

MEDAILLE COLLEGE



# ACCESSIBILITY SERVICES POLICY MANUAL

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Office of Accessibility Services

Genevieve Kruly, OAS Coordinator

Revised: April 2018

**These policies and procedures are subject to change. Please contact the Coordinator of Accessibility Services for the most recent copy of the OAS manual.**

## **Federal and State Legislation Mandates**

Assurance of equal opportunity rests upon legal foundations established by federal and state law, specifically the Rehabilitation Act of 1973 including Section 504, the Americans with Disabilities Act of 1990, and the New York Human Rights Law. By federal law, a person with a disability is any person who:

- has a physical or mental impairment,
- has a record of such impairment, or
- is regarded as having such an impairment,

which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning. Examples include, but are not limited to: learning disabilities, visual impairments, hearing loss, psychological disorders, mobility impairments, AIDS, seizure disorders, and other chronic illnesses.

The Colleges efforts to accommodate people with disabilities must be measured against the goal of full participation and integration. Services and programs to promote these benefits for people with disabilities shall complement and support the Colleges regular services and programs.

The College will continue to strive to achieve excellence in its services and to assure that its services are delivered equitably and efficiently to all of its members.

The policies and procedures that follow are the means by which faculty, staff, and students of Medaille College endorse and will apply the conditions of Section 504, The ADA, and the New York Human Rights Law to students.

### **Non-Discrimination Policy for Students with Disabilities**

It is Medaille College's policy that no otherwise qualified person with a disability be excluded from participating in any College program or activity, be denied the benefits of any College program or activity, or otherwise be subjected to discrimination with regard to any College program or activity. A program or activity refers to any credit or non-credit program or activity sponsored by Medaille College.

An otherwise qualified person with a disability must be ensured the same access to programs, opportunities, and activities at the College as are all others. Existing barriers, whether physical, programmatic or attitudinal will be removed. There must be ongoing vigilance to ensure that new barriers are not erected.

## **College Service Providers for Students with Disabilities**

Individuals with disabilities seeking accommodations, adjustments, and/or auxiliary aids and services must contact and provide documentation of disability to:

Genevieve Kruly  
Coordinator of Accessibility Services  
Medaille College  
Room H101, Academic Support Center  
Phone (716) 566-3088, FAX (716) 884-0291  
[Genevieve.M.Kruly@medaille.edu](mailto:Genevieve.M.Kruly@medaille.edu)

Depending on the disability and the type of assistance requested, a student might be referred to additional College Service Providers as needed. See additional resources below.

### **Additional College Service Providers and Resources:**

<b>Medical needs:</b>	Marsha Glose, Nurse
<b>Psychological / Emotional needs:</b>	Rosalina Rizzo, Counselor
<b>Academic needs / Learning Disabilities:</b>	Genevieve Kruly, Accessibility Services Coordinator
<b>Physical Access Needs:</b>	Joel Duermeyer, Physical Facilities
<b>Student Affairs/ Housing Needs</b>	Kathryn Dennehy, Residence Life
<b>504/ADA Compliance Officer:</b>	Joel Duermeyer, Facilities

## **Student Rights and Responsibilities**

**Every otherwise qualified student with a documented disability has the right to:**

1. Equal access to courses, programs, services, events, jobs, offices, student club activities, facilities, equipment, honors, meeting places, and transportation available through the College.
2. Reasonable and appropriate accommodations (per Title III of the ADA), adjustments, and/or auxiliary aids determined by the College on a case-by-case and/or course-by-course basis that do not create an undue burden on the College or create a direct threat.
3. Appropriate confidentiality of all information pertaining to the disability with the choice of whom to disclose the disability to, except as needed to implement an accommodation or for purposes of health/safety, as required by law. A student can expect the following in order to expedite provision of service:
  - ❑ As needed the Coordinator of Accessibility Services will determine reasonable accommodations, adjustments, and/or auxiliary aids and services based on information and documentation provided by the student.
  - ❑ Administrative and academic personnel will be provided with information as deemed necessary in order to assure the students timely access to programs and services.
4. Information reasonably available in accessible formats.

**Every otherwise qualified student with a disability has the responsibility to:**

1. Meet the Colleges qualifications and essential technical, academic, and institutional standards, including code of conduct.
2. Identify him/herself in a timely manner as an individual with a disability when requesting protection from discrimination or accommodation(s) from the Coordinator of Accessibility Services.
3. Provide documentation from a qualified source that verifies the nature of the disability, functional limitations, and the need, if any for specific accommodations (*see documentation guidelines*). The student is responsible for the costs associated with obtaining documentation.
4. Follow specific procedures for obtaining reasonable and appropriate accommodations, adjustments, auxiliary aids, and/or protection from discrimination, and cooperate with College personnel in developing reasonable accommodations or response to concerns.

## **College Rights and Responsibilities**

### **Medaille College has the right to:**

1. Maintain the College standards.
2. Deny a request for accommodations, adjustments, and/or auxiliary aids if (a) the documentation does not identify a specific disability, (b) the documentation fails to verify the need for the requested services, and/or (c) the documentation is not provided in a timely manner.
3. Refuse to provide an accommodation, adjustment, and/or auxiliary aid that is inappropriate or unreasonable including any that: (a) poses a direct threat to the health and safety of others; (b) constitutes a substantial change or alteration to an essential element of a course or program; (c) fundamentally alters the nature of the service provided; and/or (d) poses undue financial hardship or administrative burden on the College.
4. Request from a student current documentation completed by a qualified professional source to verify the need for reasonable accommodations, adjustments, and/or auxiliary aids.
5. Refer a student to his/her own qualified professional for verification.
6. Discuss a student's need for reasonable accommodations, adjustments, and/or auxiliary aids with the professional source of his/her documentation with the student's signed consent authorizing discussion.
7. Select among equally effective and appropriate accommodations, adjustments, and/or auxiliary aids for each student on a case-by-case/course-by-course basis upon collaboration with others as required.

