



## HLC Accreditation Evidence Document

**Title:** ARC Student Handbook for Disability Issues: Expect Success

**Office of Origin:** Office of Academic Affairs

**Description:** A handbook for students looking to take advantage of the services supplied by the Accessibility Resource Center (ARC).

Date: 2018



A DIVISION OF STUDENT AFFAIRS

**ARC STUDENT HANDBOOK FOR  
DISABILITY ISSUES:  
EXPECT SUCCESS**

# Table of Contents

ARC STUDENT HANDBOOK .....	1
Mission Statement .....	4
Introduction .....	4
Eligibility for Services.....	4
Background.....	4
Professional Guidelines and Ethical Standards .....	4
Section 504-Rehabilitation Act of 1973 .....	5
Americans with Disabilities Act of 1990.....	5
What is meant by otherwise qualified?.....	6
Making the Transition to UNM .....	6
The Differences Between High School and University .....	6
What is a Disability? .....	7
Eligibility for protection under the ADA and Section 504 requires the applicant to meet one of the following three criteria: .....	7
How does Accessibility Resource Center verify a disability?.....	7
Students with Learning Disabilities and Attention Deficit Hyperactivity Disorder .....	7
Students with Visual, Hearing, Physical, and Chronic Medical Condition Disabilities .....	8
Students with Psychological Disabilities .....	9
What are functional limitations? .....	9
Confidentiality.....	9
What is the Responsibility of Accessibility Services, Students with a Disability, and Faculty? .....	10
Accessibility Resource Center is responsible for: .....	10
Students are responsible for: .....	10
Faculty is responsible for:.....	11
Everyone is responsible for: .....	11
Process regarding denial or failure to accommodate during an academic semester:.....	11
What is a reasonable accommodation?.....	12
Are these accommodations fair to other students?.....	12
Arranging for Accommodations.....	13
Before Accommodations are Implemented .....	13
Accommodation Process.....	13
When are accommodations not provided? .....	14
Arranging Academic Adjustments.....	14
CORE COURSE SUBSTITUTIONS AND WAIVERS .....	15
Academic Adjustments .....	16
Adaptive Evacuation Procedures.....	22
Due Process Issues.....	25
What happens if my professor does not comply?.....	25

Frequently Asked Questions .....	26
Will I have the same accommodations I had in high school? .....	26
I have a learning disability and was last tested when I was a freshman in high school. Do I need to get tested again? .....	26
What do I do if I am absent due to my disability? .....	26
What do I do if my classroom is not accessible? .....	27
Can I receive accommodations for field trips, internships, or student teaching? .....	27
I need a Signed Language Interpreter. Where do I request interpreter services? .....	28
I am nervous about talking to my professors. How should I approach them about my need for accommodations? .....	28
I spoke with my professor during the first week of class about my accommodations and then reminded him five days before the exam. However, during the test, he said I could not have the extended time for which I was approved. What do I do? .....	29
Tips for Success at The University of New Mexico .....	29
Appendix I: 2310 Academic Adjustments for Students with Disabilities.....	31
1. Policy .....	31
2. Procedures for Requesting and Determining Academic Adjustments.....	31
3. Criteria for Determining Academic Adjustments .....	33
4. Americans With Disabilities Act (ADA) Coordinator .....	34
5. Attachments .....	34
Appendix II: Academic Adjustments for Students with Disabilities: Appeal Rights Procedures .....	35
Article 1. Submission of Appeal .....	35
Article 2: Appointment of Committee .....	35
Article 3: Hearing Procedures .....	36
Article 4: Committee Decision .....	36
Appendix III: 2295 Service Animals .....	38
1. General .....	38
2. Applicability .....	38
3. Inquiries by University Employees .....	39
4. Responsibilities for the Care and Supervision of Service Animals.....	39
5. Removal of Service Animal .....	40
6. Students .....	40
7. American with Disabilities Act (ADA) Coordinator .....	41
Appendix IV: Comparison of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and The Americans with Disabilities Act (ADA) .....	42



## **Mission Statement**

Accessibility Resource Center (ARC) recognizes individuals with disabilities as an integral part of a diverse community and is committed to the provision of comprehensive resources to the University community (faculty, staff, and student) in order to create equitable, inclusive, and practical learning environments.

## **Introduction**

The office of Accessibility Resource Center offers services to the University of New Mexico (UNM) self-identified students with disabilities. Students with documented disabling conditions that affect a major life activity are eligible for these services. This includes students with visual, hearing, learning, and mobility disabilities, and chronic conditions. The primary duty is to help all students with disabilities gain equal opportunities throughout the campus community, with emphasis on education. Faculty and academic support staff may refer students when they have disclosed pertinent information regarding a specific disability. Publicity throughout the academic year promotes high visibility of the services we provide for students with disabilities.

## **Eligibility for Services**

According to the criteria stated in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, and UNM Policy 2310, we require that students give proof of a disabling condition by providing professional evaluations. Students requesting services must provide documentation of the disabling condition prior to initiation of services. The Accessibility Resource Center Documentation Committee will meet to determine eligibility and reasonable appropriate accommodations. The final step in the process is a meeting with Accessibility Resource Center staff and student to determine reasonable appropriate accommodations. Faculty notification occurs after determination of accommodations.

# **Background**

*Disability is a natural part of the human experience...*

*The 104th Congress of the United States*

## **Professional Guidelines and Ethical Standards**

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 are Civil Rights laws. They affirm that people with disabilities should have access to the social, economic, educational, and cultural aspects of national life. Their impetus is the assertion by people with disabilities of their inalienable right to be treated as equals.

## **Section 504-Rehabilitation Act of 1973**

In 1973, Congress passed Section 504 of the Rehabilitation Act of 1973 (Section 504), a law that prohibits discrimination on the basis of physical or mental disability (29 U.S.C. Section 794). It states:

*No otherwise qualified individual with a disability in the United States. . . shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.*

The Office of Civil Rights in the U. S. Department of Education enforces regulations implementing Section 504 with respect to programs and activities that receive funding from the Department. Section 504 regulations apply to all recipients of this funding, including colleges, universities, and post-secondary vocational education and adult education programs. Failure by higher education schools to provide auxiliary aids to students with disabilities that results in a denial of a program benefit is discriminatory and prohibited by Section 504.

## **Americans with Disabilities Act of 1990**

The Americans with Disabilities Act (ADA) of 1990 is the civil rights guarantee for persons with disabilities in the United States. It provides protection from discrimination for individuals based on disability. The ADA extends civil rights protection for people with disabilities to employment in the private sector, transportation, public accommodations, services provided by state and local government, and telecommunication relay services.

ADA expands the essential concepts of Section 504 to all aspects of American society such as private employers, public accommodations (e.g., restaurants and motels), and the Telephone Relay system for the Deaf. Under Title II, the ADA strengthened the responsibility of public entities, such as state and local government, to ensure that qualified students with disabilities will not be discriminated against. Significantly, Title V of the ADA gives people with disabilities the opportunity to take their cases to court and to receive punitive damages along with their attorney's compensation. These additions give greater force to the law with which to overcome discrimination.

# What is meant by otherwise qualified?

In short, Section 504 and Title II of the Americans with Disabilities Act (ADA) prohibit discrimination against students with disabilities who are otherwise qualified, and that when appropriate, such students must be provided reasonable accommodations. A student is considered otherwise qualified when the student meets or exceeds academic standards with the presence of a disability. When a student with a disability is accepted to the University, that student has demonstrated that he or she is a qualified individual, even with a disability. Thus, the University must then attempt to remove barriers within the student's program. All programs, but not necessarily all buildings or classrooms, must be accessible to students with disabilities. This is often referred to as program access.

In other words, students have a right to access upon meeting the qualifications. Once qualifications are met, it is illegal to arbitrarily eliminate students with disabilities solely on the basis of their physical or mental condition. To do so would be discrimination. Failure to remove program barriers by refusing or denying reasonable accommodations would also be a form of illegal discrimination. The law does not mean that students get special considerations, but that they should enjoy a level playing field in which to compete, succeed, and thrive.

Violation of Section 504 carries with it the threat of loss of Federal funds, including Federal research grants and student financial aid.

## Making the Transition to UNM

### The Differences Between High School and University

The differences between the accommodation process in high school and the university can pose an initial challenge for students who are use to the secondary school environment. These differences can largely be contributed to the laws that govern the provision of accommodations in the post-secondary and secondary settings. Colleges and universities are governed by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA). These laws ensure equal access to individuals with disabilities who are otherwise qualified to meet the essential demands of a university program. High schools, in addition to Section 504 of the Rehabilitation Act and ADA, are primarily governed by the Individuals with Disabilities Education Act (IDEA). IDEA is an entitlement law that requires that children with disabilities receive a free and appropriate education. Incoming students will find that at UNM there is a greater emphasis on personal responsibility and self-advocacy as compared to a secondary setting. Accessibility Services is here to facilitate a smooth transition between these two educational environments. For additional information, please see Appendix iv.

# What is a Disability?

**Eligibility for protection under the ADA and Section 504 requires the applicant to meet one of the following three criteria:**

1. Have a physical or mental condition that substantially limits one or more major life activity.
2. Have a record of such a physical or mental condition.
3. Be regarded as having such an impairment, whether actually having the impairment or not.

