



## STUDENT DISABILITY ACCOMMODATIONS POLICY

The College of Idaho is committed to providing an educational environment that is accessible to the needs of its students with disabilities. The College provides reasonable services to enrolled students who have a documented physical, psychiatric, medical, learning, intellectual, or sensory disability (whether permanent, temporary, progressive, episodic, or transitory) that qualifies under the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and other pertinent federal, state, and local disability anti-discrimination laws. The College also affords formal grievance procedures that provide prompt and equitable resolution of any complaints arising out the College's responsibilities under the Americans with Disabilities Act or of Section 504 of the Rehabilitation Act of 1973 or other appropriate law.

### I. RESPONSIBLE DEPARTMENT

The Department of Accessibility & Learning Excellence (DALE) is responsible for providing students with disabilities equal opportunity to participate in courses, programs, activities, and services necessary to succeed in their academic experience pursuits. DALE also aims to foster a campus culture of acceptance and inclusion.

It is the responsibility of the student to make their disability and needs known to DALE in a timely fashion, and if the student is requesting an accommodation, to do so in writing and provide the required documentation to support the requested accommodation(s). Once the College has been notified and specific accommodations are appropriately documented and requested by the student, the College works with the student and faculty and staff to set up the approved accommodation(s). Accommodations can be arranged only through this process and are not retroactively applied.

If a student has or thinks they have a disability that impacts their performance as a student, they are encouraged to arrange support services and/or accommodations through DALE. Even if the student does not think their disability will impact their academics, it is in the student's best interest to disclose any disability to DALE.

### II. DEFINITIONS

**Disability:** A physical or mental impairment that substantially limits one or more major life activity; history of a physical or mental impairment that substantially limited major life activities; or a perceived physical or mental impairment, even if the individual does not actually have one.

**Major Life Activity:** Major life activities are fundamental functions that most people can perform with little difficulty. These include both physical and mental functions essential to daily life. Examples: walking, standing, lifting, bending, seeing, hearing, breathing,

eating, sleeping, performing manual tasks, learning, reading, concentrating, thinking, communicating, interacting with others, caring for oneself, operating major bodily functions.

**Reasonable Accommodation:** Modifications or adjustments to tasks, environment or to the way things are usually done (i.e. policy) that enable individuals with disabilities to have an equal opportunity to participate in and benefit from academic programs, activities, and residential facilities in the same way students without disabilities are able to. This means providing adjustments that remove barriers, allowing students with disabilities to access the same benefits and opportunities as their peers without disabilities. Accommodations are not reasonable if the modification or adjustment fundamentally alters the nature of the course or program, including current policies; imposes an undue financial or administrative burden; or poses a direct threat to health and safety of others. The College of Idaho is not required to provide personal services or diagnostic evaluations.

**Interactive Process:** A DALE office representative and student will engage in an individualized, interactive meeting to determine appropriate and reasonable accommodations. This meeting can be conducted in person, via TEAMS, telephone, or email as needed. Students are also required to meet one-on-one with faculty to review and acknowledge approved accommodations listed in “Faculty Notification Letters” and “Flexible Attendance and Flexible Deadline Contracts.”

### III. DISABILITY SERVICES REGISTRATION

Ensuring equal access for all students is a collaborative effort between DALE, students, and faculty/staff. To access the wide range of services and support offered to students with disabilities, students must complete all of the steps below. It is recommended that students begin the process below as soon after admission or the beginning of semester as possible.

For students who experience a temporary illness or injury (referred to herein as a “temporary disability”), which may occur at any point during their academic year, and are seeking accommodations related to that temporary disability, see Section VI below.

Please note that accommodations only apply to the specific setting for which such accommodations were requested and approved, such as academic, residential, or dietary. If a student requires accommodations in more than one setting, students must request accommodations separately. Approved accommodations do not extend to other areas, i.e., academic accommodations do not apply in the residential setting.

For students seeking accommodations related to pregnancy or parenting under Title IX of the Education Amendments of 1972, see Section VI below.

## STEP ONE – COMPLETE APPLICATION TO INITIATE SERVICES

All students seeking disability-related accommodations at the College must self-identify and initiate contact with the DALE office by completing the [Application to Initiate Services](#) web form.

## STEP TWO – SUBMIT YOUR DOCUMENTATION

Complete and current clinical documentation is required and will be considered in conjunction with information obtained from the student during their interactive meeting with DALE. The information provided is held in strict confidence and is used, in part, to determine appropriate and reasonable accommodations for qualified students, in accordance with the ADA and applicable institutional policies. Students requesting accommodations must upload their documentation as part of the [Application to Initiate Services](#) or may submit it in-person or [via email](#) before their initial appointment with DALE. If the student does not have documentation, DALE will discuss options available during the initial appointment. Students seeking accommodations for a temporary disability or temporary accommodations for pregnancy and related conditions will also be required to submit supporting documentation.

### MEDICAL DOCUMENTATION GUIDELINES & CURRENCY STANDARDS

Documentation must be completed by a qualified professional<sup>1</sup> and must include information that:

1. Clearly identifies the diagnosed disability;
2. Describes the diagnostic methodology used;
3. Describes the current functional limitations resulting from the disability;
4. Describes the expected progression or stability of the disability;
5. Describes any current/past accommodations, services and/or medications; and
6. Describes the specific accommodation(s) recommended.<sup>2</sup>

The student's documentation must also comply with the Education Testing Service (ETS) documentation criteria<sup>3</sup>, which requires that the documentation must:

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<sup>1</sup> "Qualified professionals are licensed or otherwise properly credentialed and possess expertise in the disability for which modifications or accommodations are sought." U.S. Dep't of Justice, Civil Rights, Division, Disability Rights Section, ADA Requirements: Testing Accommodations, at <https://www.ada.gov/resources/testing-accommodations/>. Additionally, for purposes of requesting accommodations at the College, the definition of "qualified professional" does not include: (i) a licensed or otherwise properly credentialed professional who has a personal relationship with the individual being evaluated (e.g. a family member); or (ii) a College employee (e.g. a staff member of the Health & Wellness Center or DALE), but does include a TimelyCare employee or provider.

