

**Ball State University**  
**Academic Accommodations for Students with Disabilities Policy**  
**Effective June 2024**

**1. Introduction**

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act prohibit discrimination against individuals with disabilities. These laws require the University to provide reasonable accommodations for otherwise qualified students with disabilities. This policy is intended to guide the student disability accommodation process once a request for academic accommodations has been made.

**2. Definitions**

**Disability** - A disability is a mental or physical impairment that substantially limits one or more major life activities; has a record of such an impairment; or is regarded as having such an impairment. Use of the word disability instead of impairment is used throughout this policy.

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

**Reasonable Accommodation** – Reasonable accommodations are meant to provide equal access to the University and include reasonable modifications to rules, policies, or practices; the removal of architectural, communication, information, or transportation barriers; or the provision of auxiliary aids and services.

**Technical Standards** - Technical standards are all nonacademic criteria or standards for admission to or participation in the program in question. Examples of technical standards include, but are not limited to, the ability to lift, drive, use specialized equipment, look through a microscope, read music, respond in emergency situations, and meet necessary physical qualifications of a program. Any such requirements must constitute essential functions of the course of study and all requirements are subject to reasonable modification upon request.

### **3. The Interactive Process Between the University and the Student**

#### **3.1. General**

- 3.1.1. At the postsecondary level, students are required to self-identify as a person with a disability and affirmatively make a request for accommodations to the University. Once a request has been made, the University will engage in an interactive process with the student to determine what, if any, reasonable accommodations are available.
- 3.1.2. A student requesting disability accommodations must have a disability covered by law and be qualified with or without reasonable accommodations. The University is only obligated to provide reasonable accommodations, and it is not required to accommodate a student in a way that causes an undue burden on the University, a fundamental alteration of a course or program, or a direct threat to the health and safety of others. Thus, not all accommodation requests will necessarily be granted.
- 3.1.3. Accommodation requests and supporting documentation are reviewed on an individualized, case-by-case basis. As such, approved accommodations may vary from person to person and from environment to environment for students with the same disability diagnosis. Documentation of a specific disability does not translate directly into specific accommodations.
- 3.1.4. During the interactive process, appropriate University officials may be consulted to determine the appropriateness of requested accommodations and how best to implement certain accommodations. Technical standards and other university policies may also be considered.
- 3.1.5. Temporary accommodations may be available while the University engages in the interactive process to determine whether ongoing accommodation is appropriate and, if so, what reasonable accommodations are needed. They may also be available for short-term illnesses and injuries. However, temporary accommodations do not reflect a determination that ongoing accommodations will be granted and/or what reasonable accommodations are appropriate, nor do they create an obligation on the part of the University to continue accommodating the student. There may also be other University policies that affect a temporary accommodation request, such as University attendance policies.

## **3.2. Requesting Accommodations and Documentation**

- 3.2.1. Students should contact the Office of Disability Services to disclose their disability and request accommodations at their earliest convenience. Students should not make accommodation requests directly to faculty members; if this occurs, faculty members should refer students to the Office of Disability Services.
- 3.2.2. The University encourages the timely request of accommodations before the start of a semester because the documentation and determination process may take time. However, accommodation requests can be made and will be accepted and considered at any time.
  - 3.2.2.1. Note that granted accommodations are not effective retroactively so that students will not be able to re-do assignments or re-take exams with accommodations that they originally took before they asked for and received accommodations.
- 3.2.3. Some common accommodation requests include testing services (such as extended time on exams and/or reduced distraction environment), accessible technology (for reading texts or notetaking, etc.), and specific classroom seating. This list is not exhaustive, and students should feel free to request other accommodations for consideration by the University.
- 3.2.4. Appropriate documentation will be required. This may vary depending on the circumstances but should generally include (1) a diagnosis or multiple diagnoses clearly identified by a treating professional, (2) a list of accommodations which the professional believes would allow the student to fully and equally participate in their educational program and how the professional expects the suggested accommodations to help the student and/or the barriers to access this student might face in their university experience, (3) signature and credentials from a treating professional.
- 3.2.5. The fact that specific accommodations are recommended by a professional does not guarantee that those accommodations will be granted; the University may provide alternative accommodations instead.
- 3.2.6. While documentation of past accommodation history is important and will be considered, it is not decisive as to what accommodations will be granted by the University.
- 3.2.7. The University reserves the right to request additional documentation if the initial documentation does not provide sufficient information.

