



# OLD DOMINION UNIVERSITY

## University Policy

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### Policy #4500

### ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

**Responsible Oversight Executive:** Vice President for Student Engagement and Enrollment Services

**Date of Current Revision or Creation:** August 23, 2022

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#### A. PURPOSE

The purpose of this policy is to define the procedures used to accommodate students with disabilities.

#### B. AUTHORITY

[Code of Virginia Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 7.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

[Section 504 of the Rehabilitation Act of 1973](#)

[Americans with Disabilities Act of 1990, as modified by the ADA Amendments Act of 2008](#)

#### C. DEFINITIONS

Disability - A person has a disability within the meaning of Section 504 if the person has a mental or physical impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment.

Major Life Activity – Major life activities include, but are not limited to, the following: self-care, manual tasks, walking, seeing, hearing, breathing, standing, thinking, concentrating, reading, learning, sleeping, working, bending, communicating, reproducing, normal cell growth, immune system function, digestive function, bowel function, bladder function, neurological function, brain function, respiratory function, circulatory function, and endocrine function.

Physical and Mental Impairment - Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic and lymphatic, skin and endocrine; or any mental or psychological disorder such as intellectual disability (formerly termed mental retardation), organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Reasonable Accommodation – Reasonable accommodations are meant to provide equal access to the University and include reasonable modifications to rules, policies, or practices; the removal of architectural information, communication, information, or transportation barriers; or the provision of auxiliary aids and services. Reasonable accommodations shall not fundamentally alter the University’s programs or cause undue hardship to the University.

Retaliation – Overt or covert acts of discrimination—including harassment, interference, intimidation, penalty, coercion, reprisal, or restraint—against a group or individual for exercising rights under this policy, including, but not limited to:

- the right to request an accommodation;
- the right to insist upon an individualized, case-by-case determination for determining a reasonable accommodation; and
- the right to use that reasonable accommodation.

Retaliation also includes discrimination against any individual because the individual has opposed any violation of this policy, or because that individual made a charge, testified, assisted, or participated in any manner in an investigation of a complaint under this policy. Retaliation shall be deemed to constitute discrimination and, therefore, will be considered a separate violation of this policy.

Technical Standards - Technical standards are all nonacademic criteria or standards for admission to or participation in the program in question. Examples: ability to lift, ability to drive, ability to use specialize equipment, ability to look through a microscope, ability to read music, ability to respond in emergency situations. Any such requirements must constitute essential functions of the course of study and all requirements are subject to reasonable modification upon request. Only when reasonable modification would cause undue burden, fundamental alteration of the course or program, or direct threat will the request for a modification be denied following an individualized assessment.

#### D. SCOPE

This policy applies to all employees, students, prospective students, volunteers, and visitors to the institution as needed to meet the legitimate needs of the students with disabilities. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University. Students include all persons admitted to the University who have not completed a program of study for which they were enrolled; student status continues whether or not the University’s programs are in session. Visitors include vendors and their employees, parents of students, volunteers, guests, and all other persons located on property, owned, leased, or otherwise controlled by the University. **Sanctions for violations of this policy include, but are not limited to, counseling, training, reassignment, or the initiation of termination proceedings.**

#### E. POLICY STATEMENT

Old Dominion University is committed to providing students with disabilities the same opportunity to achieve academic success as it provides for all students. The provision of services to students with documented disabilities at Old Dominion University is based on the principle of non-discrimination and accommodation in academic programs set forth in the implementing regulations for Section 504 of the Rehabilitation Act of 1973 and Titles I and II of the [Americans with Disabilities Act of 1990, as modified by the ADA Amendments Act of 2008](#). These services will

be provided within the basic guidelines to follow, with the understanding that students with disabilities may require unique accommodations and must have their needs assessed on a case-by-case basis. The provision of accommodations need not guarantee students equal results or achievement; accommodations must only afford them an equal opportunity for achievement.

## **F. PROCEDURES**

### **1. Recruitment**

The Office of Admissions at Old Dominion University will make all reasonable efforts to ensure that all recruitment activities are made accessible to persons with disabilities. All entities hosting Old Dominion University recruitment activities will be encouraged to provide facilities that are accessible so that interested persons with disabilities will not be excluded or denied participation. With reasonable notice, Old Dominion University, if hosting a recruitment event, will provide accessible services. All requests for interpreters or assistive technology services must be made to the Office of Admissions with reasonable advance notice ahead of the recruitment function.

