

# **ACCESSIBILITY**

## **AT MARQUETTE UNIVERSITY**

### **Policies, Procedures and Resources**

Office of Disability Services



**MARQUETTE**  
UNIVERSITY

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**Be The Difference.**

The Office of Disability Services is located in the Alumni Memorial Union, Third Floor, Room 317. There are several street level entrances and elevator access to the third floor.

For more information write or call;

Coordinator of Disability Services  
Marquette University  
Alumni Memorial Union  
P.O. Box 1881  
Milwaukee, WI 53201-1881

(414) 288-1645 (V/T) or (414) 288-5799 (Fax)

[www.marquette.edu/oses/disabilityservices](http://www.marquette.edu/oses/disabilityservices)  
e-mail: [patricia.almon@marquette.edu](mailto:patricia.almon@marquette.edu)

Marquette University does not discriminate in any manner contrary to law or justice on the basis of race, color, gender, age, sexual orientation, religion, disability, veteran's status or national origin in its educational programs or activities, including employment and admissions. At the same time, Marquette cherishes its right and duty to seek and retain personnel who will make a positive contribution to its religious character, goals, and mission in order to enhance the Jesuit, Catholic tradition. Federal laws (Titles VI, VII and IX; the Age Discrimination Act in Employment of 1967 as amended, the Rehabilitation Act of 1973 as amended, the Veteran's Readjustment Assistance Act of 1974, and the Americans With Disabilities Act of 1990) prohibit such discrimination.

Employee inquiries concerning the application of Section 503 of the Rehabilitation Act of 1973, Section 402 of the Vietnam Era Veteran's Readjustment Assistance Act of 1974 and Title I of the Americans with Disabilities Act of 1990 may be referred to the Office of Human Resources, Straz Tower, P.O. Box 1881, Milwaukee, WI 53201-1881, (414) 288-7305.

Student inquiries concerning Section 504 of the Rehabilitation Act of 1973 and Title III of the Americans with Disabilities Act of 1990 may be referred to the Office of Disability Services, Alumni Memorial Union, P.O. Box 1881, Milwaukee, WI 53201-1881, (414) 288-1645, V/T.

Student and employee inquiries concerning the application of Titles VI, VII, IX the Age Discrimination Acts of 1967 as amended, as well as Executive Order 11246 as amended may be referred to the Affirmative Action Officer, Straz Tower, P.O. Box 1881, Milwaukee, WI 53201-1881, (414) 288-3430.

The Marquette University Board of Trustees approved the Affirmative Action Program, formalizing the university's position toward human rights. This program reaffirms and specifies action programs to continue the pledge of promotion and equal opportunity for all qualified persons.

The university reserves the right to amend any of its academic programs, requirements for degrees, tuitions, fees, etc. from year to year, in its total discretion.

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## Introduction

Welcome to "Access for Students with Disabilities at Marquette University," the official guide to assist students, parents, faculty and staff understand the systems in place for students with disabilities. This document explains how students with disabilities become eligible to receive services from the Office of Disability Services, how accommodations are determined and how they are implemented. Also contained in this document are answers to frequently asked questions (FAQ's), resource materials on related issues, and contact information.

## Marquette University's Statement on Human Dignity and Diversity

As a Catholic, Jesuit university, Marquette recognizes and cherishes the dignity of each individual regardless of age, culture, faith, ethnicity, race, gender, sexual orientation, language, disability or social class. Precisely because Catholicism at its best seeks to be inclusive, we are open to all who share our mission and seek the truth about God and the world. Through our admissions and employment policies and practices, our curricular and co-curricula offerings, and our welcoming and caring campus environment, Marquette seeks to become a more diverse and inclusive academic community dedicated to the promotion of justice.

Our commitment to a diverse university community helps us to achieve excellence by promoting a culture of learning, appreciation and understanding. Each member of the Marquette community is charged to treat everyone with care and respect, and to value and treasure our differences. This call to action is integral to the tradition which we share.

## The Office of Disability Services

### Mission

In concert with the university's position on human dignity and diversity, the mission of the Office of Disability Services is to create and foster an accessible Marquette community where students with disabilities have an equal opportunity to participate fully in all aspects of its educational environment. The Office of Disability Services will:

- Assist students in meeting individual needs and interests on campus, and
- Provide awareness of the needs of students with disabilities to the campus community to foster and promote their inclusion in the diverse campus student population.

## I. Definitions of Terms Used in this Document

1. A **DISABILITY** is a mental or physical impairment that substantially limits one or more major life activities of an individual.
2. **MAJOR LIFE ACTIVITIES** are those activities that the average person can do with little or no difficulty, such as walking, seeing, hearing, talking, breathing, learning, caring for oneself and working.
3. A **SUBSTANTIAL LIMITATION** is a significant restriction in the condition, manner or duration in which a major life activity is performed compared to most people. The activity must be limited to a considerable extent by the impairment, after mitigating measures, for that individual to be protected by federal statutes.
4. **STUDENTS WITH A DOCUMENTED DISABILITY** are entitled to reasonable accommodations to ensure equality of opportunity to participate in Marquette's programs and activities if they are academically qualified to meet the university's academic and technical standards for admission or participation in its educational programs and activities.
5. Based on current practice in the profession, a **REASONABLE ACCOMMODATION** is any change in an educational environment that effectively and appropriately enables an individual with a disability to have equal educational opportunities to participate in programs and activities. Examples include:
  - Making existing facilities and programs used by students readily accessible to and usable by individuals with disabilities,
  - Relocating classes,
  - Providing appropriate arrangements for exams, and
  - Providing educational auxiliary aids, readers or interpreters.

An accommodation is **NOT** reasonable if it:

- Poses a direct threat to the health or safety of others, or
- Requires a substantial change to an essential element of course curricula or a substantial alteration in the manner in which services are offered or provided for non-disabled students, or
- Poses an undue financial or administrative burden, or
- Is requested for personal use, such as attendant care, personal coaches, aids for personal care of the student or equipment of a personal nature.