**EXAMPLES OF DISABILITIES INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:**

- Arthritis
- Attention deficit disorders
- Blindness/low vision
- Cerebral Palsy
- Communication disorders
- Deafness/hearing impairments
- Emotional/psychological disabilities
- Multiple Sclerosis
- Muscular Dystrophy
- Seizure disorders
- Specific learning disabilities
- Spinal cord injuries
- Traumatic brain injuries
- Other health impairments

## How does Accessibility Resource Center verify a disability?

### **Students with Learning Disabilities and Attention Deficit Hyperactivity Disorder**

A copy of the comprehensive psycho educational report must be provided to The University of New Mexico, Accessibility Resource Center in order for the student to be eligible for accommodations and/or modifications. Documentation should include testing scores and a verifying statement from a school psychologist, clinical psychologist, neuropsychologist, or other qualified professional. This group of students comprises the largest population of students served by Accessibility Services. Learning disabilities affect the manner in which individuals acquire, integrate, and/or express knowledge. Learning disabilities may affect a student's



performance in reading, writing, spoken language, mathematics, or orientation to space and time.

## **Students with Visual, Hearing, Physical, and Chronic Medical Condition Disabilities**

Accessibility Resource Center requires medical records for students with visual and/or hearing disabilities and, in particular instances, may accept verification of disabilities from the Department of Human Services, Division of Vocational Rehabilitation (DHS/DVR). Documentation must include narrative explanation for clarification and may include an audiogram and/or optometric results.

Documentation must include specific restrictions due to a physical disability and potential accommodations required.

### **VISUAL DISABILITIES**

Visual disabilities may vary from total blindness to low vision. Students with visual disabilities may experience eyestrain, light sensitivity, and an inability to read printed material or to distinguish certain colors. Students who have been blind from birth have no visual memories. Their concepts of objects, space, and distance may be different from those persons who develop visual disabilities later in life. Mobility and orientation skills also vary due to numerous factors. Students with low vision may not have an apparent “visible” disability. Students may experience difficulty in performing in class readings, unannounced quizzes, open book tests, locating lecture information, completing Scantron answer sheets, or viewing lecture notes.

### **DEAF AND HARD OF HEARING**

The age of onset of a hearing disability will have a great impact upon the student’s English ability, both spoken and written. Generally, English is considered a second language for deaf and hard of hearing students when signed language is the dominant mode of communication. Appropriate requests include use of a Signed Language interpreter, real-time captioning, note taking, providing all directions in writing, and closed captioned videos.

### **PHYSICAL DISABILITIES**

Physical access is one of the major concerns for students with physical disabilities. Students may encounter unavoidable delays during inclement weather, heavy foot traffic times, and periods of construction. If a classroom is inaccessible, Accessibility Resource Center will work with the department to relocate the class to an accessible location. In order to fully participate in classroom activities some students may require educational assistants as an approved accommodation. When a course requires travel to alternative locations, those locations and transportation must be accessible.

### **CHRONIC HEALTH CONDITIONS**

There are a number of chronic health conditions that may interfere with a student’s academic work, concentration, and attendance. Some students may be in pain, or taking medication with varying side effects such as drowsiness. Students with seizure disorders may be affected at any time without warning. Some medication can lessen

or control seizures, but produce side effects such as slowed response and impaired coordination. Such medication makes it unlikely a seizure will occur in class. Faculty should contact emergency personnel when seizures occur.

## **Students with Psychological Disabilities**

Accessibility Resource Center requires a letter from a clinical psychologist, psychiatrist, or DHS/DVR. Documentation may include diagnostic treatment information, and potential medication side effects. Psychological disabilities include, but are not limited to, depression, bipolar disorder (or manic depressive disorder), anxiety disorders, and schizophrenia. Determination of eligibility of services is based on severity, duration, and onset of the disorder. On rare occasions, classroom behavior may become an issue. All students are expected to maintain appropriate behavior. If problems occur, consulting the Student Code of Conduct and handling the behavior issues according to departmental policies is appropriate. Accessibility Services is available for consultation when necessary. Some students undergoing treatment take prescription medication to help control symptoms. This medication may have side effects such as drowsiness or disorientation.

## **What are functional limitations?**

A disability must limit functioning in one or more major life activity before one can receive an accommodation. The effect of a disability on program access is referred to as a functional limitation. A physical or mental condition, in and of itself, does not necessarily require accommodations. There must be a logical link between the functional limitation stemming from the disability and the accommodation requested. Accessibility Resource Center staff first identifies functional limitations through discussion with the student and a review of documentation. Accessibility Resource Center staff provides the student with information about the accommodations for which the student is eligible.

Example: A student who is blind cannot see to read print in textbooks. The disability, blindness, causes the functional limitation, an inability to read printed text. Thus, the student may choose the accommodation of reading the text in an alternative format such as Braille or audiotape. On the other hand, blindness doesn't prevent one's ability to take notes during a course lecture when Braille and other electronic devices are available. Therefore, a student who is blind may not be eligible for the accommodation of note-taking services because the functional limitations of blindness do not affect the ability to take notes using Braille or electronic devices.

## **Confidentiality**

All student records that the Accessibility Resource Center collects are regarded with strict confidentiality. The Accessibility Resource Center does not reveal the details of the disability diagnosis of any student registered with the office. Accommodation letters emailed to professors do not include specific diagnoses. Instead, the letters

explain that the student has provided appropriate documentation of a disability and lists the approved academic accommodations for that student.

No information will be released to any internal or external individual, departments or agency without the written permission of the student. Instructors are cautioned against identifying students with disabilities unnecessarily to their peers or other colleagues without the student's consent. Announcing, for example, at the beginning of an exam that all students with disabilities should come to the front of the class would violate the students' right to confidentiality.

## **What is the Responsibility of Accessibility Services, Students with a Disability, and Faculty?**

### **Accessibility Resource Center is responsible for:**

- Verifying disabilities and need for accommodations.
- Recommending reasonable accommodations.
- Informing students of their rights and responsibilities.
- Advocating program access.
- Problem-solving with student and, if necessary, the instructor, in response to student concerns regarding the implementation or consistency of reasonable accommodations.

Accessibility Resource Center does not have either the right or the responsibility to look over the shoulders of students with disabilities. Students are ultimately responsible for themselves. Accessibility Resource Center works with students and, when appropriate, with their instructors, to determine two things. First, which accommodations are reasonable and second, identification and referral for other campus and community services that may be appropriate. Accessibility Resource Center provides students with the tools necessary for their academic success.

### **Students are responsible for:**

- Self-Identification.
- Requesting reasonable accommodations in a timely manner.
- Meeting the academic standards expected of all students.
- If an accommodation is ineffective or has not been provided and it is impacting performance bring it to the attention of the disability specialist. You and your disability specialist will then decide an appropriate action plan which may include both formal and/or informal options as outlined under Exhibit A of UNM Policy 2310 Academic Adjustments for Students with Disabilities: Appeal Rights Procedures

Ultimately, responsibility lies with the student. They must contact Accessibility Resource Center and faculty with questions and concerns in a timely manner. Through the cooperation of all parties reasonable accommodations are provided.

### **Faculty is responsible for:**

- Being open to accommodating students.
- Providing program access.
- Meeting with students to discuss their needs.
- Implementing reasonable accommodations.
- Maintaining confidentiality.

Faculty members are responsible for assisting in the provision of accommodations as described in the accommodation letter. Any concern related to an accommodation fundamentally altering the academic curriculum should be brought to the attention of the student and disability specialist. All parties will engage in an interactive process to determine the reasonableness of the request and ensure equal access is maintained.

### **Everyone is responsible for:**

- Engaging in an interactive discussion of reasonable accommodations for specific courses and degree program.
- Problem-solving issues/concerns.
- Maintaining academic standards for course and degree program.

### **Process regarding denial or failure to accommodate during an academic semester:**

- Student submits appeal to academic department.
- If resolution does not occur:
- Appeal to Provost/HSC designee
- Ad hoc committee of 3-5 members is convened
- Student may also submit a discrimination claim to the Office of Equal Opportunity

Please see UNM Policy 2310, Exhibit A

([http://www.unm.edu/~ubppm/ubppmanual/2310ex\\_a.htm](http://www.unm.edu/~ubppm/ubppmanual/2310ex_a.htm)) for a full text of the appeal process.

Grade appeal involving failure to accommodate after academic semester:

- Upon receipt of a grade appeal from a student which asserts a failure to accommodate, the academic unit can request guidance from ARC and/or OEO to verify whether a failure to accommodate occurred.
- If it is determined that a failure to accommodate occurred, the academic unit shall take such fact into consideration to equitably resolve the grade appeal. Further, the student may simultaneously pursue a claim with Office of Equal Opportunity pursuant to its Discrimination Claims Procedure.

Please see UNM Policy 2310, Exhibit A and Policy 3100 for a full text of the appeal processes.

## **What is a reasonable accommodation?**

Reasonable accommodations are adjustments in the learning environment that permit students with disabilities to compete at the University. The accommodations modify nonessential elements of University programs.

