

Policies of the University of North Texas	Chapter 16
16.001 Disability Accommodation for Students and Academic Units	Equity and Diversity

Policy Statement. In accordance with university policies and state and federal regulations, the university is committed to full academic access for all qualified students, including those with disabilities. To this end, all academic units are willing to make reasonable and appropriate adjustments to the classroom environment and the teaching, testing, or learning methodologies in order to facilitate equality of educational access for persons with disabilities.

Application of Policy.
All Faculty and Students

Definitions.
None

Procedures and Responsibilities.

I. Position Statement.

In accordance with university policies and state and federal regulations, the university is committed to full academic access for all qualified students, including those with disabilities. To this end, all academic units are willing to make reasonable and appropriate adjustments to the classroom environment and the teaching, testing, or learning methodologies in order to facilitate equality of educational access for persons with disabilities. While the integrity of academic standards must be upheld, the emphasis is on attainment of essential competencies in a subject or discipline. Pursuant to the requirements of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), adjustments that will be made for students with disabilities covered by the ADA (qualified students) include the following:

- A. With the exception of specific programs and requirements as defined below, no one may be excluded from any course or course of study based on a disability. Academic degree or course requirements may be modified in certain instances to ensure full participation by students with disabilities; however, academic criteria and/or certain accrediting agencies define essential competencies that must be progressively developed and integrated throughout degree programs in specific disciplines. Assessment of these competencies is a regular and normal part of accredited degree programs throughout the United States. While alternative competencies may be provided for certain disciplines, competencies essential to accredited programs or specific skill requirements necessary for an essential academic and/or career function cannot be waived. To do so would negate the validity of the specific degree or accredited program or endanger the

accreditation for the academic program and the resulting degrees issued to all graduates in the department.

- B. Classes scheduled in classrooms inaccessible to students with mobility impairments as defined by the ADA will be rescheduled in accessible facilities.
- C. Alternate methods of testing and evaluation will be made available in all courses offered by the institution for qualified students with requirements for such alternate methods.
- D. Auxiliary aids will be made available by the institution for qualified students with sensory, manual, or speaking impairments.
- E. Modification of degree requirements may be considered in instances where the department or professor has provided reasonable accommodations in required courses and the qualified student has demonstrated a good faith effort to pass these courses. (See section III below for procedures.)
- F. Certain campus rules and regulations may be waived if they limit the participation of qualified students with disabilities.
- G. Each academic unit (e.g. department or college) will designate a disabilities accommodation liaison whose responsibility it will be to become familiar with campus facilities utilized by the unit for instructional purposes, degree program and course requirements, and specifics of the Rehabilitation Act of 1973 and the Americans with Disabilities Act and will serve as an intermediary between qualified students requesting accommodation, the faculty, and the Office of Disability Accommodation (ODA).

II. Procedures for Requesting Special Accommodation.

A student who encounters access problems in a campus instructional facility or who wishes to request special accommodation in a course because of a disability (i.e., alternative teaching, testing or learning methodology) should follow the procedures listed below:

- A. Students must be registered with the ODA and receive a Special Accommodation Request form to present to their instructors or academic unit liaison. This form will contain information relative to the reasonable accommodations of the student and will assure the instructor or liaison that proof of disability is on file with the ODA. Students who do not present such a form can be referred to the ODA for assistance in completing the Special Accommodation Request. The ODA collects proof of disability and recommended compensation techniques from the licensed or certified professional making the diagnosis of disability. Students who have disabilities which are covered by the ADA and who have been properly

registered with the ODA are called "qualified students" for purposes of this policy.

- B. Within the first week of class, qualified students must notify the instructor or academic unit liaison for disability accommodation that options to standard methods of educational access will be needed.
- C. The qualified student should confer with the instructor to reach mutual agreement on how accommodation is to be achieved and to discuss the challenges of the course, teaching methods, learning techniques, testing methodologies, special equipment needs, access challenges, etc.

