**Disability Services for Students** **UPPS No. 07.11.01**

 **Issue No. 11**

 **Effective Date: 01/21/2020**

 **Next Review Date: 07/01/2023 (E3Y)**

 **Sr. Reviewer: Director, Office of Disability Services**

**01. POLICY STATEMENTS**

01.01 This policy establishes procedures and defines responsibility for the administration of services available to students with disabilities through the Office of Disability Services (ODS), and the provision of specific and reasonable accommodations for students with disabilities by Texas State University faculty and staff.

01.02 This policy reflects an interactive process between the student and Texas State used to establish reasonable accommodations. The process includes:

1. documentation of a history of impairment related to the student’s disability. Students are responsible for submitting documentation. ODS will collaborate with students and request documentation from healthcare providers with the student’s consent, when necessary;
2. the specific impairments and barriers experienced by the student;
3. identification of third parties or on-campus resources (such as the Student Health Center or Counseling Center) that may have possession of written documentation of the disability and will be contacted for said documentation;
4. an initial framework for reasonable accommodations; and
5. in some cases, additional documentation may be requested from a third party prior to the approval of accommodations that may present an undue burden on Texas State or fundamental alteration to course design.

01.03 Texas State will comply with [Section 504 of the Rehabilitation Act of 1973](http://www.hhs.gov/sites/default/files/knowyourrights504adafactsheet.pdf), [the Americans with Disabilities Act of 1990](http://www.ada.gov/pubs/ada.htm), as amended (ADA), and the [ADA Amendments Act of 2008 (ADAAA)](http://www.eeoc.gov/laws/statutes/adaaa.cfm).

01.04 All university departments are responsible for maintaining a close liaison with ODS regarding requests from students with disabilities and any special services offered to them.

01.05 The policy statement provided below shall be used in university publications (as defined in [UPPS No. 06.05.01](https://policies.txstate.edu/university-policies/06-05-01.html), Initiating and Producing Publications):

"Texas State University does not discriminate on the basis of disability in the recruitment and admissions of students or in the operation of any of its programs and activities."

01.06 The mission of ODS is to ensure that students with disabilities have equal access to all university programs and activities. ODS provides students the opportunity to reach their full potential by:

1. coordinating academic accommodations and support services;
2. assisting them in becoming responsible decision-makers, problem solvers, and self-advocates; and
3. providing information and referrals to appropriate on- and off-campus resources.

01.07 ODS helps to foster a supportive and inclusive educational environment by:

1. building and maintaining partnerships with faculty and staff across the university community;
2. promoting disability awareness among all members of the university community; and
3. providing guidance regarding university policies and procedures to ensure students with disabilities thrive and participate fully in the university community.

01.08 ODS recognizes disability as a part, but not an exclusive aspect, of the identity of individuals with disabilities. As such, ODS has operationalized an intersectional model that aims to support the wholistic needs of all students as valued members of the university community through the intentional regard for diversity, equity, and inclusion.

**02. DEFINITIONS**

02.01 [Americans with Disabilities Act of 1990, as amended](https://www.ada.gov/pubs/ada.htm) (ADA) – signed into law on July 26, 1990, prohibits discrimination on the basis of disability in employment, programs, and services provided by state and local governments, goods and services provided by private companies, and in commercial facilities.

02.02 [Section 504 of the Rehabilitation Act of 1973](http://www.hhs.gov/sites/default/files/knowyourrights504adafactsheet.pdf) – requires colleges and universities that receive federal financial assistance (including student loans) to make their programs and facilities accessible to individuals with disabilities.

02.03 ADA Coordinator – the university representative designated to address compliance with [ADA](http://www.hhs.gov/sites/default/files/knowyourrights504adafactsheet.pdf) for students, employees, potential students, and community members with disabilities. Students should contact the director of ODS at 512.245.3451 or the ADA coordinator at 512.245.2278 with concerns or for information regarding accommodations and services.

02.04 ADA Transition Plan – the university plan to address architectural compliance. A copy of the plan is available for review from the ADA coordinator, ODS director, or associate vice president for Facilities.

