

Augusta University

Policy Library

Accommodating Students with Disabilities

Policy Manager: Dean of Students

POLICY STATEMENT

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 affords individuals with documented disabilities certain rights and protects qualified individuals from discrimination based on disability status. Augusta University is committed to the full inclusion of individuals with disabilities and to the principle of individual rights and responsibilities. To that end, the policies and procedures of Augusta University reasonably ensure that a person with a disability is not, on the basis of that disability, denied full and equal access to, and the enjoyment of, academic programs, regardless of course delivery modality, and co-curricular activities, or otherwise subjected to discrimination in such programs and activities.

The policies for access by individuals with disabilities at Augusta University are designed to ensure full compliance with all pertinent federal and state legislation, specifically to include Section 504 of the Rehabilitation Act of 1973, (ADA), and subsequent amendments.

AFFECTED STAKEHOLDERS

Indicate all entities and persons within the Enterprise that are affected by this policy:

- Alumni Faculty Graduate Students Health Professional Students
 Staff Undergraduate Students Vendors/Contractors Visitors
 Other:

DEFINITIONS

Auxiliary aids - Services or devices that enable persons who have physical or mental impairments, such as vision, hearing, or speech impairments, that substantially limit their ability to communicate to ensure they have an equal opportunity to participate in, and enjoy the benefits of, all of the programs and/or activities conducted by the University through effective communication. For example, auxiliary aids useful for persons with impaired vision include readers, materials in Braille, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include video relay services, interpreters, note takers, written materials, and other similar services and devices.

Disability - An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

Office of Legal Affairs Use Only

Executive Sponsor: VP, Enrollment and Student Affairs

Next Review: 5/2025

Effective Communication - the purpose of the effective communication rules is to ensure that the person with a communication disability can receive information from, and convey information to, the University. Effective communication must consider the nature, length, complexity, and context of the communication as well as the person's normal method(s) of communication.

Substantially Limited - Substantial in this context means a notable, significant, meaningful limit/difference to the manner in which the individual engages in the activity, the conditions necessary for them to engage in the activity, the duration for which they can engage in the activity or the frequency which they engage in the activity.

Electronic and Information Technology - includes information technology and any equipment or interconnected system of equipment that is used in the creation, conversion, or duplication of data or information. The term includes, but is not limited to web sites, multimedia, and telecommunications products.

Equal Access - Equal opportunity of a qualified person with a disability to participate in or enjoy the benefits of the same educational programs and services.

Fundamental Alteration - A significant modification that alters the essential nature of the services, programs, activities, facilities, privileges, advantages, or courses offered.

Major Life Activities - Activities that an average person can perform with little or no difficulty. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Otherwise Qualified - Students must be able to meet the technical and academic qualifications for entry into the school, program or activity to be considered otherwise qualified. Individuals with disabilities are qualified if they meet the same eligibility requirements and standards of behavior and performance demanded of other students, with or without:

- Reasonable modifications to rules, policies or practices;
- Auxiliary (communications) aids or services; or
- Removal of architectural, communications or transportation barriers.

Reasonable Accommodations - Any reasonable change in the instructional settings, programs, policies, practices, and/or procedures that enable qualified students with a disability to have an equal opportunity

to benefit from, and have access to Augusta University's programs and services, unless such change will result in an undue hardship or fundamental alteration of the program, service, or activity.

PROCESS & PROCEDURES

Requesting Services

To receive assistance, students must first contact Testing and Disability Services (TDS) and submit documentation that discloses their disability and specific functional limitations. Students are responsible for requesting accommodations in a timely manner and must provide TDS with appropriate documentation of the disability and specific functional limitations. Sufficient advanced notice of a request for an accommodation is required to give (TDS) a reasonable period of time to evaluate the request and documentation. Failure to provide documentation prior to requesting an accommodation may result in a delay in accommodations being determined and implemented. A student may submit a request and documentation at any time during enrollment at Augusta University, but action based on the request and documentation is not retroactive.