**Medaille College has the responsibility to:**

1. Ensure that the College's courses, programs, events, services, jobs, offices, student club activities, facilities, equipment, honors, meeting places, and transportation, when viewed in their entirety, are offered in the most integrated and appropriate settings based on a review of what the law requires.
2. Offer on-campus educational programs and activities that, will, when viewed in their entirety, be physically accessible. In the event that a student with a physical disability is enrolled in a course or activity that is inaccessible, the class or activity will be moved to an accessible location or the location will be made accessible. The College will examine off-campus sites chosen for any educational experiences, such as clinical placement, field placement, student teaching, study abroad, and co-ops so that, within reason, the site chosen will be both physically and programmatically accessible. In the event that a student with a disability is required to participate in program or activity that is inaccessible, the program or activity will, to the extent practical, be moved to an accessible location.
3. Provide information regarding policies and procedures to students with disabilities in a timely manner and to provide such policies in accessible formats upon request.
4. Evaluate students on their abilities, not their disabilities.
5. Maintain appropriate confidentiality of records and communication concerning students with disabilities except where disclosure is required by law or authorized by the student.
6. Assist students with disabilities who self-identify and meet the College's criteria for eligibility in receiving reasonable and appropriate accommodations, adjustments, auxiliary aids, and/or other protection from discrimination as determined on a case-by-case/course-by-course basis.
7. Provide reasonable and appropriate accommodations, adjustments, and/or auxiliary aids for students with disabilities upon a timely request by a student.
8. Inform students with disabilities of College policies and procedures for filing a formal grievance through one of the Service Providers, or by contacting the Vice President for Academic Affairs, the Director of the Academic Support Center, the Coordinator of Accessibility Services and /or through external agencies (e.g., Office of Civil Rights) (*see grievance policy*).

## **Policies and Procedures for Accessing Accommodations, Adjustments, and Auxiliary Aids and Services**

Any qualified student with a documented disability is eligible for protection from discrimination under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other pertinent state and federal regulations. This may include reasonable accommodations, adjustments, and auxiliary aids and services on a case-by-case/course-by-course basis. The purpose of accommodations and modifications is to reduce or eliminate any disadvantages that may exist because of an individual's disability. For example, the law does not require institutions to waive specific courses or academic requirements considered essential to a particular program or degree. Rather, each institution is mandated to modify existing requirements on a case-by-case/course-by-course basis in order to ensure that individuals are not discriminated against on the basis of their disability.

Students requesting accommodation of either an academic or personal nature must contact the Coordinator of Accessibility Services and provide appropriate documentation **prior** to receiving services. Documentation must be current, and must be submitted by a qualified professional. The documentation must clearly identify a disability and its impact on the student's current level of functioning in a College setting. Information must be on letterhead; **prescription notes are not acceptable** (*documentation guidelines*). Eligibility for reasonable and appropriate accommodations will be determined on an individual basis.

Once appropriate documentation has been submitted, the Coordinator of Accessibility Services will review the individual student's documentation and then make a determination as to what, if any, appropriate accommodations may be offered. When reviewing documentation, the Coordinator of Accessibility Services does so under the guide that a student must first and foremost be "otherwise qualified" to participate in the college program.

### **Responsibilities of Accessibility Services:**

1. Determining eligibility for participation of students with disabilities in the accommodation process based upon a review of appropriate documentation.
2. Determining the appropriate accommodation for each student based on the individual's need on a case-by-case/course-by-course basis.
3. Assuring the student is provided the opportunity for using the appropriate accommodation.
4. Interacting with administrative and academic personnel when appropriate.

## **Responsibilities of the Student Include:**

1. Contacting the Coordinator of Accessibility Services prior to or at the beginning of each semester so that appropriate accommodations can be made in a timely manner. Students are strongly encouraged to make this contact within the first two weeks of each semester.
2. Providing the Coordinator of Accessibility Services with appropriate documentation of past history of service, medical, psychological, psycho educational, neuropsychological, audio logical, or vision-related evaluations indicating the student's disability as it might impact functioning in a college environment.
3. Providing signed consent, if needed, authorizing the Coordinator of Accessibility Services to discuss the students need for reasonable accommodations, adjustments, and/or auxiliary aids with the professional source (e.g., medical doctor, psychologist) of his/her documentation.
4. Interacting with administration and academic personnel when appropriate. Providing signed consent, if needed, authorizing the Coordinator of Accessibility Services to discuss the student's need for reasonable accommodations, adjustments, and/or auxiliary aids with the professional source (ie: medical doctor, psychologist) of his/her documentation.
5. Informing the administrative and/or academic personnel in a timely manner of need for reasonable accommodation(s). At the beginning of each semester the student will distribute a memo to each of their professors outlining what accommodation that student requires. Accommodations are specific to the situation and are determined by Accessibility Services as appropriate to meet the needs of the student.
6. Meeting the time-lines and procedural requirements established by the College and the Service Providers is essential for receiving services. If the student fails to provide adequate notice of the need for space and/or assistance, he/she is still entitled to the accommodation, but the institution cannot guarantee the availability of the necessary service/support without appropriate notice.