## **4. Appeal Process for Academic Accommodation Determination**

If a student believes that Disability Services (DS) has not identified or provided appropriate academic adjustments and/or auxiliary aids, the student has the right to appeal. Students are

encouraged to first meet with the DS Director to informally resolve the issue. If the issue cannot be resolved, the following procedure applies:

- 4.1. Within five (5) business days after the receipt of the decision of Disability Services, the student shall submit a written appeal to the Assistant Vice President for Student Affairs or designee. The appeal should minimally address the following points:
  - 4.1.1. The nature of the disability and its current impacts and functional limitations in the academic setting.
  - 4.1.2. Details of the academic adjustment and/or auxiliary aid being requested and why.
  - 4.1.3. A description of all academic adjustments and/or auxiliary aids presently or in the past provided and/or offered by the DS office and explanation as to why these adjustments and/or aids are insufficient or ineffective.
- 4.2. The appellate review will be based on the information and materials in the case file, the findings and recommendations from the Director of Disability Services, and the student's written request for an appellate review.
- 4.3. The Assistant Vice President for Student Affairs or designee will issue a written response to the appeal. The written response shall be issued within five (5) business days of receipt of the written appeal. The decision of the Assistant Vice President for Student Affairs or designee is the final decision of the institution.

## **5. Implementation of Approved Accommodations**

Once a student has been approved for accommodations, the Office of Disability Services will prepare a letter outlining these accommodations. This letter will be provided to the student. *It is the student's responsibility to discuss the approved accommodations with the faculty member in each course for which the student wants the accommodations to be implemented. This includes giving the faculty members a digital or hard copy of the letter outlining the accommodations.*

## **6. Checking-In, Modifications, and Additional Accommodations**

Students who have approved accommodations should check-in with the Office of Disability Services prior to the start of each semester. The purpose of checking-in is to discuss the implementation of the student's accommodations, identify any issues of concern, discuss the student's upcoming class schedule, consider whether any additional accommodations are necessary or if current accommodations need to be modified, etc. It is the student's responsibility to engage the Office of Disability Services in this discussion, and the presumption will be that there are no significant issues of concern if the student fails to contact the Office of Disability

Services to check-in. The Office of Disability Services will also send out email messages periodically to remind students about requesting their accommodations.

Notwithstanding the previous paragraph, students do not need to wait until the pre-semester check-in to request additional accommodations or modifications. Students granted accommodations may request additional accommodations and/or modifications to their already granted accommodations at any time by contacting the Office of Disability Services.

## **7. Addressing Concerns Related to Disability Accommodations**

- 7.1. A student who believes that an approved accommodation is not being appropriately implemented or is otherwise having difficulty with a faculty member related to accommodations, should first attempt to resolve the issue informally with the faculty member involved. The Office of Disability Services may act as a liaison in some circumstances to assist in resolving issues between the student and the faculty member. If the situation cannot be resolved informally, the student may take additional actions as described in the following paragraphs.
- 7.2. If informal attempts at resolution are not satisfactory or if a student has articulated reasonable concerns about meeting with the faculty member or instructor, or is otherwise unable to do so based on scheduling issues, the student may request a meeting with the individual's department chairperson (or the next-level supervisor) to discuss the concern further. The chairperson, school director, or next-level supervisor (as appropriate) will coordinate with all parties involved and will determine an appropriate resolution, conclusion, or recommendations about the issue. The chairperson or school director will keep a written record of the issue and the conclusions and recommendations.
- 7.3. If the student's concern involves a grade appeal issue, the student may be referred to the grade appeal process outlined in Grade Appeal Policy, <https://www.bsu.edu/about/administrativeoffices/vice-provost/student-services/grade-appeals>.
- 7.4. If the student believes they have been unlawfully discriminated against on the basis of their disability, they may file a Complaint of Unlawful Discrimination in the Employee Relations & Affirmative Action Office.

## **8. Amendments**

The Vice President for Student Affairs, in consultation with the Executive Vice President for Academic Affairs and Provost, is authorized to amend this policy. Any modifications required for compliance with new or revised statutes or regulations are to be made in consultation with the Vice President and General Counsel.