Reasonable accommodations are intended only to provide students with disabilities an equal opportunity to participate and benefit. **Reasonable accommodations do not guarantee success or prevent failure for the student's academic program.** Standards do not have

to be lowered nor do essential requirements need to be waived to allow students with disabilities to participate.

6. **ACADEMIC ACCOMMODATIONS** affect:

- Academic requirements,
- Academic rules,
- Course examinations, and
- Auxiliary aids and services.

Academic accommodations may include:

- Extending the length of time for completing academic programs, or
- Substituting specific coursework as a requisite for completing degree requirements, or
- Allowing alternative testing procedures for students whose disabilities affect this process to ensure that their achievement is being measured and not the impact of their disability, or
- Providing students such auxiliary aids as notetakers or access to oral and print materials in appropriate alternatives.

7. **AN UNDUE HARDSHIP OR BURDEN** is:

An action that (1) requires significant difficulty or expense, or (2) would fundamentally alter the nature of a program. Factors to be considered include:

- The nature and cost of the accommodation needed, and
- The overall financial resources of Marquette University.

## II. Student and Institutional Rights and Responsibilities

*The rights and responsibilities described below serve as the basis for Section III entitled "Procedures and Guidelines for the Accommodations Process."*

### Student Rights and Responsibilities

A. Each student with an identified disability has the right to receive from Marquette University:

1. Equal access to courses, programs, services, jobs, activities and facilities offered through Marquette University.
2. Equal opportunity to work and learn, and receive reasonable, and appropriate accommodations, academic adjustments and/or auxiliary aids and services.
3. Appropriate confidentiality of all information regarding their disability and to choose to whom information about their disability will be disclosed, except as permitted or required by law.

4. Information reasonably available in accessible formats.

B. Each student with a disability has the responsibility to:

1. Meet qualifications and maintain essential institutional standards for courses, programs, services, jobs and activities, i.e., completing assigned work in courses undertaken.
2. Identify him/herself in a timely manner as an individual with a disability when an accommodation is needed and seek information, counsel and assistance as necessary from appropriate sources designated by the university, preferably, prior to the start of classes.
3. Provide documentation, when accommodations are sought, from an appropriate licensed professional describing the nature of the disability and how the disability limits the student's participation in courses, programs, services, jobs, activities and facilities, and recommending the nature of an accommodation to provide the student with a disability equal access and opportunity.
4. Follow published procedures for obtaining appropriate accommodations, academic adjustments and/or auxiliary aids and services.

### Institutional Rights and Responsibilities

C. Marquette University has the right to:

1. Identify and establish essential functions, abilities, skills, knowledge, standards and criteria for courses, programs, jobs and activities, and evaluate students based on their performance.
2. Request and receive, through the Office of Disability Services, current documentation from an appropriate licensed professional source that supports requests for accommodations, academic adjustments and/or auxiliary aids and services.
3. Deny a request for accommodations, academic adjustments and/or auxiliary aids or services if the documentation demonstrates that the request is not warranted, the documentation presented fails to identify a specific disability, or the student fails to provide appropriate documentation in a timely manner.
4. Select among equally effective and appropriate accommodations, adjustments and/or auxiliary aids and services in consultation with students with documented disabilities and in collaboration with faculty and staff who have contact with them.
5. Refuse to make available an accommodation, adjustment and/or auxiliary aid or service that is inappropriate or unreasonable. (See Section I.5)

D. Marquette University has the responsibility to:

1. Provide information regarding policies and procedures to students with disabilities and assure that this information is provided in accessible formats upon request.
2. Ensure that courses, programs, services, jobs, activities and facilities, when viewed in their entirety, are available and usable in the most integrated and appropriate settings.
3. Evaluate students and applicants on their abilities and potentials, not their disabilities.
4. Provide or arrange for effective, appropriate and reasonable accommodations, academic adjustments and/or auxiliary aids and services for students with identified disabilities in courses, programs, services, jobs and activities.
5. Maintain appropriate confidentiality of records and communication concerning students with disabilities except where disclosure is permitted or required by law or authorized by the student.

### III. Procedures and Guidelines for the Accommodations Process

Students with disabilities may be entitled to accommodations and/or academic adjustments designed to give them equal access to the university's resources. The procedures guiding the accommodations process are detailed in the section below.

#### Accommodations Process Summary In order to receive accommodations, students must:

1. Provide appropriate documentation to the ODS Coordinator,
2. Meet with the Coordinator each semester, PRIOR to the need for requested accommodations,
3. Identify in that meeting the courses for which accommodations are requested,
4. Deliver the accommodations letter provided by the Coordinator to each instructor and discuss classroom needs with the instructor, and
5. Alert the Coordinator when accommodations are not working or do not meet students' needs.

#### A. Establishing eligibility for accommodations:

##### 1. Where do I go for accommodations for my disability?

The Office of Disability Services (ODS), located in the Alumni Memorial Union in room 317, is the designated office at Marquette University to coordinate accommodations for all undergraduate and graduate\* students with identified and documented disabilities who require them. Accommodations determinations will be made on a case-by-case basis.

*\* Students enrolled in Marquette's professional schools, i.e. Law and Dentistry, must follow the specific procedures for Law and Dental students referenced in Item G.*

##### 2. Do I need to provide any information about my disability to ODS?

Students must provide relevant documentation of their disability from an appropriate licensed professional source to ODS that gives a diagnosis of the disability and how it impacts on their participation in courses, programs, jobs, activities and facilities at Marquette. Guidelines for acceptable documentation can be found in the Resource Section. This documentation will be kept confidential and shared with university personnel for educational purposes only with the consent of the student or as permitted or required by law. All disability documentation will be maintained in a locked file in ODS.

#### Documentation Policy Summary All documentation must:

1. Come from a licensed professional,
2. Establish that the student has a disability, and
3. Describe how the disability impacts on the student's participation in campus activities and programs.

