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Dear UVic leaders,

The undersigned academic, professional and student organizations at the University of Victoria (UVic) are concerned with the University's handling of academic accommodations for students with disabilities. We are instructors, professional employees, undergraduate students, and graduate students. We value the quality of our education, UVic's academic reputation, the human rights and dignity of students, and the health and dignity of employees. The University's cost-cutting and ill-informed approach to academic accommodations has needlessly harmed these values over the past five years, and over the last two years has further accelerated its move in this unfortunate direction.

Under the BC Human Rights Code, the University must ensure education is accessible to all students, regardless of disability¹. If the University cannot remove a barrier to a student with disability, it must provide a reasonable accommodation. For example, a sign-language interpreter for a Deaf student, or extra reading time during exams for a student with dyslexia. Besides the ethical obligation to educate equitably, the University risks significant fines² and reputational damage if it does not provide reasonable accommodations.

The University assigns responsibilities in its Academic Accommodation Policy³. Broadly speaking: the student provides formal documentation of a disability to UVic's Centre for Accessible Learning (CAL); CAL staff determine appropriate academic accommodations; the instructor makes appropriate changes in their class; and various CAL units and other administrative groups support students and instructors when an accommodation requires specialized expertise, such as document editing for blind students and assistive software for exams, or centralized supports to improve efficiency and delivery of accommodated conditions.

Under the current Academic Accommodations policy, the Centre for Accessible Learning (CAL) is charged with assessing medical documentation and assigning appropriate academic accommodations intended to mitigate the barriers to learning experienced by students with disabilities. The CAL also engages with instructors and staff at UVic to assist in understanding the accommodations and how they can be implemented inside and outside of the classroom.

Historically, the CAL also oversaw a sub-organization, named the CAL Exam Centre, that provided invigilation services of timed assessments for accommodated students. Our

¹ BC Human Rights Tribunal law library: <https://www.bchrt.bc.ca/law-library/leading-cases/services-public/>

² UBC v. Kelly, 2016 decision:
<https://www.canlii.org/en/bc/bcca/doc/2016/2016bccca271/2016bccca271.html>

³ UVic Academic Accommodation Policy (PDF):
https://www.uvic.ca/universitysecretary/assets/docs/policies/AC1205_2340.pdf

understanding is that due to the unprecedented increase in numbers of students needing academic accommodations since 2019, the resources provided to the CAL Exam Centre (space, equipment and staffing) were insufficient to adequately meet the needs of all accommodated students, leading to a crisis that impacted CAL staff, instructors and accommodated students alike. Members of CUPE951 and PEA resigned or went on long term leave, instructors were expected to make up for the gap in services without appropriate training, preparation or support, and students wrote exams in conditions that demonstrably did not meet the conditions outlined in their accommodation letters. In 2023, it was proposed internally to subcategorize accommodated students into two groups: those needing a small subset of common accommodations that were deemed to not require specialized training or equipment to provide (inappropriately referred to by Senior Administration as “simple” accommodations), and those whose accommodations required either more specialized equipment, training, or environments. Currently, students with the most common accommodations are provided invigilation services managed by a new group on campus overseen by the Office of the Registrar and Enrolment Management (OREM) Accommodated Assessments, and students with more specialized needs are provided invigilation services managed by a reorganized CAL Assessment Program (formerly CAL Exam Centre).

Since 2023, multiple communications from the Provost have indicated that the OREM services are only a “time-limited solution” and that it is the long-term intention of the University Administration to require course instructors to either manage invigilation of students with common accommodations themselves, or to change the pedagogical design of their courses to eliminate the reliance on timed assessments requiring invigilation. In the latter case, the University Administration has stated that this can be accomplished through the application of the principles of Universal Design for Learning (UDL), as defined by the organization CAST.org.

UDL is a teaching framework to remove barriers to learning for all students, and is based on studies in learning and cognitive psychology. UDL emphasizes three principles: engagement, representation, and action/expression. Centering UDL would involve designing instructional material and curricula that allow students to learn and share knowledge in multiple ways, incorporating the individuality of all learners. Examples of how UDL has been implemented in post-secondary education can be found here: <https://accessate.net/casestudies>.

