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Policy Name

1.1060 Accommodations Under the ADA

Purpose and Scope

This policy acknowledges that Alvernia University ("AU") adheres to federal laws and regulations under the Americans with Disability Act and identifies related procedures.

The Office of Accessibility Services offers accommodations for students with chronic illness, temporary medical conditions/sports injury, pregnancy/nursing or a disability.

Alvernia University understands and follows the Americans with Disabilities Act (ADA) and all other federal, state and local regulations regarding chronic medical and disability-related conditions. Anyone covered by the ADA who has specific needs will receive reasonable accommodations. [Alvernia follows Title IX](#) and will provide accommodations as requested by a physician for students who are pregnant or nursing.

Responsibilities

Title or Role	Definition and What They are Responsible For
Student	At the college level, responsibility for facilitating any accommodations rests with the student, who must provide the appropriate documentation outlining a diagnosis and request for accommodations. Your IEP from high school does not follow you.
Office of Accessibility Services	Approves or denies accommodations.
Senior Vice President of Academic Affairs and Provost	Maintains and enforces this policy. Receives exceptions to the policy.
Senior Leadership Team	Serves as final approval for policy and assists with reviewing exceptions to the policy.

Policy

Alvernia adheres to federal laws and regulations under the Americans with Disability Act and uses the procedures defined below to provide such accommodations to students.

NOTICE OF NON-DISCRIMINATION

In compliance with the Americans with Disabilities Act (ADA) of 1990, as amended, Alvernia University does not discriminate against students or employees with disabilities. Efforts are made to arrange reasonable accommodations for all qualified persons. Alvernia University is not only committed to the legal requirements of the ADA, but also to the ethical and moral responsibility to treat all members of the campus community with fairness, dignity, and respect.

ADA DEFINITIONS

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as amended, prohibits discrimination against persons with disabilities.

Under these laws, a person with a disability is defined as: 1) having physical or mental impairment that substantially limits one or more major life activities, 2) having a record of such an impairment, or 3) regarded as having such an impairment.

Physical impairment is any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the body's systems: neurological, musculoskeletal, sensory organs, respiratory, cardiovascular, digestive, reproductive, genitourinary, hemic and lymphatic, skin, and endocrine.

Mental impairment is any mental or psychological disorder such as mental illness, organic brain syndrome, intellectual Accessibility, or specific learning Accessibility.

Substantially limits is defined as an inability to perform or being significantly limited in ability to perform a major life activity when compared to the average person in the general population.

Major life activities are functions such as caring for one's self, seeing, hearing, speaking, breathing, learning, working, and participating in community activities.

Examples of common disabling conditions include a number of learning disabilities, psychological disorders, blindness and low vision, deaf or hard of hearing, traumatic brain injury and mobility limitations, and attention disorders. These conditions must substantially limit one or more major life activities. Temporary, non-chronic impairments that do not last for a long time and that have little or no long-term impact usually are not disabilities. Such as broken limbs, sprained joints, concussions, appendicitis, influenza and common colds. However, if an individual had a temporary impairment that did not heal properly and resulted in a permanent impairment that substantially restricted the use of a limb, the individual would be considered to have a disability. OAS reserves the right to require updated or additional documentation, should such be warranted. Furthermore, documentation of a disability may not in and of itself always be construed as having a need for accommodations.

Temporary impairments need to be evaluated by the Director of Health Services and may be given temporary accommodations to be carried out by Accessibility Services until released from medical supervision.

CONFIDENTIALITY AND RELEASE OF INFORMATION

Accessibility Services respects the confidential nature of student records and personally identifiable disability-related information. Letters of Accommodation for instructors, therefore, do not disclose the specific nature of a student's disability. Instead, the letters explain that the student has provided documentation of a disability and lists the approved accommodations for that student. On a legitimate, need-to-know basis, Accessibility Services may at times discuss the impact of the disability and the accommodations required with appropriate individuals on campus. Documentation provided to Accessibility Services by the student will not be released to any person or agency unless the student provides written permission by signing a Release of Information Form, or unless there is a court order.

Procedure

REGISTERING WITH ACCESSIBILITY SERVICES

To receive formal accommodations and services at Alvernia University, students must first register with Accessibility Services. The following are the steps for all campus accommodations:

Step 1: Be accepted to Alvernia University and commit to attend.

Step 2: Complete the application for accommodations and Release of Information form available on the Student Health Portal. Incomplete forms will delay your request.

Step 3: Submit appropriate documentation to Accessibility Services by uploading the document(s) with your application. Please allow **at least two** weeks for us to review your materials.

Step 4: Meet with the Accessibility Services Director, who will contact you to schedule an appointment, to discuss your accommodation plan.

