

STUDENT GUIDE TO REASONABLE ACCOMMODATION

CARLOS ALBIZU UNIVERSITY

INTRODUCTION

The Carlos Albizu University (CAU) is a specialized, private, non-profit university. It does not discriminate against of race, color, creed, sex, sexual orientation, age, religion, life style, national origin, or disability of any applicant, student, faculty member, or employee during the process of admission, contracting, promotion, or any other activity part of academic programs or services. The policies and procedures employed therein are developed in accordance with the regulations established in basis of state and federal laws and other applicable legislation.

CAU program professional accreditation associations and commissions comply with the laws and policies that prohibit discrimination as well as promote agency management regulations. These are: The Puerto Rico Council of Education (CEPR, Spanish acronym), responsible for the management of public policy on education in Puerto Rico; the Florida Department of Education, Commission for Independent Education which provides regulatory oversight for private institutions in the State of Florida; the Middle States Commission on Higher Education (MSCHE) committed to maintaining and promoting educational excellence within institutions with varied missions, student populations, and resources; the American Psychological Association (APA), which is the entity that provides accreditation to clinical psychology doctoral programs; and the Council for Academic Accreditation in Audiology and Speech-Language Pathology (CAA), which credits the Master's Degree Program on Speech and Language Pathology.

MISSION

The CAU is a higher education institution dedicated to academic excellence and to research from a pluralistic and multidimensional perspective. We educate students to serve a highly complex and diverse society with sensitivity towards the needy. We contribute to the improvement of the quality of life and to the integration of our communities by educating professionals with multicultural competencies. We are distinguished by an educational philosophy of social commitment in all our programs and services.

VISSION

CAU will be a leader in higher education for the transformation of the social environment. We will be the reference institution that will contribute to a better decision-making process at the local, national and international levels, in multicultural settings, thus contributing to the growth of human knowledge and the promotion of social justice and a culture of peace.

I. Legal Basis:

These Acts prohibit discrimination in order to provide persons with disabilities equal conditions and opportunities as the rest of the community.

Americans with Disabilities Act (ADA, 1990)

The Americans with Disabilities Act (ADA) is a national mandate that provides protection to the civil rights of persons with disabilities. This federal law establishes that a physical or mental disability in no way diminishes a person's right to participate in all aspects of society.

Section 504 of the Rehabilitation Act (1973)

Section 504 of the Rehabilitation Act of 1973 grants persons with disabilities the same rights and opportunities enjoyed by the rest of the citizens. This Act establishes that no otherwise qualified handicapped individual shall, solely by reason of a person's disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal assistance.

Americans with Disabilities Act Amendments Act of 2008 (ADAAA, 2008)

On January 2009, amendments to the ADA and the Rehabilitation Act of 1973 entered into effect, which makes important changes to the definition of the term "disability" in accordance with Section 504 of the Rehabilitation Act of 1973. Such amendments are included in the provisions established in this guide.

II. Definitions:

Reasonable accommodation: Adjustments or modifications to a course, program, service, or facility that enables a student with disabilities to enjoy equal benefits and privileges of the program. Accommodations must be made on a case-by-case basis, because the nature and extent of a disabling condition and the requirements of the student will vary. Some examples of reasonable accommodation are: reducing academic load, substituting courses, allowing the use of recorders, scribe services, or voice to text software, allowing additional time to complete exams and written work, providing preferential seating in the classroom, offering oral or electronic exams, among others. (See, Appendix A)

Licensed Professional Counselor (LPC): Mental-health professional that provides individual or group counseling services in the areas of personal, career, and educational development. Furthermore, the Counselor shall coordinate services for students with disabilities and notify CAU students of available services.

Disabilities Service Coordinator with Section 504 responsibilities: Federal law requires that every university receiving federal funds contracts or ascertain a person to coordinate the university services in compliance with Section 504 regulations of the Rehabilitation Act. At the CAU, San Juan Campus, the Licensed Professional Counselor (CPL) is also the Disability Service Coordinator. The Office of the Dean of Student Affairs provides leadership in this regard in the Miami Campus. This role falls under the leadership of Student Services and is independent of the faculty and academic program management.

