# Post-Secondary Students with Mental Health Disabilities



A Guide to Academic Accommodations and Managing your Mental Health while on Campus

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Introduction

### Introduction

#### Dear Reader:

One in five Canadians will experience a <u>mental health [glossary]</u> problem this year<sup>1</sup> and the onset of the symptoms of mental ill health often occur between the ages of 15 and 24.<sup>2</sup> These numbers tell us that many students in post-secondary education will experience mental health problems while they are attending college or university.

Ontario post-secondary institutions report a large increase in the number of students with mental health disabilities registered with their Offices for Students with Disabilities (OSD) [glossary]. Some students come to university or college with a diagnosed mental health condition such as depression or anxiety. Other students develop symptoms of mental ill health gradually while they are at school and may not realize that they need professional help.

If you are reading this **Guide**, you may be a student who has already been diagnosed with a mental health disability, be in the process of being diagnosed, or perhaps you are a parent/guardian of a student. Our goal is to help simplify the post-secondary experience for students with mental health disabilities by providing "need-to-know" information that is accessible and relevant. The **Guide** is written in a question-and-answer format and is addressed directly to students with mental health disabilities – so we use "you" throughout the text.

## **The Guide**

The **Guide** is the product of a research study, undertaken jointly by Queen's University and St. Lawrence College, and funded by the Ministry of Training Colleges and Universities through the **Mental Health Innovation Fund**. The document has been reviewed by students with mental health disabilities, whose careful comments helped to shape the final version. While not legal advice, the legal section of the **Guide** was reviewed by the law firm Hicks Morley.

#### **DISCLAIMER**

This **Guide** is intended as general information only, in summary form, and should not be relied on as professional advice, or opinion. If you require more detailed information, you may wish to consult a legal or health care professional.

We thank the Bazelon Center and the Leadership21 Committee for allowing us to use "Campus Mental Health: Know Your Rights" as the basis for this document.<sup>3</sup>

We hope you find this **Guide** useful.

Thank you.

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#### **Many Thanks to Our Reviewers**

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- Our student reviewers
- Staff at Health Counselling and Disability Services, Queen's University and St. Lawrence College
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### **Guide Acronyms**

**AT**: Assistive Technology

**ATC**: Assistive Technology Centre

**CPIC:** Canadian Police Information Centre

**DA**: Disability Advisor

**ETC**: Exam and Testing Centre

**FIPPA**: Freedom of Information and Protection of Privacy Act, 1990

**GPA**: Grade Point Average

**HCCA**: Health Care Consent Act, 1996

**HIC:** Health Information Custodian

**IEP:** Individual Education Plan

MHA: Mental Health Act, 1990

**OHRC:** Ontario Human Rights Code

**OSD**: Office for Students with

**Disabilities** 

**OSAP:** Ontario Student Assistance

**Program** 

**PHI:** Personal Health Information

**PHIPA:** Personal Health Information

**Protection Act, 2004** 

**POA:** Power of Attorney – Personal Care

**SDA**: Substitute Decisions Act, 1992

**TA:** Teaching Assistant

### **Guide Glossary and Web Links**

There are green and blue links throughout the **Guide**. The blue links connect to various resources on the internet (e.g. <u>Transition Resource Guide [web]</u>). The green links connect to different sections of the **Guide** (e.g. <u>mental health [glossary]</u>).

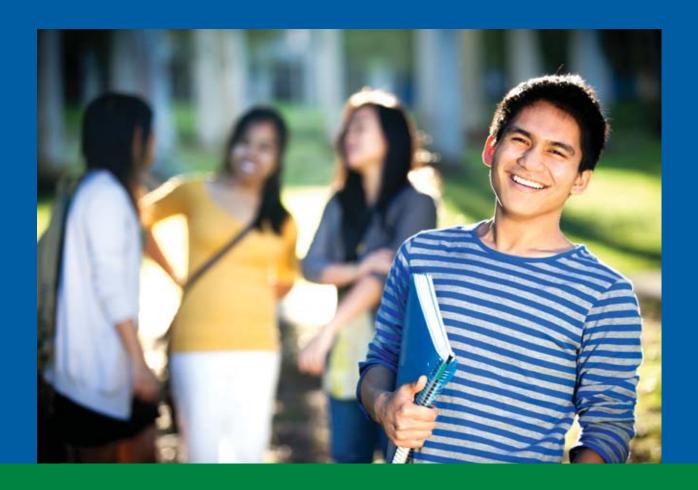
The majority of the green links connect to the glossary where you can find definitions of a number of key terms. These terms are linked to the glossary the first time they appear in an individual section of the **Guide**.

To easily move from the term to the glossary and back again, add a back button to your PDF tool-bar by following these directions below:

- 1. Right-click on your PDF tool-bar
- 2. Select "page navigation"
- 3. Select "previous view"

This will add a back button to your tool-bar that you can click on to return to where you were previously.

## PART 1



Accommodation

## **Academic Accommodations**

# What are academic accommodations and how can they help me?

An <u>academic accommodation [glossary]</u> is an individual arrangement that reduces or removes barriers that limit the ability of students with disabilities to participate in post-secondary education<sup>4</sup>. Academic accommodations are developed based on the <u>functional limitations (glossary)</u> caused by your disability within the academic environment. For instance, a student's functional limitation may involve difficulty maintaining focused attention for prolonged periods. An academic accommodation for this student may be taking breaks during class and/or having extra time to write exams/tests.

An academic accommodation "does not fundamentally alter [the] content of exams, standards for assigning grades, or requirements that students independently demonstrate their knowledge of course material". Accommodations are intended to provide access for students with disabilities; they do not guarantee or predict outcomes.

Accommodations are based only on your functional limitations, not your preferences

Examples of functional limitations are:

- A student's ability to concentrate during tests/exams
- A student's ability to meet assignment deadlines
- A student's ability to listen and take class notes at the same time
- A student's ability to complete exams/tests with peers
- A student's ability to make class presentations to peers and professors

#### Examples of academic accommodation include:

- Extra time to complete tests/exams
- No more than one test/exam scheduled per day
- Use of a note-taker for class notes
- Use of a quiet space, or a separate room, to write tests/exams
- · Assignment extensions negotiated in advance, when possible
- Alternative assignments

Once the accommodation has been provided, it is up to you – the student – to successfully meet the <u>essential requirements [glossary</u>] of the course.<sup>6</sup>

Essential requirements are the expected learning outcomes of a program or course and involve the successful demonstration of specific knowledge, skills and abilities.<sup>7</sup>

The essential requirements of a course or program are explained in your course outline(s). However, there is no consistency in the language used to describe what the student has to be able to demonstrate at the end of each course. Some of the terms used are:

- Course critical performance and learning outcomes,
- Course objectives,
- · Learning outcomes, and
- Specific outcomes.

Although different terms are used, they all identify what the student must be able to demonstrate at the end of the course or program.

# Do I have a legal right to academic accommodations and what can I expect from my institution?

**If You Meet Certain Criteria, You Can Expect Your Institution to Provide You With Academic Accommodations.** If you have a <u>mental health [glossary]</u> disability which impairs your ability to participate in academic activities, your right to <u>academic accommodations [glossary]</u> is protected by the Ontario Human Rights Code, 1990 (OHRC). This right is protected so long as you:

- · Meet your program's or course's admission requirements/prerequisites and
- Can demonstrate its <u>essential requirements [glossary]</u> once the accommodation is in place.<sup>9</sup>

According to the Ontario Human Rights Commission, your college/university has a duty to accommodate [glossary] you once you inform them of your need for academic accommodation. The duty to accommodate is meant to ensure fair access to educational services to the point of undue hardship [glossary]. Undue hardship means that your institution can refuse to provide an accommodation if it can show that providing the accommodation would be financially unfeasible or that, even with the accommodation in place, there are significant health and safety risks to you or to the community.

### If I think I need academic accommodations, what do I do?

**Contact the Office for Students with Disabilities (OSD).** In order to receive <u>academic accommodations [glossary]</u> you must register with your institution's <u>OSD</u> [glossary]. This office may have a different name at your institution, such as

Accessibility Office or Disability Services Office. The OSD is the department/unit at your institution that is responsible for arranging academic accommodations for students with disabilities.

At the OSD, you will meet with a <u>Disability Advisor (DA) [glossary]</u> and together you will identify appropriate academic accommodations [glossary] that are based on:<sup>13</sup>

- The <u>functional limitations [glossary]</u> associated with your disability in the academic environment,
- Your academic program, or course, and its <u>essential requirements [glossary]</u>, and
- Any previous accommodations you may have received at the secondary or postsecondary level.

