



University of Dallas

Civil Rights Policy
Disability Accommodations

POLICY ACP-A
Responsible Executive:
Provost
Responsible Office:
Office of the Provost
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Revised: n/a

1. PURPOSE

This Policy is designed to inform members of the University community regarding the methods of requesting disability accommodations and the obligations of University officials to provide reasonable accommodations to qualified individuals.

2. PARTICIPATION IN THE LIFE OF THE UNIVERSITY

St. John Paul II explained that “human beings, independently of the conditions in which they live or of what they are able to express, have a unique dignity and a special value from the very beginning of their life until the moment of natural death.” (Message on the Occasion of the International Symposium on the Dignity and Rights of the Mentally Disabled Person, 5 January 2004). Part of recognizing that dignity and value is demonstrated in a community’s efforts to enable people with disabilities “to participate in social life as far as they can, and ... to fulfill all their physical, psychological and spiritual potential.”

- 2.1. In order to facilitate the participation of people with disabilities in the life of the University community, and in accordance with University policy and state and federal law, the University provides reasonable accommodations so as to provide people with disabilities meaningful access to the employment and educational opportunities provided by the University.
- 2.2. Accommodations are intended to provide equal access to the University’s programs and benefits. They are not intended to alter the essential or fundamental nature of those programs and benefits or of the instruction being pursued.

3. REASONABLE ACCOMMODATIONS FOR STUDENTS

Students may request accommodations through Student Disability Services.

- 3.1. **Questions** – Students with questions regarding accommodations or the accommodations process may review the Student Disability Services website and/or contact the Student Disability Services Coordinator.
 - 3.1.1. The main Student Disability Services web page is
udallas.edu/sds
 - 3.1.2. The Student Disability Services Coordinator is

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- 3.2. **Submission of requests.** Students should submit requests for accommodation through the University's online request system:

udallas.edu/ada-request

- 3.3. **Supporting documentation.** Disability accommodation requests must be supported by appropriate documentation from a qualified professional.

- 3.4. **Review of requests.** Student disability accommodation requests are reviewed by the Student Disability Services Committee. The members of the Student Disability Services Committee are appointed by the Provost.

- 3.4.1. **Committee decision.** The Student Disability Services Committee is responsible for making two determinations:

3.4.1.1. Whether the student has established that he or she is a qualified individual with a disability; and

3.4.1.2. If so, what substantial limitations of major life activities (i.e., functional limitations relevant to the University environment) the student has established.

3.4.1.3. The Committee may also make recommendations to the Student Disability Services Coordinator regarding specific accommodations that might be reasonable.

- 3.4.2. **Need for additional information.** If the Committee determines that the student has not established that he or she is a qualified individual with a disability or that the student has functional limitations relevant to the University environment, the Student Disability Services Coordinator will notify the student of that decision and also that the student may request reconsideration and/or may submit additional information for consideration by the Committee.

- 3.4.3. **Coordinator implementation.** If the Committee determines that a student is a qualified individual with a disability and identifies the relevant functional limitations, the Student Disability Services Coordinator, after consideration of any recommendations from the Committee, will authorize accommodations.

3.4.3.1. **Undue burden.** The Student Disability Services Coordinator is responsible for determining, in consultation with other University officials as needed, whether the authorized accommodation would constitute an undue burden.

3.4.3.2. **Presumptively reasonable.** The accommodations authorized by the Student Disability Services Coordinator are presumptively reasonable.

