

## Regulations on Academic Accommodations

The Executive Board determines, based on the:

- Federal Constitution of the Swiss Confederation of 18 April 1999 (Cst., SR 101), Art. 8(2)<sup>1</sup>
- Constitution of the Canton of Zurich of 27 February 2005 (Cant. Cst., LS 101), Art. 11(2 and 4)
- the Canton of Zurich Fachhochschulgesetz (law governing the universities of applied sciences, FaHG, LS 414.10) , § 3 c
- General academic regulations for Bachelor's and Master's degree programmes at the Zurich University of Applied Sciences of 29 January 2008 (RPO, LS 414.252.3), § 34 a (in German)

All legal bases apply in their respective current version.

### 1. General

People with disabilities, whether physical or mental, are often confronted with barriers in participating in educational programmes. In order to ensure their right to education and equal opportunities, the disadvantages that arise from such barriers should be countered with so-called academic accommodations, which adopt a targeted and varied approach.

#### 1.1 Concept of disability

People with disabilities include individuals who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.<sup>2</sup>

Chronic illnesses are also deemed to constitute disabilities within the meaning of these regulations.

#### 1.2 Object

These regulations define the handling of academic accommodations across the ZHAW, especially with respect to uniform processes and general conditions, and ensure a legally compliant approach.

#### 1.3 Scope

These regulations apply to individuals completing the admissions procedure for Bachelor's and Master's degree programmes and continuing education courses as well as to students on Bachelor's and Master's degree programmes and participants in continuing education courses who, due to a proven disability, are unable to benefit from the ZHAW's teaching in the intended form or to complete assessments in the intended manner either in full or in part.

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<sup>1</sup> According to case law, the Federal Act on the Elimination of Discrimination against People with Disabilities of 13 December 2002 (Disability Discrimination Act, DDA, SR 151.3) is not directly applicable to cantonal educational programmes (FSC, judgement 2D\_7/2011 of 19 May 2011, cons. 2.1 ff.). The requirements of the DDA must, however, be observed within the framework of the general ban on discrimination stipulated under Art. 8(2) of the Cst.

<sup>2</sup> Definition in accordance with Art. 1 of the UN Convention on the Rights of Persons with Disabilities (UN Disability Rights Convention, SR 0.109).

Short-term restrictions due to illness, accident or pregnancy are not covered by these regulations.

## **2. Academic accommodation measures**

Academic accommodations relate to the form of the services to be provided by the ZHAW or the work to be performed by students. They do not affect learning and competence objectives. The measures do not aim to simplify the teaching activities or assessments, but rather to change the general conditions in such a way that it is possible to offer equal opportunities to everyone completing a study programme or continuing education course.

In the case of students or continuing education participants with sensory or physical disabilities, for example, the modification of certain requirements is possible if these requirements are obviously unachievable (e.g. hearing comprehension requirements for those with hearing impairments).

Possible academic accommodation measures include, but are not limited to, the following:

- Extended deadlines for the completion of written assignments (project work, Bachelor's thesis, Master's thesis, etc.)
- In the case of modules with compulsory attendance: replacement with other tasks (e.g. additional assignments)
- Written assignment instead of a presentation
- Modification of internship-related work
- Extended examination times
- Completion of examinations in a separate room
- Interruption of examinations for individual recovery breaks that are not included in the allotted examination time
- Splitting of an examination into several sub-examinations
- Extension of the period between individual examinations
- Written additions to oral examinations or written instead of oral examinations (e.g. for students with hearing or speech impairments)
- Oral instead of written examinations (e.g. for students with visual impairments)
- Allowing or providing technical aids (e.g. laptop or reader)
- Personal assistants (e.g. for sign language interpreting or writing)
- Option to withdraw from examinations in the event of serious, acute ailments without penalty
- Option to deviate from the schedules foreseen by the standard sequence in which modules are to be completed.

Academic accommodations are individual measures and must be granted taking into account the requirements and possibilities of the degree programme or continuing education course and the specific individual needs of the applicant. There is no entitlement to a specific form of academic accommodation.

### **3. Procedure for academic accommodations**

#### **3.1 Advice and application**

Should individuals with disabilities have any questions regarding whether they are entitled to academic accommodations or about the approval process for academic accommodations, they can obtain non-binding and free advice from the academic accommodations advisory service (BSNTA).

Individuals who wish to assert a claim to academic accommodations complete an electronic registration form provided by the BSNTA.

It is possible to submit a request for academic accommodations to the BSNTA irrespective of whether its advisory service has been used or not. Consultations can be requested of or initiated by the BSNTA at any time during the course of the application process.

#### **3.2 Evidence**

Evidence of the disability-related disadvantage being claimed must be provided in writing in all cases. The required evidence is provided in the form of a certificate of the applicant's disability, for example a certificate issued by a medical practitioner or qualified psychologist, a report from a centre specialising in speech and language therapy or a confirmation of the applicant's disability from the disability insurance authorities (IV) or another specialist agency. Approved academic accommodations granted by equivalent educational institutions can also be accepted as evidence.

