



Accommodation Services Handbook

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Introduction

Beal University ("Beal") is committed to providing accommodation services to students with disabilities consistent with the law. Beal will work with students to determine what, if any, accommodations might be available. However, the University also expects students to be an active participant in this process. Accordingly, students who believe they may need an accommodation due to a documented disability, should meet with the ADA Coordinator either upon enrollment or as soon as it becomes apparent that assistance may be necessary.

Accommodation Services are managed by Beal's ADA Coordinator, whose contact information is listed at the end of this Handbook. The purpose of our Accommodation Services is to provide assistance to students with diagnosed disabilities to maximize their academic potential, and to minimize various physical and attitudinal barriers. Beal has created this Accommodation Services Handbook to address common questions regarding the services available to students with disabilities that limit a major life activity and to explain in detail the procedures necessary to secure them. It is our goal that all students are given the opportunity to succeed.

The law governing disability does not find that every impairment is a disability for which a school or a business is obliged to provide an accommodation. For instance, a condition that is short term, such as a broken arm, is not a disability for purposes of consideration for an accommodation plan. Impairments must be long-term and/or permanent to be considered for an accommodation. Similarly, a physical or mental impairment that is corrected or correctable by medication or other measures is not considered to be a disability. For example, where a person's vision impairment is corrected with glasses or contacts, the impairment is not considered a disability. In such situations, the University also does not provide an accommodation. The above are only examples of situations where impairment may not be considered a disability. Beal reserves the right to determine whether a student's impairment is a disability requiring consideration for accommodation. The student should note that Beal is not required to modify, waive, or make substitutions for coursework or other requirements that would fundamentally alter or compromise the integrity of an academic program.

The ADA Coordinator will gladly discuss your disability with you, and offer advice on how to ensure that your needs are met. Following is a summary of services and accommodations that are available to our students with disabilities and the policies that students must comply with in order to obtain these services. If you have a question not addressed in this Handbook, please contact the ADA Coordinator.

The following services are available to all students who experience disabilities:

- Accommodation Planning
- Orientation to Campus as needed
- Liaison with faculty and staff as needed
- Instructor notification and liaison where needed (when permission is given by the student)

How to Obtain Reasonable Accommodations:

The term "reasonable accommodation" is at heart a balancing act between the needs of students with disabilities, the educational program's purpose, and the financial and physical limits of higher education institutions. It applies to a request for accommodation, modification or adjustment to a facility, course, program, service or activity that may afford an otherwise qualified student who has a disability with an equal opportunity to attain the same level of performance, benefits and/or privileges as are available to a student who is without a disability.

To determine whether a requested accommodation is reasonable, the school's Compliance Officer will seek information from staff and faculty regarding essential standards for courses, programs, services, activities and facilities. Beal's Compliance Officer makes the ultimate determination of whether a specific request for accommodations will be granted.

Please note: Beal is not required to modify any element of a course or program that is deemed essential to the curriculum.

Accommodation Procedures:

- 1) Student contacts the ADA Coordinator about the need for a request for accommodation services.
- 2) ADA Coordinator provides the student with the Accommodation Services Handbook and Request for Accommodation Plan form.
- 3) Student meets with the ADA Coordinator to discuss the accommodation plan and complete the Request for Accommodation Plan form.
- 4) Student provides documentation from a professional qualified to address the student's disability.
 - a. The University reserves the right to require additional documentation to support the appropriateness of the accommodation service request.
 - b. Students assume the cost, if any, of the required documentation.
- 5) Upon receipt of the completed and signed Request for Accommodation Plan form, Beal will review the documentation and provide a written response in the form of a Notice of Accommodation Plan to the student within 14 days of the original request.
- 6) Student will be responsible for sharing and implementing the Notice of Accommodation Plan with all instructors.

Rights and Responsibilities

Students with disabilities have the right to:

1. Equal opportunity to learn through reasonable accommodations, academic adjustments and/or auxiliary aids and services;
2. Equal access to programs, courses, services, activities and facilities offered through the Beal school they are attending;
3. Confidentiality of information regarding their disability, except as disclosure is necessary to provide accommodations and/or is required by law; and
4. Accessible formats of information, as is reasonably available.

Students with disabilities have the responsibility to:

1. Satisfy and maintain essential institutional qualifications and standards for courses, programs, services, and activities;
2. Follow all published procedures for securing reasonable accommodations;
3. Provide from a qualified licensed professional with the appropriate area of expertise comprehensive documentation that details the manner in which their disability limits their participation and supports each accommodation request; and
4. Identify themselves as an individual with a disability when an accommodation is needed, and to seek information, counsel and assistance as necessary.

