

Carolina University

Accessibility Services Handbook

2023-2024

‘No qualified person with a disability shall, on the basis of the disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.’

Section 504 of the Rehabilitation Act of 1973
Federal Register, Vol. 45, No. 92, 5/9/80 Rules and Regulations

SCOPE

This is the policy and procedure for all qualified students with a disability to obtain reasonable accommodations at Carolina University. It is for all types of students - undergraduate and graduate, degree-seeking and non-degree seeking, full-time and part-time. Only students who identify themselves as having a disability and seek accommodation using these procedures are eligible. Students who have been accepted but have not yet enrolled may also access this policy. Applicants are also covered by this policy for accommodations needed in the admissions process.

This policy defines the process for eligible students to seek reasonable accommodations in any of the university's programs and activities. Students engaged in academic work off-site (such as internships for course credit and study away) should contact the Office of Accessibility & Student Inclusion Services to determine whether Carolina University or the other entity (such as the business where the student is interning) is responsible for making accommodations. (The ability to accommodate a student with a disability should be a precondition to any business, agency, or organization that wants to participate in an internship or externship agreement with the university.) Typically, accommodation requests for internship sites should be made directly with the site. OASIS can assist students with this process. In the case of academic coursework taken at another institution of higher learning, the Director of OASIS will serve as a consultant and information source for students arranging accommodations at these locations.

PURPOSE

The primary purpose of this handbook is to provide an initial orientation to all students of Carolina University regarding the philosophy, procedures, and practices of the university regarding reasonable accommodations for disabilities. This handbook is intended to provide guidance to the student's parents, administrators, faculty, and staff in their various roles of encouraging academic success. Although the manual is intended to address many important issues related to services for students with disabilities, it cannot address every nuance of each individual student's condition and needs. Therefore, the reader is encouraged to use this document as a source of ongoing discussions with the university regarding the circumstances of each individual student.

MISSION STATEMENT

OASIS fosters an accessible and inclusive community where students with disabilities have an equal opportunity to participate in all aspects of Campus Life. OASIS provides CU with resources, education, and direct services promoting equitable and inclusive access.

VISION STATEMENT

A universally accessible campus where programs, services, and activities are usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.

OASIS VALUES

Optimism - we are committed to creating opportunities that encourage the individual journey by modeling positive, flexible attitudes that empower others to persevere, be creative, and self-reliant.

Achievement - we are dedicated to helping students meet or exceed expectations in their coursework as they progress toward completing their degree.

Self-Advocacy - we are supportive of developing and promoting student self-advocacy, the ability to speak up for yourself and identify your needs, communicate them clearly, and help others understand how they can support you.

Integrity - we are dedicated to being honest and showing a consistent adherence to the moral and ethical principles and values of the Americans with Disabilities Act (ADA) and Section 504.

Support - we are motivated to support students with disabilities both in and out of the classroom so that they may have an equal opportunity to participate in Campus Life.

DEFINITIONS

Note: the following terms are applied by the university in accordance with and by using the definitions supplied by federal law and regulations, which are summarized here.

Accommodations are defined as any reasonable adjustment required for a student to have equal access to the university's programs and activities, inside and outside of the classroom.

Examples of potential accommodations include:

- Extended time for completion of exams or other assignments
- Ability to use speech-to-text software
- Provision of a private, distraction-free testing environment

Accommodations do not include:

- Substantial modifications to academic standards
- Personal aids/devices
- Modification or adjustment of requirements essential to any program of instruction, program or activity, or essential to any directly related licensing requirement, or
- Modifications or adjustments that result in undue hardship, considering the nature, cost, and impact of the accommodation, and other factors.

Disability is a physical or mental impairment that substantially limits one or more major life activities.

For an accommodation to be considered **‘reasonable’** they must not impose an undue hardship on the institution providing them. The determination of whether an accommodation presents an undue hardship takes into account the nature and cost of the accommodation, the resources available to the school, and whether the accommodation would substantially alter an educational program or pose a safety risk.

RIGHTS AND RESPONSIBILITIES FOR STUDENTS

To obtain reasonable academic accommodations, please complete the following steps:

1. CU does not offer testing to diagnose a disability. Please gather documentation of disability including a letter from your provider on their letterhead stating the diagnosis, how this impacts academic performance, and any accommodation recommendations from the provider. A psycho-educational evaluation completed within the past 5 years is preferred.
2. Contact the Coordinator of Student Accessibility Services, to schedule an appointment (OASIS@carolinau.edu). Documentation will be received, and a release form must be signed before any communication can occur with faculty or staff.
3. Use the services provided and if testing accommodations are in place, please inform your faculty member you want to take the test/exam in the Ashburn Center for Student Success. Please schedule your test/quiz/exam with the Director of Student Success (acss@carolinau.edu) and they will provide the accommodation in the Testing Center.
4. Contact the ADA Coordinator as soon as accommodations are not meeting your academic needs. They will follow up with the student within 48 hours.

