

<b>The University of North Texas at Dallas Policy Manual</b>	Chapter 7.000
<b>7.004 Americans with Disabilities Act Policy</b>	<b>Student Affairs, Education, and Funding</b>

**Policy Statement.** The University of North Texas at Dallas (UNTD) is committed to providing equal educational access for qualified students with disabilities in accordance with state and federal laws including the Americans with Disabilities Act of 1990 as amended in 2008, and Section 504 of the Rehabilitation Act of 1973. To provide equality of educational access for students with disabilities, reasonable accommodations and auxiliary aids and services will be provided to the extent necessary to comply with state and federal law.

**Application of Policy.** This policy applies to all students.

**Definitions.**

1. **Assistant Director of Disability Services.** “Assistant Director of Disability Services” means the official within the Office of Student Affairs who is initially responsible for the coordination of requests for student accommodations.
2. **Disability.** “Disability” means an individual having a physical or mental impairment which substantially limits one or more of a person's major life activities, a record of such an impairment, or being regarded as having such an impairment.
3. **Qualified Student with a Disability.** A student with a disability who, with or without reasonable modifications and accommodations, meets the essential eligibility requirements and requisite academic and technical standards required for admission and participation in the educational program and activities.
4. **Accommodations.** “Reasonable Accommodations” means any modification or adjustment to a course, program, activity or facility that will enable the qualified student with a disability to participate in a respective program of instruction and attain the same level or performance or to enjoy equal benefits and privileges as are available to an individual without a disability. Modifications of the educational requirements of a program or course are as are necessary and appropriate so that such requirements do not discriminate or have the effect of discriminating against a student on the basis of a disability. Reasonable accommodations cannot be made to academic requirements that are essential to the course, to a student's program of instruction, or which relate directly to licensing requirements. Modifications may include but are not limited to: extended time for exams, reduced distractions in testing environments, degree

modifications and relocation of classrooms to accessible locations.

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5. Auxiliary Aids and Services. “Auxiliary Aids and Services” means accommodations that assist students with disabilities in the educational setting. Auxiliary aids and services may include the use of qualified interpreters and readers, taped texts, or other effective methods of making visually delivered materials available to students with visual impairments; acquisition or modification of equipment or devices; and other similar services and actions (as cited in the ADA Amendments Act of 2008). Devices or services of a personal nature such as personal attendants, individually prescribed devices, or readers for personal use or study are not provided.

### **Procedures and Responsibilities.**

#### **Student Resources.**

1. The Assistant Director of Disability Services in the Office of Student Affairs. The official within the Office of Student Affairs who is responsible for determining and coordinating appropriate reasonable accommodations including auxiliary aids and services for prospective, newly admitted or currently enrolled students.
2. ADA Compliance Officer. The Assistant Vice President of Student Access and Success for Student Affairs is responsible for ensuring compliance with the Americans with Disabilities Act as amended in 2008 and Section 504 of the Rehabilitation Act for qualified students with a disability. Non-academic issues including access to facilities and non-academic events will be directed to the ADA Compliance Officer in the Office for Human Resources.

#### **Student Eligibility.**

1. Students are eligible for accommodation and/or auxiliary aids and services if they have applied, submitted, and registered all required documentation with the Office of

Disability Services. A formal intake interview to review the necessary reasonable accommodations needed will occur between the student and the Assistant Director of Disability Services. At such time the Assistant Director of Disability Services will make a determination in conjunction with the student regarding the accommodations and/or necessary auxiliary aids and services.

- a. Newly accepted and currently enrolled students are responsible for initiating a disability-related request for accommodation or auxiliary aids and services with the Assistant Director of Disability Services prior to the time when the accommodation or auxiliary aids or service will be needed.
  - b. Prospective students may request reasonable accommodation (for testing, campus tours or orientation) at any time during the application process by submitting an oral or written request to the Assistant Director of Disability Services on forms developed for this purpose.
2. Students requesting accommodations will be provided a Request for Accommodations form and must complete and submit the form along with written documentation of a disability for which an accommodation is requested, including:
- a. A diagnostic statement from an appropriate professional identifying the disability, date of the current diagnostic evaluation and the date of the original diagnosis.
  - b. A description of the current scope of impact of the disability pertaining to major life functions and activities.
  - c. Treatments, medications, assistive devices or services currently prescribed.
  - d. The relevant credentials of the diagnosing professional(s) such as medical specialty and professional licensure.
3. The Assistant Director of Disability Services has the discretion to determine what type of documentation is necessary to establish the present level of the student's disability and its impact on the student's needs in the UNTD setting. Any costs related to this initial documentation will be the responsibility of the student.
4. If the Assistant Director of Disability Services determines that a student provided insufficient documentation on the initial request, the Assistant Director of Disability Services will note why the documentation is insufficient and allow the student an opportunity to provide the missing information in a timely manner.