The complete documentation policy is located in the Resource Section. (See Section V.A.) (Also found on our Web site at [www.marquette.edu/oses/disability/policies/ds\\_policy\\_docguidelines.shtml](http://www.marquette.edu/oses/disability/policies/ds_policy_docguidelines.shtml))

#### B. Requesting accommodations:

##### 1. Why doesn't Marquette automatically provide me an IEP/504 plan like I received in high school?

The areas of disability law guiding high schools require that students with disabilities receive IEP/504 plans designed by parents, teachers, specialists and other administrators to assure student success. Postsecondary education is guided by different areas of disability law and these laws empower students to choose whether or not to seek assistance for their disabilities. This means that students are now responsible for deciding when to initiate the accommodations process and communicating their

specific needs for each class to the appropriate university personnel. At Marquette, that process begins with the student meeting each semester with the ODS Coordinator who will assist the student in identifying appropriate accommodations for each class. To learn more about the differences between high school and college for students with disabilities, visit the Office of Civil Rights (OCR) web site at [www.ed.gov/ocr/transition.html](http://www.ed.gov/ocr/transition.html).

##### 2. When do I seek accommodations?

Accommodations must be requested each semester, prior to the need for the requested accommodation(s). Students must make an appointment to meet with the Coordinator of Disability Services to discuss their accommodation needs for the semester. Because accommodations requests are not automatic, be sure to provide the ODS Coordinator sufficient time to review and implement your requests. Unfortunately, the ODS Coordinator may be unable to provide you last minute requests that do not provide a reasonable amount of time for implementation.

##### 3. How are accommodations determined?

Each semester, a student with a disability must schedule an appointment to meet with the ODS Coordinator to discuss the student's disability and how it will impact on the requirements of each of the student's courses. The Coordinator, taking into consideration the student's documentation, the preferences of the student, available resources and the requirements of each class will then make a decision on accommodations. When determining appropriate accommodations, the Coordinator may need to consult with other faculty, staff or, with the consent of the student, may consult with outside professionals or agencies.

##### 4. How will I know what accommodations I will receive?

The ODS Coordinator will describe the process for the provision of reasonable and appropriate accommodations both verbally and in writing to the student. The following issues will be considered in the accommodations decision-making process:

- a. The institutional and the student's rights and responsibilities,
- b. What accommodations will be provided,
- c. Why they will be provided,
- d. When they will be provided,
- e. Who is responsible for providing them, and
- f. How they will be provided.

*(For examples of common accommodations, see the Resource Section (V.A.)*

#### 5. Who will know about my disability?

ODS respects students' privacy regarding dissemination of information about their disabilities. Information will not be shared with others on the campus without students' permission or as permitted or required by law. The ODS policy on confidentiality is located in the Resource Section. (See Section V.B.)

#### 6. What if I choose to wait until later in the semester to ask for accommodations?

Students with disabilities always have the right to decide when to identify themselves as a student with disabilities and when to request accommodations. Privacy rights, however, do not change the requirement that no matter when students with disabilities choose to identify themselves, they must still follow the published procedures for requesting accommodations in a timely manner. **This means, regardless of when a student requests accommodations, they must provide the ODS Coordinator a reasonable amount of time to implement the process.**

Further, retroactive accommodations are not permitted (i.e. those requested after an event has passed, as in the case of requests for attendance consideration for classes already missed, or opportunities to retake exams or change previously awarded grades). If such events as poor performance on exams or missed classes result in students seeking accommodations, the ODS Coordinator will:

- a. Work with the student to accommodate future needs, and
- b. Refer requests for assistance addressing issues of past performance to the college office and relevant college policies and procedures.

#### C. Notifying/working with instructors:

##### 1. How will my instructors know what my accommodations are?

There are two steps in this process:

- a. After meeting with the student, the ODS Coordinator will write a letter for each of the student's instructors that verifies that the student has a documented disability. The specific disability will be mentioned in a letter only with the student's consent. The letter will include a listing of the accommodation(s) which has/have been determined appropriate and reasonable, and
- b. The student will deliver these verification letters to their instructors (unless other arrangements are agreed upon). Students are required to contact their instructors personally to discuss their accommodations needs based upon their disabilities and the course expectations.

## 2. What if my instructor has questions about my accommodations that I can't answer?

The letter stating the accommodations to which students are entitled will also invite faculty to contact the Coordinator if there are concerns or questions about the accommodations. If an initial accommodations decision has been found to be unworkable for legitimate reasons or another type of accommodation is brought to light that would be more effective for a particular course, the Coordinator will reconsider the accommodation decision. Instructors are not required to compromise essential elements of their courses or evaluation standards when accommodations are recommended.

## 3. Can my instructors require me to attend class the same as my peers?

Yes, but with some restrictions. A class-attendance rule should be modified, if recommended by the accommodation letter, when attendance is not academically essential to meet course requirements. However, federal regulators have indicated that instructors have the right to determine that class attendance is essential when:

- Class activities include interaction between students and instructor or among students.
- Student contributions constitute a significant component of the learning process.
- The fundamental nature of the course relies upon student participation as an essential method for learning.
- The student's failure to attend class constitutes a significant educational loss to other students.
- Class participation is considered in the assignment of the course grade.

Decisions on whether or not attendance requirements should be modified are made on a case-by-case, course-by-course basis between the student and the instructor.

## 4. Can my instructor require that homework or research assignments be submitted by published due dates?

Yes. However, when a disability factors into delayed completion, reasonable extensions may be appropriate. When determining whether an extension is reasonable, the ODS Coordinator examines each request on a case-by-case, course-by-course basis and reviews the following:

- Published due dates for projects, papers, and other graded activities in the syllabus. The longer students have to complete assignments, the less likelihood of an extension.
- Whether or not the extension is requested as a result of disability related issues. Students who fall significantly behind due to other factors may be denied an extension request.

- The length of time requested for making up work or exams. Extensions may not be granted that create an undue administrative burden on the instructor.
- Whether the extension is due to an exacerbation of a disability. Students in these cases may be required to produce additional documentation supporting that request.

