

# Accessing & Implementing Accommodations



<b>Policy Number:</b> 04.024	<b>Responsible Office:</b> Office of Student Affairs	<b>Governing Body:</b> College Council, AAAT	<b>Last Review Date:</b> August 2024
<b>Scope:</b> This policy applies to students of Antioch College			

## I. Introduction

### A. Policy Statement

1. It is the policy of Antioch College not to discriminate against individuals with disabilities - who are otherwise qualified - in administering educational policies, employment policies, scholarship and loan programs, and extra and co-curricular College-administered programs. It is further the policy of the College to enable those individuals with disabilities to participate as independently as possible in Antioch College activities so that campus life will be enhanced and the individual lives of members of the College community will be enriched.
2. Antioch College resolves to make reasonable efforts to see that the opportunities it offers are accessible to all qualified individuals. Appropriate academic adjustments of policies and procedures will be implemented for students with disabilities.
3. In addition, Antioch College adheres to the policies and procedures and Section 504 of the Federal Rehabilitation Act of 1973, which reads:

*“No otherwise qualified handicapped individual...shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”*

- B. The Assistant Director of Student Success and Academic Resources in the Office of Student Affairs provides reasonable academic, campus employment (in collaboration with human resources), housing and/or dining accommodations, access or referrals related to auxiliary aids, and support services that are individualized and based upon disability documentation, functional limitations, and a collaborative assessment of needs. Antioch College is dedicated to providing access for all students.
- C. Students may request accommodations and auxiliary aids based on what they are authorized to use and specific class and campus workplace needs. Student Affairs does not guarantee to meet personal preference requests, but rather ensures that access to reasonable academic accommodations and auxiliary aids will be provided in accordance with ADA and Section 504 of the Rehabilitation Act of 1973. Please see the *Student Rights and Responsibilities* section below for more information, as well as the [link](#) to Antioch College employee accommodations.

## II. Definitions

- A. Accommodation: Any modification made for a person or within an environment to minimize the discriminatory effect of a person's physical, emotional, or learning disability.
- B. Reasonable accommodations: Adjustments within a work or school site that allow an

otherwise-qualified individual with a disability to perform the tasks required.

- C. Functional Limitations: Refers to activities that individuals may have trouble doing or tasks they may have difficulty carrying out, due to the specific nature of their disability.

### III. Student Rights and Responsibilities

#### A. Students of Antioch College have the right to:

1. Equal access to courses, programs, services, activities, campus job opportunities, and facilities offered throughout the College.
2. Reasonable academic and/or campus workplace accommodations and services are determined after providing the Assistant Director of Student Success and Academic Resources with appropriate documentation of your disability (see *Disability Criteria* below) and an assessment of needs.
3. *Confidentiality*. Disability documentation will be kept on a confidential need-to-know basis. Records may be shared if you agree, in writing, to release them, or when such a disclosure is required or permitted by law.
4. *Advocacy support*. If you appropriately make known your need for an approved academic accommodation to your instructor and it is denied, notify the Assistant Director of Student Success and Academic Resources immediately about the situation. If outside of the regular office hours, please send an email detailing the situation to [student-success@antiochcollege.edu](mailto:student-success@antiochcollege.edu).
5. Discuss your concerns if you believe that your right to appropriate accommodations has not been met. Disability-related concerns should be first discussed with the Assistant Director of Student Success and Academic Resources. Students should explain what accommodation(s) they are looking for and provide a rationale for needing the outlined accommodation(s). If a meeting or conversation with the Assistant Director of Student Success and Academic Resources still results in an adverse decision, students should appeal to the Dean of Students (DoS) within one quarter of the initial meeting where the approved accommodations letter was discussed after documentation was submitted. Note: The DoS may need to involve other appropriate college personnel in order to fully address the issues at hand.
6. Our goal is to facilitate individualized reasonable accommodations and supports. However, the Office for Civil Rights (OCR), U.S. Department of Education protects the rights of students and ensures that individuals who meet the program qualifications and eligibility requirements are given equal opportunity to participate. You reserve the right to file a grievance through OCR if you believe your situation has not been resolved within the college support system.

#### B. Students at Antioch College have the responsibility to:

1. Meet qualifications and maintain essential institutional standards for courses, programs, services, activities, campus employment, and facilities.
2. Contact [student-success@antiochcollege.edu](mailto:student-success@antiochcollege.edu) for assistance to identify and secure academic and/or campus workplace accommodations and supports. In addition, you should inform the Assistant Director of Student Success and Academic Resources if you are uncertain about what you need or are having difficulty getting what you requested.
3. Follow student responsibilities listed under each individual accommodation provided.
4. Register with Student Success Services and provide sufficient and appropriate information

alongside documentation of your disability from a qualified professional; information and documentation should address how the disability limits your participation in courses, programs, services, activities, campus employment, and facilities to be eligible for any accommodation from Antioch College. When possible, you should contact the office during the first 2 weeks of each term to ensure that approved accommodation letters can be created for you to provide to instructors and/or campus supervisor.

