



# Accessibility Services Handbook

*Table of Contents*

Civil Rights and Nondiscrimination Policy .....2  
Documentation of Disability/Condition .....2  
Determination and Provision of Reasonable Accommodations ..... 3  
Procedures for Students Requesting Accommodations ..... 4  
Academic Adjustments ..... 5  
Auxiliary Aids ..... 5  
Service & Assistance Animals ..... 6  
Grievance Procedures ..... 11  
Important Contact Information ..... 12  
Request for Services Form .....13  
Release of Documentation Form .....14  
References .....15

## Civil Rights and Nondiscrimination Policy

The policy of Bushnell University is to provide equal opportunity for all qualified persons to participate in the educational programs and activities that the University operates. The University does not discriminate on the basis of race, color, national or ethnic origin, sex, age, disability, sexual orientation, religion, marital status or any other protected status in its admission policy, employment, scholarship and loan programs, educational, athletic, or other activities.<sup>1</sup>

### Documentation of Disability/Condition

To be eligible for disability-related services, students must have a documented disability as defined by the Americans with Disabilities Act (ADA), 1990, that is “a physical or mental impairment that substantially limits one or more of the major life activities.” Disabilities include physical and mental impairments which may include but are not limited to vision, hearing, mobility, learning systemic, psychiatric, and brain injury.

With the student’s written consent, the Accessibility Coordinator will request documentation from an appropriate, licensed professional to certify the individual’s disability. The individual student should be responsible for making sure appropriate documentation is provided to the University. If the initial documentation is more than three years old, incomplete or inadequate to determine the extent of the disability and appropriate accommodations, the Accessibility Coordinator will have the discretion to require supplemental assessment of disability. The cost of the supplemental assessment shall also be borne by the individual student.

Pending receipt of the appropriate documentation, the Accessibility Coordinator reserves the right to deny services or accommodation.

Documentation of the disability serves two primary purposes:

1. To establish protection from discrimination:

Non-discrimination policies assure that individuals with disabilities will not be excluded or provided lesser access to programs and activities based on assumptions rooted in stereotype or perception of ability that are not based in fact. Non-discrimination policies also provide freedom from harassment based on perceptions of disability.

Documentation of a disability need not be extensive. A diagnostic statement from an appropriate professional, a past history of recognition as a person with a disability

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<sup>1</sup> The University reserves the right to hire only Christians for full time faculty and adjunct teaching positions in its effort to faithfully carry out its mission to be a university grounded in the Christian faith.

or even self-identification that indicates how others might regard the individual as having a disability could suffice as the basis for protection from discrimination.

AND

2. To determine the accommodations to which the individual may be entitled:

Reasonable accommodations include modifications to policy, procedure or practice and the provision of auxiliary aids and services that are designed to provide equal access to programs and services for qualified individuals with disabilities.

Accommodations are reasonable when they do not fundamentally alter the nature of a program or service and do not represent an undue financial or administrative burden for the University.

**Documentation for the purpose of assessing reasonable accommodations must both establish disability and provide adequate information on the limitations resulting from the disability so that effective accommodations can be identified.** In the context of postsecondary education, documentation should provide a decision-maker with a basic understanding of the individual's disability and enough information to anticipate how the disability will limit the student's ability to meet course and program requirements.

## Determination and Provision of Reasonable Accommodations

The University is obligated to provide reasonable accommodations, adjustments, and/or auxiliary services only to address known limitations of an otherwise qualified individual with a disability/condition. It is the responsibility of the individual with a disability/condition to inform the University that an accommodation is needed. When a qualified individual with a disability/condition requests an accommodation, the University will make a reasonable effort to provide accommodation, adjustment, and/or auxiliary service that is effective for the individual.

The University will make reasonable efforts to provide accommodations that will ensure that applications for admission, course exams and other measures of achievement will reflect the student's qualifications rather than the effects of the disability/condition.

The determination of accommodations is an interactive process. The University will make every effort to incorporate the individual student's suggestions when considering an appropriate accommodation, but the University will not necessarily implement the student's first-choice accommodation.