02.05 ADA Self-Evaluation Plan – the university plan to address program compliance with Title II and Title III of the [ADA](http://www.hhs.gov/sites/default/files/knowyourrights504adafactsheet.pdf). A copy of the plan is available for review from the ADA coordinator, ODS director, or the Texas State University System (TSUS) associate general counsel.

02.06 According to [ADA](http://www.hhs.gov/sites/default/files/knowyourrights504adafactsheet.pdf), a person with a disability is anyone who:

a. has a physical or mental impairment that substantially limits one or more major life activities;

b. has a record of such impairment; or

c. is regarded as having such an impairment.

02.07 Qualified Person – with regard to disability, a student who, for purposes of postsecondary education, meets the academic and technical standards requisite for admission or participation in the institution's programs and activities.

02.08 Traumatic Brain Injury – a condition with characteristics such as loss of consciousness, posttraumatic amnesia, disorientation and confusion, or neurological signs, which may affect a student’s learning including, but not limited to, attention span, processing speed, sustained vigilance, distractibility, abstract thinking, memory, concentration, and other areas of learning.

02.09 Attention-Deficit/Hyperactivity Disorder – a condition with characteristics such as inattention, distractibility, impulsivity, forgetfulness, fidgeting, and interruptions that may be specified as combined, predominantly inattentive, and predominantly hyperactive and impulsive presentations.

02.10 Specific Learning Disorder – a condition that may begin during school-age years and result in difficulties learning and using academic skills (e.g., word reading, understanding word meanings, spelling, written expression, mastering number sense and calculation, and mathematical reasoning).

02.11 Mental Disorder – a syndrome characterized by a clinically significant disturbance in an individual’s cognition, emotion regulation, or behavior that reflects a dysfunction in the psychological, biological, or developmental processes underlying mental functioning, which may affect a student’s learning including their attention span, processing speed, sustained vigilance, distractibility, abstract thinking, memory, concentration, and other areas of learning. Intellectual and developmental disorders and personality disorders are disabilities for which accommodations are generally not provided.

02.12 Any student who is unable to take 12 credit hours in a long semester due to a disability may request to be considered a full-time student with less than 12 hours by the university without penalty. In order to be considered as full-time, the student must present documentation of disability to ODS. ODS staff will review the documentation and make a determination regarding an adjusted full-time status. Upon request, ODS will verify a student's eligibility in writing to appropriate university departments, including the Department of Housing and Residential Life, Registrar's Office, Office of Financial Aid and Scholarships, and academic advising centers. Eligible students will have access to all university services. Only institutional policies that the university can modify apply to students who qualify for this exception. A student must submit a request for each semester the modification is wanted. Students who would like ongoing access to the accommodation must provide documentation that confirms the chronic nature of their disability.

02.13 A reasonable level of documentation will include, but is not limited to, a combination of documentation from healthcare providers and educational professionals, ODS staff interaction, observation and review with the student about their disability, and accommodation request.

**03. PROCEDURES FOR SERVICE DELIVERY AND COORDINATION**

03.01 In accordance with university policy and federal law, all members of the university community are responsible for ensuring that students with disabilities do not experience discrimination. To accomplish this goal, reasonable and appropriate accommodations may be necessary for physical or programmatic access. ODS will coordinate with university departments and offices to facilitate necessary accommodations for students with disabilities (see [UPPS No. 04.04.03](https://policies.txstate.edu/university-policies/04-04-03.html), Staff Employment, and [Academic Affairs policies and procedure statements](https://policies.txstate.edu/division-policies/academic-affairs.html)).

03.02 The functions of ODS include:

a. acquire a reasonable level of documentation from students with disabilities. Students can disclose their disability to ODS for two purposes:

1) to establish that they are a member of a protected class and, therefore, protected under the law. Students who want to be considered by the university as having a disability for the purposes of being a member of a protected class must provide written documentation to ODS from an appropriate health care provider. This documentation must meet at least one of the three criteria outlined in Section 02.06 and will be used for the sole purpose of documenting the existence of a disability; and

2) to establish the need for accommodations to ensure equal access.

