

Tennessee Technological University
Policy No. 340



Effective Date: June 9, 2017

Policy No: 340

Policy Name: Services for Students with Disabilities

I. Purpose

This policy describes the process and procedures Tennessee Tech follows to ensure that qualified students with disabilities are not excluded from participation in or denied the benefits of its services, programs, or activities.

II. Review

This policy will be reviewed every two years or when circumstances require review, whichever is earlier, by the Director of the Office of Disability Services (“ODS”), with recommendations for revision presented to the Administrative Council and University Assembly.

III. Definitions

- A. Disability:** With respect to an individual seeking reasonable accommodations or adjustments in programs and services, a physical or mental impairment that substantially limits one or more of the major life activities, or a record of such impairment, or being regarded as having such an impairment.
- B. Fundamental Alteration:** A change so significant that it alters the essential nature of the services, programs or activities.
- C. Inactive Student:** A student who has not requested services or who has not participated in a semester review for the current semester or a student who is no longer enrolled in the university.
- D. Qualified Individual with a Disability:** An individual with a disability who satisfies the requisite skills, experience, education, and other program-related requirements, and can perform, with or without reasonable accommodations or adjustments, the essential requirements of such program.
- E. Reasonable Accommodation:** Making existing facilities readily accessible to and usable by individuals with disabilities, acquiring or modifying equipment or devices, adjusting examination schedules, student course schedule, providing qualified readers, interpreters, or scribes, course substitutions, and other similar accommodations or adjustments for individuals with disabilities.
Accommodations may include auxiliary aids and any other special arrangements or coordinated services. Reasonable accommodation or adjustment does not include fundamental changes to a course/program, service or activity, undue financial burden to the university, or undue administrative burden.

- F. Registration:** Submission by the student of current qualifying disability documentation, ODS Application, Release of Information Form, and class schedule. Meeting with ODS professional to discuss requested services once all submissions have been received.
- G. Semester Review:** A review of current schedule and services with an ODS professional.
- H. Service Animals:** A dog or miniature horse that is individually trained to do work or perform tasks for a person with a disability.
- I. Student:** A student who has registered and met with an ODS professional for an initial assessment and continues to engage in a semester review in order to request reasonable accommodations or adjustments.
- J. Undue Burden:** A set of facts that renders the accommodation or adjustment unreasonable. Factors to be considered include: cost, financial resources of the state, health and safety considerations or any other factor supported by law.

IV. Policy

Tennessee Tech does not discriminate against individuals on the basis of disability as defined in Section 504 of the Rehabilitation Act of 1973 as amended and the Americans with Disabilities Act of 1990 as amended. Tennessee Tech will make reasonable accommodations or adjustments for qualified students with disabilities to ensure that they are not excluded from participation in or denied the benefits of its services, programs, and activities.

V. Responsibilities for Implementation

- A. Student**
 - 1. The student seeking a reasonable accommodation or adjustment must register with ODS.
 - 2. The student seeking a reasonable accommodation or adjustment must submit appropriate documentation.
 - 3. The student seeking a reasonable accommodation or adjustment must schedule and participate in a semester review with ODS each semester.
 - 4. It is the student's responsibility to become familiar with and utilize resources related to the reasonable accommodation or adjustment.
 - 5. The student granted permission to record classroom lectures must comply with TTU Policy No. 180 (Personal Recording Devices).
 - 6. The student must return loaned equipment at the end of each semester. A hold will be placed on the student's account and the student will not be able to register for classes if the equipment is not returned and/or replaced.

7. It is the student's responsibility to participate in an interactive process regarding issues related to reasonable accommodations or adjustments.

B. Faculty

To meet Tennessee Tech's obligations related to reasonable accommodations or adjustments, faculty are required to:

1. Adhere to Tennessee Tech's policies and procedures regarding students with disabilities,
2. Provide academic adjustments and reasonable accommodations in courses as specified in the Academic Adjustment Form,
3. Coordinate extended time adjustments with ODS professionals to ensure appropriate reasonable testing accommodations,
4. Add the following statement to all course syllabi, "Students with a disability requiring academic adjustments and accommodations must contact the Office of Disability Services (ODS). ODS is located in the Roaden University Center, Room 112; phone 372-6119. For more information see TTU Policy 340 (Services for Students with Disabilities) at www.tntech.edu/policies."
5. Choose accessible textbooks and materials and,
6. Provide accessible classroom handouts, charts, notes, and materials.
7. Faculty should feel welcome to raise concerns with ODS if they believe that granting a particular accommodation or adjustment is either a fundamental alteration or undue burden.

C. The Office of Disability Services

ODS will:

1. Ensure that only trained professionals will evaluate documentation, determine appropriate services, and assist students in arranging services or testing adjustments.
2. Provide the student's qualifying accommodations or adjustments to the appropriate university administrators, faculty, and staff,
3. Maintain confidential records and communication of students who have registered with the ODS,
4. Provide a test proctoring service during regular business hours or proctor training for any department choosing to use its departmental proctors (graduate assistants, work study students, etc.) after hours or when ODS services are otherwise not available,

5. Monitor compliance with relevant laws and policies and inform the ADA Advisory Committee and other necessary entities of any problems,
6. Serve as a liaison between students and the university community,
7. Provide information concerning disabilities to university administrators, faculty, and staff ,
8. Determine services for each student on a case-by-case basis, and
9. Follow appropriate procedures related to concerns about implementation and determination of reasonableness.

