

Policies and Procedures for Students – Disability Services

<https://www.gcsu.edu/disability/policies-and-procedures-students>

Georgia College is committed to the full and total inclusion of all individuals and to the principle of individual rights and responsibilities. To this end, policies and procedures will ensure that persons with a disability will not, on the basis of that disability, be denied full and equal access to academic and co-curricular programs or activities or otherwise be subjected to discrimination under programs or activities offered by Georgia College.

This policy was developed to ensure equal access at Georgia College for individuals with disabilities and to ensure full compliance with all pertinent federal and state legislation, including Section 504 of the Rehabilitation Act of 1973 and the American with Disabilities Act (ADA) of 1990 as amended.

Definitions

For the purpose of clarification, the following terms will have the meanings outlined below:

Auxiliary Aids - includes but is not limited to brailled and taped material, interpreters, and other aids for persons with impaired cognitive, sensory, motor, or speaking skills.

Modifications - includes but is not limited to the use of auxiliary aids in classroom settings; allowances for time and energy level considerations such as reduced course loads; additional time for taking exams; substitutions of other acceptable assignments, courses, tests, or test formats when necessary to ensure equal access for individuals with disabilities; also includes physical modifications such as ramps, elevators, lifts, curb cuts, etc.

Person with a disability - means any person who has a physical or mental condition which substantially limits one or more major life activities or has a record of such a condition.

Physical disability - means any physical condition, anatomic loss, or cosmetic disfigurement which is caused by bodily injury, birth defect, or illness.

Mental disability - includes (1) developmental disabilities such as mental retardation, autism, or any other neurological conditions; (2) an organic or mental condition that has substantial adverse effects on an individual's cognitive or volitional functions, such as central nervous system disorders; significant discrepancies among mental functions of an individual, including any mental or psychological disorder, such as head injury; emotional or mental illness; and specific learning disabilities. The term mental disability does not include active alcoholism or current drug addiction and does not include any mental condition, disease, or defect that has been successfully asserted by an individual as a defense to any criminal charge.

Major Life Activities - means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, and experiencing leisure. Has a record of such condition-means that one has a history of or is regarded as having a mental or physical condition that substantially limits one or more major life activities.

Qualified Person with a Disability

1. With respect to post-secondary services, a person with a disability who meets the academic and technical standards for admission or participation in the education program or activity given appropriate accommodations.
2. With respect to any other program or activity, a person with a disability who meets the essential eligibility requirements for participation in, or receipt from, that program or activity given appropriate accommodations.

Programs include but are not limited to: Academic majors and degree plans, including coursework and practical research; occupational training; housing; counseling; financial aid; physical education; athletics; recreation; transportation; student organizations; placement; and any other programs offered by the university.

The Board of Regents has established definitions and criteria for documentation of disorders which affect learning. Georgia College will adhere to these definitions as delineated in Section 2.22 of the Academic Affairs Handbook.

Rights and Responsibilities

In order to ensure the full translation of this policy for access of individuals with disabilities into procedures, two important areas of rights and responsibilities have to be considered: (a) the right of the individual with a disability to be included on the basis of criteria that do not unfairly discriminate because of the disability and (b) the right of the university to set and maintain standards for admitting and evaluating the progress of students.

To assure full consideration of both areas, this section of the catalog outlines the rights and responsibilities of the university and the rights and responsibilities of students who have disabilities. The procedures that follow create a mechanism for dispute resolution for those instances in which the usual channels have not resulted in decisions that are acceptable to both the individual and the University's decision-making authorities.