III. Procedures for Requesting Modification of a Degree Requirement.

- A. All requests for modification of a degree requirement must be initiated in the office of the dean of the college or school in which the qualified student is enrolled. The dean has sole authority to make decisions for modifying college degree requirements, but no modifications that would compromise the integrity of the degree will be granted. Modifications of certification requirements cannot be considered by UNT and should be directed to the applicable agency.
- B. To be eligible for consideration for degree requirement modifications, the qualified student must have a permanent disability, as defined by the Americans with Disabilities Act; be registered with the ODA; and be a qualified applicant for the degree in question, i.e., able to meet essential competencies with or without accommodations or academic adjustments.
- C. To initiate a request to modify a degree requirement, a qualified student must file early in his/her degree program with the appropriate academic dean or through a designated advisor or other staff member. A copy of the ODA documentation stating the exact nature (medical, psychological, educational, as appropriate) of the disability and the specific limitations the disability imposes upon the qualified student should be provided at the time of the request for a modification. The review of a request for degree modification may take considerable time and, therefore, may cause a delay in graduation if filed near the completion of the degree. The academic advisor or designated staff member will review and discuss the following:
 - 1. previous academic history,
 - 2. character and nature of alternative solutions student has pursued,
 - 3. proof of a good faith effort to meet the standards in required courses,
 - 4. referral for documentation of disability.

- D. In rendering a decision, the dean will review the application and all pertinent information from the advisor and the qualified student. The dean may refer the case to a college/school review committee for a recommendation or may consult with instructors, advisors, department chairs and other professionals in reaching a decision. If modification of a degree requirement is approved, the dean should report the decision to the Provost's Office so that such instances can be tracked, consistency insured, and an information bank established which other deans may consult. In the case of state mandated requirements, the dean will make a recommendation to the Provost. The academic dean will inform the student in writing of the decision and make referrals of the student for any further assistance the student might need to complete degree requirements. All qualified students with disabilities will be strongly urged to use departmental services for academic assistance and especially the services of the ODA in completing degree requirements.

IV. Method by Which Academic Units will Respond to Requests.

- A. Upon receipt of a request for accommodation, the instructor will:
1. Acknowledge receipt of the request, either verbally or in writing;
 2. Discuss ramifications and feasibility of the request and/or alternative methods of meeting the request with the qualified student;
 3. Consult with the liaison or appropriate personnel of the ODA for any needed assistance.
- B. The liaison for the academic unit may coordinate reasonable accommodations. This person may field questions or problems for the academic unit and work directly with the ODA on problems. If the student's request can be met, the liaison can provide the student with information in writing as to how the accommodation is to be handled and, if applicable, a general timetable. It is considered important that a statement of agreement be signed by the qualified student and the department liaison reflecting their understanding of the particulars.

V. Method by Which Department will Handle Denial of Requests.

- A. Before a request is denied, the instructor will consult with the administrator of the academic unit, liaison, or the ODA and review with this individual the following (ODA personnel are available to help with any of the following except 2.):
1. Details of disability, including scope of the disability and the capabilities retained by the individual;
 2. The essential competencies required by the course or specific requirement;

3. Possible alternative means of meeting the needs;
 4. Legal implications and/or policy implications of denying the request. Some input may be required from the Office of Equal Opportunity or the university General Counsel.
- B. On the basis of the information provided by the student and the essential competencies required by the course, the instructor and the liaison will determine the appropriateness of the student's request and the academic unit's ability to meet the request.
- C. If the conclusion is that the request must be denied, the department should provide the student with written justification in accordance with the following explanations:
1. No barrier to the achievement of essential competencies in the course exists. The student will be subject to the same learning and testing environment required of all other students in the course.
 2. The reported disability has not been certified as permanent. Temporary disabilities are not afforded the same consideration for accommodations that is provided under federal law for permanent disabilities. Therefore, extended time for completion of in-class work, to be set under advisement of the attending physician or other appropriate professional is the only accommodation which will be granted. The student is directed to consider dropping the course (or taking an I in the course) and completing it during a subsequent semester when the disabling condition may be improved or continue the course without an accommodation.
 3. The reported permanent disability affects the student in such a way as to render the individual incapable of successfully attaining the essential competencies required by the course. Thus, the student does not meet definition as "qualified" under Section 84.3(k) of the Rehabilitation Act of 1973.
 4. No alternative means of achieving essential competencies for the course which are compatible with the student's disability can be found that would not nullify the validity of a degree requiring a specific skill, licensing, certification, or accreditation standards. The request must be denied.
 5. The student's request for alternative accommodation is unreasonable or unwarranted on the basis of existing disability documentation for the following reasons: (explain reasons).
 6. Other acceptable justification exists for denying the request.

- D. The liaison will provide a copy of the denial and all pertinent documents to the academic dean or the dean's designee and the ODA for file purposes.

