



**POLICY TITLE**  
***DISABILITY SERVICES***

**POLICY NUMBER:**  
***SUS-13-002***

<b>Responsible Unit:</b> <i>System Office for Compliance</i>	<b>Effective Date:</b> <i>10/19/2024</i>
<b>Responsible Official:</b> <i>System Director for Compliance</i>	<b>Last Reviewed Date:</b> <i>10/19/24</i>
<b>Policy Classification:</b> <i>Student Affairs</i>	<b>Origination Date:</b> <i>11/01/2023</i>

**I. POLICY STATEMENT AND RATIONALE**

The Southern University System (System) is fully committed to ensuring compliance with the requirements of the Americans with Disabilities Act of 1990 and its Amending Act of 2008 (collectively “ADA”), Section 504 of the Rehabilitation Act of 1973, and Title IX of the 1972 Education Amendments. Additionally, the System is committed to providing reasonable accommodations to all registered students with disabilities in an effort to ensure their full participation in all activities, programs, and services at the System. The System is dedicated to promoting the self-advocacy of students with disabilities, and it’s committed to their academic success utilizing a holistic approach. Appropriate accommodations for students with disabilities are provided on an individualized, collaborative, and flexible basis. However, it is the responsibility of the student with a disability to request any accommodations.

The purpose of this Policy is to outline the System’s standards and procedures for purposes of ADA and Title IX compliance for student accommodations.

The System Office for Compliance may develop supplemental procedures and forms to further support the implementation of this Policy among the institutions of the System. However, this Policy establishes various mandatory obligations with which all supplementary procedures and forms must comply.

**II. POLICY SCOPE AND AUDIENCE**

This Policy applies to all employees and students of the System.

### III. POLICY COMPLIANCE

The System and its institutions are subject to this Policy and all related procedures and forms. Each institution's Disability Services Coordinator is the responsible official for the implementation of this Policy on the institutional level.

Violations or failure to adhere to this Policy may result in action under the appropriate handbook for faculty and staff, including termination, and discipline under the appropriate code of conduct for students.

### IV. POLICY DEFINITIONS

- A. **ADA Coordinator:** The System's representative responsible for facilitating the formal grievance procedure under this Policy. Each institution of the System shall name an ADA Coordinator. The ADA Coordinator's contact information shall be available on the website of each institution of the System.
- B. **Direct Threat:** A significant risk of substantial harm to the health or safety of an individual with a disability or others that cannot be eliminated or reduced by reasonable accommodation.
- C. **Disability:** Under the ADA, the term "disability" means, with respect to an individual: (1) a physical or mental impairment that substantially limits one or more major life activities of such individual; (2) a record of such impairment; or (3) being regarded as having such an impairment. An individual meets the requirement of "being regarded as having such an impairment" if the individual establishes that he or she has been subjected to an action prohibited under the ADA because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity. Impairments that are transitory and minor do not qualify. A transitory impairment is defined as an impairment with an actual or expected duration of six (6) months or less.
- D. **Disability Services Coordinator:** The System's representative responsible for facilitating the interactive evaluation process relative to any request for accommodations for students under this Policy. Each institution of the System shall name a Disability Services Coordinator. The Disability Services Coordinator's contact information shall be available on the website of each institution of the System.
- E. **Impairment:** Any physiological, mental, or psychological disorder or condition, including those that are episodic or in remission, that substantially limits one or more major life activities when active.
- F. **Major Life Activities:**
  - 1. Generally, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working; and
  - 2. The operation of a major bodily function, including functions of the immune system, special sense organs and skin; normal cell growth; and digestive,

genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

- G. **Reasonable Accommodations:** A reasonable accommodation is one that reduces or removes the impact of a disability to provide equal access to the learning environment, decreasing an adverse effect resulting from an interaction between a person's disability and the environment or activity. An accommodation is not reasonable when it fundamentally alters the course or program standard, threatens personal or public safety, and creates an undue financial or administrative burden.
- H. **Southern University System or System:** The Southern University System and its institutions.
- I. **Substantially Limits:** An impairment that prevents the ability of an individual to perform one or more major life activities as compared to most people in the general population when taking into consideration factors such as the nature, severity, duration, and long-term impact of the condition. Such consideration must be regardless of any mitigating measures such as modifications, auxiliary aids or medications used to lessen the effects of the condition (except for use of ordinary eyeglasses or contact lenses).
- J. **Temporary Disability:** Disabilities that require services for no more than six (6) months. These conditions include, but are not limited to, broken bones, surgery, accidents, acute illness, or any other medical condition that temporarily impairs regular attendance or academic performance.

