

# Disability Policies

## *Policy and Guidelines Applying to Nondiscrimination on the Basis of Disability*

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### **Policy Statement**

It shall be the policy of Cardinal Stritch University to comply with all applicable provisions of the Americans with Disabilities Act (ADA) of 1990 and subsequent amendments, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act (FHAct) to the extent applicable to Cardinal Stritch University.

#### **ADA Definition of a Disability**

A "person with a disability" is anyone with a physical or mental condition that substantially limits one or more major life activities, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. In addition to those people who have visible disabilities—persons who are vision impaired, hearing impaired, or use a wheelchair - the definition includes a broad range of invisible disabilities. These may include mental illness, learning disabilities, or some chronic health conditions such as epilepsy, diabetes, arthritis, cancer, cardiac problems, HIV/AIDS condition, and more. In order to offer the appropriate accommodation and assistance whenever possible, documentation of the disability is required by the University.

#### **Policy Implementation**

##### **A. Disability Disclosure**

A student or an applicant for admission may disclose the presence of a disabling condition and request the accommodations indicated in his/her documentation by contacting the Accessibility Services Coordinator within the Student Support department. In order for the Student Support department to notify a student's instructors of disability accommodations, that student must sign a release of information form in the Center. Faculty notification does not replace the student's

responsibility to communicate directly with each instructor to discuss accommodation details. Each semester, it is the student's responsibility to share his/her schedule with the Student Support Center so that appropriate instructors may be notified.

### **B. Confirmation of a Disability**

It is the responsibility of the student to provide medical or other diagnostic documentation of his or her disability as requested. Documentation of disabilities should be directed to the department of Student Support. Students may be required to participate in such additional evaluation of limitations as may be necessary prior to receiving requested accommodations. Each student shall be expected to make timely and appropriate disclosures and requests and to engage in appropriate levels of self-help in obtaining and arranging for accommodations or auxiliary aids, including applying for funding for specialized support services from the Division of Vocational Rehabilitation.

### **C. Institutional Documentation**

All requests for and subsequent University response for accommodations will be documented by the Accessibility Services Coordinator within the department of Student Support.

### **D. Statement of Confidentiality**

Accommodation plan information will be shared within the University community on a need to know basis in accordance with applicable laws. Documentation of disabilities will be kept in the department of Student Support.

### **E. Appeal of Denied Accommodation Requests**

If a student who is denied requested accommodations wishes to appeal the decision, he/she may do so in accordance with the following procedure.

### **F. Grievance Procedures Relating to Section 504, The Americans with Disabilities Act, and the Fair Housing Act**

The person who believes he/she has a valid basis for complaint shall address the concern in writing with the Accessibility Services Coordinator who shall, in turn, investigate the complaint in consultation with the Director of Student Support and reply to the complainant in writing

within ten days. If the complainant feels that the grievance has not been satisfactorily settled, further appeal may be made to the Special Needs Hearing Committee.

The Special Needs Hearing Committee is convened by the Director of Student Support and is composed of members of the University community who serve on the Student Affairs Committee and who have not participated in the investigation of the complaint. If the Student Affairs Committee representative of the student's college is unavailable or has been directly involved in the situation, the chair will invite another representative to participate, in order to insure adequate understanding of the program in which the student is enrolled.

If the student needs accommodations in order to fully participate in the committee meeting, s/he should discuss his or her needs with the Accessibility Services Coordinator. The Special Needs Committee will have access to all documentation of the complaint and will convene to hear any further information from, or on behalf of, the student who is rendering the complaint. The student is able to bring a member of the University community with him or her as a support person. This individual may not speak for, or on behalf of, the student, but may confer quietly with the student, offering support and encouragement. This is not an adversarial process, but rather a chance to gain a deeper understanding into the issues. Accordingly, while a support person is permitted in the meeting, attorneys may not be involved.

The committee will reply immediately to the complaint with a decision that will be documented in writing within 48 hours of the hearing. As a part of the process, the student is informed of the right to appeal and the procedures to be followed. If the student feels that the grievance has not been satisfactorily resolved, an appeal may be made to the Executive Vice President for Academic Affairs. An appeal must be made in writing with specific reasons why the individual believes an appeal is in order. The appeal must be made within 48 hours of the decision of the special needs hearing committee.

All information previously collected on the case is turned over to the Executive Vice President for Academic Affairs in the event that an appeal is requested. The Executive Vice President for Academic Affairs, after reviewing the information, will decide if there is sufficient information to warrant an appeal. If the Executive Vice President for Academic Affairs determined that the appeal is in order, s/he may uphold the original decision, modify the original decision, or make

an alternate decision. The decision of the Executive Vice President for Academic Affairs will be final.