For students who provide a reasonable level of documentation for the purpose of requesting accommodations, the process will include review, recommendations, and approval by qualified specialists on the ODS staff for students with disabilities. When necessary, ODS will consult with the Student Health Center or Counseling Center professional staff on appropriate accommodations for students with physical, mobility, other chronic or intermittent health-related conditions, specific learning disabilities, and mental disorders;

b. facilitate accommodations for students with disabilities. ODS will provide a student with written certification or an academic accommodation letter to share with faculty or staff members that outlines and requests appropriate accommodations specific to the student's disability-based need;

c. ODS, in conjunction with the Office of the Provost and Vice President for Academic Affairs, will refer to and make faculty members aware of, [Students with Disabilities, a Teaching Resource Guide](https://www.ods.txst.edu/faculty-staff/students-with-disabilities-a-teaching-resource-guide.html), which is available on the [ODS website](http://www.ods.txstate.edu/) and will inform all faculty about the office and faculty requirements;

d. provide and coordinate auxiliary aids and services, which include:

1. advance registration of classes;
2. referrals to the Testing Evaluation and Measurement Center (TEMC) testing accommodations, including extended time and reader services;
3. assistance in obtaining and producing alternative format texts;
4. provision of text-to-speech software if textbooks are not available in audio;
5. assistance in accessing assistive technologies;
6. referral for tutoring;
7. assistance in locating readers or volunteer note takers, if available;
8. provision of sign language and oral interpreting services;
9. provision of captioning (speech to text) services;
10. information and referral to on- and off-campus resources;
11. disability management counseling; and
12. liaison and advocacy between students, faculty, and staff;

e. facilitate access to campus facilities and programs for individuals with mobility impairments. As needed, ODS will coordinate with the Department of Housing and Residential Life on room assignments and needed room modifications and will work with academic departments on classroom alternatives. ODS, in conjunction with Facilities, will monitor new facilities and renovations to existing facilities for compliance with federal and state accessibility standards;

f. provide the Registrar's Office with a confidential list of students who are entitled to and who receive advance registration each long semester as an approved accommodation. A list will be provided by ODS prior to the registration period each semester;

g. coordinate with Parking Services to ensure that the number and type of accessible parking spaces available on campus meet ADA requirements. As needed, ODS may recommend that spaces be created, moved, or eliminated. Parking Services will administer gate control cards for students who require access to gated lots as needed on a semester-to-semester basis;

h. provide, upon request, information about ODS to potential students with disabilities or family members. ODS staff provide information on services during recruitment and orientation activities sponsored by Undergraduate Admissions;

i. serve as the point of contact for intake and information resources on disability services for applicants and currently enrolled students. The Graduate College and Undergraduate Admissions will include a reference to, and information about ODS, in catalogs and brochures. Students are advised to contact ODS a minimum of 30 days prior to the first day of the semester in which they plan to attend. This process ensures a quality evaluation of the disability documentation and enables ODS to monitor the retention and graduation rates of students with disabilities. Students who become aware of their disability during a given semester should allow 15 days for the review of documentation and up to 15 days for the provision of some services. Students should provide faculty a minimum of five working days’ notice of the need for academic accommodations;

j. prepare, monitor, and update the ADA/504 Self-Evaluation Plan in conjunction with the university ADA/504 Compliance and Steering Committee on Disabilities;

k. conduct an annual evaluation of ODS services;

l. prepare an annual report, which includes a summary of program activities and results of evaluation instruments;

m. inform students about the procedures to follow in the event they have a grievance related to accommodations associated with a disability (see [Grievance Procedures for Students with Disabilities](https://sa.txstate.edu/pps/upps071101GrievanceforStuWithDisab.pdf)). These procedures are subject to periodic updates;

n. serve as liaison with state and federal agencies, public and private institutions, and community resources serving persons with disabilities; and

o. work to make considerations for accommodations for internships, practicums, clinicals, field placements, and study abroad opportunities and to ensure an interactive process involving students, program coordinators, site supervisors, and ODS, which will occur on a case-by-case basis.

