

**Limestone College**  
**Office for Accessibility**  
**1115 College Drive, Fort D, 201, Gaffney, SC 29340**  
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**Policies and Procedures**

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*Revised 4/19/2016*

Limestone College is committed to serving our students with disabilities. Students with documented disabilities are entitled to appropriate services through the Office for Accessibility. 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 with a disability to initiate this process by identifying him/herself, as well as sharing their disability-related needs with the staff of Accessibility. This document is designed to explain the policies and procedures for Accessibility services in an effort to help students understand how to obtain accommodations 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 disability-related services through the Office for Accessibility, students with permanent disabilities 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 Office for Accessibility. The student must present current, relevant documentation regarding his/her disability. Students register with the Office for Accessibility by contacting Accessibility at 864-

488-8377, [accessibility@limestone.edu](mailto:accessibility@limestone.edu), or coming to the office in Fort D, Room 201. The student and Accessibility staff 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 Office for Accessibility provides services on a provisional or temporary basis.

1. Provisional Services. If the student does not have current, relevant documentation at the initial interview, provisional services may be provided if, through the initial interview, there is strong evidence of a disability. Provisional accommodations will be provided for one semester and reviewed for effectiveness prior to the next semester.

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, Accessibility staff 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 he/she needs in class.

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

**Student Rights of Privacy and Non-Disclosure:** To obtain disability related services, the student must present documentation to the person designated by Limestone College. The Director for Accessibility 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-Hard Copy** A private file is maintained on each student. Each file includes documentation and information on 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 with Accessibility each semester (including summer sessions).** Registering is important for updating records and for notifying the Accessibility office that a student wants to use services for the semester.

B. **Early enrollment is essential.** Accessibility 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 Accessibility office early if assistive equipment and/or alternative forms of text are needed. It may take 30-60 days for processing. Accessibility will make diligent efforts, but may not be able to provide the needed items without adequate notice.

D. **Discuss your accommodation needs with your professors.** Accessibility 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 Accessibility staff immediately should he or she experience disability-related issues in the classroom. Accessibility staff will facilitate communication and/or resolution between the student and the professor.

E. **Follow Exam Services procedures.** Tests should be scheduled at least three days prior (if possible) with Accessibility (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 for Accessibility to discuss other options.

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

**H. Class Attendance.** If a student has chronic health or other disability-related problems that may cause him or her to miss classes, he or she should discuss attendance requirements and options with all professors and the Director for Accessibility as early as possible (preferably before enrollment). Using a note-taker does not excuse a student from attending class. Professors will not excuse absences just because a student has a note-taker.

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 (see Student Handbook). In addition, some instructors have their own requirements for attendance that may differ from the established policy.

Recognizing that some students with disabilities may have medically-related conditions of an episodic nature that may make it difficult for them to fulfill the typical attendance requirements, Accessibility has established the following procedure for considering requests for leniency in attendance policies:

- i. Students with disabilities must be registered with the Accessibility 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. Accessibility will evaluate the request and the 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. If it is determined that the student's request for attendance leniency is appropriate, the student and the instructor will be notified of the responsibilities of the student and the instructor in carrying out this accommodation.

Specifically:

- a. Students are responsible for contacting the instructor as soon as possible when a disability-related absence will occur/has occurred, and, when possible, informing the instructor when he/she will return to class.
- b. **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.** These must be discussed individually with the instructor.
- c. If the instructor, at any time, feels that the student's absences from class threaten the academic integrity of the class/curriculum, the instructor should contact Accessibility to discuss options.

**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 Accessibility office.** Students are expected to follow-up on all referrals in a timely fashion. Students should contact the Director for Accessibility if a referral does not meet his/her 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 Accessibility staff 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 Accessibility office.** Students should schedule appointments or call in advance to see the Director for Accessibility or to ask for staff assistance. In the case of an emergency, students should contact the Accessibility office as soon as possible. The Accessibility 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 Office for Accessibility, in an attempt to resolve the complaint through informal discussion. Initial contact should occur within five days of the event.
2. If the grievance is not resolved, the student may initiate a formal grievance by discussing the matter with a responsible employee or administrator 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 209), the Office for Accessibility (Fort D 201), or on the Accessibility webpage via the College website. The ADA Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
3. If the grievance is not resolved, the person filing the grievance may appeal the decision of the ADA Coordinator by resubmitting the grievance form to the appropriate vice president or the athletic compliance officer (if the student is an athlete) within 15 days of receiving the ADA Coordinator's decision.
4. If reconciliation has not been achieved, the student may then schedule an appointment with the Executive Vice President (Cooper West 103), after submitting a written complaint (Grievance Form, indicating inadequate resolution from Steps 2 and 3) to that office (within five business days of step 3, above). Please see the procedure for a grievance hearing below.

As needed, the Executive Vice President 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 Executive Vice within 10 business days of the hearing. The Executive Vice President will make the final determination and formally advise the parties involved in the grievance within five business days.

5. If after meeting with the Executive Vice President 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.

**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*.**