Rights and Responsibilities of the University

- Georgia College recognizes that its basic responsibility is to identify and maintain the academic and technical standards that are fundamental to providing quality academic programs while ensuring the rights of individuals with disabilities. To meet this obligation, Georgia College recognizes the following rights and responsibilities:
- Georgia College has the right to identify and establish the abilities, skills, and knowledge necessary for success in its programs and to evaluate applicants and students on this basis; has the right to identify and establish the abilities, skills, and knowledge that are

fundamental to academic programs/courses and to evaluate each student's performance against these standards. Fundamental program and course standards are not subject to modifications;

- Georgia College has the right to request and receive documentation that supports request for modifications. The university has the right to deny a request if the documentation demonstrates that no modification is necessary, or if the individual fails to provide such documentation;
- Georgia College has the right to select among equally effective modifications for individuals with a disability;
- Georgia College has the right to refuse an unreasonable modification or one that imposes an undue hardship on the university.
- Georgia College has the responsibility to ensure that its recruitment information and activities are available and accessible;
- Georgia College has the responsibility to evaluate applicants based solely on their abilities and qualifications. If an evaluation method of criterion unfairly discriminates against an applicant with a disability, the university will seek reasonable alternatives.
- Georgia College has the responsibility to ensure that all of its academic programs are accessible and usable;
- Georgia College has the responsibility to select and administer tests used to evaluate students so as to best ensure that test results accurately reflect aptitudes or competencies and do not discriminate against an individual with a disability. Tests designed to measure specific skills related to fundamental/essential course goals are allowable even when those skills are impacted by the disability.
- Georgia College has the responsibility to adjust, substitute or waive any academic requirements within Regents' policy which unfairly discriminate against students with disabilities and that are not essential to the integrity of students academic programs;
- Georgia College has the responsibility to make reasonable modifications for a student with a disability in the delivery, instructional method, and evaluation system of a course;
- Georgia College has the responsibility to inform its applicants and students about the availability of auxiliary aids and the range of possible modifications as well as the procedures for requesting them.

If a request for modification is denied, Georgia College has the responsibility to inform the individual of his or her right to appeal the decision and the procedures for initiating an appeal.

Rights and Responsibilities of Individuals with a Disability

An individual with a disability has a right to an equal opportunity to participate in and benefit from programs offered at Georgia College. To ensure this right, individuals with disabilities at Georgia College must identify themselves as disabled to David Anderson, Director of the Student Disability Resource Center. **Individuals have the following rights and responsibilities:**

- Individuals with disabilities have the right to an equal opportunity to learn. They have a right to reasonable modifications in aspects of their educational experiences such as location, delivery system, or instructional methodologies that limit access, participation, or ability to benefit.
- Individuals with disabilities have the right to an equal opportunity to participate in and benefit from the academic community. This includes access to services and co-curricular activities when reviewed in their entirety, which are comparable to those provided any other student;
- Individuals with disabilities have the right to confidentiality of all information and have the right to choose to whom information about their disabilities will be disclosed;
- Individuals with disabilities have the right to information regarding the availability of auxiliary aids and possible modifications as well as procedures for making requests for either;
- Individuals with disabilities have the right to be informed of procedures for initiating an appeal of a decision by the institution regarding auxiliary aids or modifications;
- Individuals with disabilities have the right to be informed of procedures for initiating further appeal of an institutional decision through external channels. This typically would be done through filing a complaint with the Office of Civil Rights or filing a case through the civil court system.
- Individuals with disabilities have the same responsibility as any other student to meet and maintain the institution's academic standards;
- Individuals with disabilities have the responsibility to advocate for their own individual needs and to seek information, counsel, and assistance as necessary to be effective self advocates;
- Individuals with disabilities have the responsibility to demonstrate or document how their disabilities limit their ability to benefit from a particular delivery system, instructional method, or evaluation criteria when they make a request for modification. The individual must provide documentation from an appropriate professional as required by Regents Policy;
- Individuals with disabilities have the responsibility to follow published procedures for making such requests and to do so in a timely fashion;
- Individuals with disabilities have the responsibility to follow published procedures for filing an appeal.

Procedures for Admissions

Admission to Georgia College is based on the requirements outlined in the university catalog.

