

# MONTANA TECH OF THE UNIVERSITY OF MONTANA

## Disability Services for Students Policy

### I. POLICY STATEMENT:

- A. Montana Tech of The University of Montana is committed to providing students access to higher education through the delivery of reasonable accommodations and services to students with disabilities as required by law in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990 as amended (2008).
- B. Students, faculty, and staff are required to understand this policy and utilize its procedures in order to request, authorize, and/or implement reasonable accommodations. A student's failure to comply with the policy and procedures outlined may result in the delay or denial of services.
- C. Accommodation requests and services are not retroactive.
- D. All Montana Tech of The University of Montana policies shall adhere to and be consistent with relevant federal and state laws, rules, and regulations.

### II. DEFINITIONS:

- A. "Disability" means a physical or mental impairment that substantially limits one or more life activities, which may include, but is not limited to, seeing, hearing, speaking, walking, learning, reading, thinking, communicating, concentrating, and performing manual tasks. Major life activities also include the functions of major bodily systems.

A person has a disability if he or she has impairment as noted above, has a record of such impairment, or is regarded as having such impairment.

- B. "Reasonable accommodations" are those program modifications (academic adjustments and auxiliary aids) that allow a student with a disability access to an academic program or offering at the university. Accommodations include but are not limited to the provision of interpreters, extended testing time, note takers, recorded lectures, etc. Accommodations are not considered reasonable if they change the essential elements of the curriculum. Academic requirements that can be demonstrated as essential to the instruction being pursued by a student or to any directly related licensing requirement will not be regarded as discriminatory.

### III. PROCEDURES:

In order to initiate the accommodation process, the following procedures must be followed:

- A. Students should submit an **Application for Disability Services** and supporting documentation to a Montana Tech Disability Services Coordinator (DSC). (Applications are available from a DSC or on the Montana Tech Disability Services web page - [http://www.mtech.edu/student\\_life/disability/](http://www.mtech.edu/student_life/disability/))
- B. As appropriate, the following documentation may be needed to establish eligibility for services and to receive appropriate accommodations:
  - 1. The credentials of the evaluator(s)
  - 2. A diagnostic statement identifying the disability
  - 3. A description of the diagnostic methodology
  - 4. A description of the current functional limitations
  - 5. A description of the expected progression or stability of the disability
  - 6. A description of the current and past accommodations, services and/or medications
  - 7. Recommendations for accommodations, adaptive devices, assistive services, compensatory strategies, and/or collateral support services
- C. Requests for accommodations should be made in a timely manner. Failure to do so may result in a delay of services. Generally speaking, requests that are made 20 days prior to the date needed will ensure appropriate delivery of services, with the exception of interpreting services or textbook format changes for which a minimum of a 45-day notice may be necessary.
- D. Following receipt of documentation, a Montana Tech DSC will review with the student and discuss the disability accommodation request.
- E. DSC will provide the student with a letter of accommodation within 10 days of the documentation review and discussion. This letter will outline accommodations (approved academic adjustments and auxiliary aids), state any anticipated delays in provision of services, or state reasons for denial of a requested accommodation and provide the process for appealing such denial.
- F. The Montana Tech DSC will promptly e-mail or meet with appropriate faculty and staff to notify them of a student's approved accommodation(s).
- G. The student is expected to deliver a copy of the letter of accommodation to the faculty of each class in which accommodations are needed. The student and faculty are to discuss how each accommodation is to be implemented.

- H. Montana Tech DSCs will work with faculty and staff as appropriate to assist with how accommodations might be implemented in the classroom.
- I. Guidelines for the provision of interpreters, service animals on campus, more detailed documentation requirements and other general information may be found on the Montana Tech Disability Services web page - [http://www.mtech.edu/student\\_life/disability/](http://www.mtech.edu/student_life/disability/).

#### **IV. DISPUTE OF ACCOMMODATION DECISIONS OR PROCESS**

- A. Students who wish to challenge any part of the accommodations process may do so under the procedures for student discrimination complaints outlined in the Montana Tech Student Handbook and the Disability Services Website.
- B. No student shall be subject to retaliation for filing a complaint or advocating for his or her rights in accordance with Section 504 at 34CFR 104.4 and 104.61, incorporating by reference the procedural provisions of Title VI of the Civil Rights Act of 1964 at 34 CFR 100.7, and the Title II Regulation at 28 CFR 35.134.

#### **V. DISCLOSURE AND CONFIDENTIALITY**

Student disclosure of a disability is voluntary. Data about students with disabilities is collected at various points of a student's entrance into the university for the purpose of reporting demographic information, but student identity is purposefully kept anonymous. Montana Tech of The University of Montana considers disability-related information as confidential material and will protect it in accordance with the Family Educational Rights to Privacy Act (FERPA). The information will not be released except in response to a student's request or written authorization, as needed, to assist a student with an educationally related issue, or as permitted under certain circumstances in accordance with FERPA guidelines.

#### **VI. AMENDMENTS TO THE POLICY**

This policy may be amended as deemed necessary.

Campus Review Completed: 01/11/11

Approved by Chancellor: 01/11/11

Effective: 01/11/11

  
W. Franklin Gilmore, Chancellor