

**REGENTS' POLICY**  
**PART IX – STUDENT AFFAIRS**  
**Chapter 09.06 - Services for Students with Disabilities**

**P09.06.010. Prohibition Against Discrimination on the Basis of Disability.**

The university will provide a learning environment in which no student will be subjected to unlawful discrimination based on disability. No otherwise qualified individual will be denied reasonable access to, participation in, or the benefits of, any program or activity operated by the university because of disability. Each qualified student with a disability will be eligible to receive appropriate academic adjustments and programmatic accommodations necessary for the student to access educational opportunities, programs, activities, or services in the most integrated setting possible.

(06-19-98)

**P09.06.020. Definitions.**

In this chapter

- A. “ADA/Section 504 Coordinator” means the person responsible for overseeing university implementation of the requirements of the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973, as amended;
- B. “appropriate academic adjustment” means a modification to the learning environment defined by individual documented need and directly related to a student’s academic pursuits, as approved by the MAU disability support services coordinator; appropriate academic adjustments may include auxiliary aids and services such as: sign language interpreters, provision of course notes, alternative format materials, alternative testing accommodations, assistive learning technologies, modifications in length of time needed to complete degree requirements, substitutions for specific courses required for degree completion, and adaptation of the manner in which specific courses are conducted;
- C. “disability support services coordinator” or “DSS Coordinator” means the individual designated by the chancellor of each MAU to administer the provision of appropriate academic adjustments and other programmatic accommodations to students with disabilities for the MAU;
- D. “programmatic accommodation” means a modification or adjustment to the physical and learning environment made to enable a student with a disability to pursue educational goals, as approved by the MAU disability support services coordinator;
- E. “qualified student” means a student with a disability who, with or without an accommodation, meets the academic and technical standards requisite for admission to, or participation in, the student’s selected educational program or activity;

- F. “student with a disability” means a person with a physical or mental impairment that substantially limits one or more major life activities, or a person with a record of such a physical or mental impairment, or a person who is regarded as having such an impairment.

(06-19-98)

**P09.06.030. Accommodation of Students with Disabilities.**

- A. The university will strive to provide, within the limits of mission, resources, facilities, and personnel, appropriate academic adjustments and other programmatic accommodations to qualified students with disabilities to ensure access to educational opportunities, programs, and activities in the most integrated setting possible. The university will make reasonable modifications and adjustments, provided such adjustments would not result in a fundamental alteration of the affected service, program, or activity; lower the standards of an instructional program; result in an undue financial, administrative or academic burden; or create a direct threat to the health or safety of others. Regents’ policy, university regulation, and MAU rules and procedures for accommodation of students with disabilities will be based upon principles and requirements contained in the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973 as amended.
- B. The university will not charge students with disabilities a fee for the provision of approved appropriate academic adjustments and other programmatic accommodations. The university assumes no responsibility for providing or for the cost of non-approved academic adjustments, personal care attendants, individually prescribed devices, readers for non-programmatic material, or other devices or services of a personal rather than programmatic nature.
- C. Programs or activities not wholly operated by the university, but that are used in conjunction with university-sponsored programs, must be able to provide an opportunity for participation by qualified students with disabilities. The program sponsor must be able to provide the university with documentation that the sponsor does not discriminate on the basis of disability.

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**P09.06.040. Provision of Appropriate Academic Adjustments and Other Programmatic Accommodations: Responsibilities of the Chancellor.**

Each chancellor is responsible for ensuring that the MAU, including extended campuses and sites, meets all legal responsibilities for students with disabilities. The chancellor will designate an individual to serve as the MAU DSS coordinator or DSS coordinator. Each chancellor is also responsible for ensuring that training opportunities related to awareness and understanding of the needs of students with disabilities are made available.