Student files are confidential to the extent allowed by law and are kept in a secured location in TDS. Additionally, disability-related documents obtained from a third party (e.g., medical records, diagnostic reports) will be released only to the student. Students should contact TDS Services with any questions or concerns regarding accommodations, required documentation, and/or available resources and support.

Reasonable Accommodations and Auxiliary Aids and Services

Augusta University seeks to ensure that individuals with disabilities who meet the academic and technical standards for admission are not excluded from full participation in the programs and services the university operates. The primary role of the university in this effort should be informative about, and supportive of, active self-advocacy on the part of the student. Students with a disability are expected to exercise initiative in identifying and obtaining auxiliary aids and assistance through every reasonable channel available to ensure effective communication.

The university has the responsibility to determine the appropriateness of auxiliary aids and accommodations to ensure that a student is not denied access to programs and services of the university. Furthermore, the university has the responsibility to provide auxiliary aids and accommodations or to find reasonable alternatives that will allow full participation unless requests are determined to be unreasonable or will impose an undue hardship on the university. Every attempt will be made to ensure availability of necessary auxiliary aids and accommodations; however, the university must have sufficient time to evaluate the request, determine the aid to be provided, and to identify sources for obtaining it.

A student who believes that he or she will need auxiliary aids to participate fully in the programs and/or activities of Augusta University should make those needs known as early as possible, preferably as soon as he or she has been admitted or determined to have a barrier. These requests should be made through direct contact with Disability Services. To expedite the process, requests should be accompanied by a written evaluation of the student's disability.

Securing Reasonable Accommodations

Reasonable accommodations are determined by the student's self-report of their disability and review of the supporting documentation. The supporting documentation must meet criteria set forth by the Board of Regents of the University System of Georgia.

The Regents Center for Learning Disorders (RCLD) provides assistance in reviewing documentation and determining appropriate accommodations for students with disabilities that impact learning. Accommodations for disabilities that do not impact learning are made through Disability Services. The student documentation is discussed and reviewed by at least two Disability Services staff.

Interactive Process

Faculty members are course content experts. The student is responsible, however, for providing an accommodation letter and reasonable notice that he/she is requesting accommodations. Professors will receive a list of approved accommodations via the Accommodation Letter process. If the instructors have any concerns about an approved accommodation, they should contact the Director of Testing and Disability Services immediately. As needed, Disability Services will negotiate specific academic accommodations with instructors. Since federal regulations require such issues to be settled in a timely manner, professors should move quickly to make their concerns known. If the professor and the Director of Disability Services cannot reach an agreement concerning an accommodation, the Director of Disability Services will notify the Office of the Provost of the issue. The Office of the Provost will be responsible for resolving the matter.

Study Abroad

Students should speak with Disability staff regarding needs for the planned study abroad trip. Study Abroad faculty and staff should contact Disability Services with any questions or concerns and encourage students to start thinking about accommodation needs early.

Internships and Practicum Experiences

Students requiring accommodations for an internship or practicum placement should initiate requested accommodations as far in advance as possible based on their specific academic program requirements and deadlines. Students must participate actively throughout the process of identifying a placement agency and negotiating accommodations for internships and practicum. Students should initiate a

meeting with their academic department and Disability Services at least one semester prior to placement (or as soon as possible) during which information about internship expectations might be shared and planning for accommodations can begin.

Student and Faculty Communication

Instructors must include a statement in their syllabi to inform students about how to secure reasonable accommodations and to instruct students to notify the instructor if they are not able to access course content.

Requests for accommodations should be made in a timely manner and faculty may need at least five days' notice to ensure their ability to deliver accommodations. Students will determine if and when they will use their accommodations. Accommodations can be made at any time during the semester; however, accommodations will not be provided retroactively.

Faculty will be notified by an official *Accommodation Letter* either by the student or by Disability Services via email. When students are able to deliver the letters, they must pick them up and deliver them in a timely manner to the faculty member(s), otherwise letters will be emailed by Disability Services. Students must meet privately with their instructors at the start of each semester to discuss how their accommodations will be implemented for that specific class.