- 3.5. **Implementation of accommodations** – After being approved by the Student Disability Services Committee to receive reasonable accommodations and having specific accommodations authorized by the Student Disability Services Coordinator, the Student is notified of the authorization by the Student Disability Services Coordinator and the Student coordinates with the appropriate University Employees, including faculty and/or staff, for implementation of the accommodations. The Student Disability Services Coordinator is also available to assist the Student in the implementation process.
- 3.5.1. **Agreed modifications.** If the Student and appropriate University Employee agree on accommodations that are different in any way from the accommodations authorized by the Student Disability Services Coordinator, the appropriate University Employee is responsible for noting the modifications in writing on the Student’s letter of accommodation and providing a copy of that modified letter to the Student Disability Services Coordinator.
- 3.5.2. **Fundamental alteration.** If the appropriate University Employee, including faculty and/or staff, believes that one or more of the authorized accommodations constitutes a fundamental alteration, the University Employee must raise that objection through the process set forth in Section 4 of this Policy.
- 3.5.2.1. A University Employee may not refuse to implement an authorized accommodation on the basis that it constitutes a fundamental alteration unless the University Employee has raised that objection through the process set forth in Section 4 of this Policy.
- 3.5.3. **Other disagreements.** If the Student and appropriate University Employee do not agree regarding the implementation of accommodations, the Student and the appropriate University Employee are both responsible for notifying the Student Disability Services Coordinator of the disagreement.
- 3.5.3.1. **Appeal regarding faculty implementation.** If the Student Disability Services Coordinator is unable to negotiate a resolution of a disagreement between a Student and faculty member regarding implementation of accommodations, or two (2) weeks have passed since the Student or faculty member notified the Coordinator of the disagreement and no resolution has been reached, the Student may submit a written appeal to the Coordinator that will be heard by the Dean (or designee) who oversees the course in question. The Dean’s decision is final.
- 3.5.3.2. **Appeal regarding student affairs implementation.** If the Student Disability Services Coordinator is unable to negotiate a resolution of a disagreement between a Student and the Office of Student Affairs regarding implementation of accommodations, or two (2) weeks have passed since the Student or Student Affairs employee notified the Coordinator of the disagreement and no resolution has been reached, the Student may submit a written appeal to the Coordinator that will be heard by the Provost (or designee). The Provost’s decision is final.
- 3.6. **Interactive Process.** The review, granting, and implementation of disability-based accommodations is intended to be an interactive process between the Student and University officials. In addition, the implementation of disability-based accommodations may require the Student and University officials

to continue to discuss how to provide reasonable accommodations in light of changing circumstances and the experience of accommodations previously authorized.

4. DETERMINATION OF FUNDAMENTAL ALTERATION

The University uses a deliberative process to determine whether an accommodation would result in a fundamental alteration of the course or program, based on an individualized assessment. This process requires the University to obtain input from the student, when a request for the accommodation is pending, the University Employee and department head and/or supervisor, and to consider the non-exhaustive issues set forth below.

- 4.1. **When request for determination may be raised.** A University Employee may request a determination as to whether a specific accommodation makes a fundamental alteration of the course or program at any time.
 - 4.1.1. **Faculty requests.** To the extent that specific concerns can be anticipated, faculty are encouraged to request determination of fundamental alteration before students have an opportunity to register for the course or program in question.
 - 4.1.1.1. **Implementation pending review.** A faculty member may not refuse to implement (or permit a student to implement) an authorized accommodation based on the claim that it constitutes a fundamental alteration unless the University, in accordance with this Policy, has determined that the specific accommodation would create a fundamental alteration or implementation of the authorized accommodation is temporarily delayed pursuant to Section 4.5 of this Policy.
 - 4.1.2. **How to make requests.** A University should make a request for determination as to whether a specific accommodation makes a fundamental alteration of the course or program by contacting the Student Disability Services Coordinator in writing.
 - 4.1.3. **Review committee.** Upon receipt of a request for determination, the Provost will appoint, within three (3) calendar days, a committee to review the request. The Review Committee will typically include the following University officials:
 - 4.1.3.1. Student Disability Services Coordinator;
 - 4.1.3.2. Applicable Department Head or Office Director;
 - 4.1.3.3. Applicable Dean, for accommodations affecting academic programs; and
 - 4.1.3.4. Any other University officials, as deemed appropriate, in light of the nature of the issues raised.
- 4.2. **Factors to be considered.** The Review Committee will consider this non-exhaustive list of factors (this list is primarily oriented towards determinations relating to course or program accommodations) in making its determination:

- 4.2.1. Identify the essential academic standards of the course; requirements that go to the very nature of the subject matter or that are of the utmost importance in achieving the course or program objectives.
- 4.2.2. Articulate specific requirements that individual faculty members believe are fundamental to teaching the course or program, taking academic freedom into consideration.
- 4.2.3. Identify the unique qualities of the course in relation to its overall objectives and any program in which the course is required.
- 4.2.4. Engage in reasoned deliberation as to whether modification of the course or program would change the fundamental academic standards or other requirements of the course or program.
- 4.2.5. Determine whether there are any alternatives to the fundamental academic standards or other requirements of the course or program that would still retain the essence of those fundamental academic standards or other requirements.
- 4.2.6. Will the requested accommodation lower the academic standards of the course or program?
- 4.2.7. Why is the standard that the faculty member believes will be lowered important to the course or program?
- 4.2.8. Is the standard the better way (or the only way) to achieve the desired academic objective?
- 4.2.9. Can a different method or requirement that will not be altered by the accommodation achieve the fundamental academic standards or other requirements?
- 4.2.10. If not, why not?
- 4.3. **Determination.** After gathering and considering such information as the Review Committee determines to be relevant to making its decision, the Review Committee will issue a written determination regarding whether the specific accommodation would create a fundamental alteration of the course or program.
 - 4.3.1. **Deadline.** The Review Committee will generally issue its determination within one month of the written request for determination. The appropriate University official will be notified by the Review Committee if the Review Committee's determination will be delayed beyond one month.
- 4.4. **Appeal.** If the Review Committee does not conclude that the specific accommodation would create a fundamental alteration of the course or program, the appropriate University Employee may appeal that decision to the Provost.
 - 4.4.1. **Deadline to appeal.** The appropriate University Employee must appeal in writing to the Provost the decision of the Review Committee within seven (7) calendar days of the Review Committee's decision. A Review Committee decision that is not appealed by the deadline is final.

- 4.4.2. **Provost review.** The Provost will review the written determination of the Review Committee, and the appropriate University Employee's objections.
- 4.4.3. **Provost decision.** The Provost will issue his or her decision in writing and may
 - 4.4.3.1. Affirm the determination of the Review Committee in whole or in part;
 - 4.4.3.2. Reverse the determination of the Review Committee in whole or in part; or
 - 4.4.3.3. Remand the issue, in whole or in part, to the Review Committee for further review.
 - 4.4.3.4. Such parts of the Provost's decision that affirm or reverse the determination of the Review Committee are final.
 - 4.4.3.5. **Deadline.** The Provost will generally issue his or her decision within fourteen (14) calendar days of the appeal by the appropriate University official.
- 4.5. **Authorized accommodations during review process.** If the accommodation being considered is an authorized accommodation (i.e., a student has a letter of accommodation and has notified the appropriate University official that it has been authorized and intends to use the accommodation), the Review Committee must immediately determine whether implementation of the authorized accommodation should be delayed pending the Review Committee's determination.
 - 4.5.1. **Temporary delay.** Implementation of an authorized accommodation, except those specified under Section 4.5.2, pending the Review Committee's determination may be delayed no more than fourteen (14) calendar days.
 - 4.5.1.1. After the up to fourteen (14) calendar days, if the Review Committee has not made its determination, the appropriate University Employee may not refuse to implement the authorized accommodation based on the assertion that it constitutes a fundamental alteration.
 - 4.5.2. **Accommodations that may not be delayed.** Implementation of an authorized accommodation may not be delayed by the Review Committee or the appropriate University Employee if it falls within one of the following types of accommodations:
 - 4.5.2.1. **Extra time.** A student may be authorized to have extra time (e.g., 50% or 100%) on work done in-class and on tests;
 - 4.5.2.2. **Priority seating.** A student may be authorized to have priority seating, such as the opportunity to sit at the front of the classroom or near an exit;
 - 4.5.2.3. **Distraction-reduced environment.** A student may be authorized to have a distraction-reduced environment for taking tests and similar timed activities (usually provided in the Student Disability Services Testing Center);
 - 4.5.2.4. **Volunteer note-taker.** A student may be authorized to have note-taking assistance, such as another student to volunteer as a note-taker;