## Procedures for Students Requesting Academic Accommodations

1. Students with disabilities/conditions who require academic accommodation will seek assistance from the Accessibility Coordinator six weeks prior to the start of the class or as soon as possible.
2. Students will provide documentation of their disability/condition and how it limits their participation in employment, courses, programs, services, and/or activities of the University.
3. The Accessibility Coordinator will file official documentation of disability/condition that clearly identifies the diagnosis and provides sufficient information regarding the manifestations of the disability/condition.
4. The Accessibility Coordinator will ensure that documentation is kept confidential and shared with University personnel only on a limited need-to-know basis.
5. The Accessibility Coordinator and the student will undertake an interactive process to determine a reasonable accommodation.
6. The Accessibility Coordinator will clearly outline the process for provision of reasonable accommodations and will present this orally and in writing to students with disabilities. In determining reasonable accommodations, the following questions will be answered:
  - a. What accommodations will be provided?
  - b. How will they be provided?
  - c. When will they be provided?
  - d. Who is responsible for providing them?

Standardized policies and procedures established by the Accessibility Coordinator for auxiliary aids and services (i.e., academic assistance, test accommodations, alternate print formats, and registration assistance) will be included in the plan when appropriate.

7. The Accessibility Coordinator will provide individualized “notice of accommodations” to students, which can be shared with faculty members in order to:
  - a. Certify the existence of a disability;
  - b. Recommend reasonable accommodations;
  - c. Delineate faculty, student, and Accessibility Coordinator’s roles and responsibilities; and

- d. Invite faculty to contact the Accessibility Coordinator if there are concerns or questions about accommodations.

Faculty will not contest the existence of a disability/condition if it has been properly documented and will be expected to assist with the provision of reasonable accommodations when appropriate and necessary. Professors are not expected to compromise course expectations or the quality of student work. The University reserves the right to refuse an unreasonable accommodation, adjustment and/or auxiliary aid and service that imposes a fundamental alteration to a program or activity of the University.

8. The Accessibility Coordinator will distribute electronically the Notice of Accommodations (NOA) to the student's instructors each semester. Students are encouraged to discuss their needs with their instructors, and Accessibility Coordinators are available to collaborate.
9. Students receiving accommodations will be responsible for contacting the Accessibility Coordinator if reasonable accommodations are not implemented in a timely fashion, need to be adjusted, and/or are not effective.

## Academic Adjustments

The University will make modifications to its academic requirements as necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified disabled applicant or student. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

## Auxiliary Aids

Auxiliary aids may include audio 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 University is not required to provide attendants, readers for personal use or study, or other devices or services of a personal nature.

## Service & Assistance Animals

### *Service & Assistance Animal Definitions*<sup>2</sup>

*Handler* – A person with a disability that a service animal assists or a personal care attendant who handles the animal for a person with a disability.

*Service Animal* – Any dog\* individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability and meets the definition of “service animal” under the Americans with Disabilities Act (“ADA”) regulations at 28 CFR 35.104. The work or tasks performed must be directly related to the individual’s disability.

Examples include, but are not limited to: assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

\*Under particular circumstances set forth in the ADA regulations at 28 CFR 35.136(i), a miniature horse may qualify as a service animal.

*Assistance Animal* – An assistance animal is one that is necessary to afford the person with a disability an equal opportunity to use and enjoy University housing. *An assistance animal may provide physical assistance, emotional support, calming, stability and other kinds of assistance. Assistance Animals do not perform work or tasks that would qualify them as “service animals” under the Americans with Disabilities Act.* Assistance animals that are not service animals under the ADA may still be permitted, in certain circumstances, in University Housing pursuant to the Fair Housing Act.

*Place of public accommodation* – Public accommodation “means a place of public accommodation” as defined in ORS 659A.400.: “a place or service offering to the public accommodations, advantages, facilities or privileges whether in the nature of goods, services, lodgings, amusements or otherwise.” A place of public accommodation does not

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<sup>2</sup> Used with permission. Martha R. Smith, M.A., Director of Disability Access Services at Oregon State University, granted special permission to utilize and adapt the OSU Service & Assistance Animal Policy to the Bushnell University campus (i.e., pages 6-10 of this handbook list Bushnell University’s Policy on Service & Assistance Animals and have been adapted from the Oregon State University website <http://oregonstate.edu/accessibility/serviceanimalpolicy>).

