Office of Disability Services Handbook
# Disability Services Handbook

## Guidelines, Policies, Procedures

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Introduction

This document outlines the policies and procedures used in determining a student’s eligibility for disability services and for providing services. These procedures are applicable to all undergraduate and graduate students who are enrolled at JBU.

The Office of Disability Services at John Brown University coordinates services needed by students who have physical, learning, emotional, and psychological/psychiatric disabilities. All requests for accommodations, whether physical or academic should be made through the Office of Disability Services. Contact Jackie Wright, Director of Disability Services, 479 524-7400, jwright@jbu.edu.

In the K-12 education system, law mandates seeking out and serving students with disabilities. In post-secondary education, the instructors and administrators, no matter how compassionate or concerned, are not permitted to seek out students with disabilities. Instead, the law requires that students with disabilities must identify themselves and request accommodations in order to be served.


For more information about disability services, please contact Mrs. Jackie Wright, Director of Disability Services at 479 524-7400 or by email at jwright@jbu.edu.

Mission

As our mission and ministry, the Office of Disability Services facilitates equal access and opportunity for students with disabilities and serves as a resource for faculty and staff as they work with students who have disabilities.

The mission is fulfilled by honoring the uniqueness of each student, assisting students in gaining access to resources and services they require in order to have the opportunity to be successful, and aiding students in developing and practicing self-advocacy skills. It is also fulfilled by consulting with faculty and staff to provide information needed as they work with students who have a variety of disabilities.
Philosophy

All of the students enrolled at JBU will be given equal opportunity to succeed in their quest for a higher education that is based on our “Christ Over All” philosophy and that integrates the educational principles of Head, Heart, and Hand.

Our commitment is to provide reasonable accommodations and services to students who have disabilities so that students with disabilities have equal access to the opportunity for academic success as students without disabilities, not to provide special treatment or advantages that students without disabilities do not receive. Students with disabilities are subject to the same policies outlined in the student handbook as all other students.

Our commitment to “whole person education” recognizes that a college education is not limited to the academic arena. All students learn valuable lessons through their involvement in recreational and social programs. Our commitment is to make reasonable accommodations for students with disabilities in these areas so that they have the opportunity to participate within their comfort level. The Office of Disability Services also handles requests for accommodations that may be necessary outside the classroom.

We are committed to a campus attitude that emphasizes individual strengths rather than limitations. We recognize that everyone is a unique creation of God and can make a unique contribution to our campus community. We remind ourselves that architectural barriers are visible and easily overcome, but we must be equally aware that, “You can’t build a ramp to a closed mind.”

When each member of the campus community is committed to this philosophy, we will not only meet our legal obligation but will also fulfill the true meaning of our commitment to “Christ Over All.”

Definitions

Disability – (a) a physical or mental impairment that substantially limits one or more major life activities; (b) a record of such impairment; (c) being regarded as having such an impairment.

Handicapped person – A person who has (a) a physical or mental impairment that substantially limits one or more major life activities; (b) a record of such impairment; (c) being regarded as having such an impairment.

Major life activities – These include but are not limited to such functions as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
Qualified handicapped person – A handicapped person who meets the academic and technical standards requisite to admission or participation in the University’s programs and activities.

Students – Those who are matriculating into or enrolled in courses of study on the JBU campus.

“Substantially limits”- This term means unable or significantly restricted in performing a major life activity that the average person in the general population can perform.

Temporary disability – a short-term acute illness or injury that impacts the student’s ability to access the physical campus and/or the academic curriculum.

University Responsibilities

Students with disabilities deserve the opportunity to achieve their educational goals. If students’ disabilities prevent them from achieving their educational goals, reasonable accommodations should be provided to equalize their opportunity to succeed. The accommodations provide equal opportunity but do not guarantee success.

It is important for students to remember that Section 504 and the ADA does not ask the colleges and universities to lower their standards. Universities and colleges still have the freedom to establish academic requirements and standards. They only require that REASONABLE accommodations necessary to eliminate discrimination on the basis of disability be provided.

Reasonable accommodations are always determined on an individual basis and must be supported by documentation from a professional who has diagnosed the student’s disability. Some examples of reasonable accommodations include (but are not limited to or guaranteed to include):

- Textbooks in alternative formats
- Extra time to complete tests
- Alternative testing sites
- Alternative testing formats
- Tape-recording lectures
- Note taking services
- Advance access to course syllabi

Students with disabilities are also entitled to confidentiality. JBU will not share information related to any student’s disability without the student’s written permission.
**Student Responsibilities**

Accommodations are available but must be requested by the student with the disability. JBU has established a set of procedures that should be followed by all students seeking accommodations to ensure a timely response to their requests.