**G. Alternative Appeal to the Office of Civil Rights (OCR).** A student has the right to file an appeal with the Office of Civil Rights (OCR). Information on this process is available from the:

**Customer Service Team - Office for Civil Rights  
U.S. Department of Education  
Washington, DC 20202-1100**

## **Program Accessibility**

### **A. General**

Qualified persons will not be denied the benefits of or excluded from participation in a University program or activity because University facilities are inaccessible or unusable by persons with disabilities.

### **B. Existing Facilities**

Each program or activity is operated so that it is readily accessible to qualified persons with disabilities through means such as:

- Re-assignment of classes, staff or services to an accessible location, or;
- Redesign of equipment or facilities after individual case review.

Concern with classroom accessibility and concerns of accessibility to other areas of the University should be addressed to the Accessibility Services Coordinator and/or the Director of Student Support.

### **C. New Construction**

New facilities or parts of facilities constructed for the use of Cardinal Stritch University will be designed and built so that they and their parts are readily accessible to and usable by persons with disabilities. New construction will be planned in accordance with the “Americans with Disabilities Act (ADA) Accessibilities Guidelines for Buildings and Facilities; Final Guidelines” and federal or state building codes or other methods which provide equivalent access to the facility or part of the facility.

## **D. Off-Campus Programming**

Programs not wholly operated by Cardinal Stritch University that require participation in educational activities or internships (for example, in connection with student teaching assignments) will assure that these activities, as a whole, provide an equal opportunity for the participation of qualified persons with disabilities.

Since Cardinal Stritch University regularly holds classes, programs or activities in facilities other than its own, steps will be taken to use facilities which are accessible. Contractual or lease agreements will reflect efforts to ensure accessibility. It is the responsibility of the prospective enrollee to give sufficient advance notification of the need for any special accommodation or auxiliary aids in order for the accommodations to be made.

# **Academic Support Services**

## **A. Academic Accommodations**

Students with disabilities will be supported in their efforts to meet University academic requirements to ensure that the University does not discriminate against them. These supports and accommodations cannot affect the substance of the educational programs or compromise educational standards, nor should they intrude upon legitimate academic freedom.

Accommodations may include changes in the length of time permitted for the completion of degrees and adaptation of the manner in which specific course requirements are met.

## **B. Testing and Assessment Accommodations**

Examinations or other procedures for evaluating students' academic achievement may be adapted for students who have disabilities. It is the individual student's responsibility to request necessary test accommodations with the Accessibility Services Coordinator and the department of Student Support at the beginning of each semester. Accommodations may include but need not be limited to: enlarged materials, extended time, computer assisted, oral testing, environment free from distractions, alternate formats, preferential seating or test reader. These services are coordinated by the department of Student Support within the Student Success Center.

### **C. Provides General Academic Support**

The Student Support department provides academic support for individual qualified students as needed to meet course requirements. Support may include, but need not be limited to, tutoring, note taking, enlarging materials and testing accommodations.

The use of tape recorders or brailers in the classrooms or dog guides in campus buildings is not prohibited. Students or participants in University programs or activities may be required to sign an agreement that they will not release tape recordings or transcriptions of lectures.

## **Other**

### **A. Physical Education, Athletics, Similar Activities**

Cardinal Stritch University will not discriminate on the basis of disability in physical education, athletics, and similar programs and activities. Qualified disabled students or participants in programs or activities will be provided with an equal opportunity to participate in physical education courses as offered, intercollegiate and intramural athletics, or similar activities as long as the University can reasonably accommodate their disability to allow such participation. All students and participants in Cardinal Stritch University programs or activities must meet the standards and requirements of behavior set by that particular program or activity.

### **B. Financial Aid**

Cardinal Stritch University will not provide less financial assistance to students with disabilities than is provided to nondisabled students, limit their eligibility for assistance, or otherwise discriminate against them. Financial aid awards will recognize the special needs of students with disabilities, including the possible need for reducing credit loads or extending the time allowed to complete graduation requirements.

### **C. Advising, Counseling, Health and Placement Services**

Personal, health, academic, or career counseling, guidance and placement services will be provided in an accessible setting without discrimination on the basis of disability.

**D. Housing**

Qualified students with disabilities upon application to the residence life program will be provided with comparable, convenient and accessible on-campus housing whenever possible in compliance with all federal laws.

**E. Co-Curricular Activities**

Before providing official recognition or assistance to campus organizations, the Dean of Students should receive assurance that the organization does not permit action prohibited by this policy.