03.03 Academic departments, deans, chairs, faculty, the Registrar's Office, and TEMC are responsible for providing accommodations that may include:

a. modifying the length of time allowed for local course exams or the completion of assignments;

b. providing alternative testing formats and procedures as recommended by the director of ODS, in consultation with ODS staff, the director of the Student Health Center, or the director of the Counseling Center;

c. facilitating use of auxiliary aids in the classroom for students with disabilities, such as audio recorders, laptop computers, captionists, or other accommodations that assist with note-taking and information recall to ensure equal access to classroom instruction;

d. ensuring that students with disabilities have equal access to the class registration process, including adding and dropping classes; and

e. a director or department head, in conjunction with ODS, may recommend an alternate accommodation to that proposed by a student if the director or department head determines the request may result in a fundamental alteration to the essential nature of the program or service, or a significant difficulty or expense for the university. The request may be forwarded to the next level of supervision. If necessary, the divisional vice president will coordinate with the ADA coordinator and ODS on the nature and cost of the accommodation to determine applicable resources for the accommodation.

03.04 ODS, Academic Affairs, and advisory groups will review and update [Students with Disabilities, a Teaching Resource Guide](https://www.ods.txst.edu/faculty-staff/students-with-disabilities-a-teaching-resource-guide.html), as needed. Academic Affairs will publish the updated guide, and monitor and revise the Academic Affairs policy and procedure statements and plan of action, as needed. The approved guide is available to university faculty and staff on the [ODS website](https://www.ods.txstate.edu/).

03.05 ODS staff will work with Undergraduate Admissions regarding orientation, and other departments or offices to ensure that the needs and requests for services from students with disabilities are provided when appropriate.

03.06 Tutoring will be available for students with disabilities through either the Student Learning Assistance Center, Student Support Services, Math CATS, or Writing Center.

03.07 The [Department of Housing and Residential Life](http://www.reslife.txstate.edu/) works with ODS to provide reasonable accommodations for students with disabilities who need any housing accommodations. Students should contact the [Office of Disability Services](https://www.ods.txstate.edu/) with their requested housing accommodation in a timely manner so that the approved accommodations can be ready prior to the start of a check-in period. The Department of Housing and Residential Life makes every attempt to meet individual requests, although it may not in all cases be able to satisfy a specific room request due to architectural limitations within some residential facilities. Students with disabilities who may require an accommodation in any campus residence hall or university-owned apartment should follow the steps and procedures outlined in the ODS University Housing Accommodations found in [SS/PPS No. 07.13](https://policies.txst.edu/division-policies/student-affairs/07-13.html), Housing Accommodations Based on Disability-Related Needs.

03.08 Auxiliary Services and Transportation Services, in collaboration with the ADA coordinator and ODS, will coordinate equal access to food services and transportation for persons with disabilities.

03.09 Facilities, in consultation with ODS, routinely monitors to ensure that all new facilities or facilities undergoing renovation (when the scope of the project is $50,000 or more) are accessible for persons with disabilities, and in compliance with the [Texas Accessibility Standards](https://www.tdlr.texas.gov/ab/2012TAS/2012tasComplete.pdf) (TAS), and the [Americans with Disabilities Act Architectural Guidelines](https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/background/adaag) (ADAAG).

03.10 Facilities staff will develop, monitor, and maintain the ADA Transition Plan (JPJ survey) and report these findings annually, or as needed, to the university administration, ADA coordinator, and ADA/504 Compliance and Steering Committee on Disabilities.

03.11 Information Technology (IT), in collaboration with ODS, will evaluate electronic accessibility of instructional resources for students with various disabilities. These offices will be responsible for evaluating IT-managed computer lab and classroom access technology alternatives and establishing standards for procurement of accessible equipment. IT will provide funds to equip campus IT-managed computing labs and classrooms with appropriate assistive technologies. ODS will provide end-user training for individual assistive technology. Individual departments and offices are responsible for providing assistive computer technology for a faculty or staff member as it relates to a workplace accommodation.

03.12 The Alkek Library facilitates equal access to university library services for all persons with disabilities including, but not limited to, distribution of library automatic door cards, book retrieval, and limited assistance with locating research materials.

03.13 IT provides assistance with closed captioning, subtitles, and transcription services for multimedia content, when possible.

