

Policy Manual

Services for Students with Disabilities

John Carroll University

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ABOUT THIS MANUAL:

This policy manual is designed to describe the major services provided students with disabilities, but it is not an all inclusive document. When changes are made to this document and distributed, pages may be removed and replaced with pages with more current or accurate information.

This document is available on the World Wide Web:
<http://www.jcu.edu/campuslife/disabilities>

I. OVERVIEW, MISSION STATEMENT, and PURPOSE

Overview

JCU is committed to providing educational opportunities to qualified individuals with disabilities. It is University policy that such persons not be excluded from participation in any University program or activity because of their disability. The integration of students with disabilities into the mainstream of university life requires the cooperative efforts of each academic college and administrative office, as well as all campus personnel.

The foregoing commitment of the University rests upon legal foundations established by federal law, specifically the Rehabilitation Act of 1973, including Section 504, and the Americans with Disabilities Act of 1990 (ADA). Under these federal laws, qualified persons with a disability are protected from discrimination by the University in the administration of its services, programs, and activities. A qualified person with a disability is any individual who has a physical or mental impairment that substantially limits one or more major life activities, such as self-care, walking, seeing, hearing, speaking, breathing, or learning. The category of protected persons under these laws also includes anyone who has a record of such impairment or is regarded as having such impairment

Services for Students with Disabilities (SSD) is the office at JCU that has the responsibility of providing assistance to protected persons under these federal laws to facilitate their right of access to educational opportunities and services. SSD does this by collaborating and working with students, faculty, and staff.

Mission Statement

Services for Students with Disabilities is committed to helping assure that equal educational opportunities are available at JCU for all qualified students with disabilities. Our goal is to help develop the full potential of the student while encouraging them to develop the necessary skills to become an effective self-advocate and productive, contributing member of the student body.

Purpose

The SSD staff works to coordinate and arrange support services for students with disabilities. Among the most important kind of such support is, where necessary or appropriate, the furnishing of accommodations to a student. Accommodations are academic adaptations that provide students who have disabilities an opportunity to succeed. They ensure students who have disabilities accommodations and can include the following: physical access to facilities (*e.g.*, wheelchair accessibility), modifying a part of an academic program or activity (*e.g.*, providing extended time for a test or an alternative, quieter testing location), the furnishing of services or auxiliary aids (*e.g.*, a note taker, tape recording of lectures), etc. These adjustment or accommodations are designed to assist the student in using his/her academic skills to overcome deficits created by the disability.

II. CONTACT INFORMATION AND PROCEDURES

Services for Students with Disabilities at JCU may be accessed by phone at 216-397-4967 or by coming to the office in Room A7 in the Administration Building.

New students with disabilities can register with SSD by completing and returning a SSD application packet. Packets may be picked up at the SSD office or accessed on the web (www.jcu.edu/campuslife/disabilities). When SSD receives the completed application from a student, including appropriate documentation regarding the disability, the student will be contacted for an initial interview with the SSD director and eligibility for services will be investigated.

Current Students who are experiencing academic difficulty may contact SSD to discuss options that include referrals to on campus tutoring or a referral for testing to evaluate the possibility of a learning disability. Learning styles inventories, study tools assessments and other academic counseling is also available through the disability support office.

Students with disabilities should report any physical or academic accessibility problems to SSD.

III. DESCRIPTION OF SERVICES

A. Types of Services

The Services for Students with Disabilities office at JCU coordinates all services for students with disabilities. The services include, but are not limited to the following:

Testing Consultation/Referral – Students who think they have a Learning Disability but have never been tested may meet with the SSD Director to consult about appropriate testing. Alternative causes will be discussed such as training in study skills, organizational skills, or personal counseling with the ultimate goal of improving academic performance. SSD does NOT provide testing but can provide an appropriate local referral.

Information on Documentation Guidelines – SSD staff will provide students with documentation guidelines and will clarify questions related to these guidelines.

Intake/Needs Assessment – During the initial intake with SSD a student's documentation will be used to determine eligibility for services and to identify additional needs (e.g. personal counseling, tutoring, study skills, etc.) Referrals will be given for needed services that are outside the scope of this office.

Advocacy – SSD acts as an advocate for students with disabilities by educating members of the John Carroll community, mediating disputes, and empowering students to become self-advocates.

Adaptive Technology – Various kinds of equipment (e.g. JAWS, Braille printer, etc) designed to accommodate students with disabilities are available to students at the SSD office and the JCU Grasselli Library.