### If...

- 1 You are unsure whether you need academic accommodations, contact your OSD to discuss what services might be available to you.
- 2 You have not yet decided which college or university to attend, you can visit the Transition Resource Guide [web] which outlines the services available for students with disabilities at post-secondary institutions across Ontario. You can also contact the OSDs at the institutions you are interested in and ask them about the type of academic accommodations that might be available to you<sup>14</sup>.
- **3** You are enrolled at a college or university and have just received a diagnosis of a mental health [glossary] condition, or are experiencing mental health-related concerns, you will need to register with the OSD to arrange for academic accommodations.

## How do I register with the Office for Students with Disabilities?

**Follow the Process Below.** The process for registering with the <u>OSD [glossary]</u> may differ from one institution to another, but generally involves the following steps:<sup>15</sup>

- **1 CONTACT** your institution's OSD and identify your need for <u>academic accommodations [glossary]</u>.
- **2 SUBMIT** your documentation to the OSD.
- **3 BOOK** an appointment with a <u>Disability Advisor [glossary]</u>.
- **4 MEET** with a Disability Advisor.
- **5 ACCESS** your academic accommodations.
- **6** You may need to **RE-REGISTER** with the OSD every year, or term. (This varies from institution to institution; check with your OSD about the procedure at your school).

### REGISTRATION STEP ONE: Contact Your Institution's Office for Students with Disabilities (OSD)

#### **Your Responsibilities**

1 Contact your OSD [glossary] and identify your need for academic accommodation [glossary]. Your institution is not legally obliged to accommodate you until it is aware of your needs. 16

#### **Your Rights**

- 1 Your institution is required to respond to your request for accommodation in a timely manner.
- 2 Your institution is required to provide you with academic accommodations if:
  - I. You have a mental health [glossary] disability,
  - II. You meet your program/course's prerequisites, and
  - III. You can fulfill the <u>essential requirements [glossary]</u> for the course/program once the accommodation is in place.
- Once you have registered with the OSD, and shared your disability-related information with them, you are not required to disclose this information to anyone else in the institution in order to receive accommodations; this process is confidential. Your disability-related information cannot be shared by the OSD with any other member of the university/college unless you give your written permission. Also, information about your accommodations will not appear on your transcript. The only information shared with your professors/teaching assistants/fieldwork coordinators relate to your accommodation(s).

### When do I need to contact the OSD?

**As Soon As Possible.** Contact your <u>OSD [glossary]</u> once you have accepted your offer of admission, or during the summer months before you come to school.<sup>17</sup> It is a good idea to have your <u>academic accommodations [glossary]</u> in place before the beginning of classes, or – if this is not possible – soon afterwards.

Remember that many students will be registering or re-registering at the beginning of the academic year; so, the sooner you contact the OSD the better.

If you are already a college or university student and you are diagnosed with a <u>mental</u> <u>health [glossary]</u> condition sometime during the academic year, contact the OSD immediately for information.

### Can my parents/guardians contact the OSD?

**Yes.** The OSD [glossary] will share general information about the accommodation process with interested parents/guardians; however, the OSD will not provide information about particular students because of privacy requirements. You can give the OSD permission to share your accommodation information with your parents/guardians and in that way they can be involved in the process.

As a post-secondary student, you are expected to work directly with the OSD and to inform them of your needs.<sup>18</sup> Because of privacy and confidentiality laws, the OSD will not communicate with your parents/guardians about you without your consent. This may be a big change for you, especially if they were actively involved in the accommodation process when you were in high school.<sup>19</sup>

## What types of services and supports are available at the OSD?

**Services Vary.** OSD [glossary] services vary depending on the institution and may include:

- Advising: A <u>DA [glossary]</u> can advise you about <u>appropriate academic</u>
   accommodations [glossary] based on a thorough evaluation of your
   documentation, learning needs, program of study and previous accommodations.<sup>20</sup>
- Advocacy: The OSD advocates on your behalf with faculty and staff when negotiating your <u>academic accommodations [glossary]</u> and will help if you encounter difficulties in receiving them.<sup>21</sup>
- **Financial Aid:** The OSD will provide information about various funding opportunities for students with disabilities and provide a letter confirming your disability if required by your institution's OSAP office. If your disability is considered to be permanent and impacts your learning so that it is in unadvisable for you to take a full course load, your DA may advise a reduced course load. Students with <a href="mailto:permanent disabilities[glossary]">permanent disabilities[glossary]</a> can take 40% of a full-time course load and still maintain full-time student status.<sup>22</sup>
- Assistive Technology Centre (ATC): In this area, you can find accessible
  workstations and <u>assistive technology [glossary]</u>; the ATC may also offer training
  and equipment loans.<sup>23</sup>
- Exam and Testing Centre (ETC): This is an area where students can write their tests/exams and access accommodations such as extra time, supervised breaks, or the use of a quiet room.<sup>24</sup>
- **Orientation:** You may be invited to attend an orientation session for students with disabilities during the summer or in the week before classes begin. Orientations usually include information about: OSD services and registration, campus resources, and college/university life.<sup>25</sup>
- **Programming:** You may have access to special programming such as workshops on mindfulness meditation, test/exam anxiety and reducing procrastination.

## REGISTRATION STEP TWO: Submit Documentation

#### **Your Responsibilities**

1 Provide the OSD [glossary] with recent documentation that verifies your disability and need for academic accommodation [glossary].

#### **Your Rights**

1 Your institution will provide a clear description of the documentation it requires from you.

As part of the OSD registration process, you may be required to complete an Intake Questionnaire which asks you to provide:

- A description of how your disability impacts your academics and your ability to participate in post-secondary education,
- · Financial information, and
- A list of any academic accommodations that you received in the past from secondary or post-secondary institutions.

The Intake Questionnaire provides your <u>DA [glossary]</u> with some background information about you prior to your first meeting. When completing the questionnaire, think about how your disability impacts academic tasks such as:<sup>26</sup>

- Writing
- Reading
- Listening
- Comprehension
- Organization
- Problem Solving
- Memory
- Social Interaction

# What type of documentation do I need and where do I get it from?

**Documentation from a Regulated Health Care Professional.** Currently, most institutions require supporting documentation for mental health [glossary] disabilities from one of the following health care professionals:

- · Family Physician/General Practitioner,
- · Psychiatrist,
- Psychologist.

Institutions differ in what they consider to be appropriate documentation; check with your OSD [glossary] for the requirements at your institution.

# Does my Individual Education Plan (IEP) From High School meet the OSD documentation requirement?

Currently, an <u>IEP [glossary]</u> alone does not meet the requirements for documentation in most colleges and universities. Your IEP may be a useful starting point in determining your <u>academic accommodations [glossary]</u> at college/university. Some institutions (but not all) use IEPs as the basis for providing temporary accommodations while awaiting more current documentation from one of the sources specified above.<sup>27</sup> Temporary accommodations are usually only granted for one semester.

### What information will I be asked to provide?

**Personal Information Related to Your Disability.** Most institutions provide a form that needs to be completed by your health care provider. Your health care provider is required to (1) verify that you have a disability, and (2) identify any functional limitations [glossary] you will experience in a college/university setting. According to the Ontario Human Rights Commission's (2014) Policy on preventing discrimination based on mental health disabilities and addictions [web], your health care provider does not have to share your diagnosis or treatment details **unless** your accommodation needs are complex.<sup>28</sup>

Reviewing your documentation can help you to understand more about your disability and the type of <u>academic accommodations [glossary]</u> you may need. These are some questions you can ask your health care professional or <u>DA [glossary]</u> about your documentation.<sup>29</sup>

- Are my functional abilities and limitations accurately described in my documentation?
- How might my disability impact my ability to participate at college/university?
- How does my disability affect my writing, reading, listening, comprehension, organization, problem solving, and social interaction?

# What is the difference between a temporary disability and a permanent disability?

A <u>mental health [glossary]</u> disability is considered to be a <u>permanent disability</u> [glossary] if it involves ongoing symptoms (which may be chronic/continuing or episodic). The designation of a disability as "permanent" follows from a thorough assessment by a health care professional (physician, psychiatrist or psychologist), with findings that show that the condition is ongoing, and that the <u>functional limitations</u> [glossary] are likely to be permanent.

A mental health disability is considered a temporary disability [glossary] if:

- 1 The symptoms and the impairments are likely to be time-limited, or
- **2** If the disability is currently being investigated and there is not yet sufficient information to determine conclusively if it is permanent or temporary.