The student's first responsibility involves identifying him/herself as a student with a disability. This involves making an appointment with the Director of Disability Services to discuss the disability as well as reasonable accommodations that may be necessary to provide you an equal opportunity to succeed. Do this early in the semester and well in advance of any affected assignments or tests.

The second responsibility is to provide adequate documentation of your specific disability. This documentation should be no more than (3) years old and must be signed by an appropriate professional qualified to diagnose the disability. An Individualized Education Plan (IEP) or 504 Plan is insufficient to serve as documentation. For specific information about documentation, please see the *Guidelines for Documentation p.4*. While JBU is committed to helping all students achieve their goals, accommodations are available only to those who have a documented disability.

The Director of Disability Services will review the documentation provided and discuss the student’s individual situation with him or her. If accommodations are warranted, the Director of Disability Services will prepare a memo for the student’s professors notifying them that the student has registered with the Office of Disability Services and that he/she may be seeking accommodations in the professor’s class. The director will mail a copy of the memo to each professor.

The student’s third responsibility is to discuss with each professor the necessary accommodations for his/her classes. **No accommodations will be made until the student has discussed the accommodations with his/her professors.**

Finally, it is the student’s responsibility to contact the Director of Disability Services if there is a problem with these procedures or in the college experience. This should be done in a timely manner. Accommodations are for one semester only and must be renewed each semester that the accommodation(s) is needed. **It is also important to realize that accommodations are not retroactive.**
Guidelines for Documentation of Disability

Qualifications of the Evaluator

In order to seek appropriate accommodations for a disability, students are required to provide written documentation of their disability. Documentation must be from a qualified professional who has knowledge of the disability and of the specific student and who has training and experience relevant to the diagnosed disability. Physical disabilities are most often verified by physicians, psychological and emotional disabilities by psychologists or psychiatrists, and learning disabilities by psychologists or educational diagnosticians. This professional should be an impartial individual who is not a family member of the student.

Documentation of the Disability

The provision of all reasonable accommodations and services is based upon assessment of the impact of the student’s disabilities on his or her academic performance at a given time in a student’s life. Therefore is in the student’s best interest to provide recent and appropriate documentation relevant to the student’s learning disability.

For disabilities that may change substantially with time, such as learning or psychological disabilities, evaluations should be recent. In order to demonstrate the current impact of the disability and to identify appropriate accommodations, learning disability documentation less than three years old is required and documentation of psychological disabilities may need to be even more recent. For other disabilities, documentation that is older than three years may be considered if the diagnosis is not affected by maturation, time, or coping strategies.

The Director of Disability Services may request additional information or updated evaluations, at the student’s expense, if necessary to make a decision about eligibility or appropriate accommodations. The Director of Disability Services does not conduct disability evaluations.

Format of the Documentation

All documentation must be submitted in writing and must be submitted on the professional’s letterhead, be dated and signed.

The documentation must be comprehensive, including (when appropriate) history, diagnostic interviews, test results (including standardized test scores when available), differential diagnosis, and details regarding the student’s functional limitations. Strengths, weaknesses, and deficits should be specifically discussed. Clear documentation of deficit areas is necessary in order for colleges to provide appropriate accommodations.

Physical Disability/Chronic Illness
Students registering with the Office of Disability Services on the basis of a diagnosed Physical Disability or Chronic Illness are required to submit documentation to verify eligibility under Section 504 of the Rehabilitation Act of 1973.

A diagnosis of a Physical Disability should include:

1. Disability diagnosis including
   - A thorough description of the disabling condition
   - The date of diagnosis
   - The date of onset
   - Prognosis
2. A statement of prescribed medications and dosage including monitoring schedule, if appropriate for the disability.
3. A schedule for on-going therapy, if appropriate for the disability.
4. A clear statement of how the Physical Disability and/or the medication impacts adult functioning (specifically learning and/or the college classroom and environment).
5. Name, credentials, and license number of the evaluator.

**Learning Disability**

Students registering with the Office of Disability Services on the basis of a diagnosed Learning Disability are required to submit documentation to verify eligibility under Section 504 of the Rehabilitation Act of 1973.