<sup>2</sup> The College's documentation guidelines have been adapted from those developed by the Association on Higher Education and Disability ([www.ahead.org](http://www.ahead.org)), *Seven Essential Elements of Quality Disability Documentation*.

<sup>3</sup> The College has adopted ETS's currency standards for clinical documentation in order to make the process of planning and preparing for college study easier for students who require academic accommodations. For more detailed information, including Educational Testing Service's policy statements and guidelines, see <https://www.ets.org/disabilities/documentation/>.

1. Be typed or written and signed by an evaluator qualified to make the diagnosis (including name, title and professional credentials, as well as information about licensure or certification pertaining to specialization); and
2. Be current<sup>4</sup>, which means within the:
  - a. Last 5 years for learning disabilities, attention-deficit/hyperactivity disorder, autism spectrum disorder, or intellectual disability.
  - b. Last 12 months for psychiatric disabilities and traumatic brain injury.

Students may also complete the [DALE Release of Information Authorization Form](#) (ROI) authorizing DALE and the student's medical or mental health provider to exchange information about the student's registered disability. Upon completion of the DALE ROI, the student will be directed to send the secure Disability Verification and Accommodation Recommendation Form (Provider Form) to the qualified professional attesting to and making recommendations about the student's accommodation needs. The Provider Form will be electronically returned to DALE upon completion by the qualified provider. DALE will advise the student when the form has been returned and will invite the student to schedule an interactive meeting with a DALE representative to review the information provided.

In the event that flexibility in attendance and/or assignment deadlines is recommended, documentation **must** describe the specific connection between the symptoms of the disability and the recommended flexibility.

If testing accommodations are recommended, the documentation **must** include complete educational, developmental, and medical history relevant to the disability for which testing accommodations are being requested.

### **STEP THREE – MEET WITH DALE**

Students should [contact DALE](#) to arrange an in-person or virtual interactive meeting to determine reasonable and appropriate accommodations. Students seeking academic accommodations should meet with a DALE representative **prior to the start of the term/semester**, and no later than the first two weeks of the term/semester.

When determining reasonable accommodations, DALE considers a variety of information, including information obtained during DALE's interactive interview/meeting with the student, the student's submitted documentation, and recommendations from other professionals, etc.

DALE has the responsibility to determine reasonable and effective accommodations and services in collaboration with the student, and must provide or arrange for accommodations and services to ensure the student has an equal opportunity to participate in courses, programs, activities, and services. DALE may, however, refuse a request for accommodations and services if the documentation fails to verify the need for the student's request, if the documentation is not valid or current, or if the

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<sup>4</sup> Requirement does not apply to physical or sensory disabilities of a permanent or unchanging nature.

documentation is not provided in advance of the need. Additionally, DALE may refuse to provide an accommodation or service that is inappropriate or unreasonable in such a manner as to:

- (i) pose a direct threat to the health and safety of others;
- (ii) constitute a fundamental alteration to an essential element of a course or program; or
- (iii) pose an undue financial or administrative burden to The College of Idaho.

#### **IV. ACADEMIC ACCOMMODATIONS**

Academic accommodations provide students with disabilities equal access to educational opportunities and allow them to demonstrate their learning. Accommodations are assessed on an individual basis through an interactive process. Academic accommodations do not compromise the essential elements of a course or curriculum, nor do they weaken the academic standards or integrity of a course. Rather, they simply provide an alternative way to meet the course requirements by eliminating or reducing disability-related barriers.

Reasonable academic accommodations may include, but are not limited to, exam accommodations,<sup>5</sup> notetaking supports, alternative textbook formats, use of assistive technology, and flexibility on assignment deadlines. Students may request specific accommodations, as can the professional health care providers who verify the disability. However, the College has the responsibility for making the final decision on accommodations. This decision will be based on the information obtained through the interactive process, documentation provided and the requirements of the academic program.

It is important to note that academic accommodations are associated with a student's access and opportunity within an academic course(s). An academic accommodation does not extend to other requirements or procedures on campus or off campus, including but not limited to policies, procedures and deadlines associated with the Office of Residence Life, the Office of Financial Aid, the Office of the Registrar, the DSO Office, and the Title IX Office, or a student's participation in an internship/field placement.

Students are strongly encouraged to make accommodation requests as early in the term/semester as possible. This affords each faculty member the opportunity to plan for the implementation of appropriate accommodations. In particular, exam modification requests should be made to DALE at least one week prior to testing (two weeks in the case of final exams) to allow time to work out appropriate arrangements. To request an academic accommodation, complete the steps outlined in Section III above.

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<sup>5</sup> Common "exam accommodations" include, but are not limited to, extended time on exams, a reduced distraction environment, use of a testing facility, use of assistive technology during exams, and a scribe for exams.

## A. ACTIVATING ACADEMIC ACCOMMODATIONS

**Beginning of Each Semester/Term:** Students must activate their approved accommodations each semester/term. Accommodations do not become effective until the student activates them for the term and notifies DALE using the online [Faculty Notification Form](#) and following the process outlined below.