5. Before accommodations can be implemented, you must schedule a time to meet with your instructors and/or campus supervisor to review your approved accommodations letter so that the institution has time to make reasonable adjustments. Proactive and early communication is important as it enables us to better accommodate you. During the meeting, your instructor and/or supervisor will be responsible for filling out a form indicating that they have discussed your accommodations with you. If you would like the Assistant Director of Student Success and Academic Resources to help facilitate the conversation, please request this in a timely manner. Please note: since accommodations do not take place until you have the discussion with your instructor, or campus supervisor, you cannot use any accommodations retroactively.
6. For Academic Accommodations, prior to the beginning of the term, the Assistant Director of Student Success and Academic Resources will send out a renewal form. This form is an opportunity to identify if any of your accommodations need to be adjusted, as well as indicating the courses in which you intend to use your accommodation(s) and therefore which faculty members need access to your approved accommodations letter. Once the form is received, the Assistant Director of Student Success and Academic Resources will send a copy of the approved accommodations letter to you and your faculty, reminding both parties of their responsibilities. If you are renewing your accommodations, you are strongly encouraged to discuss your accommodations with your instructors no later than the 2nd week of each term.
7. Inform the Office of Student Affairs (OSA) if your name, address, telephone number, etc. should happen to change.

#### **IV. Rights of College Students with Disabilities**

- A. The Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits and other aspects of employment. The law also requires that covered entities provide qualified applicants and employees with disabilities with reasonable accommodations. An individual is considered to have a disability if that individual either;
  1. has a physical or mental impairment that substantially limits one or more of that person's major life activities;
  2. has a record of such impairment, or;
  3. is regarded as having such impairment.
- B. The ADA further prohibits retaliation against an individual for asserting their rights under the ADA. The Act also makes it unlawful to discriminate against an individual, whether disabled or not, because of the individual's family, business, social, or other relationship or association with an individual with a disability.

#### **V. Institutional Requirements**

In April of 1977, the Department of Health, Education and Welfare issued a regulation that defines handicapped persons as those individuals who have a physical or mental impairment that substantially limits a major life activity, and generally requires that "each program and

activity, when viewed in its entirety, is readily accessible to handicapped persons and is offered in the most integrated setting appropriate.” Specific requirements of interest to students with disabilities include the following (in summary form).

- A. Admission to Classes: Institutions may not, on the basis of disability, exclude a qualified student with a disability from any course or area of concentration. This provision requires that some classes may have to be relocated, and some laboratory equipment may have to be modified to accommodate the needs of a qualified student with a disability (if possible), and that auxiliary aids must be permitted in the classroom when they are necessary to ensure the full participation of a student with a disability.
- B. Academic Requirements: Instructors are obligated to make changes in course requirements if necessary to ensure that such requirements do not discriminate against a qualified student with a disability. Similarly, the faculty must alter or waive any requirement for a major or a College degree that has the effect of discriminating against a qualified student with a disability. Examples of such modifications may include changes in the length of time permitted for completion of requirements, or providing an alternative for particular laboratory assignments or field trips. If a requirement is essential to a course, major or degree, and a student with a disability cannot fulfill it, then the person is not “qualified” within the definition of this term.
- C. Other Adjustments: Prohibitive rules, which would have the effect of limiting the participation of a student with a disability in campus activities, must be waived for the student with a disability. Such rules include a ban on having a service animal in classrooms or residence halls, or on using a tape recorder in a classroom or during guest lectures. Instructors will be notified via the student’s approved accommodations letter if these are approved accommodations for the student. If an instructor is concerned about possible misuse of recordings of lecture material that will be published or otherwise protected by copyright, the instructor may ask a student to sign an agreement describing that class recording will only be used for the individual student’s personal study and the timeline in which the recordings should be deleted.
- D. Examinations: If necessary, course instructors are obligated to provide alternate testing procedures for a student with a disability, so that the results of the evaluation represent the student’s achievement in the course, rather than the student’s impaired sensory, manual or speaking skills (except where skills are the specific factors being measured).
- E. Career Counseling: A student with a disability may not be counseled toward a more restrictive career than would be suggested for a non-disabled student, unless such counseling is based on strict licensing or certification requirements in a profession.
- F. Procedures: Assistant Director of Student Success and Academic Resources provide specific procedures for students with disabilities to receive accommodations. Please refer to the *Disability Criteria* and the *Accommodations Guidelines* sections for more information.
- G. Student Appeal: The College provides an internal procedure through which a student may appeal an adverse decision on a request for some academic adjustment. Disability or Accommodation-related concerns should be first discussed with Student Success staff. Students should explain what accommodation(s) they are looking for and rationale for needing the requested accommodation(s). If a meeting or conversation with Student Success still results in an adverse decision, students may appeal to the Dean of Students (DoS) within one quarter of the initial meeting where the approved accommodations letter was discussed after documentation was submitted by the student’s health care professional. Note: The DoS may select an appointee or need to involve other appropriate college personnel in order to fully address the issues at hand.

