



Disability Accommodations Policy Manual

Last updated: August 25, 2016

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NPC Disability Policy

It is the policy of National Paralegal College (NPC) to comply with The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. Pursuant to these laws, no qualified individual with a disability, or those regarded as having a disability, shall unlawfully be denied admission or access to NPC.

Admission of Students with Disabilities

NPC will make admission decisions using criteria which do not consider an individual's disability, but rather, the student's individual qualifications to meet the essential elements of the selected program, assuming incorporation or use of the proper academic adjustment and/or auxiliary aids, if necessary. Students with disabilities desiring to enroll in any program must be able to meet the minimal standards of the program to which admission is sought.

NPC does not discriminate against an individual on the basis of his or her disability. NPC will provide reasonable required accommodations to a student with a documented disability in order to afford the student an equal opportunity to participate within its programs, activities, and facilities.

Students Requesting Accommodations

Students with disabilities are responsible for requesting an accommodation. NPC will provide reasonable accommodations for students who have met the eligibility and verification requirements. However, NPC must have time to review and approve the request before making accommodations. Therefore, students are encouraged to contact NPC as soon as possible after they have submitted their Enrollment Agreement.

Confidentiality

NPC maintains confidentiality regarding a student's disability. Any information collected is strictly utilized for the benefit of the student. Disability-related information is maintained separately from the student's academic record.

Except where permitted by applicable law, disability information will not be shared with non-NPC employees/faculty/staff without the student's express written permission.

VOLUNTARY DISCLOSURE: NPC applicants/students are not required to report disabilities; this is strictly voluntary.

Disability Laws in Higher Education

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 is considered the first “Civil Rights” legislation for persons with disabilities. Section 504 is designed to eliminate discrimination against individuals with disabilities. Section 504 clearly states: “No otherwise qualified individual with handicaps in the United State shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

The Americans with Disabilities Act

The Americans with Disabilities Act (ADA) was signed into law in July 1990 and amended in in September 2008. It is patterned after Section 504, but it extends the civil rights protections of Section 504 to persons with disabilities in private sector employment, all public services, transportation and telecommunications. According to the ADA, any person who has a physical or mental condition which *substantially limits* one or more *major life activities* (such as walking, seeing, hearing, working, or learning) meets the definition of an individual with a disability. Also entitled to protection from discrimination are individuals with a record of such a condition, or individuals who are regarded as having such a condition.

Definitions

- **Disability** - a physical or mental impairment that *substantially limits* one or more *major life activities*.
- **Physical Impairment** - any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic, and lymphatic, skin and endocrine.
- **Mental Impairment** - any psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and traumatic brain injuries.
- **Learning Disability** - a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell,

or to do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia.

- **Substantially Limits** - unable to perform a major life activity, or is significantly restricted as to the condition, manner, or duration under which a major life activity can be performed, in comparison to the average person or to most people; the availability of some mitigating measure (such as a hearing aid) is not to be considered when determining if the disability substantially limits the individual.
- **Major Life Activity** - functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- **Individuals Who Are Current Illegal Users of Drugs** are not protected under the ADA; however, addiction is considered a disability. Therefore, a person who is addicted to drugs but is not actively using drugs is considered a person with a disability and is protected by law.

Disability Accommodations Requisition Process

NPC provides reasonable accommodations for students with disabilities in accordance with the Rehabilitation Act of 1973 and The Americans with Disabilities Act (ADA). Academic accommodations are not retroactive. An accommodation request must be made prior to the submission of any course assignment/exam. The date of accommodation will be the date when accommodation(s) are approved. Students are not eligible to retake exams or resubmit any assignments taken prior to the accommodations date.

Eligible students include those who are enrolled or admitted to NPC and are considered qualified to meet all NPC program requirements despite a disability. The Rehabilitation Act of 1973 and The Americans with Disabilities Act define a person with a disability as a person who has a physical, emotional, or mental impairment which substantially limits one or more of life's major activities. For a student to receive reasonable accommodations for a disability, he or she must register with the Disabilities Officer (DO) and provide recent documentation of a disability.

