

# Disability Accommodations for Students Policy and Procedure

## Policy Statement and Scope

Johnson & Wales University (JWU) has designed this policy and procedure to comply with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. The university intends to provide qualified students who have disabilities and/or health conditions with accommodations to the extent required by the ADA, Section 504 of the Rehabilitation Act, and any similar, applicable state law.

The policy and procedure apply to qualified students (undergraduate, graduate and online) with a documented disability and/or chronic health condition:

1. Who wish to obtain an accommodation at JWU;
2. Who identify themselves as having a disability;
3. Who seek accommodation; and
4. Who (a) are enrolled at the university or (b) have been accepted and will be enrolled at the university.

Information students submit to the university pursuant to this policy and procedure, is confidential. Accessibility Services may grant access to appropriate individuals who have an educational need to know, including to effectuate this policy and procedure, in case of an emergency, or as permitted by law.

## Definitions

JWU applies the following terms using the definitions supplied by federal law and regulations.

1. "Accommodation" means an adjustment to an activity, course, or program that enables a qualified student with a disability to have an equal educational opportunity but does not lower or modify essential requirements; fundamentally alter the nature of an activity, course, or program; or result in undue financial or administrative burdens.
2. "Disability" means a physical or mental impairment that substantially limits one or more major life activities.
3. "Qualified" as referred to a student means one who meets the academic and technical standards requisite to admission or to participation in the activity, course, or program at issue, with or without appropriate accommodations.

## Procedure Related to Accommodation(s)

To receive an accommodation, students must submit a request to Accessibility Services. Students are responsible for adequately identifying and documenting their requests and supplementing their requests as needed. The request must

1. Be in writing and should include (at minimum) an identification of the disability, the requested accommodation, and documentary support for the disability/chronic health condition and accommodation (including information on functional limitations to support the existence of a disability and the need for an accommodation) from a medical provider, such as a physician or mental health professional, neither of whom may be a relative of the student.
2. Be submitted in a timely fashion, such that the request allows time for adequate consideration and decision. Students should try to submit first-time pre-enrollment requests at least eight weeks before the start of the school year, provided that this deadline may be waived in the university's sole discretion where appropriate.

Accessibility Services will determine whether the information provided is sufficient and whether the request is otherwise adequate. Accessibility Services will request such further information as it may require. Accessibility Services will determine whether the condition fits the legal definition of a disability, whether an accommodation is appropriate, and, if so, what type of accommodation is appropriate. In making this determination, Accessibility Services will consult with faculty, other university employees, or other appropriate personnel as needed. If the appropriate personnel with whom Accessibility Services must consult are not faculty or other university employees, the student should provide Accessibility Services a release to allow Accessibility Services to discuss the matter with such appropriate personnel.

Accessibility Services considers accommodations on a case-by-case basis; accommodations may be available for certain activities, courses, or programs

but not others. The determination of an accommodation, including whether or not to approve it, may depend in part on the nature of the activity, course, or program at issue.

If Accessibility Services grants the request for an accommodation, it will notify the student and provide the student with a letter setting forth the granted accommodation and other relevant details, which the student may then share with the appropriate personnel (such as faculty or other university employees or other appropriate personnel) who need to know about the accommodation to implement it. The appropriate individuals will then implement the accommodation, with the personnel and with the student consulting each other and Accessibility Services as needed.

Accessibility Services does not grant accommodations retroactively. For example, grades cannot be changed based on claims that a disability was not accommodated if no such accommodation was sought or granted before the work at issue was completed. Likewise, absences cannot be excused retroactively based on claims that a disability was not accommodated if no such accommodation was sought or granted before the absence.

Each semester, students must renew their accommodation requests and potentially provide updated documentation or such other information as Accessibility Services may require.

## Grievance(s) Procedure Related to Accommodation(s)

Students may file a grievance from the determinations of Accessibility Services solely as outlined under the JWU's Student Disability Grievance Policy and Procedures.

## Policy Contact(s)

- Providence Campus and College of Professional Studies: Director of Accessibility Services (email (nicole.hebert@jwu.edu))
- Charlotte Campus: Director of Center for Academic Support (email (rjkilgore@jwu.edu))