Documentation: Federal regulations allows for a reasonable level of related documentation to process reasonable accommodation requests. The following are acceptable sources of documentation that may be requested:

- a) Primary Documentation: the student's self-report. The student provides a narrative of his/her experience of disability, barriers, and effective and ineffective accommodations.
- b) Secondary Documentation: impressions and conclusions formed by the coordinator during interviews and conversations with the student or in evaluating the effectiveness of previously implemented or provisional accommodations. Observations of students' language, performance, and strategies are also an appropriate tool in validating student narrative and self-report.
- c) Tertiary Documentation: information from external or third parties, such as reports and assessments created by health care providers, specialized physicians and mental health professionals, among others.

According to the Federal regulations, the Disabilities Service Coordinator shall be empowered to determine the disability documentation necessary to review a reasonable accommodation request.

Chronic Illness: a recurrent and long term illness, such as diabetes, heart, kidneys or liver diseases, high blood pressure, or ulcers.

Disability: a physical or mental condition which substantially limits one or more principal activities of daily living. Some routine activities that people tend to do everyday without needing assistance are: taking care of oneself, walking, seeing, hearing, talking, breathing, learning, working, reading, concentrating, and thinking. The term "principal activity of daily living" must be broadly interpreted. Furthermore, the term 'disability' states the following:

- a) A list of mental or physical conditions that directly classify a person with a disability does not exist.
- b) Episodic conditions or illnesses in remission are covered when they are active.

c) Protection or accommodation cannot be denied because a person uses a mitigating measure or palliative means, such as taking medication to treat a physical or mental illness (the only exception is the use of eyeglasses that correct vision problems).

d) A person who has a history of these disabilities but is no longer disabled, or who has been incorrectly classified as having a disability, or who does not have a disability but who is related or perceived by others as having a disability are protected under law (Examples: persons with a history of physical or emotional impairments, heart disease, cancer, or persons incorrectly diagnosed with mental retardation).

Hidden or invisible disabilities: physical or mental disabilities that are not apparent to others, such as: specific learning problems, diabetes, epilepsy, allergy, vision or hearing difficulties, heart disease, or any other illnesses including chronic illnesses.

Physical Disability: any physiological condition or disorder, bodily disfigurement, or anatomical loss which affects one or more of the following systems: neurological, musculoskeletal, respiratory, cardiovascular, reproductive, digestive, genitourinary, hematologic, lymphatic, endocrinology, and integumentary. It also includes disorders or physiological illnesses in the sensory organs.

Mental Disability: any mental or emotional disorder, such as mental retardation, organic brain syndrome, and specific learning problems.

Reasonable Level of Documentation: means the necessary information to process a reasonable accommodation request. The coordinator does not solicit inappropriate or unnecessary information or evidence.

Reasonable Accommodation Requester: a person who discloses information about his/her disability, whether verbally, communicating his/her diagnosis and experiences as a person with disabilities, or in writing, by providing information certified by a physician, psychologist, or other health care professional. In order to process a reasonable accommodation request provide said accommodation, the student with disabilities must disclose medical information to the Disabilities Service Coordinator. The student will have 15 days to complete the file at the Office of the Disabilities Service Coordinator.

Extended Admission: In Puerto Rico, Extended Admission may be offered by student petition into the bachelor's degree program in order to identify the academic potential of a person with disabilities. The process of admission shall use the basis of the Reasonable Accommodation Passport and the extended admission request.

Postsecondary Reasonable Accommodation Passport: document that certifies that a student with disabilities meets the necessary requirements to take up postsecondary studies. This passport shall contain a description of reasonable accommodations that were successful to the

student in high-school and that may recorded as requirements and necessary to participate in the process of admission and test taking, as well as in postsecondary education services.

Admission Evaluation Committee: a group of professionals that work in and for the higher education institution composed of the licensed professional counselor, the Dean of Students or his/her representative, an admissions officer, and a representative of the department the student is interested in entering. This committee is responsible for establishing the process of extended admission, which may include a personal interview with the student, evaluations, workshops, special courses, and others.