### STEP ONE – REQUEST FACULTY NOTIFICATION LETTERS

The student must complete the online [Faculty Notification Request Form](#) **each semester/term**. Upon receipt of the completed form, DALE will send electronically-generated letters personalized and addressed to the student's faculty for each course of the semester/term for which academic accommodations have been activated (referred to as "Faculty Notification Letters"). Faculty Notification Letters specify the approved accommodations a student is eligible to receive.

It is recommended that students complete the [Faculty Notification Request Form](#) **at least two weeks prior to the start of each semester/term**. It is important to note that academic accommodations become effective as soon as letters are sent to the faculty, and are not retroactive. Some accommodations require a completed contract to be fully executed. These accommodations include Flexible Attendance, Flexible Deadlines, and acknowledgment of the College's Recording Policy.

Students are welcome to schedule an appointment with DALE to discuss questions about activating their accommodations prior to completing the [Faculty Notification Request Form](#).

### STEP TWO – MEET WITH FACULTY MEMBERS

DALE will electronically distribute Faculty Notification Letters to both the faculty and the student via PandaDoc. Each faculty member and the student must acknowledge receipt of the letter through digital signature, and if relevant, complete and sign the Flexible Attendance and/or Flexible Deadlines Contract and/or Recording Policy, ideally within five (5) business days (for short terms, such as the winter term, it is recommended that faculty and students complete this process ideally within two (2) business days). If it has been longer than five (5) business days since submitting the Faculty Notification Request Form and you have not heard from your professor, please reach out to DALE to verify that your Faculty Notification Letters have been sent.

Immediately upon receipt of the Faculty Notification Letter, the student and faculty member should arrange to meet in-person or virtually during the faculty member's office hours or by special appointment to facilitate a private discussion regarding implementation of the approved accommodations (referred to as the

“Initial Implementation of Accommodations Meeting”). At the request of the student, representatives of DALE are available to attend the Initial Implementation of Accommodations Meeting with faculty members and/or act as a liaison for the student in the interactive process during the Initial Implementation of Accommodations Meeting described below. If the student requests DALE’s presence at this meeting, DALE will inform the faculty member separately.

The accommodation process is an interactive, individualized process, which requires a conversation between the student and the faculty member for each course to determine how the approved accommodation(s) can be implemented within the course. Additionally, if a student is eligible for flexibility in attendance and/or deadlines, the student and the faculty member **must** complete and sign the Flexible Attendance and/or Flexible Deadlines Contract to fully activate Flexible Attendance or Flexible Deadline accommodations.

It is important to note that during the Initial Implementation of Accommodations Meeting the student is not required to disclose their disability diagnosis or symptoms to their faculty member; however, students are encouraged to communicate how the faculty member can help facilitate their equal access to the course requirements. This discussion also gives the faculty member an opportunity to set clear expectations regarding how the faculty member and student will work together.

If a faculty member (i) has any questions regarding an accommodation, (ii) cannot reach mutual agreement with a student regarding how to implement an accommodation in the course, (iii) believes the requested accommodation fundamentally alters an essential requirement of the course or course objective, or (iv) needs assistance navigating an academic accommodation, faculty members must immediately consult with DALE. See Section IV(B) below.

### **STEP THREE – RETURN FULLY EXECUTED LETTER TO DALE**

Faculty Notification Letters are considered fully executed after both the student and faculty digitally sign the document during their Initial Implementation of Accommodations Meeting. Fully executed letters will be automatically returned to the DALE office in digital format. Both the student and the faculty member will also receive a digital copy of the completed document.

**End of the Semester/Term Deadline:** DALE requires students to initiate all new accommodations (i.e. not previously approved through the original initiation/registration process as outlined in Section III above) by the last day to withdraw from classes for the current semester/term. If a student has not met with DALE by this date, DALE will not be able to provide accommodations for the current semester. In the case of an emergency, exceptions may be made on a case-by-case basis in consultation with the Director of Institutional Compliance.

## **B. MODIFICATION OR FUNDAMENTAL ALTERATION ANALYSIS**

Federal law requires that colleges provide reasonable accommodations for students with disabilities (whether temporary or permanent) in a timely manner. However, faculty are also responsible for maintaining the integrity of their course. If a faculty member believes an accommodation should be modified or cannot be implemented in their course because of concerns regarding alteration of the academic program or standards, it is essential that the faculty member immediately consult with DALE.

Whether accommodations would fundamentally alter the nature of a course or a program are reviewed on a case-by-case basis using the following procedure. The goal of this procedure is to distinguish the nature of how the course has always been taught from the essential objectives and requirements of the course or academic program.

Through this procedure, methods of instruction and assessment may be examined to determine how course or program information is taught and whether there are opportunities for materials in alternate format, alternative teaching and learning methods, additional skills or strategies, etc.

DALE and the faculty member will work together to evaluate the concern and may consult with other knowledgeable and trained administrators, as necessary, to determine whether the request is reasonable, will fundamentally alter requirements of the course or program, poses an undue financial or administrative burden or if there are alternative options available to accommodate the student.

To determine the essential requirements for a course or program, DALE and the faculty member will consider the following questions:

1. What fundamental course objective does this accommodation alter?
2. What practical function does this fundamental objective serve in the academic program?
3. How does the requested accommodation alter this fundamental course objective?
4. Has this accommodation been approved for students without disabilities or for any other situation or reason in your class in the current semester or in the past? If so, why?
5. Is there any alternative way the student could demonstrate competence without undermining the essential course objectives, for example, an alternate accommodation that would not alter the essential objective of the course/program?