RIGHTS AND RESPONSIBILITIES FOR FACULTY

If a student requests an accommodation and you have not received information about this student's accommodations, please ask them to contact the ADA Coordinator. Once documentation is received by the OASIS office and processed, you will receive an email with approved academic accommodations. These must be followed in accordance with the law. All accommodations are extremely confidential and if you need to discuss them with the student, please ensure the conversation is private. If you have any questions, please contact the ADA Coordinator at OASIS@carolinau.edu. When students schedule any testing accommodations, it will be scheduled by the Director of Student Success (acss@carolinau.edu). Please respond to their emails within 24 hours to ensure the exam/test/quiz can be offered with accommodations.

SYLLABUS STATEMENTS FOR ALL FACULTY AND ALL SYLLABI

Accommodation Statement:

In accordance with federal law and Carolina University policy, resources are provided for students with disabilities, chronic medical conditions, or temporary disability. For assistance in arranging reasonable academic accommodations for undergraduate or graduate courses, students should contact OASIS (OASIS@carolinau.edu).

Confidentiality Statement:

If you receive information about academic accommodations, they are extremely confidential. This can only be shared on a 'need to know' basis (for example: someone offering your exam in your absence). It is vital to maintain confidentiality and if it needs to be discussed with the student, it must be a private conversation. If you have any questions, please reach out to the ADA Coordinator (OASIS@carolinau.edu).

FACTS OF THE LAW

What is the Law?

'No qualified person with a disability shall, on the basis of the disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from federal financial assistance.'

Section 504 of the Rehabilitation Act of 1973
Federal Register, Vol. 45, No. 92, 5/9/80 Rules and Regulations

Who is Protected by the Law?

A 'handicapped person' means 'any person who

- Has a physical or mental impairment which substantially limits one or more of such person's major life activities;
- Has a record of such an impairment, or
- Is regarded as having such an impairment.'

A 'qualified handicapped person' is defined as one who meets the requisite academic and technical standards required for admission or participation in the postsecondary institution's programs and activities. Section 504 protects the civil rights of individuals who are qualified to participate and who have disabilities such as, but not limited to, the following:

- Blindness or visual impairment
- Cerebral palsy
- Chronic illness, such as:
 - AIDS
 - Arthritis
 - Cancer
 - Cardiac diseases
 - Diabetes
 - Multiple sclerosis (MS)
 - Muscular dystrophy

- Psychiatric disorders
- Deafness or hearing impairments
- Drug or alcohol addiction (Section 504 covers former users and those in recovery programs and not those currently using drugs or alcohol.)
- Epilepsy or seizure disorders
- Orthopedic handicap
- Specific learning disability
- Speech disorder
- Spinal cord or traumatic brain injury
- Etc. (not an exhaustive listing)

UNDER THE PROVISIONS OF SECTION 504, UNIVERSITIES AND COLLEGES MAY NOT:

- Limit the number of students with disabilities admitted
- Make pre-admission inquiries as to whether or not an applicant is disabled
- Use admission tests or criteria that inadequately measure the academic qualifications of disabled students because special provisions were not made for them
- Exclude a qualified student with a disability from any course of study
- Limit eligibility to a student with a disability from financial assistance or otherwise discriminate in administering scholarships, fellowships, internships, or assistantships on the basis of handicap
- Counsel a student with a disability toward a more restrictive career
- Measure student achievement using modes that adversely discriminate against a student with a disability
- Establish rules and policies that may adversely affect students with disabilities

Properly understood and implemented, however, disability laws will lead to none of these feared outcomes. In fact, students with disabilities are required to meet the 'essential,' 'academic' and 'technical' standards of the college or university, with or without reasonable accommodations.

The term 'essential' serves to ensure that colleges and universities need never 'fundamentally alter' their programs of instruction to accommodate students with disabilities. Federal courts have readily upheld insistence that such students meet 'academic' standards and 'technical' standards. Moreover, persons whose disabilities manifest a 'direct threat' to the health and safety of themselves or others may be excluded from an educational program.

ACCOMMODATIONS PROVIDED

Academic Accommodations:

Although CU does not offer a formal learning disabilities program, the university does offer comprehensive support services to provide reasonable accommodations for students with learning disabilities and other handicapping conditions. With appropriate documentation, the following services can be provided:

- Extended time on tests
- Individual test administration

- Oral administration of tests
- Preferential seating within classes
- Note-taking assistance
- Assistive technology
- Development of proactive strategies for disability management
- Other accommodations as supported by appropriate documentation

Even without documentation, the following services are available to all students of the university:

- Individual or small group face-to-face tutoring (no more than five students per session)
- Face-to-face and/or online writing assistance
- Individualized and/or classroom instruction in study skills, time management, and transition to campus life.

Assistance can be arranged by scheduling an appointment with the ADA Coordinator (OASIS@caroliniau.edu).

Non-Academic Accommodations:

- Service Animals
- Emotional Support Animals
- Housing Accommodations
- Accessibility on Campus
- Dietary Needs
- Other accommodations as required by documentation

Assistance can be arranged by scheduling an appointment with the ADA Coordinator (OASIS@caroliniau.edu).