III. Extended Admission

Applying to students seeking enrollment in Puerto Rico, on September 15, 2012, Law Num. 250, the Postsecondary Reasonable Accommodation Passport Act was created in order to establish a mechanism to facilitate students with disabilities equal access to a higher education institution as the rest of the general student population and receive an effective response to their needs.

Extended Admission Request Process:

1. The candidate shall request for an extended admission once the rejection letter to enter the CAU's bachelor program has been received. This request must be in writing indicating their interest in an extended admission. The student must provide the Postsecondary Reasonable Accommodation Passport attached to the letter for reconsideration addressed to the Office of Admissions.
2. The Admissions Office shall inform the Dean of Students of a candidate's request for extended admission.
3. The Dean shall activate the Admissions Review Committee.
4. The Admissions Review Committee shall convene to evaluate the candidate's request for extended admission and Postsecondary Reasonable Accommodation Passport. The candidate's file shall be reviewed to determine the reasonable accommodation to be considered in the extended admission process.
5. The candidate shall be called for an extended admission interview. If the Postsecondary Reasonable Accommodation Passport indicates that the candidate cannot participate in the interview process, then the recommendations established in the passport shall be taken into consideration.
6. The Admissions Review Committee shall have 10 working days to make a decision and notify the candidate.

IV. Rights

Student rights:

1. The student has the right to request a Student Disabilities Service Coordinator in the university, and to file a complaint if he/she believes that his/her disability rights have been violated.
2. The information provided by the student regarding his/her disability cannot be used to take discriminatory actions against him/her.
3. The student has the right to have all medical information disclosed to the service coordinator, professor, provost, or dean under Section 504 of the Rehabilitation Act be kept with strict confidentiality.

Campus rights:

1. Maintain the academic standards of the institution.
2. Request information about visible or hidden disabilities to the student before making a decision of related to a reasonable accommodation request, while protecting the confidentiality of the student.
3. Use of necessary professional assistance, including, but not limited to professional medical or psychological assistance or any other authority or expert deemed necessary to assist in the evaluation of reasonable accommodation requests.
4. Solicit any candidate that makes a reasonable accommodation request, to submit to an evaluation from a UCA expert paid by the university and shall limit same to the disability disclosed by the candidate to support his/her reasonable accommodation request.
5. Select the most appropriate reasonable accommodation, according to the candidate's disability that does not represent an economic burden to the institution.
6. Deny reasonable accommodation requests if the documentation does not include a specific diagnosis, if the student fails to provide documentation that supports the need for reasonable accommodation, or if the documents are not provided on time, as established in Section II of this guide.
7. Reasonable accommodation that is considered inappropriate or unreasonable will not be granted if it presents a direct threat to the health or security of the requestor, if it represents a substantial change in a course or program, or if the cost is burdensome to the institution.
8. If necessary, the reasonable accommodation request may be discussed with the professional or specialist who made the accommodation recommendations.

V. Duties:

Counselor duties:

The Professional Licensed Counselor (LPC) is the Disability Services Coordinator for students with properly identified disabilities. The following are his/her responsibilities:

1. Receive and process reasonable accommodation requests from students of every study program at CAU.
2. Serve as a mediator between faculty members and students in the process of requesting reasonable accommodation services.
3. Receive all complaints related with the services provided to the students, investigate all complaints, and make a decision within 30 working days.
4. Protect the rights of students with disabilities.
5. Follow the Federal and state regulations related to the confidentiality of files and medical information.

Student duties:

1. Provide information about his/her disability and requesting reasonable accommodation at the earliest reasonable opportunity during the start of each academic term.
2. Filling service requests each term, as professors may vary according to courses.
3. Collaborate with a counselor to identify appropriate accommodation assistance.
4. Notify his/her need for reasonable accommodation to the academic counselor or the disability services coordinator with Section 504 responsibilities.