A diagnosis of a Learning Disability should include:

1. Domains addressed for Learning Disability assessment must include:
   - Ability Test – (preferred instruments: the age appropriate Wechsler intelligence scale and/or Woodcock Johnson Test of Cognitive Ability – Revised).
   - Achievement Test – (preferred instruments: Wechsler Individual Achievement Test, 2nd Edition and/or Woodcock Johnson Psycho-educational Battery, Revised. Note: the Wide Range Achievement Test, Revised (WRAT-R) is not acceptable as the sole measure of achievement).
   - Tests of social and emotional adjustment
   - All test scores and data should be included.
2. Clear and specific statement of how the disability substantially impairs adult functioning (specifically learning and the college classroom) supported by the information in the evaluation.
3. The discrepancy (using Full Scale scores and Standard Achievement Scores) between ability and achievement should be specifically shown as validation of the type of learning disability. The definition of Learning Disability and the specific categories found in the DSM-IV should be used to state the diagnosis.
4. Name, credential, and license number of the evaluator.
**Attention Deficit Disorder (ADD/ADHD)**

Students registering with the Office of Disability Services on the basis of a diagnosed Attention Deficit Disorder are required to submit documentation to verify eligibility under Section 504 of the Rehabilitation Act of 1973.

A diagnosis of Attention Deficit Disorder should include:

1. A medical, family, and school history documenting the age of onset.
2. Clear evidence of interference with developmentally appropriate social, academic, and/or occupational functioning.
3. Interviews or rating scales completed by others who can comment on the person’s behavior, such a parent, friend, or spouse. Screening for Learning Disability (ability and achievement – see Learning Disability documentation for specific information).
4. Tests of social and emotional adjustment (e.g. depression scales).
5. A statement of prescribed medications and dosage including monitoring schedule, if appropriate for the ADD/ADHD.
6. A clear and specific statement of how the ADD/ADHD and/or the medication substantially impairs adult functioning (specifically learning and the college classroom) supported by the information in the evaluation.
7. The definition of ADD/ADHD and the specific categories found in the DSM-IV should be used to state the diagnosis.
8. A schedule for on-going therapy, if appropriate.
9. Name, credentials, and license number of the evaluator.

**Psychological/Psychiatric Disability**

Students registering with the Office of Disability Services on the basis of a diagnosed Psychological, Emotional, or Psychiatric Disability are required to submit documentation to verify eligibility under Section 504 of the Rehabilitation Act of 1973.

A diagnosis of a Psychological/Psychiatric Disability should include:

1. A multi-axial diagnosis based on the DSM-IV.
2. A current diagnosis – if testing is used in the diagnosis, please include the name of the instrument, administration date and all scores.
3. A statement of prescribed medications and dosage, if appropriate to the disability.
4. A schedule for on-going therapy.
5. A clear and specific statement of how the Psychological, Emotional, or Psychiatric Disability and/or the medication impacts adult functioning (specifically learning and the college classroom).
6. Name, credentials, and license number of the evaluator.

Temporary Disabilities

The University is not obligated to provide accommodations for students with temporary disabilities, but will attempt to do so when feasible.

Documentation List for the Professional

To assist John Brown University in determining a student’s eligibility for accommodations for a disability, please provide the following information about his/her disability on your professional letterhead:

1. Student’s name
2. Date of evaluation and/or last contact
3. Diagnosis and history (e.g. symptoms, age at onset, procedures used to assess or diagnose the disability)
4. Level of severity of the impairment(s) – mild, moderate, severe
5. Functional limitations (e.g. walking, handwriting, mathematical computation)
6. Stability of impairment and recommended interval for re-evaluation
7. Duration of treatment and frequency of contact
8. Medication and other treatments being used or recommended for student
9. Additional comments or relevant information
10. Your name, address, phone number, and information about your licensure or certification, degree, training, area(s) or specialization, etc.
11. Your signature

Accommodations

Housing/Meal

Housing or meal accommodation requests must be based on medical, psychological, or disability related needs. The learning environment and residential living are central to the John Brown University experience. Living in a residence hall and dining in the cafeteria with other students in similar situations fosters community, kinship, and develops relationships that last students throughout the remainder of their lives. At John Brown University, we believe that the residence/dining hall experience contributes dynamically to the spiritual formation of individuals. Students develop interpersonal skills that they will use in the classroom during their academic career and continue to use as they progress through their professional careers.

We evaluate requests for exceptions carefully. To aid this process, requests must include:

1. Documentation of the condition or need that is the basis of the request
2. A clear description of the desired housing configuration or meal plan
3. An explanation of how the request relates to the impact of the condition
4. An indication of the level of need for the recommended configuration
5. Possible alternatives if the recommended configuration is not possible

To evaluate requests based on medical, psychological or disability related conditions accurately and equitably, John Brown University will need documentation. Documentation consists of an evaluation by an appropriate professional that relates the current impact of the current condition to the request.

