Coleman University’s
Academic Accommodation/ Adjustment
Policy and Procedure Manual
How does the law protect students with disabilities?

In 1973, Congress passed Section 504 of the Rehabilitation Act of 1973 (Section 504), a law that prohibits discrimination on the basis of physical or mental disability (29 U.S.C. Section 794). It states:

No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance . . . .

The University is a recipient of federal financial assistance and thereby has responsibilities under Section 504.

Congress passed the Americans with Disabilities Act (ADA) in 1990 which holds that “[n]o individual shall be discriminated against on the basis of disability in the full and equal enjoyment” of public accommodations. A "place of education" is deemed a public accommodation under the ADA.

The University will adhere to all applicable federal, state, and local laws, regulations, and guidelines with respect to providing appropriate academic adjustments to ensure that the University does not discriminate on the basis of disability. In general, Section 504 holds that no qualified student with a disability may be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any academic, occupational training, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation or extracurricular program of the University.

Who is a qualified individual with a disability?

A qualified student is a student who meets the academic and technical standards requisite to admission or participation in the University’s program or activity.

An individual with a disability is defined as any person who:

1. has a physical or mental impairment that substantially limits one or more major life activities (including walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, or performing manual tasks);
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

What are the University's obligations toward students with disabilities?

An institution may need to modify certain academic requirements to ensure that students not be discriminated against on the basis of a disability. The appropriate academic adjustment must be determined based on the student’s disability and individual needs if the student is an individual with a disability as defined in Numbers 1 and 2 above. Academic adjustments may include auxiliary aids and services, as well as modifications to academic requirements as
necessary to ensure equal educational opportunity. Examples of adjustments are: arranging for priority registration; reducing a course load; substituting one course for another; providing note takers, recording devices, sign language interpreters, extended time for testing, and equipping school computers with screen-reading, voice recognition, or other adaptive software or hardware.

In providing an academic adjustment, the University is not required to lower or substantially modify essential requirements. For example, although the University may be required to provide extended testing time, it is not required to change the substantive content of the test.

**What are the procedures for obtaining accommodations?**

Prospective students interested in learning about the University's disability-related services or meeting with the ADA Coordinator can call 858-966-3953.

Once notice of admission has been received, and an individual decides to accept the offer of admission to Coleman University and seek accommodations, the individual must inform the University of the disability and request accommodations.

All students, regardless of type of disability, may request accommodation by meeting with the designated ADA Coordinator. The University has designated the ADA Coordinator as the individual responsible for coordinating the receipt and review of requests for academic adjustments, and the implementation of the students' accommodation plans. The ADA Coordinator will work with the student to determine the appropriate academic adjustments or auxiliary aids for the student.

Once the form has been submitted stating that the student requests accommodation/adjustment, the ADA Coordinator will work with the student to determine the appropriate academic adjustments or auxiliary aids for the student.

The University will request documentation from the student to demonstrate that the student meets the definition of disability: having a physical or mental impairment that substantially limits one or more major life activities. The required documentation may include one or more of the following: a diagnosis of the current disability, as well as supporting information, such as the date of the diagnosis, how that diagnosis was reached, and the credentials of the diagnosing professional; information on how the disability affects a major life activity; and information on how the disability affects academic performance. The documentation should provide enough information for the ADA Coordinator and the student to decide what is an appropriate academic adjustment.

If the documentation that the student provides does not meet the University’s requirements, the ADA Coordinator will tell the student in a timely manner what additional documentation is necessary.

Students covered under ADA must meet with the ADA Coordinator at the beginning of every term to review the appropriate academic accommodations. Failing to meet with the ADA Coordinator at the beginning of every term may impact the ability of the University to provide the accommodations.
The ADA Coordinator will provide the student with the ADA Accommodations plan. The student may choose to notify the student's instructors of any necessary accommodations, or may request that the ADA Coordinator notify the instructors of the student's approved accommodations. If any problems or concerns regarding the provision of accommodations occur, the student should inform the ADA Coordinator of the disability-related incident or action of complaint; the date(s) of occurrence, and the requested resolution. The ADA Coordinator will review the complaint and respond to the student within 20 days. The student may also use the University’s grievance procedure to submit a complaint of discrimination based on disability.