include any institution, bona fide club or place of accommodation which is in its nature distinctly private.<sup>3</sup>

### ***Bushnell University Policy on Service & Assistance Animals***

In compliance with applicable law, Bushnell University generally allows service animals in its buildings, classrooms, residence halls, meetings, dining areas, recreational facilities, activities and events when the animal is accompanied by an individual with a disability who indicates the service animal is trained to provide, and does provide, a specific service to them that is directly related to their disability. (*For policies regarding assistance animals – including emotional support animals - that do not meet the definition of a "service animal," please see the Bushnell University Policy on Assistance Animals.*)

The University may not permit service animals when the animal poses a substantial and direct threat to health or safety or when the presence of the animal constitutes a fundamental alteration to the nature of the program or service. Accessibility Coordinator(s) will make those determinations on a case-by-case basis.

### ***Bushnell University Inquiries Regarding Service Animals***

In general, personnel of the University will not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. University personnel may ask:

- A. If the animal is required because of a disability and;
- B. What work or task the animal has been trained to perform?

The University *will not require documentation*, such as proof that the animal has been certified, trained, or licensed as a service animal. Generally, the University may not make any inquiries about a service animal when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

Specific questions related to the use of service animals on the Bushnell University campus by visitors can be directed to the Accessibility Coordinators via e-mail, [accessibilityservices@bushnell.edu](mailto:accessibilityservices@bushnell.edu) or 541-684-7211.

### ***Responsibilities of Handlers***

Students who wish to bring a service animal to campus are strongly encouraged to partner with Disability Services, especially if other academic accommodations are required. Additionally, students who plan to live in on-campus housing are required to register with Residence Life regarding the University's on-campus housing if they plan to have a service

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<sup>3</sup> Learn more about service animals and the ADA at [http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm).



animal with them in student housing. Advance notice of a service animal for on-campus housing may allow more flexibility in meeting student's specific requests for housing.

Handlers are responsible for any damage or injuries caused by their animals and must take appropriate precautions to prevent property damage or injury. The cost of care, arrangements and responsibilities for the well-being of a service animal are the sole responsibility of the handler at all times.

### *Service Animal Control Requirements*

1. The animal should be on a leash when not providing a needed service to the handler.
2. The animal should respond to voice or hand commands at all times, and be in full control of the handler.
3. To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.

*Identification* – It is recommended that the animal wear some type of commonly recognized identification symbol, identifying the animal as a working animal, but not disclosing disability.

### *Animal Etiquette*

To the extent possible, the handler should ensure that the animal does not:

- Sniff people, restaurant tables or the personal belongings of others.
- Display any behaviors or noises that are disruptive to others, unless part of the service being provided the handler.
- Block an aisle or passageway for fire egress.

### *Waste Cleanup Rule*

Cleaning up after the animal is the sole responsibility of the handler. In the event that the handler is not physically able to clean up after the animal, it is then the responsibility of the handler to hire someone capable of cleaning up after the animal. The person cleaning up after the animal should abide by the following guidelines:

- Always carry equipment sufficient to clean up the animal's feces whenever the animal is on campus.
- Properly dispose of waste and/or litter in appropriate containers.
- Contact staff if arrangements are needed to assist with cleanup. Any cost incurred for doing so is the sole responsibility of the handler.

### *Removal of Service Animals*

Service Animals may be ordered to be removed by University personnel for the following reasons:

- *Out of Control Animal:* A handler may be directed to remove an animal that is out of control and the handler does not take effective action to control it. If the improper animal behavior happens repeatedly, the handler may be prohibited from bringing the animal into any university facility until the handler can demonstrate that s/he has taken significant steps to mitigate the behavior.

- *Non-housebroken Animal:* A handler may be directed to remove an animal that is not housebroken.
- *Direct Threat:* A handler may be directed to remove an animal that the University determines to be a substantial and direct threat to the health and safety of individuals. This may occur as a result of a very ill animal, a substantial lack of cleanliness of the animal, or the presence of an animal in a sensitive area like a medical facility, certain laboratories, or mechanical or industrial areas.