If the accommodation is denied or modified, DALE will provide written explanation of the reasons why it was denied or modified. If the student believes the outcome of this process violates the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973 or other appropriate law, the student may file a formal grievance.



### C. COMMON ACADEMIC ACCOMMODATIONS

DALE provides a variety of academic accommodations necessary to meet the various needs of our students. Although, not an exhaustive list, the table below provides some examples of common academic accommodations approved by DALE to support students with disabilities.

ACADEMIC ACCOMMODATIONS	LOGISTICS	WHO QUALIFIES?
ACCESSIBLE MATERIAL & TEXT FORMAT	Print and digital materials provided in accessible formats, including, but not limited to, electronic formats (PDF/Word), large print, audio, Braille, and eBook.	Students with disabilities related to reading and vision.
NOTE TAKING	Note taking can include the following forms: facilitation of a peer note-taker, use of assistive technology (e.g. smart pen/laptop), or recording (agreement must be signed by all parties).	Students with disabilities related to auditory processing, graphomotor difficulties, memory, and concentration.
FOREGO SPELLING/GRAMMAR EVALUATION ON IN-CLASS WRITING	Impromptu in-class writing is graded for content, not grammar and spelling. May not be applicable in classes where the primary instructional goal is related to grammar and spelling (i.e., some foreign language classes).	Students with disabilities related to reading and spelling.
EXTENDED TIME ON EXAMS	Student requests a testing accommodation at least one week prior to the exam date (and two weeks for final exams) pursuant to the Testing Accommodations Procedures (see Section IV(D) below)	Students with disabilities related to processing speed, concentration, reading speed, writing speed, and memory.
REDUCED DISTRACTION ENVIRONMENT	A testing environment that limits interruption and other environmental influences including visual and auditory distractions.	Students with disabilities related to anxiety, concentration and students who use voice recognition software.
BREAKS	Requests for additional or longer breaks during class or during exams.	Students with disabilities related to concentration or disabilities that require students to take medication, test blood sugar, rest, stretch, or use the restroom.
USE OF COMPUTERS FOR EXAMS	Students complete the exam using an approved computer with no internet or wireless access.	Students with disabilities related to hand mobility, graphomotor difficulties and writing speed.
SENSITIVE CONTENT MODIFICATIONS	Requests for sensitive content disclaimers and/or alternatives when such content may trigger or exacerbate disability.	Students with adjustment disorders and PTSD.

ACADEMIC ACCOMMODATIONS	LOGISTICS	WHO QUALIFIES?
PARTICIPATION CONSIDERATION ( <b>WITHIN REASON</b> )	<p>Requests for adjusted or reduced class participation, fading in participation in classroom dynamics or alternative forms of assessment.</p> <p>“Within reason” usually means permitting, for example, a specific reduction in the number of required participation activities for a limited period of time.</p>	Students with a disability that substantially limits their functioning during cold-calling sessions, in-class discussions, and/or oral presentations.
FLEXIBILITY ( <b>WITHIN REASON</b> ) ON ASSIGNMENT DEADLINES	<p>Students confer with the faculty in advance about the status of work completed on the assignment, request a disability-related extension, and a definite turn-in day and time.</p> <p>“Within reason” usually means turning work in a day or two beyond the deadline. In no case should it mean that late assignments begin to “pile up”, a negative situation for both student and faculty member (see Appendix A).</p>	Students with disabilities related to writing speed, processing speed, graphomotor difficulties, concentration, and anxiety.
FLEXIBLE ATTENDANCE ( <b>WITHIN REASON</b> )	<p>“Within reason” usually means permitting a specific number of additional absences a student is allowed in addition to each course’s established attendance policy (see Appendix A).</p> <p>Students should confer with the faculty member about their flexible attendance needs at the beginning of the academic semester. Flexible attendance is dependent upon the individual student, the nature of the course, and the degree to which class attendance is an essential requirement of the specific course.</p> <p>Absences for reasons not related to a documented disability are not excusable under Flexible Attendance. When possible, students should communicate with faculty members in advance of their absence. If notifying the faculty member before class is not possible, students should inform faculty members as soon as possible and in accordance with the flexible attendance contracts entered into by both student and faculty.</p>	Students with significant health-related disabilities who miss class when flare-ups occur or when issues related to their disability prevent them from attending class.

#### D. TESTING ACCOMMODATIONS PROCEDURES

If testing accommodations are approved by DALE and **cannot be accommodated by the faculty member or in class**, students may request to utilize their testing accommodation(s) for a particular test/exam at the Testing Center located in Cruzen-Murray Library.

The Cruzen-Murray Library Testing Center proctors tests/exams for students with approved testing accommodations that cannot be accommodated by the faculty

member or in class. The Testing Center does not provide proctoring for tests/exams for students who do not have an approved testing/exam accommodation or missed tests/exams due to absence, illness, or travel (including travel for College-sponsored activities).

i. HOW TO UTILIZE A TESTING ACCOMMODATION

Students must complete the [Testing Accommodation Request Form](#) at least one week in advance of the test/exam (and two weeks in advance of final exams).

