

KANSAS WESLEYAN UNIVERSITY

Student Disability Services Handbook

Albert Nelson Student Success Center

and

Student Disability Services

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Student Disability Services (SDS)

Student Handbook

Our Purpose

Kansas Wesleyan University (the University) is committed to providing equal access to all academic areas and other programs sponsored by the University to students with disabilities and supporting the full participation by all students in the campus community. This includes providing reasonable accommodations to qualified students in accordance with applicable law, including the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (the "Rehabilitation Act").

The Student Disability Services (SDS) Office provides assistance to both students and faculty in accommodating students with disabilities. This office serves as the primary resource for all student disability issues. SDS is located in the Albert Nelson Student Success Center on the first floor of the Memorial Library.

This Handbook is a resource for students with disabilities. It contains important information regarding the policies, procedures, and services of SDS, including:

1. The procedure students should follow to seek a disability accommodation; and
2. Important confidentiality requirements.

This Handbook has been prepared for general information purposes only. The policies and procedures set forth in this Handbook may be modified by the University at any time. No statement in this Handbook constitutes an express or implied contractual obligation by the University.

Should you have any questions about the policies and procedures set forth in this Handbook, or if you would like to receive this Handbook in an alternate format, please contact the SDS at 785-833-4398.

Equal Opportunity Statement

Kansas Wesleyan University does not discriminate based on race, color, ethnic or national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, genetic information, pregnancy status, military status, veteran status, or any other legally protected class in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and educational services.

Policy for Students with Disabilities

The purpose of the Policy for Students with Disabilities is to explain the rights and responsibilities of students with disabilities who are attending or preparing to attend Kansas Wesleyan University, and to explain the University's policy and procedures regarding accommodations.

A student with a disability has the right to obtain timely, reasonable accommodation of his/her disability. Students also have the right to appropriate confidentiality in regards to their disability.

Along with these rights, students with disabilities have certain responsibilities. A disabled student who seeks an accommodation must timely identify him/herself to SDS as having a disability. Disclosure of a disability is always voluntary.

A disabled student who seeks an accommodation is responsible for knowing and following SDS' policies and procedures for requesting an accommodation. Once a student has self-identified as having a disability, the student must provide documentation of his/her disability (as set out in this Handbook), and request an accommodation. Once SDS receives the necessary documentation, SDS will review a student's request in light of the essential requirements of the relevant program.

SDS will engage in an interactive process with the student to collaboratively assess the student's needs and determine and arrange a reasonable accommodation for the student. A reasonable accommodation may include auxiliary aids and services, the modification of policies, practices, and procedures, modifications to the environment to remove barriers and promote equal access, and academic adjustments to ensure equal educational opportunity. A reasonable accommodation will be determined based on the individual needs of each student.

In providing a reasonable accommodation, SDS has the right to select among equally effective reasonable accommodations. SDS is not required to lower or substantially modify essential requirements, reduce standards of academic performance, or alter the essential nature of the degree requirements. In addition, SDS is not required to make accommodations that would fundamentally alter the nature of a service, program, or activity, or that would result in an undue hardship. SDS may also deny a request for a reasonable accommodation if the documentation provided by the student demonstrates the request is not warranted or if the student fails to provide appropriate documentation or otherwise fails to engage in the interactive process.

After the SDS has determined a student is eligible for a reasonable accommodation, SDS will assist to arrange the reasonable accommodation by issuing a letter to the student to provide to the student's instructors. The letter will provide the student's instructors information about the student's reasonable accommodation and how the accommodation process works. The letter will not disclose a student's disability or confidential health information. Students are responsible for timely communicating with their instructors about the reasonable accommodation for which the student is eligible.

A student is responsible for immediately informing SDS if the student has any difficulties with the reasonable accommodation or the reasonable accommodation process. SDS is committed to working with the student to seek an appropriate resolution. SDS has established a grievance process that students may use in the event a student believes he or she has been denied equal access or a reasonable accommodation. Further information regarding the grievance process is set forth in this Handbook.

Confidentiality and Retention of Information

All information regarding a student's disability is confidential. All disability-related documentation will remain separate from a student's academic records and will not be released to any individual, employer, or source external to the University without the student's written consent.