Provisional Accommodations During the Semester

The purpose of provisional accommodations is to avoid delaying accommodations for students while they pursue supporting documentation that will meet Board of Regents criteria. Provisional accommodations are provided when:

- The student has submitted information from a qualified treating professional that indicates that he/she has a disability, or
- The student has submitted official documentation of a history of receiving accommodations in an academic setting, and
- Interaction with the student and/or the documentation indicates that the disability impacts the student's access at Augusta University
- All accommodation determinations are made through interaction with the student and review of documentation

Provisional accommodations may include one or more of the following:

- Extended time (x1.5)
- Distraction-Reduced Testing Room
- Digital recording for note taking purposes

- Priority registration

Accommodations other than these four will go through a team review. The team will be determined by the Director of Disability Services or his/her designee.

Provisional accommodations are available to the student for one semester only. However, they may be extended when the student has taken the necessary steps to be evaluated, even though the evaluation has not been completed. This may occur when there is a waiting list for testing with the Regents Center for Learning Disorders or Georgia Vocational Rehabilitation Agency.

Appeals and Grievance Procedures

Student Appeals Related to Accommodations

A student should make every effort to work together with his/her faculty to implement accommodations determined and approved to be reasonable and appropriate. If questions or concerns arise due to conflicts between a student's documented needs and course requirements, the Director of Disability Services should be contacted, and an attempt should be made to resolve the concerns in a timely manner.

If a student disagrees with the accommodations granted by a disability services provider, the student may appeal to the Director of Testing and Disability Services. If the student is appealing a decision by the Director, then he/she may appeal to the Office of the Dean of Students. The appeal must be based on documentation that the respective disability limits full participation in the student's programs or activities, and it must include a rationale for the requested alternatives or additions.

Reasons for appeal may include one or more of the following:

- The approved accommodations do not provide adequate access based on the nature of the student's disability.
- Accommodations limit the student's full participation or accurate evaluation in a specific activity, service, program, or course of study.
- A particular course or requirement is not essential to the integrity of the program of instruction being pursued.

ADA Grievance Procedure Students who have a discrimination complaint or a concern about accommodations, should first attempt to resolve the conflict by contacting the Director of Testing and Disability Services.

The director will investigate the complaint and make reasonable efforts to resolve the matter. The investigation shall be informal but thorough, affording all persons an opportunity to submit evidence or other relevant information.

If efforts to resolve the complaint with the Director of Disability Services are unsuccessful, a written complaint may be submitted via email to the Office of the Dean of Students. The complaint should include the details of the situation, including the names of those involved and steps taken to remedy the situation. The Office of the Dean of Students will investigate the complaint, seek a resolution, and send a written decision of the outcome. For instances when the details of the complaint are more academic in nature, the Office of the Provost may be consulted prior to a resolution being provided.

An appeal of the decision made by the Associate Vice President & Dean of Students (except grades) may be submitted in writing to the Vice President for Enrollment and Student Affairs (VP). The VP will seek a resolution and send a written decision of the outcome. The VP may decide to convene a panel to assist with the decision. Use of this grievance procedure does not limit a student's pursuit of other remedies, including the right to pursue a complaint with the U.S. Department of Education, Office for Civil Rights.

REFERENCES & SUPPORTING DOCUMENTS

- U.S Department of Education, Office for Civil Rights, Protecting Students with Disabilities <https://www2.ed.gov/about/offices/list/ocr/504faq.html>
- U.S Dept. of Health and Human Services, Office for Civil Rights, Fact Sheet for Section 504 of the Rehabilitation Act <https://www.hhs.gov/sites/default/files/ocr/civilrights/resources/factsheets/504.pdf>

RELATED POLICIES

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APPROVED BY:

Executive Vice President for Academic Affairs and Provost, Augusta University

Date: 5/18/2022

President, Augusta University

Date: 5/18/2022