Upon timely receipt of a Testing Accommodation Request Form, the Testing Center will confirm whether it has received notice from DALE regarding an approved testing accommodation(s) for the student. If the Testing Center has received an approval, the process to administer a testing accommodation will proceed as follows:

1. The Testing Center will email the student's faculty member the Exam Request Form to obtain information about as well as a copy of the relevant exam.
2. The faculty member will complete the Exam Request Form and submit a copy of the relevant exam (either via the form or email) at least 24 hours prior to the time of exam administration.
3. Upon receipt of the faculty member's Exam Request Form, the Testing Center will schedule the exam based on available dates/times in the Testing Center and inform the student of the testing date, time, and location. For scheduling requirements of the Testing Center, see Section IV(D)(ii) below.
4. The Testing Center will maintain the exam in a secure location until the administration of the exam.
5. Upon the student's completion of the proctored exam, the Testing Center will inform the faculty member and maintain the completed exam in a secure location until the faculty member can pick it up. Exams will be available for faculty pickup in the library between 7:45am-4:30pm MT Monday through Friday.

ii. SCHEDULING REQUIREMENTS

The Testing Center will be available **by appointment only** between 1pm-8pm MT on Sunday through Thursday, unless other times are arranged with the Testing Center.

Typically, exams must be taken on the same date and during the same time classes are scheduled. However, in light of the Testing Center's available hours, space limitations, and scheduling conflicts, this may not always be feasible. If an accommodated exam cannot be scheduled on the same date or at the same time classes are scheduled, the Testing Center will obtain prior approval to take the exam on a different date and/or at a different time from the faculty member.

If, for some reason, the student cannot take the exam at the scheduled time, they must contact the Testing Center. The student is responsible for notifying the faculty member(s) if an examination needs to be rescheduled.

If a student is late for a scheduled exam, that amount of time will be subtracted from the total allotted test-taking time. For example, if a student is 15 minutes late for a scheduled examination, then those 15 minutes will be subtracted from the total allotted test-taking time.

In the case of inclement weather, the student and faculty member will contact the Testing Center to reschedule the examination.

### iii. ACADEMIC INTEGRITY

Students taking examinations pursuant to a testing accommodation request at the College's Testing Center must comply with The College of Idaho Honor Code.

To ensure academic integrity, each student will be monitored during testing either in person by a test proctor or using video cameras that record both audio and video. It is important to note the following:

- If a student is caught cheating, the test will be taken away and the faculty member will be contacted immediately.
- Students may only have the materials the faculty member has given written permission to use during the examination.
- If an exam requires the use of blue books or loose-leaf paper, the test proctor will examine these items prior to testing.
- Students must return all scratch paper, exams, or other items used during testing to the test proctor.
- Students must leave all textbooks and materials (unless approved by the faculty member), bags, backpacks, purses, coats, and cell phones or other personal data devices with the test proctor. Items will be securely stored in a locker.
- Ordinarily, students are not permitted to use the restroom during the examination. If a student must use the restroom, the test proctor will escort the student.
- If a student is approved to take breaks during exams, all breaks outside of the testing room will be monitored by the test proctor.

## V. RESIDENTIAL ACCOMMODATIONS

As a liberal arts college, the College strives to provide a living environment where residents form strong community bonds, develop life and leadership skills, and create life-long friendships. **Undergraduate students who are not yet 21, unmarried, and without dependent children must live in campus housing for three years, or six semesters.** Undergraduate students married or with dependent children are exempted from the College's residency requirement but can be considered for family-friendly housing in College-owned houses, if available.

The College of Idaho takes an individualized, interactive approach to facilitate residential accommodations, including housing, dietary, emergency evacuation, and animal assistance accommodations. The role of DALE is to identify and reasonably

resolve disability-related barriers to accessing and utilizing housing and other residential services in the same way students without disabilities are able to access and utilize housing.

## **A. DISABILITY-RELATED HOUSING ACCOMMODATIONS**

DALE approves reasonable housing accommodations to support students with disabilities that impact the daily tasks of living. A reasonable accommodation is any modification or adjustment to a course, program, service or facility that allows a qualified student with a disability to participate and utilize campus housing and residential services equally with other students. To request a housing accommodation, complete the steps outlined in Section III above.

Below are examples of reasonable housing accommodations provided by DALE:

- Ground Floor or Elevator Access to Dorm Room
- Single Room
- Access to Kitchen
- Wheelchair Accessibility
- In-Room Accommodations

During a student's initial appointment, DALE will engage the student in an interactive process around the student's disability and discuss how the disability functionally limits the student in a residential setting. ***DALE's primary responsibility is to first attempt to resolve access barriers and accommodate students on campus, in accordance with the College's three-year residential requirement before considering releasing a student from the on-campus housing requirement.*** It is important to note that DALE has no decision-making authority in room selection. The Office of Residence Life will assign rooms to meet documented and reasonable accommodation requests. Placement in housing pursuant to an accommodation cannot be guaranteed. Students assigned an accommodated single occupancy room will be assessed the current accommodated rate. Please contact DALE or ResLife if you have questions about the housing rate you have been billed.

## **B. IMPORTANT DISABILITY-RELATED HOUSING DEADLINES & INFORMATION RELATED TO PROCESS**

**All** students seeking residential accommodations must re-apply each year they are seeking accommodation or exemption from the housing requirement.

Students who fail to submit their request by the priority deadline will be processed at a later time and some accommodations may be subject to availability.

Important Disability-Related Housing Deadlines:

- **Incoming Freshman and Transfer Students:**
  - June 15th priority deadline.
  - August 1st final deadline for the Fall term.

- **Returning Students:**
  - March 1st priority deadline.
  - June 15th processing for accommodations submitted after the priority deadline.

All students **must** complete the ResLife room draw process unless they have been approved for an accommodation and assigned an accommodated space prior to room draw. At no time should a student assume, they will be approved for residential accommodation or exemption until they have completed the DALE accommodation process and have received an approval notification. The Office of Residence Life may automatically assign students who have not been approved for an accommodation, have not completed the accommodation process and/or have not participated in the room draw process to an available room based on current inventory.

To request a housing accommodation, complete the steps outlined in Section III above.

