

UNIVERSITY OF DUBUQUE POLICY ON REASONABLE ACCOMMODATION FOR QUALIFIED STUDENTS WITH DISABILITIES

I. POLICY STATEMENT

The University of Dubuque encourages qualified students with disabilities to fully participate in the community of the University of Dubuque. All faculty, staff, and administrators will actively support qualified students with disabilities in all the University's educational programs, services, and activities. The University of Dubuque prohibits unlawful discrimination against qualified students with disabilities.

DEFINITIONS:

For the purpose of this policy, and in accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the Americans with Disabilities Amendments Act of 2008:

"qualified student with a disability" or **"qualified student"** means any student or applicant to U.D. (a) who has a physical or mental disability that substantially limits one or more major life activities, or has a record of such disability, or is regarded as having such a disability and (b) who meets the academic and technical standards requisite to admission to the University. Qualified students who pose a direct threat to the health or safety of others will not be allowed to participate in or benefit from services, benefits, privileges, advantages, or accommodations of the University. Conditions such as kleptomania, pyromania, and current users of illegal drugs and abusers of alcohol are excluded from the definition of an individual with a disability.

"physical impairment" means any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, speech organs, cardiovascular, reproductive, digestive, genitor-urinary. Conditions such as: visual or hearing impairments, paraplegia, quadriplegia, muscular dystrophy, multiple sclerosis, epilepsy, arthritis, etc., would be considered physical impairments.

"mental impairment" means any psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, brain damage, attention deficit disorder, and specific learning disabilities.

"major life activity" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

"readily achievable" means easily accomplishable and able to be carried out without much

difficulty or expense. In determining whether an accommodation is readily achievable, factors to be considered include

- A. the nature and cost of the accommodation needed;
- B. the overall financial resources of the University; the number of persons employed at the University; the effect on expenses and resources, or the impact otherwise of such accommodation on the operation of the University;
- C. the type of operation or operations of the University, including the composition, structure, and functions of the workforce, the geographic separateness, administrative or fiscal relationship of the facility or facilities in question to the University.

"direct threat" means that there is a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aides or services.

"licensing requirement" means a standard, requirement, policy or guideline of any kind or nature imposed, set, or recommended by an accrediting, licensing, or other regulatory body with jurisdiction over the University or any of its programs or activities or over graduates and includes any such bodies that certify, license or otherwise provide credentials to graduates of the University or any of its programs where the program is intended directly or incidentally to provide the academic preparation for any such license, certification or credential.

II. PHYSICAL ACCESSIBILITY

All campus buildings and facilities are to be accessible to the extent barrier removal is readily achievable. In situations where a particular service, course, lab, program, event, or activity may be scheduled in a location that is inaccessible to a qualified student with a disability, the event or service will be relocated to an accessible location so as not to deny access, unless relocation is not practicable or causes an undue burden. The qualified student with a disability is responsible for making accessibility needs known to the University far enough in advance to allow reasonable time for class or event relocation. Requests for accessible space should be made to the Disability Services Coordinator, who will then contact the Registrar's Office for classrooms, and the department head or event coordinator for other activities. Any questions or problems with accessible space may be directed to the Director of the Academic Success Center. The Physical Plant may be contacted for general accessibility information. Copies of all requests for accessible space should be forwarded to the Director of the Academic Success Center.

III. UNIVERSITY SERVICES AND ACTIVITIES

Any service or activity available to the general student population will also be made available to qualified students with disabilities if practicable, unless the availability of the service or activity causes an undue burden or will fundamentally alter the nature of the service or activity. Such availability includes, but is not limited to, the following kinds of services and activities: campus

housing, health services, insurance, academic, career and personal counseling, testing services, financial aid, scholarships, student employment, placement services, orientation, registration, library access, tutoring, recreation, intramurals, intercollegiate athletics, food services, student activity programs, student organizations, campus parking, commencement, choral and drama groups, and other cultural and social programs and activities.

An accommodation will be provided so long as the request does not cause an undue burden, does not pose a direct threat and is made by the qualified student in sufficient time for the accommodation(s) to be arranged within the given time constraints. While a request will be considered timely if received a minimum of twenty-one (21) calendar days prior to the scheduled event or service, earlier notification of the need for accommodations is preferred. If necessary, the University personnel responsible for the event or service will make the determination as to whether or not a request is timely and does not cause an undue burden. If a request is found not to be readily achievable, the decision can be appealed to the Vice President of Finance.