Because some courses are less amenable to delays than others, accommodation requests in these cases may be denied. In effect, the inability to meet the published deadline makes the student unqualified to complete the course.

## D. Resolving problems or concerns with accommodations:

### 1. What if my accommodations are not working for me?

Although students with disabilities are always encouraged to discuss their concerns directly with their instructors, students are responsible for contacting the ODS Coordinator if agreed-upon accommodations are not implemented in an effective or timely way, or if they are experiencing other difficulties. The Coordinator will work with university personnel and students to resolve disagreements or problems regarding recommended accommodations or other disability-related issues.

Not all class difficulties may be a result of problems with accommodations. Depending upon the issues or concerns, the ODS Coordinator may refer students who have concerns about classroom performance to other campus resources to address the difficulties experienced in courses and coursework. For example, a student reporting that their supplemental class notes are not helpful may be referred to a study skills specialist to address specific strategies for more effective ways of studying from their notes.

## E. Accommodations or needs outside of the classroom:

### 1. What if I need accommodations outside of the classroom?

For accommodations pertaining to access to the non-academic aspects of the campus community, such as housing, recreation, safety, counseling, financial aid, transportation, health services, employment, insurance and other co-curricular activities, the ODS Coordinator will work similarly with students and appropriate university administrators and staff in making these arrangements.

### 2. What if I need help with tutoring or other college success strategies?

Tutoring is not considered an accommodation and is not directly provided by ODS. However, if students are experiencing academic difficulty, they can seek assistance from the Office of Student Educational Services

(OSES) which provides tutoring, study skills help, time management skills and test preparation tips.

## 3. What if I think or someone else suggests I might possess a disability?

Students may be referred to ODS to discuss if they should be tested for a disability that has not been previously documented. Formal testing for a disability is not provided by ODS, but ODS, in conjunction with the Counseling Center, may offer free screenings and consultations for students to explore whether testing is an appropriate next step. If interested in this option, schedule an appointment with the ODS Coordinator at (414) 288-1645, AMU 317.

## 4. If I plan to continue my education after I graduate, can I retrieve my documentation from ODS?

ODS will send students' files to the University Archives upon their graduation where they will be stored for seven years. After the seven-year period, the records will be destroyed. If students require a copy of their documentation or other information from their ODS file within that seven-year period, they must make their request in writing to the ODS Coordinator. ODS will retrieve the student's file and forward a copy of the requested information to the student within 45 days of the request.

## F. Other Frequently Asked Questions:

### 1. Should I identify my disability when I apply to Marquette?

It is unlawful for admissions decisions to be based on disability. However, students may choose to identify their disability and supply documentation of their disability during the admissions process. The disability specific documents will be forwarded to the ODS Coordinator.

Students with disabilities are considered for admission to Marquette the same as their non-disabled peers and must meet the same admissions criteria. The Office of Disability Services does not provide diagnostic treatment or learning support services specifically for students with disabilities.

### 2. What role will my parents have in determining my accommodations at Marquette?

During the admissions process, students with disabilities and their parents are welcome and encouraged to meet with the ODS Coordinator to discuss both the services provided by ODS and the new role students must play in determining and monitoring their accommodations. However, once classes begin, it becomes the student's responsibility to come forward to ODS each semester to request specific accommodations for that semester. Unlike high school, the ODS Coordinator does not provide automatic accommodations, and will only provide specifically requested accommodations for those courses requested by the student for that semester.

Furthermore, once the student begins attending classes, under the Family Educational Rights and Privacy Act (FERPA), the ODS Coordinator cannot disclose student information to parents without the student's written consent. If students with disabilities wish to permit the ODS Coordinator to discuss their accommodations with their parents, they must sign a release permitting the ODS Coordinator to do so. However it remains the students' responsibility to communicate accommodations requests and any other concerns with the accommodations process to the ODS Coordinator. The Coordinator will consider accommodations requests or complaints/concerns only from the affected students, not from their parents/advocate.

## G. Specific procedures for students in Law or Dental School:

### 1. Why is there a specific process for Law and Dental Schools?

Due to the unique nature of Law and Dental School, the process for providing and monitoring appropriate accommodations for students with disabilities enrolled in these programs involves separate procedures and policies. Because programs of this type must adhere closely to external certifying boards that define and test for specific professional, technical and/or clinical requirements, accommodations must be based upon clear and current understanding of the professional standards of these certifying organizations. For more information regarding the specific process for Law or Dental School, go to [law.marquette.edu/cgi-bin/site.pl](http://law.marquette.edu/cgi-bin/site.pl) or [www.dental.mu.edu/](http://www.dental.mu.edu/).

The Law School and the Dental School are housed in their own facilities, creating separate, closed academic communities where all relevant lectures for legal or dental education occur. Some required patient care experiences in dentistry occur at extramural clinical sites. Each school has its own staff in place to serve the needs of that particular student body. Included in that staff is an individual charged to coordinate academic support services for all students in the respective schools.

### 2. How does the accommodations process work if I'm accepted into the Dental or Law School?

Determining appropriate accommodations for students with disabilities enrolled in these specialized settings requires direct involvement of and collaboration with these academic service providers or administrators described above who are familiar with and responsible for assuring completion of the essential academic and/or clinical requirements of these programs. Throughout enrollment in these programs, the student will work with these program liaisons who will follow the published procedures established by these programs to implement, finalize, and/or modify accommodations as necessary. The ODS Coordinator will continue to serve in both an advisory and resource role with these liaisons and with the student and will maintain the student's documentation.

Students in Law School and Dental School will abide by the procedures for academic accommodations in these respective schools as specified. However, the policy items pertaining to all students with disabilities, i.e., the grievance procedure, disability documentation, confidentiality, student rights and responsibilities and institutional rights and responsibilities will similarly apply to Law and Dental students with disabilities.

