

## **ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES POLICY**

*NOTE: This is an overview of disabilities policies and procedures. Students are urged to contact CCAS for more detailed information relevant to their specific situations.*

Eastern University will make reasonable accommodations for students with disabilities in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. The purpose of accommodations is to provide equal access to educational opportunities to otherwise qualified students with disabilities. It is not intended that academic standards be lowered or essential elements of programs or courses be changed, and accommodations are not intended to ensure a satisfactory or desired grade or evaluation. In determining reasonable accommodations, consideration will be given to the student's documented needs, essential elements of the involved courses or university activities, and institutional resources. Academic accommodations *may* include modifications in the classroom, in assignments, and in the way tests are administered. Non-academic accommodations *may* include modifications and assistance relating to physical accommodations in the residence halls and mobility and access to campus buildings.

Accommodations are granted in response to student requests on the basis of determined need and documentation of disability. In the event that disagreements arise between students and professors or administrators of the university over issues of accommodation, a due process procedure has been developed to settle such disagreements.

### **Eligibility:**

To be eligible for accommodations for disability, a student must:

1. Have an identified disability as defined by the Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA)
2. Submit a written request for accommodations in a timely manner to CCAS (or its designee)
3. Submit appropriate and adequate documentation of disability

### **Procedure for Requesting & Using Accommodations:**

1. Students requesting accommodations for disability must submit a written request form available from the Cushing Center for Counseling & Academic Support (CCAS). If students need assistance in completing the form, it will be provided by CCAS upon request.

- All requests for accommodations, both academic and non-academic, should be submitted on this form to the Director of CCAS (unless the student is otherwise directed).
- Students should submit their requests (including the request form and documentation of disability) well in advance of the semester/session they

plan to attend Eastern to allow adequate time for review of the request, development of appropriate plans, and implementation of arrangements in time for the semester/session of study.

- If the request involves non-academic accommodations, the CCAS Director will notify the appropriate contact person for the student's academic program and may provide him/her a copy of the request after a review of the student's documentation of disability has been determined that the student is eligible for accommodations.
- If the request involves academic accommodations for a student in a program outside the College of Arts & Sciences, the CCAS Director will notify the appropriate contact person for the student's program and may provide him/her a copy of the request form after a review of the student's documentation of disability has determined that the student is eligible for accommodations.

2. Documentation of disability should accompany the request form. A decision about requests cannot be made until adequate documentation is received. Documentation must come from a professional qualified to evaluate disabilities in the areas related to the student's request, must be sufficiently thorough and recent to establish whether the condition qualifies as a disability, must indicate the extent and severity of the student's impairment, and must address the nature and projected time frame for any accommodations needed at the present time.

**a) Overview of General Documentation Requirements**

***NOTE: This is not a comprehensive statement of documentation requirements. Specific requirements apply to specific disabilities. Students should contact CCAS for specific requirements for their condition.***

- Documentation must be provided by a professional qualified to evaluate disabilities in the areas related to the student's request
  - Vague and/or short statements of diagnosis (e.g., by a physician for ADHD) are not sufficient.
  - Information provided by the student, parent, or others might be helpful supplementary information, but it does not constitute documentation of disability.
- Documentation must be on the professional's official letterhead with date and signature.
- Documentation must be recent enough to establish that the condition is still present and to reflect current impairment and needs. This would typically be no longer than 3 years old for learning disabilities and ADHD, more recent for changeable psychiatric or medical conditions (e.g., migraine headaches), longer for permanent disabilities (e.g., blindness).

- Documentation of conditions submitted as part of request for disability accommodations must include the following elements:
  1. Current diagnosis. A clear statement of diagnosis must be included. A clinical diagnosis in itself is not evidence of disability, however.
  2. How diagnosis was determined (e.g., this would typically be a psycho-educational testing battery for learning disabilities and ADHD, neuropsychological evaluation for head injury, medical or psychiatric evaluation for other medical or psychiatric conditions)
  3. History of illness/condition (including how/when condition was first diagnosed and by whom, course of illness/condition over time)
  4. Current symptoms (including specific nature of symptoms, frequency, severity)
  5. Extent of functional impairment caused by symptoms/condition (specifically related to life realms for which patient is requesting accommodations, if possible to determine)
  6. Need for accommodations at the present time (include specific recommendations if possible)
  7. Projected time period for which accommodations might be needed

Students should be aware that having had accommodations in high school or another setting (e.g., a 504 Plan) does not necessarily qualify them for any or the same accommodations in a particular post-secondary setting. In particular, students should be aware that an IEP alone or a short statement from a physician does not constitute adequate documentation of disability.

b) It is the student's responsibility to obtain and furnish the appropriate documentation. CCAS staff will assess presented documentation and make a decision. Additional documentation will be accepted and a reevaluation will occur as documentation is received. If requested, CCAS staff can advise the student about how to obtain adequate documentation (e.g., by explaining requirements to the documenting professional).

3. Students should make an appointment to meet with CCAS staff and/or the Dean of Students to discuss their specific requests and needs for accommodation. This can be done after the student has submitted the request form and documentation, or the student can submit the form and documentation at this meeting. In cases where an in-person meeting is extremely difficult (e.g., student at a distant campus) or not essential (straightforward request that can be handled by phone), the requirement for the meeting can be waived by the Director.

4. After the written request (with documentation) has been received and evaluated (either in the meeting or without a meeting at the discretion of the Director), a decision will be made within a reasonable period of time. This time period will vary depending on the extent of the requested accommodations and the time of year. In any case, students should expect that a minimum of 14 working days will be needed to evaluate requests. In

some cases, an interim plan addressing the student's needs may be put into effect (e.g., a visually impaired student may be provided with a reader while a request a specific type of text enlarger is under consideration). An interim plan would be appropriate only in cases where the student's disability is apparent or indisputable (e.g., obvious physical impairments).