In the event that a qualified student's disability is not foreseeable, the qualified student with a disability will not be required to provide 21 days notice for request of an accommodation. In such an event the student is encouraged to contact the Disability Services Coordinator to discuss her/his needs as soon as possible.

1.0 RECRUITMENT AND ADMISSIONS

Qualified students with disabilities may not, unlawfully on the basis of a disability, be denied admission or be subjected to unlawful discrimination in admission or recruitment activities. Limitations may not be placed on the number or proportion of qualified students with disabilities who may be admitted to the University. Admission requirements that can be demonstrated as being essential to the integrity of the qualified student's pursuit of a University program of instruction or to any licensing requirement is not considered unlawful discrimination within the confines of this policy.

1.1 POST ADMISSION INQUIRIES

After a student has received notification of admittance to the University, the University may inquire into the existence of a disability requiring accommodation. Upon the student's voluntary disclosure of a disability requiring accommodation, additional information may be requested by the University as to the qualified student's need for specific accommodations. All information will be maintained and administered in accordance with the University's student records confidentiality policies.

2.0 ACADEMIC REQUIREMENTS

Academic schools, departments, and faculty are responsible for making modifications to academic requirements when needed to ensure that such requirements do not unlawfully discriminate or have the effect of unlawfully discriminating on the basis of disability. Academic requirements that can be demonstrated as essential to the integrity of the program of instruction

being pursued by qualified students with disabilities or to any licensing requirement will not be considered as unlawfully discriminatory within the confines of this policy.

2.1 TESTS AND EXAMINATIONS

Examinations, tests, and other methods of evaluating qualified students with disabilities will be conducted in a manner to ensure that the results of the evaluation represent the qualified student's achievement in the course rather than reflecting the qualified student's disability. Appropriate methods of alternative testing for qualified students with disabilities will be determined on an individual basis, taking into consideration the type and extent of the qualified student's disability, the nature of the course material, provided that the alternative method of testing must be practical and not cause an undue burden or fundamental alteration in the nature of the testing program objectives and outcomes. Testing formats that can be demonstrated as essential to the integrity of the program of instruction being pursued by such qualified student or to any licensing requirement will not be considered as unlawfully discriminatory within the confines of this policy. Alternative methods of testing may include, but are not limited to: additional time; use of a reader and/or scribe; alternative forms of the test such as large print, Braille, taped or oral versions; use of special equipment such as a computer or closed circuit magnifier; alternative test location; or any necessary combination of these alternatives. While it is necessary at times to have differences in specific requirements and in methods of evaluation, the overall level of academic challenge for qualified students with disabilities shall be equivalent to that for other students.

2.2 AUXILIARY AIDS

The University will provide qualified students with disabilities access to the appropriate auxiliary aids necessary to allow reasonable participation in the University's educational programs and activities unless it fundamentally alters the nature of the program or activity in a way that interferes with the integrity of the program of instruction being pursued by such qualified student or to any licensing requirement. Auxiliary aids include services, adaptive equipment, or other educational assistance that enables a qualified student with a disability to participate in or benefit from the educational process. Auxiliary aids may include, but are not limited to: readers; sign language interpreters; note takers; tutors; and special equipment. The Disability Services Coordinator will assist qualified undergraduate and graduate students in locating tutors and readers. The University does not provide personal attendant care. The Disability Services Coordinator will help identify service providers and special equipment on campus or in the community. Rules may not be imposed on a qualified students' use of auxiliary aids if the rule would have a limiting effect on the qualified students' participation in the educational process (e.g., prohibiting guide dogs, interpreters, tape recorders, or other necessary special equipment in the classroom).

In unusually difficult cases, the University may provide alternative methods by which the qualified student with a disability may effectively meet educational requirements. Any such alternatives must be practicable and not interfere with the integrity of the program or activity or any licensing requirement. Such alternative methods may include, but are not limited to the

following: course substitution, curricular modification and extended time to meet requirements. Such accommodations will be employed only when deemed necessary and only so long as the alternative method is non-discriminatory in nature, is not unduly limiting to the educational process of the qualified student with a disability, and is reasonable under all of the circumstances.