Students are entitled to receive accommodations if the disability results in functional limitations, which impact their ability to participate in academics, regardless of whether the disability is permanent or temporary.

# What happens if I'm in the process of getting a diagnosis?

**Register with the OSD.** Register with the OSD [glossary] and get a file started; some institutions will provide temporary accommodations while awaiting documentation about your functional limitations [glossary] from a qualified health care professional. Temporary accommodations are usually granted for one semester only.

### Who will have access to my personal information?

**OSD Staff.** The information you disclose to the <u>OSD [glossary]</u> is confidential; your privacy is protected by law. The OSD will not disclose your <u>personal information [glossary]</u> to a third party, including your parents, without your consent – except in certain emergency situations.<sup>30</sup>

To arrange your <u>academic accommodations [glossary]</u>, your <u>DA [glossary]</u> may need to speak to:<sup>31</sup>

- · Other OSD staff,
- Administrators, and
- Other staff at your institution (e.g. the Examinations Office).

The DA will only disclose the amount of information necessary to make arrangements for your academic accommodations.<sup>32</sup>

When registering with the OSD, you will be asked to review and sign confidentiality and consent forms as well as a release of information form. These forms will explain how, when and with whom your information may be shared by the OSD. In signing these forms, you are permitting the OSD to share such information with the people or departments designated for the purpose of arranging and managing your accommodations.<sup>33</sup>

### How is my personal information protected?

**Your Personal Information is protected by the Freedom of Information and Protection of Privacy Act (FIPPA, 1990).** Ontario post-secondary institutions must comply with the <u>FIPPA [glossary]</u> which contains rules and regulations related to the <u>collection [glossary]</u>, <u>use [glossary]</u> and <u>disclosure [glossary]</u> of <u>personal information [glossary]</u> which are designed to protect your security and privacy.<sup>34</sup>

Your <u>personal health information [glossary]</u> is also protected by the <u>Personal Health Information Protection Act (PHIPA, 2004) [glossary]</u>, which is discussed in detail in <u>Seeking Professional Help [section of this document]</u>.

### REGISTRATION STEP THREE: Book an Appointment with a Disability Advisor (DA)

#### **Your Responsibilities**

- 1 Contact the OSD [glossary] to book your appointment.
- 2 Notify the OSD if you cannot attend your appointment and re-schedule.

### **Your Rights**

1 Your appointment with a <u>DA [glossary]</u> should be scheduled in a timely way, so that there is sufficient time to put the accommodation plan in place.

### Who do I contact to book an appointment with a DA?

**Contact the OSD at Your Institution.** Contact your <u>OSD [glossary]</u> by e-mail or phone and let them know that you would like to book an appointment with a <u>DA [glossary]</u>. You can also ask for information about the registration process and required documentation.

#### What does the DA do?

**The DA Arranges Your Academic Accommodations.** The <u>DA [glossary]</u> will work with you to develop a unique <u>academic accommodations [glossary]</u> plan based on:<sup>35</sup>

- The <u>functional limitation(s) [glossary]</u> caused by your <u>mental health [glossary]</u> disability in the academic environment,
- · Your program and its essential requirements [glossary], and
- Any accommodations you received previously at the secondary or post-secondary level.

# REGISTRATION STEP FOUR: Meet with the Disability Advisor (DA)

#### **Your Responsibilities**

- 1 You must actively participate in the development of your <u>academic</u> <u>accommodation [glossary]</u> plan by working with your <u>DA [glossary]</u> and other <u>OSD [glossary]</u> staff as required. This responsibility involves:
  - i Providing appropriate documentation, and
  - ii Offering suggestions/information.

#### **Your Rights**

- 1 Your institution must provide you with the opportunity to contribute to the development of your academic accommodation plan.
- **2** Your institution must inform you about the academic accommodations process.

### What will happen during my first meeting with the DA?

You and the DA Will Begin the Accommodations Process. During your first meeting, the <u>DA [glossary]</u> will:<sup>36</sup>

- Review your documentation,
- Discuss your academic program's essential requirements [glossary],
- Discuss your strengths and learning challenges, and
- Work with you to develop the most <u>appropriate academic accommodations</u> [glossary] plan.

#### The DA may:37

- Provide you with referrals for additional assessments and/or community resources and supports,
- Refer you to see the campus <u>Assistive Technologist [glossary]</u> and/or <u>Learning</u> Strategist [glossary], and
- Inform you of bursaries for students with disabilities and advise about funding applications.

An Assistive Technologist can help you explore different <u>Assistive Technologies (AT)</u> [glossary] such as various computer programs or hardware (e.g. speech-to-text software or digital recorder). AT can help with many academic skills including: brainstorming ideas, organizing and understanding information, and the writing process.<sup>38</sup>

A Learning Strategist can help you develop learning tools and techniques based on a thorough assessment of your strengths and weaknesses. These may include: note-taking, effective studying, test and exam preparation, time management, reading, organization and problem solving.<sup>39</sup>

## How does the DA determine my academic accommodations?

**Using a Thorough Needs Assessment.** Academic accommodations [glossary] are designed to respond to each student's needs and are based on a number of factors including:<sup>40</sup>

- Your <u>functional limitation(s) [glossary]</u>,
- The program's essential requirements [glossary] and learning objectives,
- The program's format (e.g. online, in-class, fieldwork), and
- Your past learning experiences.

Your academic accommodation(s) must be directly related to the functional limitations of your disability in the university/college environment.<sup>41</sup> Additionally, your accommodations may change depending on the course or program's essential requirements and any changes in your symptoms.<sup>42</sup> Having a specific diagnosis or disorder does not necessarily mean that you are entitled to be accommodated, or to receive a specific type of accommodation.<sup>43</sup>

# What types of academic accommodations might be available to me?

**Potential In-Class, Assignment, and Test/Exam Accommodations.** Your <u>academic accommodation(s) [glossary]</u> will be based on your <u>functional limitations [glossary]</u> in the academic environment. However, there are some accommodations that are frequently provided to students with <u>mental health [glossary]</u> disabilities including:<sup>44</sup>

- Alternative exam location (e.g. a quiet space or private room),
- Extra time to complete exams,
- Extensions for assignments negotiated in advance, when possible,
- Note-takers, and
- Audio recording lectures.

## What if I need accommodations while I am doing fieldwork?

**Contact Your DA.** Your right to <u>academic accommodation [glossary]</u> extends to off-campus coursework such as fieldwork, placements and internships.

To be accommodated while participating in fieldwork, you must share information about your academic accommodation with one or more of the following people:

- Your Fieldwork Coordinator (the faculty member who organizes fieldwork),
- Your on-site supervisor,
- Your Preceptor (university/college supervisor who oversees your fieldwork experience).

Examples of fieldwork academic accommodations include: 45

- Different hours of work (e.g. alternative start and stop times, extra breaks),
- Extra time to complete readings or field-related assignments,
- · Access to fieldwork orientation materials in advance, when available, and
- Use of specialized equipment (e.g. laptop, spell checker, recorder).

If you experience accommodation problems during fieldwork, inform your Preceptor, Fieldwork Coordinator, or DA [glossary] immediately.<sup>46</sup>

## REGISTRATION STEP FIVE: Access Your Academic Accommodations

#### **Your Responsibilities**

- **1** Inform faculty and staff of your <u>academic accommodations [glossary]</u> using the approved method at your institution.
- **2** Alert your <u>DA [glossary]</u> if you have problems accessing your academic accommodations and if there are any changes in your program, such as adding or dropping courses.
- **3** Inform your DA if your accommodations are not sufficiently meeting your needs.

### **Your Rights**

1 Once informed, faculty and staff must grant your recommended academic accommodations unless they interfere with the <u>essential requirements [glossary]</u> of the course.

## How do my professors know that I have academic accommodations?

Your professors, TAs, instructors and fieldwork site supervisors will be informed of your accommodations via one of the following methods:<sup>47</sup>

- You may be required to hand-deliver your <u>letter of accommodation [glossary]</u> to each one of your professors,
- The OSD [glossary] may e-mail your letter of accommodation to you so that you can forward it to your professors via e-mail or secure web-link.
- The OSD may distribute your letter of accommodation to your professors on your behalf.

# What do I do if my professor/TA/instructor is unwilling to grant my academic accommodations?

Contact your <u>DA [glossary]</u> immediately if you have problems accessing your <u>academic accommodations [glossary]</u>. In rare circumstances, a suggested accommodation may interfere with an <u>essential requirement [glossary]</u>. If such a situation happens then the DA, student and professor will work out a more suitable accommodation. The DA can advocate on your behalf and remind the professor of the institution's legal obligations under the Ontario Human Rights Code (OHRC) to accommodate students with disabilities.<sup>48</sup>

# REGISTRATION STEP SIX: Re-Register at the OSD to Continue Receiving Accommodations from Term to Term/Year to Year

Each institution will have its own rules regarding the need to re-register. Check with your OSD [glossary] about the requirements at your specific institution.