- 4.5.2.5. **Copies of slides.** A student may be authorized to have copies of any slides (e.g., PowerPoint slides) that are used by the professor in class;
- 4.5.2.6. **Audio-recording.** A student may be authorized to make an audio-recording of what is said during class;
- 4.5.2.7. **Laptop.** A student may be authorized to have to use a laptop during class and/or on tests;
- 4.5.2.8. **Captioned/subtitled videos.** A student may be authorized to have any videos that are used in or for class be captioned or subtitled;
- 4.5.2.9. **Test reader.** A student may be authorized to have someone to serve as a test reader to read the tests to the student (usually provided in the Student Disability Services Testing Center);
- 4.5.2.10. **Test scribe.** A student may be authorized to have someone to serve as a test scribe to write the student's answers on a test (usually provided in the Student Disability Services Testing Center);
- 4.5.2.11. **Breaks.** A student may be authorized to have short, no more than a few minutes per hour of class, breaks during class (e.g., to use the restroom or to consume food); and
- 4.5.2.12. **Sign language interpreter.** A student may be authorized to have a sign language interpreter to assist the student during class and/or on tests.

5. REASONABLE ACCOMMODATIONS FOR EMPLOYEES

Employees may request accommodations through the Office of Human Resources.

Jill Tilden

Senior Human Resources Generalist

Office of Human Resources

Cardinal Farrell Hall, 1st Floor

Email: benefits@udallas.edu

Office: (972) 721-5255

6. VISITOR ACCESSIBILITY SERVICES

Visitors may request accommodations through Visitor Accessibility Services.

- 6.1. The main Visitor Accessibility Services web page is

www.udallas.edu/offices/accessibility-services

- 6.2. The Visitor Accessibility Services Coordinator is

Inelda Acosta, Ed.D., pHCLE
Director, Office of Civil Rights and Title IX
Haggar University Center, First Floor
Email: iacosta@udallas.edu
Office: (972) 721-5056
Facsimile (972) 265-5712

7. DEFINITIONS

Relevant terms for implementation of this Procedure are set forth in University Policy CRT – Civil Rights Policy – Relevant Terms and herein:

- 7.1. **“Individual with a disability”** means a person who has or has a record of a physical or mental impairment that substantially limits a major life activity.
- 7.2. **“Letter of accommodation”** is a letter from Student Disability Services that includes a list of specific accommodations, which are presumptively reasonable. The letter also document that the student is registered with Student Disability Services and has the right to receive reasonable accommodations.
- 7.3. **“Qualified individual with a disability”** means an individual with a disability who,
 - 7.3.1. with respect to employment, can, with or without reasonable accommodations, perform the essential functions of the job in question;
 - 7.3.2. with respect to educational services, meets the academic and technical standards requisite to admission or participation in the University’s educational program or activity; or
 - 7.3.3. with respect to services, meets the essential eligibility requirements for receipt of such services.
- 7.4. **“Reasonable accommodation”** means,
 - 7.4.1. with respect to employment, such modifications to the employment environment that make it possible for the Employee to perform the essential functions of the job in question;
 - 7.4.2. Accommodations that would impose an undue hardship on the operation of the University’s program or activity are not reasonable.
 - 7.4.3. with respect to services, such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified individual with a disability.
 - 7.4.4. Accommodations that alter the essential or fundamental instruction being pursued in an academic program or course are not reasonable accommodations.
- 7.5. **“Student”** means an individual who is enrolled at the University.

