



**LIMESTONE**  
EQUITY AND INCLUSION OFFICE

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## **Policies and Procedures**

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*Revised 5/26/2020*

Limestone College is committed to serving our students who are differently-abled. Students with documented disabilities are entitled to appropriate accessible education services through the Equity and Inclusion Office. Federal law requires that institutions make reasonable academic adjustments to accommodate the needs of students with documented disabilities as a way to provide those students equal educational access and opportunity. It is the responsibility of the student who is differently-abled to initiate this process by identifying themselves, as well as sharing their disability-related needs with an Equity and Inclusion team member. This document is designed to explain the policies and procedures for obtaining accessible education services for their documented disabilities. Please note that these policies and procedures are not contractual in nature and are subject to change with reasonable notice given to students.

### **I. Eligibility for Services**

To be eligible for accessible education services through the Equity and Inclusion Office, students who are differently-abled must:

1. Be a qualified individual with a disability under Section 504 of the Rehabilitation Act (Federal Register, Vol. 45, No. 92, pp. 30937-30944) and the 2008 Americans with Disabilities Act Amendment Acts (ADAAA) (Public Law 110-325).
2. Be “otherwise qualified” by meeting the essential academic and technical standards required for admission or participation within the Limestone College education program or other activity, meeting the essential eligibility requirements for regular college services, and meeting the requirements for the student code of conduct.
3. Currently have a physical or mental impairment that substantially limits one or more major life activities.

4. Self-identify and complete the intake process with the Equity and Inclusion Office. The student must present current, relevant documentation regarding their disability. Students may register with the Equity and Inclusion Office by calling 864-488-4394, emailing [accessibility@limestone.edu](mailto:accessibility@limestone.edu), or coming to the office in Fort D, Room 201. The student and an Equity and Inclusion team member should engage in a structured exchange to explore previous educational experiences, past use of accommodations, and what has been effective and ineffective in providing access. Students must identify in a timely manner. If interpreter services or other special equipment are needed, a one month notice is beneficial.

## **II. Documentation Requirements**

It is the responsibility of the student to provide the information that verifies that the student's condition meets the definition of a disability as defined by applicable laws (i.e., Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008). Federal law requires that requests for services for students with disabilities be considered on an individual, case-by-case basis.

Sources of information used for determining a disability and/or accommodations may include the student's self-report, direct observation and interaction with the student, and/or documentation from qualified evaluators or professionals.

1. Student's self-report. A student's narrative of his or her experience of disability, barriers, and effective and ineffective accommodations is an important tool in establishing disability and need for accommodations.
2. Observation and Interaction. The impressions and conclusions formed during interviews and conversations with the student or in evaluating the effectiveness of previously implemented or provisional accommodations will be considered important forms of documentation.
3. Documentation from qualified evaluators or professionals. Documentation from external sources may include educational or medical records, reports, and assessments created by health care providers, school psychologists, teachers, or the educational system. This information is inclusive of documents that reflect education and accommodation history, such as Individual Education Program (IEP), Summary of Performance (SOP), and teacher observations. External documentation will vary in its relevance and value depending on the original context, credentials of the evaluator, level of detail provided, and comprehensiveness of the narrative.

## **III. Provisional and Temporary Services**

In addition to services provided to students with permanently disabling conditions, the Equity and Inclusion Office provides services on a provisional or temporary basis.

1. Provisional Services. Provisional accommodations may be approved on a case-by-case basis, and are generally appropriate when a student has received a definitive

diagnosis but is waiting for a third-party such as a physician's office or counselor to submit completed documentation to the Equity and Inclusion Office. Provisional accommodations are available only for the semester in which the request was made and approved. Additional documentation is required to continue accommodations.

2. **Temporary Medical Conditions.** Some medical conditions are temporarily disabling and a student may desire accommodations for a limited amount of time. These conditions may include surgery, accidents, severe illness, or any other medical condition that impairs regular attendance, mobility, or academic performance.

