

**Office of Disability Services: Policy and Procedure Handbook**

1. **Accommodations Process Summary**

The Office of Disability Services (ODS) is involved in the determination of reasonable modifications (“accommodations”) for students and student-employees. At times, ODS also acts as a collaborative resource for other offices responsible for determining accommodations in other settings.

Visitors to the University are encouraged to work directly with event/programming coordinators if they feel comfortable doing so and can identify an appropriate contact-person. If not, visitors are encouraged to contact ODS as soon as possible to begin coordination of accommodations.

In order to receive academic accommodations through ODS, students must:

* + Provide appropriate documentation of their disability to the Office of Disability Services
	+ Meet with an ODS representative to engage in an interactive process when first exploring reasonable modifications, PRIOR to the need for requested adjustments.
		- In subsequent semesters, most students will be able to use ODS’ automated systems to renew already-approved accommodations or may meet with an ODS representative to discuss adjustments to their accommodations. Some accommodations may require more interaction between ODS staff and the student.
	+ Deliver the accommodation letters provided by ODS to each instructor from whom you expect accommodations and discuss classroom needs with the instructor
		- Providing adequate time for accommodation coordination.
	+ Alert an ODS representative if an issue with any accommodation arises

In order to receive student-employment accommodations, a student must:

* + Provide appropriate documentation of their disability to the Office of Disability Services
	+ Meet with an ODS representative and their supervisor to engage in an interactive process when first exploring reasonable modifications, PRIOR to the need for requested adjustments.
		- The agreed upon accommodations will be in effect until the student moves to a new employment role, the essential elements of the current role change, or the student identifies that the accommodations are no longer needed
	+ Alert an ODS representative if an issue with any accommodation arises
1. **Documentation Policy**

Students with disabilities who are interested in requesting reasonable modifications are responsible for providing documentation of their disability to the Office of Disability Services (ODS). This documentation must both establish the presence of a disability and provide adequate information on the functional impact of the disability so that need for accommodations can be understood, and so that reasonable modifications can be identified. This documentation will be kept confidential and is used only in the determination of reasonable modifications:

* All documentation must:
	1. Come from an appropriately licensed clinical professional familiar with the history and functional implications of the disability.
	2. Verify the nature and extent of the disability in accordance with current professional standards and practices. This must include a description of the diagnosed medical or mental health condition, and a narrative of the care-provider’s clinically-informed understanding of the functional impact of those conditions. Clinicians should use clinical and professional insight, and should not simply parrot a patient’s self-report.
	3. Be dated, signed, and submitted on official letterhead if not using ODS-provided documentation forms. Documentation must include the name, title and professional credentials of the evaluator.
	4. Reflect the student's *current* level of functioning in the postsecondary setting, demonstrating whether and how a major life activity is substantially limited by providing a clear sense of the severity, frequency and pervasiveness of the condition(s) and any associated effects
	5. If documentation Includes recommendations for accommodations, adaptive devices, assistive services, compensatory strategies, and/or collateral support services, describe how these suggested modifications, aides or services directly relate to and address disability related needs.

All documentation that is submitted is reviewed by appropriate ODS staff. Highschool IEPs or 504 plans rarely meet our requirements for appropriate disability documentation but will be reviewed if requested by a student.

* Additionally:
	+ If the original documentation is incomplete or inadequate to determine the extent of the disability or reasonable accommodation, the university has the discretion to require additional documentation. Any cost incurred in obtaining additional documentation when the original records are inadequate is the responsibility of the student
	+ If the documentation is complete but the university desires a second professional opinion, the university bears the cost of that assessment
	+ It is not acceptable for documentation to include a diagnosis or testing battery performed by a member of the student's family or a clinician not licensed in the diagnosis of the identified medical or mental health condition
	+ Students requesting accommodations for the manifestation of multiple disabilities must provide evidence of all such conditions.
	+ ODS does not need medical or mental health information that is not related to a student’s request for accommodations, aides, or services.
* Documentation forms are available through the Office of Disability Services; please contact the office for more information. Although clinicians are not obligated to use these forms, they are encouraged to do so to ensure that all pertinent information is collected.
1. **Reasonable Modifications (Accommodations)**

Ultimately, a student is responsible for identifying the reasonable modifications to policy or procedure that are necessary to mitigate the effects of their documented disability. ODS representatives may help a student to understand what has helped similarly-situated individuals, but this does not replace a student’s responsibility to identify and request their own reasonable accommodations. All accommodation decisions are individualized to a student and their documented need.

