

POLICIES AND PROCEDURES RELATING TO STUDENTS WITH DISABILITIES 1

Introduction

The policy statement of the Board of Regents of the University of Wisconsin System applying to nondiscrimination on the basis of disability reads as follows:

It shall be the policy of the Board of Regents of The University of Wisconsin System to ensure that no qualified person shall, solely by reason of disability, be denied access to, participation in, or the benefits of, any program or activity operated by The University of Wisconsin System. Each qualified person shall receive the accommodations needed to ensure equal access to educational opportunities, programs and activities in the most integrated setting appropriate.

This policy is consistent with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 which state that no public or private institution may discriminate against a qualified individual with a disability² solely by reason of the disability. The policies and procedures which follow are the means by which faculty, staff, and students of the University of Wisconsin Green Bay endorse and will apply the conditions of Section 504, the ADA, and the Regents Policy, both in letter and spirit.

PART I - ACCESSIBILITY AND EQUAL OPPORTUNITY

A) General

Qualified persons may not be denied the benefits of, or be excluded from participation in, any University of Wisconsin Green Bay program or activity because University facilities are inaccessible to, or unusable by, persons with disabilities.

B) Existing Facilities

Each program or activity, when viewed in its entirety, shall be readily accessible to qualified persons with disabilities, or made accessible through such means as

- < Redesigning of equipment/facility after individual case review.
- < Providing appropriate signage.
- < Reassignment of classes, staff, or services to accessible buildings.
- < Delivery of health, advisory, and support services at accessible sites.

Providing one or two accessible entries to a building makes entrance to the building itself accessible, it is not required that every outside entry be accessible. Structural changes in existing facilities are not required where other methods provide program accessibility.

If sufficient relocation of classes, programs or activities is not possible using existing facilities, structural alterations to ensure program accessibility shall be made. Students may not be excluded from a specifically requested course offering, program or other activity because it is not offered in an accessible location. Not every section of a specifically requested course or program, however, need be made accessible.

1 The model used for the following policies and procedures was the University of Wisconsin-Oshkosh Policies and Procedures Relating to Students with Disabilities.

- 2 Federal rules define a "qualified individual with a disability" as one who:
1. meets the academic and technical standards requisite for admission to, or participation in, the educational program offered by the institution and
 2. (a) who has a physical or mental impairment which substantially limits one or more life activities (which includes functions such as: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working), or
 - (b) who has a record of having such an impairment; or
 - (c) who is regarded as having such an impairment.

Remodeling projects must be consistent with the State of Wisconsin's "Survey Guideline for Determining Building Accessibility" or the Uniform Federal Accessibility Standards, whichever promotes greater accessibility, and with Federal and State codes.

C) New Construction

Facilities, or parts of facilities, constructed for the use of the University will be designed and built so that they and their parts are readily accessible to and usable by persons with disabilities. New construction must be planned in accordance with the State of Wisconsin's "Survey Guideline for Determining Building Accessibility" or the Uniform Federal Accessibility Standards, whichever promotes greater accessibility.

D) Off-Campus Programming

When any UW Green Bay-related classes, programs or activities are held in private facilities, attempts shall be made to obtain facilities that are accessible. Prospective enrollees are responsible for making requests for any special modifications or auxiliary aids. Registration forms and program announcements must allow applicants to identify special needs. The program sponsor has responsibility for making recommendations which ensure access. In cases where an accessible facility is not chosen, documentation shall be kept on file reflecting efforts to obtain accessible facilities.

E) Support Services

No qualified student with a disability or participant in a University program or activity may be denied the benefits of, be excluded from participation in, or be otherwise discriminated against because of the absence of educational support services. General support services, available to all students, include academic and career advising, counseling, remedial and tutorial programs. Students with disabilities, in order to receive other support services, must complete with the

CSSD the Students with Disabilities Needs Assessment Form (Appendix C). Support services also include auxiliary aids and academic adjustment provided to students with disabilities. The accommodations may include, but shall not be limited to:

- < special parking
- < registration assistance
- < referral to appropriate on- or off-campus resources, services, or agencies
- < reader services
- < note taker services
- < assistance with exams (e.g., extended time testing in a private setting, using aides to write exams as directed by the student or to verify that the questions are understood clearly), as agreed upon in consultation with the instructor
- < assistance in arranging interpreter services for the deaf
- < arrangements for specialized auxiliary aids, including tapes and braille materials
- < supplemental orientation

As long as no qualified person with a disability is excluded from a program because of the lack of an appropriate service, such support need not be on hand at all times. In order to insure sufficient time to make provisions for appropriate auxiliary aids, it is the responsibility of the individual to request the necessary accommodation or auxiliary aid in a timely manner before classes, programs, or activities begin as outlined in the Student Support Services Policies and Procedures.¹ Requests may be submitted late and the coordinator will make every effort to accommodate late requests in as timely a manner as possible.