Beal has the right to:

1. Identify and establish essential functions, abilities, skills, knowledge and standards for courses, programs, services, activities and facilities at its schools, and to evaluate all students (whether disabled or not) on these bases;
2. Request and receive current documentation that supports any request for accommodations;
3. Select among equally effective accommodations which to provide;
4. Refuse an unreasonable accommodation request that fundamentally alters a program or activity of Beal; and
5. Deny a request for an accommodation if documentation does not support the request or if documentation is not provided by a student.

Beal has the responsibility to:

1. Provide information to students in reasonable, accessible formats upon request;
2. Provide or arrange reasonable accommodations in courses, programs, services, activities and facilities;
3. Ensure that programs, services, activities and facilities, when viewed in their entirety, are available and usable in a reasonable, integrated and appropriate setting under the circumstances; and
4. Maintain appropriate confidentiality of records and communications.

How Reasonable Accommodations Are Decided Upon

When deciding whether a requested accommodation is reasonable, Beal's Compliance Officer will rely upon the following elements:

1. The appropriate documentation of the disability by a qualified professional and any recommendations made by the diagnosing professional;
2. A student's request for a given accommodation;
3. Barriers that might result from the documented disability in the campus environment;
4. Accommodations that might remove such barriers;
5. Whether a student may obtain access to the course, program, service, activity or facility without a given accommodation (that is, whether the student is otherwise qualified for participation in the course or program);
6. The relative cost and burden of providing the accommodation given the size and resources of the school;
7. Whether or not essential elements of the course, program, service, activity or facility are compromised by the requested accommodation; and
8. Whether if, even after the accommodation is given, a student can perform the essential functions of the educational program.

Academic adjustments are based upon an individualized assessment of the student's needs. Ideally, initial accommodation requests should be made prior to the start of class so that the student has the necessary resources in place prior to attending class. All requests should be made in writing to the ADA Coordinator and the Compliance Officer, who will coordinate the school's effort to provide assistance to students with diagnosed disabilities that substantially limit a major life activity.

Once the student has provided appropriate documentation from a professional qualified to diagnose his or her disability, submitted a written request for an accommodation to the ADA Coordinator and Compliance Officer, and met with the ADA Coordinator to discuss the accommodation services request, the ADA Coordinator will send all documentation to the Compliance Officer for review. Ultimately, Beal's Compliance Officer, is responsible for determining whether a given request may interfere substantively with the requirements of a course. If the Compliance Officer so determines, the student will

be informed in writing within 14 days of the original request for accommodations and invited to appeal any negative decision on accommodations resulting therefrom. The student denied accommodations has the option to write a letter appealing the decision, including additional relevant information, to Beal's Academic Advisory Committee (AAC) within 14 days of the denial of services. Beal's AAC will respond in writing to the appeal within 14 days.

Notification of Instructors

The provision of accommodation services is a responsibility shared between the student, the ADA Coordinator, and the Compliance Officer. Upon approval of accommodation services, the student must meet with the ADA Coordinator to review and implement necessary accommodations (if any). During the meeting between the student and the ADA Coordinator, the student will be provided with a "Notice of Accommodation Plan." This Notice will confirm that a student has a documented disability and is entitled to specific accommodation services.

The Notice is given to the student to provide to each Instructor so that the Instructor has an opportunity to discuss with the student the requirements of a given course and how best to ensure the accommodations requested may assist the student. This Notice is the only information that Instructors are given about the student. Faculty members do not have access to the underlying diagnostic documentation of a student's disability absent a student's written permission to the contrary.

Please Note: Students may choose which if any accommodations to request for a given course. Faculty members are not required to provide classroom accommodations for students who fail to present them with an accommodation letter.

Eligibility

In order to be eligible for accommodation services through Beal, a student must:

1. Provide current and comprehensive documentation by a qualified professional of a disability that limits at least one major life activity, as described below in the section labeled Documentation Requirements;
2. Submit a request in writing to the ADA Coordinator and the Compliance Officer for accommodation(s); and
3. Schedule an appointment with the ADA Coordinator in which the materials required under (1) above will be addressed, together with specific accommodation requests and program limitations.

All accommodations will ultimately be reviewed and either approved or denied by Beal's Compliance Officer. Accommodations can take significant time to arrange; students need to make any request for accommodations as early as possible to ensure that needed support is in place prior to the start of classes.

The ADA Coordinator will keep detailed notes as to the date each step of the request for accommodations process has occurred in order to ensure that the student's request has been fairly addressed. The request for accommodations process and any deliberative process utilized in making a final determination will be fully documented including notes recorded of pertinent discussions.