As appropriate to the condition, documentation should include:

1. A diagnostic statement including the date of the most recent evaluation
2. List of the diagnostic criteria or tests used
3. The current impact of (or limitations imposed by) the condition
4. Treatments, medications, devices or services currently prescribed or used to minimize the impact of the condition
5. The expected duration, stability or progression of the condition
6. The credentials of the diagnosing professional

In addition to the basic documentation for a condition listed above, recommendations from the treating professional are welcome and will be given consideration in evaluating a request. Recommendations should:

1. Provide clear description of the recommended housing configuration
2. Connect the recommended configuration to the impact of the condition
3. Possible alternatives to the recommended configuration
4. A statement of the level of need for (or the consequences of not receiving) the recommended configuration

Single room requests for the sole purpose of obtaining a reduced-distraction study environment WILL NOT be approved. Even without a roommate, a communal living environment can be very distracting. These students may wish to request a room in an extended quiet hours area or find a place outside the dorm to study, such as the library, which is designed for this type of activity. Valid reasons for Housing Accommodations requests include, but are not limited to, space requirements of disability-related equipment, need for privacy during personal care, strategies needed to cope with the disability that would be bothersome to a roommate, and a need to obtain extra rest to minimize disability-related symptoms.

Application Procedure

1. The student should pick up a Housing/Meal Accommodation Application from the Director of Disability Services.
2. The student should complete part one of the Housing Accommodation Application and submit it to the Director of Residence Life. **ALL INFORMATION IS CONSIDERED CONFIDENTIAL.**

3. Part two of the application, the Professional Certification section must be completed by a professional who is knowledgeable regarding the type of disability or medical condition in question, qualified to make appropriate recommendations, and knowledgeable of the student’s current condition. This professional should not be a relative of the student. The Director of Disability Services can provide guidance as to who is an appropriate professional to provide certification. The application form, disability documentation, and the reason for the request will remain confidential in the Office of Disability Services files.

4. The Director of Residence Life and the Director of Disability Services will review the application and supporting documentation. A decision will be made to approve the request, deny it, or defer pending further documentation. The decision will be communicated by memo to the student and a copy of the memo will be placed in the student’s Residence Life file in the Student Development Office.

**Appeal Procedure**

If the student wishes to appeal the decision, a written appeal needs to be presented to the Vice President of Student Development within ten (10) calendar days of the issuance of the decision memo. The written request must specify the particular substantive and or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the disposition. Furthermore, the appeal must be directed only to issues raised in the formal complaint as filed or to procedural errors in the conduct of the grievance procedure itself and not to new issues.

The review by the Vice President for Student Development or his/her designee normally shall be limited to the following considerations:

- Were the proper facts and criteria used to make the decision?
- Were any extraneous facts or criteria used to make the decision?
- Were there any procedural irregularities that substantially affected the outcome?
- Given proper facts, criteria, and procedure, was the decision one that might be reasonably made?

A copy of the Vice President’s written decision will be expected within thirty (30) calendar days of the filing of the appeal and shall be sent to the appropriate parties. The Vice President for Student Development for good cause may extend the deadline. The decision of the Vice President for Student Development on the appeal is final.
Evaluation Criteria

I. Severity of the Condition
   1. Is impact of the condition life threatening if the request is not met?
   2. Is there a negative health impact that may be permanent if the request is not met?
   3. Is the request an integral component of a treatment plan for the condition in question?
   4. What is the likely impact on academic performance if the request is not met?
   5. What is the likely impact on social development if the request is not met?
   6. What is the likely impact on the student’s level of comfort if the request is not met?

II. Timing of the Request
   1. Was the request made with initial housing request?
   2. Was the request made before the deadline for housing requests for the semester in question?
   3. Was the request made as soon as possible after identifying the need (Based on date of diagnosis, receipt of housing assignment, change in status, etc.)?

III. Feasibility and Availability
   1. Is space available that meets the student’s needs?
   2. Is the student in special interest housing? If so, can the requested configuration be met within that area?
   3. Can space be adapted to provide the requested configuration without creating a safety hazard (electrical load, emergency egress, etc)?
   4. Are there other effective methods or housing configurations that would achieve similar benefits as the requested configuration?
   5. How does meeting this request impact housing commitments to other students?
   6. Is the cost of meeting the request prohibitive?

Reduced Course Load

The Office of Disability Services may recommend a reduced course load as an academic accommodation for a student with a disability. A reduced course load permits a student to register for a course load that is less than full-time but in no case less than half-time while still being considered a full-time student by the university. While students will only be billed for courses in which they are actually enrolled, all other charges will apply.