VI. Method of Appeal.

- A. In cases where a student is requesting substitution for a specific requirement or competency, or in the event the academic unit must deny the request for special accommodations, the student may file a petition with the academic dean or the dean's designee for formal review of his/her request. The request for review must include:
1. A copy of the ODA documentation stating the exact nature (medical, psychological, educational, as appropriate) of the disability and the specific limitations the disability imposes upon the student.
 2. A date of examination for such certification that must be within a time span appropriate for judgment of the student's current abilities/disabilities (usually within the past three years).
 3. A copy of the requested accommodation presented to the instructor/department.
 4. A summary of the student's efforts to date to complete the course/requirement.
 5. A copy of the denial of request from the department.
- B. For purposes of handling an appeal by a student who has been denied accommodation, or faculty or staff who find fault with an action or decision relating to accommodation or to ADA policy, or to a request by a student to waive a requirement or competency, the dean or the dean's designee may choose to:
1. Conduct an administrative review of the petition including conferring with the individuals involved and attempting to negotiate a resolution satisfactory to all parties; or
 2. Appoint an *ad hoc* review committee composed of persons knowledgeable in the specific issues involved. Membership of the review committee will include at a minimum
 - a. a faculty member from the academic unit competent to interpret specific essential competencies or other applicable academically-related issues,

- b. a faculty member from outside the academic unit serving as chair of the committee,
 - c. a representative from the academic dean's office,
 - d. as deemed appropriate, a representative from the Office of Equal Opportunity and/or the ODA or an individual competent to address the definition and scope of the disability (e.g. the Center for Rehabilitation Studies).
- C. Normally within 10 days of its appointment, the ad hoc committee will consider the request by the student or a grievance relating to ADA policy filed by a member of the faculty or staff.

If a Student Grievance:

1. Review the student's request, taking into consideration the scope of the disability and the capabilities retained by the individual;
2. Determine the appropriateness of the student's request on the basis of the information provided and the essential competencies required by the specific curriculum.

If a Faculty or Staff Grievance:

1. Review the faculty or staff member's grievance and its appropriateness to the scope of the student's disability.

If Either a Student or Faculty/Staff Grievance:

1. Approve or deny the request by the student, render a decision on the grievance of a faculty or staff member, or suggest alternative accommodations acceptable to all parties or in conjunction with required competencies of the discipline;
2. Forward the judgment to the appropriate dean or the dean's designee for review and implementation;
3. Forward a copy of the judgment to all parties, offering any of them the opportunity to appeal the decision in writing to the dean of the appropriate college within seven days of the rendering of a decision.

- D. Categories of conclusions reached by the *ad hoc* committee will typically include the following:

1. No barrier to learning, performance, or the achievement of essential competencies exists. The student will be subject to the learning and testing environment required of all other students in the course or discipline.
2. The reported disability has not been certified as permanent. Temporary disabilities are not afforded the same consideration for accommodation and/or waivers that is provided under federal law for permanent disabilities. The student will be subject to the learning and testing environment required of all students in the course or program specialty.
3. The reported disability has been certified as irreversible, and specific modifications in the learning and testing environment are suggested to ensure full participation by the student or to permit the student to achieve the minimum standard of essential competency required of other students in the course or program specialty.
4. The reported disability has been certified as irreversible. Specified modifications in the learning and testing environment may be recommended by the faculty of the discipline that will permit the student to achieve alternative competencies, or no modifications are required to meet specific competencies.
5. The disability has been certified as irreversible, and its nature is such that achieving required competencies in the standard form is not possible for the student. No alternative means of achieving the required competencies were found to be feasible with the student's range of abilities. The requirement is, therefore,
 - a. waived, and the hours will be substituted with course work specified by the dean of the college or the dean's designee, or
 - b. since the competency is essential to the core curriculum or program requirements, is required by a certifying or accrediting agency, or is a required skill of a professional in the specified field, the student cannot meet the competency and is not qualified for candidacy in the program specialty.

VII. Ineligibility.

Students who do not have a disability within the definition of the ADA are not entitled to reasonable accommodation, and are not eligible to receive counseling or other assistance from the University Office of Disability Accommodation (ODA). The ODA shall not issue any communications, directions or suggestions to faculty, staff or administrators regarding students who have not been certified as ADA-eligible.

Students who are not ADA-eligible but still have a problem affecting their academic performance (including temporary illness) may seek help from the Academic Dean of their School or College or from the Office of the Dean of Students. These officials will respond to all such requests in accordance with established academic policies.

Responsible Party: Vice President Student Development

References and Cross-references.

None

Approved: 5/1/1996

Effective:

Revised: 8/98; 12/04

*5/11 format only