Reasonable Accommodations – Based on the student's disability documentation, reasonable accommodations will be identified then offered. In addition, SSD will help implement all or some of those accommodations. The amount and type of accommodation will depend on the nature of the disability, the needs of the individual student, the cost and feasibility of the accommodation, and the requirements and restrictions of the academic program, and the specificity of the documentation. Accommodations that undermine the legitimate academic requirements and integrity of an instructional program are beyond the mandate of the law and will not be provided.

Tutoring – Content area tutoring is not provided by the SSD office and is not considered an accommodation. However, several offices on campus provide this service and SSD will assist with identifying such offices for the student, where appropriate.

Test Proctoring – SSD provides test proctoring services for faculty members who cannot provide extra time, test isolation, or other accommodations needed for testing. The SSD Director will provide the faculty member a Letter of Accommodation (**LOA**) for each student eligible for test proctoring and will, in addition, provide a letter explaining SSD procedures (see Forms section for a sample letter). All valid LOAs will bear a raised SSD seal.

B. Levels of Service

Students who have been or are being served by SSD fall into one of the following three categories:

Active – This category includes all students who have completed documentation requirements and are currently receiving academic accommodations.

Incomplete – This category includes students who are in the process of gathering documentation, who are having their documentation reviewed, or who have submitted an incomplete application.

Inactive – This category includes students who are not currently enrolled at JCU or who are no longer using SSD services.

C. Student Files

Student files contain documentation received, notes about meetings with students, and any other pertinent written information relevant to the student. Files are kept in a storage cabinet, locked behind two office doors at night. All student files are covered under FERPA privacy regulations

D. Statement of Confidentiality

Confidentiality of information is an important component of Services for Students with Disabilities (SSD). Information provided to SSD is considered part of your educational record and is covered under The Federal Family Education Rights and Privacy Act (FERPA). Students receive an update about FERPA each year via mail, copies of this policy document are also available from the registrar. Information provided to this office will be used to establish ADA/504 eligibility and to develop appropriate accommodations for a given disability.

Once any papers are received SSD will create a paper file. SSD owns and maintains these files in secure storage for up to five years after the last year in which the student was enrolled with SSD. After that time, SSD destroys the physical file and all its contents.

At times it is necessary to speak with professors and other University personnel regarding a SSD registered student. University officials who have a legitimate educational interest in a student's disability status have access to FERPA protected records.

Information may also be released **without prior consent** to appropriate off campus individuals in accordance with legal and ethical standards, such as behavior which endangers the safety of self or others, child or elder abuse, or upon an official court order. Appropriate information may also be disclosed in the event of a medical emergency. On occasion, third parties such as courts of law, civil rights investigators, etc. may legally order SSD to release information with or without a signed authorization from the student.

IV. PROCEDURES FOR RECEIVING SERVICES

A. Eligibility

In order to be eligible for disability-related services from SSD, a student must satisfy the following conditions:

- 1) Be admitted to and currently enrolled for classes at JCU**
- 2) Provide SSD with qualifying documentation of a disability**

B. Overview of Procedures

1. Students New to SSD:

- a. Students will complete an application for SSD services and provide the office with appropriate documentation regarding disability.
- b. SSD will need to review documentation from the student's physician or therapist in order to determine whether he/she is eligible for services.
- c. Once SSD has the student's application and disability documentation, it will be reviewed by the SSD Director.
- d. The Director will determine which, if any, accommodations may be made and will contact the student to schedule an appointment.
- e. The Director will meet with the student and do the following:
 - Give out informational materials
 - Discuss accommodation options
 - Discuss student rights and responsibilities
 - Explain the accommodations and proctoring process
- f. The student is considered registered with SSD when intake paperwork has been completed, documentation of disability has been received, and a meeting with the director has taken place.

2. Students Already Registered with SSD:

Registered students may request LOA's for each new semester. A review of a student's documentation is done yearly and at times adjustments or updated documentation may be necessary. SSD continues to act in a support manner with existing students through outreach, advising, and academic support. Information about the LOA is set forth below.

- a. The student must apply for and be accepted for SSD services.
- b. ***Before the beginning of each semester***, the student must complete a "Letters of Accommodation Request Form" and submit it to the SSD office.
- c. The SSD office will complete an LOA for each student and send it to them as a locked PDF document via e-mail.
- d. The student must deliver a copy of the letter to each professor. Students are encouraged to make an appointment to discuss their needs and deliver their LOAs before the first class meeting.
- e. One copy of the current term's LOA is kept in the student's confidential file, with a list of classes for which a letter was written.

C. Review of Documentation /Outside Evaluations

Students requesting accommodations from disability services must provide the SSD office with a copy of their physical, medical, psychological, and/or psycho-educational evaluation. The SSD Director will review the documentation for adherence to SSD criteria. After the documentation has been received and reviewed, the student will be contacted to schedule an appointment with the SSD Director.