The Compliance Officer will further retain all requests for accommodation, supporting documentation, including the date(s) of the request(s) for academic adjustments or services, the nature of each request, the final determinations and the reason(s) for any denials in the student's file.

Please Note: Accommodations CANNOT be provided until appropriate documentation as specified in (1) above is on file with the ADA Coordinator and the interview specified in (3) above is held.

Documentation Requirements

To be eligible for accommodation services, students must provide documentation that meets the standards for demonstrating a disability, in accordance with the Americans with Disabilities Act ("ADA") and/or Section 504 of the Rehabilitation Act of 1973 and related regulations.

Beal requires current documentation from appropriate, qualified professionals to support an accommodation request. In order to be considered current, documentation cannot be older than three (3) years.

If the initial documentation is determined to be inadequate because it fails to describe either the nature or the extent of the disability or otherwise support the accommodation request, Beal has the discretion to require additional documentation. If Beal does require additional documentation, the student will be notified within 14 days in writing of said request.

Please Note: Students bear the cost of obtaining appropriate, current documentation in compliance with this provision.

Documentation of the disability must state the:

1. Specific diagnosis;
2. Functional limitations (if any) within the academic environment as a result of the disability;
3. The degree to which the identified disability limits the student in comparison to most people;
4. The testing or evaluation procedures that were utilized to assess the level of limitation;
5. A report of the specific test or evaluation results; and
6. Recommendations for academic accommodation, if any.

Requirements for Specific Disabilities

There are certain disabilities for which Beal requires more specific information in order to determine eligibility for accommodations. These include learning disabilities, visual impairments, hearing impairments and deafness, attention deficit hyperactivity disorder, and psychiatric disabilities. The following information is provided to assist the appropriate professional in properly documenting a student's disability.

Learning Disabilities

Students with learning disabilities who have been diagnosed in high school within the last three years are required to provide the following information to verify eligibility for accommodations:

1. An Individual Education Plan (IEP) issued within the last three years identifying the student as being served for a specific learning disability; and
2. A Multi-Factored Evaluation (MFE) completed by a psychologist or school psychologist within the last three years. This assessment must indicate that the student has a diagnosed learning disability and was receiving services for the disability while in high school.

If a student does not have the documentation specified in (1) and (2) above, the student may instead submit a report that includes a comprehensive psychoeducational assessment performed by a private psychologist or school psychologist indicating the presence of a specific learning disability.

The MFE or psychoeducational assessment for the diagnosis of a specific learning disability must be submitted on the letterhead of the qualified professional or school psychologist/district. The assessment must provide clear and specific evidence of a learning disability that substantially impairs at least one major life activity. It is not acceptable to administer one test, nor is it acceptable to base a diagnosis on only one of the several subtests.

Specifically, the assessment must conform to or include the following criteria:

1. Testing must have been conducted within the past three years;
2. Testing must indicate a specific diagnosis from the DSM-IV. Descriptions such as individual "learning styles," "learning differences," or "academic problems" do not by themselves qualify as a learning disability and will not satisfy this requirement;
3. The nature and the severity of the disability must be supported by the psychoeducational assessment;
4. Actual test scores must be provided. The assessment should include standard scores for all normed measures or percentiles. Grade equivalents are insufficient unless standard scores and/or percentiles are also included;
5. Test scores must show evidence of significant discrepancies and intra-individual differences;
6. A qualified professional or diagnostician must conduct the evaluation. The qualified professional or diagnostician must indicate licensure or certification on the assessment.

The assessment must include the following domains:

1. **Aptitude:** A complete adult-level aptitude battery is required with all subtests and standard scores. This should include the current version of one of the following:
 - Wechsler Adult Intelligence Scale (the preferred instrument);
 - Woodcock-Johnson Psychoeducational Battery: Test of Cognitive Ability; or
 - Stanford-Binet Intelligence Scale.
2. **Achievement:** A complete individually administered standardized achievement test. Acceptable instruments include, but are not limited to the current versions of the following:
 - Woodcock-Johnson Psychoeducational Battery: Tests of Achievement;
 - Wechsler Individual Achievement Test (WIAT);
 - Stanford Test of Academic Skill (TASK);
 - Scholastic Abilities Test for Adults (SATA);
 - Specific achievement tests such as the Test of Written Language-2 (TOWL-2);
 - Woodcock Reading Mastery Tests; or
 - The Stanford Diagnostic Mathematics Test.