03.14 University News Service, in consultation with ODS, monitors and evaluates the accessibility of university publications for persons with disabilities. Guidance through University News Service is provided to departments and offices charged with printing publications. University publications will reference the availability of information in alternate format and contact information for the university ADA coordinator.

03.15 Student Health Center or Counseling Center professional staff, upon request from ODS, review disability documentation to verify that requested accommodations are linked to disability-based need. Individuals with HIV/AIDS should refer to [UPPS No. 07.09.01](https://policies.txstate.edu/university-policies/07-09-01.html), Management of Acquired Immune Deficiency Syndrome (AIDS) on Campus.

03.16 The Office of Organizational Development and Communications, in consultation with ODS, provides workshops on disability issues for the university community.

03.17 IT provides monitoring services to ensure that university web pages are accessible. If ODS has the available resources, the office may assist with providing testing services, as requested. The [web accessibility guidelines](https://doit.txstate.edu/accessibility/accessibility-resources.html) assist university personnel in developing accessible web documents.

03.18 Service or Assistance Animals

An appropriately trained animal must meet the specific criteria outlined in ODS [Procedures for Service Animals](https://www.txstate.edu/effective/upps/upps-07-11-02-att1.html) at Texas State to be exempt from rules that otherwise restrict or prohibit animals on campus.

03.19 The University Police Department, in collaboration with ODS, provides students with temporary conditions and impaired mobility transportation between locations or classes on campus, known as Cats on the Go.

03.20 Accommodations for Special Events

a. The primary responsibility to provide reasonable accommodations (e.g., information in alternate format, sign language interpreting services, captioning [speech to text] services) for enrolled students, potential students, employees, and community members for special events (e.g., guest speakers, lectures, poetry readings, plays) rests with the sponsoring office or individuals charged with the program. Any cost associated with providing accommodations is the responsibility of the department or program if the host department or program charges a fee associated with the event. The [Procedures for Obtaining Sign Language Interpreting Services](https://sa.txstate.edu/pps/upps071101SignLanguage.pdf) outlines how to arrange for this accommodation and are subject to periodic updates.

b. All event announcements will include a statement indicating that reasonable accommodations for persons with disabilities will be provided upon request. Requests for accommodations should be made to the sponsoring office a minimum of three business days in advance. ODS staff are available to work with department and program staff who may need guidance and recommendations on meeting accommodation requests.

**04. PROCEDURES FOR PROVIDING ACCOMMODATIONS TO STUDENTS ON THE BASIS OF A DISABILITY**

04.01 A student who requires accommodation to participate in the academic setting or in a university-sponsored activity or program required as part of a degree program should contact ODS or the General Disability specialist at the Round Rock campus (RRC). ODS will require the student to register and provide a reasonable level of documentation that substantiates the disability and need for academic adjustments, auxiliary aids, and services.

04.02 Procedures Used to Determine Eligibility for Accommodations

a. Students seeking accommodations on the basis of disability will contact and register with ODS in order to determine eligibility for services.

b. Disability documentation is reviewed, in conjunction with interaction and review with the student of their disability and accommodation request, by ODS and formal accommodations are determined within 30 days of receipt of the documentation. ODS is the designated university authority for assigning student accommodations.

c. Based on a review of the documentation by ODS, eligibility for specific accommodations will be approved by ODS. A student is eligible for services when it is determined that the need for an accommodation exists.

d. Documentation of a person's disability can be presented to ODS or the General Disability specialist at the RRC by any designated individual or agency. A regularly-enrolled student for whom disability documentation has been reviewed, and accommodations approved by ODS, is not eligible to access accommodations until the student meets one-on-one with a staff member in the ODS office or with the General Disability specialist at the RRC. At this meeting, ODS or the General Disability specialist at the RRC notifies the student in writing of their eligibility for services, and coordinates specific accommodations with faculty or staff members. For university students with disabilities enrolled in classes through Distance and Extended Learning or off-campus sites (i.e., through the RRC), an exception to the one-on-one meeting will be made on a case-by-case basis.

e. ODS staff are available to assist faculty or staff members who may experience difficulties in providing requested accommodations and will work with faculty or staff members to resolve problems and provide the most appropriate and reasonable accommodations to students. ODS staff will consult with department chairs and deans regarding academic accommodations on an as-needed basis.