A student may appeal a decision of the SSD Director by following the process outlined in the Grievance Procedures section set out below in this manual.

D. Documentation Requirements

The SSD office at JCU is committed to assisting students with a “disability,” that is a physical or mental impairment that substantially limits a major life activity needed to function as a student in a higher education environment. It does this by helping coordinate and arrange reasonable academic accommodations.

Disabilities may fall into one or more of the following categories: a physical disability (*e.g.*, limitations to mobility); a sensory impairment (*e.g.*, visual impairments); a chronic illness (*e.g.*, asthma); a medical condition that may cause pain or other symptoms affecting a student’s ability to function in an academic environment (*e.g.*, side effects of treatment); a psychological disability (*e.g.* bi-polar disorder, ADHD); or a learning disability (*e.g.* Reading or Mathematics disorder).

To ensure the provision of reasonable and appropriate accommodations for such students, the SSD office requires comprehensive documentation of the disorder or impairment from a licensed treatment/assessment professional or practitioner who is **legally** qualified to make the diagnosis.

The documentation must include the following:

- a. The professional’s name and signature, degree, license and certification information (including title and credentials),
- b. Place of employment
- c. Accommodation recommendations
- d. Contact information.

The documentation must also be “current,” reflecting an assessment that was made not more than **three** years earlier. Though these letters are to include the professional’s recommendations for accommodations, the determination of accommodations will be made by SSD. Accommodation recommendations by the practitioner are not automatically implemented but are given thoughtful consideration.

Generally, in addition to the information specified above, documentation requirements include:

1. The DSM IV/ICD9 diagnosis, the date of diagnosis, and the date of the professional's last contact with the student.
2. A description of symptoms, including the severity, duration, and expected long-term impact of the symptoms and/or condition.
3. A report of the evaluation and assessment results, with the diagnostic reports attached. For example, diagnosis of a Learning Disability must include testing for aptitude, achievement, and information processing, while a diagnosis of ADHD must include a clinical interview, educational and behavioral history, and relevant testing.
4. The prognosis for the condition.
5. Information about the student's current prescribed medication(s).
6. A description as to how the condition or disorder exhibits itself as a current substantial limitation to a major life activity in a higher education academic environment.
7. Recommendations for reasonable academic accommodations, including any record of student's prior accommodations.

See form "SSD Application for Disability Services, Student Packet" for full information on documentation requirements.

E. Letter of Accommodation

Once a student is registered, he/she is provided with a Letter of Accommodation (LOA), when appropriate. The LOA is used as a means of communication among the student, SSD, and the faculty. Applicable accommodations are listed on each LOA.

The process for use of the LOA is as follows:

1. The student must apply for and be accepted for SSD services.
2. ***Before the beginning of each semester***, the student must complete a "Letters of Accommodation Request Form" and submit it to the SSD office.
3. The SSD office will complete a LOA for each class requested and will leave the document(s) at the front desk for the student to pick up. At times a meeting with the director may be requested to facilitate accommodations or discuss academic concerns.
4. The student must deliver the LOA to their instructors. SSD highly recommends students contact their instructor **BEFORE** the start of the semester to discuss their individual needs.
5. One copy of the current term's LOA(s) is kept in the student's file, with a list of which classes for which a letter was written

F. Note-takers

With appropriate documentation, students may qualify for note-taking assistance. If a student is eligible for a note-taker, the SSD Director will indicate this in the LOA. The Director will also attach a letter requesting that the faculty member help identify a student who is willing to provide this service. It is the responsibility of the student with the disability to notify SSD if no note-taker is identified. SSD will intervene only after the instructor has solicited a volunteer.

G. Test Proctoring

SSD provides test proctoring services for faculty members who cannot provide extra time, test isolation, or other accommodations needed in testing. In these cases SSD will provide a letter explaining test proctoring procedures (see Forms section for a full copy).