### **Responsibilities of Administrative Personnel and Faculty Include:**

1. Maintaining the integrity of all College programs (ie., programs, courses, activities, and services).
2. Assuring that confidentiality of information regarding students with disabilities is maintained.
3. Discussing with the Coordinator of Accessibility Services any concerns related to the accommodations(s) or arrangements that have been requested by the student during their initial contact.
4. Providing appropriate accommodations for students by making arrangements with the Coordinator of Accessibility Services.
5. Determining the conditions under which an exam is to be administered (e.g., time of exam, open book, use of notes, calculator) and clearly conveying them to the student and test administrator/proctor using the testing accommodations form.
6. Assuring the timely delivery of an exam (to the ASC), along with all necessary instructions and materials for proper administration.
7. Picking up the exam and any materials from the ASC after the exam has been taken.

## **Testing Accommodations**

A student with a disability *may* be eligible for test accommodations, determined on an individual basis after review of documentation of disability. A test, as used in this context, refers to quizzes and examinations taken during the semester including final exams in conjunction with an academic class. A student should discuss his/her specific needs for testing accommodations (e.g., extended time, separate location, and use of computer) with the Coordinator of Accessibility Services in a timely manner BEFORE tests are to be administered.

The Coordinator of Accessibility Services, based on the documentation provided by the student, deems testing accommodations appropriate. The student must follow these procedures in order to request testing accommodations.

1. The student must contact the Coordinator of Accessibility Services to request testing accommodations as early as possible *each* semester.
2. The student must provide the Coordinator of Accessibility Services with documentation of disability and meet to discuss testing needs in order for the Coordinator to determine appropriate testing accommodations.
3. Once the student meets with the Coordinator of Accessibility Services to request or renew accommodations, a memo from the Coordinator outlining the student's accommodations will be sent out to each professor. Memo's will not be sent out and accommodations should not be provided if the student fails to request and/ or renew accommodations at the start of each semester.
4. The student must schedule testing accommodations (separate location, extended time, scribe, test reader) before each exam at the Academic Support Center.
5. Professors must make arrangements to deliver exams to the Academic Support Center (ASC) before scheduled exam time.
6. Academic Support Center staff will administer and proctor each exam taken in the alternative testing locations
7. Faculty are required to pick up completed tests from the ASC upon completion.

\*Students are not required to disclose accommodations and/ or disability to their instructors; however, they are encouraged to remind instructor of testing accommodations prior to any tests or inform them if they will not be using their accommodations for a specific test.

\*\* Test accommodation procedures may vary for Medaille's Rochester and Online programs. Students should reach out to the Coordinator of Accessibility Services to determine appropriate procedures.

Test accommodations determined on a case-by-case/course-by-course basis may include, but are not limited to: extended time to complete exams, a testing location free of distractions, special equipment such as a word processor, readers and scribes, and/or alternative formats such as oral or taped tests.

## **Auxiliary Aids and Services**

Auxiliary aids include interpreters, or other effective methods of making orally delivered materials available to students who are deaf or hard of hearing; readers for students with visual impairments; classroom equipment adapted for use by students with manual impairments; and other similar services or equipment.

While funding for accommodations to ensure equal access is available from Medaille College, funding for auxiliary aids is often the responsibility of state vocational rehabilitation agencies. However, some students with disabilities may not be eligible to be clients of the vocational rehabilitation agency. These state agencies also set limits on the amount of assistance they provide for auxiliary aids. The College does not provide prescription devices, or devices and services of a personal nature.

Need for auxiliary aids and services is deemed appropriate by the Coordinator of Accessibility Services based on the documentation provided by the student. The student must follow these procedures in order to request auxiliary aids and services:

1. The student must initially contact the Coordinator of Accessibility Services to request auxiliary aids and services as early as possible *each* semester.
2. The student must provide the Coordinator with documentation of disability, which supports the need for auxiliary aids and services. The Coordinator will then determine which auxiliary aids and services are appropriate accommodations.
3. Once the student meets with the Coordinator of Accessibility Services to request or renew accommodations, a memo from the Coordinator outlining the student's accommodations will be sent out to each professor. Memo's will not be sent out and accommodations should not be provided if the student fails to request and/ or renew accommodations at the start of each semester.

Students may be encouraged to apply for funding from outside sources (e.g., ACCES VR, Commission for the Blind and Visually Handicapped, NYS Readers Aid Program).

## **Use of American Sign Language Interpreters**

ASL interpreters are considered an auxiliary aid and must be provided to students who have a documented auditory disability and whose primary method of receiving aural information is through sign. The procedure for a student to obtain a sign language interpreter is as followed:

1. The student must present the Academic Support Center with audiological reports and hearing tests, giving advance notice that this service will be required.
2. The student must request an interpreter from the Coordinator of Accessibility Services within a timely manner.
3. The student must meet with the Coordinator of Accessibility Services whereupon he/she will sign an agreement to provide the office with at least 48 hours notice in the event the student needs to cancel or reschedule interpreter services.
4. The student understands that if they miss an interpreter session without notice, future interpreter services may be suspended by the Academic Support Center until such time as the student makes contact with the office.
5. The student also understands that they must notify the Academic Support Center immediately if the scheduled interpreter does not report to the interpreting session.