## IV. Grievance Procedure

Students with disabilities who believe they have been discriminated against on the basis of their disability may receive a review of their complaint as follows:

### A. Submission of complaint to the Director of Student Educational Services

The student must submit a letter to the Director of Student Educational Services (AMU 317) that sets forth clearly and specifically the nature of the complaint and the remedy sought. The submission of the complaint must be made no later than two weeks after final exams of the semester in which it arises. Specific details must include: what the issue is, when it occurred, where it occurred, who was involved. Also included must be any pertinent documentation supporting the complaint, including a listing of possible witnesses.

The Director shall investigate the circumstances of the complaint and shall attempt to resolve it, using whatever procedures or calling upon any individuals that may be helpful toward resolution. The Director will issue his/her decision in writing within ten (10) working days of receipt of the complaint. The university reserves the right to extend this investigation period if conditions are so warranted. The student will be informed if an extension is necessary on or before the 10th day of the complaint resolution period.

The university also reserves the right to appoint an appropriate investigator should the Director be unavailable or if there is a potential for any other conflicts of interest that could possibly infringe upon the fairness of the investigation.

### B. Appealing the Director's Decision — Disability Grievance Panel

If the complainant wishes to appeal the Director's decision, the complainant may request that the complaint be appealed to a Disability Grievance Panel for a hearing. This appeal must be submitted in writing to the Director of the Office of Student Educational Services (OSSES) within ten (10) working days of the date of the letter informing the student of the Director's decision. The panel will be convened as soon as possible upon receipt of the request. Three members shall be appointed by the Provost's Office to the Disability Grievance Panel representing Academic Affairs and Student Affairs with a third at-large member.

### 1. Grievance Panel Procedures

The panel shall determine all matters of procedure, evidence, relevance and admissibility it deems helpful and fair in the total decision process, without regard to judicial rules that could be applicable to such issues in a court of law. The OSSES Director will serve only as a resource to the panel at the panel's request. If the panel determines the need for a formal hearing, the OSSES Director will contact the individuals to be interviewed by the panel.

Any formal hearings before the Disability Grievance Panel shall be open only to the student, witnesses and advisors, except as the panel may otherwise direct. The student will be notified in writing by the OSSES Director at least five (5) working days prior to any hearing requiring the student's presence. The student has the right to bring one advisor to the hearing. If that advisor is an attorney, the Director must be notified two (2) working days prior to the hearing in order that Marquette University General Counsel can be in attendance. If General Counsel is not available, the panel reserves the right to reschedule the hearing. All advisors, including attorneys, will serve only in an advisory capacity for the student during the hearings.

After concluding its investigation, the panel shall meet in executive session attended only by panel members to decide upon the complaint and make its decision. The decision shall be communicated to the OSSES Director in writing within two (2) working days of the executive session. A summary of the decision making process and evidence considered will be included in this response. The OSSES Director will inform the student in writing within five (5) working days of receipt of the panel's decision.

### C. Appealing the Disability Grievance Panel Decision — Review by the Office of the Provost

If the student wishes to appeal the panel's decision, the student can request that the Office of the Provost review the panel's decision. The request must be made in writing to the OSSES Director within seven (7) working days of receipt of the panel decision. The Director will provide all materials relevant to the case to the Provost's Office for review upon receipt of the request. The Provost's Office will not conduct additional hearings, but will only review the complaint in light of the materials presented and its adherence to policies and procedures. The written decision from the Provost's Office on the case shall be final.

## V. Resources

### A. Documentation Policy

Students with disabilities are responsible for providing documentation of their disabilities to the Office of Disability Services (ODS). This documentation must both establish disability and provide adequate information on the functional impact of the disability so that accommodations can be identified and provided. This documentation will be kept confidential and maintained in a locked file in ODS. All documentation should:

- Come from an appropriate licensed clinical professional familiar with the history and functional implications of the disability.
- Verify the nature and extent of the disability in accordance with current professional standards and techniques. This must include a description of the diagnostic criteria, evaluation methods, procedures, tests and dates of administration, as well as a clinical narrative, observation and specific results.
- Be dated and signed, and submitted on official letterhead including the name, title and professional credentials of the evaluator.
- Establish that the student has a disability that conforms to the federal disability definition. A clear diagnostic statement that describes how the condition was diagnosed, provides information on the functional impact, and details the progression or prognosis of the condition is required.
- Describe how the disability impacts on the student's participation in campus activities and programs.
- Reflect the student's current level of functioning in the postsecondary setting, demonstrating whether and how a major life activity is substantially limited by providing a clear sense of the severity, frequency and pervasiveness of the condition(s).
- Include a description of both current and past medications, auxiliary aids, assistive devices, support services, and accommodations, including their effectiveness in ameliorating functional impacts of the disability.
- Include recommendations for accommodations, adaptive devices, assistive services, compensatory strategies, and/or collateral support services.

Additionally;

- If the original documentation is incomplete or inadequate to determine the extent of the disability or reasonable accommodation, the university has the discretion to require additional documentation. Any cost incurred in obtaining additional documentation when the original records are inadequate is the responsibility of the student.

- If the documentation is complete but the university desires a second professional opinion, the university bears the cost.
- It is not acceptable for documentation to include a diagnosis or testing battery performed by a member of the student's family.
- Students requesting accommodations for the manifestations of multiple disabilities must provide evidence of all such conditions.
- Guidelines for documentation for specific disabilities, such as learning disabilities, ADD/ADHD, psychiatric disabilities or others as identified are available through ODS.
- *In rare cases, if a student does not possess appropriate documentation, at the discretion of the Coordinator, the student **may** be provided interim accommodations for **one semester only**. Accommodations for any future semesters are dependent upon submission of complete documentation that conforms fully with the above policy prior to the need for accommodations. (Documentation guidelines for specific disabilities can be found on the ODS web site at [www.marquette.edu/oses/disability/policies/ds\\_policy\\_docguidelines.shtml](http://www.marquette.edu/oses/disability/policies/ds_policy_docguidelines.shtml))*

### B. Confidentiality

The Office of Disability Services (ODS) is committed to ensuring that all information and communication pertaining to a student's disability is maintained as confidential as required or permitted by law.