- 7.6. **“Student Disability Services Review Committee”** or **“Review Committee”** means the committee designated by the University, whose members are appointed by the Provost, to evaluate whether specific accommodations would constitute a fundamental alteration of a course or program.
- 7.7. **“Student Disability Services Committee”** or **“Committee”** means the committee designated by the University to determine whether a Student is a qualified individual with a disability and what, if any, functional limitations the Student has that are relevant to the University environment.
- 7.8. **“Student Disability Services Coordinator”** means the person designated by the University to coordinate implementation of this Procedure as it regards Students with disabilities.
- 7.9. **“University”** and **“the University”** mean the University of Dallas.
- 7.10. **“Visitor Accessibility Services Coordinator”** means the person designated by the University to coordinate implementation of this Procedure as it regards visitors with disabilities.

8. RESPONSIBILITIES

Responsible Party	List of Responsibilities
Office of the Provost	<ol style="list-style-type: none"> 1. Monitor compliance with this Policy. 2. Appoint the members of the Student Disability Services Committee. 3. When needed, appoint members of the Review Committee. 4. Review and decide appeals from Review Committee determinations on whether specific accommodations constitute fundamental alterations.
Office of Civil Rights and Title IX	<ol style="list-style-type: none"> 1. Monitor compliance with this Policy.
Student Disability Services Coordinator	<ol style="list-style-type: none"> 1. Oversee the Student Disability Services process. 2. Chair the Student Disability Services Committee. 3. Monitor implementation of disability accommodations that are authorized.
Office of Human Resources	<ol style="list-style-type: none"> 1. Evaluate and coordinate employee requests for disability accommodations. 2. Monitor implementation of disability accommodations that are authorized.
Accessibility Services Coordinator	<ol style="list-style-type: none"> 1. Oversee the provision of accessibility services for visitors to the University upon request and as directed.
Student Disability Services Committee	<ol style="list-style-type: none"> 1. Determine whether Student is a qualified individual with a disability and what functional limitations the Student has that are relevant to the University environment.
University Employees	<ol style="list-style-type: none"> 1. Implement reasonable accommodations in accordance with this Policy.

Student Disability Services Review Committee	<ol style="list-style-type: none"> 1. Receive requests for determinations as to whether a specific accommodation would constitute a fundamental alteration of a course or program. 2. Gather and review information for making fundamental alteration determination. 3. Make determination as to whether specific accommodation constitutes a fundamental alteration.
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9. PROCEDURES

Task	Procedure
Requesting accommodations	1. Employees, students, and visitors may request disability accommodations in accordance with this Policy.
Providing reasonable accommodations	1. The applicable departments, offices, and University officials will oversee the evaluation of requests for accommodation and monitor compliance with authorized accommodations.

10. POLICY ENFORCEMENT

Enforcement	The Office of the General Counsel or the Office of the Provost will investigate suspected violations of this Policy, and take appropriate action in accordance with University policy.
Reporting Violations	Report suspected violations of this Policy to the Office of the General Counsel or the Office of the Provost.

11. RELATED DOCUMENTS

Policy or Document	Web Address
Student Disability Services	https://udallas.edu/offices/student-disability-services/index.php
Office of Human Resources	https://udallas.edu/offices/hr/index.php
Accessibility Services	https://udallas.edu/offices/accessibility-services/index.php
CRP – Civil Rights Policy	https://udallas.edu/about/university-policies/index.php
CRT – Relevant Terms	https://udallas.edu/about/university-policies/index.php

12. CONTACTS

Subject	Office or Position	Telephone Number	Office Email or URL
Policy Clarification	Office of General Counsel	(972) 721-5363	hlachenauer@udallas.edu

Overall Implementation and Compliance	Office of Civil Rights and Title IX	(972) 721-5056	iacosta@udallas.edu
Student Disability Services	Student Disability Services Coordinator	(972) 721-5056	iacosta@udallas.edu
Employee Accommodations	Office of Human Resources	(972) 721-5255	benefits@udallas.edu
Visitor Accessibility	Accessibility Services	(972) 721-5056	iacosta@udallas.edu
Web Address for this Policy		https://udallas.edu/about/university-policies/index.php	