

# **DISABILITY ACCESS SERVICES**

**Policies &  
Guidelines**

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## **Purpose**

These policies are designed to assist students with disabilities receive equal access to the NewSchool of Architecture and Design's programs and services and are in accordance with federally mandated laws and recognized best practices.

## **Mission Statement-Disability Services Office**

NewSchool is committed to equal access and participation for all persons, including those with disabilities, in academic areas and other sponsored programs. This includes providing reasonable and appropriate academic adjustments/auxiliary aids pursuant to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendments Act of 2008 (ADAAA). 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(ies) to request any accommodation(s).

## **Legal Framework**

There is no one law or set of rules and regulations that determines policies and procedures for providing services to individuals with disabilities in American higher education. There are two primary acts: Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Amendments Act of 2008 (ADAAA). These acts, in addition to best practices for the industry, as continually reviewed and improved with guidance from The Association of Higher Education and Disability (AHEAD), inform NewSchool's disability access services.

## **Disability Services Contact Information**

Mail: NewSchool of Arch & Design  
Attn: Disability Services Coordinator  
600 B Street  
Ste. 800  
San Diego, CA 92101  
Email: [ada@newschoolarch.edu](mailto:ada@newschoolarch.edu)  
Ph: 619-684-8800

## **Registering with Disability Services**

In post-secondary education, it is the student's responsibility to self-identify disability status and register with the Disability Services Office prior to requesting accommodations. There are many differences between services for students with disabilities in secondary education and those at the post-secondary level. The Disability Services Coordinator (DSC) can provide the student with

a summary of those differences (see Summary of Legal Differences between Secondary and Postsecondary Education).

The information on this link, provided by the Office for Civil Rights (OCR) and the U. S. Department of Education, explains the rights and responsibilities of students with disabilities who are preparing to attend postsecondary schools:

<http://www2.ed.gov/about/offices/list/ocr/transition.html>

### **Documentation of Disability**

It is the student's responsibility to provide documentation of disability. Documentation must meet the following criteria:

- Generated by a licensed professional in the specific area of disability
- Sufficiently comprehensive, ideally, identifying the testing mechanisms, procedures and findings, and the recommended accommodations
- Sufficiently recent to provide an accurate representation of the current disability and its impact on academic endeavors.

Although documentation of disability is required, a more critical factor in establishing eligibility for accommodations is the student's description of challenges presented by the disability in the academic environment. The Request for Accommodation form provides an opportunity for the student to describe those challenges.

If the initial documentation does not provide enough information to determine the extent of the disability and reasonable accommodations, the disability services coordinator has the discretion to require additional documentation. Students are responsible for the costs related to obtaining documentation.

Allow 30 days after submission of all materials for Disability Services staff to evaluate your application and reply.

### **Intake Procedure**

Students who have or think they might have a disability should contact Disability Services as soon as possible. The sooner students communicate their needs, the better--preferably before the start of the semester. This gives the office time to investigate and discuss options with the student. ADA accommodations are not retroactive.

- **Step 1: Disclose.** A student should make an appointment to meet with the Disability Services Coordinator (DSC) as soon as s/he is accepted into NewSchool and has decided to attend. If an accommodation or special equipment is needed for that meeting, the

student should notify the Disability Services Coordinator immediately upon acceptance. To ensure effective accommodations at the intake meeting, a two-week notice is beneficial. The DSC will review the eligibility process and relevant forms (Accommodation Request Form and the Verification of Disability Form).