The evidence must be dated and, especially in the case of diseases with symptom-free periods, describe the current status of the disease and how this impacts participation in the respective study programme.

The evidence should also explain which study-related limitations exist and what disadvantages these lead to in a manner comprehensible to medical laypersons. The exact diagnosis or medical history should be mentioned as part of the evidence but may also be omitted in justified cases. Whenever possible, the evidence should contain suggestions for specific academic accommodations.

#### **3.3 Verification by the BSNTA and submission of application to the School**

Upon an application for academic accommodations being submitted, responsibility for checking the request in terms of form and content lies with the BSNTA. If necessary, the BSNTA will conduct counselling sessions with the applicant and can also call on external expertise. The BSNTA prepares the application with the respective academic accommodation measures for the School in consultation with the applicant and the School itself.

In order to define appropriate academic accommodations, the interaction between the individual needs of the applicant and the specific study programme and examination conditions must always be considered. As the nature and degree of disabilities can vary greatly, any recommendation must take account of all the circumstances of the specific individual case. It should also be possible to implement the measures with a reasonable amount of effort.

If a request for academic accommodations meets all of the requirements, the BSNTA submits the request on behalf of the applicant to the School's contact person, including a specific recommendation on the academic accommodation measures. The evidence is retained by the BSNTA. The School's decision-makers are granted access to the evidence on request.

### **3.4 Coordination and decision by the School**

Decision-making authority with respect to the application and the implementation of measures lies with the School, as a rule with the programme director. The School determines the individuals responsible for the decision.

#### **3.4.1 Academic accommodations contact person within the Schools**

Each School appoints an individual to perform the role of academic accommodations contact person for the School. The academic accommodations contact person is responsible for coordinating the timely handling of academic accommodations within the School in a consistent manner in terms of both content and procedure. They are also the central point of contact and interface for the BSNTA as well as for students and employees within the School.

The BSNTA refers the application to the academic accommodations contact person for the respective School. The academic accommodations contact person confirms receipt of the application to both the BSNTA and the applicant and forwards the application to the individuals with the relevant decision-making authority.

#### **3.4.2 Decision and form in which it is communicated**

The School decides whether the application should be approved, partially approved or rejected.

If the recommended measures are accepted and the application is thus approved, the School notifies the applicant in writing and provides a copy to the BSNTA.

In the event of a modification to the measures or their rejection, the School prepares preliminary information for the applicant in written form that explains why it cannot or can only partially meet the request. A copy is also provided to the BSNTA. In the preliminary information, the applicant is asked to take one of the following steps within five working days:

- a. Seek the mediation of the BSNTA, which may also submit a revised application to the School.
- b. Inform the School that they are in agreement with the announced modification or rejection.
- c. Inform the School that they wish to hold to the submitted application.

If no response is received from the applicant within the deadline of five working days, it is assumed that the applicant wishes to hold to the originally submitted application.

Should the applicant opt for route a), the School decides on the subsequent application. In the event of the application's approval, the School notifies the applicant in writing and also provides a copy to the BSNTA. The rejection or partial rejection of a submitted application is communicated in the form of an official decision with instructions on how to appeal.

If the applicant informs the School in accordance with b) that they are in agreement with the announced modification or rejection as per the preliminary information provided, the latter measures will be implemented without any further notification.

If the applicant wishes to hold to the original application in accordance with c) or fails to respond, the School communicates its official decision along with instructions on how to appeal.

### **3.5 Deadlines**

The individual Schools can determine their own deadlines for applying for academic accommodations. These may vary depending on the scope (adjustments with respect to admission, teaching or assessments) and the School.

In justified individual cases, and especially in the case of individuals with mental disabilities and relapsing illnesses, applications for academic accommodations may be accepted after the respective deadline, provided the delay is demonstrably due to the disability.

Applications that are submitted retrospectively for teaching activities that have already been performed and assessments that have already been completed cannot be taken into account.

### **3.6 Duty to provide and obtain information**

#### **3.6.1 Applicant**

Individuals wishing to claim academic accommodations must be proactive in obtaining the relevant information, contact the responsible offices in good time and adhere to the stipulated procedures and deadlines.

#### **3.6.2 ZHAW and its Schools**

The ZHAW and its schools proactively provide information on academic accommodations and ZHAW-specific procedures, in particular with respect to deadlines. That information is accessible to those interested in being admitted to study programmes and continuing education courses as well as to individuals who have already enrolled in study programmes or been admitted to continuing education courses.

### **4. Final provisions**

#### **4.1 Repeal**

The Regulations on Academic Accommodations of 14 January 2014 are repealed.

#### **4.2 Validity**

These regulations come into effect on 1 February 2022.



## 5. Issued by

### 5.1 Disclaimer

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