### **2. Admission to the University**

- a. **General Admission:** A prospective student with a disability may choose, but is not required, to self-disclose during the admissions process. If a prospective student chooses to disclose his or her disability it will not be considered as a factor when determining the student's qualification status.
- b. **Technical Standards:** Each academic program has established and published technical standards. Prospective students with disabilities should review applicable technical standards in their intended program of study to determine if they can meet the technical standards with or without accommodations. If there is a concern about the ability of a student to meet the technical standards, the student should contact the Office of Educational Accessibility. Staff from the Office of Educational Accessibility will work with the student, the academic advisor, and the department chair to determine if accommodations can be made to help the student meet the standards of concern. The University, however, is not required to make major academic adjustments, fundamental changes, or substantially modify standards for any academic program.

### **3. Determination of Need for Reasonable Accommodations/Academic Adjustments**

The information sent to students upon acceptance to the University shall include a notice that it is the responsibility of students with disabilities to contact the [Office of Educational Accessibility](#) in order to arrange for accommodations.

Students who request reasonable accommodations must be prepared to provide documentation of the disability by a qualified professional to the Office of Educational Accessibility before accommodations will be implemented. The documentation must provide sufficient information to assist the institution in determining how the disability will impact the student's ability to function in the University environment. Although formats will vary, the following critical data should be included in any documentation in support of a request for accommodations:

- The student's name, the dates of examination or testing, the examiner's name, and credentials;

- Identification of the problems or reasons for referral;
- In cases of learning disability, a list of the tests administered, including the names of the tests, as well as the versions used;
- An analysis or interpretation of the results, which includes specific diagnosis;
- Diagnostic summary with a brief composite of the entire assessment process. The summary should address the concerns raised in the section on reasons for referral;
- Recommendations of accommodations necessary to support the student in the learning environment; and
- The student's evaluator should include a statement about whether the disability requires evaluation more frequently than every five years to be reliable.

Staff in the Office of Educational Accessibility will review the documentation provided by the student in order to determine if the documentation meets the guidelines set forth above. If the documentation does not meet the guidelines set forth above, the student will be asked to return to the initial evaluator and request additional documentation. If the documentation meets the standards, staff will determine what reasonable accommodations will be necessary in order to support the student. Staff will meet with the student in a timely manner to review the documentation and develop an accommodation plan. In most cases this initial meeting will be held within two weeks of receiving the paperwork. The student will receive written verification of the accommodation plan and corresponding Accommodation Letters from the Office of Educational Accessibility.

It is the student's responsibility to request Accommodation Letters through the Office of Educational Accessibility's website each semester in order for accommodations to be provided. The Accommodation Letters will then be updated and sent via email to the student along with each identified faculty member listed on the request. These letters verify the existence of a disability and identify reasonable accommodations. This process is referred to as "self-disclosure" of a disability. The student and faculty member shall then meet to discuss the implementation of appropriate accommodations for each course. Questions about implementation of accommodations for each course should be directed to the Office of Educational Accessibility. The Office of Educational Accessibility will work with the student and faculty member to facilitate timely implementation of accommodations.

Students are encouraged to request their Accommodation Letters at the beginning of each semester to ensure timely implementation of accommodations.

**Please note:** Timely implementation can be negatively impacted by delayed request for Accommodation Letters. Students who have a documented disability may elect not to disclose their disability. In this case, course accommodations will not be provided. However, if a student seeks accommodations later in the semester, the student should be aware that in general accommodations are not retroactive and in general previous grades will stand as earned. Once requested, the Office of Educational Accessibility will attempt to implement accommodations in a timely manner, usually within two weeks.

The types of accommodations provided to students with documented disabilities will vary depending on the nature of the disability and the course content. Often an initial trial-and-error period may be needed to determine the best way to accommodate a student's disability. If accommodations do not meet the needs of the student, the student should contact the Office of Educational Accessibility for further assistance.

If accommodations are not agreed upon by a faculty member or are not implemented, the student should immediately contact the Office of Educational Accessibility. Staff from the

Office of Educational Accessibility will work with the student and faculty member to reach agreement on the accommodations to be provided. If an agreement cannot be reached, the student may follow the procedures outlined in Section 5 of this policy.