- **Step 2: Documentation Review.** NewSchool is not obligated to provide accommodations until the application process has been completed and accommodations have been officially approved. Students should begin this process early to ensure that accommodations are approved prior to beginning coursework. Submit all completed forms (as mentioned in step 1) and any supporting documentation to the Disability Services Coordinator. All documents provided are kept confidential.
- **Step 3:** Using the documentation of disability provided, the student and the Disability Services Coordinator collaboratively determine the most appropriate academic adjustments and review procedures for implementation. Follow-up meetings may be necessary. Students are encouraged to discuss their accommodations with their instructors in case there are any questions or concerns regarding implementing them in the classroom. Although the instructor must offer accommodation, they are not expected to compromise essential elements and components of the course or evaluation standards. Discussion and negotiation are a normal part of the process.
- **Step 4:** It is recommended that the students contact the DSC at least once during the quarter to provide updates, ask questions, and discuss and/or problem-solve any issues that arise. Continuing students are responsible for making an appointment with the DSC before the start of the quarter to ensure timely implementation of their accommodations for the next quarter.
- **Step 5:** Contact the Disability Services Office if accommodations are not implemented in a timely and effective manner; office staff can advocate on the student's behalf. Students with disabilities who believe they have been discriminated against on the basis of their disability should contact the Disability Services Office. NewSchool always encourages students to enlist the aid and intervention of the Disability Services Coordinator to resolve complaints informally. If informal procedures do not satisfactorily address the student's concerns or if the grievance is directed toward the DSC, the student may fill out the Grievance Form, located in the Student Portal.

### **Interim services**

Some students struggle to provide documentation of disability in time to implement accommodations because of delays involving the medical provider's practices. If the Disability

Services Coordinator determines, through an initial intake screening, that there is strong evidence of a disability, interim services may be provided while assessment and documentation is obtained. Records are reviewed at the beginning of the subsequent term and services may be discontinued if documentation is incomplete or does not meet eligibility requirements for the school.

### **Temporary Disabilities**

Students with medical conditions that are temporarily disabling and require services for a limited amount of time may qualify for ADA accommodations. These conditions may include surgery, accidents, severe illness, or any other medical condition that temporarily impairs regular attendance and/or academic performance. Students with temporary disabilities will need to fill out all NewSchool ADA eligibility forms (Accommodation Request Form and Verification of Disability Form) in order to receive accommodations. On the Verification of Disability form, the appropriate provider(s) should indicate the length of recovery.

### **Access to Academic Services (Accommodations/Adjustments)**

ADA accommodations or academic adjustments are modifications and/or services that give a student with a disability an equal opportunity to have access to the academic environment. Academic adjustments are individualized and specific to each student's disability-related functional limitations. Academic adjustments are accessed by the DSC to determine that they are reasonable and make sure that academic standards are maintained. According to Section 504.104.12 statutes, an ADA accommodation/adjustment must:

- Be reasonable and not impose an undue hardship on the operation of the program
- Include readily accessible facilities
- Provide modification of equipment or devices
- Provide readers and/or interpreters if necessary

Further, Section 504.104.43 and 44 specifies:

- Provision of equal opportunity
- Changes in length of time permitted for completion of degree requirements
- Substitution of specific courses required
- Adaptation of way the course is instructed
- Tape recorders
- Examinations must reflect the student's achievement rather than the impairment

- Auxiliary aids such as taped text, interpreter, readers, note-takers, and classroom equipment

Academic requirements that are essential to the program of instruction or directly related to licensing requirement may not be modified. In addition, courts have determined that requests for accommodations need not be approved when:

- The student is not qualified.
- The accommodation would result in a fundamental alteration of the program.
- The institution is being asked to address a personal need.
- The accommodation would impose an undue financial or administrative burden.

Academic adjustments (accommodations) must be requested in a timely manner depending on the request, preferably four weeks' notice. NewSchool recommends students fully registered with the Disability Services Office request accommodations for specific courses at least 14 days prior to the course start date.

### **Determining Reasonable Accommodations**

A reasonable accommodation is a modification or adjustment to a course, program, service, job, activity, or facility that enables a qualified student with a disability to have an equal opportunity to access information and the learning environment. The Institution is obligated to make reasonable accommodations only to address the known limitations of an otherwise qualified student with a disability. To determine reasonable accommodations, the Disability Services Office may seek information from appropriate Institution personnel regarding essential components and standards for courses, programs, services, jobs, activities, and facilities.

Final determination of reasonable accommodations is made by the Disability Services Office. Reasonable accommodations are determined by examining:

- The barriers resulting from the interaction between the documented disability and the campus environment.
- The possible accommodations that might remove the barriers.
- Whether the student has access to the course, program, service, job, activity, or facility without accommodation.
- Whether essential elements and components of the course, program, service, job, activity, or facility are compromised by the accommodations.

### *SAMPLES OF ACADEMIC ACCOMMODATIONS*

Reasonable accommodations are individualized and flexible, based on the nature of the student's disability and the academic environment. Below is a partial list of common academic accommodations.

- Accessible classroom/location/furniture
- Advance notice of assignments
- Alternative ways of completing assignments (e.g., oral presentation versus written paper)
- Assistive computer technology
- Assistive listening devices
- Auxiliary aids and services (note takers, lab or library assistants, readers, interpreters)
- Captions for film and video material
- Course or program modifications (program outcomes/learning outcomes should not be impacted by accommodations)
- Course substitution (e.g., second language or math substitutions)
- Dietary needs
- Document conversion (alternative print formats: braille, large print, tape, electronic, raised lettering)
- Early syllabus
- Exam modifications may include:
  - Alternative test formats (short answer, multiple choice, oral, essay)
  - Time extensions for exams – time and one-half or double time. Unlimited time is not a reasonable accommodation. If instructors allow students unlimited time on exams, the instructor is responsible for proctoring those exams.
  - Computer or basic calculator for exams
  - Exam administered in two parts
  - Private, quiet exam room
  - Readers and scribes
- Study skills and strategies training
- Time extensions for assignments – students may be granted additional time to complete assignments or papers if arrangements with instructors are made in advance

- Recording lectures

## **Accommodation Policies & Procedures**

### *ALTERNATIVE FORMAT TEXTBOOKS / AUDIOBOOK LIBRARIES*

The Disability Services Office at NewSchool currently maintains an institutional membership with Learning Ally and Bookshare (audio book libraries). Books not available through Learning Ally or Bookshare may be scanned and converted into rich text by the Disability Services Office. Any student wishing to receive alternative format services must make the request as soon as possible to receive materials in a timely manner. Materials scanned by the Disability Services Office will be done in the order received. While there is no guaranteed timeframe for completion of scanned materials, the average timeframe is seven to ten business days.

All students are required to purchase a copy of their books – independent of any reformatted material received from Disability Services. Reformatted materials are provided to students with print-reading disabilities for the sole purpose of content accessibility. Any further reproduction or distribution of the material is an infringement of copyright law and a violation of NewSchool's Student Conduct Code.

### *ALTERNATIVE TESTING*

The most common alternative testing accommodations are extended time and/or a distraction-reduced environment, if specified in the documentation. These arrangements are to be made with the Disability Services Coordinator. Requests for other alternatives as specified in the documentation will be considered on an individual basis. In general, alternative formats have not been considered reasonable if the instructor can demonstrate that the alternative format considerably changes the nature of the course. The instructor's denial must be data-based and be as credible as the documentation certifying the need for the adjustment. NewSchool is, at no time, required to compromise its academic standards.

Requests for extended time and/or a distraction-reduced environment are general requests for many disabilities. Should the documentation support the need for an oral exam, reader, or alternative format, the instructor will meet with the Disability Services Coordinator to discuss and arrange accommodation requirements. These discussions should begin the first week of the semester. The Disability Services Coordinator will act as liaison. Extended time does not mean unlimited time.

The following regulations apply to alternative testing:

- Students must be registered with the Disabilities Services Office.

- It is at the student's discretion to use the accommodation or decline to use it on a test-by-test basis.
- Students must have informed their instructors and the DSC one week in advance of the exam that they would like to use the testing accommodation.
- Instructors will have correspondence from the Disabilities Services Office identifying students who have alternative testing as an accommodation.
- Disability Services Coordinator will coordinate test retrieval from instructors before the scheduled testing day/time.
- Instructors must complete the Testing Accommodation Form given by the DSC.
- The Disability Services Coordinator must retrieve the finished exam from the student and turn it over to instructors.
- The DSC may deny a student the right to test at a particular time if the student did not schedule in advance. The student may schedule at another time after consulting with the instructor and DSC.
- If a student misses a test, the student should contact the DSC as soon as possible to discuss options. Special considerations may be made depending on multiple factors, including the nature of the absence, instructor policy, past behavior, etc., but make-up tests are not guaranteed.

Attendance policies are at the discretion of individual instructors. In general, the Disability Services Coordinator does not accommodate attendance policies; however, requests will be considered on an individual basis.

### *AUDIOTAPED LECTURES*

When the documentation warrants, students are permitted to tape lectures. If requested by the professor, the student may be required to sign a taping agreement. If the class is primarily a discussion class, peer students may also request that an agreement be signed to protect their confidentiality.

### *OFF-CAMPUS FACILITIES AND INTERNSHIPS FOR ACADEMIC CREDIT*

Students participating in field trips, for-credit internships, and/or any other off-campus required class or program are entitled to the same accommodations as are those individuals with disabilities who remain on campus. A student needing accommodations for off-campus activities should contact the DSC at the beginning of the quarter or at time of class registration (for internships) in order for accommodation arrangements to be coordinated.

### *FACULTY LIAISON*

Students are encouraged to be self-advocates and are provided guidance when necessary. Most faculty-student issues can be resolved between the two parties. In the event there is a communication problem or no resolution, the Disability Services Coordinator will act as liaison.

### *SUBSTITUTION/WAIVERS*

#### **SUBSTITUTIONS**

Section 504.104.44 (a) specifically states that "substitution of specific courses required for the completion of degree requirements" is a legitimate academic adjustment. Such accommodations are made only when it is clear that the student's disability makes completion of the requirement impossible and that such an accommodation does not alter the integrity of the academic program. Any requests for substitutions will be considered on an individual basis.

The guidelines that will be used in considering the substitution are:

- Is it a reasonable accommodation request?
- Does the content of the substituted course meet the nature and intent of the course for which it is being substituted?
- Is the reasoning presented by the student for this substitution credible and logical?
- Does the documentation on file with the Disability Services Coordinator justify the need for the substitution?
- Has the student accessed available resources such as assistance from faculty and the Student Success Center, when applicable?
- Has the student attempted the course?
- Is there an alternative to substitution?

**Note:** Courses that are program requirements may not be substituted; only courses listed as General Education requirements.

#### **WAIVERS**

Institutions are not required to eliminate or substantially alter standards for any requirements that they can demonstrate are legitimate, reasonable and necessary. In general, the courses are designed to meet the criteria of being reasonable and necessary. Any consideration of a waiver would be an extreme situation that must be supported by significant documentation. The DSC will assist the student and make recommendations to the department chair in determining an acceptable alternative or substitution. In many cases, course waivers may not be possible.

### *PERSONAL ATTENDANT*

Section 104.44 [2](d) states specifically, "*Recipients need not provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal*

*nature.*" Personal needs that necessitate an attendant are the responsibility of the student. This may range from assistance in toileting and being repositioned in chairs to having medication placed in the mouth. Students who are requesting these types of services from peers, staff, or faculty will be requested to obtain a personal attendant. Failure to do so may result in an administrative hold being placed on future enrollment until such time that the student demonstrates a personal attendant will be with the student to attend to personal needs. Requesting such services from a non-trained, random individual can be a safety threat to both the student with a disability and the individual who is providing the assistance. NewSchool cannot assume the liability of risk involved.

### **Instructor Notification**

An Academic Accommodation Letter must be presented by the appropriate institutional party to faculty to notify them that the student will be receiving accommodations and the nature of those accommodations. No student is to receive accommodations unless the instructor has received the notification. It is the student's responsibility to obtain the accommodation form from the Disability Services Office within the first two weeks of the beginning of class. The Academic Accommodation Letter does not relieve the student from attending class, unless absences are indicated in the documentation of the disability. Students must still adhere to the attendance policy on campus. Special consideration may be given with instructor discretion.

### **Student Rights and Responsibilities**

#### *STUDENT RIGHTS*

Students with disabilities have the right to:

- Equal access to courses, programs, services, jobs, activities, and facilities offered through the university
- An equal opportunity to work and to learn, and to receive reasonable accommodations, academic adjustments, and/or auxiliary aids and services
- Appropriate confidentiality of all information regarding their disability and to choose to whom, outside of the institution, information about their disability will be disclosed, except as disclosures are required or permitted by law
- Information, reasonably available in accessible formats

#### *STUDENT RESPONSIBILITIES*

Students with disabilities have the responsibility to:

- Meet qualifications and maintain essential institutional standards for courses, programs, services, jobs, activities, and facilities

- Identify as an individual with a disability when an accommodation is needed and to seek information, counsel, and assistance as necessary
- Demonstrate and/or document (from an appropriate professional) how the disability limits their participation in courses, programs, services, jobs, activities, and facilities
- Adhere to university policies and procedures for obtaining reasonable accommodations, academic adjustments, and/or auxiliary aids and services
- Initiate requests for accommodation by providing an accommodation memo to faculty within the first two weeks of the academic term
- Communicate with the Disability Services Coordinator every quarter to determine accommodations
- Provide a minimum of a two-week notice for all major accommodation requests (special accommodations of equipment and alternative texts may need more time)
- Provide one-week notice to the instructor and the DSC when they will be using testing accommodations and follow testing accommodation procedures
- Provide for personal independent living or other personal disability-related needs
- Assume personal responsibility for meeting with faculty, requesting assistance through supplemental services and meeting college standards

**IMPORTANT NOTE:** Requests received with fewer than two weeks' notice will be honored but will be addressed as time allows; and therefore, related materials may not be available by the course start date.

### **Student Accommodations Check List**

Students are often unaware of their responsibilities with regard to receiving services and accommodations from Disability Services. Some general information is provided below on student responsibilities and some specific policies for some of the more commonly requested accommodations.

- Students should bring their CLASS SCHEDULE to the Disability Services Coordinator as soon as they complete registration.
- Students who will have EXAMS PROCTORED must inform DSC of exam dates and which exams will be taken with accommodations (Complete the Testing Accommodation Form).
- Students who require BOOKS IN AUDIO FORMAT must:
  - Bring copies of the syllabi to Disability Services Coordinator as soon as they get them
  - Let DSC know which books are needed in audio format
- Students who require EXTRA TIME ON ASSIGNMENTS:

- Communicate with Disability Services Coordinator and faculty to establish expectations
- Work with DSC and faculty to determine mutually acceptable due dates
- Students who would like ADDITIONAL ACADEMIC HELP must:
  - Utilize the Writing Center for assistance with writing
  - Utilize professors' or teaching assistants' office hours
  - Make an appointment with Student Life to explore other resources

## **Service Animals**

NewSchool complies with the Americans with Disabilities Act (ADA) in allowing use of service animals for students, staff, and visitors. Under the ADA: “Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, calming a person with Post Traumatic Stress Disorder (PTSD) during an anxiety attack, or performing other duties. Service animals are working animals, not pets. The work or task a dog has been trained to provide must be directly related to the person’s disability. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA.”

## *OWNER RESPONSIBILITIES*

It is the owner’s/handler’s responsibility to ensure the safety of a Service Animal. While legal access rights are afforded users of assistance animals, with that comes the responsibility of ensuring that the animal behaves and responds appropriately at all times in public and that the animal and the owner/handler adhere to the same socially accepted standards as any individual in the NewSchool community.

- The owner/handler is responsible for assuring that the Service Animal does not unduly interfere with or disrupt the classroom environment.
- NewSchool shall have the right to bill the owner for unmet obligations.
- The owner/handler is to be aware of the Animal’s needs to relieve itself and respond accordingly. In the event that the owner/handler does not get the animal to the designated relief area, it is their responsibility to remove and properly dispose of any waste.
- Any violation of the above rules may result in immediate removal of the animal from the College

## Faculty Rights/Responsibilities Summarized

### *RIGHTS*

- **Taped Lectures:** It is the faculty member's right to request a written agreement before allowing the student to tape record the class.
- **Classroom Behavior:** All students must adhere to NewSchool's code of conduct regardless of whether they have a disability. Infractions of this code should be directed to the Student Life Manager.
- **Alternative Testing:** Alternative testing is provided in coordination with the Disability Services Coordinator.
- **Challenge Accommodations:** A faculty member has the right to challenge an accommodation request if s/he believes the student is not qualified, the accommodation would result in a fundamental alteration of the program, the institution is being asked to address a personal need, or the accommodation would impose an undue financial or administrative burden.