## V. POLICY IMPLEMENTATION PROCEDURES

### A. DISABILITY SERVICES STATEMENT

Each course syllabus shall contain a statement reflecting compliance with the Americans with Disabilities Act, its Amending Act of 2008, and Section 504 of the Rehabilitation Act of 1973 by stating, at a minimum, the following:

*The Southern University System and its institutions are committed to providing reasonable accommodations for all students with disabilities in compliance with the Americans with Disabilities Act of 1990, its Amending Act of 2008, and Section 504 of the Rehabilitation Act of 1973. In order to request accommodations, students are required to register with the Disability Services Coordinator. It is important to note that accommodations are not retroactive; therefore, students must register and renew each semester as early as possible.*

*Disability Services Coordinator: (INSERT THE NAME OF DISABILITY SERVICES COORDINATOR)*

*Email: (INSERT THE DISABILITY SERVICES COORDINATOR'S EMAIL ADDRESS)*

*Telephone: (INSERT THE DISABILITY SERVICES COORDINATOR'S TELEPHONE NUMBER)*

*Address: (INSERT THE DISABILITY SERVICES COORDINATOR'S ADDRESS)*

## B. REGISTERING FOR DISABILITY SERVICES

Students are required to self-identify disability status with the Disability Services Coordinator by registering for disability services prior to requesting accommodations. The System highly encourages students to register for disability services with the Disability Services Coordinator at least thirty (30) days prior to the first day of class. This allows for time to review the documentation provided and engage in the interactive process. Accommodations are not retroactive, and the System is not obligated to provide accommodations until the application process has been completed and accommodations have been officially approved.

If a student received 504 or IEP services in pre-K through 12<sup>th</sup> grade, the student does not automatically qualify for services at the post-secondary (college) level. The student must provide the documentation required in this Policy. However, 504 and IEP documentation can be provided as an additional supplement to the required information.

A student with a disability or short-term disability registers for disability services by completing the application for accommodations and providing medical documentation as outlined below from a licensed medical professional that can attest to their diagnosis. Medical documentation should contain an official diagnosis of the condition/impairment and a statement about the impact of the diagnosis. All medical documentation must be on an official letterhead of the medical professional's practice, and a signature from the evaluator/medical professional. Medical documentation must be certified by a professional who can address the functional limitations of the condition/impairment.

### Attention Deficit/Hyperactivity Disorders (ADHD)

- The documentation must be comprehensive and current against the adult norms (within four (4) years prior to the student's request for accommodations).
- Professional conducting assessments, rendering diagnoses of specific disabilities, and making recommendations for appropriate accommodations must be qualified to do so, such as a licensed psychiatrist, psychologist, medical doctor, or other qualified mental health professional.
- The documentation must identify an unequivocal diagnosis of a specific disability.
- The documentation must discuss functional limitations caused by the disability in an academic environment or the environment in which the student is requesting accommodations.
- The documentation should recommend accommodations to compensate for the identified functional limitations.
- The documentation should list current medication, dosages, and existing (no possible) side effects.

### Sensory Impairments (Vision and Hearing)

- The documentation provided must include a clear statement of the sensory impairment including pertinent symptomatology and any fluctuations in the individual's condition.

- Documentation must contain information pertaining to the individual's current level of functioning. A clear explanation of how the symptoms currently cause significant limitations for the individual, within the academic environment must be included. Examples of sufficient documentation includes audiological evaluations, audiograms, or ocular assessments.

### Learning/Intellectual Disabilities

- The documentation provided must include information that diagnoses a learning/intellectual disability, describes the functional limitations in an educational setting, includes appropriate testing as outlined below and all standardized scores, and indicates the severity and longevity of the learning/intellectual disability for the purpose of determining academic adjustment(s) or other accommodations.
- Documentation should include:
  - Diagnosis (as diagnosed by the DSM-V);
  - Level of Severity: Mild, Moderate, or Severe;
  - Date of Diagnosis;
  - Date of Last Contact with Student; and
  - One of each of the following:
    - Diagnostic Interview (including history)
    - Aptitude Suggested tests, including:
      - Weschler Adult Intelligence Scale
      - Woodcock-Johnson Psychoeducational Battery Revised: Test of Cognitive Ability
      - Kaufman Adolescent and Adult Intelligence
      - Standford-Binet Intelligence Scale
    - Achievement Suggested tests, including:
      - Scholastic Abilities Test for Adults
      - Woodcock=Johnson Psychoeducational Battery: Test of Achievement
      - Wechsler Individual Achievement Test
      - Information Processing (if applicable)
    - Screening instrumental such as the WRAT, or abbreviated testing instruments do not provide enough detailed information and may not be sufficient to determine eligibility and accommodations.
- Documentation should also contain:
  - A summary of the student's educational, medical, and family history that may relate to the learning/intellectual disability (must demonstrate that difficulties are not the result of sensory impairment, serious emotional disturbance, cultural differences, or insufficient instruction);
  - The symptoms which meet the criteria for the DSM-V diagnosis with the approximate date of onset;
  - The student's functional limitations in an educational setting; and
  - Recommendations regarding necessary and appropriate auxiliary aids or services, academic adjustments, or other accommodations to equalize the student's educational opportunities at the System.

### Physical and Medical Disabilities

- Students with physical or systemic disabilities and temporary conditions must provide documentation that:
  - Is comprehensive and current, within four (4) years of the student's request for accommodations;
  - Professionals conducting assessments, rendering diagnoses of specific disabilities, and making recommendations for appropriate accommodations must be qualified to do so (e.g., physician);
  - Identifies an unequivocal diagnosis of a specific disability;
  - Discusses functional limitations caused by the disability in an academic environment or the environment in which the student is requesting accommodations;
  - Recommends accommodations to compensate for the identified functional limitations; and
  - Lists current medication, dosages, and existing (not possible) side effects.

### Psychological/Mental Health Disabilities

- Students with psychological/mental health disabilities and temporary conditions must provide documentation that:
  - Is comprehensive and discusses current problems associated with the diagnosis. The documentation of psychological/mental health disabilities provided to the Disability Services Coordinator must be within four (4) years prior to the student's request for accommodations.
  - Mental Health Professionals conducting assessments, rendering diagnoses of specific psychological/mental health disabilities, and making recommendations for appropriate accommodations must be licensed by the state in which they practice (i.e., psychiatrist, psychologist, social worker, medical doctor, privileged licensed professional counselors).
  - Identifies a diagnosis of a psychological/mental health disorder according to the Diagnostic and Statistical Manual of Mental Disorders.
  - Discusses functional limitations caused by the disability in an academic environment in which the student is requesting accommodations.
  - Recommends accommodations to compensate for the identified functional limitations.
  - Lists current medication, dosages, and existing side effects, if the disability is managed by medication.

The Disability Services Coordinator will review the documentation, and the student and Disability Services Coordinator will meet to engage in the interactive process, which shall be recorded. The student must attend this meeting for the registration process to move forward.

The Disability Services Coordinator may temporarily offer accommodations after the interactive process for the student to obtain any required documentation. These temporary accommodations cannot exceed thirty (30) days.

The Disability Services Coordinator will determine the appropriate accommodations and provide notice to the student and the required faculty and staff members. Students are encouraged to discuss their accommodations with the appropriate faculty and staff in case there are any questions or concerns regarding the implementation of accommodations.

Faculty and staff members must offer accommodations approved by the Disability Services Coordinator. However, the faculty members are not expected to compromise essential elements and components of the course or evaluation process. If a faculty member believes accommodations approved by the Disability Services Coordinator compromise essential elements and components of the course or evaluation process, the faculty member's remedy is to request the Disability Services Coordinator to reconsider the approved accommodation and to engage in an interactive process with the Disability Services Coordinator and the student. The reconsidered decision of the Disability Services Coordinator is final as to the faculty member; however, the student may avail himself/herself to the grievance procedure outlined in this Policy.

Students are required to renew their accommodations each semester by completing a renewal application for accommodations. If necessary, the student may provide updated documentation during the renewal process.

## C. ACCOMMODATIONS

### 1. **Legal Requirements (34 CFR 104.44)**

The System shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that the System can demonstrate are essential to the instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory. Modifications may include changes in the length of time permitted for completion of degree requirements, substitution of specific courses required for completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

The System may not impose upon handicapped students other rules, such as the prohibition of tape recorders in classrooms or of dog guides in campus buildings, that have the effect of limiting the participation of handicapped students in the System's education program or activity.

In its course examinations or other procedures for evaluating students' academic achievement, the System shall provide such methods for evaluating the achievement of students who have a handicap that impairs sensory, manual, or speaking skills, except where such skills are the factors that the test purports to measure.

The System shall take such steps as necessary to ensure that no handicapped student is denied the benefits of, excluded from participation in, or otherwise

subjected to discrimination because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills. Auxiliary aids may include taped texts, interpreters, or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions. The System need not provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

## 2. **Examples of Academic Accommodations**

Accommodations are individualized and flexible based on the nature of the disability and the academic environment. Below is a non-exhaustive list of common academic accommodations.

- a. Accessible Classroom/Location/Furniture
- b. Alternate Format Material
- c. Assistive Technology
- d. Attendance Accommodations
- e. Captioning
- f. Course Substitution
- g. Interpreting Services
- h. Priority Registration
- i. Recording Lectures
- j. Testing Accommodations and Location
- k. Time Extensions for Assignments or Exams

## 3. **Recording Lectures**

Students who have a qualifying disability that limits their independence have the right to record class lectures for their personal study only. Lectures recorded for this reason may not be shared with other people without the consent of the lecturer. Taped and digital recorded lectures may not be used in any way against the faculty members, other lecturers, or students whose classroom comments are taped as part of this class activity. Information contained in the recorded lecture is protected under federal copyright laws and may not be published without the consent of the lecturer. A pledge consistent with this section shall be developed by the System Office for Compliance and must be signed by the student before lecturers can be recorded.

A student who has been found to violate this section under the appropriate disciplinary process shall no longer be eligible to record lectures.

## 4. **Equipment Checked Out**

Students are responsible for any equipment checked out under this Policy. If equipment is lost, damaged, or unreturned, the student is responsible for the current replacement or repair cost. This cost will be reflected on the student's



financial account with the System as an outstanding debt until the fee is paid.

**5. Alternative Testing Locations**

Faculty must seek approval from the ADA Coordinator for all alternative testing locations.

**6. Examinations**

Students who qualify for a private testing room, a distraction-free testing environment, or extended time are eligible to use the Disability Services Testing Center. For use of the Disability Services Testing Center, the student is required to schedule the exam at least three (3) business days prior to the exam.

Faculty must submit the examinations directly to the designated personnel overseeing testing in the Disability Services Testing Center whether in-person or through electronic communication.

**D. STUDENT RIGHTS AND RESPONSIBILITIES**

**1. Students have a right to:**

- Equal access to System programs, services, and facilities.
- Access reasonable accommodations to reduce/remove a disability-related barrier by opening a file and submitting requests to the Disability Services Coordinator.
- Confidentiality of documentation submitted to the Disability Services Coordinator.
- Appeal decisions related to an accommodation if they feel their request has not been adequately addressed.
- The same respect afforded to their peers and freedom from retaliation when requesting/accessing approved accommodations or engaging in a protected activity.
- Information and advisement, fostering self-advocacy whenever appropriate/possible.