In order to provide effective services, SDS will communicate limited information regarding approved accommodations on a need-to-know basis. SDS will not share a student's confidential medical information with University faculty, staff, or others without the student's consent, except that SDS may disclose this information in the event of a medical emergency, an official court order, or behavior that endangers the health and safety of the student or others.

SDS will retain all disability-related records for seven years after a student's last term of attendance at the University. All documentation and other SDS related materials will be destroyed seven years after the student's last term of attendance.

Prior to the destruction of the records, students are entitled to copies of documents held in their files and may receive them upon written request. A student who returns to the University after disability documents have been destroyed must resubmit documentation of their disability in order to obtain accommodations.

Requesting Accommodations

To be eligible for a reasonable accommodation, students must make their disability known to SDS. Students should notify SDS of the disability and complete the *Access and Accommodations Student Dialogue* form. SDS will engage in an interactive process with the student and, as appropriate, with qualified professionals documenting the disability. If you have a disability and would like to receive consideration for a reasonable accommodation, written relevant documentation from a qualified professional is needed. **A high school IEP or 504 Plan is not sufficient documentation of a disability.** Self-advocacy by students is encouraged, as well as taking the initiative in requesting desired reasonable accommodations and having relevant, current documentation to verify the need for an accommodation. **Requests for disability accommodations must be made each semester.**

Documentation of disabilities is necessary for the SDS staff (in collaboration with the student) to determine reasonable accommodations, which are provided on a case-by-case basis. If the submitted documentation is incomplete, out of date, or does not support the student's request for an accommodation, SDS may ask the student to provide additional documentation. The cost of obtaining all documentation is the responsibility of the student.

Students will complete the Access and Accommodations Student Dialogue form with the Director of the Student Success Center. This completed form, in addition to written, relevant, documentation from a qualified professional must be sent to the Accommodations Coordinator for SDS. The Accommodations Coordinator reviews these materials and determines the accommodations that will be approved. The notice of approved accommodations is then sent to the Director of the Student Success Center who will assist the student in the implementation of these accommodations on campus. The purpose of the separation between review and implementation is to ensure the confidentiality of medical records.

The documentation students submit for a disability should meet the following criteria:

- Clearly states the diagnosed disability or disabilities;
- Describes the functional limitations resulting from the disability or disabilities;
- Identifies the major life activities that are impacted by the disability or disabilities;
- Reflects the existing (current) status of the reported disability and the accommodations that are recommended as a consequence of the disability;
- Includes educational, developmental, and medical history relevant to the disability for which accommodations are being requested;
- Includes a list of test instruments used in the evaluation report and relevant subtest scores used to document the stated disability;
- Describes the specific accommodations requested;
- Adequately supports the need for each of the requested accommodation(s) and the anticipated duration of each requested accommodation;
- Formatted as a typed document on official letterhead and signed by an evaluator qualified to make the diagnosis (include information about license or certification and area of specialization); and

- All documentation should be labeled CONFIDENTIAL and submitted by the student or the qualified professional to:

Accommodations Coordinator
Kansas Wesleyan University
100 E. Claflin Avenue
Salina, KS 67401-6196

Additional guidelines for disability documentation are set forth below.

Documentation Guidelines

When providing SDS documentation of a disability, SDS recommends that students follow these Documentation Guidelines, which are based on best practices recommended by the Association of Higher Education and Disability (AHEAD).

1. **The credentials of the evaluator(s)**

Appropriate documentation must be provided by a licensed or otherwise properly credentialed professional who has undergone appropriate and comprehensive training, has relevant experience, and has no personal relationship with the individual being evaluated. A good match between credentials of the individual making the diagnosis and the condition being reported is expected.

Documentation must be provided on official letterhead with the name, title, professional credentials, address, phone number, and signature of the evaluator, as well as the date of the report.

2. **A diagnostic statement identifying the disability**

Quality documentation includes a clear diagnostic statement that describes how the condition was diagnosed, provides information on the functional impact, and details the typical progression or prognosis of the condition. While diagnostic codes from the Diagnostic and Statistical Manual of the American Psychiatric Association (DSM-V) or the International Classification of Functioning, Disability, and Health (ICF) of the World Health Organization are helpful in providing this information, a full clinical description will convey the necessary information.