Step 1: Request

Students must submit a self-disclosure and request for accommodation to NPC designated disabilities officer (DO), Stephen Haas, shaas@nationalparalegal.edu, 800-371-6105 x104. Students should not assume that NPC knows any information about his or her disability because it was included in the student's application for admission.

So that NPC may provide any reasonable accommodation(s) for your handicap or disability, it is recommended that you follow and complete this process at a minimum of **five to six weeks in advance of enrollment** into a course(s). Students are required to self-disclose, request accommodation, and communicate with the DO. The necessary documentation is required in order to receive disability accommodations. Accommodations are provided only after the accommodation process has been completed. Courses completed at NPC before a request for an accommodation **will not** be considered for re-evaluation.

Step 2: Documentation

Students requesting accommodations must provide documentation from a qualified professional verifying their disability. Expense of documentation, testing and treatment are borne by the Students. Students may also be required to consent to a release of information regarding their disability to be used by NPC to investigate or verify the student's condition.

See also Guidelines for Documentation section below.

Step 3: NPC evaluation

NPC is committed to providing reasonable accommodations in a prompt, effective manner. NPC will evaluate and verify any such documentation before taking remedial action. The opinions and recommendations of a qualified professional will be considered in developing a suitable accommodation plan.

NPC is committed to providing equal access to all educational programs, regardless of handicap or disability. Once official documentation has been received, the DO will review the documentation and recommended accommodation(s) from the diagnosing professional and review your accommodation requests. The student and the DO will discuss the requested accommodation(s) and attempt to come to an agreement for a reasonable Accommodation Plan.

Step 4: Accommodation Approval and Communication

Once the DO and student agree to acceptable reasonable accommodation(s), NPC will undertake to provide any necessary accommodations.

Appeal

In the event that there is a disagreement between the student and NPC's initial evaluation, the student can file an appeal through NPC's Student Grievance Procedure found in the Student Handbook.

Temporary Health Situations

Students who experience temporary health situations such as surgery complications, emergency surgery/hospitalization, or pregnancy complications should review NPC's Leave of Absence Policy found in the Student Handbook.

Confidentiality and Release of Information

NPC views all material pertaining a student's disability as confidential. All student record information is governed by FERPA (Family Educational Rights and Privacy Act, sometimes referred to as the Buckley Amendment). The primary rights given to students are a) the right to inspect and review education records; b) the right to seek to amend education records; and c) the right to have some control over the disclosure of information from education records.

NPC is committed to ensuring that all information regarding a student remains confidential as required or permitted by law. Information received concerning students receiving or requesting disability services will be kept confidential. Student information may be shared with faculty and staff to assure proper accommodation(s). Disability-related information will be shared only on a limited basis within the institutional community. Information will not be released without consent unless federal or state law requires it.

Disability documentation and related records will be retained by NPC for at least five (5) years from last course completed by the student.

Guidelines for Documentation

Students requesting accommodations for a defined disability must submit documentation to verify eligibility. Under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (as amended) individuals with disabilities are guaranteed equal access to programs and services; thus the documentation should indicate that the disability substantially limits one or more major life activity. It is the responsibility of the student to present appropriate documentation of a disability to the DO in a timely manner to secure accommodations. *Accommodations cannot be made retroactively.*

Age of documentation

Documentation of a disability should be as current as possible but ***not more than 3 years old***. In addition, depending on the nature of the disability (e.g. learning disability), assessments and evaluations made at the secondary school level may not be sufficient.

Qualifications of the Evaluator

All psychological/or medical reports must include the name, title and professional credentials of the evaluator. Information about the license or certification as well as area of specialization, employment and state/province in which the individual practices should also be included. All reports should be on letterhead stationery, typed, dated, signed and legible.

Documentation for any disability should include:

- Diagnosis of disability, including clinical history that establishes the onset, or date of diagnosis, of the disability as well as duration and/or prognosis;
- Procedures used to diagnose, evaluate, and/or assess the disability;
- Description of any medical and/or behavioral symptoms associated with the disability;
- Identification of medications, and side effects, that could significantly impact the student in an academic environment;
- Statement specifying functional limitations caused by the particular disability; and
- Any recommended accommodations, including rationale, associated with the identified functional limitations.

