



Student Accommodations and Support Services (SASS) Handbook

SASS Program Overview

In accordance with the Americans with Disabilities Act (ADA) of 1990, Americans with Disabilities Act as Amended (ADAA) of 2008, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act (FHA), Elms College makes every effort to provide reasonable accommodations to students with documented disabilities who meet the College's eligibility and verification requirements.

Higher Education institutions have developed disability service offices to fulfill both legal and ethical obligations of supporting students with disabilities through offering protection from discrimination and providing reasonable accommodations as part of compliance with related laws.

Students with documented disabilities needing accommodations related to academics, housing, dietary, experiential learning, and/or campus events are to work directly with the office of Student Accommodations and Support Services (SASS), a division of the Center for Student Success (CSS).

Related Laws

- The Americans with Disabilities Act (ADA) of 1990 is a civil rights law that prohibits discrimination based on a disability.
- The Americans with Disabilities Amendments Act (ADAA) of 2008 makes it easier for an individual seeking protection under the ADA to establish that they have a disability within the meaning of the ADA (broad coverage).
- Section 504 of the Rehabilitation Act (Section 504) of 1973 covers federally funded programs and services and protects the rights of individuals with disabilities in such programs.
- The Fair Housing Act (FHA) covers student housing and dormitories. However, both the ADA and Section 504 cover most postsecondary institutions, and all three laws may apply to student housing.

Definitions

Disability – A physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

Impairment – A physical impairment is a physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the body systems. A mental impairment is any mental or psychological disorder.

Individual with a Disability – A person who has a physical or mental impairment that substantially limits one or more of the major life activities of such individual or a record of such an impairment or is regarded as having such an impairment.

Major life activity – An activity that an average person can perform with little or no difficulty.

Reasonable accommodation – A modification or adjustment that enables a qualified individual with a disability to enjoy an equal access to education.

Title II – Of the five titles of the Americans with Disabilities Act (ADA), Title II of the ADA pertains to State and Local Government (public entities). ADA Title II requires agencies to comply with regulations similar to Section 504 of the Rehabilitation Act. These rules cover access to all services, programs, or activities offered by the public entity, and extends coverage to public transportation entities. Access includes physical access described in the Uniform Federal Accessibility Standards or the ADA Standards for Accessible Design and access that might be obstructed by discriminatory policies or procedures of the entity.

Title III – Of the five titles of the Americans with Disabilities Act (ADA), Title III of the ADA pertains to Public Accommodations (private entities). Under ADA Title III, no individual may be discriminated against on the basis of disability with regards to the full and equal enjoyment of the goods, services, facilities, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.

Undue burden – Significant difficulty or expense. A public accommodation is not required to provide any auxiliary aid or service that would result in an undue burden.

Undue hardship – An action that requires "significant difficulty or expense" in relation to the size of the employer, the resources available, and the nature of the operation. The concept of undue hardship includes any action that is unduly costly, extensive, substantial, disruptive, or would fundamentally alter the nature or operation of the business. Accordingly, whether a particular accommodation will impose an undue hardship must always be determined on a case-by- case basis.

Confidentiality/FERPA

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Once a student reaches 18 years of age or attends a postsecondary institution, he or she becomes an "eligible student," and all rights formerly given to parents under FERPA transfer to the student. The eligible student has the right to have access to his or her education records, the right to seek to have the records amended, the right to have control over the disclosure of personally identifiable information from the records (except in certain circumstances specified in the FERPA regulations), and the right to file a complaint with the Department. The term "education records" is defined as those records that contain information directly related to a student and which are maintained by an educational agency or institution or by a party acting for the agency or institution.