04.03 ODS will maintain all disability records in a confidential student file and will not release student education records without the student’s prior written consent, except under one or more of the conditions described in the [Family Educational Rights and Privacy Act.](https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn)

04.04 On the basis of an individual student's disability documentation, consideration will be given to the modification of a student's course curriculum on a case-by-case basis by the dean of the student's college and faculty in accordance with the [Policy for the Modification of Course Curriculum](https://sa.txstate.edu/pps/upps071101ModifCourseCurriculum.pdf). Academic requirements that the university considers essential will not be regarded as discriminatory. The dean will consult with the chair of the student's department and faculty members on an as-needed basis. This policy is subject to periodic revisions.

04.05 ODS requests that all university syllabi include the following language in order to communicate the university’s compliance with [ADAAA](https://www.eeoc.gov/laws/statutes/adaaa.cfm) regulations:

 “It is the university’s goal that learning experiences be as accessible as possible. If you anticipate or experience physical or academic barriers based on disability, contact the Office of Disability Services as soon as possible at 512.245.3451 to establish reasonable accommodations. Please be aware that the accessible table and chairs in this room should remain available for students who find that standard classroom seating is not usable.”

The syllabus statement is also available on the[ODS website](https://www.ods.txstate.edu/).

**05. UNIVERSITY ADA/504 COMPLIANCE AND STEERING COMMITTEE ON DISABILITIES**

05.01 The president will appoint the members of the university's ADA/504 Compliance and Steering Committee on Disabilities and will designate the committee's chair. The committee is charged with advising the President's Cabinet on the university's compliance with [Section 504 of the Rehabilitation Act of 1973](http://www.hhs.gov/sites/default/files/knowyourrights504adafactsheet.pdf), the [ADA](https://www.ada.gov/pubs/ada.htm), and the [ADAAA](https://www.eeoc.gov/laws/statutes/adaaa.cfm). The committee serves as a clearinghouse for disability issues and oversees ODS's efforts to ensure that university policies, programs, and services adhere to the [ADA](https://www.ada.gov/pubs/ada.htm). The committee composition will, at a minimum, include:

a. two students and one alternate selected from a list of four names furnished to the vice president for Student Success by the Student Government;

b. two faculty members and one alternate recommended by the Faculty Senate;

c. two staff employees and one alternate recommended by the Staff Council;

d. associate director (for Facilities) of the Department of Housing and Residential Life;

e. director of Facilities, Planning, Design, and Construction;

f. two employees from Facilities, recommended by the associate vice president for Facilities;

g. one representative from Campus Recreation;

h. director of Transportation Services;

i. assistant director of Parking Services;

j. one representative from Student Support Services;

k. one RRC service specialist;

l. one representative from TEMC;

m. special assistant to the vice president for Information Technology;

n. associate Athletics director; and

o. the director of ODS will serve as a non-voting *ex-officio* member of the committee. They will serve as the permanent secretary of the committee.

**06. GRIEVANCE PROCEDURE FOR DISCRIMINATION RELATED TO A DISABILITY**

06.01 Currently enrolled students who have a grievance related to accommodations associated with a disability should follow the procedures outlined in [Grievance Procedures for Students with Disabilities](https://sa.txstate.edu/pps/upps071101GrievanceforStuWithDisab.pdf) and [UPPS No. 04.04.46](https://policies.txstate.edu/university-policies/04-04-46.html), Prohibition of Discrimination. These procedures are subject to periodic review.

**07. REVIEWERS OF THIS UPPS**

07.01 Reviewers of this UPPS include the following:

Position Date

Director, Office of Disability Services July 1 E3Y

Assistant Vice President for Student July 1 E3Y

Success and ADA Coordinator

Associate Vice President for July 1 E3Y

Enrollment Management and

Marketing

Associate Vice President for July 1 E3Y

Academic Affairs

Special Assistant to the Vice July 1 E3Y

President for Information Technology

**08. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Director, Office of Disability Services; senior reviewer of this UPPS

Assistant Vice President for Student Success and ADA Coordinator

Vice President for Student Success

President