Students may be encouraged to apply for funding from outside sources (e.g., ACCES VR, Commission for the Blind and Visually Handicapped, NYS Readers Aid Program) for academic ASL interpreting services.

## **Loan of Adaptive Equipment**

The College loans adaptive equipment and devices to qualified students free of charge. Equipment is loaned out on a daily, weekly, or semester basis depending on need and demand for equipment by other students.

Need for adaptive equipment is deemed appropriate by the Coordinator of Accessibility Services based on the documentation provided by the student. The student must follow these procedures in order to request adaptive equipment:

4. The student must initially contact the Coordinator of Accessibility Services to request to borrow adaptive equipment *each* semester.
5. The student must provide the Coordinator with documentation of disability, which supports the need for adaptive equipment. The Coordinator will then determine what adaptive equipment is an appropriate accommodation.
6. The student may be required to sign an equipment release agreement located in the Academic Support Center in addition to signing out the equipment. The student will be instructed in the use and care of equipment by a qualified staff member.
7. Once the student meets with the Coordinator of Accessibility Services to request or renew accommodations, a memo from the Coordinator outlining the student's accommodations will be sent out to each professor. Memo's will not be sent out and accommodations should not be provided if the student fails to request and/ or renew accommodations at the start of each semester.
8. The student is held responsible for the equipment he/she borrows. The student must return item(s) in the same condition it was loaned. The student will be responsible for replacing item(s), which are stolen, damaged (outside of normal wear), lost, etc. If a student fails to return any equipment by the end of the semester, a hold is placed on the student's registration until the student has returned or otherwise satisfactorily accounts for the equipment.

Students are encouraged to apply for funding from outside sources (e.g., Vocational and Educational Services for Individuals with Disabilities, Commission for the Blind and Visually Handicapped, NYS Readers Aid Program).

Contact the Coordinator of Accessibility Services for updates or requests on adaptive equipment available for loan.

## **Reader Services: PDF Texts & Audiobooks**

Students with print disabilities, such as visual impairments and learning disabilities, may require textbooks in alternative formats. The Coordinator of Accessibility Services, based on the appropriate documentation the student provides, makes determination of need. Students must follow these procedures in order to request reader services or PDF texts or audiobooks:

1. **Getting information quickly:** Each student will contact the academic department or the campus store for the title, author, and edition of the textbooks for the courses in which they plan to enroll. This must be done as far in advance as possible. The student is still expected to purchase the textbook(s). If the student has trouble obtaining this information from the course instructor, the student must contact the Coordinator of Accessibility Services as soon as the delay is known. The Coordinator assists the student in getting this information as quickly as possible.
2. **Accessing alternative text formats:** The student will give the bibliographic information to the Coordinator of Accessibility Services for any textbooks or materials that are not currently available from any another agency (ACCES VR). The Coordinator will search for PDF or audio formats of the requested book, depending on the student's eligibility for accommodations. Once alternative formats have been obtained, students will be granted access to the text.
3. **Copyright issues:** Because the Coordinator does not have copyright clearance for books, it cannot distribute tapes to students unless they own a print copy of the material. Students who obtain PDF and/ or audio copies of textbooks cannot distribute this material to any other student.

## **Notetakers/ Note Taking Assistive Technology**

Based on documentation of disability, the Coordinator of Accessibility Services will determine on a case-by-case/course-by-course basis the use of notetakers or technology for note taking assistance as an appropriate accommodation. Students who need this accommodation may have difficulty translating spoken information into a written format, maintaining attention needed for the completion of multitask activities, and/or writing quickly and/or legibly. Students must follow these procedures in order to request note takers:

1. The student must contact the Coordinator of Accessibility Services to request note taking services as early as possible *each* semester.
2. The student must provide the Coordinator with documentation of disability and needs in order for the Coordinator to determine if notetakers or assistive technology for note taking are appropriate accommodations.
3. If approved by the Coordinator for services, the student will then work directly with the Coordinator of Accessibility Services to arrange getting a notetaker/ assistive technology for requested courses. The student is responsible for meeting with the Coordinator at the beginning of each semester to request the service for appropriate courses.
4. A returning student who knows someone in classes or someone who is willing to take notes should identify that person to the Coordinator. If a new or returning student does not know anyone in the class, the Coordinator will work to locate a student enrolled in the course qualified to take notes. If a notetaker cannot be located, students should meet with the Coordinator of Accessibility Services to determine alternative accommodations.

**Please note:** Notetaking accommodations are intended for live, in-person classes and lectures. The need for a notetaker for an online course may be looked into, but due to the format of many online classes, may not be deemed as a reasonable accommodation.

## **Course Substitutions and Modifications**

Recognizing that the nature and severity of a documented disability may preclude learning in specific courses even with reasonable accommodations, the College may permit the substitution of another course or a modification of the course as an accommodation in some instances. The College will not waive or substitute any course or requirement, which is found to be an essential component of the academic program. The petition process should begin as soon as there is strong objective evidence (e.g., previous documented difficulties) that the student will be unable to fulfill the requirement. Students must follow the following procedures in order to request a course substitution or modification.