* + An accommodation is NOT reasonable if it:
		- Poses a direct threat to the health or safety of others
		- Requires a fundamental alteration to a course or program of the University
		- Poses an undue financial or administrative burden
		- Modifies or removes essential job elements (in the employment setting), or
		- Is requested for personal use, such as attendant care, personal coaches, aids for personal care of the student or equipment of a personal nature.
	+ Reasonable accommodations are intended to provide students with disabilities an equal opportunity to participate in University academic, and non-academic programs. Reasonable accommodations do not guarantee success or prevent failure within the student’s academic program or employment. Standards do not have to be lowered nor do essential requirements need to be waived to allow students with disabilities to participate.
1. **Reasonable Timeframes**

ODS maintains published timelines for certain procedures to create predictability for those involved with our office. Exceptions to these timelines will be clearly communicated, with reasons for any modification.

Review of disability documentation: 1 week

Scheduling of appointments: Next business day, as staff schedules permit

Test proctoring requests: 7 business days for standard tests and midterms – published single-day cutoff for final exams (please refer to ODS website and direct communications from ODS Test Proctoring Coordinator)

Approval of accommodations: Most accommodations can be approved during scheduled appointments with ODS staff. Some that require administrative follow-up may have timelines dictated by responses from care providers, University partners, or the pursuit of due-diligence in decision making.

Housing modifications: Students are strongly encouraged to make housing-related accommodation requests as soon as possible. Once housing assignments are made, the University is not able to displace another student to meet an accommodation request. There is a strong possibility that approved requests submitted after housing assignments are made will be prioritized on the waitlist rather than able to be met immediately. Requests should be submitted at least 2 weeks prior to the housing assignment date. Please contact the Office of Residence Life for information on the housing assignment date.

Priority registration: The effects of some medical, psychological, or mental health related disabilities necessitate priority registration. Students seeking this accommodation must submit a complete request (including appropriate documentation) at least 2 weeks before course registration times are assigned. Please contact Marquette Central for information on the date that course registration times will be assigned.

Document conversion for accessibility: Some textbooks may take up to 6 weeks for procurement and conversion. Shorter handouts or course readings may be converted in a shorter time frame. Students needing materials in alternative formats should contact ODS as soon as possible, and are encouraged to identify most portions of materials that are needed earliest so that ODS staff can coordinate timely service.

Requests for sign language interpreting/CART: CART/Interpreting requests for classes should be submitted as soon as a student signs up for classes. ODS staff may need several weeks to coordinate long-term service provision contracts. Most one-off request can be met with 3-5 business days’ notice.

1. **Confidentiality**
* The Office of Disability Services (ODS) is committed to ensuring that all information and communication pertaining to a student's disability is maintained as confidential as required or permitted by law.
* The following guidelines about the treatment of such information have been adopted by ODS and will be shared with students. These guidelines incorporate relevant state and federal regulations.
	1. No one will have immediate access to student files in ODS except appropriate staff of ODS. Any information regarding a student's disability is protected by the Family Educational Rights and Privacy Act (FERPA) and will only be disclosed as permitted or required by FERPA.
	2. Sensitive information in ODS student files will not be released except in accordance with federal and state laws.
	3. A student's file may be released pursuant to a court order or subpoena.
	4. If a student wishes to have information about his/her disability shared with others, the student must provide written authorization to an ODS representative to release the information. Before giving such authorization, the student should understand the purpose of the release and to whom the information is being released.
	5. A student has the right to review his/her own ODS file with reasonable notification.
1. **Professional Schools (Law and Dental Students)**

Students seeking accommodations within the Law and Dental schools should contact the Office of Disability Services regarding specific processes for each school. The Office of Disability Services will accept disability documentation from these students and will refer students to designated representatives of each program for the determination of appropriate accommodations.

