



## Instructor Response to Disability Accommodation Authorization

### Board of Regents' Policy P09.06.030 A. Accommodation of Students with Disabilities.

The university will strive to provide, within the limits of mission, resources, facilities, and personnel, appropriate academic adjustments and other programmatic accommodations to qualified students with disabilities to ensure access to educational opportunities, programs, and activities in the most integrated setting possible. The university will make reasonable modifications and adjustments, provided such adjustments would not result in a fundamental alteration of the affected service, program, or activity; lower the standards of an instructional program; result in an undue financial, administrative or academic burden; or create a direct threat to the health or safety of others.

Student Name: \_\_\_\_\_ Student ID No.: \_\_\_\_\_

Course Designator/Number: \_\_\_\_\_ Course Name: \_\_\_\_\_

CRN: \_\_\_\_\_ Semester: \_\_\_\_\_ Year: \_\_\_\_\_

1. Attach a copy of the accommodation recommendation.

2. In consideration of Regents' Policy quoted above, describe the reasons that the authorized accommodation should not be provided. If the reason is "will lower the standards of an instructional program," please describe specifically the standards that will be compromised, and why. Note that the focus should be on learning outcomes, not the process of achieving learning outcomes. (Attach additional sheets as needed.)

3. If there is an acceptable, alternative accommodation that the faculty member believes would serve the needs of the student at least as well as the authorized accommodation, describe here.

Faculty Signature: \_\_\_\_\_ / \_\_\_\_\_  
Print Name Date

Department Chair Signature: \_\_\_\_\_ / \_\_\_\_\_  
Print Name Date

Chair comments:

Dean Signature: \_\_\_\_\_ / \_\_\_\_\_  
Print Name Date

Dean Comments:

**Instructions:**  
**Instructor Response to Disability Accommodation Authorization**

1. Faculty members should be aware that they should not provide an accommodation for a student claiming a disability (beyond the normal flexibility that the instructor provides for all students) unless the student has an accommodation authorization letter from Disability Services (DS).
2. If a student has an authorized accommodation, the student submits Disability Services accommodation authorization to the course instructor. If the instructor is a teaching assistant, the TA passes the request to the supervising faculty member.
3. The instructor (or faculty member supervising a TA) reviews to determine if the authorized accommodation would result in a fundamental alteration of the affected service, program, or activity; lower the standards of an instructional program; result in an undue financial, administrative or academic burden; or create a direct threat to the health or safety of others.
4. If no, the instructor implements the accommodation, or instructs a TA to implement the accommodation if the TA is responsible for affected instruction.
5. If yes, the instructor contacts the DS coordinator within 3 working days in an attempt to reach informal resolution. The faculty member may propose an alternative accommodation that will better meet the needs of the student, or will have fewer negative impacts while still meeting the needs of the student as well as the originally authorized accommodation.
6. If informal resolution is not successful, the instructor completes the "Instructor Response to Disability Accommodation Authorization" form and submits it to the department chair within 5 working days of the student's initial submission of the DS accommodation authorization to the instructor.
  - a. If the original DS accommodation authorization states that providing the accommodation, or not, is the decision of the faculty member, then the faculty member simply copies the form to the department chair, dean, and DS, and the matter is concluded.
  - b. If the original DS accommodation authorization states that the accommodation is authorized, without allowing for faculty discretion, then the form is submitted to the department chair (or equivalent) for review as in Step 7.
7. The department chair reviews the DS accommodation authorization and instructor response. If he/she agrees with the faculty member's review, then he/she signs and submits to the dean. If the chair does not agree or needs additional information, then he/she confers with the faculty member. They may agree to implement the accommodation. If not, the form is submitted to the dean either with or without the chair's signature (which, if provided, will signify agreement with the faculty member) within 8 working days of the student's initial submission of the DS accommodation authorization to the instructor.
8. The dean reviews the DS accommodation authorization and instructor response. If he/she agrees that the authorized accommodation is not appropriate, he/she will request reconsideration by DS. (Proceed to step 8.e.) If he/she disagrees with the faculty member (and department chair, if applicable), he/she will confer with the faculty member to in an effort to resolve the issue(s).
  - a. If the dean and faculty member reach agreement to implement the authorized accommodation, the matter is concluded.
  - b. If the dean and faculty member do not agree, and the concern is that the accommodation will result in an undue financial, administrative or academic burden, the dean will direct the faculty member to implement the accommodation, after providing such additional support as the dean deems necessary.
  - c. If the dean and faculty member do not agree, and the faculty member asserts that the authorized accommodation would result in a fundamental alteration of the affected course or lower the standards of an instructional program, the dean will appoint a review committee of three faculty qualified to

assess those issues within 10 working days student's initial submission of the DS accommodation authorization to the instructor. The review committee will have an initial meeting with the DS coordinator, who will explain the ADA requirements and the rationale for the authorized accommodation. The committee will then consider the "Instructor Response to Disability Accommodation Authorization" form, including any input added by the department chair and dean, and make a recommendation to the dean within 15 working days of the student's initial submission of the DS accommodation authorization to the instructor.

d. If the faculty committee recommends implementing the accommodation, the dean will direct the course instructor to do so.

e. If the faculty committee recommends not implementing the accommodation, the dean will request reconsideration by DS within 17 working days of the student's initial submission of the DS accommodation authorization to the instructor.

f. If requested to reconsider, the DS coordinator or site designee will attempt to resolve the issue informally with the faculty or staff member, the appropriate dean or director, and/or the chief academic officer. If informal efforts do not result in resolution, the DS coordinator or site designee will consult with the MAU ADA/504 coordinator and such other persons as the chancellor deems appropriate prior to issuing a written decision within 25 working days of the student's initial submission of the DS accommodation authorization to the instructor. The DS coordinator or site designee will also inform the student of the process for filing a formal complaint within the university.

9. The authorized academic adjustments and other programmatic adjustments will remain in effect at the discretion of the DS coordinator or site designee until the matter is resolved.

**Timeline for faculty and administrator response to DS accommodation authorization. If the matter is resolved at any step, the remaining deadlines are moot.**

- Day 1: Student submits DS accommodation authorization to the course instructor or TA.
- Day 1-3: Faculty member contacts DS to attempt informal resolution.
- By Day 5: Faculty member submits "Instructor Response to Disability Accommodation Authorization" form to department chair or equivalent.
- By Day 8: Department chair or equivalent submits "Instructor Response to Disability Accommodation Authorization" form to dean.
- By Day 10: Dean appoints faculty review committee and requests their review and response to the "Instructor Response to Disability Accommodation Authorization" form.
- By Day 15: Faculty review committee reports to dean.
- By Day 17: Dean requests reconsideration by DS.
- By Day 25: DS coordinator or site designee will consult with the MAU ADA/504 coordinator and such other persons as the chancellor deems appropriate prior to issuing a written decision.