### **Student Responsibilities:**

1. The student must initially contact the Coordinator of Accessibility Services to review the procedures for a course substitution or modification. The student may be referred to an additional Service Provider as needed (see page 3).
2. The student must request, in writing, a course substitution or modification request to the Coordinator of Accessibility Services. This request must include the reasons for the request and prior experiences with the subject matter as appropriate. The request will be forwarded to the Vice President for Academic Affairs or appropriate designee.
3. The student must provide the Coordinator with current, relevant, and comprehensive documentation of disability from qualified professionals (documentation guidelines, page 20 and following). A complete case history is also required to document the student's history of problems in the subject area from high school until the date of petition. This case history should include (a) the names and description of courses, as well as grades, indicating the student's attempt(s) to master the subject matter as appropriate and (b) **OPTIONAL, BUT RECOMMENDED:** letter(s) from high school and/or college personnel attesting to the student's effort and diligence in attempting to master the subject matter as appropriate.

### **Coordinator of Accessibility Services responsibilities:**

The Coordinator of Accessibility Services must provide a written report to the student's Chairperson detailing the impact of the student's disability-related functional limitation(s) and how the functional limitation(s) may or may not impact the student's performance in the course in question.

### **Chairperson Responsibilities:**

The Department Chairperson must review the student's petition for a course substitution or modification and the Director's and/or Service Provider's report in light of the essential requirements and technical standards of the **program** in question. If the requirements for the course are determined to be essential to the **program**, then the Chairperson will deny the student's request. If the requirements for the course are

determined not to be essential to the **program**, then the Chairperson will approve the Student's request. IN EITHER CASE, the Chairperson will forward the student's request for substitution, the Director and/or Service Provider's report, and the Chairperson's justification for his/her decision to the Vice President for Academic Affairs for a final decision

**Vice President for Academic Affairs' Responsibilities:**

The Vice President for Academic Affairs or appropriate designee, upon reviewing the student's request for substitution, the Director's and/or the Service Provider's report, and the Chairperson's justification for his/her decision, will make the final decision. The Vice President for Academic Affairs will notify the student of the final decision in a timely manner.

NOTE: The student has the opportunity to grieve the Vice President for Academic Affairs' decision following the College's 504/ADA Grievance Procedure. Any student who receives approval for a course substitution or modification is expected to fulfill the College's specific course requirements according to his/her college's guidelines.

**These procedures are subject to change. Students should speak to academic advisors for current policy. Any substitution or modification is valid only for the curriculum in which the student is matriculated at the time of petition. Change of academic program or institution renders the action void.**

## **Eligibility for Reduced Course load and Full-time Status**

A student with a documented disability may enroll in a less than full-time course load as an academic adjustment to accommodate his/her disability under the Americans with Disabilities Act of 1990 and the regulations accompanying Section 504 of the Rehabilitation Act of 1973. A student whose disability warrants the adjustment of carrying less than a full-time load per semester, but who enroll at least half time, can be determined eligible for full-time status. A student must follow these procedures in order to request eligibility for full-time status.

1. A student must discuss reduced course load requirements with his/her academic advisor, the Director and/or the Designated Service Provider, and the Financial Aid Office to determine the potential consequences on progress towards graduation, financial aid, billing, etc. This must be done either:
  - 1) NO LATER THAN the last day of the College's ADD/DROP period if the student needs to carry less than a full-time credit load the entire semester because of a disability, OR
  - 2) NO LATER THAN the last day to withdraw from a course without academic penalty if the student must carry less than a full-time credit load after the semester has begun because of a disability.
2. A student must provide the Coordinator of Accessibility Services with appropriate documentation regarding his/her disability that substantially limits one or more major life functions and that supports the reduced course load and full-time status adjustment. The student may be referred to an additional Service Provider as needed.
3. The Director and/or the Designated Service Provider must verify the need for either the student to register for less than full-time course load or to withdraw from a course in order to accommodate a disability.
4. The Director and/or the Designated Service Provider will notify the appropriate office(s) when requested by a student with a disability regarding his/her need to carry less than a full-time course load and eligibility for full-time status (e.g., the need for prorated financial aid and billing consideration under these procedures).
5. The appropriate offices (e.g., The Registrar, Financial Aid etc..) are responsible for making the necessary adjustments to appropriate records regarding the student's eligibility for a reduced course load and full-time status (e.g., Financial Aid determining the type/amount of aid each student is eligible for).

**These procedures are subject to change. Students should speak to academic advisors for current policy. Students should be aware that, as always, eligibility for financial aid depends upon satisfactory academic progress. It is imperative that students check with their Financial Aid Counselor to determine the effects of dropping below full-time status before taking any action to drop a course.**

## **Documentation Guidelines**

The following are examples of various disabilities and documentation guidelines, and is by no means all encompassing. Each student is evaluated on an individual basis and a determination is made if their documentation is sufficient to support a need to receive disability related services and/or accommodations.

### **Specific Learning Disability**

The following guidelines are provided in the interest of assuring that documentation is appropriate to verify eligibility **and** to support requests for reasonable accommodations, adjustments, and/or auxiliary aids and services on the basis of a learning disability that **currently substantially limits** one or more major life activities. Students are responsible for the costs associated with obtaining documentation.