The following guidelines about the treatment of such information have been adopted by ODS and will be shared with students. These guidelines incorporate relevant state and federal regulations.

1. No one will have immediate access to student files in ODS except appropriate staff of ODS or Student Educational Services in which ODS is located. Any information regarding a student's disability is protected by the Family Educational Rights and Privacy Act (FERPA) and will only be disclosed as permitted or required by FERPA.
2. Sensitive information in ODS student files will not be released except in accordance with federal and state laws.
3. A student's file may be released pursuant to a court order or subpoena.
4. If a student wishes to have information about his/her disability shared with others, the student must provide written authorization to the ODS Coordinator to release the information. Before giving such authorization, the student should understand the purpose of the release and to whom the information is being released.
5. A student has the right to review his/her own ODS file with reasonable notification.

## C. Common Academic Accommodations

Appropriate accommodations are individualized and flexible, based on the nature of the disability and the academic environment. Below is a partial list of common academic accommodations that may be coordinated through the Office of Disability Services in collaboration with faculty and other pertinent offices on campus.

**They appear in this list due to the frequency with which they may be offered or requested, and will not be automatically provided to all students with disabilities.**

- Priority registration.
- Notetakers, lab/library assistants, readers, sign language interpreters, captioners.
- Exam modifications:
  - additional time to complete exams
  - private, quiet room
  - readers, scribes
  - use of computer/calculator.
- Document conversion to alternate formats—electronic, CD, Braille, large print, tape.
- Access to university libraries and their collections.
- Course substitutions.

## D. Common Non-academic Accommodations

Below is a partial list of common accommodations for university-sponsored activities and programs outside of the classroom for students with documented disabilities. The Office of Disability Services in collaboration with pertinent offices on campus coordinates these accommodations on a case-by-case basis according to the nature of the disability. **They appear in this list due to the frequency with which they may be offered or requested, and will not be automatically provided to all students with disabilities.**

- Access to campus transportation.
- Advanced registration for events or co-curricular activities on or off campus to allow preparation for access needs of students with disabilities.
- Appropriate safety and security measures.
- Captioners or interpreters for university-sponsored events.

## E. Specific Disabilities

DEFINITIONS, DESCRIPTIONS AND POSSIBLE IN-CLASS AND OUT-OF-CLASS SERVICES OR STRATEGIES TO BE APPLIED ON A CASE-BY-CASE BASIS. *(Based upon a student's documented disability, the indicated services for students may be appropriate. They are provided as examples only and are not intended as a list of choice.)*

### 1. Attention Deficit/Hyperactivity Disorder (ADD/ADHD)

*Definition:* a neurobiological condition that is manifested in a persistent pattern of distractibility, impulsivity or hyperactivity. It arises during childhood, persists throughout a person's lifetime and is attributed neither to gross sensory, language or motor impairment nor to mental retardation or severe emotional disturbance. The exact nature and severity of symptoms vary from person to person.

Common ADD/ADHD problems/deficits exhibited:

- Lack of organization in work produced.
- Chronic procrastination, difficulty meeting deadlines or due dates.
- Easy distractibility, difficulty staying focused on a task.
- Impulsivity, blurting out answers.
- High level of creativity and intelligence.
- Low tolerance of frustration.

The following services *may* be appropriate:

- Notetakers.
- Extended time to complete tests.
- Alternate testing arrangements such as quiet environments with minimal distraction, orally respond to exam questions, alternative to computer grid-scored sheets.
- Priority registration.
- Textbooks in alternate formats.
- Word processor in class, use of spell or grammar checkers.
- Tape recorder in class.

Equipment available on campus to assist students with ADD/ADHD at Marquette: Kurzweil 3000 software system, Reading Edge and Telex Scholar DC player for texts on CD.

### 2. Blind/Partially Sighted Disabilities

*Definition:* disorders in the function of the eye as manifested by at least one of the following: 1) visual acuity of 20-200—the legally blind person can see at 20 feet what the average-sighted person can see at 200; 2) low vision—limited or diminished vision that cannot be corrected with standard lenses; and 3) field restriction—the field of vision is impaired because of illness, a degenerative syndrome, or trauma.

The following services *may* be appropriate:

- Textbooks in alternate formats.
- Reading lists or syllabi in advance to allow time for arrangements for alternative formats, i.e., Braille, large print, tape.
- Notetakers.
- Alternative testing formats (oral tests, large print, Braille or tape).
- Extended time for tests.
- Deadline flexibility for assignments for document conversion and processing.
- Use of tape recorders in class.
- Providing informational materials about programs or activities in large print or Braille.

Equipment available on campus to assist blind/partially sighted students at Marquette: Kurzweil Education 1000 and 3000 Systems, Reading Edge, and Telex Scholar CD player.

### 3. Deaf/Hard of Hearing Students

*Definition:* hearing loss attributed to two causes:

1) sensorineural (nerve deafness which involves impairment of the auditory nerve and affects the inner ear), or 2) conductive loss (a dysfunction of part of the ear mechanism affecting the outer and middle ear). Some students may have both types of hearing loss.

#### Implications for Postsecondary Education

Some students who have residual hearing may rely on lip reading and use hearing aids or assistive listening devices. Hearing aids amplify all sounds and can make small noises such as air conditioners, hissing lighting fixtures and traffic noise overwhelming. Lip reading students usually comprehend only about 30-40% of what is said and have difficulty understanding instructors who cover their lips, face the chalkboard, move around or wear a mustache. Class discussions can also be problematic.

Some students may require the use of sign or oral language interpreters to access the information being presented in class. Sign language interpreters use highly developed language and finger spelling skills for several types of sign language (American Sign Language or Pidgin Sign English as examples). Oral interpreters silently form words on their lips for speech reading. Interpreters will interpret all information in a given situation, including instructor's comments, class discussion and environmental sounds.