**2. Students have a responsibility to:**

- Self-disclose the presence of a disability to the Disability Services Coordinator to be eligible for accommodations through the Disability Services Coordinator.
- Participate in an intake appointment with the Disability Services Coordinator after submitting an application for accommodations and documentation from a qualifying professional, identifying the diagnosed conditions and related functional limitations.
- Notify the Disability Services Coordinator of any schedule changes where additional faculty will need notification of any approved accommodations.
- Request accommodations in advance of the need each semester; accommodations are not retroactive and some require more advance notice

- than others to process.
- Follow procedures for requesting and accessing specific accommodations.
  - Meet the same essential standards as students without disabilities in their academic program and courses; essential standards include academic, behavioral, performance, and technical standards.
  - Self-advocate and communicate with faculty and staff as it relates to their disability.
  - Report any challenges related to approved accommodations to the Disability Services Coordinator or ADA Coordinator as soon as reasonably possible to address the challenge and avoid delays in accessing the accommodations.

## E. FACULTY AND STAFF RIGHTS AND RESPONSIBILITIES

### 1. **Faculty and Staff have a right to:**

- Request the Disability Services Coordinator to reconsider an approved accommodation and engage in an interactive process with the Disability Services Coordinator and the student when an approved accommodation compromises essential elements and components of the course or evaluation process.
- Make additional recommendations to the Disability Services Coordinator for adjustments in approved accommodations if they believe the student will benefit.

### 2. **Faculty and Staff have a responsibility to:**

- Offer accommodations approved by the Disability Services Coordinator.
- Not to provide accommodations under the guise of a disability unless the accommodation is approved by the Disability Services Coordinator. Providing academic accommodations prior to formal approval will result in the obligation of the faculty member to continue those services.
- Include the Disability Services Statement in their course syllabi.
- Address the essential functions and expectations of the course in their course syllabi.
- Contact the Disability Services Coordinator if assistance is needed in providing approved accommodations.

## F. DISABILITY SERVICES COORDINATOR RIGHTS AND RESPONSIBILITIES

### 1. **The Disability Services Coordinator has a right to:**

- Expect/receive notification from the student, verifying the presence of a disability and the need for a reasonable accommodation.
- Request/receive appropriate documentation that identifies the condition(s) being considered for disability eligibility, and relevant functional limitations impacting one or more major life activities.
- Receive accommodation requests in advance of the need for each semester for which accommodations are needed.

- Timely notifications from the student regarding concerns or questions about accommodations or implementation of accommodations to allow the System to respond in a timely manner.
- Select among equally effective accommodations.
- Refuse unreasonable accommodation requests.
- Require verification of medical documentation.
- Deny accommodation requests if the documentation demonstrates that the request is not warranted, or if the individual fails to provide appropriate documentation.

2. **The Disability Services Coordinator has a responsibility to:**

- Uphold the academic standard/integrity of courses and programs offered.
- Facilitate equal access to academic programming and related services for students with documented disabilities, partnering with relevant personnel to ensure effective implementation.
- Engage in an interactive process with the student and appropriate stake holders to determine reasonable accommodations.
- Document the interactive process.
- Address accommodation requests from eligible students with disabilities in a timely manner, avoiding delays that may disadvantage the student.
- Develop and communicate a clear plan of approved accommodations, generating written verification of accommodations for specifically identified courses, field experiences, or academic requirements.
- Respond to concerns from students, faculty members, and other stake holders to resolve barriers to implementing reasonable accommodations.
- Participate in professional development to stay current on trends, relevant legal issues/rulings and to communicate awareness of evolving issues impacting students and postsecondary institutions in the disability field.
- Communicate with the ADA Coordinator and System Director for Compliance regarding policies impacting students with disabilities to ensure ongoing consistency with federal and state laws and regulations.

## G. ENROLLMENT AT MULTIPLE INSTITUTIONS WITHIN THE SYSTEM

Students with disabilities who attend multiple institutions within the System shall only need to register with the Disability Services Coordinator at their primary institution. Said Disability Services Coordinator shall have the authority to issue accommodations under this Policy for the student at any other institution within the System.