1. Testing should be comprehensive and done on an adult scale. It is not acceptable to administer only one test for the purpose of diagnosis. Minimally, domains to be addressed should include (but not be limited to):
  - **Aptitude.** The Wechsler Adult Intelligence Scale-Revised (WAIS-R) with subtest scores is the preferred instrument. The Woodcock-Johnson Psycho educational Battery-Revised: Tests of Cognitive Ability or the Stanford-Binet Intelligence Scale: Fourth edition are acceptable.
  - **Achievement.** Current levels of functioning in reading, mathematics and written language are required. Acceptable instruments include the Woodcock-Johnson Psycho educational Battery-Revised: Tests of Achievement; Wechsler Individual Achievement Test (WIAT); Stanford Test of Academic Skills (TASK); Scholastic Abilities Test for Adults (SATA); or specific achievement tests such as the Test of Written Language-2 (TOWL-2), Woodcock Reading Mastery Tests-Revised, the Stanford Diagnostic Mathematics Test, and the Nelson-Denny Reading Test. The Wide Range Achievement Test-3 (WRAT-3) is NOT a comprehensive measure of achievement and therefore is not suitable as the sole measure of achievement.
  - **Information Processing.** Specific areas of information processing (e.g., short- and long term memory; sequential memory; auditory and visual perception/processing; processing speed) should be assessed. Information from subtests on the WAIS-R or clusters on the Woodcock-Johnson Tests of Cognitive Ability as well as other suitable instruments (e.g., Detroit Tests of Learning Aptitude-III) may be used to address these areas.

NOTE: This is not intended to be an exhaustive list or to restrict assessment in other pertinent and helpful areas such as vocational interests and aptitudes.

2. Testing should be **current**. In most cases, this means testing that has been conducted within the past three years. Because the provision of all reasonable accommodations and services is based upon assessment of the **current impact of the student's disabilities on his/her academic performance**, it is in a student's best interest to provide recent and relevant documentation.
3. Tests used to document eligibility should be technically sound (i.e., statistically reliable and valid) and standardized for use with an adult population.
4. Actual test scores should be provided. Standard scores and/or percentiles are acceptable; grade equivalents are NOT acceptable unless standard scores and/or percentiles are also included. The assessment should show evidence of discrepancies and intra-individual differences that result in substantial functional limitation(s) to learning.
5. Professionals conducting assessment and rendering diagnosis of specific learning disabilities should be qualified to do so. Generally, professionals recognized as being qualified to make a diagnosis of learning disability are psychologists trained in either psychological, neuropsychological, or psycho educational assessments, psychiatrists, or learning disability specialists with similar training and credentials (i.e., licensed or certified by the state). Diagnostic reports should include the names, titles, and professional credentials (e.g., licensed psychologist) of the evaluators as well as the date(s) of testing. Experience in working with an adult population is essential. The diagnostician should be impartial and not a family member.
6. There should be **clear and specific** evidence and identification of a learning disability. Individual learning styles and learning differences in and of themselves do not constitute a learning disability.
7. A written summary of or background information about the student's educational, medical, and family histories that relate to the learning disability **should be included**.
8. It is helpful to include a description of any accommodation and/or auxiliary aid that has been used at the secondary or postsecondary level. Information about the specific conditions under which the accommodation was used (e.g., standardized testing, final exams) and whether or not it benefited the student is also useful in determining appropriate accommodations for the student.

### **Attention Deficit Disorder/Attention Deficit-Hyperactivity Disorder**

The following guidelines are provided in the interest of assuring that documentation is appropriate to verify eligibility and to support requests for reasonable accommodations, adjustments, and auxiliary aids and services on the basis of ADD/ADHD that **currently substantially limits** one or more major life activities. Students are responsible for the costs associated with obtaining documentation.

1. A clear statement of ADD/ADHD according to the Diagnostic and Disability Statistical Manual of Mental Disorders (DSM-IV) diagnosis and a description of supporting present

symptoms and, if pertinent, past symptoms.

2. A narrative summary which includes:
  - ❑ assessment procedures and evaluation instruments, including all test scores and sub-scores, used to make the diagnosis;
  - ❑ the functional limitations and impairments related to the diagnosis and medical treatment of the condition including medication (if prescribed, include dosages and schedules of medication), which affect the student's current level of functioning in the College environment;
  - ❑ descriptions/suggestions of reasonable accommodations that have been or might be appropriate at the postsecondary level are encouraged. These recommendations should be supported by the diagnosis.
3. Documentation for eligibility should be current, preferably within the last three years (the age of acceptable documentation is dependent upon the disabling condition, the current status of the student and the student's specific request for accommodation).

Attention Deficit/ Attention Deficit Hyperactivity Disorder (ADD/ADHD) is considered a medical or clinical diagnosis. Generally, individuals qualified to render a diagnosis for this disorder are practitioners who have been trained in the assessment of ADD/AHD and are experienced in assessing the needs of adult learners. Recommended practitioners may include developmental pediatricians, neurologists, psychiatrists, licensed clinical or educational psychologists, family physicians, or a combination of such professionals. The diagnostician should be impartial and not a family member. Further assessment by an appropriate professional may be required if coexisting learning disabilities are indicated.

### **Psychological Disabilities:**

The following guidelines are provided in the interest of assuring that documentation is appropriate to verify eligibility and to support requests for reasonable accommodations, adjustments and/or aids and services on the basis of emotional or psychiatric disability, which ***currently substantially limits*** one or more major life activities. Students are responsible for the costs associated with obtaining documentation.

