

VI.20 STUDENTS WITH DISABILITIES

State and federal law requires that colleges and universities make reasonable adjustments to eliminate discrimination against people with disabilities and other qualifying conditions. Citizens with physical and learning disabilities. Consistent with these laws, Linfield University has a responsibility to accommodate and provide access to students with disabilities. A student with a disability is someone who has a physical or mental impairment that substantially limits one or more major life activity; including, but not limited to, learning, speaking, seeing, hearing, breathing, walking, sleeping, or performing manual tasks.

It is the policy of Linfield University that students with disabilities shall be eligible for the following:

- Equal access to courses, programs, services, jobs, activities, and facilities available through the University.
- Reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined on a case-by-case basis.
- Appropriate confidentiality of all information pertaining to their disability with the choice of whom to disclose their disability to except as required by law.
- Information reasonably available in accessible formats.

In practice, this has a number of specific consequences for faculty members:

- Students will not be excluded from a course of study or major solely on the basis of a disabling condition.
- Adaptations in degree or academic course requirements will be considered when such requirements cannot reasonably accommodate qualified students with disabilities. Academic requirements that are deemed essential to programs of instruction or to any binding licensing requirement, and for which appropriate adaptations cannot be made, are not regarded as discriminatory.
- The law requires that an instructor adapt course presentation to meet the unique needs of a student's disabling condition. With the exception of removing architectural barriers, no set formulas exist for making such adjustments. Adaptations will be specific to the needs of individual students in order to accommodate the disability without altering academic standards or course content. Nor should such adaptations intrude upon legitimate academic freedom. Where an assessment of the learning environment of a class shows that, even with appropriate adjustment, there remains a situation dangerous to the student in question or to other members of the class, the student may, in the judgment of the instructor and the Office of Learning Support Services, be justifiably excluded.

Course Adjustments

While students are expected to meet an instructor's announced standards concerning attendance, class participation, and performance, students with documented disabilities may request course adjustments once they have registered with the Office of Learning Support Services. Faculty will be notified by the Office of Learning Support Services when a student requests an accommodation for their course. In most circumstances, faculty are obligated to ensure a student is

accommodated as soon as possible once Learning Support Services provides official notice of

a student's accommodation requests. In general, accommodations are intended to be prospective and as such, faculty are not required to implement accommodations retroactively. Faculty who receive course adjustment requests directly from students, without any official notification from Learning Support Services, should contact the Office of Learning Support Services. Faculty members may initiate discussion with a student where perceived barriers to meeting course expectations suggest the presence of an undiagnosed disability.

Section 504 requires that faculty make reasonable adjustments to remove academic barriers for students with disabilities. Adjustments of course procedures are not solely the faculty's responsibility. Students maintain responsibility in engaging proactively with faculty and staff to meet the faculty's expectations concerning attendance, classroom participation, and performance or work standards with or without accommodations. Should a student with disabilities have academic difficulty related to lack of access and wish to drop/withdraw from a class after the deadline, they should discuss options with Learning Support Services. Faculty with questions or concerns about a specific accommodation should contact the Office of Learning Support Services to engage in an interactive process to determine how an accommodation can be implemented without resulting in a fundamental alteration of the course or program.

Degree and Program Adjustments

It is the policy of Linfield University that any student who has a disability and is registered with the Office of Learning Support Services shall be eligible to request a reasonable substitution for any requirement for graduation, or admission into a program of study where documentation can be provided to support the need for a substitution that does not constitute a fundamental alteration in the nature of the program. Students will not be excluded from a course of study (major) solely on the basis of disability. Every attempt will be made to adjust the academic environment appropriately for students. However, if an assessment of the learning environment shows that, even with appropriate accommodations, there remains a situation dangerous to the student in question or to others in the class, the student may be excluded.

Modifications to degree or academic course requirements will be considered when qualified students with disabilities cannot fulfill the requirements with reasonable accommodations. Students should discuss the possible modification with the Office of Learning Support Services, who, in consultation with appropriate parties, will determine the adjustment process. Academic degree and program requirements shall be reasonably modified, as necessary, to ensure that they do not discriminate against qualified applicants and students with disabilities. These

modifications are not required at the expense of either the substance of the educational programs or the compromising of educational standards, nor should they intrude upon legitimate academic freedom.

Academic requirements that are proven to be essential to programs of instruction or directly related to a specific program's technical standards for which appropriate accommodations cannot be made are not regarded as discriminatory. To request a substitution for an admission or graduation requirement the student must:

- be diagnosed as having a disability as defined by Section 504 of the Vocational Rehabilitation Act of 1973 (<https://www.dol.gov/>)

agencies/oasam/centers-offices/civil-rights-center/statutes/section-504-rehabilitation-act-of-1973/), as amended, and based on appropriate tests, have documentation of their disability reviewed by the appropriate University officers, and

- be provided with appropriate and reasonable accommodations through the Office of Learning Support Services while demonstrating an inability to complete the tasks encompassed by the requirements.

A committee, composed of suitably positioned faculty and staff, shall review the student's request and determine whether substitution for the requirement is warranted. The committee shall determine whether the request for a substitution constitutes a fundamental alteration of the nature of the program. In cases where the committee determines that a substitution is warranted, the Office of Learning Support Services, the student, and relevant department(s) or program(s) shall work together to establish an appropriate alternative or adjustment.

Grievances

Students who believe they have been discriminated against on the basis of disability have the right to file a grievance concerning any alleged failure to comply with the law, regulations, and procedures regarding individuals with disabilities.

The grievance process begins when the Office of Learning Support Services is notified of an issue or concern by the student. The Office of Learning Support Services will attempt to work with all parties involved to resolve the matter informally. Grievance matters that cannot be resolved through the informal process will be directed to the Associate Provost for Academic Support and Accessibility as a formal appeal and a committee will review the matter. Any grievances that remain unresolved will be referred to the Provost and Vice President of Academic Affairs for final internal disposition of the case.

Students also have the right to file an external complaint of disability discrimination with the U.S. Department of Education's Office for Civil Rights.

The Office of Learning Support Services has developed extensive guidelines advising students, faculty and staff about the rights and responsibilities of disabled students and describing avenues for reducing or eliminating barriers to equal access.