Upcoming Changes to Accessibility for Ontarians with Disabilities Act (AODA)

Background:

In 2017, a new Post-Secondary Education Accessibility (PSEA) standard was drafted under the AODA to address the systemic barriers faced by students with disabilities in Ontario's post-secondary education sector. The Final Recommendations Report was released on April 22, 2022, comprising of 183 recommendations for the government, educational governing bodies, and PSE institutions to implement. These broad-reaching recommendations, if enacted into legislation, will have direct impacts to the University's current governance and infrastructure, teaching and learning practices, research and funding principles, and student experience operations.

Timeline:

While the recommendations are not yet enacted into law, it is developed under the AODA which has an overarching objective of creating a fully accessible Ontario by 2025. The recommendations have phased-in timelines for implementation, ranging from 6 months to 3 years after enactment into legislation. However, as some operational departments have pointed out, significant focus and shifts will need to occur now to even meet the latest timeline of 3 years.

Impacted areas:

The 183 recommendations have been categorized into four areas below, recognizing there are many instances where there are intersectional impacts and cross-collaboration required.

A. Infrastructure:

- Development of a Change Management Plan that articulates:

  - who will provide senior leadership to oversee and monitor the implementation of the standards and the Accessibility Advisory Committee
  - how to leverage resources to effect change on an ongoing basis
  - how to engage stakeholders to implement the regulation including senior leaders, managers, and supervisors

- Establish an accessibility advisory committee to address and advise on accessibility barriers, reporting to a senior executive leader, who is responsible for updating senior leadership on key commitments. Membership should include:

  - representative(s) from the Office(s) for Students with Disabilities
  - representative of an *Accessibility for Ontarians with Disabilities Act, 2005*, lead for the institution, if applicable
  - representative of the HR department managing staff/faculty accommodations
  - representative of other human rights offices, if applicable, established at the institution (for example, race relations, Indigenous, sexual diversity office, etc.)

- representative(s) from facilities services for the institution to address physical barriers
- Centres for teaching and learning
- libraries or campus bookstores, the units responsible for acquiring or providing the majority of academic materials in accessible formats
- student life
- other representatives of persons with, and without, disabilities as designated by the institution to ensure a range of perspectives
- student members are fairly compensated and provided opportunities to meaningfully engage

- Committee must be consulted on:

  - the creation of digital accessibility plan
  - introducing new digital teaching and learning tools
  - review of academic conflict resolution processes
  - response frameworks and metrics relating to promoting accessible environments
  - reviewing results and findings of built environment accessibility audits, including maintenance processes
  - priority setting and implementation of projects to improve accessibility in the built environment

- Develop a Multi-Year Accessibility Plan and Annual Status Reports that must:

  - outline the organization's strategy to prevent and remove barriers in connection with programming, academic life, and experiential learning
  - articulate principles on accessible and inclusive pedagogy/andragogy
  - address disability inclusion for all stages of academic journey, including addressing any inequities to digital learning
  - include quality assurance-related metrics and innovative practices
  - aggregate results of accessible standardized campus climate instrument to address ableism (developed by government, administered every 3 years)
  - include retention, graduation rate and time to completion on full-time and part-time students with disabilities and actions taken to improve
  - outline use of accessibility lens in all decision-making and associated training
  - include proper representation of people with disabilities in the development and content of all communications and promotional materials
  - include equity representation aggregate data on rates of participation by students with disabilities on all governance bodies

- Development of a digital accessibility plan that:

  - Adheres to accessible procurement standards, inclusive pedagogy/andragogy standards, accessibility standards throughout the academic journey, usability of digital learning and tech environments
  - Identify and remove systemic and environmental barriers that hinder student's digital learning
  - How to support educators and staff in provision of accessible content for all programs and services

- Add six new mandatory and renewable training courses every three years for senior administrators, faculty and staff; additional courses for specific job functions

- Create and/or update business continuity plans:

  - Prepared responses to potential disruptions that are dignified and independent for persons with disabilities
  - Development of contingency plans must include an expert in accessibility to identify barriers throughout the planning

B. Teaching and Learning:

- Create common set of accessibility standards for all teaching and learning offered (including undergrad, grad, professional degrees, continuing ed and micro-credentials) and in a variety of settings (i.e. lectures, seminar, labs, studios, out-of-classroom experiences, asynchronous learning, etc)

- Mandate faculty and teaching staff use textbooks, reading packages and all other learning materials available in multiple formats.