1. A clear statement of medical/psychological diagnosis according to the Diagnostic and Disability Statistical Manual of Mental Disorders (DSM IV) and a description of supporting present symptoms and, if pertinent, past symptoms.
2. A narrative summary which includes:
  - ❑ the diagnostic studies and tests used to make the diagnosis;
  - ❑ the functional limitations and impairments related to the diagnosis and medical treatment of the condition including medication (dosages and schedules should be included), which affect the student's current level of functioning in the College

environment;

- ❑ and description/suggestions of reasonable accommodations that have been or might be appropriate in the university environment. The recommendations should be supported by the diagnosis
3. Documentation of disability should be current, preferably in the last six to twelve months, and should include the relative **stability** of the present condition. If presently in treatment, documentation should include an update on the status of the disability and the impact of the student's functioning in the academic environment.

Professionals conducting diagnostic studies and rendering diagnosis should be qualified to do so. Generally, professionals recognized as qualified to make the diagnosis are physicians, nurse practitioners, psychiatrists, psychologists and clinical social workers/mental health counselors in conjunction with specialists experienced in working with the particular condition. The diagnostician should be impartial and not a family member.

### **Alcohol and/or Substance Abuse Recovery:**

The following guidelines are provided in the interest of assuring that documentation is appropriate to verify eligibility and to support requests for reasonable accommodations, adjustments and/or aids on the basis of a alcohol or substance abuse recovery disability which ***currently substantially limits*** one or more major life activities. Students are responsible for the costs associated with obtaining documentation.

1. A clear statement of medical diagnosis and a description of supporting present symptoms and, if pertinent, past symptoms.
2. A narrative summary which includes:
  - ❑ specific interpretation of the functional limitation and impairments related to the diagnosis and medical treatment of the condition which affect the student's current level of functioning in the university environment;
  - ❑ and description/suggestions of reasonable accommodations that have been or might be appropriate in the College environment. The recommendations should be supported by the diagnosis.
3. Documentation of disability should be current, preferably in the last one to three years, and should include the relative stability of the condition. (The age of acceptable documentation is dependent upon the disabling condition, the current status of the student, and the student's specific request for accommodation).

Professionals conducting diagnostic studies and rendering diagnosis should be qualified to do so. Generally, professionals recognized as qualified to make the diagnosis are physicians, nurse practitioners, licensed social workers, or chemical dependency counselors who have the appropriate credentials/license in conjunction with specialists experienced in working with the particular condition. The diagnostician should be impartial and not a family member.

### **Mobility, Systemic, or Disease-related Disabilities:**

The following guidelines are provided in the interest of assuring that documentation is appropriate to verify eligibility and to support requests for reasonable accommodations, adjustments and/or aids on the basis of a mobility, systemic, or disease related disability which **currently substantially limits** one or more major life activities. Students are responsible for the costs associated with obtaining documentation.

1. A clear statement of medical diagnosis and a description of supporting present symptoms and, if pertinent, past symptoms.
2. A narrative summary which includes:
  - the diagnostic studies and tests used to make the diagnosis;
  - the functional limitations and impairments related to the diagnosis and medical treatment of the condition including medication (dosages and schedules of medications should be included), which affect the student's current level of functioning in the College environment;
  - and descriptions/suggestions of reasonable accommodations that have been or might be appropriate in the College environment. The recommendations should be supported by the diagnosis.
3. Documentation of disability should be current, preferably in the last one to three years, and should include the relative stability of the condition. (The age of acceptable documentation is dependent upon the disabling condition, the current status of the student, and the student's specific request for accommodation).

Professionals conducting diagnostic studies and rendering diagnosis should be qualified to do so. Generally, professionals recognized as qualified to make the diagnosis are physicians and nurse practitioners in conjunction with specialists experienced in working with the particular condition, such as physical therapists, occupational therapists, and rehabilitative specialists who are licensed and certified. The diagnostician should be impartial and not a family member.

### **Hearing Loss/Deafness:**

The following guidelines are provided in the interest of assuring that documentation is appropriate to verify eligibility and to support requests for reasonable accommodations, adjustments and/or aids on the basis of a hearing loss or deafness disability which **currently substantially limits** one or more major life activities. Students are responsible for the costs associated with obtaining documentation.

1. A clear statement of diagnosis and a description of supporting present symptoms and, if pertinent, past symptoms.

2. A narrative summary which includes:
  - ❑ the diagnostic studies and tests used to make the diagnosis including audio logical evaluation and/or audiogram;
  - ❑ specific interpretation of the functional limitation and impairments related to the diagnosis and medical treatment of the condition, including the implications of the diagnostic data and hearing aid evaluation, which affect the student's current level of functioning in the College environment;
  - ❑ and descriptions/suggestions of reasonable accommodations that have been or might be appropriate in the College environment. The recommendations should be supported by the diagnosis.
3. Documentation of disability should be current, preferably in the last one to three years, and should include the relative stability of the condition. (The age of acceptable documentation is dependent upon the disabling condition, the current status of the student, and the student's specific request for accommodation).

Professionals conducting diagnostic studies and rendering diagnosis should be qualified to do so. Generally professionals recognized as qualified to make the diagnosis are physicians and nurse practitioners in conjunction with specialists experienced in working with the particular condition. The diagnostician should be impartial and not a family member.

### **Visual Impairment/Blindness:**

The following guidelines are provided in the interest of assuring that documentation is appropriate to verify eligibility and to support requests for reasonable accommodations, adjustments and/or aids on the basis of a visual impairment or blindness disability which **currently substantially limits** one or more major life activities. Students are responsible for the costs associated with obtaining documentation.