- 1 You may be required to re-register with your OSD each year, or each semester.
- **2** Communicate your need for continued <u>academic accommodations [glossary]</u> to faculty and staff using the approved method at your institution.

### Why do I need to re-register with the OSD?

You may need to re-register with the <a>OSD [glossary]</a> because:

- You need to provide updated documentation of your functional limitations [glossary],
- You need to review your <u>academic accommodations [glossary]</u> with your <u>DA</u> [glossary] to determine their effectiveness, and
- Your academic accommodations may need to be changed to match the demands of your new courses or fieldwork.



Academic Issues – Frequently Asked Questions

### **Retroactive Accommodation**

# What do I do if I need an academic accommodation after the due date has passed?

Requesting an <u>academic accommodation [glossary]</u> after a deadline has passed is referred to as a <u>retroactive accommodation [glossary]</u>. If you are unable to meet an assignment, test, or exam deadline because of issues related to your <u>mental health [glossary]</u> disability it may be possible to receive a retroactive accommodation. However, currently at the time of writing, no institution has a formal policy of granting retroactive accommodations. Informal practices do exist at some institutions, where each student's situation is considered on a case-by-case basis. Institutions look at the timeliness of the request – was the retroactive request made within days, weeks or months of the required due date – and also the validity of the reason provided. As a first step, contact your <u>DA [glossary]</u> to discuss the situation.

### **Missed Exams**

#### What do I do if I miss an exam or test?

**Contact Your DA and Your Professor.** You may be able to write a make-up exam if you missed one due to disability-related issues. The procedure for requesting a make-up exam varies by institution, but generally involves the following:

- **Request in Advance.** If you know in advance that you will be unable to write an exam on the scheduled date, contact your professor and <u>DA [glossary]</u> to discuss alternative arrangements.
- **Request After the Deadline.** Contact your professor and DA immediately to notify them that you have missed an exam due to disability-related issues. Submit any required documentation (e.g. medical certificate) if available. You may need to pay an administrative fee to process your request.

Below are some suggested questions to ask your DA, Registrar's Office or Academic Advisor about your institution's make-up exam procedures:

- How do I request a make-up exam?
- Is there a deadline to make a request for a make-up exam?
- Do I need to provide documentation?
- Will I be charged a fee to write a make-up exam?
- What is the procedure for missed tests and missed exams?

## **Dropping or Repeating a Course**

### What do I do if I want to drop a course?

**Notify Your Institution and Your DA.** If you want to drop a course, you **must** officially notify your institution and follow the necessary procedure. It is not sufficient to tell your professor that you no longer wish to take a course, to stop attending classes, or to stop submitting assignments; these actions could result in a final grade of "F" on your transcript.<sup>49</sup>

**Find Out Your Drop Date.** The drop date is the last day on which you can drop a course without academic penalty (i.e. your grade will not appear on your transcript). If you drop a course after this date, the grade you obtained in the course will appear on your transcript.

Find out about your institution's drop date and refund schedule. This information can be found in your institution's or program's academic calendar, or at the Registrar's or Finance Office.

If you missed the drop date due to an emergence, or re-emergence, of <u>mental health</u> [glossary] symptoms, you may be able to appeal to have the grade removed from your transcript. As part of the appeal process, you will likely have to submit documentation from the <u>OSD [glossary]</u> and/or a health care professional.

If you are considering dropping a course, it will be important to consider the possible impact of this on the following areas: 50

- Academic standing,
- Full-time status,
- Grade point average,
- Eligibility to take other courses (due to prerequisites),
- Date of graduation,
- Scholarships and awards,
- Bank loans and line of credit,
- OSAP eligibility, and
- Tuition fees (through additional charges).

### What if I want to repeat a course?

**Contact Your DA, Registrar's Office and/or Academic Advisor**. If you obtained a low grade in – or failed – a course, you may want to repeat it. You need to know:

- How to request to repeat a course.
- How many times you can repeat a course.
- How the repeat will be noted on your transcript.
- How the repeated course will be incorporated into your grade point average (GPA).

Often institutions will use the highest grade you achieved in a course to calculate your GPA. However, there is usually a limit to the number of times a course can be repeated; check with the Registrar's Office at your institution.

### Withdrawal or Leave of Absence

# What if I need to take time off from my studies because of my mental health?

**Notify Your DA and the Registrar's Office.** In consultation with your <u>DA [glossary]</u>, notify your institution of your need for time off. You may be eligible for <u>voluntary withdrawal [glossary]</u>, <u>medical withdrawal [glossary]</u> or a leave of absence. Each institution has its own policies, so check with your specific institution for how it handles the need for time away from studies. As with dropping a course, it is not sufficient to simply stop attending classes or submitting assignments and exams; you must follow the official withdrawal/leave of absence procedure at your institution.<sup>51</sup>

- **Complete and Submit the Required Documentation.** You may be required to submit a special form, or to drop all of your courses individually, in order to withdraw or take a leave of absence.
- **Be Aware of Your Institution's Deadlines to Make Your Request.** Once your request has been granted, be aware of the institution's procedures for resuming your studies; in some instances, you may be required to apply for readmission.

Consult with your DA if you are considering withdrawing completely from your school or program.

#### What if I miss the withdrawal deadline?

**Contact Your DA and Your Registrar's Office.** You may be able to submit a special petition if you missed a withdrawal deadline due to disability-related difficulties; a deadline for appeal may apply. You may also be required to submit documentation if your request is due to <a href="mailto:mental.health[glossary]">mental health [glossary]</a> issues. If your appeal is successful, you may in some circumstances be eligible for a partial tuition refund.

## **Change of Status**

# What if I want to change my status from full-time to part-time?

**Consult with Your DA Immediately.** Based on the academic demands of your course load, you may wish to change your status from full-time to part-time studies. Your <u>DA [glossary]</u> can make you aware of the requirements and can recommend that you change your status to part-time or to a reduced course load. You will likely need to submit a change of status form to your Registrar's Office, department, or school.

A change of status may impact your eligibility for OSAP and other government grants, bursaries, loans, scholarships and awards. Students with <u>permanent disabilities</u> [glossary] can take 40% of a full-time course load and maintain their full-time status. Your DA can advise you of the implications of changing from full-time to part-time status, or to a reduced course load.

According to the OSAP guidelines, a student with a permanent disability who is<sup>52</sup>:

- Taking 60% or greater of a full course load is considered to be a full-time student.
- Taking between 40-59% of a full course load can be considered a full or part-time student (the student chooses which status they prefer).
- Taking 20-39% of a full course is considered a part-time student.

OSAP defines a permanent disability as one "with ongoing (chronic or episodic) symptoms that will restrict... [their] ability to perform the daily activities necessary to fully participate in postsecondary studies or in the labour force, and the disability is expected to remain for... [their] lifetime."<sup>53</sup>

# Fieldwork Requirements – Police Record Check

# What if I need to submit a police record check in order to participate in fieldwork/placement?

A Police Check is Often Required in Fieldwork Applications. It is not unusual to be asked to submit a police record check in order to participate in fieldwork, especially if you will be working with vulnerable populations:

- Children,
- People who are ill,
- Older adults, or
- · Persons with disabilities.

A police record check is usually a routine procedure; however, there have been some cases where students, irrespective of disability, have experienced difficulties because of mental health [glossary]-related information contained on their police record check. Many students are unaware that a police record can be generated after any interaction with the police, including non-criminal contact such as police contact in response to a mental health-related incident or crisis.<sup>54</sup>

There are three types of police record checks:

- · Police Criminal Record Check [glossary],
- Police Information Check [glossary], and
- Police Vulnerable Sector Check [glossary].

According to the Ontario Association of Chiefs of Police's (OACP) province-wide "Guideline for Police Record Checks", information relating to incidents involving mental health contact should not generally be included in any type of police record check.<sup>55</sup> This document is a guideline only; procedures may differ across the province.

You may want to file an Access to Information Request with the police service in your area if (1) you have had encounters with the police, or (2) you made a 911 service call, or one was made on your behalf, for mental health-related reasons to determine if these appear on your record. Indicate that you want to access all records relating to you including any Canadian Police Information Centre (CPIC) records. Your request can be made online by using this generic <u>Access to Information Request Form [PDF 158KB]</u>. Depending on your history of residence, you may need to submit multiple

applications at different police services.<sup>56</sup> You should receive a response within 30 days of submitting the request.