Examples include, but are not limited to:

- Extended testing times
- Books on tape
- Large print material
- Signed language interpreters
- Adaptive computer software
- Accessible classrooms
- Alternative textbook format
- Note takers

Accessibility Services coordinates and provides reasonable accommodations to qualified students with disabilities. Accommodations are individualized to address specific functional limitations resulting from a disability. There must be a logical link between the functional limitation and the accommodation.

The director and program specialists rely heavily on documentation of the disability when determining accommodations. The student also participates in a discussion of limitations and possible strategies. Accommodations not requested by students will not be provided.

Students with disabilities must perform at satisfactory levels in their academic pursuits at the University of New Mexico. If you do not request reasonable accommodations and perform poorly without them, your civil rights have not been violated and you must deal with the consequences of unsatisfactory academic progress.

### **Are these accommodations fair to other students?**

This question is often asked of students with disabilities. The underlying assumption of the question is that fairness and equal treatment are synonymous with “the same” treatment. However, the same treatment doesn’t always measure fairly.

ADA and 504 of the Rehabilitation Act protect students with disabilities. The assumption of the law is that modifying non-essential tasks through accommodations should give the student with a disability an equal or fair chance to demonstrate their ability.



A student whose limitations in the way they learn, i.e., a learning disability that involves eye hand coordination or thought processing, may need accommodations that assist with their learning. These include, but are not limited to books on tape, readers and scribes for tests, screen readers, or help with marking Scantron answer sheets. Providing these accommodations helps with effectively expressing the knowledge of the course subject.

Make a point to give case-by-case consideration as required under the law. What one student receives does not necessarily mean that other students with disabilities will receive the same accommodations. The laws protect students with disabilities from being measured in an area that they cannot show their true level of abilities. Reasonable modification allows students with disabilities an equal opportunity to perform at a standard equivalent to students without a disability. While an accommodation may present an advantage to students without a disability, it isn't an advantage for a student with a disability, but an equalizer.

**EXAMPLE:**

A student whose limitations in the physical task of writing or other fine motor manipulations may be an excellent writer even though they cannot print or type the letters and words. Thus, the physical act of writing is a non-essential task. The student's mastery of language and course material must not, under the law, be judged by their ability to manipulate a pencil or pen, or by use of a keyboard. Accommodating the student by providing a scribe or allowing the use of computer software to record the student's essay responses permits the student to show whether they can write effectively and whether they have acquired the information and critical skills the instructor wished to convey in the course.

## **Arranging for Accommodations**

### **Before Accommodations are Implemented**

Students with disabilities meet with Accessibility Resource Center staff confidentially as a first step in arranging accommodations. The staff verifies the disability and determines how the disability affects academic work. This is accomplished through discussion with the student and a review of documentation.

### **Accommodation Process**

After the disability and its functional limitations are verified, the student is provided information about the various reasonable accommodations that address the student's disability. The student then chooses the reasonable accommodations that best apply in a given course or semester.

1. Students indicate the need for accommodation letters through submission of course schedule each semester to the department.

2. Accommodation letters are sent through campus mail to each requested faculty member appearing on the student semester schedule.
3. Faculty are informed of the presence of a signed language interpreter or special accommodations in the classroom prior to the start of the semester.
4. When faculty/staff have been notified, additional clarification and discussion may occur.

## **When are accommodations not provided?**

The University provides accommodations unless they fall under one of the following three categories:

### **FUNDAMENTAL ALTERATION**

If an accommodation reduces the academic standards of the University, its colleges, departments, or its courses, the University denies the accommodation and deems it unreasonable. Academic standards are essential for any student. Determination of a fundamental alteration is made by Accessibility Services after discussion with faculty on the essential components of the course or major. Students with disabilities must acquire the same knowledge and skills as other students.

### **UNDUE HARDSHIP**

If an accommodation costs too much or is impossible to administer, the accommodation is deemed unreasonable. An undue administrative burden occurs when the University doesn't have enough time to respond to the request, or when it would be impossible or infeasible to administer. In every instance, the University reserves the right to offer other, equally effective accommodations. In twenty years of case law and findings under Section 504 and the ADA, the federal government has never allowed a post-secondary institution to claim undue financial hardship as a legitimate refusal to provide auxiliary aids or services.

### **PERSONAL SERVICE**

If a request for an accommodation falls under the definition of a personal service, the University is not responsible for providing the request. Personal services are those that a person with a disability must use regardless of attendance at the University. In addition, personal services are those for which no correlation between the disability's functional limitation and program access can be established. The University, for instance, does not purchase wheelchairs or other assistive technologies used in every setting to compensate for a mobility disability. Other examples of personal services may include independent living, mental health, rehabilitation, remediation and homework assistance.

## **Arranging Academic Adjustments**

The following is a descriptive list of typical academic accommodations available to students with disabilities. Determination of the appropriateness of any given accommodation is done by Accessibility Services prior to implementation by faculty.

## **CORE COURSE SUBSTITUTIONS AND WAIVERS**

The University of New Mexico may allow course substitutions for students receiving Accessibility Resource Center services, based on strong documentation of a weakness related to the disability in a specific area. A student must write a letter of appeal and meet with your program specialist from Accessibility Resource Center. The letter of appeal or departmental form should contain at least the following:

- The student's name, address, student identification number, and major.
- A description of request.
- An explanation of the student's disability.
- Rationale for the request.
- Any past history of any previous attempts to complete courses similar to the core curriculum subject.
- Any history of similar requests granted by any college, university or high school.

A letter from Accessibility Resource Center should accompany the student's request verifying the disability, date of initiation of services, and an indication of how long the student has had the disability.

### **ACTION BY THE UNIVERSITY**

The following outlines the procedure for the implementation of a course substitution.

- The student's academic advisor will review the student's request.
- The potential impact on the student's degree and potential substitution course(s) will be determined by the appropriate program.
- All information will be forwarded to the designee of the College Dean.
- The Dean's office makes the final determination on the appropriateness of the request.
- The Dean's office will notify the student in writing of its decision.
- If they deny the request, the student may request reconsideration by the Academic Adjustment Policy Committee by writing another letter and providing any new material the student deems pertinent.
- If they deny the request a second time, they will require the student to meet the University requirement. The Academic Adjustment Policy Committee will notify the student in writing of its decision.
- If they approve the request, the Academic Adjustment Policy Committee will notify the student in writing of its decision.
- Policy 2310 on academic adjustments for students with disabilities allows for 15 days for a decision to be made.

# Academic Adjustments

The following is a descriptive list of typical academic accommodations available to students with disabilities. Determination of the appropriateness of any given accommodation is done by Accessibility Resource Center prior to implementation by faculty.

## **ALTERNATIVE TEXTBOOK, COURSE PACKETS, SYLLABI, AND VIDEO FORMAT**

Students with visual or learning disabilities may arrange audio or electronic formats through Accessibility Resource Center. At the beginning of each semester the student is responsible for informing the Accessibility Resource Center office of books that they need in alternative format.

Accessibility Resource Center will provide alternative format for textbooks once the student provides a course syllabus and proof of book purchase for the class. The Accessibility Resource Center office staff will complete the alternative formatting according to assignments in the respective syllabi. Textbooks may be available as audio files or electronic text that allows the student to hear or enlarge the text.

Please make your book selections, compiled course packets, and syllabi available prior to the start of the semester. Students who are blind, have visual impairments, or have learning disabilities affecting their reading rates and comprehension, require printed materials that are transformed into alternate formats. Conversion of text into a spoken format or Braille can be a time-consuming process, taking several months to complete. Your syllabus is required to determine the extent to which each text will be used and the order in which reading assignments will be completed.

Some students will rely on having printed material scanned and saved in computer format that can be listened to using voice output software. If you are collating various journal articles and portions of books into course packets, please use original copies or a copy that is as clean as possible. Creating course packets using second, third, and fourth generation copies of material (copies made from copies, etc.) may cause images of text that are fuzzy. Such blurring often makes it impossible for character recognition software to decipher images as readable text. If material included in course packets is not all of top quality, Accessibility Resource Center would appreciate being able to briefly borrow your originals for scanning.

You may also wish to ask if the publishers of the books you are considering have created electronic text (e-text) and/or audio versions of them. If possible, select a textbook with an accompanying study guide to maximize comprehension for all students. Choosing one that does will ensure that the reading materials are accessible.

Finally, consider using captioned versions of videos as these are extremely helpful for deaf or hard of hearing students and students who have auditory processing difficulties. Although some videos used in classes are already captioned, others are not. If you are aware that you will be using videos in a class with an enrolled deaf or

hard of hearing student, please contact Accessibility Resource Center to discuss how to determine if a video is captioned or what alternatives might be available. When requesting audio-visual equipment, make sure you request equipment with a captioning decoder.

### **EQUIPMENT LOAN**

Students may check out equipment, e.g., tape recorders and FM Assistive Listening devices for use in the classrooms.

### **ADAPTIVE EQUIPMENT AND SOFTWARE**

Adaptive equipment and software are available in the Accessibility Resource Center and Accessibility Services Room at Zimmerman Library. Installation in other labs and classrooms is done upon request by faculty or student.

### **CCTV**

Students with low vision use the CCTV machine with magnification capabilities up to 7X. Portable versions are available for student use in high visual context courses (i.e. mathematics, chemistry, biology, etc.). Color video magnification and black/white models are assigned to classrooms on a priority need basis. The Zimmerman Library houses a CCTV in the Accessibility Services Room. Portable models are available for student check out as needed.

### **COMPUTER SCREEN MAGNIFICATION SOFTWARE**

Screen magnification software is available for students with low vision who need 2X to 16X magnification.

### **FM ASSISTIVE LISTENING SYSTEMS**

FM Assistive Listening Systems are available in the classrooms for students who are hard of hearing. The system allows amplification of the lecturer's voice or audio portion of a videotape and filters out any extraneous noises.

### **DIGITAL AUDIO PLAYER/RECORDERS**

Digital players/recorders are available for student use throughout the academic year to record lectures.

### **TIGER EMBOSSER, JULIET BRAILLER**

This equipment converts printed English text to Braille through the Duxbury Braille Translator.

### **PICTURE IN A FLASH (P.I.A.F.)**

The P.I.A.F produces high quality tactile graphics by using heat sensitive capsule paper. The raised images provide quick and easy access to geography, mathematics, orientation and mobility training, all science subjects and more.

### **VOICE ACTIVATED SOFTWARE**

Voice Activated Software helps students with visual, learning, and physical disabilities complete written assignments independently by voice-activated processing rather than keyboard processing.



## **SCREEN READING SOFTWARE**

Screen reading software gives students with visual disabilities access to the Windows operating system environment.

## **COMPUTERS**

For completion of essay exams or accessing information using adaptive software, computers are available for student use at the Accessibility Resource Center, the Accessibility Services room in the Zimmerman Library.

## **ALTERNATIVE TEST TAKING ARRANGEMENTS FOR LECTURE COURSES**

Alternative test taking arrangements (oral testing, extended time, use of scribe, alternative format, and distraction free environment) are available to students approved for this accommodation.

### Test Requests

1. A student goes to Accessibility Resource Center or telephones to schedule a test with 5 business days' notice.
2. A test accommodation form noting pertinent information is prepared via the departmental website or hand written by the testing coordinator.
3. If 5 business days' notice is not provided the testing coordinator will make a determination on if the accommodations will be afforded. When adequate advice warning is not given, the student should report to class and take the exam under standard conditions.
4. Notification to faculty occurs at the time the student requests the exam accommodation via an automated email from [tstacom@unm.edu](mailto:tstacom@unm.edu). Telephone contact may be made when less than 5 business day notice is provided by the student.
5. Faculty provide the exam to the Accessibility Resource Center:
  - Leave the exam for pick up in the departmental office.
  - Or email attachment to [tstacom@unm.edu](mailto:tstacom@unm.edu).
  - Or faxing to 277-8750.

### Administering Tests

1. Student reports to Accessibility Resource Center for exam at scheduled time.
2. Student is allowed only the items listed on test request or designated by instructor on exam or via email message.
3. Student is monitored by video camera throughout exam period.
4. Student is warned with 15 minutes remaining in the exam time.
5. Exam is picked up from student if time expires prior to completion.

### Returning Tests

1. Accessibility Resource Center schedules two return deliveries of exams per day. The first delivery is prior to 11:00 A.M. with the second delivery after 3:30 P.M..

2. Exams completed after 3:30 P.M. are returned as early as possible the next working day.
3. Faculty may pick up completed exams at the conclusion of the student's exam session if desired.
4. Completed exams may also be scanned into a PDF document and sent as an email attachment when requested.

### **ONLINE EXAMS**

Arrangements are made on a case-by-case basis. Please contact the testing coordinator as soon as you are made aware of pop quizzes to initiate discussion with your professor on the best procedure for implementation of testing accommodations.

### **UNANNOUNCED QUIZZES**

Arrangements are made on a case-by-case basis. Please contact the testing coordinator as soon as you are made aware of pop quizzes to initiate discussion with your professor on the best procedure for implementation of testing accommodations.

### **NOTE TAKERS**

Students approved for note taking accommodations and who are requesting the services of a note taker, are required to be registered each semester with the office of Accessibility Resource Center. Students are responsible for notifying the Program Specialist regarding their note taking needs. This should be done in advance of the start of each semester or as soon as the need arises. Every effort will be made to find a qualified note taker within 15 working days of the request as outlined in the University of New Mexico Policy 2310 "Academic Adjustments for Students with Disabilities."

Accessibility Resource Center seeks assistance from faculty to make a general announcement at the initiation of the accommodation request. An e-mail is sent from [asnotes@unm.edu](mailto:asnotes@unm.edu) requesting an announcement be made. The message contains all pertinent details. In the event a note taker is not found, the coordinator of note taking services will announce the need for a note taker in the student's class in order to provide the service. Students needing a note taker will remain anonymous unless they wish to self-identify to their note taker. Accessibility Resource Center provides written instructions to the note taker.

Some students registered with Accessibility Resource Center are approved to receive a copy of class notes as an academic accommodation related to the student's disability. These notes are generally intended to be a supplement to the student's own notes and not a substitute for class attendance.

### **WAYS TO SECURE A COPY OF CLASS NOTES:**

1. Carbonless paper (NCR)—Accessibility Resource Center provides NCR paper to students approved for note taking to facilitate the note taking process. The note taker uses two sheets of NCR paper at a time. As the note taker takes notes on the paper, a copy is automatically generated on

the page behind it. The volunteer can then give the student with a disability or the instructor the copies immediately after class. When the student prefers to remain anonymous, the instructor can then give the notes to the student.

2. Electronic notes—Some students take notes on their laptops and do not want to use carbonless paper. In these situations, the note takers can email their notes to the student. When the student prefers to remain anonymous, the volunteer can email the notes to the professor or the appropriate Accessibility Resource Center administrator.
3. Blackboard/Classroom resources—Some instructors put their own notes on Blackboard or WebCT and these may be sufficient for the student with a disability. In other instances, the teaching assistant takes notes, which can be made available after class. It is important to remember that copies of Power Point presentations may not include additional information that was discussed in class and may not be sufficient. In addition, Power Point presentations are typically not accessible to students with visual disabilities who are using screen reading software. In these instances, they should be converted into an accessible format (e.g., Word or PDF). Please contact Accessibility Resource Center if you need assistance.
4. Departmental copy machine—At times, it may be necessary for the note taker to use a departmental copy machine rather than carbonless paper. Arrangements are made for the department or Accessibility Resource Center to cover the cost of the copying rather than the note taker or student with a disability.

**IMPORTANT REMINDER:**

If the student asks for your assistance in soliciting a volunteer, keep his/her name confidential.

**EDUCATIONAL ASSISTANTS**

On occasion it is necessary to employ educational assistants so equal access can be provided. Arrangements are made by Accessibility Resource Center in consultation with faculty. The purpose of the assistants is to perform tasks under the verbal direction of the student with disability due to limited mobility. Lab courses are a typical example of when an educational assistant may be used.

**SIGN LANGUAGE INTERPRETERS**

Accessibility Resource Center schedules sign language interpreters when it is determined to be a reasonable accommodation. We will schedule signed language interpreters for both academic and University co-curricular activities when the student makes this request. Requests for interpreter services must be made at least one week prior to the event or activity taking place in order for Accessibility Resource Center to have enough time to contact and schedule a qualified interpreter.

**ENLARGED MATERIAL**

The Accessibility Resource Center office staff can enlarge exams and course handouts. Students should bring these materials to the office, allowing adequate time for completion.

**ACCESSIBLE CLASSROOMS**

Accessibility Resource Center will arrange access to classrooms for students with physical disabilities, photo sensitivity to florescent lighting, or chemical sensitivity and request a change of classroom location if necessary. We will make alternative desk or table accommodations for writing surfaces.

**DISTINCTIVE CLASSROOM ACCOMMODATIONS**

At times, a student may require a distinctive accommodation due to the nature of the course or current health issues. Accessibility Resource Center will serve as liaison to the faculty for unique accommodations and assistance. Specific accommodations will be determined before enrollment or early in the current semester. Should a student approach with an accommodation request beyond those listed on the accommodation letter, contact the director of Accessibility Resource Center to discuss.

**TUTORING ASSISTANCE**

Accessibility Resource Center does not offer one-on-one tutoring. Students seeking tutoring services will be referred to the Center for Academic Support (CAPS) located on the third floor of Zimmerman Library. CAPS provides tutoring for most undergraduate courses at the University of New Mexico. CAPS tutors are available at ARC for a limited number of hours per week for writing and lower level math tutoring. Students should speak with your Program Specialist for specific details on CAPS tutoring at ARC.

**VOTER REGISTRATION**

ARC is a voter registration site. Students registered with ARC may register to vote or change voter registration during office hours. Contact your Program Specialist for specific details.

**REDUCED COURSELOAD AND SCHOLARSHIPS**

ARC is designated to certify students with disabilities taking reduced courseloads for the New Mexico Lottery Scholarship, Amigo Scholarship, Presidential Scholarship, and any other scholarship accepted by UNM Financial Aid department.

**PERSONAL CARE ASSISTANT**

Students are responsible for the hiring, payment, and maintenance of personal care assistants (PCA). At the student's request ARC will assist in provision of local agencies that provide attendant care services on a regular basis. The PCA is required to follow all UNM policies and regulations. Specific details related to the use of PCA in classrooms and University Housing are discussed with your program specialist during the intake process or prior to enrollment.

## **SERVICE ANIMALS**

In keeping with federal and state law, the University of New Mexico recognizes its responsibilities to extend equal access to individuals with disabilities who use a Service Animal on University property. The University will not discriminate against individuals with disabilities who use Service Animals nor, deny those persons access to programs, services and facilities of the University. Policy 2295 regarding services animals is found in appendix iv.

## **HOUSING REQUESTS**

ARC is the certifying department for ADA housing requests. Students are required to follow the same procedures for initiation of services. Once completed your Program Specialist notifies Student Life and Housing of the requested accommodations. This process is necessary for each contact renewal.

## **Adaptive Evacuation Procedures**

### **HEARING IMPAIRMENT**

- If possible, flicker the lights when entering an area/room to get the person's attention.
- Establish eye contact with the individual, not the interpreter, if one is present.
- Use facial expressions and hand gestures as visual cues.
- Check to see if you have been understood and repeat if necessary.
- Offer pen and paper
  - Write slowly and let the individual read as you write.
  - It is important for you to understand them as well; therefore written communication may be especially important.
  - Keep instructions simple, and use basic vocabulary in the present tense.
- Avoid interruptions while trying to communicate.
- Be patient!
- Provide the person with a flashlight to signal their location in the event they are separated from the evacuation group.

### **VISUAL IMPAIRMENT**

- Announce your presence and identify yourself, but do not shout unless background noise warrants it.
- State the nature of the emergency and then offer your arm
  - As you walk advise them of any obstacles.
  - Be sure to mention stairs, doorways, narrow passages, ramps, etc.
  - They may choose to walk slightly behind you to gauge your body's reaction to obstacles.
  - If leading several individuals with visual impairments, ask them to guide the person behind them.
- Do not grab or attempt to guide them without first asking them.
- Offer assistance but let the person explain what help is needed.
- Any written information will need to be communicated orally.



- Once evacuation is complete, orient the person to the location and ask if any further assistance is needed.
- If the person has a service animal, don't pet it unless you have permission.
- Service animals must be evacuated with the person.

## **MOBILITY IMPAIRMENT**

Always ask the person how you can help before attempting any assistance.

- Recognize that every person and every disability is unique.
- Respect the person's independence to the extent possible.
- Identify limitations or problems that may affect their safety.

Evacuation of persons using crutches, canes, and other mobility device

- A person using such a device may use one hand to grasp the handrail and the other to use the crutch or cane.
- Do not interfere with the person's movement unless asked to do so, or the nature of the emergency requires. Explain what you will do and why. Ask if you can help by carrying the extra crutch while the person negotiates the stairs.
- On crowded stairs, use your own body as a buffer.

Evacuation of wheelchair users

- If possible, speak to the person at eye level.
- Ask before you assume they need help.
- One-person assist carrying technique
  - Grasp pushing grips.
  - Stand one step above and behind the wheelchair.
  - Tilt wheelchair back until balance is achieved.
  - Keep center of gravity low.
  - Descend frontward.
  - Let the back wheels gradually lower to the next step.
- Two-person assist carrying technique
  - First person position themselves behind chair, as in the one-person assist.
  - Second person position themselves in front of wheelchair, facing wheelchair.
  - Stand one, two, or three steps down.
  - Grasp frame of wheelchair and push into the wheelchair.
  - Descend the stairs.
- Motorized wheelchairs
  - Unoccupied, these wheelchairs can weigh up to 100 pounds unoccupied, and may be larger than manual chairs. Lifting a motorized chair and user up or down stairs may require up to four people.
  - The user of the motorized wheelchair probably knows their equipment better than anyone. Always ask about heavy chair parts that can be

detached, how you should position yourselves, where you should grab hold, and what, if any, angle to tip the chair backward.

- Turn the wheelchair's power off before attempting to lift it.
- Many people who use motorized wheelchairs have limited arm and hand motion. Ask if they have any special requirements for being transported down the stairs.

### **COGNITIVE IMPAIRMENTS**

- Introduce yourself and explain the situation to the person as calmly and confidently as possible.
- Allow extra time for the person to process what you are saying and respond.
- If possible, do not rush and allow the person time to rest to reduce stress and fatigue.
- It may be necessary to use pictures or objects to illustrate your words.
- Encourage the person and give them frequent updates on what is happening.
- Reassure the person that they will soon be safe.
- Reduce distractions if at all possible.

### **SENIORS**

- Some elderly persons may respond more slowly to an emergency and/or may not fully understand the extent of the crisis.
- Be patient!
- Repeat questions and answers if necessary.
- Before moving an elderly person, evaluate their ability to see and hear, as well as any mobility impairments.
- Evacuation techniques may need to be adapted for sensory or mobility impairments.

### **AUTISM SPECTRUM DISORDERS (ASD)**

#### Communication

- Speak calmly using direct, concrete phrases with simple steps. Write brief instructions if necessary.
- Allow extra time for the person to respond.
- Avoid using phrases that have more than one meaning.
- The person may repeat what you have said, repeat a phrase, or begin talking about topics unrelated to the situation. Be patient, this is an attempt to communicate.
- Some people with ASD do not show signs of pain. Check for injuries.

#### Social

- Approach the person in a calm, nonthreatening manner.
- Because they lack social understanding, persons with ASD may avoid eye contact or look at you from an odd angle, laugh or giggle inappropriately, or not seem to take the situation seriously. Don't assume the person is being disrespectful.

## Sensory and behavior

- If possible, remove the person to a quieter location to talk with them.
- Avoid touching the person. Gestures and gentle guidance are okay.
- If the person is showing obsessive or repetitive behaviors, try stopping these behaviors or taking the object away from them unless there is risk of injury to self or others.
- Make sure the person is away from potential hazards since they may not have a fear of danger.
- Remain alert to the possibility of outburst or impulsive, unexplained behavior. If the person is not harming themselves or others, wait until these behaviors subside.

### **MEDICATION CONCERNS**

- If possible, make sure students have all medications they may need before evacuating.

## **Due Process Issues**

If you are uncertain about the reasonableness of an accommodation, you have several options. First, you may ask the student for a letter of verification from Accessibility Resource Center to ensure that the accommodation is one recommended. If the letter doesn't contain any mention of the requested accommodation, you may contact Accessibility Resource Center. Some accommodations might be requested even though they have not previously been discussed with Accessibility Resource Center. Contact Accessibility Resource Center if you are unsure if a request is reasonable or disagree with the recommendation.

### **What happens if my professor does not comply?**

If a professor does not provide an accommodation that is reasonable and legitimate, the student has several options, both formal and informal. While Accessibility Resource Center staff defaults to the level of action that intervenes the least between the student and the professor, we also have an ethical obligation to inform students of their rights to due process under the law.

Informal options, and therefore the least interfering ones include the following:

- Clarifying to the professor your rights as a student. Accessibility Resource Center is happy to coach you on how to best discuss the accommodations with your professor.
- Accessibility Services staff may phone your professor to further clarify the issue and to ensure he or she understands the civil rights of students.
- Student and Accessibility Services staff meets with professor.
- Student may contact chair or dean for assistance with the situation.
- The student may seek mediation/advocacy in the University Grievance Policy.

In most instances the academic adjustment determination made by Accessibility Resource Center will be acceptable to the student and faculty. However, if that is not the case, the determination is subject to appeal. In addition, the student can appeal a determination by an academic unit that an adjustment would result in a fundamental alteration of a course or program. The Provost/HSC Dean, or designee, will convene an ad hoc committee to consider the appeal. Members of the ad hoc committee will include representatives from relevant University departments as determined on a case-by-case basis. The ad hoc committee will follow the appeal procedures listed in Exhibit A. The ad hoc committee will make a recommendation to the Provost/HSC Dean, or designee, whose decision on the appeal is final for the University. Every effort should be made to arrive at a determination of the appeal as expeditiously as possible.

The student may wish to file a formal, internal complaint with the OEO/ADA Compliance office on campus. This review process will attempt to determine if discrimination on the basis of disability has occurred, and recommend resolution.

The student always has the right to file formal complaints with either the New Mexico Human Rights Commission or with the U.S. Dept. of Education's Office of Civil Rights. This process takes longer before the situation is resolved, but carries with it greater threats to the University as a whole in the event of adverse findings.

## **Frequently Asked Questions**

### **Will I have the same accommodations I had in high school?**

Not necessarily. The goal of accommodations in higher education is to promote equal access and opportunity. Thus, accommodation decisions are made on a case-by-case basis with reference to specific functional limitations. As an example, not all students with learning disabilities will receive extra time on tests. Similarly, students who used extended time in high school, but whose scores do not support a clear need for this currently, will likely not be granted this accommodation at the University. Conversely, other accommodations that were not used in the secondary school environment (e.g., note taking) may be appropriate in college.

### **I have a learning disability and was last tested when I was a freshman in high school. Do I need to get tested again?**

Most likely. Accommodation decisions are based on one's current functioning, which means that documentation must reflect the current nature of one's difficulties. While it is recognized that most students do not outgrow their disabilities, their needs may change over time. Thus, a current assessment using adult-normed tests is essential.

### **What do I do if I am absent due to my disability?**

Attendance during scheduled class times is a necessary part of the learning process. Accessibility Resource Center staff may recommend flexibility in attendance

requirements for some students. Generally, this accommodation is requested when the nature of the disability results in varying functioning levels, i.e., “good and bad days.” Flexibility is negotiable, contingent upon the student and circumstance. Variables such as the course, the material and the necessity of interaction in the classroom are all factors considered.

EXAMPLE: Discourse between an instructor and a student is a critical aspect of learning in a literature course. Thus, it would not be possible simply to read the assigned texts and copy another student’s notes before an exam. Similarly, a science lab course requires students to work, often together, to observe phenomena in experiments and record findings. In these examples, minimal leniency is appropriate.

In other courses, such as large lecture courses, there may be more flexibility in attendance than in the previous two examples. Discussion between the student and instructor is essential. Accessibility Services staff is also willing to participate in such discussions. Students should understand there is no substitution for attendance and participation. Exam grades may reflect this and would not be altered as a result of missed material due to absence leniency.

### **What do I do if my classroom is not accessible?**

Classrooms may be moved if the room is inaccessible to a student registered in the course. Whenever possible, the least intrusive intervention is taken. For instance, a student may be moved to another section of the same course at the same time if that section is scheduled in an accessible location. Faculty should be advised that not all students with severe mobility disabilities, who may require room changes, have visible disabilities. Instructors will be notified by Accessibility Services before classroom changes are finalized.

### **Can I receive accommodations for field trips, internships, or student teaching?**

Many courses at The University of New Mexico occur outside the traditional classroom or laboratory, and many programs require the completion of such courses as part of the standard curriculum. Accessibility Services adheres to its over-arching policies regarding program access, reasonable accommodations and prohibition against discrimination with respect to these educational experiences.

Examples of such courses are:

- field trips
- field experiences
- practicum
- student teaching
- professional internships
- study abroad

When a student asks us to do so, Accessibility Resource Center provides reasonable accommodations such as readers, scribes, signed language interpreters, and assistive

technology. Accessibility Resource Center covers the cost of some of these accommodations, and arranges cost sharing with DHS/DVR for others when the student is eligible for that program. Many accommodations are at no cost and can be provided on site. For example, desks can be raised by blocks of wood to permit use with a wheelchair, workstation lighting can be modified, and other no-cost accommodations can be provided upon request. At no time does a student pay fees for reasonable accommodations. However, personal services such as personal care attendants, drivers, etc. are the responsibility of the student.

The student arranges a practicum, internship, field trip or field experience, or overseas study program through their instructor, advisor, professional school or other appropriate division of the University. If accommodations are likely to be required, the student must make the request. For example, use of an aid in student teaching would be requested by the student in advance. The purpose, activities, and time necessary for the accommodations would be discussed by Accessibility Resource Center and the student, along with the practicum supervisor. Staff at the practicum site may need to be included as well. In other cases, the student makes the requests directly to the practicum site personnel, and comes to Accessibility Resource Center only for services that would involve some cost, such as readers or scribes. Accessibility Resource Center and the student agree on which accommodations are necessary and reasonable, and the authorization to implement them (such as hiring a reader or being assigned a signed language interpreter) is granted to the student. Supervising faculty should discuss the potential need for accommodations with students when appropriate.

### **I need a Signed Language Interpreter. Where do I request interpreter services?**

Deaf and hard of hearing students who register with Accessibility Services may be eligible for interpreter services. Contact Accessibility Resource Center at 277-6605 to make an appointment or request an interpreter. If you would like to request an interpreter for a University-sponsored event, class or meeting please contact the department sponsoring the event to request the interpreter. You may refer the department to Accessibility Services for further information.

### **I am nervous about talking to my professors. How should I approach them about my need for accommodations?**

Accessibility Resource Center strongly encourages students to meet with professors during office hours and/or to arrange an alternate meeting time so that there is sufficient time to discuss the accommodation letter and how your accommodation needs should be met in his/her class. Most faculty are familiar with the accommodation process and should be encouraged to call Accessibility Services if they have questions. Meeting with faculty face-to-face is essential in order to work out logistical details related to specific requests (e.g., where you will be taking your exams if you need a reduced distraction environment). Meeting during office hours

versus immediately before, during, or after class allows for more privacy and opportunity to discuss details.

**I spoke with my professor during the first week of class about my accommodations and then reminded him five days before the exam. However, during the test, he said I could not have the extended time for which I was approved. What do I do?**

While it is not anticipated that this type of difficulty will occur, if you do have problems with a professor providing appropriate and agreed upon accommodations, you should contact Accessibility Services. We will attempt to resolve the issue by making contact with the faculty member and/or other relevant parties as necessary.

## **Tips for Success at The University of New Mexico**

### **COMMUNICATE WITH ACCESSIBILITY RESOURCE CENTER.**

Accessibility Resource Center is here to support you while you pursue your educational goals. Remember to keep us informed on your needs so that we may provide to you the best services possible. If you are working with note takers, interpreters, readers, tutors, or other service providers, be sure to give us feedback both negative and positive. This will insure that you receive everything you need to be successful at UNM.

### **SCHEDULE STUDY TIME.**

Schedule a specific time each day for reading and studying course materials. For best results, study in a location where you feel comfortable and that provides a quiet, distraction free environment. This will allow you to keep up with the assigned readings, as well as become familiar with important vocabulary and course concepts that will be included in class lectures. Studying course material ahead of time will also help you take better notes.

### **KEEP A CALENDAR.**

Record what you need to do each day in a calendar. Write in exam dates, when papers are due, reading assignments, and scheduled study times. How much time you will need for each assignment will depend upon the length and difficulty of the assignment. Schedule each task on the calendar as a daily assignment that must be completed. Allow extra time in the schedule. That way if you have a problem you have time to deal with it. Don't procrastinate. Work within your scheduled timeframe, and stay ahead of homework assignments.

### **ATTEND CLASS.**

This may seem like an obvious one, but it can become tempting to miss class especially as the work load increases. To avoid this temptation, sign up for classes during times when you do not have any other activities scheduled, such as work.

That way your other activities will not overlap or encroach upon your class and study time. Learning how to manage your time lowers the stress you will feel as your course work increases.

**BALANCE YOUR WORKLOAD.**

Selecting an appropriate set of classes is an important first step. Talk to your academic advisor, faculty members, and other students about classes that you are considering. Ask questions about the class format; class requirements such as amount of reading, papers assigned, type of tests given; and the instructor's teaching style. When you are deciding which classes to take remember to take a less demanding class along with more demanding classes each quarter or semester. This will help you balance your workload.



# Appendix I: 2310 Academic Adjustments for Students with Disabilities

Effective Date: August 2, 2004  
Subject to Change Without Notice

## 1. Policy

In keeping with the Rehabilitation Act of 1973 and the Americans With Disabilities Act of 1990, the University is committed to providing equal access to educational opportunities for qualified students with disabilities. The University shall provide reasonable academic adjustments as defined in Section 3.3. herein, to qualified students with disabilities as necessary to ensure equality of access to the courses, programs, services, and facilities of the University. However, students with disabilities are still required to adhere to all University policies, including policies concerning conduct and performance.

The student is responsible for demonstrating the need for an academic adjustment by providing University Accessibility Services with complete and appropriate current documentation that establishes the disability, and the need for and appropriateness of the requested adjustment(s). The University is responsible for all costs of academic adjustments. The following sections provide procedures for students, faculty, and staff on academic adjustment requirements.

## 2. Procedures for Requesting and Determining Academic Adjustments

The first step in the process for a student who seeks academic adjustment because of a disability is to register with the Accessibility Services Office and submit documentation of the disability from a licensed or certified professional in order to become eligible for services. Applicants to, or students in, the UNM School of Medicine and the Colleges of Nursing and Pharmacy should contact the UNM School of Medicine Manager of Student Learning Support Services for information on requesting academic adjustment. Applicants to, or students in, the UNM Law School should notify the Law School Registrar as well as the Accessibility Services Office. Once a student establishes that he or she has a disability, the University will work with the student to determine what academic adjustments are appropriate and reasonable in accordance with Section 3.3. herein.

### 2.1. STUDENT RESPONSIBILITIES

It is the student's responsibility to demonstrate the need for an academic adjustment by providing Accessibility Services with complete and appropriate current documentation that establishes the disability, and the need for and appropriateness

of the requested adjustment(s). Accessibility Services can provide information on the kind of documentation that is required. If the initial documentation is incomplete or inadequate, the student will be required to provide additional documentation at the student's expense.

Accessibility Services will determine a student's eligibility and, in consultation with the student, will determine effective and appropriate academic adjustments in accordance with Section 3.3. herein. Accessibility Services may consult with other University departments, as necessary, in order to make a determination of eligibility and what academic adjustments are appropriate and reasonable. Accessibility Services will send a letter, per the student's request, to faculty, with a copy to cognizant department chairs, informing the faculty members of what adjustment(s) the student is to receive. Accessibility Services is responsible for costs relating to academic adjustments that are part of instructional courses at the Albuquerque campus. Branch campuses are generally responsible for costs relating to academic adjustments for their students.

Once the student has established his or her eligibility for academic adjustments, Accessibility Services will provide appropriate adjustments as expeditiously as possible. Generally, adjustments will be in place within fifteen (15) working days; however, some adjustments can require a longer period of time to arrange. Therefore, students are encouraged to pre-register with Accessibility Services before classes begin so that adjustments can be in place when needed at the start of the semester. If pre-registration is not possible, students should register at the start of the semester or as soon as the need for an adjustment becomes known, and Accessibility Services will make every effort to accommodate the student's needs as soon as possible. Requests received right at or after the start of a semester may result in the student being without the adjustment for part of the semester. Students should be aware that an academic adjustment does not apply retroactively, so that grades earned on exams, assignments, or other classroom activities before the adjustment takes effect will not be changed.

## **2.2. FACULTY RESPONSIBILITIES**

Faculty members must provide students with the academic adjustments identified in the letter from Accessibility Services. If the faculty member has questions or concerns, or needs help with making the modifications called for, he or she should contact Accessibility Services. If a student discloses a disability to a faculty member and requests an academic adjustment but the student does not have a letter from Accessibility Services, the faculty member should direct the student to Accessibility Services. It is not the faculty member's responsibility to decide whether the student has a disability and what adjustments are appropriate. Faculty can help the University meet its obligations to provide students with academic adjustments in a timely manner by stating on their class syllabus that students should inform them of any special needs as soon as possible. Students who do so should be referred to Accessibility Services.

### **2.3. APPEAL**

In most instances the academic adjustment determination made by Accessibility Services will be acceptable to the student and faculty. However, if that is not the case, the determination is subject to appeal. In addition, the student can appeal a determination by an academic unit that an adjustment would result in a fundamental alteration of a course or program. The Provost/HSC Dean, or designee, will convene an ad hoc committee to consider the appeal. Members of the ad hoc committee will include representatives from relevant University departments as determined on a case-by-case basis. The ad hoc committee will follow the appeal procedures listed in Exhibit A. The ad hoc committee will make a recommendation to the Provost/HSC Dean, or designee, whose decision on the appeal is final for the University. Every effort should be made to arrive at a determination of the appeal as expeditiously as possible.

## **3. Criteria for Determining Academic Adjustments**

The University shall make academic adjustments for the known physical or mental limitations of a qualified student with a disability, unless the University can show that providing an adjustment would result in:

- a fundamental alteration of the service, course, program, or activity;
- an undue financial, administrative, or academic burden, and/or;
- a direct threat to the health or safety of the student or others.

### **3.1. INDIVIDUAL WITH A DISABILITY**

An individual with a disability is a person who has, or has had a record of, or is regarded as having a physical or mental impairment that substantially limits a major life activity such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working.

### **3.2. QUALIFIED STUDENT WITH A DISABILITY**

A qualified student with a disability is a student with a disability who meets the academic and technical standards required for admission and participation in the programs and activities of the University of New Mexico.

### **3.3. ACADEMIC ADJUSTMENT**

An academic adjustment is a modification or adjustment to instructional methods and/or to a course, program, service, or facility of the University that enables a qualified student with a disability to have equal access and opportunity to attain the same level of performance and to enjoy equal benefits and privileges as are available to similarly-situated students without a disability. Determining reasonable academic adjustments must be done on a case-by case basis and in consultation with the student. The University is not required to provide the specific adjustment requested, but the adjustment must be effective to enable a qualified student with a disability to enjoy equal opportunity and access. All offers of adjustments are subject to applicable University policies.

### **3.3.1. COURSE OR PROGRAM MODIFICATIONS**

The University shall provide such modifications to courses, programs, or educational requirements as are necessary and appropriate to enable a qualified student with a disability to enjoy equal opportunity and access. However, the University is not required to fundamentally alter the essential nature of a course or academic program. Reasonable academic adjustments may include, but are not limited to, extended time on an examination or paper, and oral instead of written examinations, where appropriate.

### **3.3.2. AUXILIARY AIDS AND SERVICES**

Reasonable academic adjustments in the form of auxiliary aids and services may include, but are not limited to: note-takers, readers, Braille or large print materials, and sign language interpreters. However, the University is not required to provide devices or services of a personal nature such as personal attendants or personal devices utilized in activities of daily living.

## **4. Americans With Disabilities Act (ADA) Coordinator**

The Americans With Disabilities Act (ADA) Coordinator for The University of New Mexico is the Director of the University Office of Equal Opportunity. Students who believe that they have been discriminated against on the basis of a disability may contact the Office of Equal Opportunity to file a complaint.

## **5. Attachments**

Exhibit A. - Academic Adjustments for Students with Disabilities: Appeal Rights Procedures

# **Appendix II: Academic Adjustments for Students with Disabilities: Appeal Rights Procedures**

Pursuant to Section 2.3. of "Academic Adjustments for Students with Disabilities" Policy 2310, UBP, the following process shall govern consideration of student appeals.

## **Article 1. Submission of Appeal**

1.1. A student may utilize this appeal process in the event that:

Accessibility Services finds that the student is not eligible for academic adjustments; the student disputes the academic adjustments that Accessibility Services determines to be appropriate; or an academic unit determines that an adjustment would fundamentally alter the nature of a course or program.

Prior to invoking this process, the student must have provided the required documentation to Accessibility Services and must have engaged with Accessibility Services to resolve the problem.

1.2. The student must submit an appeal in writing to the Provost. Students at the Health Sciences Center should submit their appeal to the dean of their college. The appeal must describe the student's reasons for challenging the decision and the student's attempts to date to resolve the problem. The student should attach copies of any relevant documents that he or she wants to be considered.

1.3. The Provost/HSC Dean, or designee, shall promptly review the appeal and decide within five (5) working days whether, under paragraph 1.1. above, the appeal should proceed to review by a committee. If the appeal is not accepted, a written explanation shall be provided to the student. If the appeal is accepted, a copy shall be sent to Accessibility Services and/or the academic unit, if appropriate.

1.4. Upon receipt of the student's appeal, Accessibility Services and/or the academic unit has seven (7) days to respond in writing to the Provost/HSC Dean, or designee, and must include copies of any relevant documents it wants to be considered as evidence.

## **Article 2: Appointment of Committee**

2.1. If the appeal is to proceed to committee, the Provost/HSC Dean, or designee, shall promptly appoint a committee made up of three (3) to five (5) members (faculty and/or staff) from relevant University departments. The student may challenge appointment(s) for cause. The Provost/HSC Dean, or designee, will decide

the challenge. The Provost/HSC Dean, or designee, will promptly send a copy of the student's appeal and Accessibility Services' and/or the academic unit's response to the committee members.

2.2. Committee members must promptly review the student's appeal and Accessibility Services' and/or the academic unit's response(s) and will schedule a hearing. The committee will appoint a chairperson to preside at the hearing.

### **Article 3: Hearing Procedures**

3.1. The student may have an advisor; however, the student is responsible for presenting his or her case. The advisor may be an attorney. The advisor is not permitted to present arguments or evidence or otherwise participate directly in the hearing.

3.2. Accessibility Services and/or the academic unit may appoint a hearing representative. The representative may also have an advisor but the representative must present the department's case. The advisor may be an attorney. The advisor is not permitted to present arguments or evidence or otherwise participate directly in the hearing.

3.3. If the parties have any additional documentary evidence to be considered by the committee, it must be submitted at least three (3) business days before the hearing. A copy will be provided to the other party.

3.4. The committee has the right to secure evidence independently for the hearing. Any such evidence shall be provided to both parties at least three (3) business days before the hearing.

3.5. Parties may offer witness testimony. The names of any witnesses and a brief description of their testimony must be given to the committee at least five (5) business days before the hearing. The committee has the discretion to limit witness testimony.

3.6. The student and representative from Accessibility Services and/or the academic unit will have an opportunity to address the committee. Committee members may question them and may also permit them to question each other, within reasonable limits.

3.7. Witnesses offered by one party are subject to questioning by the committee and the other party, within reasonable limits.

3.8. The hearing will be tape-recorded and the Provost/HSC Dean's office will keep the tape. The tape is the property of the University. No typed record will be made.

3.9. The hearing is not subject to judicial rules of evidence.

### **Article 4: Committee Decision**

4.1. The committee's decision on the appeal will take the form of a recommendation to the Provost/HSC Dean, or designee.

4.2. The committee will decide the appeal based on the documentary evidence, testimony, and arguments presented at the hearing. The committee will issue a written decision within ten (10) days after the hearing and will send it to the student, Accessibility Services, and/or academic unit, and to the Provost/HSC Dean, or designee.

4.3. After reviewing the committee's decision, the Provost/HSC Dean, or designee, may seek additional input from the student and Accessibility Services and/or the academic unit. The Provost/HSC Dean, or designee, will issue a decision as expeditiously as possible accepting, rejecting, or modifying the committee's recommendation. The student has no right to appeal the Provost/HSC Dean, or designee, decision, but the student may file a discrimination complaint with the University's Office of Equal Opportunity if the student believes that he or she has been discriminated against on the basis of a disability.