Please Note: The Wide Range Achievement Test-Revised is not a comprehensive measure of achievement, and therefore is not acceptable if used as the sole measure of achievement.
3. **Information Processing:** Specific areas of information processing (such as short- and long-term memory; sequential memory; auditory and visual perception/processing; processing speed; executive functioning, motor ability) must be assessed. Acceptable instruments include but are not limited to the current versions of the following:
 - Detroit Tests of Learning Aptitude;
 - Information from subtests of the Wechsler Adult Intelligence Scale;
 - The Woodcock-Johnson Tests of Cognitive Ability; or
 - Other instruments relevant to the presenting learning problem.

Visual Impairments

Appropriate documentation of visual impairment should include, at a minimum, information regarding the student's visual acuity, field restrictions, or other limitations. Given the range of such impairments, recommendations for accommodations and services (particularly adaptive technology needs) are beneficial. Generally, visual impairments manifest by at least one of the following:

1. Visual acuity of 20/70 or less in the better eye after the best possible correction;
2. Peripheral field so constricted that it affects one's ability to function in an educational setting; and/or
3. Progressive loss of vision which may affect one's ability to function in an educational setting.

Hearing Impairments and Deafness

Appropriate documentation must include the degree of hearing loss and indicate functional limitations resulting from the disability. Hearing impairments are generally diagnosed when a person experiences a hearing loss of 30 decibels or greater, a pure tone average of 500, 1000, 2000 Hz, ANSI, unaided in the better ear. An audiologist's report detailing the student's degree of hearing loss must be included in the documentation.

Attention Deficit Hyperactivity Disorder (ADHD)

Appropriate documentation must include the specific DSM-IV diagnosis, as well as a report that indicates that a rigorous assessment process was used to diagnose the disability in accordance with criterion set by the DSM-IV. The documentation must also specify how the disability substantially impairs a major life activity.

Psychiatric Disabilities

Appropriate documentation must include the specific DSM-IV diagnosis, as well as a detailed description of how this disability causes a functional limitation for the student in the college learning environment. If concurrent accommodations are required based on side-effects of medication used to treat the disability, these medications and their effects on the student should be noted in the documentation.

Services:

Academic Support Programs

All students are provided with access to tutoring free of charge upon request. Extra assistance or tutoring is individual time with an Instructor to address any academic questions a student may have about a given course. Students should first request tutoring or extra assistance from his/her instructor and then through the Student Services office if additional assistance is needed.

Advising

The ADA Coordinator or the Student Services department is available to meet with students to discuss concerns they might have with accommodations, instructors, and campus accessibility. We also highly recommend that students with disabilities take advantage of the academic advising resources of each individual program area. Student Services staff will gladly meet with disabled students after they have first accessed this resource to help them assess the extent to which it met their needs. We strongly encourage students seeking advisement services to call in advance to obtain an appointment.

Parking

Students wishing to use designated Handicap Parking spaces at Beal must have the appropriate state issued placard. If a student does not have such a placard, but wishes to temporarily use Handicap Parking, the student must have his or her physician write a letter on letterhead that indicates (1) the nature of the

student's disability and/or injury, and (2) the length of time the student will need special parking. This eligibility form should be returned to the Student Services department.

Test Accommodations

The ADA Coordinator can arrange for proctoring, reasonable extended time, and alternative administration of examinations. Provision of the exam to the ADA Coordinator is equally the responsibility of the student and the Instructor. Specific guidelines have been established to ensure a consistent and expedient process. They are as follows:

The student is responsible for contacting the ADA Coordinator at least three days in advance to schedule a test. The student is also responsible for reminding the faculty member at least two class meetings in advance that the student will be taking the exam through Accommodation Services. Every effort will be made to arrange test proctoring on the same day and time as the test is regularly scheduled. Each student should be aware, however, that appointment times depend upon the availability of proctors.

All students utilizing the test proctoring service will be expected to take their tests at the same time as other class members. Students must schedule their exams Monday through Thursday. Any student wishing to take a test at a time and/or date other than as regularly scheduled must obtain written permission in advance from the Instructor. New testing arrangements will be confirmed in writing.

If the student fails to complete the exam at the scheduled time and/or secure permission to take it at another time, the test will be returned to the Instructor, and the student will receive a score of "0" on the exam.

Please Note: Because of scheduling conflicts, the ADA Coordinator may need to schedule a student's appointment at a different date and/or time than the regularly scheduled exam. If this situation arises, the staff will notify the faculty member directly.

The Instructor is responsible for delivering the exam to the ADA Coordinator prior to the scheduled test time. The Instructor must provide written permission attached to the test if he or she intends to allow the student to use notes, textbooks, calculators, or other materials during the test (if applicable). At the time the Instructor delivers the exam to the ADA Coordinator, the Instructor may arrange the method by which the completed exam will be returned to the Instructor.