Application Process

1. Students seeking the accommodation of a reduced course load must have complied with the accommodation review and approval procedure of Disability Services. Medical documentation of the disabling condition which supports the accommodation of a reduced course load must be
provided to Disability Services by the student. If a reduced course load is recommended by Disability Services, then the Academic Dean must approve the recommendation. The student will be eligible for a reduced course load only after this process is completed.

2. Students seeking the accommodation of a reduced course load must meet with his/her academic advisor each semester to review academic progress. Compliance with university policies and procedures is mandatory.

3. When a student is facing a time limit to complete a degree program, the student is responsible for formally requesting an extension of that time limit from the Dean of Academic Affairs.

4. Students who have been approved for the accommodation of a reduced course load need to understand that there are implications of that status that could have a negative effect on their student account and their financial assistance. Students are advised to discuss how a reduced course load will affect them specifically with Business Office and the Office of Financial Assistance.

At the completion of the application process, Disability Services seeks approval of the recommended accommodation from the Dean of Academic Affairs. The Dean reviews these recommendations to ensure that the accommodations are consistent with the fundamental requirements of that particular student’s degree program. The University does not waive program requirements or permit substitutions for required courses considered to be fundamental to the degree.

**Course Substitution**

On occasion, students may need to seek course substitutions on the basis of a documented disability which inhibits the ability to learn certain subjects. For example, students with certain types of learning disabilities may find it next to impossible to learn foreign languages or mathematics. While tutoring and accommodations may help some students succeed in these courses, others may be unable to succeed even with the use of academic adjustments and accommodations. In such situations, students may want to consider requesting a substitution for the course in question. Students should note that the University does not grant course waivers. Also, if the course in question is considered to be an essential part of the student’s program or a requirement for certification or licensure, a substitution cannot be granted.

The process established by JBU for requesting a substitution is as follows:
1. The student must have a diagnosed disability that would prohibit his/her ability to learn the subject matter in question. Documentation of the disability must meet the documentation criteria as described in this handbook and be submitted to the Office of Disability Services.

2. The student must write a letter to the Director of Disability Services requesting the course substitution. This letter should contain details of past attempts to take the course (or related courses), information about the disability, and a specific request to substitute the course. This request must be received by the Director of Disability Services ten working days before the first day of class of the semester in which the substitution will take place.

3. The Director of Disability Services will review the disability documentation, transcripts and the student’s letter. If documentation verifies the presence of a disability that would warrant a course substitution, the director will contact the Registrar and the Dean of Student Affairs who will either approve or reject the request for substitution. If approved, they will recommend a logical course for substitution best suited for the student’s major.

4. The student will be notified of the decision either by phone, e-mail, letter, or in person.

**Audio Recording Class Lectures**

As stated in 84.444 of Section 504 of the Rehabilitation Act of 1973 (P.L.93-112, amended P.L. 93516), students with documented disabilities who are unable to take notes or read notes have the right to tape record the class lectures for their personal use only. Lectures recorded for this purpose may not be shared with other people without the consent of the lecturer. Audio-recorded lectures may not be used in any way against a faculty member, other lecturers, or students whose classroom comments are recorded as part of the class activity. Information contained in the audio-recorded lecture is protected under federal copyright laws and may not be published or quoted without the express consent of the lecturer and without giving proper credit and identity to the lecturer. The student receiving this accommodation must sign an Audio Recording of Educational Lectures Agreement.

**Alternative Format Textbooks**
If alternative format textbooks are an approved accommodation, the request for the alternative format textbooks must be completed and returned to the Disability Services office at least six week prior to the first day of class of the semester in which the textbook is needed.

**Transcription Services Policy**

A transcriber may be provided as an accommodation if it is an appropriate and reasonable service based on a student’s documentation concerning a disability.

The transcriber will record in written form, the approved class or activity and provide notes to the student who has been approved for this accommodation. These notes are for the personal use of the approved student with a disability and may not be provided to others.

**Service Animals Policy**

**Definition of a Service Animal:**

Service animals are animals trained to assist people with disabilities in the activities of normal living. The Americans with Disabilities Act (ADA) defines service animals as “…any…animal individually trained to do work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items.”

This definition means that an individual desiring to use a service animal on campus must have a disability as defined by the ADA that warrants use of a service animal and the animal must be trained to do specific tasks for the qualified individual.

If an animal meets this definition, it is considered a service animal regardless of whether it has been licensed or certified by a state or local government or an animal training program. John Brown University complies with the ADA in allowing use of service animals by individuals with disabilities. A service animal must be permitted to accompany a person with a disability everywhere on campus except for designated areas deemed unsafe for the animal (see Prohibited Areas below).

**Service Animal Terminology:**
Partner/Handler – A person with a service animal. A person with a disability is called a partner; a person without a disability is called a handler.