3. **A description of the diagnostic methodology used.**

Quality documentation includes a description of the diagnostic criteria, evaluation methods, procedures, tests, and dates of administration, as well as a clinical narrative, observation, and specific results. Where appropriate to the nature of the disability, having both summary data and specific test scores (with norming population identified) within the report is recommended.

Diagnostic methods that are congruent with the particular disability and current professional practices in the field are recommended. Methods may include formal instruments, medical examinations, structured interview protocols, performance observations, and unstructured interviews. If results from informal, non-standardized or less common methods of evaluation are reported, an explanation of their role and significance in the diagnostic process will strengthen their value in providing useful information.

4. **A description of the current functional limitations**

Information on how the disabling condition(s) currently impact the individual provides useful information for identifying possible accommodations. A combination of the results of formal evaluation procedures, clinical narrative, and the individual's self-report is the most comprehensive approach to fully documenting impact. The appropriate documentation is thorough enough to demonstrate whether or how a major life activity is substantially limited by providing a clear sense of the severity, frequency, and pervasiveness of the condition(s).

While relatively recent documentation is recommended in most circumstances, common sense and discretion in accepting older documentation of conditions that are permanent or non-varying is possible. Likewise, changing conditions and/or changes in how the condition impacts the individual brought on by growth and development may warrant more frequent updates in order to provide an accurate picture. It is important to remember that documentation is not time-bound; the need for recent documentation depends on the facts and circumstances of the individual's condition.

5. **A description of the expected progression or stability of the disability**

Documentation should provide information on expected changes in the functional impact of the disability over time and context. Information on the cyclical or episodic nature of the disability and known or suspected environmental episodes provides opportunities to anticipate and plan for functional impacts. If the condition is not stable, information on interventions (including the individual's own strategies) for exacerbations and recommended timelines for re-evaluation are helpful.

A description of current and past accommodations, services, and/or medications

The most comprehensive documentation will include a description of both current and past medications, auxiliary aids, assistive devices, support services, and accommodations, including their effectiveness in ameliorating functional impacts of the disability. A discussion of any significant side effects from current medications or services that may impact physical, perceptual, behavioral, or cognitive performance is helpful when included in the report. While accommodations provided in another setting are not binding, they may provide insight in making current decisions.

6. **Recommendations for accommodations, adaptive/assistive devices, assistive services, compensatory strategies, and/or collateral support services**

Recommendations from professionals with a history of working with the individual provide valuable information. It is helpful when recommended accommodations and strategies are logically related to functional limitations; if connections are not obvious, a clear explanation of their relationship can be useful in decision-making. While the University has no obligation to provide or adopt recommendations made by outside entities, those that are congruent with the programs, services, and benefits offered by the University may be appropriate. When recommendations go beyond equitable and inclusive services and benefits, they may still be useful in suggesting alternative accommodations and/or services.

Students should contact SDS for guidance on the documentation needed for their individual situations.

Review of Accommodation Request Process

The steps students take for requesting accommodations are as follows:

- Notify SDS that they are requesting accommodations;
- Complete the Access and Accommodations Dialogue Form, in consultation with the Director of the Student Success Center;
- Submit the Access and Accommodations Dialogue Form and written, relevant documentation of a disability from a qualified professional to the Accommodations Coordinator of SDS

SDS will provide students with a letter, notifying them of approved accommodations. Based on this information, the student must:

- Utilize this letter to communicate with faculty about the reasonable accommodation the student is eligible to receive
- Notify SDS immediately if there are problems with the reasonable accommodation or the reasonable accommodation process

Establishment of a Disability Accommodation Plan

SDS will review disability documentation submitted by a student on a confidential basis. SDS will contact the student to discuss the student's disability diagnoses, accommodations that may have been effective in the past, accommodations presently being sought, and how accommodations may be implemented at the University.

Working together with the student, SDS will assess whether a reasonable accommodation is necessary and available based on the type(s) and impact of the particular disabling condition(s), as reflected by documentation and self-report. Reasonable accommodations are determined on an individual basis and may not be identical to those previously used by a student at another institution or in another setting.