Auxiliary Aids of a Long-Term or Permanent Nature

Georgia College seeks to ensure that individuals with disabilities who can meet the academic and technical standards for admission are not excluded from full participation in the programs the

university operates because of the absence of necessary auxiliary aids or reasonable modifications.

Students with disabilities are expected to exercise initiative in identifying and obtaining auxiliary aids and assistance through every reasonable channel available to them. The primary role of the university in this effort should be informative/supportive of active self-advocacy on the part of the student. The university has a responsibility to determine the necessity of aids and ensure that students are not denied the right to participate in programs, benefits, classes, or services because of the absence of reasonable and appropriate auxiliary aids that would make participation possible.

Students who believe they will need auxiliary aids to participate fully in the activities inherent in their programs at Georgia College should make those needs known as early as possible, preferably as soon as they have been admitted or determined to have a disability. These requests should be made through direct contact with the Director. To expedite the process, requests should be accompanied by a written evaluation of the student's disability which must meet the criteria established by the Georgia Board of Regents.

It is important to note that accommodation requests which fundamentally alter the nature of the curriculum or a course learning objective are not considered reasonable under the applicable federal laws. In order to make such a determination, the Student Disability Resource Center consults with appropriate officials who have expertise in the areas the student with a disability is seeking academic accommodations including individual professors, department chairs, etc., to engage in a rational review in order to determine what program/course requirements are "essential." The Student Disability Resource Center works with the professor and student to consider whether effective alternatives to the requirement exist which would allow the student with a disability to participate without waiving or lowering essential requirements or fundamentally altering the nature of the program.

Course Modifications and Substitutions

All students are expected to meet the essential requirements of their programs. Requests for course modifications and substitutions will be decided on a case-by-case basis. Students should contact the Director of the Student Disability Resource Center to obtain procedures for requesting modifications and substitutions.

Course Modifications

When the ADA supports course modifications, the Director will confer with the student to determine individualized modifications according to the student's specific disabilities and course requirements. Such modifications may require changes in the distribution and presentation of course material and in the evaluation of academic performance. The student will meet with the instructor to discuss implementation of the modifications. The Academic Advisor will assist as needed.

Course Substitutions

Courses may be substituted when the documentation supports a determination that the disability precludes learning a specific subject, that modifications would most likely be futile, and that the course is determined not to be essential to the student's program of study. The student, in consultation with the approved adviser, will select substitute courses from the approved list of courses or may petition the dean for approval of alternative substitutes. In the absence of an approved list, the degree granting unit will provide a list of acceptable substitutions.

Appeals Process

Georgia College recognizes both the wide variation in the needs of students with disabilities and the variation in course contexts as students progress through their programs. When needs arise, the Director of the Student Disability Resource Center will, at the request of students, faculty, or staff, review the process by which the current modifications were determined and seek to revise the modifications. The dissatisfied party may file an appeal.

Basis for Appeal

Students may appeal on one of the following bases:

1. The access plan does not represent a reasonable accommodation of their disability. The basis for such an appeal should be that their disability, in the absence of the requested alternatives or additional modifications, limits their full participation or their accurate evaluation in a specific activity, service, program, or course. The appeal must include a rationale for the requested additions or alternatives.
2. A particular course or requirement is not essential to the integrity of the program of instruction being pursued. The basis for such an appeal should be that their disability, in the absence of the requested substitution, limits their full participation in the academic program. The appeal must include a rationale for the requested substitution.

Faculty/Department Heads/Program Coordinators may appeal a student's access plan on the grounds that the modifications represent a fundamental alteration in a course, program, or service.

Filing Appeals

Students and instructors should make every effort to work together to implement modifications determined to be reasonable and appropriate.

Appeals should be directed to:

Dr. Shawn Brooks

Vice President for Student Life

206 Parks Hall

478-445-5169

Contact Info:

Student Disability Resource Center

109 Russell Library, CBX 123

(478) 445-5931

disability@gcsu.edu