If a student has content-specific questions about the exam during proctoring, every effort will be made to contact the Instructor. If the ADA Coordinator is unable to reach her/him, they will instruct the student to provide a written explanation of her/his question, to be attached to the exam.

Once a student begins a proctored exam, the student is not permitted to leave the office for any reason. If, in accordance with the student's Accommodation Plan, the student needs to take frequent breaks, the exam will be broken up into smaller sections. Each section will be independently administered and the student will be permitted to take a break after she or he hands in the individual sections to the proctor. The student will not, however, be permitted to return to a section she or he has completed.

In the event of cheating or plagiarism, the proctor will end the exam immediately, and return the exam to the Instructor with a written description of what occurred. The student will then be subject to disciplinary action in the same way that any student taking the exam within the classroom environment would be.

ADA and Section 504 of the Rehabilitation Act Grievance Procedure

As stated in the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, qualified students with disabilities have the right to request accommodations and to receive fair treatment within the educational system. Beal is dedicated to resolving conflicts and disagreements regarding requests for reasonable accommodations. Please note all other complaints not based on request for accommodations or academic adjustments due to a disability are processed pursuant to the University's general Grievance and Appeals policy set forth in the University Catalog & Student Handbook.

If you feel that you have been subjected to unfair or improper treatment with respect to a request for a reasonable accommodation due to a disability or have been discriminated against due to a disability you may contact the Compliance Officer. The process and timeline for filing a grievance are as follows:

1. Students shall express their concern initially with the appropriate faculty/staff member involved in the conflict in an informal manner. The Compliance Officer should be contacted at the same time by the student to clarify rights and procedures for both parties.

The Compliance Officer will keep detailed notes as to the date each step of the accommodations or disability grievance process has occurred in order to ensure that the student's request has been fairly addressed. The grievance process will be fully documented including notes recorded of pertinent discussions.

The Compliance Officer will further retain all requests for accommodation and complaints of discrimination, supporting documentation, including the date(s) of the request(s) for academic adjustments or services, the nature of each request, the final determinations and the reason(s) for any denials in the student's file.

2. If the complaint is unresolved after the informal discussion, the student may file a formal, written statement of the problem with the Compliance Officer. The written complaint to the Compliance Officer must clearly state the basis for the complaint (*i.e.*, the who, what, where, when and why), and must:
 - Clearly state the nature and basis of the grievance;
 - Be signed and dated;
 - Provide the name(s) of the person(s) alleged to have engaged in unfair or improper treatment due to a disability;
 - Document specifics of the incident(s) in question; and
 - Identify any known witness(es) who have knowledge of the allegations.

Note: In cases of alleged illegal discrimination based on race, sex, or handicap, the Compliance Officer will contact Beal's Chief Operating Officer prior to advising the student about course of action.

3. The Compliance Officer, in consultation with Beal's Chief Operating Officer, will conduct an investigation. Beal's Compliance Officer will respond in writing to the student within 14 days of the filing date of the complaint. As appropriate, Beal may designate different persons to review cases or may consolidate complaints when such action is consistent with administrative efficiency and a fair resolution of the problem. Written notification will be provided to the student in such a case.

4. If the student feels that the decision is arbitrary and capricious, or if they have new evidence to present, the student may appeal in writing to Beal's Chief Operating Officer within 14 days of the decision. If no appeal is made in writing to Beal's Chief Operating Officer within 14 days of the decision, then the decision shall be final. Upon appeal to Beal's Compliance Officer, the following must be done:
 - A copy of the appeal must be submitted to Beal's Chief Operating Officer; and
 - Upon appropriate review, the appellate determination must be communicated in writing to all parties involved within 14 days of the date of the appeal.

5. At any stage of the grievance procedure, if it was determined that law and/or University policy was violated, a remedy to the problem will be offered. If it is determined that there was no violation, the complainant will be notified within 14 days and other options for possible resolution of the complaint will be explained, including the right of the student to contact the Office of Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921. The office can also be reached at 617-289-0111 or at ocr.boston@ed.gov.

Beal's ADA Coordinator can be contacted at ADA@beal.edu, 207-307-3900 or by mail:

ADA Coordinator
Beal University
99 Farm Road
Bangor, ME 04401

Beal's Chief Operating Office can be contacted at svillett@beal.edu, 207-307-3900 or by mail:

Chief Operating Officer
Beal University
99 Farm Road
Bangor, ME 04401