1. A clear statement of diagnosis and a description of supporting present symptoms and, if pertinent, past symptoms.
2. A narrative summary which includes:
  - ❑ the diagnostic studies and tests used to make the diagnosis including ocular assessment, ophthalmologic examination and low vision evaluation of residual visual functions, where appropriate;
  - ❑ specific interpretation of the functional limitation and impairments related to the diagnosis and medical treatment of the condition which affect the student's current level of functioning in the College environment;
  - ❑ and descriptions/suggestions of reasonable accommodations that have been or might be appropriate in the College environment. The recommendations should be supported by the diagnosis.

3. Documentation of disability should be current, preferably in the last one to three years, and should include the relative stability of the condition. (The age of acceptable documentation is dependent upon the disabling condition, the current status of the student, and the student's specific request for accommodation).

Professionals conducting diagnostic studies and rendering diagnosis should be qualified to do so. Generally, professionals recognized as qualified to make the diagnosis are physicians and nurse practitioners in conjunction with specialists experienced in working with the particular condition. The diagnostician should be impartial and not a family member.

### **Maintenance of Confidential Records**

Records for students with disabilities will be maintained by the Coordinator of Accessibility Services and will remain confidential unless disclosure is authorized by the student or required by law. Disability-related information sent to Health Services will be filed separately from students' primary medical files. Records will be destroyed as follows:

1. Records for students who never attended the College will be shredded after three years of receipt of the record.
2. Records for students who attended will be shredded seven years after students leave the College.

The Coordinator of Accessibility Services will maintain a list of the students whose records are destroyed.

# **Grievance Procedure**

## **Failure to provide accommodations**

When a disagreement arises concerning the providing of accommodations, the following procedures should be followed:

1. The student must request accommodation(s) and provide supporting documentation to the Coordinator of Accessibility Services in a timely manner.
2. In instances where a disagreement arises, the student should contact the Coordinator as soon as possible. The Coordinator will make every effort to resolve the disagreement, first with any appropriate faculty or staff person, then with the academic Department Chairperson or administrative Department Director, and/or if needed, the Vice President for Academic Affairs, as is appropriate. In instances where the disagreement arises with the Coordinator, the student should contact the Director of the Academic Support Center.
3. If agreement cannot be reached, the student may file a written Grievance with the Coordinator of Accessibility Services. Grievance forms are available on Medaille's website. The Coordinator will investigate the matter with all parties involved to achieve resolution within 7 business days. While a Grievance is under review, appropriate and reasonable interim accommodations will be provided.
4. The Coordinator's resolution will be in writing and forwarded to all appropriate parties, including but not limited to the Director of the Academic Support Center and the Vice President for Academic Affairs.
5. The Coordinator's recommendation may be appealed, in writing, to the Vice President for Academic Affairs or appropriate designee for a decision within 7 days.
6. The decision of the appropriate designee is considered final.

## **Discrimination Complaint Procedure**

Medaille College has adopted an internal grievance procedure for prompt and equitable resolution of complaints alleging any actions prohibited by the U.S. Department of Justice regulations implementing Title III of the Americans with Disabilities Act. Title III states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination" in programs or activities sponsored by a private college.

All student related ADA complaints, excluding those filed against Coordinator of Accessibility Services, should be addressed to:

Genevieve Kruly  
Coordinator of Accessibility Services  
Medaille College  
18 Agassiz Circle  
Buffalo, NY 14214  
(716) 880-3088

All student related ADA complaints filed against the Coordinator of Accessibility Services should be addressed to:

Michelle Harvey  
Director of the Academic Support Center  
Medaille College  
18 Agassiz Circle  
Buffalo, NY 14214  
(716) 880-2338

## **Filing a Complaint**

- 1.) All complaints should be filed on Medaille's website at (<http://www.medaille.edu/academics/student-success/disability-services/ada-grievance-form> ), contain the name and contact information of the person(s) filing it and briefly describe the alleged violation.
- 2.) A complaint should be filed within 180 days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination, which took place before this grievance procedure was in effect, will be considered on a case-by-case basis.)
- 3.) An investigation, as may be appropriate, shall follow the filing of the complaint. The investigation shall be conducted by either the Coordinator of Accessibility Services, or the Director of the Academic Support Center, depending upon the nature of the grievance. These rules anticipate informal but thorough investigations, affording all interested persons and their representatives an opportunity to submit evidence relevant to a complaint.

- 4.) A written determination as to the validity of the complaint and a description of the resolution shall be issued by either the Coordinator of Accessibility Services or the Director of the Academic Support Center, and a copy will be forwarded to all appropriate parties, including the Vice President for Academic Affairs or other designee, no later than fifteen (15) working days after its filing.
- 5.) The Coordinator and/ or Director's resolution may be appealed, in writing, to the Vice President for Academic Affairs or appropriate designee for a decision within 7 days.
- 6.) The decision of the appropriate designee is considered final
- 7.) The Coordinator of Accessibility Services shall maintain the files and records of Medaille College, relating to complaints filed.

In cases where an employee of the College is claimed to be either the subject of discrimination or the accused, a report should be filed with the Director of Human Resource. The College will subject to such corrective action and/or penalty as deemed warrant any employee who is found to have engaged in discrimination based on disability.

In cases where another student is accused of discrimination, the sanction may include, but is not limited to a warning, educational and community service project(s), residence hall reassignment, disciplinary probation, residence hall expulsion, and/or suspension or expulsion from the College.