If the information provided to you is inaccurate or incomplete, you may submit a request for correction in writing to your police service and/or submit a statement of disagreement to be attached to the record. If the police service refuses your request, you can appeal to the Privacy Commissioner of Ontario within 30 days of receiving the decision.<sup>57</sup>

Upon reviewing your police record, if there is mental health-related information on it that you would like removed you may submit a request in writing to your local police service within 60 days of receiving your police record.<sup>58</sup>

If you are unhappy with the decision by the police service, you can make a complaint to the Privacy Commissioner of Ontario within 30 days of receiving the decision.

## How do I contact the Information and Privacy Commissioner of Ontario?

#### **Using the Contact Information Below.**

Mail: Information and Privacy Commissioner/Ontario

2 Bloor Street East, Suite 1400 Toronto, Ontario M4W 1A8

Email: info@ipc.on.ca

**Telephone:** 1-800-387-0073 or 416-326-3333 (local in Toronto)

TTDD/TTY: 416-325-7539

Fax: 416-325-9195

Information and Privacy Commissioner of Ontario [web]

### PART 2



Managing Your Mental Health While on Campus: Seeking Help

### **The Mental Health Continuum**

#### What is the mental health continuum?

**A Model Depicting Fluctuations in Mental Health.** Your <u>mental health [glossary]</u> will change from time to time depending on your circumstances. This fluctuation is represented by the "Mental Health Continuum Model", adapted from the Canadian Armed Forces.<sup>59</sup>

Healthy	Mild	Moderate	Severe
	Disruption	Disruption	Disruption
Normal functioning	Common and reversible distress	Significant functional impairment	Severe and persistent functional impairment

The Continuum is composed of zones between good mental health and severe functional impairment. The mood, thinking and behaviours you might experience while in each of the zones are outlined below.

#### When a person is in the Healthy Zone (Normal Functioning) they are likely to:

- Have normal mood fluctuations,
- Take things in stride,
- Show consistent performance,
- Have normal sleep patterns,
- Be physically and socially active,
- Experience their usual self-confidence, and
- Be comfortable with others.

## When a person is in the Mild Disruption Zone (Common and Reversible Distress) they are likely to experience:

- Irritability or impatience,
- Increased nervousness, sadness or worry,
- · Difficulty with procrastination and forgetfulness,
- · Trouble sleeping, lowered energy, and difficulty relaxing,
- Intrusive thoughts, and
- Decreased social activity.

## When a person is in the Moderate Disruption Zone (Significant Functional Impairment) they are likely to experience:

- Increased anger or anxiety,
- Lingering sadness or tearfulness,
- Feelings of hopelessness or worthlessness,
- Difficulty concentrating and be easily distracted,
- Decreased performance in academic work,
- Significantly disturbed sleep, and
- Social withdrawal and a tendency to avoid social situations.

## When a person is in the Severe Disruption Zone (Severe and Persistent Functional Impairment) they are likely to experience:

- · Significant difficulty with emotions and thinking,
- High levels of anxiety and panic attacks,
- · Significantly depressed mood or feel overwhelmed,
- Constant fatigue,
- · Disturbed contact with reality, and
- Suicidal thoughts, intent or behaviour.

### When should I seek help?

#### When You are Having Difficulty in Coping.

You can use the "Mental Health Continuum" to identify changes in your <u>mental health</u> [glossary] and to help you decide if you need help and support from family, friends, or a mental health professional. Read the next sections to find out what type of supports may be useful to you at each stage on the Continuum. A list of helpful <u>Resource Links</u> [section of this document] is also provided at the end of this document.

Seek help immediately if you are in a crisis situation and feel unable to cope, especially if you are experiencing thoughts of suicide.

### What can I do to stay in the Healthy Zone?

**Reflect on the Factors That Enable You to Be in the Healthy Zone.** To stay in the healthy zone, or to return to it after a fluctuation in your <u>mental health [glossary]</u>, you need to be aware of the factors that contributed to getting you there in the first place (e.g. situations, thoughts, behaviours, or your physical state). Other helpful strategies include:

• **Gratitude.** Be grateful that you are in the healthy zone; record your feelings in a gratitude journal or express them to others.

- **Life Balance.** Try to maintain a healthy balance in all areas of your life including: emotional, spiritual and physical health, finances, environment, career and academics, and social and cultural activities.
- **Healthy Habits.** Try to maintain healthy habits in the areas of: sleep, nutrition, exercise, socializing and time-management.
- **Mental Health Knowledge.** Educate yourself about mental health, learn what supports good mental health, what you can do in the event of a crisis, and discover the community and campus resources available to you.

### When to Seek Help

### How do I know if I need to seek help?

**If You Experience Significant Health Changes.** Changes in your mood, thinking or behaviour that negatively affect your daily life could be an indication of mental ill health. <sup>61</sup> Examples of these types of changes include: <sup>62</sup>

- Mood: Sadness, hopelessness, overwhelming fear or worry, increased anger, extreme mood fluctuations, and the inability to take pleasure in activities that you previously enjoyed.
- **Thinking:** Difficulty concentrating and paying attention, memory problems, confusion, difficulty controlling unwanted thoughts, or thoughts of suicide.
- Behaviour: Restlessness, difficulty sleeping and fatigue, disengagement from friends and activities, difficulties dealing with stress or problems, and increasing use of alcohol or drugs to cope.

# Where can I seek help when I am in the Mild Disruption Zone?

**Contact Informal Supports.** It is not uncommon to be in the mild disruption zone, especially if you are experiencing stressful life events such as juggling multiple assignments, tests, or exams. This disruption is often reversible with the appropriate supports and lifestyle changes.

If you are in the mild disruption zone, you can seek help from:

- Friends,
- Family,
- A person you trust, and
- Community and campus support groups.

Other helpful strategies include:

- **Stress Reduction:** Try to reduce your stress levels by engaging in mindfulness, meditation, muscle relaxation, visualization, yoga, or deep breathing.<sup>63</sup>
- **Thinking Patterns:** Work on identifying and adjusting any negative thinking patterns or attitudes you may have by using tools like: a worry diary, challenging your thoughts, using positive self-affirmations, tolerating negative thoughts without trying to change them (this is often referred to as Acceptance Commitment Therapy), and becoming more accepting of uncertainty.<sup>64</sup>
- **Life Balance:** Evaluate your life balance, set a daily activity schedule, monitor your mood and make time to engage in activities you enjoy.<sup>65</sup>
- **Set Goals:** Problem solve and set goals to help improve your <u>mental health</u> [glossary] using the SMART goals technique (Specific, Measurable, Attainable, Realistic, and Timely). 66

# Where can I seek help when I am in the Moderate Disruption Zone?

**Contact Formal/Professional Supports.** If you are in the moderate disruption zone, seek help as soon as possible from formal/professional supports, such as:

- On-campus health or counselling services,
- A physician or mental health [glossary] professional,
- **Good2Talk** at 1-866-925-5454 (a confidential mental health phone line offering professional support for post-secondary students), or
- A local mental health organization such as the Canadian Mental Health Association.

Other helpful strategies include:67

- Take Care of the Basics: Try to maintain healthy diet, sleep and exercise patterns.
- Talk: Find someone you trust with whom you can share your feelings.
- **Monitor Your Mood:** Record your daily mood and distress level; seek help immediately if you enter the severe disruption zone.

# Where can I seek help when I am in the Severe Disruption Zone?

**Seek Formal/Professional Support Immediately.** If you are in the severe disruption zone or are experiencing a mental health crisis, seek help immediately from formal/professional supports:<sup>68</sup>

- Call **911**,
- Go to the Emergency Department at your local hospital,
- · Call your doctor,
- Call a friend or someone you trust to stay with you until help arrives; do not stay alone,
- Find local <u>mental health [glossary]</u> resources by calling **Connex Ontario** at 1-866-531-2600,
- Call Good2Talk at 1-866-925-5454 (post-secondary student helpline) or,
- Call **Telehealth Ontario** at 1-866-797-0000.

### **Additional Mental Health Resources**

# What types of resources are available to me on campus and in the community?

**Ask About Services in Your Area.** There are many types of resources available to you on campus and in the community.<sup>69</sup> For additional information see the <u>Resource Links</u> [section of this document].