## H. PREGNANT AND PARENTING STUDENTS

The System supports and accommodates pregnant and parenting students under Title IX of the Education Amendments of 1972. Pregnant and parenting students are entitled to all programs and activities sponsored by the System. The System and its institutions must not discriminate against a student based on the following:

- Pregnancy;

- Childbirth;
- False pregnancy;
- Termination of pregnancy; and
- Recovery from any of these conditions.

1. **Student Absence due to Pregnancy**

A student's absence because of pregnancy or childbirth must be excused as long as the student's doctor deems the absence medically necessary. When a student returns, the student must be allowed to return to the same academic and co-curricular status as prior to the student's leave.

If absences are due to pregnancy, faculty must allow a student to submit work after the deadline and earn class attendance and participation points. The faculty member will work with the student to determine how to make up missed work and points.

The student may be offered alternatives to making up missed work, from which the student shall be allowed to choose. Possible alternatives include the following: retaking the semester; taking part in an online format to complete the course (if offered); or continuing at the same pace, finishing at a later date by allowing the student additional time in the program.

2. **Services for Pregnant/Parenting Students**

Pregnant students will be provided with special services that are provided to those who have a temporary disability. The Disability Services Coordinator will determine and coordinate appropriate services. Medical certification will be requested by the Disability Services Coordinator.

Pregnant students may be allowed additional services based upon functional limitations imposed by the pregnancy. Examples include, but are not limited to, requiring a larger desk; being allowed frequent trips to the bathroom; and being permitted temporary parking accommodations.

Parenting students who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth or adoption of their child or placement of a foster child may request an academic modification period of up to one semester beginning within the first six months of the child entering the home. Extensions may be granted where additional time is required due to medical necessity or extraordinary parenting responsibilities. During a modification period, the student's academic requirements will be adjusted and deadlines postponed as appropriate. The Disability Services Coordinator will determine and coordinate appropriate services.

The Disability Services Coordinator shall designate spaces on campus for students who may be breastfeeding.

**NOTE:** Any complaints of discrimination by a student based under this section of Pregnant and Parenting Students shall be filed with the Title IX Coordinator pursuant to the System’s Power-Based Violence/Sexual Misconduct and Title IX Formal Grievance Procedure policies.

## I. GRIEVANCE PROCEDURE

The System prohibits discrimination on the basis of disability and has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints by students under this Policy. A student who is registered for or attempts to register for accommodations under this Policy may file a grievance if they have been denied equal access to academic programs, campus activities, or other services because of a disability. Additionally, a student may file a grievance under this procedure if the student is unsatisfied with the accommodations provided by the Disability Services Coordinator.

The System has both informal and formal mechanisms in place to resolve concerns about disability discrimination, which are:

- Disagreements regarding a requested service, accommodation, auxiliary aid, or modification of a System practice or requirement, or denial of a request;
- Inaccessibility of a program or activity; or
- Violation of privacy in the context of a disability.

### 1. **Informal Process**

The System encourages students with concerns about a disability-related issue to first discuss the matter with the Disability Services Coordinator, who will attempt to facilitate a resolution. Students are not required to pursue the informal process first and may engage in the formal grievance process as their first step if preferred.

If the Disability Services Coordinator is not successful in achieving a satisfactory resolution, within ten working days from the date the disability-related issue is raised, or the complaint is against the Disability Services Coordinator, a formal grievance may be filed as described below.

The purpose of the informal process is to make a good faith effort to resolve the issue quickly and efficiently; however, the student may ask to implement the formal process at any time during the informal resolution or instead of the formal resolution.

### 2. **Formal Grievance**

A formal grievance must be filed with the ADA Coordinator within twenty-one (21) working days of the date of the decision of the Informal Process or within thirty (30) days of the occurrence of the disability-related issue. The grievance must be in writing and include the following:

- The grievant’s name, address, email address, and phone number;
- A full description of the situation;

- A description of the efforts which have been made to resolve the issue informally, if any; and
- A statement of the requested remedy.

The ADA Coordinator will review the grievance for timeliness and appropriateness under this grievance procedure and notify the grievant if the grievance has been accepted.