Proposed accommodations that compromise the integrity of an academic program, impose an undue hardship on the University or alter the fundamental nature of the programmatic, academic, or curricular content are not considered reasonable or appropriate. Accommodations will **not** be granted retroactively for past terms or past parts of courses in which the letter of accommodation was not presented to the instructor. Undiagnosed or undocumented disabilities cannot be the basis for grade appeals. Students cannot petition grades received as a result of not using accommodations or not following appropriate procedures to request accommodations. Grade appeals must follow University policy as delineated in the Academic Catalog and Student Handbook.

After the SDS has determined a student is eligible for a reasonable accommodation, SDS will assist to arrange the reasonable accommodation by issuing a letter to the student to provide to the student's instructors. The purpose of the letter is to verify that the student has registered with SDS and to delineate the accommodations that may be used in the classroom. No information regarding the specifics of the student's disability or health condition will be contained in the letter. **Letters are only effective for one semester.** At the beginning of each semester, the student will need to go to SDS to discuss any changes that need to be made and to receive a new letter.

It is the responsibility of the student to share the accommodation letter with the instructors for each class in which accommodations are being requested. SDS recommends that the student make an appointment with each instructor during his/her office hours to review the letter and discuss how each accommodation will be implemented. **Instructors are not able to provide accommodations until they are presented with a letter from SDS.** No individual instructor has the unilateral authority to deny a student a disability accommodation approved by SDS. Any faculty concerns or disputes regarding an accommodation should be addressed through the grievance process.

A student is responsible for immediately informing SDS if the student has any difficulties with the reasonable accommodation or the reasonable accommodation process, or if any changes in accommodation are needed.

Disability Accommodation Grievance Procedures

Students are expected to contact SDS as soon as possible if reasonable accommodations are not being implemented in an effective or timely way. If a satisfactory resolution cannot be reached with SDS, the student may appeal the decision via the grievance process, which is described below.

Informal Grievance Procedure

Students should first attempt to resolve a grievance via the following informal grievance procedure. Use of this informal grievance procedure is not a prerequisite to the pursuit of other remedies, but is strongly encouraged as the first course of action. Most conflicts are positively resolved through the informal grievance procedure.

1. Students should first discuss their concerns with the Director of Student Disability Services. The Director, in an effort to clarify and resolve issues, may: discuss the situation with the student; discuss the situation with other relevant individuals when appropriate (such as the faculty member, department or program), and/or mediate discussions between a student and other relevant individuals, when appropriate.
2. As appropriate, the Director will notify the student and other relevant individuals of the progress of the informal grievance procedure, findings, and the ultimate resolution. Every attempt will be made to resolve conflicts in a timely manner.
3. If the Director is unavailable, the Academic Dean will serve in the Director's role for both the informal and the formal grievance process.

Most situations are resolved through the Director's support and mediation. However, if this avenue does not meet the needs of the individuals involved, the grievant may choose to utilize the Formal Grievance Procedure.

Formal Grievance Procedure

Where resolution through the informal grievance procedure is not achieved, the student may use the formal grievance process. The formal grievance procedure is available to a student at any time. The formal grievance procedure for the University is described on the Student Development Webpage under Student Complaint Policy.

The University will attempt to maintain the confidentiality of the grievance and the individuals involved to the extent permitted by law. Relevant information will be provided only to those persons who need to know in order to achieve a timely resolution of the grievance. The University will document the formal grievance and its resolution, and maintain the documentation in the Provost's Office.

The University encourages students to resolve grievances by using these procedures. Students have the right to file a complaint directly with the U.S. Department of Education, Office of Civil Rights.

Resolving Conflicts with SDS and/or a Staff Member

The procedure for resolving conflicts with SDS and/or a staff member is similar to the steps explained above. Initially, the student should discuss the grievance with the Director of Student Disability Services. If the grievance is not resolved, or there is a specific reason the situation cannot be discussed with the Director, the student should meet with the Assistant Provost.

A student has the right to bypass SDS and go directly to the University's formal grievance procedure.

Discrimination Complaints

If a student believes he or she is being discriminated against because of their disability, the student should contact the Academic Dean (785-833-4332).

Campus Resources

- Office of Human Resources: 785-833-4303
- Office of the Provost and Academic Dean: 785-833-4332
- Office of Student Development: 785-833-4329
- Office of Student Development, links to Student Handbook and Student Complaint Policy:
<http://www.kwu.edu/current-students/student-development/student-development-policies>

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