1. **Grievance Procedure**

Marquette University prohibits discrimination on the basis of a disability. The university is fully committed to complying with all requirements of the Americans with Disabilities Acts of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 to provide equal educational opportunities to all otherwise-qualified students. The Grievance Policy is designed both to address disagreements or denials regarding requested services, accommodations, or modification to university academic practices or requirements, and to address claims of disability discrimination. This process must be initiated no later than 3 years from the date of identified issue. An individual who believes they have been discriminated against on the

basis of their disability at Marquette University, or within an aspect of our programming may receive a review of their complaint as follows:

* 1. Optional Pre-Grievance Meeting:
		+ Prior to the filing a written grievance, students may elect to consult with the Director of Disability Services to discuss alleged violation and the process for preparing and submitting a complaint.
	2. Submission of complaint to the Director of Disability Services
		+ Should the student decide to pursue the formal grievance procedure after their optional pre-grievance meeting with the Director of Disability Services, they must submit a letter to the Director to set forth, clearly and specifically, the nature of the complaint and the remedy sought. The letter should include;
1. Name, address and telephone number of the student(s)
2. The nature, date and description of the alleged violation (s)
3. Any pertinent supporting documentation, including possible witnesses
4. The name(s) of the person or persons responsible for the alleged violation(s)
5. The requested relief of corrective action; and
6. Any background information the student believes to be relevant
* The Director shall investigate the circumstances of the complaint and shall attempt to resolve it, using whatever procedures or calling upon any individuals that may be helpful toward resolution. The Director will issue his/her decision in writing within fifteen (15) working days of receipt of the complaint. The university reserves the right to extend this investigation period if conditions are so warranted. The student will be informed if an extension is necessary on or before the 15th day of the complaint resolution period.
* The university also reserves the right to appoint an appropriate investigator should the Director be unavailable or if there is a potential for any other conflicts of interest that could possibly infringe upon the fairness of the investigation.
	1. Appealing the Director’s Decision – Disability Grievance Panel
* If the complainant wishes to appeal the Director's decision, the complainant may request that the complaint be appealed to a Disability Grievance Panel for a hearing. This appeal must be submitted in writing to the Director of the Office of Disability Services within ten (10) working days of the date of the letter informing the student of the Director's decision. The panel will be convened as soon as possible upon receipt of the request. Three members shall be appointed by the Provost's Office to the Disability Grievance Panel representing Academic Affairs and Student Affairs with a third at-large member.
	1. Grievance Panel Procedures
* The panel shall determine all matters of procedure, evidence, relevance and admissibility it deems helpful and fair in the total decision process, without regard to judicial rules that could be applicable to such issues in a court of law. The Director of Disability Services will serve only as a resource to the panel at the panel's request. If the panel determines the need for a formal hearing, the Director will contact the individuals to be interviewed by the panel.
* Any formal hearings before the Disability Grievance Panel shall be open only to the student, witnesses and advisors, except as the panel may otherwise direct. The student will be notified in writing by the Director of Disability Services at least five (5) working days prior to any hearing requiring the student's presence. The student has the right to bring one advisor to the hearing. If that advisor is an attorney, the Director must be notified two (2) working days prior to the hearing in order to ensure Marquette University General Counsel can be in attendance. If General Counsel is not available, the panel reserves the right to reschedule the hearing. All advisors, including attorneys, will serve only in an advisory capacity for the student during the hearings.
* After concluding its investigation, the panel shall meet in executive session attended only by panel members to decide upon the complaint and make its decision. The decision shall be communicated to the Director of Disability Services in writing within two (2) working days of the executive session. A summary of the decision-making process and evidence considered will be included in this response. The Director of Disability Services will inform the student in writing within five (5) working days of receipt of the panel's decision.
	1. Appealing the Disability Grievance Panel Decision – Review by the Office of the Provost
* If the student wishes to appeal the panel's decision, the student may request that the Office of the Provost review the panel's decision. The request must be made in writing to the Director of Disability Services within seven (7) working days of receipt of the panel decision. The Director will provide all materials relevant to the case to the Provost's Office for review upon receipt of the request. The Provost's Office will not conduct additional hearings, but will only review the complaint in light of the materials presented and its adherence to policies and procedures. The written decision from the Provost's Office on the case shall be final.