If the grievance is accepted, the ADA Coordinator will commence an investigation. In undertaking the investigation, the ADA Coordinator may interview, consult with, or request a written response to the issues raised in the grievance from any individual the ADA Coordinator believes to have relevant information, including but not limited to faculty, staff, students, and visitors of the System. All parties will have the opportunity to provide the ADA Coordinator with information or evidence that the party believes is relevant to the grievance. All parties involved will receive a fair and equitable process and be treated with care and respect.

The investigation shall be completed within thirty (30) days of the filing of the written complaint unless there are documented circumstances approved by the System Director for Compliance. At the conclusion of the investigation, the ADA Coordinator will make a determination regarding the appropriate actions to be taken. The ADA Coordinator will summarize the evidence that supports the determination, and the grievant and the party against whom the grievance is directed, if any, will be advised in writing of the outcome of the investigation.

### Appeals

Appeals shall only be raised on one or more of the following grounds:

- Improper procedure or
- New evidence that was unavailable at the time of the investigation.

The grievant or the party against whom the grievance is directed, if any, may appeal the determination of the ADA Coordinator. A written notice of appeal outlining the reasons for the appeal shall be filed with the ADA Coordinator within five (5) days after receiving the determination from the ADA Coordinator.

Upon receiving a written notice of appeal, the ADA Coordinator shall provide a copy to the other party, if any, giving the other party, if any, two (2) days to provide a written response to the appeal. After the lapse of response time, the ADA Coordinator shall forward the appeal, appellate response, and case file to the appellate adjudicator for adjudication of the appeal.

The appellate adjudicator shall be the System Director for Compliance or his/her designee.

Upon receipt of the appeal, appellate response, and case file, the appellate

adjudicator shall have ten (10) days to issue a written notice with rationale to the grievant and the party against whom the grievance is directed, if any, copying the ADA Coordinator.

The appellate decision is the final authority on this matter by the System.

The grievant may file a complaint with the U.S. Department of Education, Office of Civil Rights, at any time before, during, or after the System's grievance process.

#### J. RETALIATION PROHIBITION

No individual shall be discriminated or retaliated against, coerced, intimidated, threatened, harassed, or interfered with for:

- Making an accommodation request;
- Opposing any act or practice made unlawful by the ADA;
- Filing a charge, testifying, assisting, or otherwise participating in an investigation, proceeding, or hearing to enforce any provision of the ADA;
- Aiding or encouraging another individual in the exercise of any right granted or protected by the ADA; or
- Having a family, business, social, or other relationship or association with an individual with a known disability.

The Disability Services Coordinator or the ADA Coordinator shall be notified immediately of any acts of retaliation.

#### K. NATIONAL VOTER REGISTRATION ACT REPORTING

The System is designated as a mandatory voter registration agency under the National Voter Registration Act and La. R.S. 18:116 and must comply with the relevant laws. The Disability Services Coordinator shall ensure compliance with the National Voter Registration Act, La. R.S. 18:116, and relevant laws and regulations. Additionally, the Disability Services Coordinator shall maintain and report such statistical records on the number of applications to register to vote as requested by the secretary of state.

During every student application for service or assistance and with each re-certification, renewal, or change of address form relating to such service or assistance, whether the forms are in paper or electronic format, the Disability Services Coordinator must offer the student an opportunity to register to vote by distributing a voter registration application form and declaration form.

The Disability Services Coordinator must assist the student in completing the voter registration application form unless the student refuses assistance. The Disability Services Coordinator must provide the same degree of assistance to each student in completing the voter registration application form and declaration form as the Disability Services Coordinator would provide to a student in completing System forms. The Disability Services Coordinator shall also remind the student that the Disability Services

Coordinator is available to provide assistance in completing the voter registration application form, that the assistance is available at the local mandatory voter registration agency's office, and that the declaration form and voter registration application form may be returned by mail or in person to the local mandatory voter registration agency's office.

The Disability Services Coordinator must keep and record all declaration forms for at least twenty-four (24) months.