### **C. DISABILITY-RELATED DIETARY ACCOMMODATIONS**

DALE approves reasonable dietary accommodations to support students with disabilities. The College's partner in food and catering services, Bon Appetit, is committed to providing high-quality meals. Bon Appetit chefs and dieticians will work closely with students with food allergies to create reasonable solutions to their food restrictions. All chefs are FARE-Certified and the Bon Appetit team will foster individual communication with students with food allergies, in line with best practices outlined in the FARE restaurant guidelines. Below are some common examples of DALE dietary accommodations:

- Modified Meal Plan
- Exemption from Meal Plan
- Collaboration with Meal Services to Ensure Access to Specific Ingredients to Meet Dietary Needs

To request a dietary accommodation, complete the steps outlined in Section III above.

It is important to note that DALE has no authority to modify or adjust the financial implications associated with an approved dietary accommodation. If students have financial concerns or questions, they must meet with the College's Business Office.

### **D. ASSISTANCE ANIMALS**

Assistance Animals are allowed only within the dwelling unit of their owner as a reasonable accommodation if:

- the person has a psychiatric disability;
- the animal is necessary to afford the person with a disability an equal opportunity to use and enjoy their dwelling; **and**

- there is an identifiable relationship or nexus between the disability and the assistance the animal provides.

Please review the “Animals On Campus” section of The College’s Student Handbook.

To begin the approval process for an assistance animal, students should complete the steps outlined in Section III above.

Once all steps are completed, DALE will notify the student whether or not the request for an assistance animal is approved. If approved, DALE will contact the student with information about housing community expectations and ESA orientation. Upon completion of ESA orientation and registration, DALE will notify ResLife that the student has been approved for an ESA.

## **E. SERVICE ANIMALS**

Service animals are not considered an accommodation. Students do not require permission to be accompanied by their service animal. Emotional support animals (ESAs) are not service animals.

Under the Americans with Disabilities Act, service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities with the following parameters:

- The work or task a dog has been trained to provide must be directly related to the person’s disability.
- Service animals must be allowed to accompany people with disabilities in all areas of the faculty where the public is allowed to go.
- Service animals must be under the direct control of the handler at all times.

If a student (or faculty or staff member) needs assistance in better understanding the restrictions and guidance around service animals, please contact the DALE office. Although service animals do not require approval, the College does encourage students to register their service animal with DALE to ensure implementation of safety and evacuation procedures in case of an emergency.

## **VI. TEMPORARY DISABILITY ACCOMMODATIONS**

A student experiencing a temporary illness or injury (referred to herein as a “temporary disability”) may also qualify for services or accommodations similar to those with on-going disabilities in order to maintain their academic program requirements. Examples of temporary disabilities may include: concussion, broken limbs, extended post-operative recovery time or other complications, etc. Students experiencing a temporary disability who wish to request academic accommodations must contact the Accessibility Coordinator as soon after experiencing the temporary disability as possible. The DALE office will assist the student with identifying and implementing temporary accommodations and communicating with faculty as needed. The DALE office may

require documentation pertaining to the temporary disability. If the student's temporary disability persists longer than three (3) weeks or becomes more complex in nature and accommodation need, the student will be directed to complete the online application to register with the DALE office and proceed through the steps outlined in Section III above.

## **VII. ACCOMMODATIONS RELATED TO PREGNANCY OR PARENTING**

Title IX of the Education Amendments of 1972 requires all colleges and universities that receive federal funding to provide specific accommodations for students who are pregnant or parenting, including for pregnancy, childbirth, lactation, false pregnancy, termination of pregnancy or recovery. Therefore, the College will follow the protocols and procedures set forth in the policy below and the College's Pregnant & Parenting Policy for the medically-related needs of the child or birthing parent that stem from childbirth or other medical care associated with pregnancy-related recovery. Students who are pregnant or parenting should contact the Title IX Coordinator or the Accessibility Coordinator for assistance. The Title IX and DALE Accessibility Coordinators will work collaboratively with the student seeking pregnancy-related accommodations to ensure the appropriate accommodation are implemented.

Pregnancy and related conditions are treated as a temporary disability under Title IX. Students seeking pregnancy-related accommodations must complete the three-step process outlined in Section III above.

The student should indicate they are seeking "temporary disability or impairment or accommodations related to pregnancy or parenting" when completing the [Application to Initiate Services](#) webform. Within the application, the student will be asked to identify the course(s) in which they would like to activate approved accommodations for the present semester/term.

Clinical Documentation must be complete and current. In accordance to the Pregnant & Parenting Policy, qualified students are defined as "pregnant students or students who have given birth within the past six (6) months." Students must submit supporting documentation as defined above in STEP TWO of Section III.

## **VIII. CONFIDENTIALITY**

The College of Idaho respects the privacy of our students. The Family Educational Rights and Privacy Act (FERPA) governs all student record information. All information concerning student disabilities and accommodations is kept separately from student academic files. This information is confidential and will not be released to third parties without the written permission of the student, except in circumstances involving matters of health, safety, and law.

When students request accommodations, particularly instructional accommodations, the issue arises as to what and how much information the faculty needs and/or has the right



to know. By signing the [Application to Initiate Services](#) form, students acknowledge and understand that, in order for DALE to coordinate, advise, or administer approved accommodations, disclosure of disability information to faculty or appropriate administrators/ staff may be necessary and/or required. DALE will only disclose what is absolutely necessary to provide the approved accommodations.

Requests for records maintained by the DALE office must be submitted in writing. In accordance with FERPA, institutional policy and record retention guidelines, DALE retains student files for seven (7) years from the date of last enrollment or last activity with the department. After seven years of inactivity, a student's DALE file will be removed from DALE's archives and shredded to protect confidentiality.