Professor duties:

1. Include the regulations for reasonable accommodation established by the university in the syllabus of each course offered to the students.
2. Understand that reasonable accommodation is not at the discretion of the professor. It is the student's right. The professor shall determine the alternatives that will enable the student to achieve academic success.
3. Contact the CAU academic counselor regarding doubts or for additional information about Section 504 of the Rehabilitation Act and/or the ADA Act.
4. Safeguard the confidentiality of the student's medical information to which professors have access.

Campus duties:

- Develop admissions and recruitment mechanisms that do not discriminate against disabled persons.

- Provide training to the faculty regarding the laws that provide rights to disabled persons and reasonable accommodation needs.
- Perform a self-evaluation process for all the programs and activities every five years or when an amendment occurs, in order to ensure compliance with Section 504 regulations.
- Develop programs and activities accessible to the general student population as well as to all students with disabilities.

VI. Services for Students with Disabilities:

- CAU,
 - The Campus provides accessible facilities required by law
 - Entrance ramp
 - Restrooms on every floor with accessibility to individuals with movement difficulties.
 - Elevator
 - Parking for persons with disabilities
 - The San Juan Campus provides Student transportation to and from La Puntilla and Doña Fela parking facilities.
 - Parking spaces duly identified for persons with disabilities.
 - Elevator to the mezzanine where the San Juan main offices of the faculty are located.
- Library
 - Has the following equipment:
 - Magnifying glasses
 - Adjustable tables for students with mobility limitations
 - Individual assistance
 - Computers capable of increasing the font size to the one desired by the student.
 - Lights approved by OSHA for students with vision impairments.
- Community Mental Health Clinic – San Juan Campus only
 - Appropriate installations for persons with mobility impairment.
- Speech and Language Pathology Clinic – San Juan Campus only
 - Appropriate installations for persons with mobility difficulties.
 - An adjustable workstation for persons with mobility or slight visual difficulties.

VII. Reasonable Accommodation Request Procedure:

1. Any student with disabilities who requests reasonable accommodation services shall contact the university's disability services coordinator and receive orientation related to

the his/her rights and available services. The Disability Services Coordinator at San Juan Campus of CAU is the Licensed Professional Counselor.

Contact information of the Office of the Licensed Professional Counselor:

Dean of Students Office 205

Telephone: (787)725-6500, ext. 1570

E-mail: yigonzalez@sju.albizu.edu

Dean of Student Affairs – Miami Campus

Telephone: 305-593-1223, ext 3208

2. Reasonable accommodation services must be requested at the earliest reasonable opportunity during the start of each academic term. However, the disability services coordinator is available during the entire semester to follow up on cases, clarify any doubts, and offer orientation about the rights of students with disabilities within the university.
3. The student must request the renewal of his/her reasonable accommodation services every academic term during the period of time previously established (See Appendix B).
4. The Disability Services Coordinator must interview any student who requests reasonable accommodation services. Along with the interview, the Disability Services Coordinator will request the student to complete a reasonable accommodation request form and request further documentation that supports the reasonable accommodation services request. (See Appendix C) The Coordinator shall make a decision regarding a reasonable accommodation request using primary and/or secondary documentation provided by the student and may request a medical certificate supporting the disability.
5. If the student has a hidden disability, for which conclusions cannot be made for reasonable accommodation by the primary and/or secondary documentation process, said student shall provide written documentation supporting the disability for which the accommodation is requested by means of the Medical Certificate for Reasonable Accommodation Request (See Appendix D), which requires a qualified health care professional or expert in the area of disability to provide a letter of affirming the authenticity disability and recommendations proffered. This information is necessary to establish the impact of the student's academic experience and make informed decisions regarding the reasonable accommodation.
6. The student shall submit a medical certificate, signed by the physician, psychologist, and/or other health professional that provide direct treatment, to the coordinator in

support of a reasonable accommodation request. Said certificate shall be to the student. The documentation shall provide current information (less than two years).