Some students may benefit from real time captioning, a process involving a stenographer, translating software and a computer. The stenographer transcribes what is being said in class that is translated almost instantaneously through software to a computer screen. The student is then able to follow the course of the class from the computer screen. Another type of accommodation is C-Print captioning, where the captionist transcribes what is said in class in a word processing format.

The following services *may* be appropriate:

- Notetakers to enable student to pay full attention to the instructor and not miss important information.
- Sign language interpreters at university programs.
- Use of assistive listening devices.
- Closed captioning decoders for televisions.

### 4. Head Injury

*Definition:* Head injuries are not visible and are very complex. They result from either external or internal trauma. They can result in seizures, loss of balance or coordination, difficulty with speech, limited concentration, memory loss, loss of organizational and reasoning skills, loss of ability to quickly process information, loss of language functions, changes in behavior.

The following services *may* be appropriate:

- Exam modifications.
- Time extensions for assignments to be negotiated with the instructor.
- Taped lectures.
- Documents in large print.
- Course substitutions.

### 5. Learning Disabilities

*Definition:* Learning disabilities is a general term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities. These disorders are intrinsic to the individual, presumed to be due to central nervous system dysfunction, and may occur across the life span. Problems in self-regulatory behaviors, social perception, and social interaction may exist with learning disabilities but do not by themselves constitute a learning disability. Although learning disabilities may occur concomitantly with other disabling conditions, (for example, sensory impairment, mental retardation, serious emotional disturbance), or with extrinsic influences (such as cultural differences, insufficient or inappropriate instruction), they are not the result of those conditions or influences.

#### Implications for Postsecondary Education:

- Auditory processing (difficulty perceiving or processing auditory material i.e., differentiating between similar sounds, hearing sounds out of sequence, difficulty in "tuning out" background noise).
- Visual processing (difficulty perceiving or processing visual material, i.e., seeing an image in a competing background, seeing things in correct sequence, differentiating between similar objects, perceiving depth or distance).
- Information processing speed (how quickly one receives information, processes the information and reacts to it).

- Abstract and general reasoning (difficulty thinking in an orderly, logical way, difficulty applying learned skill to a new task).
- Long and short term, visual or auditory memory (difficulty processing information to transfer into long-term memory, difficulty remembering rote facts, difficulty recalling information from memory in test situations).
- Spoken and written language skills (difficulty in expressing oneself coherently, difficulty with the physical act of writing i.e., dysgraphia).
- Reading skills (difficulty with any task in which reading is an essential component, i.e., dyslexia).
- Mathematical skills (difficulty with calculations, rapid processing of math facts, reversal of numbers i.e., dyscalculia).
- Visual spatial skills (difficulty perceiving dimensions of space, trouble distinguishing left from right, north from south, up from down, ahead and behind).
- Motor skills (difficulty with physical coordination, seeing, then doing or hearing, then doing problems).
- Planning skills (difficulty managing or prioritizing time and tasks).

The following services may be appropriate:

- Notetakers.
- Extended time to complete tests.
- Alternate testing arrangements—quiet environments with minimal distractions, orally respond to exam questions, alternative to computer grid-scored sheets.
- Textbooks in alternate formats.
- Priority registration.
- Course substitution.
- Use of laptop in class with spelling or grammar checkers.
- Tape recorder in class.
- Advance syllabus prior to the start of classes.

Equipment available on campus to assist students with learning disabilities at Marquette: Kurzweil 3000 software system, Reading Edge and Telex Scholar CD player.

## 6. Physical Impairments

*Definition:* impairments ranging in severity from limitations on stamina to paralysis impacting on physical mobility and movement. These include quadriplegia, paraplegia, amputation, arthritis, back disorders, cerebral palsy, muscular dystrophy and multiple sclerosis.

### Implications for Postsecondary Education

Physical disability is separate from matters of cognition. When talking to a person in a wheelchair, talk to them at their eye level. Take time to understand the person if speech is affected. Take cues from the individual if assistance is needed with a particular task. Students should let faculty and staff know if help is needed

depending on the severity of their impairment. Each person's physical rehabilitation level is different.

The following services *may* be appropriate:

- Priority registration to group classes in buildings of close proximity.
- Extra time for tests if there are manual dexterity problems, or provide alternative arrangements for testing, including tests on computer, use of scribes, audio taping responses or oral tests.
- Reasonable extensions for assignments due to slow writing speed or medical concerns which involve time in a doctor's office or hospital to be negotiated with instructors.
- Residence hall access to sleeping rooms, bathrooms, dining halls and common areas.
- Partners who can function as a student's hands or legs in labs or other class settings.
- Accessible classroom/location/furniture.
- Access to designated handicapped parking spaces.
- Access to keys for keyed elevators.
- Use of tape recorders and laptops in class.
- Access to recreation programs, equipment and facilities.
- Spectator access for athletic activities.

## 7. Psychiatric/Psychological Disabilities

*Definition:* chronic conditions affecting emotions that have documented medical and psychological intervention. Includes depression, bipolar (manic-depressive) disorder, obsessive compulsive disorder, anxiety disorders, and schizophrenia. With appropriate treatment, a vast majority of individuals with these disabilities can function effectively.

The following services *may* be appropriate:

- Extended time for exams.
- Notetakers, tape recorders in class.
- Flexibility for attendance requirement in case of hospitalization/crises to be negotiated with instructors on a course by course basis.
- Consideration of incompletes or late withdrawals rather than failures in the event of prolonged illness-related absences which will be negotiated on a course by course basis with instructors.
- Allowing beverages in class to accommodate side effects of medication.

## 8. Systemic Disabilities/Chronic Illness

*Definition:* disabilities stemming from conditions affecting one or more of the body's systems—respiratory, immunological, neurological or circulatory. Examples include: cancer, chemical dependency, diabetes, seizure disorders, HIV, Lyme disease, lupus, multiple chemical sensitivity, severe asthma and allergies, kidney disease. Documentation from medical treating professionals must specifically state that the condition meets disability criteria.