DALE does not release third-party documentation, including medical or psychological records. If such documentation is needed, the requestor must obtain it directly from the original provider.

Upon request, DALE will provide a summary of approved accommodations and relevant dates of service.

## **IX. THE COLLEGE OF IDAHO'S GRIEVANCE PROCEDURES**

### **A. COMPLAINTS AGAINST FACULTY, STAFF, OR OTHER EMPLOYEES OF THE COLLEGE OF IDAHO**

In the event a student believes that the procedures described in the Student Disability Accommodations Policy ("the Policy") have not been followed properly or that the student was not appropriately accommodated, the student may file a grievance as outlined below:

1. The student should first discuss their concern(s) conjointly with the Accessibility Coordinator and the Director of Institutional Compliance to reach a resolution.
2. If a resolution cannot be reached, the student may file a complaint with the Director of Institutional Compliance containing their name, email address, College ID number, and a brief description of the alleged violation of this Policy, Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, or other law.
3. The Director of Institutional Compliance will conduct a review of the accommodation process, the allegation(s) made by the student, and any relevant information from faculty or staff members to determine if the student's access to academic or residential programs was not properly accommodated.
4. The Director of Institutional Compliance will provide written notice to the student regarding these findings within five business (5) days after the student complaint was filed.

5. If the decision of the Director of Institutional Compliance is unsatisfactory to the student, the student may request an appeal in writing to the Vice President of Institutional Compliance within seven (7) days of the final decision of the Director of Institutional Compliance.
  - a. The Vice President of Institutional Compliance may consult with the student, DALE staff, faculty or staff member(s), and other professionals familiar with the type of disability involved, as permitted by law.
  - b. After consulting with others and/or reviewing pertinent documents, the Vice President of Institutional Compliance shall report their conclusions in writing to the student within ten (10) working days, barring exigent circumstances. The decision of the Vice President of Institutional Compliance is final.

The College will not tolerate any retaliatory treatment or adverse consequences as a result of a student acting in good faith to report a complaint or participating in an investigation. Reports of retaliation will be promptly, thoroughly, and impartially investigated. The College will take all reasonable steps to prevent retaliation or to remedy the effects if it does occur. The exercise of rights protected under the First Amendment does not constitute retaliation.

## **B. COMPLAINTS AGAINST STUDENTS**

If a student believes they or some other member of the student community has been the victim of bias, harassment or discrimination by any member of the Board of Trustees, administrator, member of the staff or faculty, employee, student, volunteer, non-College of Idaho employee, or any other person in connection with the College, a complaint should be made as outlined in the College's Bias & Harassment Prevention Policy or as outlined in the "General Student Conduct Procedures" section in the College's Student Handbook.

## **X. GRIEVANCE PROCEDURES OF THE OFFICE FOR CIVIL RIGHTS**

Discrimination against persons with disabilities is prohibited by Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. A student or other party who believes The College has discriminated against them may file a complaint with the Office for Civil Rights (OCR).

A complaint must ordinarily be filed within 180 days of the last act of discrimination.

Prior to filing a complaint with OCR against an institution, a potential complainant may want to use the institution's grievance process to resolve the complaint. However, a complainant is not required by law to use the institutional grievance process before filing a complaint with OCR. If a complainant uses an institutional grievance process and also chooses to file the complaint with OCR, the complaint must be filed with OCR within 60 days after completion of the institutional grievance process.

You may file a complaint with OCR using OCR's electronic complaint form at the following website: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

A recipient of federal financial assistance may not retaliate against any person who has made a complaint, testified, assisted or participated in any manner in an OCR matter or interfere with any right or privilege protected by the laws enforced by OCR. If a student believes they have been retaliated against for any of these reasons, the student may file a retaliation complaint with OCR.

## **APPENDIX A GUIDELINES FOR FLEXIBLE ATTENDANCE &/OR FLEXIBLE DEADLINES**

### **WHAT IS THE PURPOSE OF THE FLEXIBLE ATTENDANCE &/OR FLEXIBLE DEADLINES CONTRACT?**

The Flexible Attendance and/or Flexible Deadlines Contract is a DALE-approved agreement between the student with an approved flexible accommodation and each of the student's faculty members for the term/semester. The contract clarifies expectations regarding how flexibility in attendance and/or deadlines will be handled within a particular course when an unexpected flare-up of the student's chronic disability.

### **WHEN IS FLEXIBILITY IN ATTENDANCE &/OR ASSIGNMENT DEADLINES APPROPRIATE?**

Some disabilities are episodic or cyclical in nature, and as a result, the disability may **occasionally** impact the student's ability to attend class, complete an assignment, or take an exam at the scheduled time. In cases such as these, flexibility in attendance and/or deadlines may be considered an appropriate accommodation.

### **WHAT IS THE PROCESS FOR SECURING APPROVAL OF AN ACCOMMODATION FOR FLEXIBLE ATTENDANCE &/OR FLEXIBLE DEADLINES?**

The process for requesting this accommodation is articulated in Section III of the College's Student Disability Accommodations Policy (hereinafter "the Policy"), and all requests are considered individually and must be supported by documentation submitted to the College from a qualified professional (as defined within the Policy).

### **WHAT CONSIDERATIONS SHOULD A FACULTY MEMBER TAKE INTO ACCOUNT WHEN ENTERING INTO A FLEXIBLE ATTENDANCE &/OR FLEXIBLE DEADLINES CONTRACT?**

When a faculty member receives a Faculty Notification Letter informing them that a student has been approved for an accommodation for flexibility in attendance and/or in assignment deadlines, they will also receive a request to complete and sign the Flexible Attendance and/or Flexible Deadlines Contract.