7. The approval for Reasonable Accommodation Services (See Appendix E) will be notified to the student, who will provide a copy to the professor, supervisor, or director who shall facilitate the accommodation.
8. The student shall provide copies of the document of reasonable accommodations services to the person in the studies program who requires the information, in order to provide a reasonable accommodation (Professor, Supervisor, Program Director, Director of Clinical Training, Internship Director, Director of the Dissertation Committee), as applicable. The person who receives the document must sign it as evidence of receipt.
9. After obtaining all the signatures required in the reasonable accommodation form, the student must submit the form to the Disability Services Coordinator.
10. The coordinator shall hold an orientation meeting with the faculty member that does not allow accommodations, if the student is deprived of the accommodation services approved by the coordinator.
11. The coordinator cannot disclose information about the student's disability to any person within the university, unless the student has authorized the disclosure in writing. (See Appendix F)
12. If unsatisfied with the services provided, a student may issue a complaint following the complaint procedures established herein.

VIII. Complaint Procedures:

1. If a student with disabilities believes that his/her rights have been violated, the student shall fill out a complaint/grievance form, which can be obtained at the Office of the Disability Services Coordinator. (See Appendix G)
2. The Student Disability Services Coordinator shall have five (5) days to respond to any complaint. If no notification is reached within five (5) working days, it shall be understood that the petition in the complaint is denied.
3. If a complaint is made against the Counselor or Disability Services Coordinator, or if the student is not in agreement with the decision made by the coordinator, the student may issue a complaint following the CAU internal mechanisms for administrative complaints in accordance with the "General Policies and Disciplinary Procedures Manual".

IX. Links of Interest:

- Americans with Disabilities Act - ADA Home page: <http://www.ada.gov/>
- Association on Higher Education and Disability: <http://www.ahead.org/>
- Department of Education – Office for Civil Rights: <http://www2.ed.gov/about/offices/list/ocr/index.html>

X. References:

A guide to disability right laws. Recovered from: <http://www.ada.gov/cguide.htm>

Association on Higher Education and Disability. (2012, April). Supporting accommodation requests: Guidance on documentation practices. Recovered from:

http://www.ahead.org/resources/documentation_guidance

Auxiliary aids and services for postsecondary students. Recovered from:

<http://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html>

Commission on Quality of Care and Advocacy for Persons with Disabilities. (n.d.). Section 504 and Postsecondary education 34 C.F.R.104. Recovered from:

<http://cqc.ny.gov/advocacy/Rehabilitation%20Act%20%20Section%20504%20Post%20Secondary/34%20C.F.R.%20104%20>

Department of Health and Human Services, Office for Civil Rights. Fact Sheet OCR: Your rights under section 504 of the Rehabilitation Act. Recovered from:

<http://www.hhs.gov/ocr/civilrights/resources/factsheets/504.pdf>

Higher education. Recovered from::

<http://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html>

O*NET Online (2006). O*NET Report No: 31514 - Vocational and educational counselors.

Recovered from: O*NET Online: <http://www.occupationalinfo.org/onet/31514.html>

Students with disabilities preparing for postsecondary education: Know your rights and responsibilities. Recovered from:

<http://www2.ed.gov/about/offices/list/ocr/transition.html>

U.S. Department of Justice. ADA Home Page: Information and technical assistance on the Americans with Disabilities Act. Recovered from: <http://www.ada.gov>

Appendix A

Reasonable Accommodation Services Offered to Students

- Use of:
 - Amanuenses
 - Interpreters
 - Voice synthesizers
 - Computers
 - Recorders
 - Communication boards
- Arranging a private meeting with the course professor at the beginning of the academic term in order to modify class participation.
- Entering into special agreements related to the evaluation process of the course
- Allowing extra time to complete exams
- Allowing additional time to hand in assignments
- Allowing preferential seating in classrooms
- Providing printed material in large print
- Offering precise and individual instructions
- Facilitate ease of communication
- Alternate evaluation methods:
 - Providing oral tests
 - Dividing tests into parts
 - Reducing the number of questions
- Providing flexibility relating to attendance requirements

Among other services

Appendix B

Appendix C

Appendix D

Reasonable Accommodation Request Form to be completed by the student at the request of the Disability Services Coordinator on a case-by-case basis.

Appendix E

Appendix F

Appendix G

Appendix H