Arrangements may be made for these services during the intersession and summer sessions as well as the regular fall and spring semesters. All note takers, readers, tutors, etc. may be requested by using the Student with a Disability Needs Assessment Form (Appendix C).

1 Some services (e.g., interpreter or texts on tape) may require at least 8 weeks advanced notice.

Prohibitions against the use of tape recorders (inconsistent with those stated in Regent Resolution 1556, included as Appendix A) or brailers in classrooms, or guide dogs in campus buildings, or other rules that have the effect of limiting the participation of qualified students in education programs or activities, may not be imposed.

F) Physical Education, Athletics, and Similar Activities

The University of Wisconsin Green Bay will not discriminate on the basis of disability in physical education, athletics and similar programs and activities. Students with a disability or participants in University programs or activities who are otherwise deemed as qualified will be provided with an equal opportunity to participate in physical education courses, intercollegiate and intramural athletics or other similar activities. For example, a student who uses a wheelchair could not be denied the opportunity to participate in a regular swimming course.

Students who cannot participate in regularly offered physical education courses or who cannot compete in athletic programs due to a disability may be offered physical education and athletic activities that are separate or different, provided that the programs and activities are operated in the most integrated setting appropriate. If accommodation is not possible in a required course, a procedure for obtaining a substitution will be available.

G) Housing

1. On-Campus Housing--Comparable, convenient, and accessible on-campus housing/food service will be provided at the same cost to students with disabilities as to students without disabilities.

2. Off-Campus Housing--Listings of off-campus housing provided by the Dean of Students' office, shall identify units that are wheelchair accessible, if known.

H) Financial Aid

The University shall not provide less financial assistance to students with disabilities based solely on disabilities, limit their eligibility for assistance, or otherwise discriminate against them. Financial aid awards will recognize the special needs of students with disabilities, including additional costs related to the disability, the possible need for reducing credit loads or extending the time allowed to complete graduation requirements. These accommodations will be made within the limits prescribed by state and federal programs. The University will not assist any entity or person that provides financial assistance to any students in a manner that discriminates against otherwise deemed as qualified students on the basis of disability.

The University may administer financial aids which are established under wills or other legal instruments that require awards to be made on the basis of factors that discriminate only if the overall effect of the award of the financial assistance is not to discriminate on the basis of disability.

I) Student Employment

University programs which employ students may not discriminate solely on the basis of disability.

J) Advising, Counseling and Placement Services

All services shall be provided in an accessible setting without discrimination on the basis of disability.

Qualified students with disabilities shall not be counseled/advised toward more restrictive career objectives than are non-disabled students with similar interests and abilities. This does not preclude providing factual information about licensing and certification requirements that may present obstacles to persons with disabilities in their pursuit of particular careers.

K) Student Health

The Student Health Center will provide the same types and levels of service for all students, nondisabled and disabled. In addition, the Health Center will inform students with disabilities about specialized health services and insurance plans if the services are not provided at the Center. No student health plan offered by the University shall discriminate solely on the basis of disability.

L) Social Organizations

Before official recognition or significant assistance is given to fraternities, sororities, or other campus organizations, the organization must provide assurance that it does not permit actions prohibited by these guidelines.

PART II - COORDINATION OF PROGRAMS AND SERVICES FOR STUDENTS WITH DISABILITIES

A) The Educational Support & Multicultural Services Office (ESMS) is responsible for the coordination of programs and services for qualified applicants for admission and enrolled students with disabilities. Such coordination will relate solely to students' disabilities. The Coordinator of Services for Students with Disabilities (CSSD) shall assume these responsibilities.

B) The Chancellor shall establish an Advisory Committee for Students with Disabilities that is charged with providing information and recommendations relating to the needs and concerns of persons with disabilities. As needed, the committee will examine and evaluate existing programs and investigate unmet needs. The committee will include the following:

- < Coordinator of Services for Students with Disabilities (co-chairperson)
- < ADA Coordinator (co-chairperson)

- < Affirmative Action Director
- < One faculty representative
- < One academic staff representative
- < One classified staff representative
- < One student

C) Duties of the Coordinator:

1. Provide a "Student with a Disability Needs Assessment Form" (Appendix C) to those applicants and enrolled students who seek assistance. The Coordinator may require verification of the disability as presented. When necessary, the Coordinator will discuss the requests with the student to determine appropriate accommodations and consult with the faculty and other offices regarding the request. S/he will then assess the appropriateness of the requested accommodations or auxiliary aids and inform the requestor of the decision in writing within ten working days.
2. Act as liaison/resource for students with disabilities, in disability related issues.
3. Make arrangements for necessary and appropriate accommodations or auxiliary aids. The Coordinator shall consult with and act as a liaison to the Division of Vocational Rehabilitation.
4. Make regular efforts to provide current information to faculty, staff, and students regarding disabilities and the available programs and services relating to them, and arrange regular in-service training and/or informational material for faculty and staff to develop fuller awareness and understanding of the needs of students with disabilities.
5. Establish such record-keeping procedures as are necessary to

document institutional responses to requests for accommodation and provide required data to UW System and the Board of Regents.