#### **Family, Friends and Community Groups**

- Your family and friends can be a great source of support.
- Maintain contact with your friends.
- Try to make new friends at your institution and in your community; joining local community groups and campus associations/clubs is a good way to meet new people.
- Orientation Week is a good time to learn about opportunities to become involved.
- Ensuring that you have a balance between your academic and social life is one way to protect your mental health [glossary].

#### **Campus Student Services**

- There are a variety of campus resources available to you; the <u>Transition Resource</u> <u>Guide [web]</u> is an excellent resource to learn about the services available to students with disabilities at Ontario colleges and universities.
- Learn about the services available at your campus these may include:
  - Aboriginal Student services
  - Academic advising
  - Academic skills development and success (learning and writing assistance)
  - Awards and Financial Aid
  - Career Services
  - Chaplain
  - · Clubs and societies
  - Counselling Services
  - First Generation Student Services
  - Health Services
  - Human Rights Office
  - International Student Services
  - Office for Students with Disabilities [glossary]
  - Peer support programs

- Sexual health and LGBTQ resources
- Sports and recreation facilities
- Student Affairs and student associations/clubs

#### Crisis Supports<sup>70</sup>

- Call **911**, your doctor, or go to the Emergency Department at your local hospital
- Call a friend or someone you trust to be with you; do not stay alone
- Call **Good2Talk** at 1-866-925-5454 (post-secondary student helpline)
- Call Telehealth Ontario at 1-866-797-0000
- Find a local crisis line or a mobile crisis team at Mental Health Helpline [web]
- Find mental health [glossary] services in Ontario, call Connex Ontario Health Services Information [web] at 1-866-531-2600
- Other helplines and resources
  - Assaulted Women's Helpline [web], 1-866-863-0511
  - Drug and Alcohol Helpline [web], 1-800-565-8603
  - Lesbian Gay Bi Trans Youth Line [web], 1-800-268-9688
  - Ontario Network of Sexual Assault/Domestic Violence Treatment Centres [web]
  - Centre for Suicide Prevention [web]
  - Ontario Association of Suicide Prevention [web]
  - The Canadian Association for Suicide Prevention [web]

#### **Mental Health Associations**

- Mental health associations often have a national head office and several provincial regional offices.
- An association can be a useful resource to help you:
  - **CONNECT** with other people who have had similar experiences.
  - **LEARN** about mental health and specific types of disorders.
  - ACCESS mental health resources and services.
  - **PARTICIPATE** in local mental health-related activities and advocacy work.
- Examples
  - Canadian Mental Health Association [web]
  - Mood Disorders Association of Ontario [web]



**Seeking Professional Help** 

## **Relevant Mental Health Legislation**

Chances are that you may never need to navigate Ontario's <u>mental health [glossary]</u> laws, but just in case you do, this section provides a brief overview of Ontario's mental health legislation, including the laws that govern areas such as:

- Being admitted to a hospital for psychiatric care,
- · The rules for obtaining informed consent to treatment, and
- Identifying a <u>substitute decision maker [glossary]</u> if you are incapable of making decisions about your health care.

### How are my rights protected?

In Ontario there are three key pieces of <u>mental health [glossary]</u> legislation of which you should be aware.

- Mental Health Act, 1990 (MHA) [glossary]: The MHA outlines how and when an individual can be admitted to a psychiatric facility for assessment and treatment.<sup>71</sup> An individual can be admitted to a psychiatric facility in one of three categories: voluntary patient [glossary], involuntary patient [glossary], or informal patient [glossary]. A patient's status may change (e.g. from involuntary to voluntary) over the course of a stay in hospital.<sup>72</sup> A patient may receive mandatory rights advice while in hospital from the Psychiatric Patient Advocate Office, which can be contacted at 1-800-578-2343, or Psychiatric Patient Advocate Office [web].<sup>73</sup>
- 2 Health Care Consent Act, 1996 (HCCA) [glossary]: The HCCA outlines the rules to determine a person's capacity to make decisions about treatment, admission to a health care facility, and/or receiving personal assistance services.<sup>74</sup> It also provides rules for obtaining informed consent to treatment. The HCCA applies to all persons receiving health care in Ontario including individuals admitted to, or receiving treatment in, a psychiatric facility.<sup>75</sup> There are certain emergency situations in which consent is not required in order to receive treatment.
- 3 <u>Substitute Decisions Act, 1992 (SDA) [glossary]</u>: The SDA outlines how and when an individual can make decisions, including whether or not to consent to treatment, on behalf of another person who has been determined to be incapable of making such decisions independently.<sup>76</sup>

## **Consent**

## What do I need to know in order to consent to treatment?

You Must Be Informed By a Health Care Professional and Understand What You are Consenting To. According to the <a href="HCCA">HCCA [glossary]</a>, when you are deciding whether to consent to treatment, the following must be explained to you:<sup>77</sup>

- · What the treatment is and what it will do,
- The expected benefits, risks and side-effects of the treatment,
- Alternatives to the proposed treatment, and
- What will likely happen if you choose not to proceed with the treatment.

Your consent should be voluntarily given, in most circumstances, and you should not be pressured into making a treatment decision by anyone.<sup>78</sup>

### How do I communicate my consent?

**You Can Express or Imply Your Consent.** Your consent can be expressed or implied in writing, orally, or in another understandable method such as body language.<sup>79</sup> Expressed consent means that you make your decision to consent explicit, such as by stating "I consent to treatment", or by signing a form indicating that you consent.

To imply consent means that rather than overtly stating your consent, your actions communicate that you are consenting.<sup>80</sup> "For example, if your doctor [or nurse] offers to give you an injection and you roll up your sleeve, you are giving your permission to receive the injection".<sup>81</sup>

## What if I am not capable of making the decision to consent?

You may not be capable of making the decision to consent because you cannot understand the information needed to make the decision. Or, you may not be capable because you cannot apply the information provided to your own situation and understand the possible future consequences of your decision.<sup>82</sup>

If you are considered incapable of consenting, a <u>Substitute Decision Maker (SDM)</u> [glossary] will be identified from a list of people outlined in the <u>HCCA [glossary]</u>. Your SDM must be guided by any wishes you had previously expressed (when you were age

16 or over and capable of consenting), that are related to the decision being made.<sup>83</sup> If no wish is known, your SDM must make decisions in your best interests, and be guided by:<sup>84</sup>

- Your values and beliefs,
- · Any treatment wishes you have expressed,
- Potential treatment outcomes and your prognosis,
- · The risks and benefits of the treatment, and
- Alternative treatment options.

## Can I appoint someone as my Substitute Decision Maker?

**Yes, You Can Appoint a SDM Using a Power of Attorney (POA).** While you are capable of making decisions regarding consent you can also appoint someone as your <u>POA [glossary]</u> for Personal Care – a person whom you legally appoint to make decisions on your behalf should you be incapable of doing so.<sup>85</sup> This is a legal process involving the completion of appropriate documentation.

In order for someone to be your SDM [glossary], they must be:86

- Considered capable (as outlined in the <u>HCCA [glossary]</u>),
- 16 years of age, or older,
- Not legally prohibited from being your SDM,
- Available and,
- Willing to assume responsibility for giving or refusing consent on your behalf.

You can appoint someone to be your POA (Personal Care) so long as you are capable of making this decision.<sup>87</sup> If you employ the individual, or pay them for services, they cannot be appointed as your POA (Personal Care) – unless they are a relative. People who provide you with professional services, such as health care professionals, personal support workers or your landlord, cannot be appointed as your POA (Personal Care).<sup>88</sup>

More information on this topic is provided by the Ministry of the Attorney General at: <a href="Power of Attorney Kit [web]">Power of Attorney Kit [web]</a>.

## **Personal Health Information**

### Who has access to my personal health information?

**Health Information Custodians (HIC) and Their Agents Will Have Access to Your Personal Health Information (PHI).** A <u>HIC [glossary]</u> is usually a person (e.g. a health care professional) or an organization (e.g. a hospital or a campus health service) involved in providing health care services. An <u>agent of a HIC [glossary]</u> is a person who is permitted to act for, or on behalf of, a HIC in regards to <u>PHI [glossary]</u>. PHI [glossary].

