

Policies of the University of North Texas at Dallas College of Law	Chapter 7
7.304 Disability Accommodation for Students	Student Affairs, Education, and Funding

Policy Statement. The UNT Dallas College of Law is committed to providing equal educational access for qualified students with disabilities in accordance with state and federal laws including the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973. To provide equality of access for students with disabilities, accommodations and auxiliary aids and services will be provided to the extent necessary to comply with state and federal law.

Application of Policy. This policy applies to all students in the College of Law.

Definitions.

1. **Disabled.** “Disabled” means having a physical or mental impairment which substantially limits one or more or a person's major life activities.
2. **Qualified Student with a Disability.** “Qualified Student with a Disability” means a disabled student who meets the academic and technical standards required for admission and participation in the educational program and activities.
3. **Accommodations.** “Accommodations” mean modifications to a course, program or educational requirements of a program or course as are necessary and appropriate so that such requirements do not discriminate or have the effect of discriminating against a student on the basis of a disability. Academic requirements that are essential to the course, to a student's program of instruction, or which relate directly to licensing requirements, will not be regarded as discriminatory. Modifications may include but are not limited to: extended time for exams, reduced distractions in testing environments, degree modifications and relocation of classrooms to accessible locations.
4. **Auxiliary Aids and Services.** “Auxiliary Aids and Services” mean accommodations that assist students with disabilities in the educational setting. Auxiliary aids and services may include but are not limited to digital textbooks, note-takers, sign language interpreters, enlarged text and real-time closed captioning. Devices or services of a personal nature such as personal attendants, individually prescribed devices, or readers for personal use or study are not provided.

Procedures and Responsibilities.

Student Resources.

1. **ADA Compliance Officer.** The Assistant Dean of Students is responsible for ensuring compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act for qualified students with a disability. Non-academic issues including access to facilities and non-academic events should be directed to the ADA Compliance Officer in the Office for Human Resources, UNT System.

Student Eligibility.

1. Students are eligible for accommodation and/or auxiliary aids and services if they have a documented disability and the functional limitations of the disability require such accommodation and/or auxiliary aids and services.
 - a. Newly accepted and currently enrolled students are responsible for initiating a disability-related request for accommodation or auxiliary aids and services with the Assistant Dean of Students prior to the time when the accommodation or auxiliary aids or service will be needed.
 - b. Prospective students may request reasonable accommodation (for testing, campus tours or orientation) at any time during the application process by submitting an oral or written request to the Assistant Dean of Students on forms developed for this purpose.
2. Students must provide timely relevant and complete written documentation of a disability for which accommodation is requested, including:
 - a. A diagnostic statement from an appropriate professional identifying the disability, date of the current diagnostic evaluation and the date of the original diagnosis.
 - b. A description of the current functional impact of the disability.
 - c. Treatments, medications, assistive devices or services currently prescribed.
 - d. The relevant credentials of the diagnosing professional(s) such as medical specialty and professional licensure.
3. The Assistant Dean of Students has the discretion to determine what type of documentation is necessary to verify the student's disability and its impact on the student's needs in the academic setting. Any costs related to this initial documentation will be the responsibility of the student.

4. The Assistant Dean of Students may determine the need for a second professional opinion concerning the nature or severity of a student's disability. Costs related to obtaining a second opinion will be assumed by the College of Law to the extent not otherwise covered by student insurance.

Responsible Party: Assistant Dean of Students / Student

Determination and Notification.

1. **Determination.** The Assistant Dean of Students will determine whether accommodation or auxiliary aids or services are appropriate following an individual assessment of a student's written documentation and a personal meeting with the student. Among the factors to be considered in determining appropriate accommodations, auxiliary aids and services are:
 - a. The nature of the student's disability.
 - b. Accommodations, auxiliary aids and/or services that have worked for the student in the past.
 - c. Whether the requested accommodation, auxiliary aids and/or services will allow the student to effectively access and participate in the course or academic program.
 - d. Whether the requested accommodation, auxiliary aids and/or services will alter the essential requirements of the course or program.
2. The College of Law is not required to alter or modify a course or academic program to the extent that it changes the fundamental nature of that course or program. Decisions regarding accommodation, auxiliary aids and/or services may require consultation with College of Law faculty and/or administrators to consider the fundamental nature of a course or academic program.
3. **Notification.** The Assistant Dean of Students will provide the student with written notice of the status of the request and the proposed date for a final determination within seven (7) days of receiving the request for accommodation. If a student's request requires additional consideration beyond the seven (7) day time frame, the Assistant Dean of Students will provide the student with written notice of the status of the request and the proposed date for a final determination.