PART III - RECRUITMENT, ADMISSIONS, AND REGISTRATION

A) General

Qualified persons may not, on the basis of disability, be denied admission to, enrollment in, or participation in University programs or activities, or be discriminated against in admissions or recruitment.

B) Admissions or Enrollment

1. Admission and enrollment will not be restricted solely on the basis of disability. *With notice of admission, students will be given the opportunity to make their disability and accommodation needs known to the CSSD.*

2. Before admissions/placement tests are selected and administered, UW Green Bay will assure that:

a) Tests are selected and administered so that the test results reflect the applicant's aptitude or achievement level, or whatever other factor the test purports to measure, rather than the applicant's disability (except where that is what the test purports to measure).

b) Those tests designed for persons with a disability are available as regularly and in as timely a manner as are other admissions tests. It is the responsibility of the individual taking the test to make special needs known before the specified test registration deadline.

c) Tests are administered in facilities that are accessible to persons with disabilities.

3. All registration forms, including those for off-campus programs, shall inform the applicant to contact the CSSD to identify special needs (e.g., physical accessibility, interpreter, large print). Notification must take place *at least 8 weeks* before the enrollment deadline in order to facilitate the needed accommodations.

PART IV - RESPONSIBILITIES OF STUDENTS WITH DISABILITIES

A) All students seeking assistance must disclose the presence of a disabling condition on the appropriate form included with letters of admission to the university or by directly contacting the CSSD. Accommodations or auxiliary aids are requested by completion of the form entitled "Student with a Disability Needs Assessment Form." The student is encouraged to make timely and appropriate disclosures and requests, and to engage in appropriate and responsible levels of self-help in obtaining and arranging for accommodations or auxiliary aids, including applying for funding for specialized support services from the Division of Vocational Rehabilitation. Requests may be submitted late and the Coordinator will make every effort to accommodate these requests. Untimely requests may result in delay, substitution, or denial of accommodation. Because each disability presents unique needs, each student must discuss requested accommodations with instructors, the CSSD, and/or the ESS office each semester.

B) Before receiving requested accommodations, the student must submit medical or other diagnostic documentation of disability and limitations and may be required to provide additional evaluation of limitations as appropriate.

C) Students or participants in University programs or activities may be required to sign an agreement that they will not release tape recordings or transcriptions of lectures, or otherwise hinder the ability of a professor to obtain a copyright (Regent Resolution 1556, Appendix A). The form "Taping Agreement for Students with Disabilities" may be obtained from the Coordinator of Services for Students with Disabilities.

D) For those auxiliary services that are likely to be funded by the Division of Vocational Rehabilitation, the University *recommends* that the student apply to that agency. The CSSD may provide assistance with this request.

E) Questions or concerns related to policies and procedures shall first be discussed informally with the CSSD and then be subject to informal consultation with the Director of ESS. Matters not resolved informally will then follow the academic grievance procedure, as presented in the UWGB Complaints and Grievances Policies (attached as Appendix B). The ADA Coordinator, the CSSD, and/or the Dean of Students may be consulted at any time or by any party during the process. A complaint may be filed with the ADA Coordinator at any point in the grievance procedure.

F) All materials relating to individual cases, including completed forms ("Student with a Disability Needs Assessment Form"), action or correspondence relating to those forms, and records relating to any formal complaints or appeals, shall be held and maintained in confidence except when needed and with the student's consent. These materials shall not be maintained any longer than five years after the date of creation, or resolution of the complaint or appeal, whichever comes later.

PART V - ACADEMIC ADJUSTMENT

A) Academic Requirements

Academic requirements will be modified, as necessary, to ensure that they do not discriminate against qualified applicants or currently enrolled students with disabilities. A faculty member or instructor can recommend such modifications according to established processes with consultation with the CSSD when needed. The Coordinator may recommend modification in compliance with state and federal mandates. Because of the diversity of individual needs relating to disabilities and the uniqueness of each class, students must discuss their request for modification with their instructors and/or CSSD each semester. These modifications shall not affect the substance of the educational programs or compromise educational standards, nor shall they intrude upon legitimate academic freedom. Modifications may include changes in the length of time permitted for the completion of degree requirements

(including credit load), substitution of specific, non-essential courses required for the completion of degrees, and adaptation of the manner in which specific courses are conducted. For example, UW Green Bay may permit an otherwise qualified student who is deaf a program change that would substitute an appropriate history, international education, literature in translation, or cultural studies class for a foreign language requirement. Each department chair, or his\her designee, shall assure that appropriate course substitutions will be granted.

