

UNIVERSITY
of GUELPH

CHANGING LIVES
IMPROVING LIFE

HUMAN RIGHTS AND EQUITY OFFICE

UNDERSTANDING DISABILITY: creating an accessible university



other
booklets
in this
series

Recognizing Heterosexism, Homophobia and Transphobia:
Creating a Queer Positive University

Discrimination Awareness: Creating a University Free From
Discrimination and Harassment

Understanding Racialization: Creating a Racially Equitable
University

Cover Photography:

Photo on left by Martin Schlwalbe; photo on right courtesy of
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Maintaining and promoting human dignity is a core value of the University of Guelph. The University is therefore committed to a campus free from discrimination. This pamphlet details the University’s position on discrimination and harassment based on disability.

disability

Our ideas about disability have formed as a consequence of social organization. Society may categorize people as having or not having a disability based on whether that person can meet certain standards. The question often gets legitimately asked, how do we arrive at established standards? Do standards get set objectively or do they arise as a consequence of preconceived notions about ability? Clearly, people who do not meet these standards are considered disabled. Notwithstanding the proposition that society constructs much disability, those constructions give rise to physical and attitudinal barriers for individuals.

Disabilities include past, present and perceived conditions. They range in type and severity and include physical, psychological, learning, intellectual, developmental, cognitive and medical disabilities, as well as hearing and vision loss. Some disabilities are obvious, such as a person with paraplegia who uses a wheelchair. However, the nature or degree of certain disabilities might render them non-evident to others. Chronic fatigue syndrome and learning disabilities for example, are non-evident conditions. Other disabilities might remain hidden as a result of their episodic nature, such as epilepsy. A disability might become apparent over time through extended interaction or it might only become known when a disability accommodation is requested. Otherwise, the disability might remain non-evident if the individual chooses not to disclose it.

The University's human rights policy, which derives its authority from the *Ontario Human Rights Code*, prohibits discrimination and harassment on the basis of disability.

psychological/emotional disabilities

Despite the non-evident nature of psychological/emotional (P/E) disabilities, persons with P/E disabilities have faced stigmatization and significant barriers to participating in society. Stigmatization can create stress for the individual by triggering their condition, making it worse or causing them to not seek accommodation out of fear of being labelled. Some P/E disabilities can also make the person with the disability incapable of recognizing it. Education providers and employers have a responsibility to actively address situations which may be linked to a P/E disability.

a note on HIV/AIDS

HIV/AIDS, including any resulting or related medical conditions, is a recognized disability. This includes people who have the virus, whether or not symptoms show, and those perceived to have the virus.

duty to accommodate

Employers and service providers must accommodate persons with disabilities. This means that an environment or list of job tasks must be created or altered to allow a person with a disability to perform the required work. Tasks may be performed differently than traditional methods but nevertheless must be completed. Accommodations are made on an individual basis and must respect the dignity, self-respect and self-worth of the person. Privacy, comfort and autonomy must be maintained, while integration and participation in society must be promoted. Stigmatizing, marginalizing or ignoring an individual disrespects their dignity. The duty to accommodate may be extensive and exists unless the cost or risk to health and safety would cause undue hardship. Undue hardship is reached when accommodation costs are so high they affect the viability of the business or the fundamental nature of the business or service is altered. Failure to accommodate an individual to the point of undue hardship constitutes discrimination.

employer's duty to accommodate

Employers must make a substantial effort to accommodate an employee with a disability by taking the following four steps:

1. Determine if the employee can perform his or her existing job in its current form.
2. If the employee cannot, then determine if he or she can perform his or her existing job in a modified or rebundled form.
3. If the employee cannot, then determine if the employee can perform another existing job in its existing form.
4. If the employee cannot, then determine if he or she can perform another job in a modified or rebundled form.

Examples of employment accommodation include:

- allowing employees to work flexible or part-time hours;
- changing assigned parking spaces to make the place of employment accessible;

- an accommodation strategy designed to help an employee who was off work due to illness or disability transition into employment duties.

An employee must be able to perform the essential duties of the existing, rebundled or new job. Employers are not required to create unproductive or non-useful positions.

education provider's duty to accommodate

An appropriate accommodation allows the student to meet the core academic requirements of the program, although the student may display their knowledge of the course material by different means. This preserves academic integrity, as the accommodation allows the student to meet the program's core requirements.

The determination that a requirement is essential should not be made lightly. Non-essential requirements are those that would not detract from the academic integrity of the program if modified or waived. Accommodation of non-essential requirements may include finding another way for the student to meet the requirement, having it done differently or eliminating it.

Examples of academic accommodation include:

- allowing additional time to write exams;
 - offering courses in accessible buildings;
 - providing course materials that comply with the principles of Universal Instructional Design (UID).
-

how do we end discrimination & harassment based on disability?

CHANGE NEGATIVE ATTITUDES

Harassment, and often discrimination, of persons with disabilities occurs because of certain attitudes and stereotypes about disability. There remains an inaccurate and harmful belief that persons with disabilities are incapable or inferior. Persons with disabilities are capable people. Where accommodations are required, those accommodations make it possible for the person with the disability to perform their tasks. To dismantle stereotypes about disability, we should all use positive language when referring to disability. We can also actively promote disability awareness, education and employment equity.

USE OF UNIVERSAL DESIGN

Society has begun to address the need to accommodate various requirements in work, study and living spaces through the concept of universal design. Universal design creates products and environments that can be used by everyone, to the greatest extent possible, without the need for adaptation or specialized design. Its principles can be applied to classroom instruction and throughout the university. The University of Guelph has developed principles of universal instructional design and information can be found at Teaching Support Services or online at <http://www.tss.uoguelph.ca/projects/uid/index.html>.

PROVIDE ACCOMODATION

To end discrimination against persons with disabilities, we must accommodate their particular disabilities where necessary. Accommodation may be used as an alternative to universal design, which aims to end discrimination by creating an environment equally accessible to all. Until this goal can be reached, individual accommodation may be required to prevent discrimination.

USE POSITIVE LANGUAGE

For people with disabilities, negative attitudes often act as a larger barrier to participating in society than the disability itself. Positive language can help reshape attitudes towards persons with disabilities and promote the person, their abilities and their inclusion in society. When referring to a person with a disability, describe the person first and the disability second. Moreover, do not identify people by a phrase that turns them into their disability.

See the next page for some examples of how to use positive language.

finally, a word about intersectionality

An individual can belong to one or more protected groups. For example, a person with a disability may also be a member of a racialized group, a female and/or an elderly person. Each identity may expose a person to a distinct form of discrimination. Individuals, however, have multiple identities and it is the combination of these identities that shapes their experience of discrimination. The combination of various forms of discrimination produces something unique and distinct from any one form of discrimination. Intersecting identities and the distinct nature of each person's disability means that accommodation must be an individualized process.

IF YOU REQUIRE ACCOMMODATION

Students who require accommodation may contact the Centre for Students with Disabilities at 519-824-4120 ext. 56028.

Employees who require accommodation may contact Occupational Health Services at 519-824-4120 ext. 52133.

examples of positive language

INSTEAD OF:	USE:
handicapped, invalid, physically challenged	person with a disability
birth defect, congenital defect, deformity	person born with a disability, person who has a congenital disability
confined to a wheelchair, wheelchair-bound	person who uses a wheelchair
cripple, lame	person with a mobility impairment, person who has a spinal cord injury
insane, mental patient, mentally diseased, psycho, psychotic, schizophrenic	person with a psychological disability, person who has schizophrenia, person who has depression
retard, moron, idiot, simple, mongoloid	person with an intellectual disability
dyslexic, slow	person with a learning disability, person who has dyslexia
suffers from epilepsy, victim of multiple sclerosis	person with a disability, person who has epilepsy, person who has multiple sclerosis
normal	person without a disability

if you have been discriminated against or harassed

If you feel that you are experiencing or have witnessed discrimination or harassment on the basis of disability at the University of Guelph, call the Human Rights and Equity Office at ext. 53000.

resources

ON CAMPUS RESOURCES

Human Rights and Equity Office	Ext. 53000
Campus Police	Ext. 52000
Counseling Services	Ext. 53244
Occupational Health Services	Ext. 52133
Aboriginal Resource Centre	Ext. 58074
Centre for Students with Disabilities	Ext. 56208
Campus Safe Walk	Ext. 53200
Student Health Services	Ext. 52131
Central Students' Association Human Rights Office	Ext. 52629
OUTline	Ext. 56358

GUELPH AREA RESOURCES

City Police	519-824-1212
Guelph-Wellington Women in Crisis 24-hour line	519-836-5710
	1-800-265-7233 (Wellington)

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