

UK Senate Council Questions

How are reasonable accommodations expected/intended to be established?

- The goal of the Disability Resource Center (DRC) is to provide equal access to students who are eligible, in accordance with Disability Law [Section 504 of the Rehabilitation Act (1973); Americans with Disabilities Act (ADA Amendments Act, 2008)] and as enforced by the Office of Civil Rights and Department of Justice.
- These civil rights laws state that post-secondary institutions cannot exclude, deny, or discriminate against otherwise qualified individuals on the basis of their disability.
- Post-secondary institutions are required to provide reasonable accommodations in academic requirements to ensure that those requirements are not discriminating.
- Post-secondary institutions may deny a requested accommodation if it would:
 - Fundamentally alter the program
 - Lower standards
 - Be unduly burdensome financially or administratively
- *Procedure for establishing reasonable accommodations:*
 - *Student completes intake form online and submits documentation of diagnosis.*
 - *Student meets with DRC Consultant to review the diagnosis documentation and develop reasonable accommodations through a structured interview to identify needs that are supported by documentation and endorsed by the student.*
 - *By law, reasonable accommodations cannot fundamentally alter the program, lower standards, or be unduly burdensome. At the same time, every accommodation request must be addressed and granted, modified, or denied with clear objective rationale to support the decision.*
 - *The Office of Civil Rights has made it clear in its findings that decisions about accommodations must be made by the Disability Resource Center. Should there be concerns of the appropriateness of an accommodation, an interactive process must be utilized. In this interactive process, the student, instructor, DRC consultant and any other individual able to provide expertise in the situation discuss whether the requested accommodation meets the denial criteria, and if so, negotiate alternative accommodation options. Faculty are experts in their field of study, the modality of the course, the standards of the course and the assessment methodologies to measure knowledge of the materials, and the DRC's role is to partner with the Faculty in maintaining the academic integrity of the course while supporting the student.*

If an accommodation may violate an academic policy of the Senate?

- The Rehabilitation Act of 1973 and the Americans with Disabilities Act are civil right laws and academic policy cannot violate federal civil rights law and discriminate against students with disabilities. These laws require the university to provide justification of a policy to substantiate why it cannot be adjusted if an accommodation can be made. Accommodations must be provided unless the request fundamentally alters the program/course, lowers the standard or is too financially/administratively burdensome. Any denial of an accommodation

must be made with these criteria in mind, through an interactive process between the Student, Faculty and DRC Consultant.

How a faculty member can request a modification to an accommodation they do not believe is reasonable?

Every accommodation letter ends with the statement, "For your records, please record the date that you receive this letter and maintain it in a place that will ensure the confidentiality of the student. If you have any questions or concerns, please contact our office. Thank you for your assistance." This is followed by the name and contact information for the DRC Consultant working with the student. If the faculty has a question as to whether the accommodation fundamentally alters the course, lowers the standard or is too administratively/financially burdensome, they can reach out to the DRC consultant to discuss.