Where a service animal is properly removed pursuant to this policy, the University will work with the handler to determine reasonable alternative opportunities to participate in the service, program, or activity without having the service animal on the premises.

### ***Conflicting Disabilities***

Some people may have allergic reactions to animals that are substantial enough to qualify as disabilities. The University will consider the needs of both persons in meeting its obligations to reasonably accommodate all disabilities and to resolve the problem as efficiently and expeditiously as possible. Students requesting allergy accommodations should contact Accessibility Services.

### ***Emergency Response***

In the event of an emergency, the emergency response team (ERT) that responds should be trained to recognize service animals and be aware that the animal may be trying to communicate the need for help. The animal may become disoriented from the smell of smoke in a fire or laboratory emergency, from sirens or wind noise, or from shaking and moving ground. The handler or animal may be confused from the stressful situation. The ERT should be aware that the animal is trying to be protective and, in its confusion, is not to automatically be considered harmful. The ERT should make every effort to keep the animal with its handler. However, the ERT's first effort should be toward the handler; this may necessitate leaving the animal behind in certain emergency evacuation situations.

### ***Service Dogs in Training***

A dog being trained has the same rights as a fully trained dog when accompanied by a trainer and identified as such in any place of public accommodation (as defined in ORS 659A.400). Handlers of service dogs in training must also adhere to the requirements for service animals and are subject to the removal policies as outlined in this policy.

### ***Policy on Assistance & Emotional Support Animals in University Housing***

*Please refer to the Bushnell University Student Handbook for specific information on the University's policy on assistance and emotional support animals in University housing.* Specific questions related to the University's policy on assistance and emotional support animals can be directed to Greg Brock, M.A., Dean of Students/Director of Residence Life, via e-mail at [gbrock@nwc.edu](mailto:gbrock@nwc.edu) or by phone at (541) 684-7252.

### ***Public Etiquette towards Service or Assistance Animals***

It is okay to ask someone if she/he would like assistance if there seems to be confusion, however, faculty, staff, students, visitors and members of the general public should avoid the following:

1. Petting a service animal, as it may distract them from the task at hand.
2. Feeding the service animal.
3. Deliberately startling a service animal.
4. Separating or attempting to separate a handler from his/her service animal.<sup>4</sup>

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<sup>4</sup> Bushnell University's policy on service animal policies was adapted from the Oregon State University handbook with permission; Refer to <http://oregonstate.edu/accessibility/serviceanimalpolicy> for more information.

## Grievance Procedures

### *Grievance Procedures*

Students who have requested accommodations, modifications, and/or adjustments and who believe that they have been discriminated against on a basis of their disability or who are dissatisfied with the accommodations provided should:

1. Notify the Vice President for Academic Affairs. The Vice President for Academic Affairs will work with University personnel and the student to informally resolve disagreements about recommended accommodations.
2. If the Vice President for Academic Affairs is unable to resolve the matter informally, or the individual with a disability or condition is not satisfied with the resolution, the individual may file a Complaint of Discrimination. The complaint must be in writing and should include: the student's current disability documentation, the reason for the complaint, and the means by which the student may be contacted. The student's complaint will be responded to in writing by the Vice President for Academic Affairs within three business days.
3. If the student disagrees with the conclusion of the Vice President for Academic Affairs, the student may appeal to the University's formal Grievance Committee. Such an appeal must be made within 30 days of the Vice President's written communication regarding the formal grievance. The Grievance Committee will respond to the student in writing within 10 business days of hearing the student's grievance.
4. An individual who files a complaint in good faith shall not be subjected to any form of retaliation by the University. An individual may file a complaint alleging retaliation.

## Contact Information

Important phone numbers and points of contact regarding the Americans with Disabilities Act:

Vice President for Academic Affairs  
Bushnell University  
828 E. 11<sup>th</sup> Ave.  
Eugene, OR 97401  
(541) 684-7253

Office for Civil Rights  
U.S. Dep't of Education  
Jackson Federal Building  
915 Second Ave., Rm 3310  
Seattle, WA 98174  
(202) 222-7900

U.S. Department of Justice  
Washington D.C. 20210  
(202) 220-5300

BUSHNELL UNIVERSITY  
**ACCOMMODATIONS REQUEST FORM**

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Name (*please print*): \_\_\_\_\_ Student ID: \_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Class/Program:  Freshman  Sophomore  Junior  Senior  Adult Degree Program  Graduate

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A student who requests academic adjustments or modifications related to a disability must provide information and current documentation to the Accessibility Coordinator concerning his/her specific disability or condition and the requested modifications specified by a physician or an appropriate professional.