GRIEVANCE PROCEDURE

Purpose

Carolina University adheres to the grievance procedures set out below for the prompt and equitable resolution of complaints by students with disabilities alleging a violation of their rights under Title II of the Americans with Disabilities Act of 1990 (Title II) and Section 504 of the Rehabilitation Act of 1973 (Section 504). Title II and Section 504 are intended to prevent discrimination on the basis of disability

OASIS is responsible, on behalf of Carolina University, for determining students' needs for accommodations. Upon receiving a request from a student, OASIS engages in a two-part procedure: (1) an intake interview and (2) a review of the required documentation of the disability. If the OASIS staff determines academic adjustments and/or auxiliary aids ("accommodations") are warranted, the OASIS staff coordinates the accommodations with the student, the instructor, and any necessary third-party service providers. OASIS also ensures that students are not excluded from participation in, denied the benefits of, or subjected to

discrimination on campus by reason of disability. This grievance procedure applies to all student disability-related complaints.

This procedure applies only to students. Employees who believe they may have been subjected to disability-based discrimination should contact the Human Resources Department.

This grievance procedure applies if:

- A student is denied accommodations, or
- A student believes the final accommodations provided are not adequate, or if accommodations were not provided, or
- A student believes, for any other reason, that they have been subjected to unlawful discrimination or a violation of their rights with respect to Title II or Section 504.

Prohibition Against Retaliation

The University prohibits retaliatory action of any kind against any person for making a good-faith report of discrimination or on the basis of participation in any allegation, investigation, or proceeding related to a report of discriminatory conduct. Students should also use the grievance procedure detailed below to submit allegations of retaliation after reporting discrimination or participating in an investigation of alleged violations of Title II or Section 504.

Grievance Procedures

A multi-level procedure for redress of disability-related grievances is available to all students. Prior to initiating the grievance procedure, grieving students have the opportunity to seek advice from the Dean of Students by requesting an appointment. The Dean of Students is a senior, non-academic administrator, responsible for planning and supervising student-life programs as well as enforcing campus policies that bear on student behavior and treatment. The Dean of Students is an impartial party who can facilitate informal conversations that lead to resolutions, as well as provide students with guidance on the formal grievance procedure. During any grievance procedure, any academic accommodations or services that have been established will continue uninterrupted.

A. Informal Grievance Procedure:

While every student has access to the formal procedure described below, the University expects that every effort shall be made by the student, any involved faculty members and any involved OASIS staff to resolve the grievance informally in ways consistent with fair treatment of others within a supportive campus community.

Prior to invoking the procedures described below, the student is strongly encouraged but is not required, to discuss their grievance with the person alleged to have caused the grievance. The discussion should be held as soon as the student first becomes aware of the act or condition that is the basis of the grievance, because delay in reporting may limit the scope of remedies available, should discrimination be found to have occurred. Additionally, or in the alternative, the student may wish to present their grievance in writing to the person alleged to have caused the grievance as an attempt at informal resolution. In either case, the person alleged to have caused the grievance must respond to the student promptly, either orally or in writing.

B. Formal Grievance Procedure:

1. If a student chooses to forgo the informal procedure described above, (or if the student is not satisfied with the outcome of the informal procedure), then the student may initiate a Formal Grievance by requesting and filing a Formal Grievance form on the MyCU Portal.
2. The form should be completed and submitted within three (3) business days of receiving the decision regarding the Informal Grievance, if possible. Where no Informal Grievance is submitted, the Formal Grievance form should be submitted as soon as the student first becomes aware of the act or condition that is the basis of the grievance, because delay in reporting may limit the scope of remedies available.
3. The OASIS Director will confirm receipt of the formal grievance form and route the grievance to the appropriate office for further review. Such routing may include, sharing copies of the complaint with the Dean of Students, the relevant academic department head/chair, and/or academic dean.
4. The OASIS Director will direct grievances as follows:
 - For grievances involving an undergraduate or graduate student and a faculty member, the complaint will be referred to the Provost;
 - For grievances involving other staff or students, the complaint will be forwarded to the Dean of Students Office, which will coordinate, if appropriate with the Human Resources Department.
5. Upon receipt of the formal grievance form, the Provost or the Vice President of Student Affairs, or their designees, as applicable, will conduct a formal investigation of the student's grievance within thirty (30) business days while class is in session. If more time is needed, the designee will notify the student in writing that the deadline must be extended. This written notification will specify the new, anticipated deadline for completing the investigation.
6. This review may include meetings with the aggrieved student and any involved faculty or staff members. The purpose of such a meeting is for individuals who wish to present additional evidence and/or witnesses in person to do so. Alternatively, this information may be provided in writing.
7. The relevant office will issue a written decision (including the reasons for the decision, directing any applicable remedy, listing steps to prevent recurrence, and any available appeal options) within thirty (30) business days of the completion of the investigation. If more time is needed, the designee will notify the student in writing that the deadline must be extended, and will specify the new, anticipated deadline.