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Responsible Officer: Vice President of Academic Affairs

Policy Owner: Coordinator of Disability Services

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## **POLICY STATEMENT**

Students with a diagnosed disability, who have met the University's enrollment criteria and have confirmed their intention to enroll, may request accommodations through the Office of Disability Services (ODS). These services are designed to assist students in making a successful transition to college life and in understanding their needs and strengths in order to best advocate for themselves. Students are encouraged by the University's admission's counselors to contact the ODS as soon as the enrollment process is complete if they have questions about specific accommodations. At the beginning of each semester, the university faculty makes students aware through announcements in class and syllabi statements, of the process for requesting accommodations. Students are encouraged to schedule an appointment within the first two weeks of the semester with the ODS.

It is understood that some students with disabilities prefer minimal assistance while others request a more comprehensive range of support and services. To facilitate successful transition and early academic success, we require an assessment of needs through an interview in the Office of Disability Services and by submission of relevant school records, evaluation reports, and disability documentation. The office then provides advocacy for the student through recommendations to faculty for classroom accommodations.

In keeping with University of Valley Forge's (UVF's) mission, "To prepare individuals for a life of service and leadership in the Church and in the world," we are committed to helping students achieve success regardless of any physical, learning, psychological, sensory or other documented disability. We help students with disabilities achieve their academic goals by providing reasonable academic accommodations under appropriate circumstances.

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## **REASON FOR POLICY**

There are two laws that protect persons with disabilities in postsecondary education: The Rehabilitation Act of 1973 (Pub. L. No. 93-112, as amended) and the 1990 Americans with Disabilities Act (Pub. L. No. 1001-336).

### **The Rehabilitation Act**

Title V. of The Rehabilitation Act of 1973 is generally regarded as the first civil rights legislation on the national level for people with disabilities. Section 504 of The Rehabilitation Act is a program access statute. It prohibits discrimination on the basis of disability in any program or activity offered by an entity or institution receiving federal funds. Section 504 states (as amended):

No otherwise qualified person with a disability in the United States...shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance.

### **The Americans with Disability Act (ADA)**

The ADA is a federal civil rights statute that prohibits discrimination against people with disabilities. There are four sections of the law: employment, government, public accommodations, and telecommunications. The ADA provides additional protection for persons with disabilities in conjunction with the Rehabilitation Act of 1973. The ADA is designed to remove barriers, which prevent qualified individuals with disabilities from enjoying the same opportunities that are available to persons without disabilities.

### **The ADA in Relation to Section 504 of the Rehabilitation Act**

Institutions that receive federal funds (such as UVF) are covered under Section 504. The ADA does not supplant Section 504, but in situations where the ADA provides greater protection the ADA standards are applied. Therefore, postsecondary institutions are required to adhere to both the Rehabilitation Act and The Americans with Disabilities Act.

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## **RESPONSIBILITIES**

The Coordinator of Disability Services has the responsibility to ensure that UVF is in compliance with the Rehabilitation Act and The Americans with Disabilities Act. At the beginning of each semester, the Vice President of Academic Affairs emails Faculty the syllabus template, which includes the required ADA statement.

The Coordinator meets with and interviews students who have been referred by Faculty as well as those who have self-initiated the process. If a student has appropriate documentation s/he is asked to provide it to the Coordinator's office for review before said student's appointment with the Coordinator. If the student lacks documentation but claims eligibility for accommodations, the student may be: referred for an evaluation, asked to sign a release allowing the Coordinator to obtain past academic records, under certain circumstances be granted accommodations based on the interview, or may be found ineligible for accommodations.

The process for the implementation of accommodations is explained to each student whose eligibility for accommodations has been determined. Students are further informed of the necessity to submit requests for accommodations to the Office of Disability Services each semester of University work.

Upon review of documentation and completion of the student interview, it is the responsibility of the student to obtain the accommodations listing from the ADA Coordinator. The student is then responsible for distributing the accommodations to professors and staff members. This is to ensure that there is no discrimination based on an individual's disability and that information and/or assignments is therefore equally available to all.

Occasionally, there exists a need for accommodation(s) that falls outside the 'norm' of requests for accommodations. Provision is made for an Ad-Hoc Committee which includes the Coordinator of Disability Services, a Professor from the Psychology Department, and another individual as deemed appropriate based upon the reason for the [assumed] eligibility. The Coordinator provides pertinent information to the other members of the committee for consideration and discussion. The committee's recommendation is used as the basis for the determination of eligibility for services and implementation of those services.

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## HISTORY

It is the understanding of the Coordinator of Disability Services that prior to the 2005 - 2006 academic year, accommodations for students with disabilities were managed by the faculty who taught the courses in which eligible (or personally thought-to-be eligible) students were enrolled. This required a significant amount of self-disclosure on the part of the affected students and a significant amount of time on the part of faculty.

During the 2005-2006 school year, the process that is currently in place was instituted. Time was provided during a faculty in-service to explain the new procedure. Feedback and input are solicited from the faculty on a regular basis.