Your PHI includes identifying information in written, oral or electronic form that relates to your health including your personal/family medical history, or your health care. The Personal Health Information Protection Act (PHIPA) [glossary] is Ontario legislation that sets out rules for the collection [glossary], use [glossary] and disclosure [glossary] of PHI by HICs, their agents, and those who receive PHI from HICs. The state of the collection is the protection of the protection in written, oral or electronic form that relates to your health care. The personal relation is the protection of the protection in written, oral or electronic form that relates to your health care. The personal relation is the personal relation to the personal relation is the personal relation to the personal relation is the personal relation to the persona

## What do I do if I want to access or correct my personal health information?

**Make an Access to Information Request or a Correction Request.** Generally, you have the right to access your <u>PHI [glossary]</u> subject to some exceptions as detailed in PHIPA [glossary].<sup>93</sup>

# Access to Personal Health Information Request

To request access to your PHI [glossary]:94

- **CONTACT** your <u>HIC [glossary]</u>, or their representative, to make your request in writing.
- **KEEP** a copy of your request.
- You should **RECEIVE** notification of the HIC's decision within 30 days of making the request, or notification of an extension of the response deadline.
- **OBTAIN** the requested information and pay an administrative fee, if applicable.
- **REVIEW** the HIC's written explanation if your request is denied.

# **Correction of Personal Health Information Request**

If you feel that the information contained in your personal health record is inaccurate or incomplete, you can request that it be corrected. This request may not be granted if:<sup>95</sup>

- The HIC [glossary] did not originally produce the record of PHI [glossary], or
- If the information is a statement of professional opinion or observation that was made honestly.

To request a correction to your PHI:96

- **SUBMIT** a correction request in writing to your HIC, or their contact person.
- You should **RECEIVE** notification of the HIC's decision within 30 days of making the request, or notification of an extension of the response deadline.

If your request is denied you can:

- **SUBMIT** a statement of disagreement to be added to your record.
- **COMPLAIN** to the Information and Privacy Commissioner of Ontario.

## How do I contact the Information and Privacy Commissioner of Ontario?

#### **Using the Contact Information Below.**

Mail: Information and Privacy Commissioner/Ontario

2 Bloor Street East, Suite 1400 Toronto, Ontario M4W 1A8

Email: info@ipc.on.ca

**Telephone:** 1-800-387-0073 or 416-326-3333 (local in Toronto)

TTDD/TTY: 416-325-7539

Fax: 416-325-9195

<u>Information and Privacy Commissioner of Ontario [web]</u>



## Conclusion

## **Conclusion**

You have reached the end of the **Guide.** We hope that you have learned about the <u>academic accommodations [glossary]</u> process and about seeking help on campus and in the community.

The saying "knowledge is power" is especially true when self-advocating for your rights to equal access to educational services and to accessing mental health [glossary] resources. We encourage you to use the **Guide** as a starting point from which you can move forward and find out more information about the mental health resources available to you.

In other words, don't stop here! Talk to people to start building connections and your own support system (e.g. family, friends, health care providers, campus staff, members of community organizations, professors, and TAs). These connections can be invaluable during the successes and challenges you may encounter as a post-secondary student and beyond.

Some key points to remember are:

- Mental health is not just the absence of mental illness and can be thought of as on a continuum from healthy functioning to severe disruption.
- There are a variety of strategies that you can use at each stage of the continuum and a number of informal and professional supports that you can access on campus and in the community.
- Ontario post-secondary institutions are required under the Ontario Human Rights Code to provide students with mental health disabilities, whose functioning is impaired within the academic environment, with appropriate academic accommodations [glossary] to the point of undue hardship [glossary].
- Students with mental health disabilities must be able to meet the <u>essential requirements</u> [glossary] of a course or program once their academic accommodations are in place.
- Once students have provided their documentation from their health care provider to the <u>OSD [glossary]</u> staff, they are not required to share this information with anyone else at the institution.

Please remember that this Guide is not meant to be a comprehensive education, medical or legal resource and is not a replacement for consulting education, health care, or legal professionals. We encourage you to consult your own institution about their policies and procedures for accommodating students with mental health disabilities.

If you found the **Guide** useful, we hope that you will share it with other students who may benefit from this information.

Best Wishes.

## **Resource Links**

#### **Academic Accommodations**

- Guidelines on Accessible Education (Ontario Human Rights Commission) [web]
- Policy on Preventing Discrimination Based on Mental Health Disabilities and Addictions (Ontario Human Rights Commission) [web]
- Resource Guide for Students with Disabilities (Transition to Post-Secondary Education) [web]

#### **Crisis and Mental Health Supports**

- Assaulted Women's Helpline [web]
- Connex Ontario Health Services Information [web]
- Mental Health Services, Help and Support in Your Community [web]
- Good2Talk Post-Secondary Student Helpline [web] 1-866-925-5454
- TeleHealth Ontario [web]
   1-866-797-0000
- Mental Health Helpline [web]
  1-866-531-2600

#### **Financial Aid**

- Disability Awards [web]
- OSAP: Ontario Student Assistance Program [web]
- OSAP Students in Special Circumstances [web]

#### **Health Care Consent and Power of Attorney**

- Making an Informed Decision about Your Treatment: Talking to Your Doctor (Psychiatric Patient Advocate Office) [PDF 76KB]
- Planning for Incapacity (Ontario Ministry of the Attorney General) [web]
- Power of Attorney for Personal Care (Psychiatric Patient Advocate Office) [PDF 36KB]

#### **Healthy Life Habits**

- <u>eaTracker (Dietitians of Canada) [web]</u>
- Happy Tapper Gratitude Journal [web]
- MindApps (Apps Related to Anxiety, Depression, Stress and Wellbeing) [web]
- The Single Most Important Thing You Can Do For Your Stress [video]
- What's Your Balance? (University of British Columbia) [web]

#### **Law and Human Rights**

- A Practical Guide to Mental Health and the Law in Ontario (Ontario Hospital Association) [PDF 2.1MB]
- <u>Guide to Your Rights and Responsibilities under the Human Rights Code (Ontario</u> Human Rights Commission) [web]
- Health Care Consent Act, 1996 [web]
- Human Rights and The Duty to Accommodate (Ontario Human Rights Commission)
   [web]
- Legislation (Canadian Mental Health Association) [web]
- Mental Health Act [web]
- Ontario Human Rights Code [web]
- <u>Psychiatric Patient Advocate Office [web]</u>
   1-800-578-2343
- Substitute Decisions Act, 1992 [web]
- Your Rights in Post-Secondary Education (ARCH Disability Law Centre) [web]

#### **Mental Health Associations**

- Anxiety Disorders Association of Canada [web]
- Anxiety Disorders Association of Ontario [web]
- <u>Canadian Association for Suicide Prevention [web]</u>
- Canadian Mental Health Association [web]
- Canadian Mental Health Association, Ontario [web]
- Mental Health Commission of Canada [web]
- Mood Disorders Association of Ontario [web]
- Ontario Association of Suicide Prevention [web]
- Schizophrenia Society of Ontario [web]

#### **Mental Health Education and Self-Help**

- Anxiety... Can Totally Suck! (AnxietyBC Youth) [web]
- Complete Self-Help Home Toolkit (AnxietyBC) [web]
- Goal-Setting (Canadian Mental Health Association, Ontario) [web]
- HCDS Self-Help Workbook Series (Queen's University) [web]
- Mental Health First Aid Canada [web]
- mindcheck.ca [web]
- <u>Positive Coping with Health Conditions</u>, A Self-Care Workbook (Consortium for <u>Organizational Mental Health Care</u>) [web]
- The MoodGYM Training Program (Australian National University) [web]
- Wellness Modules (heretohelp) [web]

#### **Mindfulness Meditation and Relaxation**

- Calm Breathing (AnxietyBC) [web]
- How to Do Progressive Muscle Relaxation (AnxietyBC) [web]
- Mindfulness Meditation (University of Toronto) [web]
- Wellness Education (McMaster University) [web]
- Mental Health Podcasts (Mental Health Foundation) [web]

#### **Personal Information**

- Access to Your Personal Health Information (Psychiatric Patient Advocate Office)
   [PDF 34KB]
- Freedom of Information and Protection of Privacy Act [web]
- Information and Privacy Commissioner of Ontario [web]
- <u>Personal Health Information Protection Act General Information (Psychiatric Patient Advocate Office) [PDF 75KB]</u>
- Personal Health Information Protection Act, 2004 [web]
- Your Privacy: Ontario's Information and Privacy Commissioner [PDF 264KB]

#### **Police Checks**

- <u>LEARN Guideline for Police Record Checks (Ontario Association of Chiefs of Police)</u>
   [PDF 1.5MB]
- Police Information Checks and Vulnerable Sector Checks (Psychiatric Patient Advocate Office) [PDF 45KB]
- Police Records Check Coalition [web]