Accommodation requests are based on documentation on file in the Disability Services Office. (If warranted, interim services are provided while documentation is being obtained). Due to confidentiality, the nature of the disability may not be disclosed to the faculty unless there is a specific need to know. When beneficial to the faculty/student academic relationship, students are encouraged to self-disclose.

### *RESPONSIBILITIES OF FACULTY ARE SHARED*

As an employee of the NewSchool who has compliance obligations under state and federal laws, it is the responsibility of the faculty to assume a shared responsibility in providing reasonable accommodations for students with disabilities. Whether a faculty member agrees with the law is immaterial. NewSchool is responsible for implementation and, as employees, faculty are required to adhere to the policies and procedures. The responsibility for meeting the academic needs of individuals with disabilities through reasonable accommodations has been assigned to the Disability Services Coordinator, but the Disability Services Coordinator relies on the faculty member to comply with the accommodation requests.

### *ACADEMIC ACCOMMODATION LETTER*

Faculty are not to provide academic adjustments under the guise of a disability unless there is an Academic Accommodation Memo from the Disability Services Coordinator certifying the student is qualified to receive services and the nature of the accommodations. Faculty members are encouraged to make additional recommendations to the Disability Services Coordinator for adjustments if they believe the student will benefit. Faculty members are also encouraged to refer

the student to the Disability Services Coordinator for identification and registration. If the faculty member has any questions or concerns regarding the implementation of the academic accommodations, the DSC should be contacted immediately.

### *SYLLABUS STATEMENT*

Each course syllabus should contain a disability statement:

*[NewSchool is committed to providing reasonable accommodations for students with documented disabilities in compliance with the American Disabilities Act (ADA). Students may request accommodations by registering with: Disability Services Coordinator, Nicole Dean. Email: [ada@newschoolarch.edu](mailto:ada@newschoolarch.edu) and [ndean@newschoolarch.edu](mailto:ndean@newschoolarch.edu). Phone: 619-684-8868. It is important to do this early in the quarter as possible because ADA accommodations are not retroactive. All discussions with the faculty/student/DSC will remain confidential. The syllabus is available in alternate formats upon request.]*

### *CONFIDENTIALITY CAUTION*

Students with disabilities are protected under the Family Education Rights and Privacy Act (FERPA) and the civil rights laws. At no time should the faculty make any statements or implications that the student is any different from the general student population.

For example, faculty should not:

- Distribute testing materials directly to students.
- Place the student in the hall or any other obvious place to take an exam for the purpose of keeping the student close in case s/he has a question.
- Ask the student for documentation other than the Academic Accommodation Memo from the Disability Services Office.
- Discuss the student's needs or accommodations in a space that is not private.
- Make comparisons between students and their needs.
- Use a grading standard that is any different from the rest of the class.
- Give students with disabilities an advantage over the rest of the class (the idea of the law is to give equal access or equal opportunity provided through the recommended accommodations).

### **Confidentiality and Release of Information**

The Disability Services Office is committed to ensuring that all information regarding a student is maintained as confidential as required or permitted by law. Any information collected is used for

the benefit of the student. This information may include test data, grades, biographical history, disability information, performance reviews, and case notes.

Guidelines about the treatment of such information have been adopted by the Disability Services Office and are rigorously followed. These guidelines incorporate relevant state and federal regulations, guidelines established by relevant professional associations, and relevant aspects of the Board of Regents' policies found in Access to Student Information and Standards and Procedures Relating to the Use of Human Subjects in Research.

- No one has immediate access to student files at the Disability Services Office except staff from the Disability Services Office. Any information regarding disability gained from medical examinations or appropriate post- admissions/hiring inquiry shall be considered confidential and shall be shared with others within the institution on a need-to-know basis only.

For example, faculty and staff do not have the right or the need to access diagnostic or other information regarding a student's disability; they only need to know what accommodations are necessary or appropriate to meet the student's disability-related needs. If a student has requested an accommodation, the student will be informed as to what information is being provided to the faculty or staff regarding the request. To protect confidentiality by assuring limited access, all disability-related information must be filed with the Disability Services Office.