#### **IV. After the Intake Process**

Using the documentation obtained, the student's report, and/or observations from the interview, an Equity and Inclusion team member will prepare an accommodation letter for each semester the student registers with the office. The accommodation letter will verify that the student qualifies for accommodations under the ADA and the Rehabilitation Act, as well as indicate the type of accommodations that have been approved. The accommodation letters are written with respect to the student's privacy. The nature of a student's disability is only shared on a "need to know" basis. Accommodation letters are sent electronically to instructors and students. The student must register for accommodations each semester. Accommodation letters will not automatically renew and be sent to instructors at the beginning of each semester. Accessibility encourages the student to meet with their instructors to discuss issues related to accommodations their needs in class.

#### **V. Privacy Protections and Guidelines**

**Student Rights of Privacy and Non-Disclosure:** To obtain accessible education services, the student must present documentation to the person designated by Limestone College. The Director of Equity and Inclusion is assigned the responsibility for collecting and holding this documentation. All records will be kept in a secure file with limited access. Generally, faculty or staff is only given the information that a student has a documented disability and a need for accommodation(s). "The U.S. Department of Justice has indicated that a faculty or staff member generally does not have a need to know what the disability is, only that it has been appropriately verified by the individual (or office) assigned this responsibility on behalf of the institution and that other individuals at the university would have no legal right to demand access to the actual documentation including testing scores, dates or names of professionals providing such documentation" (*Confidentiality & Disability Issues in Higher Education, AHEAD 1996*). The student is protected by law from disclosure of private information to other university personnel or external parties, unless proscribed by law or the situation warrants a justifiable "need to know."

**B. 'Need to Know' Basis for Release of Documentation Information:** The person(s) to whom information would be released is dependent upon a justifiable 'need to know'. In general, the 'need to know' is very limited, unless proscribed by law. Some common needs may be: requests for a course substitution, safety for the student's health or emergency evacuation purposes, special circumstances in campus housing, grievance procedures, and special financial aid considerations.

**C. Procedures for Release of Information:** The student must sign a release for inter-departmental requests for copies of documentation. If a student requests a copy of his/her documentation, he/she must submit a signed written request, discuss his/her rights of non-disclosure, and review the documentation with the Director. The Director may remove any non-pertinent information before copies are released. If the documentation was received from a vocational rehabilitation agency, the student will be referred to that entity for copies.

**D.** The extreme exceptions to confidentiality protections would be child abuse (of which reporting is mandatory in most states) and suicide or homicidal intent. Confidentiality is not maintained in the case of child abuse and suicidal or homicidal intent, or in violations of the Student Code of Conduct.

**E. Maintenance of Records-** A private file is maintained on each student. Each file includes documentation and information such as the student's demographics, notes on activities performed for the student, correspondence, degree-related information (e.g., class schedules, degree plan, transcripts, etc.), and agreements regarding accommodations.

## **VI. Student Responsibilities**

**A. Register for accessible education services each semester (including summer sessions).** Registering is important for updating records and for notifying the Equity and Inclusion Office that a student wants to use services for the semester.

**B. Early enrollment is essential.** Students are encouraged to enroll early for classes before desired classes are filled. This will require meeting with advisors early.

**C. Requests for Assistive & Adaptive Equipment/Alternative Formats.** Students need to inform the Equity and Inclusion Office early if assistive equipment and/or alternative forms of text are needed. It may take 30-60 days for processing. While Equity and Inclusion team members will make diligent efforts, they may not be able to provide the needed items without adequate notice.

**D. Discuss your accommodation needs with your professors.** Students are encouraged to meet with their professors during office hours and give them notice of approved academic accommodations as outlined in the accommodation letter. Students should also discuss with faculty the specifics as to how examination accommodations will be provided (i.e., testing center, Accessibility lab). Students should contact the Equity and Inclusion office immediately should he or she experience disability-related issues in the classroom. Equity and Inclusion team members will facilitate communication and/or resolution between the student and the instructor.

**E. Follow Exam Services procedures.** Tests should be scheduled at least three days prior (if possible) with Equity and Inclusion (if a reader and/or scribe is needed) or with the Gaffney Testing Center. If the student does not make testing arrangements in a timely manner, diligent efforts will be made to accommodate the student, but testing accommodations cannot be guaranteed.