If the student fails or refuse to complete the declaration form, the Disability Services Coordinator shall indicate on the declaration form under the comments/remarks section that the student failed to complete or sign the form or failed to check either box on the declaration form. If the student wants to complete the voter registration application form at home, the Disability Services Coordinator shall not mark on the application but make a note on the declaration form that the student took the application home to complete.

The Disability Services Coordinator must forward completed voter registration applications forms daily to the appropriate registrar of voters.

All information received on a voter registration application form or declaration form is confidential and shall not be shared.

#### L. CONFLICTS OF INTEREST

Any conflicts of interest regarding the Disability Services Coordinator or the ADA Coordinator shall be resolved by the System Director for Compliance or his/her designee. Any conflicts of interest regarding the System Director for Compliance shall be resolved by the General Counsel or his/her designee.

#### M. CONFIDENTIALITY

All documentation obtained as part of an accommodation request, including medical and other relevant information, shall be maintained as confidential records, separate from the student's academic record, and subject to disclosure only as allowed by law or with the individual's permission.

### VI. **POLICY RELATED INFORMATION**

- Americans with Disability Act of 1990 and its Amending Act of 2008
- Section 504 of the Rehabilitation Act of 1973
- 34 CFR 104.1, et seq.
- 34 CFR 104.44
- Title IX of the 1972 Education Amendments
- National Voter Registration Act of 1993
- La. R.S. 46:1951, et seq.
- La. R.S. 46:2251, et seq.
- La. R.S. 18:116



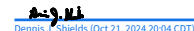
## VII. POLICY HISTORY AND REVIEW CYCLE

This is a revised policy. The effective date of this revised policy is determined by the approval dates and signatures of the Chair of the Southern University System Board of Supervisors and the President of the Southern University and A&M College System. This revised policy is subject to a five-year policy review cycle.

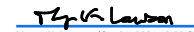
## VIII. POLICY URL

The approved policy will be posted on the Southern University System website under Board Policies at [www.sus.edu/policies](http://www.sus.edu/policies).

## IX. POLICY APPROVAL

  
Dennis J. Shields (Oct 21, 2024 20:04 CDT)  
\_\_\_\_\_  
***Dennis J. Shields***  
***President, Southern University and A&M College System***

***10-19-2024***  
\_\_\_\_\_  
***Effective Date of Policy***

  
Myron K. Lawson (Oct 21, 2024 18:56 CDT)  
\_\_\_\_\_  
***The Honorable Myron K. Lawson***  
***Chair – Southern University System Board of Supervisors***

***10-19-2024***  
\_\_\_\_\_  
***Effective Date of Policy***









# Disability Services Policy 10-19-24

Final Audit Report

2024-10-22

Created:	2024-10-21
By:	Jeremiah Sams (jeremiah.sams@sus.edu)
Status:	Signed
Transaction ID:	CBJCHBCAABAAYayFj3BI-tGxLn7L_nQlScD2DXlbsR8H

## "Disability Services Policy 10-19-24" History

-  Document created by Jeremiah Sams (jeremiah.sams@sus.edu)  
2024-10-21 - 8:15:10 PM GMT
-  Document emailed to Myron K. Lawson (myronklawson@gmail.com) for signature  
2024-10-21 - 8:15:19 PM GMT
-  Document emailed to Dennis J. Shields (dennis.shields@sus.edu) for signature  
2024-10-21 - 8:15:19 PM GMT
-  Email viewed by Myron K. Lawson (myronklawson@gmail.com)  
2024-10-21 - 11:55:53 PM GMT
-  Document e-signed by Myron K. Lawson (myronklawson@gmail.com)  
Signature Date: 2024-10-21 - 11:56:16 PM GMT - Time Source: server
-  Email viewed by Dennis J. Shields (dennis.shields@sus.edu)  
2024-10-22 - 1:04:10 AM GMT
-  Document e-signed by Dennis J. Shields (dennis.shields@sus.edu)  
Signature Date: 2024-10-22 - 1:04:39 AM GMT - Time Source: server
-  Agreement completed.  
2024-10-22 - 1:04:39 AM GMT