## VI. Disability Criteria

Noted above, the ADA defines disability with respect to an individual as “a physical or mental impairment that substantially limits one or more major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.” The ADA does not specify a list of covered impairments; as such, a student who demonstrates substantial limitation(s) is eligible for academic accommodations. In compliance with the ADA Amendments Act of 2008, the term "substantially limits" must be “construed broadly in favor of expansive coverage.” Additionally, following guidance from the Association on Higher Education and Disability (AHEAD), Antioch College employs reasonable standards in determining eligibility for academic accommodations and commits to a non-burdensome process. Students are therefore able to substantiate a disability by engaging in a structured interview and by providing relevant documentation.

### A. Self Report via Structured Interview

Students are the primary source of information pertaining to the limitation(s) they experience. As such, engaging with the student about their experience is central to this process and helps the Assistant Director of Student Success and Academic Resources better understand the student’s limitation(s) and need(s).

In almost all cases, the student’s self report will need to be accompanied by documentation (see below). However, in unique situations, the student’s engagement in this process and the circumstances and context surrounding their request may cumulatively be enough for the student to appropriately demonstrate an impairment that is substantially limiting.

### B. Documentation

Documentation provided by the student should substantiate the student’s limitation(s) and clarify the student’s request for accommodations or auxiliary aides. The documentation provided should be recent (ideally within the last three years). AHEAD recommends that documentation parameters be broad and inclusive, as diverse types of documentation have the potential to be meaningful and contain pertinent information. Documentation could include, among other things, “educational or medical records, reports and assessments created by health care providers, school psychologists, teachers, or the educational system. This information is inclusive of documents that reflect education and accommodation history, such as Individual Education Program (IEP), Summary Of Performance (SOP), and teacher observations.” Please note, an IEP or SOP only applies to academic accommodations. We recognize that there are a variety of factors that can impact a student’s ability to obtain such documentation and are committed to working with the student to guide them through this process.

Documentation must originate from appropriate sources who are accordingly professionally qualified to issue it.

**Cumulatively, the information that the student provides should be enough to illustrate to a reasonable person that the student has a disability and that the requested accommodations are appropriate.**

1. **Temporary accommodations** are provided to students who have serious short-term illnesses or injuries that are substantially limiting (and therefore constitute a disability). These accommodations are provided through the student’s recovery period. Examples of common qualifying circumstances include, but are in no way limited to, concussions, broken bones, and recovery periods following major surgeries (including recovery periods following gender-affirming care).

2. **Provisional accommodations** are provided in good faith to students on a discretionary, case-by-case basis. Essentially, if a student has struggled to evidence a disability but has been engaging in the interactive process with the Assistant Director of Student Success and Academic Resources and can substantiate that they are actively pursuing and/or engaging in a diagnostic process, they are eligible for provisional accommodations. Provisional accommodations exist for situations in which students think they may benefit from accommodations before an official evaluation can take place. Provisional accommodations are typically approved on a quarter-long basis, but they can be changed to permanent accommodations if the student appropriately substantiates their disability.

## **VII. Accommodation Guidelines**

### **A. Accommodations Must:**

1. Be based on the functional limitations of the disability upon the specific individual
2. Be subject to modification if the impact or symptomatology of the disability changes
3. Be subject to modification based on the exigencies of medication trials and adjustments
4. Be preceded by disclosure of the disability to the Assistant Director of Student Success and Academic Resources with appropriate documentation.

### **B. Accommodations Cannot:**

1. Cause undue burden on the setting or the institution
2. Significantly alter a campus job description as well as the academic requirements and/or the learning aims of the course
3. Significantly alter the course content and/or campus job description

### **C. Who is Eligible for Accommodations?**

There are several academic resources available to all Antioch College students. However, students who request accommodation on the basis of a diagnosed disability must register with The Assistant Director of Student Success and Academic Resources. Student Success staff will meet with students on an individual basis in order to plan the appropriate accommodations.