General procedures include the following:

1. The student and professor will discuss when an examination must be completed (*i.e.*, it must be taken the same day as the class, before the next class session, etc.)
2. The student will come to the SSD office to sign up for a testing time.
3. Students must schedule their tests at least **1 week prior** to the time the test is to be taken, so that SSD can make arrangements.
4. Testing time must occur during office hours (between 8:30 am – 5 pm). No tests will be scheduled after 3:00 PM on these days.
5. Faculty members must have a copy of the test and the Exam Administration Form hand delivered to SSD **at least 24 hours prior** to the time the examination is to be taken. SSD must receive both of these documents for each test given.
6. The faculty member is to determine what materials (aside from any accommodation materials) the student will be allowed to have with him/her while taking the test.
7. Tests will be delivered the faculty member's department mailbox unless he/she chooses to pick the exam up in the SSD office.
8. If a student fails to come to SSD for proctoring, the examination will be returned to the faculty member. Appointments will not be rescheduled under these circumstances.
9. If a student is late for an examination, he/she will be allowed to work on the test until the scheduled end of the exam. For example, if a student is supposed to have two hours to complete a test that starts at 1:00 pm, SSD will allow the student until 3:00 pm to finish the examination, regardless of what time the student arrives.

H. Adaptive Technology

SSD maintains a list of adaptive equipment available for loan through the SSD office or at other locations on campus. SSD will assist the student by making adaptive technology available, as appropriate. Types of adaptive technology includes:

1. Word processing for students with physical or writing disabilities
2. Tape recorders
3. Amplification systems for hearing impairments
4. Documents in Braille
5. Resources for books on tape (we do not supply these directly)

V. DISPUTE RESOLUTION PROCEDURES

A Administrative Grievance

A student who has a complaint about SSD services may utilize the “Grievance Procedures” set forth in the Student Handbook. To follow those procedures, the student should first initiate a discussion with the SSD Director about the complaint unless it directly involves the director. In those cases the student can initiate contact Dr. Mindy Peden Ph.D., Associate Dean for Student Services and Academic Advising, at mpeden@jcu.edu.

B. Discrimination Grievance

At any time, a student’s administrative grievance about SSD services may be considered either by the student or by the University to be a complaint of discrimination based on disability. In such an instance the matter shall be handled under the “Discrimination Grievance Procedure,” also set out in the Student Handbook.

Under that Procedure, a student’s discrimination complaint is to be brought initially to the Dean of the College of Arts and Sciences, the designated “receiving official” when the filing party is a student. However, these Procedures also recognize that a claim “regarding discrimination based on disability will ordinarily be referred to, and may be brought initially to, the SSD Director” and that attempts by the receiving official to resolve a complaint informally “shall involve, wherever possible, interaction and consultation by the receiving official with the SSD Director”(sections 4. and 5.c.(iii)).

In an attempt to resolve a student’s discrimination complaint concerning actions by a faculty member, it is usually appropriate for the SSD Director to discuss the allegation(s) with the faculty member and, on occasion, with the faculty member’s departmental chairperson. As specified in the Discrimination Grievance Procedure, resolution by informal means and voluntary agreement among all the parties at this stage is to be pursued.

C. Faculty Input Regarding Accommodations

Because the primary responsibility for course content and the processes by which it is communicated to and received by students resides with the faculty, faculty members have an interest in the selection of any specific academic accommodations to be provided to their students. Faculty members will receive accommodation recommendations from the SSD Director in the SSD Letter of Accommodation, but they are invited to contact the SSD Director regarding any academic accommodations they may wish to contest. Faculty concerns about accommodations that may interfere or be inconsistent with legitimate academic requirements or the integrity of a course or instructional program are solicited. A faculty member should, however, make such concerns known as early as possible to permit a timely decision regarding accommodations.

If a faculty member and the SSD Director are not able to reach an agreement regarding an accommodation, the matter will be referred to Dr. Mindy Peden Ph.D., Associate Dean for Student Services and Academic Advising. The Director shall, with the assistance of the departmental chair, work to resolve the disagreement.

If no resolution is reached it shall be the responsibility of the Dean of the College of Arts and Sciences to resolve the matter.

VI. STUDENT CONDUCT

A student with a disability is fully subject to the conduct standards and requirements of the JCU Code of Student Conduct (see Student Handbook for details). Any behavior that violates the Code of Student Conduct is subject to sanction pursuant to the procedures set forth in the Code.

A variety of sanctions may be imposed, up to and including dismissal from the University. Misconduct alleged to be a consequence of a disability is **not** protected by the Americans with Disabilities Act.

SECTION B

FORMS

- I. DOCUMENTATION REQUIREMENTS FOR DISABILITY SERVICES
 - A. PHYSICAL, SENSORY OR HEALTH-RELATED
 - B. PSYCHOLOGICAL DISABILITIES
 - C. LEARNING DISABILITIES
 - D. ATTENTION DEFICIT HYPERACTIVITY DISORDER
- II. APPLICATION FOR DISABILITY SERVICES
- III. LETTERS OF ACCOMMODATION REQUEST FORM
- IV. EXAM ADMINISTRATION PROCEDURES AND FORMS
- V. REQUEST FOR NOTE-TAKER