### **Determination and Notification.**

1. Determination. The Assistant Director of Disability Services will determine whether accommodation or auxiliary aids or services are appropriate following an individual assessment of a student's written documentation and a personal meeting with the

student. Among the factors to be considered in determining appropriate accommodations, auxiliary aids and services are:

- a. The nature of the student's disability.
  - b. Accommodations, auxiliary aids and/or services that have worked for the student in the past.
  - c. Whether the requested accommodation, auxiliary aids and/or services will allow the student to effectively access and participate in the course or academic program.
  - d. Whether the requested accommodation, auxiliary aids and/or services will alter the essential requirements of the course or program.
2. The University is not required to alter or modify a course or academic program to the extent that it changes the fundamental nature of that course or program. Decisions regarding accommodation, auxiliary aids and/or services may require consultation with UNT Dallas faculty and/or administrators to consider the fundamental nature of a course or academic program.
  3. Notification. The Assistant Director of Disability Services will provide a student with written notice regarding the determination and any approved accommodations or auxiliary aids and/or services within seven (7) business days of receiving the request for accommodation. If a student's request requires additional consideration beyond the seven (7) day timeframe, the Assistant Director of Disability Services will provide the student with written notice within the noted timeframe of the status of the request and the proposed date for a final determination.

### **Implementation of Accommodations and/or Auxiliary Aids and Services.**

1. Accommodations and/or auxiliary aids and services provided directly through the Office of Student Affairs. Certain accommodations and/or auxiliary aids or services may be approved and provided directly through the Office of Student Affairs.
2. Reasonable Accommodations including auxiliary aids and services requiring cooperation of faculty.  
For reasonable accommodations including the use of auxiliary aids and services that may require cooperation from a faculty member who teaches a class in which a student is enrolled, the following procedure will be utilized:
  - a. Within the first week of class a student who has been approved for accommodation including use of auxiliary aids and services should seek a confidential meeting with faculty members to:

- i. Provide the notice from the Assistant Director Disability Services with the approved accommodation(s) including use of auxiliary aids or services; and,
    - ii. Make arrangements for implementation of the approved accommodation(s) including use of auxiliary aids and services.
  - b. The faculty member may not disclose the student's disability to any other student or faculty member without the consent of the student.
  - c. Faculty members may not deny the approved accommodation(s) without consulting with the Assistant Director of Disability Services to consider alternative means to accommodate a student's disability.
- 3. Modification of degree requirements-
  - a. A student with a documented disability may request a modification of certain generally applicable degree requirements by submitting a request to the dean of the school in which the qualified student is enrolled. The dean has sole authority for modifying school degree requirements, but no modifications that would compromise the integrity of the degree will be granted. Requests should be submitted within the first 2 weeks of the semester. The student must provide current documentation related to the disability and a statement specifically describing the requested modification and the basis for the request.
  - b. The Assistant Director of Disability Services will verify that the disability is documented by current information that is consistent with the university requirements for documentation of a disability.
  - c. The Assistant Director of Disability Services will forward the complete set of student documents to the appropriate dean of the school in which the student is enrolled within seven (7) business days of receiving the complete request from the student. The time frame may be extended if the Assistant Director of Disability Services finds just cause.
  - d. The appropriate dean will perform an individualized assessment of the student's request to consider:
    - i. The nature of the student's disability and the relationship to the requested modification.
    - ii. Whether the requested modification will provide the student with an equal educational opportunity; and
    - iii. Whether the requested modification would alter the essential requirements or standards or would change the fundamental nature of the program.

- e. The dean will provide written notice of a decision to the student within ten (10) business days of receiving the request. The deadline may be extended for just cause. If the request is denied, the notice will include the reasons for the decision.
- f. A student who disagrees with a decision on the modification of degree requirements may appeal in writing to the Office of the Provost within ten (10) business days of the decision. The appeal should include:
  - i. The original request and all supporting documentation,
  - ii. A copy of the notice of the decision issued by the academic decision maker,
  - iii. A statement of the basis for disagreement with the decision which must be made on grounds other than general dissatisfaction with the decision.
- g. The Office of the Provost will consider:
  - i. Whether the proper criteria and facts were considered by the academic decision maker or whether improper or extraneous facts or criteria were considered that substantially affected the decision maker to the detriment of the student.
  - ii. Whether any procedural irregularities substantially affected the outcome of the decision to the detriment of the student.
  - iii. Given the proper facts, criteria and procedure, was the decision one which a person in the position of the academic decision maker might reasonably have made.
- h. The Office of the Provost will issue a decision and notify the student within ten (10) business days of receiving the request.
  - i. The process for appeal of a decision for modification of academic requirements will supplant all other appeal procedures provided in this policy or any other grievance procedure related to request for accommodations.

**Request for Informal and Formal Resolution.**

1. A student requesting an accommodation including use of auxiliary aids or services may seek informal and formal resolution in accordance with the procedures below if the student either:
  - a. disagrees with a decision of the Assistant Director of Disability Services, or;
  - b. is dissatisfied with the final accommodation,
2. Informal Resolution. Within seven (7) business days of receiving notice from the

Assistant Director of Disability Services or of any perceived failure to provide approved accommodation, a student may seek informal resolution through the Assistant Director of Disability Services. If the Assistant Director of Disability Services cannot reach an agreement with the student to resolve the concerns informally, the Assistant Director of Disability Services will take the steps described below to submit the matter for further review by the Assistant Vice President of Student Access and Success for Student Affairs.

3. Formal Resolution. The Assistant Vice President of Student Access and Success will review all written materials submitted by the Assistant Director of Disability Services and will interview, as necessary under the circumstances, the student, the Assistant Director of Disability Services, any faculty member involved and any other person deemed relevant to the issue. The Assistant Vice President of Student Access and Success for Student Affairs will issue a decision within seven (7) business days of receiving notice from the Assistant Director of Disability Services and will distribute notice of the decision to the affected parties. The decision of the Assistant Vice President of Student Access and Success for Student Affairs will be final.

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