Pet – a domestic animal kept for pleasure or companionship.

Service Animal – Any animal individually trained to do work or perform tasks for the benefit of a person with a disability.

Therapy/Companion Animal – An animal with good temperament and disposition, and who has reliable, predictable behavior, selected to visit people with disabilities or people who are experiencing the frailties of aging as a therapy tool. The animal may be incorporated as an integral part of a treatment process. A therapy/companion animal does not assist an individual with a disability in the activities of daily living. The therapy/companion animal does not accompany a person with a disability all the time unlike a service animal that is almost always with its partner. Thus, a therapy/companion animal is not covered by laws protecting service animals nor given the same rights afforded to service animals.

Documentation Requirements:

Documentation of Disability--

Students desiring to use a service animal on campus should first contact the Office of Disability Services to register as a student with a disability. The Director of Disability Services (or designee) will evaluate the documentation of disability and discuss with the individual any accommodations, including the use of a service animal, appropriate to the functional limitations of the disability.

Licensing—

The animal must meet the city of Siloam Springs licensing requirements and wear the tags designated by the city if the animal is residing on campus or in the community. If the animal accompanies a commuter student and resides in another locale, the animal must meet the licensing requirements of the student’s resident town and wear the tags designated by that community. Record of licensing must be kept in the student’s file in the Office of Disability Services.
Health Records—

The animal must have appropriate health certifications to meet local public health ordinances. Proof of good health and vaccinations must be provided on an annual basis. The animal must be well groomed, and measures should be taken at all times for flea and odor control. Records of health statements and vaccinations must be kept on file in the Office of Disability Services.

**Responsibilities of Service Animals and Partners/Handlers:**

1. Health – The animal must be in good health. Service animals that are ill should not be taken into public areas. A partner with an ill animal may be asked to leave university facilities.

2. *Leash* – The animal must be on a leash at all times in public areas.

3. Control – The partner must be in full control of the animal at all times. The care and supervision of a service animal is solely the responsibility of its partner. The animal must be maintained and used at all times in ways that do not create safety hazards for other persons.

4. Cleanup – The partner must state specific plans for maintenance of the animal while on campus. The university will identify suitable areas where service animals can relieve themselves. Handlers should always carry equipment and bags sufficient to clean up the animal’s feces, and properly dispose of the feces. Persons who are not physically able to pick up and dispose of animal feces are responsible for making all necessary arrangements for assistance. The university is not responsible for these services.

5. Authorization – The partner must authorize the Office of Disability Services to notify appropriate campus personnel/offices of the presence of the animal and any special circumstances relevant to service animal usage.

**Responsibilities of the Office of Disability Services:**

1. Verify eligibility of individuals with disabilities to have a service animal on campus.

2. Maintain records of current service animals on campus, along with their licensing and health records.

3. Notify appropriate personnel/campus offices of the animal and its partner.
4. Provide guidelines for appropriate interaction with the animal to campus.

**Responsibilities of Faculty, Staff, and other Students:**

1. Allow a service animal to accompany its partner at all times and everywhere on campus (See Prohibited Areas below).

2. Do not pet the service animal. Petting the animal when the animal is working distracts the animal from required task.

3. Do not feed a service animal. The service animal may have specific dietary requirements. Unusual food or food at an unexpected time may cause the animal to become ill.

4. Do not deliberately startle, tease, or taunt a service animal.

5. Do not separate or attempt to separate a partner from his or service animal.

6. Do not hesitate to ask a student if he/she would like assistance if the team seems confused about a direction to turn, an accessible entrance, the location of an elevator, etc.

**When Service Animals Can Be Excluded:**

**Disruption:** The partner of an animal that is unruly or disruptive (e.g. barking, running around unleashed, aggressive toward others, bringing attention to itself, excessive flatulence, etc.) may be asked to remove the animal from university facilities. If the improper behavior happens repeatedly, the partner may be asked not to bring the animal into any university facility until the partner takes significant steps to mitigate that behavior. Mitigation may include muzzling a barking animal or refresher training for both the animal and the partner as appropriate.

**Ill Health:** Service animals that are ill should not be taken into public areas. A person with an ill animal may be asked to leave university facilities or remove the animal from campus.

**Cleanliness:** Partners with animals that are unclean, noisome, and/or bedraggled may be asked to leave university facilities. An animal that becomes wet from walking in the rain or mud or from being splashed by a passing automobile, but is otherwise clean, should be considered a clean animal. Animals that shed in the spring sometimes look bedraggled. If the animal in question
usually is well groomed, consider the animal tidy even though its spring coat is uneven and messy appearing or it has become wet from weather or weather-related incidents.

