



## ANA G MENDEZ UNIVERSITY STUDENT CONSUMER INFORMATION Student Disability Accommodations Policy

### Introduction

Ana G. Mendez University (AGMU) is committed to ensuring that all qualified individuals with disabilities have the opportunity to participate in educational programs and services on an equal basis. To that end, we strive to create an inclusive educational environment for all members of the University community in accordance with provisions of applicable laws including, but not limited to, the Americans with Disabilities Act as amended (ADA), and Section 504 of the Rehabilitation Act of 1973 (Section 504).

This policy outlines the University's resources for individuals with Disabilities, the process to request Reasonable Accommodations, and the relevant procedures for filing a grievance.

### Scope

This policy applies to all qualified admitted and enrolled AGMU students with a Disability. Applicants are also covered by this policy for accommodations needed in the admissions process. This policy does not apply to student employees who are seeking accommodations relating to their jobs – such student employees may coordinate with the Office of Human Resources for appropriate accommodations.

### Definitions

The following terms are applied by AGMU in accordance with applicable federal law and regulations and are summarized below.

An individual with a **Disability** is one who has a physical or mental impairment that substantially limits one or more major life activities, who has a record of such impairment, or who is regarded as having such an impairment.

A **Reasonable Accommodation** is any modification or adjustment enables a qualified student or applicant a disability to enjoy equal educational or employment opportunities and participate fully in all programs and activities. Reasonable accommodations must address the particular disability and shall not impose an undue burden on the University or produce a fundamental alteration of the University's programs or services.

A **Qualified Individual with a Disability** is an individual with a disability who meets the academic and technical standards requisite for admission or participation in the educational program or activity, with or without reasonable accommodation.

## **Reasonable Accommodations**

The University prohibits discrimination based on disability. The University also prohibits retaliation against individuals in connection with the assertion of rights under this policy.

In accordance with applicable law and University policies, AGMU will provide Reasonable Accommodations to Qualified Individuals with Disabilities on an individualized, case-by-case basis and in a timely manner. To support students requesting Reasonable Accommodations, AGMU has empowered the Directors of Retention (Ground campuses & Main campus- Online Spanish & Online English) with the authority and training to review and make decisions about whether an individual is a Qualified Individual with a Disability and what constitutes a Reasonable Accommodation. The Directors of Retention will make determinations regarding both academic accommodations as well as accommodations for other AGMU programs or activities and will coordinate with the Academic Affairs leadership as appropriate. All information pertaining to a Disability and potential accommodations will be stored securely by and will only be shared with other University personnel on a need-to-know basis in compliance with applicable University policies and law.

## **Process to Request Reasonable Accommodations**

A student (or applicant) may request an accommodation in accordance with the following procedures:

1. The individual requesting an accommodation must submit a written request their campus Director of Retention, who will coordinate an intake appointment with the designated campus staff member.
2. At the time of the intake appointment the designated campus staff member will:
  - a) Conduct an intake interview;
  - b) Provide information regarding student information and documentation requirements;
  - c) Describe services and accommodations offered at AGMU; and
  - d) Provide information regarding this policy.
3. Documentation requirements vary according to each individual's disability and situation. If documentation is required, the student will provide written and current documentation of their disability from a qualified professional with relevant experience and no personal relationship with the individual being evaluated. Appropriate documentation should provide information to establish the existence of the Disability, describe the nature of the Disability, explain the limitations of the student, and offer accommodation recommendations. Documentation must be on professional letterhead, signed, dated and include a licensure number.
4. The campus Director of Retention will engage in the interactive process with the student to determine appropriate Reasonable Accommodations. For conditions that are subject to change over time (including health related disorders, learning disabilities and psychological disabilities) the student may be asked to provide updated documentation for their file on an on-going basis for accommodations to be continued. No accommodation will be provided retroactively. The University reserves the right to modify accommodations.
5. If a Reasonable Accommodation is provided, the campus Retention department will generate an "Instructor Notification Letter" (INL) that explains to each instructor that the student is properly registered with the University and a list of accommodations to which the student is entitled. The INL will not disclose the student's specific disability information or diagnosis. It is the student's responsibility to deliver an INL to each of their instructors and to discuss the accommodation.

Though a student can request an accommodation at any time, AGMU must receive reasonable advanced notice, which is typically four to six weeks. For sign language interpreters or books in alternative format, the full six weeks' notice is usually necessary.

The student has the responsibility each semester to decide whether they want to continue to receive accommodations or services. If the student decides they need accommodations or services for a particular semester, the need must be communicated to their campus Retention department by phone, e-mail, or in writing prior to the start of the semester.

If, for any reason, a student is unable to complete a course for which a Reasonable Accommodation has been provided, the student is responsible for informing their campus Retention department that they are no longer in need of the accommodation.

### **Commonly Requested Academic Reasonable Accommodations**

Listed below are commonly requested academic accommodations:

- Alternative testing formats
- Extended testing time on exams/quizzes
- Testing in a reduced distraction setting
- Physical classroom accommodation (ie: accessible table or chair)
- Technology aids
- Alternative formats (ie: large print, Braille)
- Live human readers and scribes
- Speech-to-Text Captioning
- Closed captions and transcription for course content
- ASL Interpreting
- Access to cell phone in for purpose of monitoring blood glucose only
- Access to water or food during testing breaks
- Preferential seating
- Focus aids
- Use of an audio or video recording device for note-taking and personal study purposes only

AGMU is not required to provide services of a personal nature such as personal attendants, individually prescribed devices, transportation, or readers/tutors for personal use or study.

### **Prohibited Retaliation**

AGMU is committed to providing prompt and effective resolution of alleged incidents of discrimination and harassment. Any type of retaliation against an individual for requesting an accommodation, using an accommodation, or for filing a complaint or appeal with the University or an external governmental agency is prohibited.

### **Grievance Procedures**

Any student who believes that they have not received fair treatment regarding the Reasonable Accommodation process is encouraged to first meet with their campus Director of Retention. An earnest attempt will be made to find a valid solution, within the limits of the law.

If a student is experiencing problems receiving their assigned accommodation(s), they are encouraged to contact their instructor(s) first to attempt to resolve the issue. If the student does not find a resolution after communicating with their instructor, they should contact their campus Director of Retention.

A student may file a complaint with the University in accordance with the campus-based grievance process outlined in the AGMU Academic Catalog.

Complaints may also be filed with the U.S. Department of Education's Office for Civil Rights at any time at 400 Maryland Avenue, SW, Washington DC 20202 or (800) 421-3481, <https://www2.ed.gov/about/offices/list/ocr/index.html>.