The following services *may* be appropriate:

- Notetakers.
- Priority registration to arrange for classes in buildings in close proximity.
- Extended time to complete tasks, exams.
- Flexible deadlines where appropriate to be negotiated on a course by course basis with instructors.
- Alternative meal plans.

## 9. Illegal Drug Use/Alcoholism

*Definition:* Disabilities stemming from addiction to alcohol or illegal drugs.

Under certain circumstances, these addictions MAY qualify as disabilities. Students possessing these conditions are protected from disability discrimination if they:

- Have successfully completed a supervised drug or alcohol rehabilitation program or have been otherwise successfully rehabilitated and who are no longer using illegal drugs.
- Are currently participating in a supervised rehabilitation program and are no longer using illegal drugs.
- Are not using drugs illegally but are erroneously regarded as engaging in illegal drug use.

Students are not protected if:

- They are **currently using** illegal drugs.
- Drug or alcohol use interferes with the student's ability to work or learn.
- Drug or alcohol use poses a threat to property or safety of others.

The following services *may* be appropriate:

- Priority registration.
- Excused absences for meetings or medical treatment.

## F. Working with Students with Disabilities: Guidelines for Faculty and Other University Employees

Whether they are aware of it or not, most faculty, administrators, and staff at Marquette interact with students with disabilities on a regular basis. These interactions often reflect the campus culture of genuinely caring for the person, but in some instances, these interactions require a response to requests for specific accommodations. Because students with documented disabilities are protected under federal law, these formal requests may result in faculty or others lacking confidence in the proper response to these specific requests. The procedures and suggestions listed below are intended to address the most basic questions faculty and other employees may have related to meeting the needs of students with disabilities. Should faculty or other employees desire more information on this topic, please visit the Disability Services web site at [www.mu.edu/oses/disabilityservices/resources/index/.html](http://www.mu.edu/oses/disabilityservices/resources/index/.html) or contact the Disability Services Coordinator directly at (414) 288-1645 or stop in the office in the Alumni Memorial Union, room 317.

### 1. Faculty Guidelines

#### a. What should I do if a student says s/he has a disability and requests accommodations?

- Does the student have a letter from ODS?** In order to be assured accommodations, the university requires student accommodations requests must be accompanied by a formal letter from the ODS Coordinator. That letter serves to verify that the student:
  - Possesses a documented disability,
  - The documentation of the disability and resulting student needs have been reviewed with the ODS Coordinator, the student, and when appropriate, the faculty and,
  - The accommodations requested in the letter have been determined to be appropriate and reasonable given the student's needs and course requirements.
- If the student does not have a letter from ODS, but brings you a copy of their disability documentation,** you are strongly encouraged to refer the student to the ODS Coordinator (AMU, room 317, phone [414] 288-1645) who will work with the student and review the documentation to determine appropriate accommodations.
- If the student claims they don't need a letter because they received accommodations in high school and should receive them in your class now,** the student may indeed possess a disability, but they are not entitled to accommodations unless or until they document their needs with the ODS Coordinator and bring you a letter verifying appropriate accommodations.

**b. What should I do when a student gives me an accommodations letter?** Students with disabilities are informed that in each class for which they have requested accommodations, they are responsible for presenting their letter to and meeting with their instructors. In this meeting, students are encouraged to discuss their needs with their instructors, and faculty have the opportunity to discuss course content, expectations and the requested accommodations.

**c. How are accommodations determined?** As stated above, accommodations grow out of the ODS Coordinator's analysis of the documentation of the disability and through conversations the Coordinator has with the student. In many instances, the ODS Coordinator collaborates with faculty as well when determining appropriate and reasonable accommodations for the student in the classroom.

**d. What if I have questions or concerns about the requested accommodations?** Instructors are encouraged to work directly with students to implement requested accommodations, but they should contact the ODS Coordinator whenever they have questions, concerns, or issues relative to the student or accommodations process.

**e. What steps can I take to assist students with disabilities in my courses?** A good first step is to include a simple statement in your course syllabus to encourage students to contact you directly such as: "If there are any students with disabilities who need accommodations, please feel free to discuss this with me." Additional suggestions related to teaching and interacting with students with disabilities can be found on the Disability Services web site at [www.mu.edu/oses/disabilityservices/resources/index/.html](http://www.mu.edu/oses/disabilityservices/resources/index/.html).

## 2. Guidelines for all other employees

**a. How do I let students know how we make the activities and services of my area accessible to students with disabilities?** Administrators and staff who handle matters pertaining to housing, recreation, safety, counseling, financial aid, transportation, health services, insurance, employment or other co-curricular activities can achieve this goal in several ways:

- Include a simple statement in your program materials to encourage students with disabilities to contact you directly to discuss their needs such as: "If students need accommodations, they are welcome to discuss their needs with the program staff."
- Contact the Coordinator of the Office of Disability Services (ODS) if you need assistance in responding to questions students have regarding accommodations for your activities or programs.
- Explore the resources and recommendations included the ODS website at [www.mu.edu/oses/disabilityservices/resources/index/.html](http://www.mu.edu/oses/disabilityservices/resources/index/.html).

In summary, through its own stated mission and in response to the disability laws governing higher education, Marquette University is committed to serving the needs of students with disabilities. Consequently, when the need for accommodations has been verified by ODS, and ODS in cooperation with faculty, administrators and staff has developed a specific academic accommodations plan, all university employees are obliged to comply with the university's responsibility to provide the accommodations.

## G. Other Resources

Other policies pertaining to the workings of the Office of Disability Services (ODS) are on file in the office and posted on our web site regarding:

- documentation guidelines for specific disabilities
- texts in alternate formats
- notetakers and test proctoring.

Visit our web site for a variety of other resources available to guide students, parents, faculty and staff on ODS and its operation.

This document is available on the web and in alternate formats. The web site for the Office of Disability Services is [www.marquette.edu/oses/disabilityservices](http://www.marquette.edu/oses/disabilityservices).

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