**Prohibited Areas**: 

Service animals are prohibited from kitchens and food-preparation areas except those in residence facilities.

Science instructors conducting laboratory research that may be contaminated by animal hair or dander may limit access to service animals if the instructor or lab supervisor has reason to believe an animal’s presence would compromise the research environment.

Any room, including a classroom, where there are sharp metal cuttings or other sharp objects on the floor or protruding from a surface; where there is hot material on the floor; where there is a high level of dust; or where there is moving machinery is off-limits to service animals (e.g. mechanical rooms, custodial closets, machine shops, etc.

** Exceptions may be made on a case by case basis. The final decision shall be made based on the nature of the research or machinery and the best interest of the animal. When it is determined unsafe for the team to be in an area affecting academics or campus-sponsored activities, reasonable accommodations will be provided to assure the student equal access to the activity.

**Conflicting Disabilities:**

It is common for persons to have a disability that precipitates an allergic reaction to animals. Persons who have asthma/allergy/medical issue with the animals are to be directed to make the complaint to the Office of Disability Services. The person making the complaint must provide verifiable medical documentation to support the claim. Action will be taken to consider the needs of both persons to resolve the problem as efficiently and effectively as possible.

The guidelines for conflicting disabilities apply in the residence halls as well. If there is an allergy/animal conflict within a residence hall that cannot be resolved agreeably, then the Director of Residence Life and the Director of Disability Services will collaborate on a solution.

**Visitors with Service Animals:**
All visitors to campus with service animals must adhere to the same guidelines as students attending the university.

Grievances:

Any person dissatisfied with a decision made concerning a service animal should follow the John Brown University Disability Services Grievance Procedure, page 20 of this handbook.

**Sign Language/CART Services for Events**

According to federal law, persons who attend or participate in JBU sponsored activities, programs and services are entitled to reasonable and appropriate accommodations to facilitate such participation. The services of a qualified sign language interpreter, oral interpreter, transcriber or CART provider may be reasonable and appropriate accommodations. A request for such services may be made by a deaf or hard of hearing person or by a JBU representative through the Disability Services Office.

**Procedure:**

1. Contact the Disability Services Office at 479 524-7400, or LRC 147 or by email to jwright@jbu.edu.
2. The request must be received 3 working days prior to the start of the event if the event is less than 4 hours in length. If the event will be more than 4 hours in length, the request must be received at least 5 working days prior to the event.
3. The Disability Services Office will make every effort to schedule a qualified interpreter. Contact information including the name and number of the interpreter will be provided to the event contact person. The interpreter will also be provided the name and telephone number of the event contact person.

**Payment:**

1. Any cost associated with providing accommodations is the responsibility of the department or program.
2. Fees include the per hour cost of the service and mileage for the provider when required.
3. Any event more than an hour in length will require the services of two interpreters.

**Cancellation:**

Services that are cancelled at least 24 hours in advance will not be charged to the department. If the services are cancelled less than 24 hours prior to the scheduled time, the department who requested the service is obligated to pay the full contracted amount. If the deaf or hard of hearing person is a “no-show” at the event, service fees will be charged to the department as scheduled.

**Threat Assessment**

1. **A student with a disability who poses a direct threat to himself or others no longer qualifies for protection under the federal disability laws.**

2. Steps in threat assessment:
   
   a. The student must show that his mental disorder substantially limits a major life activity. Under the ADA Amendments Act, “major life activity” is construed expansively and includes neurological and brain functions.

   b. Determine whether the student’s disability related behavior poses a threat to himself or to others. This evaluation will be based on a reasonable judgment that relies on current medical knowledge or on the best objective evidence. The evaluation purpose is to determine:

      (1) The nature, severity, and duration of the risk.

      (2) The probability that the potential injury will actually occur.

      (3) Whether reasonable modifications of policies, practices, or procedures will mitigate the risk.

   c. The university will engage in a meaningful interactive process to determine whether a modification is reasonable for purposes of this analysis.

**Disability Grievance Procedures**

John Brown University, in compliance with state and federal laws and regulations including the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of
1973, does not discriminate on the basis of disability in administration of its education-related programs and activities and has an institutional commitment to provide equal educational opportunities for disabled students who are otherwise qualified.

No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity at John Brown University.

Aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and non-handicapped persons, but must afford handicapped persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as a non-handicapped person.