Substantiation of Specific Disabilities

Learning Disabilities

Documentation should validate the need for services based on the individual's current level of functioning in the educational setting. A school plan such as an individualized education program (IEP) or a 504 plan is not sufficient documentation. The comprehensive assessment battery and the resulting diagnostic report should include a diagnostic interview, assessment of intelligence quotient, academic achievement, information processing, and a diagnosis that substantiates a disability as specified in the Diagnostic and Statistical Manual of Mental Disorders (DSM-IV-TR), fourth edition.

Attention Deficit Hyperactive Disorder

In addition to the criteria set out in Learning Disabilities section (above) that may also apply to ADHD, the medical and/or clinical diagnosis for ADHD should include an adult-based evaluation and the following that supports the diagnosis. Quantitative data - direct observational technique, behavioral rating scales, TOVA, Connor Behavioral Rate scale, etc. and Qualitative data - direct observations which include DSM-IV criteria.

Physical or Medically Related Disabilities

As defined under the provisions of Section 504 and the ADA, other disabilities may include, but not be limited to, the following: visual impairment, hearing impairment, cerebral palsy, seizure disorder, orthopedic impairment, cancer, diabetes, psychiatric disorder, etc. Documentation should be provided by a licensed professional in the appropriate area of specialization.

Psychiatric Disorders

Current documentation should be provided by a licensed professional in the appropriate area of specialization. Information regarding medications and side effects should be updated every year.

Rights and Responsibilities

Students have the right to:	Students have the responsibility to:
<p>Accommodations</p> <ul style="list-style-type: none"> • Request reasonable accommodations due to a disability from NPC DO. • Discuss approved reasonable accommodations with the DO and voice any concerns. • Receive accommodations in a timely manner. 	<p>Accommodations</p> <ul style="list-style-type: none"> • Submit documentation meeting NPC guidelines substantiating the need for reasonable accommodations. NPC DO is the sole person designated to receive and review disability documentation and determine eligibility for reasonable accommodations. • Meet course/program technical and performance standards, and be evaluated in the same manner as other students. • Notify NPC if accommodation(s) is no longer needed. • Notify NPC immediately when an accommodation is not being provided. • Follow established policies and procedures in order to gain access to approved reasonable accommodations.
<p>Confidentiality</p> <ul style="list-style-type: none"> • Share only their Accommodation Plan and not details of the disability with instructors. • Expect all disability-related information to be treated confidentially. 	<p>Confidentiality</p> <ul style="list-style-type: none"> • Confidentially discuss reasonable accommodations via their Accommodation Plan and any other concerns.

<i>Faculty have the right to:</i>	<i>Faculty have the responsibility to:</i>
<p>Accommodations</p> <ul style="list-style-type: none"> • Expect the student accommodation request to be provided via NPC DO. • Request verification of a student’s eligibility for requested accommodations. Verification will be provided in the form of a Letter of Accommodation prepared by the DO. • Expect all students to meet course/program technical and performance standards in the same manner as any other student. 	<p>Accommodations</p> <ul style="list-style-type: none"> • Establish and communicate essential course requirements and objectives. • Provide accommodations only to students who are registered with DO where reasonable accommodations have been approved.
<p>Confidentiality</p> <ul style="list-style-type: none"> • View a student’s Accommodation Plan. • Faculty does not have the right to ask students if they have a disability or about the nature of the disability disclosed. However, if students choose to disclose their disability, this information must be treated confidentially. 	<p>Confidentiality</p> <ul style="list-style-type: none"> • Treat and protect all disability-related information as confidential medical information. For example, keep printed items such as emails or conversations regarding student disability related information private.

<i>NPC has a right to:</i>	<i>NPC has the responsibility to:</i>
<p>Documentation</p> <ul style="list-style-type: none"> • Request documentation meeting NPC guidelines substantiating the need for reasonable accommodations for an individual with a disability. 	<p>Documentation</p> <ul style="list-style-type: none"> • Timely review student submitted accommodation requests and documentation.
<p>Accommodations</p> <ul style="list-style-type: none"> • Expect students and faculty to work cooperatively with the DO to facilitate accommodations. • Deny unreasonable academic accommodations, adjustments, and/or auxiliary services. Accommodations cannot impose undue hardship to, or fundamentally alter, a program or activity of the college. • Not provide reasonable accommodations/services until appropriate documentation has been provided and the student has completed registration with DO. 	<p>Accommodations</p> <ul style="list-style-type: none"> • Establish and communicate essential course requirements and objectives. • Provide accommodations only to students who are registered with DO where reasonable accommodations have been approved.
<p>Confidentiality</p> <ul style="list-style-type: none"> • Communicate relevant information, accommodations, services/assistance to university officials on a need to know basis. 	<p>Confidentiality</p> <ul style="list-style-type: none"> • Treat and protect all disability-related information as confidential medical information. For example, keep printed items such as emails or conversations regarding student disability related information private.

Accommodations

It is important that students submit a request for service to the NPC DO at the first available opportunity. Some requests may require review, therefore may require additional time. Requests that are placed with minimal notice may result in either no services or partial services.

NPC will provide academic consultation to students as it relates to issues of disability. NPC DO will serve as an advocate for students with disabilities when appropriate. NPC occasionally recommends a reduced course load as an academic accommodation for students with a disability.

NPC will not compromise academic standards in lieu of a disability. Because of this, course substitutions and waivers are rare. Permission for course substitution or waiver must be granted by the Dean. The NPC DO will provide verification of the disability and the functional limitation causing the request for waiver or substitution.

NPC can provide students with information on agencies that can assist with disability concerns beyond the scope of the services that are offered with the university. NPC may make referrals to external facilities for students whom need assessments or evaluations. The student will be responsible for the cost of these external services.

Below is a list of potential accommodations readily available for qualifying students.

Visually Impaired

Many students with visual disabilities are interested in obtaining their textbooks and other materials in alternate formats (alt-format) as an auxiliary aid to assist them with their reading and coursework. There are many options available, and the discussion of this is best done on a case-by-case basis.

On an individualized basis, the student will notify the school of capabilities (i.e. text-to-audio reading emails, websites, etc.). Some accommodations may include:

- Assignments can be completed by submission of an audio file. Faculty feedback can be provided by email to student, audio file, or via phone.
- Exams can be accessed online or can be walked through with a staff member. Student can provide a recorded audio file response. Feedback from faculty will be via email, audio file or phone call.
- Textbooks, student will be presented with the recommended textbook for the class. See below for options.
- Syllabus will require text-to-voice.
- Course lectures include audio over slide presentation. Student can access the slides in text MSWORD on the web site.
- NPC course materials all include audio file.

- When required, NPC may use a reader, such as naturalreaders.com to provide audio files of NPC materials for the blind.

Students can find most NPC textbooks at learningally.org almost all Cengage, Pearson, Aspen, Wiley, Prentice Hall, etc. books are available in alt-format. When the latest edition is not available, prior editions can be used and accommodated.

NPC accepts requests for alternative text from eligible students. Accessible content can be requested on behalf of the student by Disability Services via Recordings for the Blind and Dyslexic (RFB&D) and direct requests through the book publisher. Most textbooks can be ordered from the publisher in a variety of formats that include WORD, PDF, HTML, or DAISY. Fulfillment of requests can range from 1-3 weeks. Therefore, it is suggested that alternative text is requested at least 2 weeks prior to the start of your course(s).

If the textbook is not available at learningally.org, Students have a variety of options:

1. Students can make a request with the American Printing House for the Blind (Braille, Large Print, Sound and e-files);
2. Bookshare.org (an exchange for transformed works); or
3. E-books (i.e.) Coursesmart include e-files of books they can have automated to read aloud.

NPC is a member of AccessText.org, to allow us to request copies of modified files on the File Exchange.

Deaf and Hard of Hearing Services

Most materials at NPC are included in visible formats, with the exception of live lectures. Close-captioning for lectures can be provided on an as needed basis via:

<http://www.adobe.com/products/adobeconnect/apps/closed-captioning.html>

Learning Disability

Testing Accommodations – NPC will provide extended time on exams for students who are eligible. Eligibility for testing accommodations is based on the student's functional limitations described in his/her disability documentation.