(06-19-98)

**P09.06.041. Provision of Appropriate Academic Adjustments and Other Programmatic Accommodations: Responsibilities of the Disability Support Services Coordinator.**

The DSS coordinator will oversee all services for students with disabilities provided within the MAU, including the needs of the extended colleges, campuses, and other sites. The DSS coordinator, in consultation with the chief administrative officer of an extended college or campus, may appoint site designees to assist in the delivery of disability support services. The DSS coordinator, or the site designee in consultation with the DSS coordinator, is responsible for the provision of services which include:

- A. evaluating disability documentation provided by students seeking eligibility for university services on the basis of disability;
- B. consulting with individual faculty and/or staff when required by the nature of the disability, academic adjustment, or programmatic accommodation;
- C. authorizing appropriate academic adjustments and other programmatic accommodations for qualified students with disabilities in accordance with regents' policy , university regulation , and MAU rules and procedures, and providing written instructions to faculty and staff for their provision and coordination;
- D. providing consultation and training for faculty and staff related to awareness and understanding of the needs of students with disabilities;
- E. resolving complaints from students, faculty, or staff regarding the provision of appropriate academic adjustments or other programmatic accommodations for students; and
- F. advising the chancellor about changes in MAU practices that would encourage students with disabilities to participate in university programs and activities.

(06-19-98)

**P09.06.042. Responsibilities of Students with Disabilities in Seeking Accommodation.**

Students with disabilities who seek appropriate academic adjustments and other programmatic accommodation must identify themselves to the DSS coordinator or site designee, provide documentation of their disabling condition, and request appropriate accommodation in a timely manner. Students will be required to submit medical and/or other acceptable documentation with the request.

(06-19-98)

**P09.06.043. Responsibilities of Faculty and Staff in Providing Accommodations for Students with Disabilities.**

- A. Faculty and staff will work with the DSS coordinator or site designee to provide the authorized academic adjustments and other programmatic accommodations. Faculty and

staff are responsible for understanding the university's obligation to provide accommodations for students with disabilities.

- B. Faculty or staff who feel a more helpful accommodation than that authorized is possible or who have questions about the authorized accommodation should contact the DSS coordinator or site designee. Authorized accommodations or adjustments may not be changed without the approval of the DSS coordinator or site designee.

(06-19-98)

**P09.06.044. Reconsideration of Authorized Accommodations.**

The dean or director of a program affected by the authorized accommodations may also request the DSS coordinator or site designee to reconsider if the dean or director considers the authorized academic adjustments and other programmatic accommodations would result in a fundamental alteration of the affected service, program, or activity; lower the standards of an instructional program; result in an undue financial, administrative or academic burden; or create a direct threat to the health or safety of others. The DSS coordinator or site designee will attempt to resolve the matter informally, and, if necessary, proceed to formal resolution procedure according to university regulation.

(06-19-98)

**P09.06.050. Resolution of Complaints Regarding Accommodation of Students with Disabilities and of Complaints of Discrimination Based on Disability.**

- A. Students with disabilities who are dissatisfied with the accommodations or services provided by the university may initiate a formal complaint in accordance with university regulation and MAU rules and procedures only after exhausting the processes for securing the services and accommodations and the informal means for resolving complaints.
- B. A process will be provided in the university regulation for informal and formal resolution of complaints from students with disabilities who have been denied services or who are dissatisfied with the services provided, and from individuals who allege that a student has been subjected to unlawful discrimination based on disability.

(06-19-98)

**P09.06.060. Confidentiality.**

The documents submitted by students seeking services to accommodate their disabilities and the resulting file will be managed like medical and health files under the supervision of the DSS coordinator or site designee in accordance with applicable federal and state laws. Documentation related to a disability will not be part of a student's academic file. Information contained in the files will be released by the DSS coordinator or site designee only in accordance with federal and state laws.

(06-19-98)

**UNIVERSITY REGULATION**  
**PART IX – STUDENT AFFAIRS**  
**Chapter 09.06 - Services for Students with Disabilities**

**R09.06.041. Provision of Appropriate Academic Adjustments and Other Programmatic Accommodations: Responsibilities of the Disability Support Services Coordinator.**

The DSS coordinator or site designee will review the documentation and determine eligibility for services.

- A. If the student is eligible for services, the DSS coordinator or site designee will authorize appropriate academic adjustments and other programmatic accommodations and provide written instructions for the student to provide faculty and staff. The DSS coordinator or site designee will instruct the student to report any perceived delay in the provision of services to the coordinator or site designee for resolution.
- B. If the DSS coordinator or the site designee determines that a student is not qualified to receive academic adjustments or programmatic accommodations, the coordinator will inform the student of the process by which the coordinator's decision may be contested within the university.