Below are some specifics regarding SASS and FERPA:

- The office of Student Accommodations and Support Services (SASS) at Elms College adheres to FERPA rather than the Health Insurance Portability and Accountability Act (HIPAA), as SASS is a department within an educational institution.
- SASS upholds confidentiality by adhering to an educational or health related need-to-know basis.
 - Educational examples would be communicating with faculty to schedule student testing in the SASS Testing Center, referring students to the counseling center, tutoring center, or other supportive resources.
 - Health related examples would be if a student expresses harm to oneself and/or harm to others.
- Accommodation records are kept electronically and separate from the student's academic and financial records.
- Disability/impairment diagnosis and details are not listed within accommodation letters. It is the student's decision and responsibility to disclose information of their condition to staff and faculty.
- SASS does not share accommodation records with staff, faculty, students, parents, guardians, and other third-party persons without a signed authorization of release from the student.

Student Responsibility

Accommodations in higher education are based on *Access* rather than *Success*, and cannot fundamentally alter course, program, or degree requirements. Although accommodations are not retroactive, a request can be made at any time prior to and during enrollment. It is the student's responsibility to follow the below accommodation request process should there be a need for reasonable accommodation(s) in class and/or on campus.

- Submit a formal written request (Section I: Student Accommodation Request Form)
- Submit relevant documentation verifying the disability (see the section on Eligibility for acceptable documentation details).
- Be available for a scheduled meeting with the director of SASS to review the accommodation request and determination.
- Provide their individualized accommodation letter to each instructor at the beginning of each semester or once approved by SASS.
- Self-advocate to the director of SASS if there are any modifications needed to the approved accommodation(s). *Additional supporting documentation may be required.*
- Communicate with the director of SASS when approved accommodation(s) are not being upheld within the applicable environment (e.g. classroom, residence hall, dining hall, etc.).

College Responsibility

Elms College may not discriminate against any individual on the basis of their disability. Elms College will provide reasonable and appropriate accommodations to students with a documented and verified disability, in order to afford the student an equal opportunity to participate within its programs, activities, and facilities.

Once a student is registered with SASS, unless accommodations are deemed temporary or relate to areas other than academic (e.g. housing, dietary, events), there is no need for the student to reapply every semester, so long as they remain an active student at Elms College.

Questions and concerns regarding the registration process should be directed to SASS at sass@elms.edu

Eligibility and Verification

To be eligible for an accommodation, the student must have:

- A disability, as defined by the ADA, that substantially limits a major life activity and subsequently necessitates a reasonable accommodation.
- A formal request for accommodation on file with SASS at Elms College that supports the need for the requested accommodation(s) (Section I: Student Accommodation Request Form).
- Appropriate medical documentation on file with SASS at Elms College that verifies the disability and how the accommodation(s) will assist the student. See requirements below for the specific disability category and required documentation.*

***Physical and Psychological Diagnosis:**

Section II: Physician Verification Form or other appropriate medical documentation is required.

***Learning, Intellectual, Speech/Language, Neurodevelopmental, and Developmental Diagnosis:**

Comprehensive testing with diagnosis listed (e.g. psychoeducational testing) must be provided in lieu of Section II. An Individualized Education Plan (IEP) and/or a 504 Plan *may* be acceptable if the diagnosis is listed.

Accommodations

The purpose of accommodations under the ADA is to provide equal access and “level the playing field” to students who have met the eligibility and verification requirements set forth by Elms College. The request of an accommodation does not automatically mean it will be approved.

Academic Accommodations

Academic Accommodations can be requested by the student at any time prior to and during enrollment, however, once approved, accommodations are not retroactive. All requests for accommodations are reviewed on a case-by-case basis, and the determination of accommodations will vary depending on the nature of the diagnosed disability/impairment and the specific need(s) of the student.

Accommodations cannot not lower academic standards or compromise the integrity of an academic program. Academic, conduct and technical standards will always be maintained. Accommodations are provided at no cost for eligible students.

Accommodations and modifications of policies and practices are not required when it would fundamentally alter the nature of the service, program, or activity or give rise to an undue financial or administrative burden.

Accommodations may be approved on a permanent or temporary basis, depending on the disability/impairment and documentation received from the appropriate medical professional. Students approved for accommodations of any type will receive a formal approval from the

Director of SASS, via email. If action is required on the student's end, directions of the specific accommodation process will be included.

Academic Accommodations can include, but are not limited to:

- Extended time for timed assessments
- Distraction-reduced testing environment
- Preferential in-class seating
- Priority registration
- Textbooks in an alternate format
- Extended time for independent work
- Closed-captioning and/or transcripts for audio course materials
- Assistive technology
- American Sign Language Interpreter

Non-Academic Accommodations

Non-Academic Accommodations can also be requested by the student at any time prior to and during enrollment, however, there may be specific deadlines involved due to reservations, availability, and preparation. If a student knows they will need a non-academic accommodation in advance, it is recommended they speak with the Director of SASS as soon as possible.

Non-Academic Accommodations can relate to:

- Residential needs (e.g. dormitory assignment, Emotional Support Animals, etc.)
- Dietary needs/restrictions (e.g. gluten intolerance, tree-nut allergy, etc.)
- Campus activities/events (e.g. interpreter, closed captioning, transcripts, etc.)
- Alternate on-campus parking permit

Experiential Learning Accommodations

Accommodations needed for experiential learning, such as internships, clinical and field placements, practicums, study abroad, community service, and work study should be requested through SASS directly. SASS will then work with the proper entities to determine if accommodations can be made in such environments.

Sports Injury Accommodations

Following the National Collegiate Athletic Association (NCAA) requirements, SASS works directly with athletic coaches and their players if/when an injury occurs. Please request to see the Return to Learn Policy through the Athletics Department and contact SASS with specific accommodation inquiries.

Medical Emergencies

Any student experiencing a medical emergency should contact 911 or Public Safety at 413-265-2278.

Medical Attention Protocol

Students who may require medical attention while on campus or at an experiential learning site are strongly encouraged to discuss their diagnosis with the respective instructor(s), supervisor(s), Health Services, as well as Residence Life staff to discuss legal response protocols. For more information regarding this topic please contact SASS directly.

Nursing Performance Standards

If a student believes they will not be able to achieve the essential functions outlined below without reasonable accommodations, the student should contact the Director of Student Accommodations and Support Services (SASS), located on the second floor of the Alumnae Library, to learn the eligibility and verification requirements for requesting accommodations at Elms College. Although accommodations can be requested at any time prior to and during enrollment, accommodations are not retroactive, and therefore, it is strongly advised students work with SASS proactively.

Accommodations cannot lower academic standards or compromise the integrity of an academic program. If the School of Nursing finds an approved accommodation will fundamentally alter the nature of a course, program, or degree, the School of Nursing will work with SASS to discuss an alternate accommodation.

Code of Conduct Expectations

All students of Elms College (on-site and off-site) are to conduct themselves in a professional, respectful manner, regardless of their disability. It is the student's responsibility to become familiar with the Elms College policies outlined within the student handbook.

Service Animals (SAs) and Emotional Support Animals (ESAs)

Please refer to Elms College's Service Animals and Emotional Support Animals Policy.

Accommodation Appeal

If a requested accommodation is unable to be approved, the Director of SASS will provide rationale of such determination. If a reasonable alternative resolution to the accommodation request cannot be determined, the student has the right to file a written appeal within five (5) business days of the determination to the Assistant Dean of Academic Student Success.

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The written appeal should include the following information, however, additional information or documentation may be requested once the appeal has been reviewed.

- Student Name (Legal and Preferred)
- Elms College ID#
- Home and email addresses
- Phone Number
- Description and details of complaint
- Desired outcome

For all student disability related inquiries please contact:

Director of Student Accommodations & Support Services (SASS)

Elms College

Alumnae Library, Second Floor

291 Springfield Street

Chicopee, MA 01013

Phone: 413-265-2333

E-Fax:413-474-7188

Email:sass@elms.edu

TTY:TTY users may dial 711 from their TTY phone, at no charge, to be connected with a Telecommunications Relay Services (TRS) operator who will assist with the call. For more information regarding 711, visit: www.fcc.gov/guides/711-telecommunications-relay-service.