VI. Procedures

A. Documentation Requirements

1. Students must submit appropriate and current documentation of their disability to ODS. If the student has a learning disability, documentation may include psychological exams such as restricted intelligence tests of achievement (ex. battery in math, reading, written language and spelling). For other disabilities, documentation may include medical evaluations submitted by a physician or otherwise qualified specialist (APN, PA, etc.).
2. If the documentation is not current, the student may submit a statement on letterhead from a qualified specialist in combination with the original documentation. The letter should clearly state the nature of the disability, state that the condition has not changed, and that the student remains under the supervision of a specialist. ODS reserves the right to request additional documentation.
3. Generally ODS does not rely solely on IEP's (Individualized Education Plans/Programs) as qualifying documentation. IEP's may be helpful or supplemental and/or used in combination with other documentation to determine eligibility or types of services.
4. ODS recognizes that documentation provided by the government or the military on behalf of veterans is often different in form, nature, and information from those normally provided by civilian medical, psychological, or government groups and agencies. In those cases, ODS will take this into account when determining services.
5. ODS will determine, in its sole discretion, what documentation is appropriate in each case.

B. Documentation Providers

ODS is not responsible for identifying providers and does not recommend one specific provider over any other, though it may provide names of possible assessment providers.

C. Exceptions

1. Provisional Status

ODS may, in its sole discretion, provide a “provisional” active disability status for a specific period to allow the student to provide appropriate documentation. If the student has not provided the documentation at the end of the agreed upon provisional time frame, absent good cause, the student will no longer receive services.

2. Temporary Medical Conditions

Students who have temporary medical conditions or circumstances may request a short-term accommodation through ODS. For such accommodations ODS will, in its sole discretion, determine the suitability of the request.

VII. Processes Related to the Determination of Reasonableness and Implementation of Requested Accommodations or Adjustments

A. Process Regarding the Determination of Reasonable Accommodations or Adjustments

1. When a student requests an accommodation or adjustment, academic or otherwise, ODS will consider the reasonableness of the request.
2. When ODS has concerns about the reasonableness of the request, ODS will assemble a group of trained, knowledgeable, experienced individuals to review the program/course, service, or activity requirements. This group will consider whether effective alternatives to the essential requirements exist, which could allow students with disabilities to participate in programs/courses, services or activities without waiving or lowering essential requirements or fundamentally altering the nature of the program/course, service, or activity. This group shall consist of staff members from ODS and any applicable university staff.
3. Within three (3) business days of the date the process described in Section VII.A.2 has concluded, ODS will inform the student in writing of whether the request would fundamentally alter the program/course, service, or activity.
4. If the student is dissatisfied with the result of the process described in Section VII.A.2, the student may request, in writing, a review by the Director of ODS. The student must provide the written request to the Director of ODS within three

(3) business days of delivery of the determination, absent good cause. In the written request for review, the student must explain the reasons why s/he believes the determination is in error.

5. The Director of ODS will review and assess the determination. In reaching a decision, the Director of ODS may consult with the student or any other individuals who are trained, knowledgeable, and experienced with the program/course, service or activity.
6. The Director of ODS will issue a written decision within three (3) business days of receipt of the student's request for review, absent good cause. The decision issued by the Director of ODS is final.
7. If the student is dissatisfied with the Director of ODS's decision, the student may file a complaint as provided in TTU Policy 141 (Prohibited Discrimination and Harassment)

B. Process Related to the Implementation of Reasonable Accommodations or Adjustments

1. A student who is dissatisfied with the implementation of a reasonable accommodation or adjustment should notify the Director, Assistant Director, or Coordinator of ODS.
2. ODS will review the student's concern with the appropriate university staff and communicate its decision in writing to the student within three (3) business days of that review.
3. If the student is dissatisfied with the ODS decision regarding implementation of a reasonable accommodation or adjustment, the student may request, in writing, a review by the Director of the ODS. The student must provide the written request to the Director of ODS within three (3) business days of delivery of the decision, absent good cause. In the written request for review, the student must explain the reasons why s/he believes the decision is in error.
4. The Director of ODS will review and assess the decision. In reaching a decision, the Director of ODS may consult with the student or any other people who are trained, knowledgeable, and experienced with the program/course, service or activity.
5. The Director of ODS will issue a written decision within three (3) business days of receipt of the student's request for review, absent good cause. The decision issued by the Director of ODS is final.
6. If the student is dissatisfied with the Director of ODS's decision, the student may file a complaint as provided in TTU Policy 141 (Prohibited Discrimination and Harassment).

VIII. Other Avenues of Redress

- A.** Any student who believes s/he has been discriminated against on the basis of disability may file a complaint under TTU Policy 141 (Prohibited Discrimination and Harassment). The student's decision to file a complaint will not affect the ODS processes described above unless the student specifically requests to terminate those processes.
- B.** A student may also file a complaint with the Department of Education, Office for Civil Rights. Information related to filing a complaint is available on the Office for Civil Rights website <http://www2.ed.gov/about/offices/list/ocr/index.html>.

IX. Interpretation

The President or his/her designee has the final authority to interpret the terms of this policy.

X. Citation of Authority for Policy

T.C.A. § 49-8-203(a)(1)(D) & (E); TTU Policy 006 (Nondiscrimination Policy); Section 508 Federal Accessibility Guidelines as adopted by the State of Tennessee.

Approved by:

The President on January 13, 2017, pursuant to TTU Policy 101, Section VII.A.