5. After the determination of eligibility (i.e., documentation shows the student has a disability), reasonable accommodations for the disability will be determined. In making the determination, CCAS staff will consult the documentation, the student, and relevant university officials (e.g., professor, Dean of Students, etc.).

- Essential components of courses or programs will not be changed or eliminated, but modifications in the way the student can meet these essential requirements will be made when possible. Essential components of courses and programs are listed in their respective descriptions in the Eastern University catalogs. CCAS will consult with faculty, staff, and outside professionals when needed to determine essential elements and reasonable accommodations. Examples of essential components that will not be modified include, but are not limited to: requiring that the student make oral presentations in a public speaking class, competence in dance skills in a dance class, competence in playing a musical instrument for a music performance class, class attendance in a group dynamics class.

6. In implementing the accommodations approved by the university, CCAS and/or the Dean of Students will provide written notification of the accommodations to the appropriate faculty member, administrator, or staff member. In addition, the student will be responsible to meet with all involved parties to discuss his/her needs for accommodations and clarify how these will be implemented.

7. Students who have been granted academic accommodations for a particular semester/session **must update their request with CCAS prior to each successive semester/session**. This will not be done automatically. This typically involves providing a list of their current classes and reviewing with a CCAS staff member whether the accommodations requested previously are still appropriate. An in-person meeting may be required by CCAS or requested by the student.

8. Students who have been granted non-academic accommodations may be required to update their request every semester/session if the nature of their condition or need is likely to change. CCAS staff will advise the student of whether this will be needed at the time the initial request (or update) is approved.

9. Students whose needs for accommodations change after the initial requests for accommodations have been implemented should submit additional information. For new or different accommodations for the same disability (already verified with documentation), they should submit an Updated Request for Accommodations form. For a new/additional disability, they should submit another copy of the initial Request for

Accommodations for Disabilities with supportive documentation. In this latter case, the review process outlined above will recommence.

10. Students are responsible to inform CCAS promptly if they encounter problems with the implementation of their accommodations (e.g., if a student approved for extended testing time reports the professor would not permit him to take the test with extra time). CCAS cannot adjust grades or course requirements “after the fact” in a case where a student reports he/she suffered academically because he/she did not receive an accommodation that was approved and did not report the problem to CCAS in a timely manner that allowed correction of the problem.

11. Accommodations cannot be approved retroactively. For example, a student who reports a learning disability after taking an exam, and has not previously requested and been approved for accommodations, would not be entitled to re-take the exam with special accommodations. Similarly, a student cannot be excused for absences due to a disabling medical condition reported after the fact. Students are urged to make their requests as early as possible to allow time for review of the request and planning.

### **Disclosure of Disability**

Disclosure of a disability is voluntary. Students are not required to disclose or request accommodations for a disability. They are not eligible for any protection under the law if they fail to disclose disability and request accommodations, however.

### **Confidentiality**

Disability-related material at Eastern University is considered covered by the Family Educational Rights & Privacy Act. Disability information will not be disclosed or released except as needed to University agents with a legitimate educational interest, and/or as otherwise required or permitted by law, and/or as otherwise requested by the student.

### **Procedures for Settling Disagreements Regarding Accommodations**

In the event of a disagreement between student and faculty or other agent of the university over an issue of disability accommodation, the following plan for settling disagreements will be used, affording the student due process:

1. The student shall discuss his/her disagreement with the Director of CCAS or the faculty member or other involved agent of the university and try to resolve the disagreement.
2. If the problem is not resolved, the student should continue to reach resolution through the lines of authority at the university: a) professor (or directly involved staff member or administrator), b) department chair (or relevant supervisor of party involved in Step A), c) division head (or relevant supervisor of party involved in Step B), d) academic dean (or relevant supervisor of party involved in Step C), e) provost (or relevant supervisor of party involved in Step D), f) Accommodations Committee whose decision will be final. Attempts should be made to settle the dispute at the lowest level of

authority possible. If agreement is not reached after a reasonable period of discussion and negotiation, appeal to the next highest level of authority can be made. The student should keep CCAS informed at all levels of the dispute. *(NOTE: If the student believes this chain of appeal is not appropriate given the nature of the disagreement, he/she should contact the Director of CCAS regarding this.)*

3. In the case of a disagreement regarding a non-academic modification (e.g., regarding building access, residence hall modifications), requests for resolution of the dispute can be made to the Dean of Students who will contact the relevant university staff member(s) in an attempt to resolve the dispute. If resolution of the disagreement is not reached by the Dean of Students, the matter can be appealed to the Vice President for Student Development, who will be the final appeal.
4. A Disability Accommodations Committee will assist in creating, reviewing, and revising policy regarding accommodations for students with disabilities. The committee will be convened when needed to review policy and to assist in resolving disagreements regarding accommodations for students with disabilities and is the final appeal for academic accommodations disputes.

The Disability Accommodations Committee will meet within ten (10) class days after receiving a written request from the student to consider the issue of accommodations that needs to be resolved when all other steps have been exhausted. The committee will provide a written decision within 10 class days after its meeting. If, after its initial meeting, the committee decides that more information is needed (e.g., an additional evaluation on the student, additional information on standards of practice in the field, etc.), the time the committee has to provide a written decision can be extended another 10 class days. The decision rendered by the Disability Accommodations Committee will be the university's final decision on appeals for academic accommodations.