

# Clinical Education, Accommodation and Human Rights

Clinical Education Program – September 27, 2018





Erin Clow and Jean Pfleiderer Advisors, Human Rights and Equity Office



- Review of some basic human rights principles, particularly the principle of "accommodation"
- Consideration of "accommodation" in the context of clinical education placements
- Enhanced awareness of contemporary human rights issues related to accommodation in an educational setting

# **Accommodation in the News**



CAMPUS BURGAY SEPTEMBER 16, 2018 Deaf doctoral candidate files complaint against UC Berkeley, citing discrimination



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#### EDUCATION

## How universities are helping students with 'invisible' disabilities

Schools are racing to figure out how to use accommodations to handle the wave of students who are grappling with invisible disabilities

by Cathy Gulli Feb 9, 2016



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### Vegans argue they're a 'creed' under Ontario human rights law

By **DAN TAEKEMA** Staff Reporter Thu., Feb. 4, 2016

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York University student wins mental health accommodation battle

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Disability on Campus: the challenges faced and change needed Pre academic talk about the issues associated with various disabilities and what should be done to improve support.

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There has been a lot of focus recently on equity issues around gender and race, but disabled academics have largely escaped attention.

### Transgender accommodation focus for Vancouver business

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May 18, 2017

TransFocus Consulting has worked with public schools and the Vancouver Parks Board

Liam Britten - CBC News - Posted: May 17, 2016 8:45 PM PT | Last Updated: May 17, 2016



Drew Dennis (left) and business partner Kai Scott pose in a publicity photo for their consulting firm, TransFocus. (transfocus.ca)



- Human rights are rights we have simply because we are human beings
- They are about the right of every person to participate and to access opportunities in the community fully, equitably and with dignity



The Ontario Human Rights Code specifically protects individuals against discrimination and harassment based on characteristics which have been historically targeted for stereotyping, prejudice, or disadvantage. For example, characteristics like sex/gender, race, religion, disability...

The Code applies specifically to employment, (living) accommodations, and provision of services.



- Preceptor needs to be concerned for clients' human rights and safety as well as student's human rights and safety.
- As well, a Preceptor needs to remember that students are entitled to demonstrate their competency *as students* in professional settings that do not violate their rights.
- This includes recognizing that some students may have a need for accommodation.



• What do we mean by accommodation?

Ability, Religion, Family Status, Gender Identity and Expression

- Duty to accommodate (dignity, independence, integration, equality)
- Point of undue hardship
- Dialogue during accommodation process

Complex relationship between accommodation and health care

# Human Rights Case Study



Your are frustrated with your student, who has been diagnosed with a non-verbal learning disability that makes it difficult for her to understand facial expressions and causes a certain amount of clumsiness; as well, she suffers from anxiety and depression. With accommodation, mostly extra time, she has been able to do the classroom work, but she is having difficulty in the placement. She is late arriving at the placement, sometimes leaves before everyone has been seen, and once simply did not show up at all. You had concerns about the accuracy of an assessment she performed. You have spoken with her about these issues and she has indicated that she needs "support, not criticism" and asked to have her clinic hours rearranged so that she works more days but fewer hours per day. "After a couple of hours," she says, "my anxiety is high and I can't do my best work."

# To accommodate this student's disabilities, what do you need to consider?



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