Responsible Party: Assistant Dean of Students

Implementation of Accommodations and/or Auxiliary Aids and Services.

1. **Accommodations and/or auxiliary aids and services provided directly through the Office of the Assistant Dean of Students.** Certain accommodations and/or auxiliary aids or services may be approved and provided directly through the Office of the Assistant Dean of Students.
2. **Accommodations and/or auxiliary aids and services requiring cooperation of faculty.** Certain accommodations and/or use of auxiliary aids and services may require cooperation from a faculty members who teaches a class in which a student is enrolled.
 - a. As early as possible in a semester, a student who has been approved for accommodation and/or use of auxiliary aids and services should seek a confidential meeting with faculty members to:
 - i. Provide the notice from the Assistant Dean of Students approving the accommodation and/or use of auxiliary aids or services; and,
 - ii. Make arrangements for implementation of the approved accommodation and/or use of auxiliary aids and services.
 - b. The faculty member may not disclose the student's disability to any other student or faculty member without the consent of the student.
 - c. Faculty members may not deny an approved accommodation without consulting the Assistant Dean of Students to consider alternate means to accommodate a student's disability.
3. **Modification of academic requirements.**
 - a. A student with a documented disability may request a modification of certain generally applicable academic requirements by submitting a request to the Assistant Dean of Students as early as possible once the need is identified. The student must provide current documentation related to the disability and a statement specifically describing the requested modification and the basis for the request.
 - b. The Assistant Dean of Students will verify that the disability is documented by current information that is consistent with the university requirements for documentation of a disability.
 - c. The Assistant Dean of Students will forward the complete set of student documents to the appropriate academic decision maker within seven (7) business days of receiving the complete request from the student. The time frame may be extended if the Assistant Dean of Students finds just cause.

- d. The appropriate academic decision maker will perform an individualized assessment of the student's request to consider:
 - i. The nature of the student's disability and the relationship to the requested modification.
 - ii. Whether the requested modification will provide the student with an equal educational opportunity; and
 - iii. Whether the requested modification would alter the essential requirements or standards, or would change the fundamental nature of the program.
- e. The academic decision maker will provide written notice of a decision to the student within ten (10) business days of receiving the request. The deadline may be extended for just cause. If the request is denied, the notice will include the reasons for the decision.

Responsible Party: Assistant Dean of Students

- f. A student who disagrees with a decision on the modification of academic requirements may appeal in writing to the Associate Dean for Academic Affairs within ten (10) business days of the decision. The appeal should include:
 - i. The original request and all supporting documentation,
 - ii. A copy of the notice of the decision issued by the academic decision maker,
 - iii. A statement of the basis for disagreement with the decision; this statement must be made on grounds other than general dissatisfaction with the decision.
- g. The Associate Dean for Academic Affairs will consider:
 - i. Whether the proper criteria and facts were considered by the academic decision maker or whether improper or extraneous facts or criteria were considered that substantially affected the decision maker to the detriment of the student.
 - ii. Whether any procedural irregularities substantially affected the outcome of the decision to the detriment of the student.
 - iii. Given the proper facts, criteria and procedure, whether the decision was one that a person in the position of the academic decision maker might reasonably have made.
- h. The Associate Dean for Academic Affairs will issue a decision and notify the student within ten (10) business days of receiving the request.

- i. The process for appeal of a decision for modification of academic requirements will supplant all other appeal procedures provided in this policy or any other grievance procedure related to request for accommodations.

Responsible Party: Associate Dean of Students

Dispute Resolution.

1. A student requesting an accommodation and/or use of auxiliary aids or services may seek dispute resolution in accordance with the procedures below if the student either:
 - a. disagrees with a decision of the Assistant Dean of Students, or;
 - b. is dissatisfied with the final accommodation,
2. Within seven (7) business days of receiving notice from the Assistant Dean of Students, or of any perceived failure to provide approved accommodation, a student may seek dispute resolution through the Associate Dean for Academic Affairs. The Associate Dean for Academic Affairs will review all relevant written materials and will interview, as necessary under the circumstances, the student, the Assistant Dean of Students, any faculty member involved, and any other person deemed relevant to the issue. The decision of the Associate Dean for Academic Affairs will be final.

Responsible Party: Associate Dean of Students

Approved: 07/07/14

Effective: 07/07/14

Revised: