

## 13.99.99.R0.42 Students With Disabilities

Approved May 29, 2024  
Next Scheduled Review May 29, 2029



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### Procedure Summary

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Texas A&M University-Commerce is committed to providing equal access to all aspects of the University for students with disabilities. The University will provide reasonable accommodations consistent with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. It is the obligation of students seeking accommodation(s) to identify themselves and provide documentation of their need for an accommodation pursuant to paragraph 3 below.

This procedure defines the process, including appropriate timeframes, used by the University to effectively accommodate students with a disability and to respond appropriately to complaints of alleged discrimination and/or harassment based on a disability.

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### Procedures and Responsibilities

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#### 1 DISABILITIES AND ACCOMMODATIONS

- 1.1 A diagnosis of a disability will be accepted by the University only if it is made by a qualified professional whose license or credentials are appropriate to diagnose the disorder.
- 1.2 Disabilities that may be accommodated by the university may include, but are not limited to, the following:
  - 1.2.1 Chronic medical conditions such as diabetes, heart problems, cancer, and AIDS;
  - 1.2.2 Emotional and psychological disabilities;
  - 1.2.3 Hearing and visual disabilities;
  - 1.2.4 Neurological disabilities;
  - 1.2.5 Orthopedic and mobility disabilities; and
  - 1.2.6 Specific learning disabilities.
- 1.3 Accommodations may include, but are not limited to, the following:

- 1.3.1 Note takers;
- 1.3.2 Audio recorders;
- 1.3.3 Extended exam time;
- 1.3.4 Alternate examination formats (e.g., oral exams);
- 1.3.5 Assistive listening devices, oral or sign language interpreters, captioning;
- 1.3.6 Computer access;
- 1.3.7 Alternate text format; and
- 1.3.8 Priority registration.

## 2 ACADEMIC STANDARDS

- 2.1 As to students with a substantiated diagnosis of a disability, the following may apply:
- 2.2 The University shall not be required to compromise academic standards or substitute course requirements that are essential to the university's general requirements or to a particular degree seeking program. Basic skills, along with completion of all university studies requirements, are essential to the university's general requirements for a degree. These skills can be demonstrated by minimum course requirements, a higher-level course, or a transferred equivalent course. The University will make all reasonable efforts to assist students to achieve proficiency in basic skills.

## 3 APPLICATION PROCESS FOR ACCOMMODATION

- 3.1 Students who claim a disability must file an application to request accommodations with Student Disability Services (SDS), as well as provide documentation substantiating the disability. Accommodations are not retroactive; therefore, students should apply as early as possible to avoid any delays in receiving the needed accommodations.
- 3.2 After a student submits an application and substantiating documentation of a disability, SDS will determine eligibility. Through a collaborative process, reasonable and appropriate accommodations based upon the information provided by the student and their qualified provider will be determined. After determining a student's qualifications as a student with a disability, SDS will create an accommodation plan, and the student will request accommodation letters be provided to their instructor(s). It is the student's responsibility to request accommodation letters each semester. Input from the student's instructors may be requested when reviewing the plan.

- 3.3 The SDS office will review the progress of the student periodically, at the request of the student or the student's instructors. The SDS office may request that the student provide additional information or documentation when necessary to revise the plan. The student's disability file will be maintained by the SDS office and will contain the student's application for an accommodation, documentation, and any updated information submitted.
- 3.4 Students will be contacted within 10 business days from the time of application and documentation submission to discuss eligibility and possible accommodations or if additional documentation is needed.

#### 4 COMPLIANCE COMMITTEE AND FACULTY OBLIGATION

- 4.1 The President will annually appoint a standing university ADA Compliance Committee to serve as an appeals body to hear cases whenever there is a disagreement by a student over authorized accommodations. The student is afforded the right to representation during the appeals process. The student shall provide written notice to the ADA Compliance Committee five business days prior to any interviews or meetings between the committee and the student at which the student's representative will be present.
- 4.2 Faculty members do not have the right to contest the existence of disabilities that have been properly substantiated, nor do they have the right to refuse to provide reasonable accommodations approved by SDS. However, classroom instructors do have the right and responsibility to participate in the decision-making process regarding the type and range of accommodations that may alter the essential elements of learning outcomes of an assignment, course, or degree program.

#### 5 GRIEVANCE AND APPEAL PROCEDURES

- 5.1 Whenever a student with a disability, encounters what he or she believes to be institutional discrimination or harassment based upon the student's disability, the student should first seek a remedy with the appropriate university personnel who are nearest to the problem. If a solution is not achieved, the following procedures apply.
- 5.2 A complaint of discrimination or harassment based on a student's disability will be handled in accordance with provisions of University Rule *08.01.01.R2 Civil Rights Compliance* and University Procedure *08.01.01.R2.02 Civil Rights Process for Students*.
- 5.3 Employees and students must not retaliate against a person for filing a complaint or participating in an investigation under this regulation. Employees and students found to have retaliated, or intentionally provided false or materially misleading information regarding alleged discrimination under this regulation, may be disciplined, up to and including dismissal or expulsion.

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## **Related Statutes, Policies, or Requirements**

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[Americans with Disabilities Act Amendments Act of 2008](#)

[Section 504 of the Rehabilitation Act](#)

System Regulation [08.01.01, Civil Rights Compliance](#)

System Regulation [08.01.02, Civil Rights Protections for Individuals with Disabilities and Cretan Other Employees](#)

University Rule [08.01.01.R2 Civil Rights Compliance](#)

University Procedure [08.01.01.R2.02 Civil Rights Process for Students](#)

Suspends University Procedure [13.01.99.R0.01 Student with Disabilities](#)

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## **Revision History**

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Approved September 1, 1996

Revised June 9, 2008

Revised March 8, 2010

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## **Contact Office**

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