## **Glossary**

## A

**Academic Accommodation** "consists of arrangements that allow a student with a disability a fair opportunity to engage in academic activities and fulfill essential course and program requirements. Accommodation does not remove essential requirements of a course or program. It does not fundamentally alter content of exams, standards for assigning grades, or requirements that students independently demonstrate their knowledge of course material." <sup>97</sup>

**Agent of a Health Information Custodian** is an individual who is permitted to carry out certain duties on behalf of a Health Information Custodian. An Agent can include: employees, volunteers, and information technology services providers.<sup>98</sup>

**Appropriate Academic Accommodation** "is one that most respects the dignity of the student with the disability, meets individual needs, best promotes inclusion and full participation, and maximizes confidentiality." <sup>99</sup>

**Assistive Technologist** is a member of the OSD staff who is responsible for recommending assistive technology to students with disabilities based on a needs assessment. The Assistive Technologist provides training on how to use the recommended assistive technology and can provide assistance with funding applications to purchase this technology.<sup>100</sup>

**Assistive Technology (AT)** "is the term used to describe all of the tools, products, and devices – from the simplest to the most complex – that can make a particular function easier or possible to perform. Some assistive technologies include screen readers, alternate keyboards, head pointing devices, voice recognition software, and screen magnification software."<sup>101</sup>



**Collection** "to gather, acquire, receive or obtain the information by any means from any source." <sup>102</sup>

## D

**Disability Advisor (DA)** is a member of the Office for Students with Disabilities staff who is responsible for arranging academic accommodations for students with disabilities. The DA determines academic accommodations in collaboration with the student based on: the functional limitations which result from the student's disability, their academic program and its essential requirements, and any previous accommodations. DAs are sometimes referred to by other titles at different institutions such as: Disability Counsellor, Program Coordinator, Case Manager, or Disability Consultant.

**Disclosure** is "making information available or releasing it to another custodian or person." <sup>104</sup>

**Duty to Accommodate** means that "once a disability-related need has been identified, or where a **prima facie** case of discrimination has been established, education providers have a duty to accommodate the needs of students with disabilities to allow them to access educational services equally, unless to do so would cause undue hardship." <sup>105</sup>

## E

**Essential Requirements** are "the knowledge and skills that must be acquired or demonstrated in order for a student to successfully meet the learning objectives of that course or program." 106

## F

**Freedom of Information and Protection of Privacy Act (FIPPA)** is the legislation which sets out rules for collecting, using, and disclosing personal information. It "applies to Ontario's provincial ministries and most provincial agencies, boards and commissions, as well as community colleges, universities, Local Health Integration Networks (LHINs) and hospitals. The Act requires that the government protect the privacy of an individual's personal information existing in government records. It also gives individuals the right to request access to government-held information, including general records and records containing their own personal information" 107

**Functional Limitation(s)** is "identified area(s) of weakness caused by a disability that affect academic performance and are used to identify reasonable accommodations." <sup>108</sup>



**Health Care Consent Act (HCCA, 1996)** "sets out rules for determining capacity in three key areas: treatment decisions; admission to care facilities; and personal assistance services." <sup>109</sup>

**Health Information Custodian (HIC)** is an individual or organization who has access to your personal health information as a part of delivering health care-related services. PHIPA identifies a number of HIC categories including: health care practitioners, hospitals, pharmacies, community health or mental health programs, and community centres.<sup>110</sup>



**Individual Education Plan (IEP)** "is a written plan describing the special education program and/or services required by a particular [high school or elementary school] student. It identifies learning expectations that are modified from or alternative to the expectations given in the curriculum policy document for the appropriate grade and subject or course, and/or any accommodations and special education services needed to assist the student in achieving [their] learning expectations."<sup>111</sup>

**Informal Patient** is an individual who is typically under the age of 16 and has been admitted to a psychiatric facility under the consent of a Substitute Decision Maker.

**Involuntary Patient** is an individual who has been admitted into a psychiatric facility and has not provided their consent to be admitted. Involuntary patients have been assessed by a doctor who has determined that they need to be hospitalized and has signed involuntary admission-related documentation.<sup>112</sup>

## L

**Learning Strategist** helps students "identify the impact of [their] disability upon [their] learning [and to] develop strategies (reading, writing, time management) to help [them] achieve academic success." <sup>113</sup>

**Letter of Accommodation** is an official document which identifies a student as being registered at an Office for Students with Disabilities and lists the academic accommodations that have been recommended. To protect the student's privacy the letter should not include specific information about the nature of the student's disability. Different institutions have different names for this document such as a: faculty notification letter, individual student plan, individual student profile, memo to faculty, confidential academic accommodation plan, student accommodation form, and an accommodation letter.

## M

**Medical Withdrawal** is when a student voluntarily takes time away from their studies due to medical circumstances.

**Mental Health** "is defined as a state of well-being in which every individual realizes [their] own potential, can cope with the normal stresses of life, can work productively and fruitfully, and is able to make a contribution to [their] community." <sup>114</sup>

**Mental Health Act (MHA)** "is a law which governs the treatment of all persons who need mental health care in Ontario. It defines how and when a person may be brought to a psychiatric facility, and the terms under which that person may be admitted and detained within the psychiatric facility."<sup>115</sup>



**Office for Students with Disabilities (OSD)** is the university or college department, unit or person that is responsible for arranging academic accommodations for students with disabilities. The OSD may be referred to by a different name at different institutions and is also known as the: Disability Service Office, Access Office, Accessibility Services, and Accessible Learning Centre.

## P

**Permanent Disability:** A mental health disability is considered to be permanent if it involves ongoing symptoms (which may be chronic/continuing or episodic). The designation of a disability as "permanent" follows from a thorough assessment of the person by a health care professional (physician, psychiatrist or psychologist), with findings that show that the condition is ongoing, and that the functional limitations are likely to be permanent.

**Personal Health Information (PHI)** includes written, oral, or electronic identifying information relating to an individual's: physical, mental, or family health history; health care and health care provider(s); care plan; payment and coverage eligibility.<sup>116</sup>

**Personal Health Information Protection Act (PHIPA)** "is a provincial law that governs the collection, use and disclosure of personal health information within the health sector." <sup>117</sup>

**Personal Information** "means recorded information about you. This may include your name, address, sex, age, education, medical or employment history – and any other information about you." 118

**Police Criminal Record Check** "is intended for applicants who are currently or will potentially be involved as a volunteer, employee or in any situation where a basic Criminal Record Check is requested. This search is not intended for applicants who are seeking volunteer and/or employment with vulnerable persons. This is a query based on name and date-of-birth, of active criminal files in RCMP National Repository of Criminal Records." <sup>119</sup>

**Police Information Check** "shows the same information as a [police] criminal record check, and additionally includes non-conviction criminal information such as charges, warrants, probation orders, peace bonds, and dispositions of Not Criminally Responsible on account of Mental Disorder (NCR). It may also show other police contact, including contact that involved the use of weapon or behaviour which was violent, threatening or harmful." <sup>120</sup>

**Police Vulnerable Sector Check** "shows the same information as a [police] criminal record check and a police information check, and additionally may show more non-criminal information, including a history or profile of police contact unrelated to any criminal act." <sup>121</sup>

**Power of Attorney (POA)** "is a legal document that gives someone else the right to act on your behalf." <sup>122</sup>

## R

**Retroactive Accommodations** are academic accommodations that are granted after an academic evaluation (e.g. a test, an examination) has taken place, or in the case of a written assignment, after the due date has passed.

## S

**Substitute Decisions Act (SDA)** "provides the legal framework for granting a power of attorney for personal care or property, which allows capable individuals to appoint someone to act on their behalf during a period of incapacity." <sup>123</sup>

**Substitute Decision Maker (SDM)** is when "a doctor finds you incapable of making your own decisions about any form of medical treatment, [and asks]... another person to make decisions for you. This other person is called a "substitute decision-maker" (SDM). The SDM has to follow particular rules when making treatment decisions for you." 124

## Т

**Temporary Disability:** A mental health disability is considered temporary if 1) the symptoms and the impairments are likely to be time-limited, or 2) if the disability is currently being investigated and there is not yet sufficient information to determine conclusively if it is permanent or temporary.

## U

**Undue Hardship:** There are circumstances when a college/university may not be able to provide an accommodation because of undue hardship. This is because the proposed accommodation is either (a) too costly or (b) creates a health or safety risk.<sup>125</sup>

**Use** is "the handling or dealing with personal health information that is in the custody or control of a health information custodian." <sup>126</sup>



**Voluntary Patient** is an individual who has been admitted to a psychiatric facility of their own free will.<sup>127</sup>

**Voluntary Withdrawal** is when a student decides independently to leave school temporarily or permanently.

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