What is the role of Coleman University faculty?

All course syllabi include information on academic accommodations and adjustments through ADA.

Students are not required to disclose their exact diagnoses and symptoms of their disability to faculty or instructors. Knowledge of a student's disability should not be shared with other faculty members, and only with University administrators when educationally necessary.

The faculty member can request a copy of the student’s accommodation plan and/or refer the student to the ADA Coordinator. The University has an obligation to provide the student with the accommodations in the plan unless the University can demonstrate that the accommodation will fundamentally alter the nature of the service, program, or activity. At a student's request, faculty can discuss a student’s disability-related concerns during a private office hour or at another convenient time for a confidential discussion.

What if a student doesn't tell an instructor about a disability until late in the term?

Students have a responsibility to give instructors and the ADA Coordinator adequate time to arrange accommodations. Students are encouraged to make their request prior to the start of the term.

The University has a legal responsibility to accommodate the student's need once an accommodation plan has been approved, even if late in the term. The University does not have to provide the approved accommodations prior to disclosure by the individual or retroactively; for example, allowing the student to re-take exams with extended time.

What if an instructor suspects that a student has a disability?

The instructor should talk with the student about any concerns regarding his or her performance. If the concern seems disability-related, the instructor can refer the student to the ADA Coordinator for a consultation. Whether to self-identify as an individual with a disability to the ADA Coordinator is the decision of the student; however, to receive accommodations, disclosure to ADA Coordinator with proper documentation is required.

Student’s Rights

Students with disabilities at Coleman University have the right to:

• Equal access to courses, programs, services, jobs, activities, and facilities offered by
the University;

• Equal opportunity to work, to learn, and to receive accommodations, academic adjustments and/or auxiliary aids and services;
• Confidentiality of information regarding their disability and to choose to whom, outside of the university, information about their disability will be disclosed, except as disclosures are required or permitted by law;
• Information available in accessible formats.

Student's Responsibilities

Students with disabilities at Coleman University have the responsibility to:

• Meet qualifications and maintain essential institutional standards for the programs, courses, services, jobs, activities, and facilities;
• Identify as having a disability in order to receive accommodations and to seek information, counsel and assistance as necessary;
• Demonstrate and/or document (from an appropriate professional) how the disability limits participation in courses, programs, services, jobs, activities, and facilities;
• Follow published procedures for obtaining reasonable accommodations, academic adjustments, and/or auxiliary aids services;
• Inform the ADA Coordinator, in a timely manner, of problems or concerns regarding the provision of accommodations.

University Rights:

Coleman University has the right to:

• Identify and establish essential functions, abilities, skills, knowledge, and standards for courses, programs, courses, services, jobs, activities, and facilities and to evaluate faculty, staff, and students on this basis;
• Request and receive, through the ADA Coordinator, current documentation from a qualified professional that supports requests for accommodations, academic adjustments and/or auxiliary aids and services;
• Deny a request for accommodations, academic adjustments and/or auxiliary aids and services if the documentation does not demonstrate that the request is warranted, or if the individual fails to provide appropriate documentation;
• Select among equally effective accommodations, academic adjustments and/or auxiliary aids and services;
• Refuse to provide unreasonable accommodations, academic adjustments and/or auxiliary aids and services that impose a fundamental alteration on a program or activity of the University.

University Responsibilities:

Coleman University has the responsibility to:

• Accommodate the known limitations of an otherwise qualified student with a disability;
• Ensure that programs, courses, services, activities, and facilities, when viewed in their entirety, are available and usable in the most integrated and appropriate
settings;
• Evaluate students on their abilities, not their disabilities;
• Provide or arrange accommodations, academic adjustments and/or auxiliary aids and services for students with disabilities in courses, programs, courses, services, activities, and facilities;
• To maintain appropriate confidentiality of records and communication, except where permitted or required by law;
• To maintain academic standards by providing accommodations without compromising the content, quality, or level of instruction.