In Spring 2024, the University Administration coordinated a “Midterm Exam Pilot” that was an attempt to demonstrate an alternative approach to exam invigilation in which accommodated and non-accommodated students could be supervised simultaneously. A number of large enrolment courses volunteered to participate. Students in the courses that participated in the pilot wrote their tests communally in the large gymnasium using cardboard carrels to limit visual distractions and earplugs to limit noise distractions. All students were given 1.5x the benchmarked length of the test, under a principle often referred to as Universal Extended Time. This pilot was widely seen as a failure by students and instructors, and even in an internal report commissioned to review the pilot. Despite this evidence, the University Administration continues to suggest these types of approaches are a path towards accessible education. Many mislabel these approaches as aligning with UDL principles.

While there has been continued support of centralized invigilation services through OREM Accommodated Assessments in the short term some students who write with OREM Accommodated Assessments have provided feedback that the conditions of their invigilation do not always meet their needs as outlined in their accommodation letters. However, they feel obliged to write in these conditions if they want access to their extended time accommodations and supervised breaks. Complaints have focused on the failure of the environment to meet the

conditions termed “[distraction reduced,](#)” even as outlined on the [CAL website](#). The classrooms used for OREM Accommodated Assessments have not always been isolated from standard instructional activity elsewhere in the building, with examples of complaints citing loud videos playing in adjacent classrooms and noise from normal use of the hallways.

OREM Accommodated Assessments have made improvements to the facilities to improve these issues, but this represents a failing of the Administration’s reactionary approach to managing this crisis, underlines the difficulty with eliminating barriers for large groups, and reinforces the perspective that addressing accessibility is often an individualized task that requires training and expertise. The undersigned are disappointed at the University Administration’s continued push to treat accessibility as a one-size-fits-all task.

Furthermore, the updated Academic Accommodation Policy (Policy AC1205) places unreasonable pressure on instructors and staff to be responsible for student accommodations without providing the adequate workload time, resources, or training. Instructors and staff are reporting higher rates of burnout under the increased workloads, with high rates of sick leave, some choosing to end their employment, and others reportedly making decisions that objectively reduce the quality of education, to enable them to manage the increased workload. All of this is impacting the quality of education and support for UVic students.

The updated Academic Accommodation Policy also places many new responsibilities on graduate supervisors for implementing the accommodations needed by their graduate students, without appropriate guidance or supports. This is creating serious problems for both graduate students and faculty members. Graduate students’ accommodation needs are varied and distinct from undergraduate needs, particularly if graduate students have completed coursework and examinations and move into research and thesis writing. Accommodations such as distraction-free exam writing and Universal Extended Time do not cover the entirety of a graduate student’s academic experience. Graduate supervisors are not appropriately equipped with tools or resources to work with graduate students on what accommodations might look like in later stages of a research-based degree, which will result in inadequate supports for students.

The University is legally obligated to address barriers to student learning, under the BC Human Rights Code and the Accessible BC Act, and failure to do so opens the University to lawsuits and/or human rights complaints. Not only is this a failure to the students whose barriers are not being mitigated, but it is a failure in leadership that will affect all instructors, staff, and students through the budgetary impact of legal action. There have already been Human Rights Tribunal cases filed for failure to adequately mitigate the barriers to students’ educational environments. We are aware that the government should provide further funding to support the university in fully implementing the Accessible BC Act. But in the absence of this funding, the University cannot lay these burdens on students with disabilities, instructors and staff.

The number of students with disabilities at UVic has greatly increased since 2015. This change reflects the many ways we have improved the accessibility of education. However, the University has not increased funding and support to match the increased needs of instructors, students, and staff. While the University proudly promotes the 150% increase to CAL’s budget over the past 10 years⁴, they do not mention that the number of students CAL supports has increased by over 200% over these years.

⁴ Accommodated assessments & inclusive course design, FAQs section:
<https://www.uvic.ca/vpacademic/initiatives/accommodations/#accd-faqs-2-7-hdr>

We, the Undersigned, are not opposed to the incorporation of the principles of UDL in courses at UVic, and we understand that the University is working with Faculties to develop methods for test-taking that align with the principles of UDL. However, the current proposed implementation requiring instructors to provide accommodations such as extra time and distraction reduction in a classroom test-taking environment is not a proper or effective implementation of either accommodations or UDL. A lecture classroom, including uncontrollable environmental distractors and non-accommodated students for whom distractions are less concerning, can never be an appropriate environment to meet the needs of students who require a distraction reduced environment. In a model where the responsibility for providing some level of accommodations during exams is on the instructors, instructors would bear the unreasonable burden of finding an appropriate distraction-reduced environment for their accommodated students on a campus that doesn't even have the space to centrally manage such an environment. Some instructors are currently attempting to meet these needs by using personal offices or other environments that bear a privacy or security risk due to the presence of sensitive documents. This is not reasonable or viable.