The university retains authority in determining appropriate accommodations after giving consideration to the needs of the individual, the documentation provided, and institutional expertise in working with individuals with disabilities.

B) Program Examinations and Evaluations

Examinations or other procedures for evaluating students' academic achievement shall be adapted, when necessary, to permit evaluating the achievement of students who have a disability; the results of the evaluation must represent the student's achievement in the program or activity, rather than reflecting the student's disability. These procedures must be consistent with state and federal guidelines. Questions regarding appropriate evaluations may be addressed to the CSSD. Matters not resolved will then follow the UWGB Complaints and Grievances Procedures, (see above or Appendix B) with consultation with the ADA Coordinator, if needed. It is the student's responsibility to request test accommodations in a timely manner. Exceptions to the notification time period are possible by obtaining approval of the faculty member and the CSSD, as warranted. Testing accommodation may include but need not be limited to:

- | | |
|----------------------|---|
| < enlarged materials | < preferential seating (front, etc.) |
| < oral test | < alternate format (black/white copy, etc.) |
| < taped test | < writer |
| < extended time | < computer assistance |

< reader

< environment free of distractions

PART VI

UWGB ADMINISTRATIVE UNDERSTANDING FOR FUNDING AUXILIARY AIDS

Office of Services for Students with Disabilities

In addition to providing accommodations needed to ensure equal access to educational opportunities by students with disabilities, UW Green Bay is responsible, under 34 C.F.R. 104.44, for ensuring that no student with a disability is denied benefits or excluded from participation in a program because of the absence of auxiliary aids. "Auxiliary aids" include such items as taped texts, interpreters, or other effective methods of making orally delivered materials available to students with hearing impairments; readers in libraries for students with visual impairments; classroom equipment adapted for use by students with manual impairments; and other similar services and actions.

Funding for accommodations to ensure equal access is provided by UW Green Bay through the usual budget processes, although funding for some auxiliary aids may be provided by the state vocational rehabilitation agency. The process for funding auxiliary aids that are the responsibility of UW Green Bay is as follows:

- a. The budget of the Office of Services for Students with Disabilities will be used first.
- b. If funding the aids would put that budget in deficit, the Provost will identify a source of funds for transfer from within the Provost's area budgets.
- c. If the Provost does not have funds for this purpose, he/she will bring a request for funds to the Chancellor.

There may also be times when an otherwise appropriate accommodation would not be provided because to do so would cause an undo financial or administrative burden or would

fundamentally alter a university program service or activity. The final decision to deny an accommodation on these grounds should be made by the Chancellor, on the advice of the Provost.

November 14, 1995

APPENDIX A

REGENT RESOLUTION 1556

Regent Resolution 1556 provides that prohibitions of tape recorders in classrooms may not be imposed upon qualified, students with disabilities who must utilize tape recorders because of the nature of their disability to effectively participate in a class provided such students have signed agreements that they will not release the tape recording or transcription to others.

Notwithstanding the above, a teacher may, on certain occasions, for reasons concerning pedagogical practice or academic freedom, interdict the taking of notes. At such times, he/she may also forbid the use of tape recorders.

APPENDIX B

UWGB POLICIES & PROCEDURES FOR ACADEMIC GRIEVANCE

Student grievances related to course grades, conduct of classes or other course matters should address those complaints first with the instructor of the course. If the student is not satisfied with the resolution, the grievance can then be taken to the chairperson of the appropriate academic department and, if resolution is not achieved there, the student may go to the appropriate dean in the Vice Chancellor for Academic Affairs Office.¹

¹ As found in the Student Resource Handbook from the Dean of Students' Office, UW-Green Bay.

APPENDIX C

STUDENT WITH A DISABILITY NEEDS ASSESSMENT FORM

Student Name _____

Local Address _____

City _____ State _____ Zip _____

Phone _____ Social Security number _____

Documentation of disability on file? Yes No

DVR client? Yes No

Description of Primary Disabling Condition

Services/Accommodations/Auxiliary Aides Requested/Recommended

___ Notetaking Assistance

_____ Test proctoring/test taking assistance

_____ Typing

_____ Library Assistance

_____ Other Services (please describe)

_____Summary of Proposed Service Delivery

Please sign here if you would like letters sent to your professors each semester informing them of your disability and academic accommodation needs.

Signature

Attach all required documentation, and a current class schedule.