REGISTRATION FOR RESIDENTIAL ACCOMMODATIONS

Step 1: Be accepted to Alvernia University and commit to attend. You will be emailed the Alvernia Housing Application once your commitment fee is processed.

Step 2: Complete the Alvernia Housing Application.

Step 3: Complete the application for accommodations and Release of Information form available on the Student Health Portal. Incomplete forms will delay your request.

Step 4: Submit appropriate documentation to Accessibility Services by uploading the document (s) with your application. Please allow **at least two** weeks for us to review your materials.

Step 5: Meet with the Accessibility Services Director, who will contact you to schedule an appointment, to discuss your accommodation plan.

Temporary impairments/Sports Injuries need to be evaluated by the Director of Health Services or the Athletic Trainer. Based on provided information, temporary accommodations will be disseminated by Accessibility Services until released from medical supervision.

DOCUMENTATION GUIDELINES

- Students wishing to receive accommodations must:
 - Submit an application for accommodation on the Health Portal
 - Complete a Release of Information Form on the Health Portal
 - Provide official documentation of disability or medical condition.
 - Provide this documentation as prepared by a licensed professional (who is not related to the student) on official letterhead, dated and signed.

HOUSING ACCOMMODATIONS

An emotional support animal (ESA) is a [companion animal](#) which provides therapeutic benefit, such as alleviating or mitigating some symptoms of a disability, to an individual with a [mental or psychiatric disability](#). Emotional support animals are typically dogs and cats, but may include other animals. If the requested animal is not one commonly kept in households (such as a dog, cat, rabbit, hamster, gerbil, other rodent, fish, turtle, or other small, domesticated animal), a person with a disability must provide additional documentation of the need for such a “unique animal.”

In order to be prescribed an emotional support animal by a physician or other medical professional, the person seeking such an animal must have a verifiable disability. To be afforded protection under United States [federal law](#), a person must meet the federal definition of disability and must have a note from a physician or other medical professional stating that the person has that disability and that the emotional support animal provides a benefit for the individual with the disability. The animal must have resided with the student in their home environment prior to the request to bring the ESA to campus. Once documentation has been received by the OAS, the student will be given a paw to display on the door of their suite and room that is noting the animal is approved.

Requests for housing accommodations must be reasonable and are decided on a case-by-case basis. Documentation provided by a licensed professional must document that your long-term disability warrants these accommodations on a college campus for health, wellness and academic success. All requests must be completed with initial housing applications and are subject to final approval based on availability from the Office of Residence Life.

ACADEMIC ACCOMMODATIONS

Requests for academic accommodations must be reasonable and are determined on a case-by-case basis. Reasonable accommodations may include exam accommodations, academic accommodations, and auxiliary services.

Exam accommodations may include extended test time, distraction reduced testing, use of a reader or a scribe, use of a calculator, and arrangements to take exams at an alternative time.

Academic accommodations may include a reduced course load, priority registration, course meetings in accessible locations, and course substitution.

Auxiliary services may include assistive technology, note takers, materials in large print, readers, and alternative forms of text.

Accommodations that fundamentally alter the nature of the course work or the materials assigned, or are unduly burdensome financially or administratively, do not qualify as reasonable accommodations.

ATTENDANCE STATEMENT

Many factors are considered in determining course excusal from attendance in a University class due to health or disability, for instance: written attendance policies of a class. Documentation provided by a licensed professional must document that your long-term disability warrants these accommodations on a college campus.

If attendance is essential to the class, an excuse not to attend and/or a request for an attendance accommodation may not be a viable option. The decision to modify attendance requirements is thusly based upon many factors.

If the class requires a degree of attendance that cannot be met by the student, withdrawal from the class may be a consideration. The Alvernia University Office of Accessibility Services must consider all elements of a situation to determine if an instance exists that would warrant absences above the number determined appropriate by the instructor.

An Attendance Agreement between the student and each faculty member **MUST** be completed for the excused attendance accommodation to be used within the course. The Attendance Agreement Form will be included with each student's letter of accommodation that refers to that specific accommodation.

Attendance policies for individual classes (as stated on the course syllabus) and Alvernia University in the handbook from some majors. **Those core requirements apply to all students, regardless of disability status.** *The Office of Accessibility Services does not issue excuses for absences.* **Please note that accommodations are not retroactive. Please plan accordingly.**

NOTIFICATION TO FACULTY

Students requesting academic accommodations in the classroom must present a Letter of Accommodation and meet with instructor to design the Attendance Agreement. Accessibility Services staff will provide students with this written verification. The student is responsible to pick up the letters and Attendance Agreement form from Accessibility Services and deliver to their instructors. **The signed agreement form must be returned to Accessibility Services by the student before the end of the third week of class.** Accessibility Services does not mail letters to faculty members.