- Information in files will not be released except in accordance with federal and state laws, and to the extent needed to provide reasonable accommodations, which require release in the following circumstances if a student:
  - States they intend to harm themselves or another person(s).
  - Reports or describes any physical abuse, neglect, or sexual abuse of children or vulnerable adults within the last three years (this includes the occurrence of abuse or neglect to the student if he or she was under age 18 at the time of the abuse).
  - Reports the use of an illegal drug for non-medical purposes during pregnancy.
  - Reports or describes sexual exploitation by counseling or healthcare professionals.
  - A student's file may be released pursuant to a court order or subpoena.
  - A student may give written authorization for the release of information when she or he wishes to share it with others. Before giving such authorization, the student should understand the information being released, the purpose of the release, and to whom the information is being released. Information will not be released without consent unless it is required by federal or state law.

- The Disability Services Office will retain a copy of all information provided. If a student wishes to have a record expunged, he or she must make a written request to the Disability Services Coordinator and the Vice President of Academic Affairs who will decide whether it is necessary for the office to retain the record.
- A student has the right to review his or her own file.

### **University Disability Services Responsibilities Summarized**

University disability services are in place to:

- Prohibit discrimination against individuals with disabilities.
- Reduce or eliminate physical, academic, and attitudinal barriers.
- Provide reasonable accommodations.
- Maintain the strictest of student confidentiality.
- Develop a shared responsibility and community for individuals with disabilities.
- Assist the student in self-advocacy.
- Assist the student in problem-solving.
- Guide the student to possible resources that might assist him or her, whether it is on campus or networking in the community.
- Be sensitive to the individual personalities of students, whether it is in communicating their needs or an attempt to maintain dignity with a very difficult issue.
- Serve as liaison with faculty when a medical emergency necessitates an extended absence.

### **University Rights/Responsibilities**

NewSchool has the right to:

- Identify and establish essential functions, abilities, skills, knowledge, and standards for courses, programs, services, jobs, activities, and facilities and to evaluate faculty, staff, and students on this basis.
- Request and receive, through the Disability Services Office, current documentation that supports requests for accommodations, academic adjustments, and/or auxiliary aids and services.
- Deny a request for accommodations, academic adjustments, and/or auxiliary aids and services if the documentation demonstrates that the request is not warranted, or if the individual fails to provide appropriate documentation.
- Select among equally effective accommodations, adjustments, and/or auxiliary aids and services.

- Refuse an unreasonable accommodation, adjustment, and/or auxiliary aid and service that impose a fundamental alteration on a program or activity of the university.

NewSchool has the responsibility to:

- Provide information to faculty, staff, students, and guests with disabilities in accessible formats upon request.
- Arrange for courses, programs, services, jobs, activities, and facilities, when viewed in their entirety, are available and usable in the most integrated and appropriate settings.
- Evaluate faculty, staff, students, and applicants on their abilities and not their disabilities.
- Maintain appropriate confidentiality of records and communication, except where permitted or required by law.

### **Grievances**

NewSchool and the Disability Services Coordinator recognize the right of students to file a grievance if they believe they have been denied equal access to the college's academic programs, campus activities, or other services because of a disability. To establish the basis for such a grievance, students must first register with the Disability Services Office and provide documentation of their disability.

NewSchool always encourages students to enlist the aid and intervention of the Disability Services Coordinator to resolve complaints informally. If informal procedures do not satisfactorily address the student's concerns, or if the grievance is directed toward the Disability Services Coordinator, the student may file a written grievance. The Nonacademic Grievance Form is located in the Student Portal.

### **Record Retention**

The Disability Services Office will purge student disability files annually and move files of graduated students to storage. Files will be stored for 10 years from the graduation date and then destroyed.

Student files that are designated "Inactive" will be held in the Disability Services Office for two years from date designated "Inactive," moved to storage and held for eight years, then destroyed.

Disability files of applicants (students who have sent documentation but have not attended NewSchool) will be kept in the Disability Services Office for two years from date received, then moved to storage for five years, then destroyed. Student disability files will retain an active status while the student attends the college, regardless of whether the student uses disability services.