Qualified students requesting auxiliary aids are expected to provide the Disability Services Coordinator access to the medical, educational, psychological reports or other information as necessary to assess the need for auxiliary aids. The University reserves the right to disallow the use of auxiliary aids that are or are reasonably likely to be disruptive to the academic environment.

2.3 LIBRARY HOLDINGS

The holdings of campus libraries will be made accessible to all qualified students with disabilities. Library personnel will facilitate use of catalogs and indices, completion of library forms, photocopying, and locating and retrieving materials housed in inaccessible areas of the library. The Disability Services Coordinator will assist in locating readers, note takers, and library aides for those qualified students requiring these services. Qualified students who will require a significant level of library assistance throughout the semester are encouraged to contact the Library Director to discuss their needs.

IV. RESPONSIBILITY FOR IDENTIFICATION AND REQUEST FOR DISABILITY SERVICES

It is the responsibility of the qualified student with a disability to disclose information regarding the nature and extent of the disability to the Disability Services Coordinator when requesting accommodations. The Director will help the qualified student determine which University personnel, i.e., faculty advisor, teaching faculty, administrators, etc., should be aware of the disability in order to provide the accommodations that are necessary and appropriate. The University will assist the qualified student in identifying potential accommodations taking into consideration, among other matters, the qualified students' needs, preferences, and available resources. Although every appropriate effort will be made to provide qualified students with requested accommodations, the University does not guarantee that a qualified student will automatically receive his or her choice of accommodations and reserves the right to make the final decision on the accommodations to be provided.

The State of Iowa has developed documentation guidelines for individuals with disabilities. The guidelines provide criteria regarding qualified diagnosticians as well as a time line for the documentation process. The University of Dubuque typically applies those guidelines. A copy of those guidelines is available from the Academic Success Center.

It is the responsibility of the qualified student with a disability to regularly provide appropriate current medical documentation of the nature and extent of the disability and the need for specific

services or accommodations to the Disability Services Coordinator and to cover any costs associated with acquiring the appropriate medical documentation. If the University has reason to doubt the validity, accuracy or completeness of the medical documentation, the University may require, at its own expense, the re-examination of the qualified student and/or his/her documentation by a service provider designated or approved by the University.

The process for identification should begin with the qualified student registering with the Disability Services Coordinator where he or she will receive procedural information and assistance in arranging needed services and accommodations. Qualified students with disabilities are expected to follow standard office procedures for requesting and acquiring services relative to a disability. Standard office procedures will include

1. A meeting with the Disability Services Coordinator to review the students' medical documentation.
2. The Disability Services Coordinator will provide a Verification of Individualized Student Accommodations (VISA) form once the appropriate documentation has been provided.
3. The qualified student will provide the VISA form to the professor/instructor of a course in which they are requesting specific accommodations.
4. An instructor who has concerns regarding the provision or nature of the requested accommodations should address those concerns with the Disability Services Coordinator who will act as a liaison with the qualified student.
5. Requests for additional accommodations should be directed to the Director of the Academic Success Center.
6. It is the responsibility of the qualified student requesting an accommodation to follow up with a professor/instructor or other University department(s) to ensure the accommodation is provided in a timely manner.
7. Faculty members who are not familiar with specific disabilities or appropriate accommodations should contact the Disability Services Coordinator for clarification and assistance.
8. In the event a faculty member denies an accommodation, the qualified student may request a joint review of the decision by the Disability Services Coordinator and the office of the Vice President for Academic Affairs. Findings and recommendations will be forwarded to the President for a final decision.

**A copy of the Request for Accommodation form and response must be forwarded to the Disability Services Coordinator to be included in the qualified student's file.

V. COMPLAINT PROCESS

Students with disabilities have the right to have access and accommodation complaints addressed through a formal appeals procedure. Relief may be sought from decisions, actions, or conditions that are believed to be in violation of the law or this policy statement.

Any member of the student body who believes s/he has not been reasonably accommodated as required by law or this policy, or who believes s/he has been unlawfully discriminated against on the basis of a disability, may initiate informal or formal actions for complaint resolution as outlined in The University of Dubuque's Harassment Policy. These procedures are published in the Student Handbook or may be obtained from Student Life.

The University of Dubuque Disability Services Coordinator can be contacted at the following address:

**University of Dubuque
Disability Services Coordinator
Megan Ruiz
2000 University Avenue
Dubuque, IA 52001
(563) 589-3757 * Fax (563) 589-3722
MKRuiz@dbq.edu**