The student should meet with each professor to deliver the letters and discuss the accommodations necessary in each class. Students are recommended to provide their instructors with these letters within the first 2 weeks of class each semester. If testing accommodations have been approved, students should remind instructors of their need for testing accommodation in advance of each exam. **Instructors are under no obligation to provide accommodations for a student who does not identify oneself as a student with a disability.**

ACCESSIBILITY SERVICES APPEAL OR GRIEVANCE PROCEDURES

Institutions of higher education have the obligation to make informed decisions about accommodations. These decisions may not always agree with recommendations from outside professionals or with prior Individualized Educational Programs (IEPs) and 504 Plans.

Students who do not agree with the accommodation decisions of the Accessibility Services office should follow the process outlined below.

1. A student who disagrees with the appropriateness of a decision regarding accommodations should speak first with the Director of Accessibility Services, to resolve the issue.
2. If a satisfactory resolution still cannot be reached, the student has two options.
 - a. For academic accommodations, written appeals should be sent to the University Provost.
 - b. For non-academic accommodations related to medical and physiological disabilities, including campus access (residential, classroom, social and athletic) written appeals should be sent to the Senior Vice President of Enrollment Management & Student Affairs
 - c.
 - d. If the Senior Vice President of Enrollment Management & Student Affairs

3. (as appropriate) feels that the decision of the Academic Learning Specialist was reached according to ADA guidelines, written notification of the decision will be issued to the student and maintained in the student's file in the Accessibility Services Office.

STUDENT RIGHTS AND RESPONSIBILITIES

Students with disabilities at Alvernia have the right to:

- Equal participation in and access to the courses, programs, services, and activities offered through the University;
- Receive reasonable accommodation, academic adjustments, and/or auxiliary aids and services;
- Appropriate privacy and confidentiality of information regarding their disabilities;
- Reasonably available academic information in accessible formats.

Students with disabilities at Alvernia have the responsibility to:

- Meet institutional qualifications and maintain institutional standards for courses, programs, services, and activities;
- Identify, in a timely manner, as an individual with a disability when an accommodation is needed and seek information, counsel, and assistance as necessary;
- Demonstrate and/or document (from an appropriate licensed professional) the nature of the disability and how such disability limits their participation in courses, programs, services, and activities;
- Follow published procedures for obtaining reasonable accommodations, academic adjustments, and/or auxiliary aids and services.

UNIVERSITY RIGHTS AND RESPONSIBILITIES

Alvernia University has the right to:

- Identify and establish function, abilities, skills, knowledge, standards, and criteria for courses, programs, services, and activities, and evaluate and determine reasonable accommodations on this basis;
- Request and receive through, Accessibility Services, current documentation from an appropriate licensed professional that supports requests for accommodations, academic adjustments, and/or auxiliary aids and services;
- Refuse an unreasonable accommodation, adjustment, and/or auxiliary aid or service that creates an undue burden for the University, or fundamentally alters the courses, programs, services, or activities of the University.

Alvernia University has the responsibility to:

- Provide academic information in accessible formats to persons with disabilities upon request, unless to do so would constitute an undue burden for the University;
- Ensure that courses, programs, services, and activities, when viewed in their entirety, are available and usable in the most integrated and appropriate settings;
- Evaluate students and applicants on their abilities, not their disabilities;
- Provide or arrange for appropriate and reasonable accommodations, academic adjustments, and/or auxiliary aids and services for students with identified disabilities in courses, programs, services, and activities;
- Maintain appropriate confidentiality of records and communication concerning students with disabilities.

TESTING ACCOMMODATION POLICY AND PROCEDURE

Only students who have been approved for testing accommodations are entitled to proctored exams through Accessibility Services.

[Section 504](#) and ADA allow for [accommodation on testing](#), but not to such a degree that they have advantages over other students.

For the full procedure on Exam Scheduling, Testing Accommodations and Memory Cue Cards, students must follow the ADA Accommodation Testing Procedures linked below.

Approved versions of this policy will be posted on the AU Portal.

Exceptions to Policy

Exceptions to this policy must be requested in writing by filling out the Policy and Procedure Exception form (linked below) and submitting it to the individual named in the Responsibilities section who assists with reviewing exceptions to this policy.

Policy Review

This policy should be reviewed on a five year cycle and updated when institutional needs or goals change.

References and Related Policies

This section contains any other policies, 3rd party standards, or guidelines referenced by this policy.

References

N/A

Related Policies

N/A

Exhibits

This section contains any forms or exhibits referenced by this policy.

- [Policy and Procedure Exception Form](#)
- [ADA Accommodation Testing Procedures](#)

Document Review Log

Date	Description of Changes
4/25/2024	Initial Draft
6/3/2024	SLT Approved

