
- Detailed review of relevant documentation requested from the student.

Based on appropriate evidence of a disability and information obtained from the student on the impact of their disability on their ability to complete practicably their academic course requirements, the Disability Staff member will identify supports designed to meet the student's disability support needs. The following areas are addressed:

1. Nature of disability or condition, to include: impact on education, severity, hospital admissions etc.
2. Treatment: any medication they are taking, outpatient appointments, such as physiotherapy.
3. Previous support: arrangements made at secondary school, if any.
4. Current difficulties: difficulties the student anticipates that they have or may have with their course requirements.
5. Access to equipment and IT facilities.
6. Appropriate academic and disability support. These might include, for example, accessible class venues, in-course support, examination support arrangements, and extended library loans.

The Needs Assessment process also helps determine whether the student is eligible for additional disability support through relevant disability funding such as the HEA Fund for Students with Disabilities for specialist disability support, assistive technology, and /or transport.

Appendix 5: Student Counselling Service – Reasonable Accommodation

Procedure

Counselling provides a safe, supportive, and confidential environment in which students can discuss any emotional or psychological difficulties they may be experiencing.

Based on the assessment and information obtained from the student regarding the impact of their mental health in meeting their academic course requirements, the Counselling service may identify appropriate reasonable accommodation in partnership with the student. The Counselling Service will issue a reasonable accommodation request directly to the relevant School/Faculty/Department and/or the confidential student database system and/or Disability Service as appropriate.

It is the responsibility of the student to provide all relevant information to determine what supports and reasonable accommodation will be required.

Appendix 6: Student Health Service – Reasonable Accommodation Procedure

The Student Health Service provides a confidential and caring health service to all registered TUS students.

The Nurse and/or Doctor will have a medical consultation with a student to assess and clarify what issues are impacting on the students' academic life at TUS. Students with ongoing need are encouraged to self-refer to other relevant support services who may provide additional targeted support and assistance.

Medical Certificates are only issued by a Doctor. Retrospective certification cannot be issued therefore students are required to contact the Student Health Centre at the time of an illness or event.

Based on the assessment and information obtained from the student regarding the impact of their health in meeting their academic course requirements, the Student Health Service may identify appropriate reasonable accommodations in partnership with the student. The Student Health Service will issue a reasonable accommodation request directly to the relevant School/Faculty/Department and/or the confidential student database system and/or Disability Service as appropriate.

It is the responsibility of the student to provide all relevant information to determine what supports and accommodations will be required.

Appendix 7: Implementation of Reasonable Accommodations

Standard Reasonable Accommodation Process

The Standard Reasonable Accommodations are outlined in **Appendix 2**. Following the needs assessment process, the Professional Support Service will engage with the relevant stakeholder(s) to determine if the accommodation requested constitutes a 'Reasonable Accommodation' and/or if it can be practicably and reasonably implemented' If there is agreement, then the Reasonable Accommodation will be implemented

Non-standard Reasonable Accommodation Process

The non-standard Reasonable Accommodations are outlined in **Appendix 3**. The Professional Support Service will work together with the Faculty/School/Department to assess, whether an alternative, effective, and reasonable form of accommodation can be made for the student in question.

If agreement cannot be reached on an alternative, effective and reasonable form of accommodation, the procedure as outlined in section 8.4 of this policy, the Complaints Procedure, will apply.