

Guide to using the Accommodation Request Form

***Note: This document can be used as a guide when in conversation with gymnasts and/or their parents. It is intended to help you (i.e., the administrator of the accommodation process) to effectively accommodate participants of all abilities and is to prevent discrimination of any persons on the ground of disability. While the term "disability" may be referred to in this document, this does not mean the language used in conversation with participants needs to reference disability. This is not a document that is to be given to the parents but for the club's internal use only.*

Please review the form and consider whether the process as laid out in the form makes sense for your organization. Make any adjustments as necessary. For example, the form indicates that requests should be made “at the earliest opportunity”. Your organization may determine that *at least two weeks prior to the start date of the program* is required, or some other timeline.

Consider what adjustments to your standard programming you can make to make it more inclusive and accessible to participants with varying needs. To be more specific, your form can provide examples of exercises or movements that the participant would normally be asked to do and ask what abilities to that function might the participant have.

Do you have para-educators or other individuals in your organization with appropriate training and qualifications who can adequately administer the accommodation process support participants with varying needs? A critical component to supporting participants is going to be to ensure participants can experience gymnastics **safely**.

Considerations for ensuring inclusion of all participants of varying abilities and needs

- **The Duty to Accommodate:**
 - Clubs should make concerted effort to provide services, programs, etc. in a way that does not create discriminatory barriers that are prohibited under human rights legislation; where those services do impose discriminatory barriers on a person, then the organization owes a duty to accommodate that person so the person can still access those services despite the barriers.
 - This means, accommodation might take the form of eliminating or changing the rules, policies, or practices that have a discriminatory impact on a person or group. Reasonable costs for accommodating a participant should not be transferred over to the participant (ex. participants with disabilities paying more for the same services/programs than other registrants).
 - Clubs owe a duty to accommodate unless this would cause **undue hardship**.
 - **Undue hardship** generally occurs when accommodation is too **costly** or would create **health** or **safety risks**. A club would have to provide sufficient evidence to support their position that accommodating has or would cause undue hardship (if challenged (by a court, for example)).

- Consider what areas of programming may require modifications, including:
 - Environment
 - Instruction
 - Rules
 - Equipment
 - Exercise/Movement
- The accommodation plan should ensure that any accommodation put into place would not compromise the safety of, or increase the risk of injury to, any other participant.
- When considering an accommodation, a club can ask itself: “is this accommodation **necessary** to allow the participant to take part in the program without obstruction due to their particular needs and abilities?” In some cases, the best form of accommodation might be “ideal” but perhaps not doable without more time to implement. So, in the meantime, is there an **alternative accommodation** (that which would be less than “ideal” but considered the “next-best” option) that can be implemented while the most appropriate accommodation is being phased in or put in place at a later date?
- The Ontario Human Rights Commission affirms that “*If there is a choice between two accommodations that equally respond to the person’s needs in a dignified way, then the accommodation provider is entitled to select the one that is less expensive or less disruptive to the organization.*” So, even where a participant/parent requests or prefers a particular type of accommodation, accommodation does not have to be “perfect”. Just because a participant requests a very specific accommodation, this does not mean the club would have to provide that specific accommodation *if* there is an accommodation more cost effective that still allows for the participant to be integrated into the activity(ies). So, it is definitely going to require the club and participant/parents to work together/cooperate to see what might work in their particular situation.
- **Requesting Information:**
 - Organizations must have enough information to allow them to meet their duty to accommodate. So, you can ask for information that will help you meet your duty to accommodate. But, ensure to limit requests for information only to the information you will need to assess the nature of the functional ability and to provide the accommodation.
- **Communications**
 - While there is no universal consensus on appropriate terminology when discussing disability, be mindful of using positive and inclusive language. “Special” or “disorder,” for example, may not be appropriate to describe the nature of a disability; instead, the word “abilities” or “exceptionalities” might be a better substitute that avoids judgement.

- To respect privacy, don't refer to the person's disability or diagnoses. Speak to functional abilities instead.

Additional Information/Resources

- **Helpful Resources:**

- [A Blueprint for Building Quality Participation in Sport for Children, Youth, and Adults with a Disability](#)
- [Successfully Promote Parasport Programs infographic](#)
- Canadian Tire Jumpstart <https://jumpstart.canadiantire.ca/pages/about>
- KidSport <https://kidsportcanada.ca/>

- **Applicable legislation:**

- [Accessibility for Ontarians with Disabilities Act](#)
- [Human Rights Code \(Ontario\)](#)

For more information, please contact Gymnastics Ontario or Melissa Knox (at mknnox@sportlaw.ca)