#### 4. Accommodations

- a. **Course Accommodations:** The University shall provide reasonable course accommodations to students with disabilities on a case-by-case basis. Course accommodations may include, but are not limited to, extended time (up to double time) to take tests, testing in a distraction-reduced setting, use of computers and spell-check for assignments and exams, use of tape recorders or other assistive technology devices in the classroom and on exams, accessible and priority seating in classes, providing scribes for exams, providing volunteer note-sharing for classes, and providing sign language interpreters for classes.
- b. **Interpreting Services and Special Equipment:** Students requiring sign language interpreters or special equipment should provide notice at least 30 days in advance.
- c. **Student Services and Activities:** The University shall provide reasonable accommodations for participation in and use of student services and activities including housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, dining, or other co-curricular programs or activities.

At athletic and co-curricular activities, such as concerts and stage entertainment, accessible seating will be provided for students using wheelchairs. For Old Dominion University sponsored lectures, cultural activities, convocations and commencements, the participation of persons with disabilities shall be made accessible, upon request, through the aid of sign language interpreters, assistive technology, or other reasonable accommodations. Arrangements shall be made through the sponsoring office or organization of the event if sufficient notification is given, ideally, at least 10 days in advance of the event.

- d. **Housing:** The University shall provide reasonable housing accommodations for students requiring them due to their documented disabilities. Reasonable housing accommodations include, but are not limited to, accessible rooms or room types.

Students requesting housing accommodations must complete their housing applications and pay their housing application fees within the timeframes published on the Housing and Residence Life website. Students who are eligible for a self-selection process are encouraged to complete that process.

If housing accommodations are necessary, students must provide sufficient documentation stating why housing accommodations are required to the Office of Educational Accessibility. This documentation will be carefully reviewed by staff from the Office of Educational Accessibility in order to ensure that the documentation and requests support the assignment of individual students to a limited supply of accessible housing. Staff from the Office of Educational Accessibility will meet with the student to develop specific housing accommodations. Documentation must be provided by the deadlines listed for fall housing enrollment below:

February 15 for current (returning) students

April 1 for incoming freshmen and transfer students

Spring and summer housing enrollment occurs on a rolling basis. Students should provide documentation for housing accommodations to the Office of Educational Accessibility as soon as they apply for on-campus housing.

Requests submitted after these dates will be considered, but there is no guarantee that the accommodations will be able to be fulfilled.

The Office of Educational Accessibility will forward housing accommodation requests to the Office of Housing and Residence Life. The Office of Housing and Residence Life will assign residence hall accommodations based on information provided by the Office of Educational Accessibility and current space availability. Students will be informed of their room assignment by the Office of Housing and Residence Life.

Students who require housing accommodations will not incur additional costs associated with their accommodations.

#### 5. Complaint Resolution Process

If a student with a documented disability believes that they have not been provided with the services to which they are entitled or they have been the victim of retaliation, the student should direct their complaint to the Office of Institutional Equity and Diversity. The student shall provide some documentation of the disability, if necessary, to review the claim of retaliation, the nature of the discrimination, and any other information deemed relevant. The Section 504/ADA Coordinator will then attempt to reach an agreement through the alternative resolution process. The decision of the Section 504/ADA Coordinator is final.

#### 6. Confidentiality

Disability-related information may be released on a legitimate need-to-know basis within the University community only when there is a compelling reason for disclosure regarding some specific aspect of the confidential information, such as providing an appropriate accommodation. This determination is made by the Director of the Office of Educational Accessibility.

### G. RECORDS RETENTION

Applicable records must be retained and then destroyed in compliance with the [Commonwealth's Records Retention and Disposition Schedules](#).

### H. RESPONSIBLE OFFICERS

The Section 504/ADA Coordinator will monitor the implementation of these guidelines.

The Director of the Office of Educational Accessibility will implement the University's policies and procedures for students with disabilities and uphold the mission of the office. The Director will also oversee student requests for accommodation and assistance, assist University employees in providing equal access and reasonable accommodations, and ensure the appropriate delivery of equipment and services.

**I. RELATED INFORMATION**

[Office of Institutional Equity and Diversity](#)

[University Policy 1005 – Discrimination Policy](#)

[University Policy 5406 - Accommodations for Individuals with Disabilities](#)