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**NATURE OF DISABILITY**

Please provide a brief description of the nature of your condition/disability. Indicate accommodations generally required to assist you in your educational experience. **Attach additional pages to provide documentation of your disability, more details concerning your disability or condition, and specific accommodations requested.** You may receive additional information concerning available services and processes necessary for classroom adjustments.

I am a returning student and am requesting the same adjustment as last year with no changes.

**Physical Impairment:** \_\_\_\_\_

Accommodations Requested: \_\_\_\_\_

**Sensory Impairment:** \_\_\_\_\_

Accommodations Requested: \_\_\_\_\_

**Specific Learning Disability:** \_\_\_\_\_

Accommodations Requested: \_\_\_\_\_

**Psychiatric Impairment:** \_\_\_\_\_

Accommodations Requested: \_\_\_\_\_

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I acknowledge that the exchange of information between Accessibility Services and other Bushnell University staff and/or faculty may be necessary to facilitate my requests. I give my permission for such communication when necessary. **Neither the specific diagnoses of my disability nor the specific nature of other confidential concerns will be released.**

**I give my permission for Accessibility Services staff to discuss my case with the following individuals and/or offices:**

Parents (*list their names*): \_\_\_\_\_

Outside agencies (*specify*): \_\_\_\_\_

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*Student Signature*

*Date*

Please return this form and appropriate documentation to: Bushnell University, 828 E. 11<sup>th</sup> Ave, Eugene, OR 97401; email [accessibilityservices@bushnell.edu](mailto:accessibilityservices@bushnell.edu), or fax 541-684-7333

**RELEASE OF DOCUMENTATION**

Student's Full Name: \_\_\_\_\_

Birth date: \_\_\_\_\_ SS#: \_\_\_\_\_

**TO THE STUDENT:** This consent form may be revoked by YOU at any time. Unless revoked earlier, this consent expires upon completion of your program at Bushnell University. It is understood that the information specified above will not be released to any third party agency or individual without my knowledge and consent. The confidentiality of this information is protected by state laws (ORS 192.500, ORS 179.505) and federal law (PL 93-380, the Federal Family Education Rights and Privacy Act of 1974.)

*Student Signature* \_\_\_\_\_ *Date* \_\_\_\_\_

This student has asked our office for academic accommodations under **Section 504 of the rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990**. Documentation will be used to determine eligibility for services and accommodations in the postsecondary education setting. The Accessibility Coordinator requires the following information to determine the eligibility. You may use the form provided or draft a letter of your own.

**Documentation Requirements:**

- Diagnosing professional credential requirement: (please circle one)  
                     Ph.D.                      M.D.                      D.O.                      Other: \_\_\_\_\_
- Attach a written description of the diagnostic criteria based on the DSM-IV definition
- Report on any diagnostic test used

Diagnosis: \_\_\_\_\_

Date of onset: \_\_\_\_\_

Most recent date you saw this student for this diagnosis: \_\_\_\_\_

Current treatment: \_\_\_\_\_

How might this diagnosis/disability SIGNIFICANTLY AFFECT this student's ability to receive an education?  
 \_\_\_\_\_  
 \_\_\_\_\_

If the student is significantly affected, please give any suggestions you might have for academic accommodations.  
 \_\_\_\_\_  
 \_\_\_\_\_

*Doctor's Signature* \_\_\_\_\_ *Date* \_\_\_\_\_

Oregon State Board license #:

*Please return this form and appropriate documentation to: Bushnell University, 828 E. 11<sup>th</sup> Ave, Eugene, OR 97401; email [accessibilityservices@bushnell.edu](mailto:accessibilityservices@bushnell.edu), or fax 541-684-7333*

## *References*

U.S. Department of Education. (n.d.). *34 CFR § 104 E*.

<http://www.ed.gov/policy/rights/reg/ocr/edlite-34cfr104.html#A>.