(06-19-98)

**R09.06.042. Responsibilities of Students with Disabilities in Seeking Accommodation.**

To be considered for eligibility for appropriate academic adjustments, students must identify themselves as having a disability to the disabilities support services (DSS) coordinator or site designee and submit current medical, psychological, neuro-psychological, psycho-educational, psychiatric, and/or other appropriate diagnostic evaluation(s) completed by professionals with appropriate certification and/or licensure. Documentation must support the accommodations requested, and may be required before authorization is made for appropriate academic adjustments and/or other programmatic accommodations.

Acceptable documentation will be determined by the DSS coordinator or site designee. The University of Alaska will not be responsible for, and will not bear the cost of, any evaluations and/or documentation regarding a disability.

Students who initially request academic adjustments or other programmatic accommodations from faculty or departmental staff will be referred to the DSS coordinator or site designee.

(06-19-98)

**R09.06.043. Responsibilities of Faculty and Staff in Providing Accommodations for Students with Disabilities.**

Faculty and staff are responsible for either timely implementing the authorized appropriate academic adjustments and other programmatic accommodations or immediately requesting the program dean or director to file a request for reconsideration by the DSS coordinator or site

designee. If requested to reconsider, the DSS coordinator or site designee will attempt to resolve the issue informally with the faculty or staff member, the appropriate dean or director, and/or the chief academic officer. If informal efforts do not result in resolution, the DSS coordinator or site designee will consult with the MAU ADA/504 coordinator and such other persons as the chancellor deems appropriate prior to issuing a written decision. The DSS coordinator or site designee will also inform the student of the process for filing a formal complaint within the university.

The authorized academic adjustments and other programmatic adjustments will remain in effect at the discretion of the DSS coordinator or site designee until the matter is resolved.

(06-19-98)

**R09.06.050. Resolution of Complaints Regarding Accommodation of Students With Disabilities and of Complaints of Discrimination Based on Disability.**

- A. A formal complaint may be filed by a student who has been denied services by the DSS coordinator or site designee, by a student dissatisfied with the services provided, or when a student has allegedly been subjected to unlawful discrimination in a non-employment situation based on disability.
- B. The programmatic accommodation process must have been exhausted and informal attempts at resolution must have been attempted before a formal complaint may be filed.
- C. Formal complaints must be submitted in writing to the senior student services officer, and must include the following:
  - 1. the name, address and phone number of the person submitting the complaint;
  - 2. the name and title of the individual(s) toward whom the complaint is directed;
  - 3. a clear and concise description of the event(s) leading to the complaint and of the complaint, itself;
  - 4. an explanation of the impact upon the complainant attributed to the substance of the complaint;
  - 5. a summary of attempts taken to resolve the complaint informally;
  - 6. any other supporting documentation deemed relevant and appropriate;
  - 7. the remedy requested; and
  - 8. the complainant's signature and the date.
- D. The senior student services officer will assign one or more individuals knowledgeable in the area of ADA/Section 504 compliance or disability discrimination to review the complaint.

The reviewer(s) will determine within a reasonable period of time whether state or federal law, Regents' Policy, University Regulation, or MAU rules and procedures have been violated. If so, the reviewer(s) will recommend to the MAU senior student services officer appropriate solutions, including academic adjustments and other programmatic accommodations. The MAU senior student services officer's decision on the matter will be made after consultation with the chancellor or designee and such other persons as the chancellor deems appropriate. The MAU senior student services officer's decision is final within the university.

The senior student services officer will notify in writing the student, the individual(s) against whom the complaint has been made, and the DSS coordinator (and site designee when appropriate) of the final decision. Notification of the final decision will be made in accordance with Regents' Policy on rights and responsibilities regarding seeking further redress to university decisions and actions in the court system.

(06-19-98)

#### **R09.06.060. Confidentiality**

All records within the university regarding disability information will be filed with the DSS coordinator or site designee to ensure confidentiality. No one other than the DSS coordinator or site designee will have immediate access to these files. Information will be released from the files in accordance with applicable federal and state laws, Regents' Policy, University Regulation, and MAU rules and procedures. In general, faculty and staff will only be provided information about a student's disability related needs regarding academic adjustments and other programmatic accommodations.

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