- All course materials and assessments created (not sourced, including multi-media materials) by faculty and members of teaching teams shall be produced in an accessible format that can be converted to meet different accessibility needs.

- Ensure that all admission materials (including tests), classroom and out-of-class learning materials and experiences as well as web content on faculty sites are created, provided and/or available in one or more accessible formats

- Courses explicitly identify how each assessment (diagnostic, formative or summative) is connected to the bona fide and essential academic requirements on the courses outline, syllabus or teaching and learning plan.

- Include accessibility criteria into its program review and new program process

- Course feedback surveys and program reviews include mandatory questions related to Education standard compliance and inclusive instructional design

- Create specialized discipline "hubs" (STEM, trades, healthcare and arts) in developing accessible and inclusive pedagogy and andragogy approaches.

- Mandate that all seminars, symposia, colloquia and conferences that are part of the formal and informal learning expectations of programs of study adhere to accessible and inclusive event planning and content delivery guidelines (applicable both to in person and virtual events)

- Develop accessible and inclusive supervision guidelines of students with disabilities, including virtual supervision best practices in experiential learning.

- Accessibility is at the foundation of the use of digital tools in the practice of universal design for learning principles and their application to accessible and inclusive pedagogy/andragogy guidelines.

C. Research and Funding:

- Embed accessible and inclusive pedagogy/andragogy as a criterion for evaluation into institutional teaching awards, research grants and funding; incentivize research and scholarship in the area of disability

- Create a flexible and confidential process within the institution for disbursement of funds in a timely manner to allow part-time students with disabilities to gain access to institutional scholarships, bursaries, etc. that are currently accessed by full-time students.

- Graduate funding packages to include disability-related considerations; create framework where students with disabilities can access dedicated internal funds to offset accommodation costs associated with graduate programs

- Create centralized "conference accessibility fund" for students to access when needing to travel to academic conferences, and to pay for accommodations and expenses incurred in connection with a graduate program of study or participation in a consultation

- Fund accessibility supports, such as sign language interpreting and attendant services, for students with disabilities to enable their access and participation in leadership roles on governance bodies and on-campus, non-academic activities.

D. Student experience:

- Seek feedback from students with disabilities in development of transition programming

- Application processes, admission test, and other screening meets accessibility standards

- Update academic accommodation policies every 3 to 5 years

- Academic conflict resolution processes for accessibility-related disputes reviewed and revised every 5 years, including settings outside of classroom learning environment

- Clear policies, procedures and guidelines, and processes on how students with disabilities can get access to academically related learning activities (e.g. libraries, common areas, remote/online learning, internships, co-ops, field placements, etc)

- Adopt policies and procedures that proactively seek to engage and appoint full- and part-time students with disabilities to their governance bodies; collect equity representation aggregate data on rates of participation by students with disabilities on all governance bodies.

- Equitable access to resources, opportunities, and services at no additional cost to the student with disabilities

- Work with provincial and national professional sport groups for persons with disabilities, to create accessible sports and recreation programming to engage postsecondary students with disabilities

- Develop programming to enhance student life satisfaction for students with disabilities.

- Ensure accessibility technical specifications for built environment are upheld in buildings, venues and spaces the institution uses, leases, or is affiliated with, but may be owned, managed, or operated by other organizations or entities

- Revise maintenance plans and policies to prioritize timely maintenance and repair of accessibility features in built environment

- Track and report spending (up to 5 years prior to compliance date) on maintenance and upkeep of accessibility features, as part of existing space management reporting systems.

- Specifically include expectations for the fulfilment of the accessibility standards whenever preparing to procure or renew the services of contractors, vendors, independent agents, etc., for the maintenance of the built environment