**F. Report needs and problems as they arise.** In the event that initial accommodations do not meet a student's needs or do not seem possible due to the specific requirements of a course, it is the student's responsibility to contact the Director of Equity and Inclusion to discuss alternatives.

**G. Understand and follow all procedures.** Students will keep a copy of the *Policies and Procedures* and other agreement forms from the Equity and Inclusion office, and are encouraged to refer to them each semester. Students are responsible for following all policies and procedures and for reporting any need for clarifications or changes of agreements with the Equity and Inclusion office.

**H. Attendance Requirement Modification Policy.** Limestone College has an established attendance policy. Students are expected to attend all classes. When a student's absences exceed twenty percent (20%) of the total number of scheduled class periods in the semester or session, the student may be assigned a grade of F at the end of the class. In addition, some instructors have their own requirements for attendance that may differ from the established policy.

Recognizing that some students who are differently-abled may have medically-related conditions of an episodic nature that may make it difficult for them to fulfill the typical attendance requirements, Equity and Inclusion has established the following procedure for considering requests for leniency in attendance policies:

- i. Students with disabilities must be registered with the Equity and Inclusion office and must request consideration of this accommodation at the beginning of each semester in which the accommodation is requested, or as soon as the condition becomes known. The determination of the curricular impact and appropriateness of such a request will be considered for each class individually. Documentation must be provided that indicates both why the student may need to miss classes and to what extent. It is understood that the student cannot always accurately predict the number of anticipated absences, however, the student is asked to provide some indication of the scope of the request.
- ii. Equity and Inclusion will evaluate the request and supporting documentation provided to determine if the student has provided justifiable disability-related reasons for requesting consideration in attendance requirements. If it is determined that the request is justified by the impact of the student's disability, the instructor will be notified to discuss the impact of attendance/participation to the curricular integrity and learning process of the class. As class attendance is a significant aspect of participatory learning, all requests for leniency in attendance requirements will be evaluated carefully. Consideration will be given to the following:
  - a. Is there classroom interaction between the instructors and students and among students?
  - b. Do student contributions constitute a significant component of learning?

- c. Does the fundamental nature of the course rely upon student participation as essential to the learning method?
  - d. To what degree does a student's failure to attend constitute a significant loss to the educational experience?
  - e. Is there a course syllabus and description?
  - f. Does the syllabus contain the classroom practices and policies regarding attendance?
- iii. An Attendance Modification Form will be completed for each class. Equity and Inclusion will contact individual instructors to assist in developing a reasonable plan for disability-related absences. Following completion of the form, the student, instructor, and the Equity and Inclusion team member should have a clear understanding of what accommodations can be made for disability-related absences. Students are responsible for material covered or work done during disability-related absences. An extension on assignments is not to be assumed in this accommodation nor are arrangements for making up quizzes and exams during such an absence.

**I. Follow the Student Code of Conduct.** Having a documented disability does not excuse a student from following any Limestone College rule, policy, or procedure. If a student has a behavior disorder, he/she is expected to work with the Counseling Center or other resources to develop behavior management strategies. The Student Code of Conduct is in the student handbook.

**J. Referrals by the Equity and Inclusion office.** Students are expected to follow-up on all referrals in a timely fashion. Students should contact the Director of Equity and Inclusion if a referral does not meet their needs so that other options can be determined.

**K. Emergency Medical Assistance.** Students with a condition that may require emergency assistance during classes (e.g., seizure condition) should meet with each professor during the first week of classes to explain the condition and discuss emergency procedures or arrange for an Equity and Inclusion team member to discuss emergency protocols with professors. It is recommended that students obtain a letter from their physician outlining emergency procedures. These students should also update emergency contact information with the college nurse each semester.

**L. Scheduling Appointments with the Equity and Inclusion office.** Students should schedule appointments or call in advance to see the Director of Equity and Inclusion or to ask for staff assistance. In the case of an emergency, students should contact the Equity and Inclusion office as soon as possible. The office is open Mondays through Fridays 8:30AM until 4:30PM during the semester. Summer hours may vary.