Ultimately, the implementation of UDL pedagogy across campus would require a significant overhaul of the University's academic structure and must be done properly, thoughtfully and in full consultation with the affected groups and areas of the University community (students, staff, and instructors). It must also recognize that to transition courses to UDL requires time and funding. At the same time as instructors are being pressured to incorporate UDL in their classrooms, the University also reduced the budget and staff of its teaching support division (LTSI), that is intended to provide training and support in developing UDL in their classrooms.

There is no funding available to compensate sessional instructors for the additional time that is required to be trained in the principles of UDL, or to redesign their courses in this way. While there are some grants through the Division of Learning and Teaching Support and Innovation (LTSI) to allow faculty and Professional Employees Association (PEA) members to redesign courses to use UDL principles, LTSI no longer provides course releases as part of such grants. With class sizes increasing across campus and without the time made available through course releases, it becomes significantly more difficult for faculty and PEA members to find the time to appropriately redesign courses to take UDL principles into account without significantly increasing already overloaded workloads.

The University administration must also recognize that UDL is not a complete solution. We are aware of no other universities in Canada that are putting so much pressure on instructors to shift their pedagogy to UDL principles. This is primarily being done by this administration to reduce accommodation costs, without an understanding of the limitations of UDL as a replacement to providing accommodations, and of the negative impact on the workload of instructors and the learning environment of students.

We, the undersigned, are requesting that the University Administration take these concerns seriously and commit to the following:

1. An immediate review of the testing environment conditions currently provided by OREM Accommodated Assessments to ensure that they meet the guidelines of distraction reduction as outlined on the CAL website, as a minimum temporary measure until more permanent measures to create a long-term system of centralized coordination of accommodated assessments in an appropriate space are implemented.
2. Convene a working group within thirty (30) working days that includes academic, administrative, and human resource leadership, as well as meaningful representation

from the undersigned organizations. This working group's purpose will be to review proposed operational decisions related to Academic Accommodation and to make recommendations and provide insight into the impacts of proposed changes to affected parties. The working group will provide guidance on an ongoing basis regarding how Academic Accommodation is implemented at UVic. It will also report twice a year to the senior administration, Senate and the broader University community.

3. A commitment to greater transparency and involvement of all affected (undersigned) communities on campus in the ongoing efforts to change the nature of accessibility of education at UVic.
4. A commitment to facilitate enhanced information-sharing of best practices and case studies of courses that meet conditions of accessibility following a UDL pedagogical approach.
5. Increased availability of training and support (including course release for FA and PEA members and appropriate financial compensation for CUPE 4163 for course redesign and training) so instructors will have the time and resources to appropriately redesign courses to meet UDL guidelines. This must include increased training, resources, concrete guidance and supports for graduate supervisors who are now required to implement a range of accommodations for their graduate students with minimal guidance and support.
6. Increased respect for and recognition of instructors and staff who communicate that their workload is unsustainable, and whose course material does not transition readily or at all to principles of UDL (such as due to concerns about academic integrity) and thus still requires appropriate ongoing accommodation supports.

We recognize and respect that the University Administration committed to a Joint Working Group on Student Accommodations and Faculty Workload and considered some of the recommendations of that group. We hope that they will recognize the importance of considering more of the central recommendations of this Working Group, including both the strengths but also the very real limitations of moving primarily to a UDL approach to address accommodations. We request that the University honour the most important recommendation of the Working Group, which is **the need to maintain a long-term system and ideally a dedicated and appropriate space providing centralized coordination of timed in-term and final tests and exams for students requiring accommodated assessments. This includes centralized scheduling of space and invigilators.**

We are aware that some universities have consulted closely and meaningfully with all affected groups on campus regarding the important issue of student accommodation. This has reduced tensions and facilitated better solutions for all parties. We very much hope, moving forward, to see such cooperation between the Administration and the undersigned groups.

Undersigned:



**Society for
Students with a
Disability**





University of Victoria Faculty Association (UVic FA)
Professional Employees Association (PEA)
Canadian Union of Public Employees (CUPE) Local 4163
Canadian Union of Public Employees (CUPE) Local 951
Society for Students with a Disability (SSD)
Gender Empowerment Centre (GEM)
University of Victoria Student Society (UVSS)
UVic Graduate Student Society (GSS)
UVic Campus Community Garden (CCG)
Anti-Violence Project (AVP)
University of Victoria Sustainability Project (UVSP)
The Pride Collective
The Native Students Union (NSU)