**Applicability**

The grievance procedure set forth below applies to undergraduate and graduate students of the University. It is designed to address disputes concerning:

1. Disagreements regarding a requested service, an accommodation, or a modification of a University practice or requirement
2. Inaccessibility of a program or activity due to disability
3. Harassment or discrimination on the basis of disability
4. Violation of privacy in the context of disability

**Informal Resolution**

In the event a student believes (i) that he or she has been denied an accommodation or the modification of a University practice or requirement to which he or she is entitled under applicable disability law or (ii) a program or activity has been inaccessible to him/her due to disability or (iii) he/she has been harassed or discriminated against because of a disability or perception of a disability by a college faculty or staff member or (iv) his/her privacy has been violated in the context of his/her disability, the student shall attempt to resolve the matter
informally. If the student is unable to resolve the matter through the informal process, a formal complaint may be filed at the option of the student.

In cases where the grievance involves the Director of Disability Services, a student may bypass the informal resolution process and move directly to a formal complaint.

**Formal Complaint**

If the informal procedure described above does not yield a successful resolution, the student may file a formal complaint in the following manner:

1. **When To File A Complaint** – Complaints shall be filed within seven (7) calendar days of the end of the informal resolution process described above.

2. **Where To File A Formal Complaint** - The complaint shall be filed with the appropriate Academic Dean (if the complaint concerns academics) or the Associate Dean of Students (if the complaint concerns a non-academic area).

3. **Notice Of Receipt** – Upon receipt of the complaint, the Academic Dean/Associate Dean will review the complaint for timeliness and appropriateness for this grievance procedure, and will provide the student with written notice acknowledging its receipt.

4. **Investigation/Hearing** – The Academic Dean or his/her designee shall initiate an investigation within fourteen (14) calendar days of receiving the complaint unless unusual circumstances prohibit it. The Academic Dean/Associate Dean may take appropriate action on an interim basis, when there is reasonable cause to believe that such action is needed for the health, safety, or welfare of the student or other member of the University community, or to avoid disruption to the academic process. In undertaking the investigation, the Academic Dean/Associate Dean may interview, consult with and/or request a written response to the issues raised in the complaint from any individual he/she believes to have relevant information, including faculty, staff and students. The student and any person towards whom the complaint might have been directed shall have the right to submit written materials to the Academic Dean/Associate Dean and suggest names of any faculty, staff, students or others from whom he/she believes the Academic Dean/Associate Dean should hear.
5. **Representation** – The student and the person towards whom the complaint has been directed shall have the right to be represented at the hearing by the advocates or their choice. Since the hearing is administrative, not judicial in nature, the advocates may not be lawyers.

6. **Findings and Notification** – Upon completion of the investigation, the Academic Dean/Associate Dean of Students will prepare a final report containing a summary of the investigation, written findings and a proposed disposition. He/she will then transmit the report to the student and the party against whom the grievance is directed. The report should be submitted within fifteen (15) calendar days of the date the Academic Dean/Associate Dean first initiates the investigation unless prohibited by unusual circumstances.

7. **Disposition** – The Academic Dean/Associate Dean of Students shall take whatever actions are deemed appropriate (see Remedies section below). He/she shall report his/her decision in writing to the student, the Director of Disability Services and all other relevant parties.

**Remedies**

Possible remedies under this grievance procedure include corrective steps to reverse the effects of discrimination or end harassment, and measures to provide a reasonable accommodation or proper ongoing treatment. The guidelines set forth in the Faculty and Employee Handbooks will be adhered to in the event that corrective steps or actions are necessary.

**Appeal**

Within ten (10) calendar days of the issuance of the final report, the student or the party against whom the grievance is directed may file an appeal to the Vice President for Academic Affairs (for academic grievances) or to the Vice President for Student Development (for non-academic grievances).

The written request must specify the particular substantive and or procedural basis for the appeal, and must be made on grounds other than general dissatisfaction with the disposition. Furthermore, the appeal must be directed only to issues raised in the formal complaint ad
filed or to procedural errors in the conduct of the grievance procedure itself and not to new issues.

The review by the Vice President for Academic Affairs/Vice President for Student Development or his/her designee normally shall be limited to the following considerations:

- Were the proper facts and criteria used to make the decision?
- Were any extraneous facts or criteria used to make the decision?
- Were there any procedural irregularities that substantially affected the outcome?
- Given proper facts, criteria, and procedure, was the decision one that might be reasonably made?

A copy of the Vice President’s written decision will be expected within thirty (30) calendar days of the filing of the appeal and shall be sent to the appropriate parties. The Vice President for Academic Affairs/Vice President for Student Development for good cause may extend the deadline. The decision of the Vice President of Academic Affairs/Vice President for Student Development on the appeal is final.

Developed 9-9-03

Approved 11-13-03

Revised 10-2009