Prior to completing the contract, the faculty member should take into consideration the overall design of their course and its learning outcomes and review the requirements for attendance and/or deadlines for assignments/exams. Specifically, when evaluating how this accommodation can be implemented within their course, the faculty member should consider the following:

- What is identified as the course attendance policy within the syllabus?
- Is the attendance, late work, and missed exam policies for the course applied consistently?

- Are there exceptions to the attendance, late work, and missed exam policies for extenuating circumstances, such as athletic travel or religious observation?
- Do student contributions in class constitute a significant component of the learning process?
- How much interaction is there between the faculty member and students and/or among students and their peers within each class session?
- Does the design of the course rely on student participation (e.g. attendance and/or assignment/project contributions) as a significant method of learning?
- Is the content connected to student participation only offered in the class session?
- To what degree does a student’s failure to attend class or complete an assignment/exam on time compromise the education experience of other students in the class?
- What method is used to calculate the final grade (e.g. attendance, active student participation/engagement, assignments, discussion board posts, exams, etc.)?

### **WHAT ARE THE STUDENTS RESPONSIBILITIES UNDER A FLEXIBLE ATTENDANCE &/OR FLEXIBLE DEADLINES CONTRACT?**

Students are expected to attend classes on a regular basis. The number of allowable absences depends on the interactive or participatory nature of a course or is based on department, college, or accrediting agency rules. **Therefore, attendance policies are set by faculty at the College or departmental/program level.**

Students are expected to meet all deadlines for assignments and exams. Faculty have the right to establish late work policies based on course design and learning outcomes.

An accommodation for flexibility in attendance and/or deadlines for assignments is **not** intended to be used every week or for every assignment or every exam. This accommodation does not mean the student can miss as many classes as they want. The student is still responsible for completing all coursework.

### **ONCE A STUDENT AND FACULTY MEMBER ENTER INTO A FLEXIBLE ATTENDANCE &/OR FLEXIBLE DEADLINES CONTRACT, WHAT HAPPENS NEXT?**

The Flexible Attendance and/or Flexible Deadlines Contract will specify, as relevant: (i) the relevant number of disability-related absences beyond what is permitted under the course’s syllabus; (ii) the plan for making up missed assignments; and (iii) the plan for making up missed quizzes/exams.

The student is responsible for communicating with their faculty members **in advance** of a disability-related absence. When utilizing a flexible attendance or flexible deadline accommodation, the student must notify their faculty that they are using a “disability-related absence” or are requesting a “disability-related extension.”

For flexible deadlines on an assignment or quiz/exam, students must confer with the faculty member:

- **before** the due-date for an assignment about the status of work completed on the assignment, the reasons for its lateness that directly relate to the nature of the disability, and a definite turn-in day and time; or
- **before** the date for a quiz/exam with reasons for missing the quiz/exam that directly relate to the nature of the disability and a definite retake day and time.

Similarly, when needing to utilize their accommodation for flexible attendance, students may only do so when the absence is directly related to their documented disability.

Absences for reasons not related to a documented disability are not excusable under the flexible attendance accommodation. When possible, students should communicate with faculty members in advance of their disability-related absence. If notifying the faculty member before class is not possible, students should inform faculty members as soon as possible. Additionally, an accommodation for flexible attendance must be “within reason.” “Within reason” usually means permitting a specific number of additional disability-related absences a student is allowed in addition to each course’s established attendance policy.

Students should communicate their need for flexibility as soon as possible. Students should inform their faculty member that they are taking a “disability-related absence” or are requesting a “disability-related extension.”

### **WHAT OTHER INFORMATION IS CRITICAL FOR FACULTY & STUDENTS TO KNOW WHEN ENTERING INTO A FLEXIBLE ATTENDANCE &/OR FLEXIBLE DEADLINES CONTRACT?**

When entering into a Flexible Attendance and/or Flexible Deadlines Contract, it is helpful for students and faculty to keep the following in mind:

- An accommodation for flexibility in attendance and/or deadlines is effective upon DALE sending the faculty member the Faculty Notification Letters. As articulated in Section IV(A) of the Policy, it is therefore recommended that faculty complete and execute the Flexible Attendance and/or Flexible Deadlines Contract as soon as possible but ideally no later than five (5) business days after receipt of the Faculty Notification Letters. In other words, even if there is a delay in completing the contract, faculty members are still responsible for implementing this accommodation within their class for the relevant student.
- Some students register later in the term or wait to request/activate this accommodation until late in the term. In these cases, faculty are not expected to provide retroactive accommodations. Any such accommodation will not become effective until DALE sends the faculty member the Faculty Notification Letter.
- At no time is the student required to present the faculty member with medical documentation verifying their disability-related absence for this accommodation.

- This accommodation is not a blanket reason to miss class and/or turn in assignments late.
- If the absences meet or exceed 50 percent of those agreed upon in the Flexible Attendance and/or Flexible Deadlines Contract, the faculty member should inform DALE via email for assistance and guidance.
- Absences or missed assignments/exams that are not related to the effects of a disability are not included in this accommodation (e.g. absences or missed assignments/exams due to common illness, car trouble, childcare, etc.) and should be addressed according to the attendance/absence policy and/or missed assignment/exam policy stated in the syllabus.
- Faculty are not obligated to re-teach material missed due to a student not attending class.
- Not every course component can be provided an extension.
- Students are responsible for completing all class work and should be held to the same standard as all other students.