### **D. Registering with Student Success Services:**

Appropriate and reasonable accommodations are best determined through an interactive process that includes the student with the disability, the Assistant Director of Student Success and Academic Resources, course instructors, and other faculty or staff members as appropriate. Housing Accommodation Requests must be approved by the Assistant Director of Student Success and Academic Resources and an approved accommodations letter should be submitted to the department of Residence Life. The following guidelines is a representation of the process of receiving accommodations

#### **1. Register with the Assistant Director of Student Success and Academic Resources:**

- a. Fill out the intake/registration form (this form is also available online on our disability services page)
- b. If you have difficulties finding the intake/registration form, please contact the Assistant Director of Student Success and Academic Resources at [student-success@antiochcollege.edu](mailto:student-success@antiochcollege.edu), or by phone at (937) 767-1286 ext. 0193

2. **Meet with the Assistant Director of Student Success and Academic Resources to discuss determination of the status of the student as a person with a disability.** If the student is a person with a disability, the Assistant Director of Student Success and Academic Resources will work with the student to determine the necessary accommodations. After medical documentation is received, the student receives an approved accommodations letter verifying the student's disability status and necessary accommodations. The Assistant Director of Student Success and Academic Resources will then send the letter to the faculty of the student's choice. If campus workplace accommodations are being developed, the approved accommodations letter will be sent to both Human Resources and the supervisor of the position. The student may request that a member of disability services staff contact the faculty member or supervisor for an initial introduction. If a student previously was issued an academic accommodation, all they have to do is fill out the renewal form, then meet with their faculty as previously described in *number six of student responsibilities*.
3. **Discuss details of the accommodations with faculty and staff members as appropriate.** Students and faculty should communicate to develop a shared understanding of what accommodations will look like in the context of their courses. It is the student's responsibility to inform their instructors, supervisor, and/or the dean and program manager of ACW ahead of time when they intend to utilize their accommodations (ideally this should be discussed within the first two weeks of the quarter for academic accommodations). When deciding to use a testing accommodation (for instance, an extended time or an isolated testing environment accommodation), students should communicate with faculty at least one week prior to the test/exam/quiz so that arrangements can be made.

## **VIII. Disability Confidentiality**

### **A. Confidentiality in Higher Education**

Students with disabilities are enrolling in institutions of higher education in increasing numbers. These students are protected from discrimination under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 in the United States. Recognizing that discrimination often occurs as a result of attitudinal barriers and misconceptions regarding the potential of persons with disabilities, these government mandates for nondiscrimination convey a clear need for confidential treatment of disability related information.

### **B. Rules & Guidelines Regarding Confidentiality**

1. The Assistant Director of Student Success and Academic Resources manages disability-related information and documentation. Disability-related information is shared rarely and on an extremely limited basis to other Antioch College personnel only when there is a legitimate, appropriate educational interest served by doing so.
2. Disability-related information is protected by the Family Educational Rights and Privacy Act (FERPA).
3. Student records may be released pursuant to a court order or subpoena.
4. Otherwise, Antioch College will not share disability-related information or documentation externally unless the student makes this request formally by providing written authorization to a Student Success Services Coordinator. The student should understand from the third party both why the student is being asked to provide this information and to whom they are disclosing the information.

5. A student has the right to review their own information and records on file with sufficient notice.

C. Why Do We Need These Rules?

Some disability-related information is clearly medical in nature, and as such, must remain confidential as noted. Other disability related information may trigger negative connotations about the person with the disability. People whose disability is a result of HIV, seizure disorder, or psychiatric illness, for example, deserve and expect to have their privacy protected by having this information handled in a highly confidential manner. The government statutes regarding persons with disabilities hold the promise that they will provide the same level of protection for any one individual, or class of individuals, with a disability than they do for another. Therefore, since some disability related information must be guarded closely, keeping all such information equally protected is a conservative, safe and legally acceptable practice.

### **Student and Staff Signature Page**

Students, please initial next to each listed document below that you have received and reviewed within the *Assessing and Implementing Accommodations due to Disability* policy.

\_\_\_\_\_ **Student Rights and Responsibilities**

\_\_\_\_\_ **Disability Criteria**

\_\_\_\_\_ **Accommodation Guidelines**

\_\_\_\_\_ **Disability Confidentiality**

**I understand the rights and responsibilities outlined above and throughout this document.**

**I understand my rights and responsibilities when receiving services from the Student Success Services Team at Antioch College.**



**Student Printed Name:** \_\_\_\_\_

**Student Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Student Success Staff Representative:** \_\_\_\_\_ **Date:** \_\_\_\_\_