## **VII. Grievance Procedures for Accessibility Issues.**

A student grievance is defined as any dissatisfaction occurring as the result of a student's belief that an issue relating to accessibility affects the student unjustly or inequitably. The student has the right to raise a complaint and to have that complaint considered with courtesy and objectivity, in a timely fashion, and without fear of prejudicial treatment or retaliation. A student with a complaint is encouraged to document and seek resolution within the following process:

1. The student should discuss the matter with the person or persons directly involved, or, in the case of a physical barrier, the Equity and Inclusion Office, in an attempt to resolve the complaint through informal discussion. Initial contact should occur within five days of the event. Limestone College may extend this time frame where a delay is due to circumstances beyond a student's control such as illness or incapacity.
2. If the grievance is not resolved, the student may initiate a formal grievance by filing a complaint in writing. Documentation should include a narrative of the situation and the name of the individual(s) contacted. For this step, please complete the Grievance Form, available in the following locations: the office of the ADA Coordinator (Curtis 141), the Equity and Inclusion Office/504 Coordinator (Fort D 201), or on the Accessibility webpage via the College website. The 504 Coordinator (or in cases of conflict of interest, the ADA Coordinator) will issue a written decision on the grievance no later than 30 days after its filing. If there are circumstances that affect Limestone College's ability to reach fact witnesses and to review documents (e.g., school breaks, the availability of parties with information), the timeline may be extended.
3. If the grievance is not resolved, the person filing the grievance may appeal the decision of the 504 Coordinator (or ADA Coordinator) by resubmitting the grievance form indicating inadequate resolution from Steps 2 and 3 to the Provost (Curtis 116) within 15 days of receiving the decision.
4. As needed, the Provost will convene the Grievance Committee and order an investigation. The Grievance Committee is composed of five members: three faculty and two administrator or staff members. At least five college business days in advance of the hearing, the chair of the committee will notify the grievant and the individual charged with the complaint of the date, time, and place of the hearing, the specific nature of the complaint, and the composition of the committee. Notification will occur by telephone or email, with confirmation that all parties have been notified.

The grievance hearing is a private, internal review. The grievant may be assisted by a faculty representative. However, persons external to the College shall be excluded from the grievance hearing.

All involved parties have the right to be present when grievances and evidence are presented to the committee and to provide evidence in support of their respective positions. Committee members may question relevant parties (present only during questioning) to evaluate all the relevant facts of a given case.

The report and recommendation of the committee shall be in writing, including the committee's rationale for the decision; the report may include any dissenting opinions. Only those committee members who have heard all testimony and evidence in a given case may vote on the committee's recommendation. The committee's report and recommendation shall be forwarded to the Provost within 10 business days of the hearing. The Provost will make the final determination and formally advise the parties involved in the grievance within five business days.

5. If after meeting with the Provost the complaint is not reconciled, then the student may submit the revised Grievance Form to, and schedule an appointment with, the President of the College (within five business days of step 4, above). The President will issue a final determination on the grievance within ten days of meeting with the student.

Students are encouraged to first attempt resolution within the grievance procedure guidelines. Grievances must be addressed within one semester of the aggrieved event. However, students maintain the right to file a complaint directly with the Office of Civil Rights (OCR) at any time. OCR dictates a 180 day (from date of incident) Statute of Limitations for filing a complaint. Limestone College reserves the right to amend, change, or substitute, in whole or part, any of the grievance procedures set forth herein, in the event there are changes in applicable laws or regulations which require changes.

**Confidentiality:** Any information regarding the filing of a grievance, the investigation of the grievance, and the disposition of the case shall be treated confidentially and will be disclosed only as needed in the furtherance of the complaint and its resolution. Unauthorized breaches of confidentiality may result in disciplinary action.

**Retaliation:** Civil rights regulations prohibit institutions from retaliating against anyone because they have filed a complaint with the Office for Civil Rights of the Department of Education, the Equal Employment Opportunity Commission, or the U.S. Department of Justice, or because they assist or take part in a subsequent investigation.

**Federal contacts:**

U. S. Department of Education (Office for Civil Rights) - (800) 421-3481  
Equal Employment Opportunity Commission – (800) 669-4000 voice (800) 669-6820 tty  
U. S. Department of Justice – (800) 514-0301

**Grievances related to grades/academic integrity are addressed separately in the *Gaslight*.**



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