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## PROCEDURES

1. The Coordinator of Disability Services receives a request for accommodations from a student and obtains appropriate documentation.
2. The Coordinator interviews the student making the request (this may occur before records of documentation are received).
3. A determination of appropriate accommodations is made and discussed with the student. Relevant procedures are explained (e.g. reduced-distraction testing, the use of scribes and/or note takers, extended time for completion of lengthy assignments).
4. A notice of eligibility, along with recommended accommodations, is sent to the student. The student is then responsible for distributing the information to professors and staff members.
5. Students are provided with information about other support services available on campus.
6. Students are encouraged to stay in touch and are asked (but not required) to schedule an appointment mid-semester to discuss progress and/or concerns.

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## DEFINITIONS

The following is a brief list of terms relevant to the discussion of services for students with disabilities in higher education:

1. Otherwise qualified - In brief, an Otherwise Qualified student is one who meets the same academic requirements and standards as non-disabled students. These requirements and standards must be considered necessary to maintain the integrity of a course, program or institutional policy. A student with a disability is required to meet the instructor's expectations for all students enrolled in the class related to (but not limited to) class participation, work standards, attendance, and ability to demonstrate acquired knowledge.

*Please note: The University of Valley Forge maintains an open enrollment policy, meaning that once accepted a student is necessarily considered "otherwise qualified" despite having a disability.*

2. Accommodation - The Americans with Disabilities Act Handbook defines an accommodation as "any change in the work environment [or instructional setting] or in the way things are customarily done that enables an individual with a disability to enjoy equal opportunities". This may include (but is not limited to):
  - a. Providing or modifying equipment (e.g., allowing the student to tape-record lectures instead of taking notes)

- b. Making facilities accessible — removing barriers (e.g., holding class on the ground floor) and make the class accessible so people with disabilities can participate
  - c. Providing readers or interpreters (e.g., sign language interpreters)
  - d. Providing copies of outlines and/or power point presentation used in classroom instruction.
3. Reasonable Accommodation - These adjustments permit students with disabilities the opportunity to learn by removing barriers to learning, without compromising academic standards. The law requires that reasonable accommodations be provided to otherwise-qualified (see above) individuals with disabilities so that they can gain access to the same benefits and privileges as are enjoyed by similarly situated individuals without disabilities. It requires agencies to provide reasonable accommodation for known physical or mental limitations of qualified others, unless in so doing, the institution would experience undue hardship. The law also ensures equal access to Federal programs, activities, and facilities to people with disabilities.
  4. Individuals with Disabilities Education Act (IDEA) - a federal law outlining the responsibilities of public schools (K-12) regarding the provision of an appropriate education to students with disabilities. Elementary, Middle and High schools are required under IDEA to identify the educational needs of students with disabilities and provide a free and appropriate education (FAPE) as outlined in an Individualized Education Plan (IEP). IDEA and subsequent reauthorizations mandate the use of appropriate assessments and parental input in eligibility determinations. Many students enter college with the assumption that their IEP will follow them and continue to guide the implementation of prescribed services. This is a false assumption. An IEP or a 504 plan that served a student's educational needs while in grades K-12 is not valid in institutions of higher education.
  5. Americans with Disabilities Act (ADA) - Passed by Congress in 1990 and modeled after Section 504 of the Rehabilitation Act of 1973, the ADA is considered a Civil Rights law. It prohibits discrimination on the basis of disability, as long as the person is "otherwise qualified". Under the ADA, when a college or university that receives federal funds accepts a student who has a disability, it is affirming the right of the student with a disability to have access to all the educational resources necessary to provide for an equal access to learning.
  6. Disability - is defined as any physical or mental impairment that substantially limits one or more major life activities (i.e. adaptive skills) such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working.
  7. Impairment - An impairment is a disability under the ADA only if it substantially limits one or more major life activities. An impairment is substantially limiting if a person is unable to perform an activity that could be performed by an average person in the general population. The following factors must be considered in determining whether a person's impairment substantially limits a major life activity:
    - a. Its nature and severity
    - b. Its duration, how long it will last or is expected to last
    - c. Its permanent or long term impact, or expected impact.
  8. Undue Hardship - The ADA stipulates that a college or university is not required to provide accommodations that impose "undue hardship". Undue hardship is interpreted as accommodations which would pose significant difficulty or expense to the instructor or the institution. Furthermore instructors are not required to change course requirements.

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## RELATED INFORMATION

- Student Success Center - The Center provides one-on-one interaction with students to assist with a smooth transition from high school to college. The staff is intentionally and actively involved in various activities on campus, meeting students outside of the office and making real connections. In addition, the Center offers coffee, fellowship and a place of solace. The doors are open to all students who seek help. The Center also provides career tools and resources designed to help students find jobs while in school and give career direction as graduation or graduation nears
- Tutoring - Upper level students who have demonstrated competency in various coursework provide tutoring services in the Write Solution. Underclassmen are encouraged to sign up for time to meet with tutors.

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## APPENDICES

- Accommodation Template