# Appendix III: 2295 Service Animals

Date Originally Issued: 01-01-2012

Subject to Change Without Notice

Authorized by: UNM Regents' Policy 3.1 "Responsibilities of the President"

Process Owner: Director of Office of Equal Opportunity

## 1. General

In keeping with federal and state law, the University of New Mexico recognizes its responsibilities to extend equal access to individuals with disabilities who use a Service Animal on University property. The University will not discriminate against individuals with disabilities who use Service Animals nor, subject to the terms of this Policy, deny those persons access to programs, services and facilities of the University. This policy applies to individuals with disabilities and Service Animals as defined in federal law.

### 1.1. SERVICE ANIMAL

A service animal means any dog or other animal, except as otherwise specified, that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. The work or tasks performed by a service animal must be directly related to the handler's disability. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks for the purposes of this definition. Therefore, comfort or companion animals are not Service Animals. For safety and infection control purposes, Service Animals shall not include nonhuman primates, birds, amphibians, reptiles, fish, hedgehogs, prairie dogs, cats or rodents.

## 2. Applicability

This policy applies to all employees, students, and visitors of the University who qualify to use a Service Animal as an accommodation. To deem that a Service Animal is a reasonable accommodation, the following criteria must be met:

the individual must have a disability as defined under federal law;

the animal must meet the definition of Service Animal under federal law and serve a function directly related to the disability; and the request to have the animal must be reasonable.

A Service Animal shall be permitted in any area of the University that is unrestricted (not off limits to Service Animals due to codes or regulations) to employees,



students or visitors provided that the Service Animal does not pose a direct threat, as defined in Section 2.1. herein and that the presence of the Service Animal would not require a fundamental alteration of UNM policies, practices, or procedures. A person with a disability who uses a Service Animal on University property shall not be required to pay a surcharge. Any decision to exclude a Service Animal from a particular area of the University shall be made on a case-by-case basis. The University will take appropriate action to address violations of this policy, up to and including disciplinary action or removal from University property.

### **2.1. DIRECT THREAT**

A direct threat is a significant risk to the health or safety of others that cannot be eliminated or mitigated by a modification of policies, practices, or procedures, or by the provision of auxiliary aids or services. If the University determines that a Service Animal poses a direct threat to the health or safety of others in a building or portion thereof, access to the facility by the Service Animal will be denied. In determining whether a Service Animal poses a direct threat to the health or safety of others, the University shall make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to identify:

the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and if there are reasonable modifications of policies, practices, or procedures that will mitigate the risk.

### **3. Inquiries by University Employees**

A Service Animal must be trained to provide specific support services to the individual with a disability. Generally, when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g. a dog is observed guiding an individual who is blind or has low vision or pulling a person's wheelchair), UNM employees should not make otherwise allowable inquiries. If it is not readily apparent, University employees shall not ask about the nature or extent of the individual's disability, but may ask if the animal is required because of a disability and what work or task the animal has been trained to perform. University employees cannot ask for documentation, such as proof that the animal has been certified, trained or licensed as a Service Animal. For University programs and/or classes held at non-UNM facilities, the owner of the property may require notification or verification of the Service Animal.

### **4. Responsibilities for the Care and Supervision of Service Animals**

Individuals with Service Animals are responsible for managing and handling their Service Animals at all times while on University property, maintaining proper infection control measures, and are responsible for the behavior and activities of the animal. The individual is personally responsible for any damages to a facility caused by his/her Service Animal, including if the individual is a UNM student whose Service

Animal has caused damage in a residence hall or classroom. Service Animals on University property must be:

- licensed in accordance with applicable state, county, or local laws or ordinances pertaining to the type of Service Animal;
- in good health and well groomed;
- housebroken (the individual with the disability is responsible for the proper disposition of any Service Animal accidental waste); and
- harnessed, leashed, or otherwise under the control of the individual with a disability (e.g. voice control, signals, or other effective means) such that the Service Animal does not disrupt or interfere with the ability of other users of the space or activity.

## **5. Removal of Service Animal**

An individual with a disability cannot be asked to remove his or her Service Animal from the premises unless the animal poses a direct threat to the health or safety of others or the Service Animal and/or individual fail to meet one or more of the requirements of this Policy or federal laws and regulations. A history of allergies or fear of animals are generally not valid reasons for denying access or refusing service to individuals with Service Animals; however all situations will be evaluated on a case-by-case basis. If after careful evaluation removal is necessary, University employees should consider an alternative option for the individual to obtain the goods and/or services.

## **6. Students**

A student who seeks to bring a Service Animal into a UNM classroom, laboratory, or other learning environment is required to register with UNM Accessibility Resource Center and follow the procedures established by that office for obtaining academic adjustments.

### **6.1. UNM HOUSING**

UNM Student Housing is subject to the federal Fair Housing Act which extends accommodation to Companion Animals as well as Service Animals. Companion animals, also sometimes referred to as therapy or emotional support animals, are not service animals in that they are not individually trained to do work or perform tasks directly related to the partner's disability. Companion animals are essentially pets that provide their owners with emotional support that may help to alleviate symptoms associated with their owner's disability.

A student seeking to reside in UNM housing with a Service Animal or Companion Animal not otherwise permitted under the UNM Housing no-pets policy must meet the following criteria:

- the student has a disability under federal law and the University is made aware of the disability;
- the Service Animal is necessary to afford the student an equal opportunity to use UNM Housing;

- there is a direct relationship between the student's disability and the assistance the Service Animal provides; and
- the request to have the Service Animal is reasonable.

A student is required to register with UNM Accessibility Resource Center and follow the procedures established by that office for obtaining academic adjustments in order to receive approval to reside in University housing with a Service Animal or Companion Animal under this policy.

## **7. American with Disabilities Act (ADA) Coordinator**

Additional guidance for assisting individuals with Service Animals can be obtained from the links listed below. Any person dissatisfied with a decision concerning a Service Animal can contact the Americans with Disabilities Act (ADA) Coordinator for The University of New Mexico. The University's ADA Coordinator is the Director of the Office of Equal Opportunity. The University's ADA Coordinator will collaborate with the Vice President for Equity and Inclusion, the Director of Accessibility Resources Center, as well as other appropriate University resources to address individual concerns.

# Appendix IV: IDEA & 504

## Comparison of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and The Americans with Disabilities Act (ADA)

	IDEA	Section 504	ADA
<b>Requirements in the Law</b>	Provides a free, appropriate, public education in the least restrictive environment.	Requires any agency, school or institution receiving federal financial assistance to provide persons with disabilities to the greatest extent possible, an opportunity to be fully integrated into the main-stream.	Extends coverage of section 504 to employment, public and private educational institutions, transportation providers and telecommunications, regardless of presence of any federal funding.
<b>Definitions in the law</b>	Specific disability categories are defined in the law; covers students with educational disabilities that require special services from specially trained teachers.  Not all students with disabilities are eligible.	Defines persons with disabilities who: <ul style="list-style-type: none"> <li>• have a physical or mental impairment which limits one or more major life activities;</li> <li>• have a record of such an impairment; or</li> <li>• are regarded as having an impairment.</li> </ul>	Definition of disability essentially same as Section 504 and extends coverage to persons without disabilities who may be related to or associated with a person with a disability; Includes HIV status, contagious and non-contagious diseases.
<b>Who is covered</b>	Covers students with educational disabilities that require special education services ages 3-21 or until graduation.	Protects all persons with a disability from discrimination in educational setting based solely on disability.	Protects all persons with a disability from discrimination in educational setting based solely on disability.
<b>Services provided</b>	Offers educational services that are remedial in addition to services available to all mainstream students (ie, PE, Art, field trips)	Eliminates barriers that would prevent a student from full participation in programs/services offered to the general school population.	Eliminates barriers that would prevent a student from full participation in programs/ services offered to the general school population.
<b>Funding</b>	Schools receive federal funding to provide remedial services.	Requires that schools not discriminate based on student's disability and must provide appropriate accommodations, but schools receive no additional financial support to provide support services or auxiliary aids.	Requires that schools not discriminate based on student's disability and must provide appropriate accommodation's, but schools receive no additional financial support to provide support services or auxiliary aids.

	<b>IDEA</b>	<b>Section 504</b>	<b>ADA</b>
<b>Evaluation and Documentation</b>	School district is responsible for identifying and evaluating students with disabilities.	Same as IDEA for elementary and secondary schools. Same as ADA for students in college.	Students must self-identify as having a disability and must provide adequate documentation of disability.
	Evaluations are the responsibility of the school and are performed at no expense to student/parent.	Same as IDEA for elementary and secondary schools. Same as ADA for students in college	Evaluations/documentation of disability are student's responsibility and expense.
	Parents must consent to evaluations and placement decisions.	Same as IDEA for elementary and secondary schools. Same as ADA for students in college	Student has responsibility for advocacy, negotiating accommodations plan.
<b>IEP and Accommodations</b>	Individual Education Plan (IEP) developed with parents, teachers and other specialists involved.	504 Plan developed with parents, teachers, school personnel involved (for elementary/secondary students) Same for college/postsecondary.	Accommodation plan developed with student, Disabilities Services Coordinator on campus
<b>Classroom Placement</b>	Placement must be in the least restrictive environment; may be special classrooms, resource, or regular classroom. (Elementary and secondary students)	Placement is in regular classroom with support services to eliminate barriers to the educational experience. (Elementary, secondary & college students)	All courses are mainstream with accommodations provided to students who qualify under ADA.