

STUDENT DISABILITY SERVICES AND ACCOMMODATIONS

SECTION ONE: GENERAL PRINCIPLES

1.01 Role of the Office of Disability Services

The Angelina College Office of Disability Services (ODS) ensures that all students with disabilities are afforded the opportunity to access the same educational opportunities, receive the same information, engage in the same interactions, and be empowered to enjoy the same college experience as students without disabilities by:

- Promoting self-advocacy, self-efficacy, and independence;
- Ensuring that students with disabilities are afforded reasonable and timely accommodations;
- Assisting the campus community in identifying barriers to accessibility and solutions for providing accessible facilities, courses, events, and activities;
- Utilizing and teaching Universal Design principles; and
- Facilitating a campus culture of inclusion and awareness.

1.02 Legal Context

It is the policy of Angelina College (AC) to comply with the fundamental principles of nondiscrimination and accommodation in academic programs as set forth in the primary laws that affect higher education and disability. These include Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disability Act (ADA) and the ADA Amendments Act of 2008 (ADAAA).

Section 504 Act states, “No otherwise qualified person with a disability in the United States...shall, solely by reason of disability, be denied the benefits of, be excluded from participation in, or subjected to discrimination under any program or activity receiving federal financial assistance.”

Section 504 defines a person with a disability as: “Any person who: Has a physical or mental impairment which substantially limits one or more major life activities; Has a record of such an impairment; Is regarded as having such impairment.” At Angelina College, a “qualified person with a disability” is defined as one who meets the Section 504 definition of a person with a disability and who meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by AC.

Section 504 further states that an institution “shall make such modifications (reasonable accommodations) to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discrimination on the basis of handicap, against a qualified handicapped applicant or student ... Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses

required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.” Accommodations are reviewed on a case-by-case basis to ensure that each accommodation is both effective and reasonable.

The ADA provides further clarification of who qualifies as an “Individual with a Disability.” It also provides information on service animals, personal mobility devices, and documentation standards.

None of Section 504, the ADA, or the ADA provides requires colleges to lower academic standards or substantially alter the essential, fundamental elements of courses or programs to accommodate students with disabilities. The requirement to provide reasonable accommodations is designed to afford an equal opportunity for students with disabilities. Achieving reasonable accommodations for a student with a disability involves shared responsibility among students, faculty, and staff.

1.03 Student Rights and Responsibilities

A student with a disability has a right to an equal opportunity to participate in and benefit from programs offered at Angelina College (AC). To ensure an efficient working relationship with the Office of Disability Services (ODS), students are urged to take an active role in applying for reasonable accommodations. To protect this right, an Angelina College student with a disability:

- Has a responsibility to provide documentation of disability to the ODS;
- Has a responsibility to identify as needing an accommodation according to the timelines listed in this Regulation;
- Has a responsibility to actively participate in the search for accommodations, as applicable;
- Has a responsibility to notify faculty of approved accommodations;
- Has the same obligation as any student to meet and maintain the College’s academic and technical standards and Student Code of Conduct;
- Has a right to be evaluated based on ability, not disability;
- Is entitled to an equal opportunity to learn;
- Is entitled to an equal opportunity to participate in and benefit from the academic community, including access to services, extracurricular activities, and transportation at a comparable level as that provided to any other student; and
- Has a right to appeal the College’s decisions concerning accommodations, first informally by working with the ODS Manager; second, formally and internally, by pursuing the College’s unlawful discrimination grievance process; and third, externally, by filing a complaint with the federal Office of Civil Rights at the U.S. Department of Education or through the civil court system.

1.04 Faculty Rights and Responsibilities

Instructors have both rights and responsibilities when working with students with disabilities. The information provided below is designed to assist instructors in facilitating the process of integrating students with disabilities into the college environment.

Instructors:

- Have a responsibility to comply with Angelina College policies, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and the ADA Amendments Act, as these laws apply to higher education;
- Have a responsibility to refer students to the Office of Disability Services (ODS) if students self-identify as having a disability to the instructor and are not already receiving ODS services;
- Have a responsibility to implement the reasonable accommodations established by the ODS for each student with disability;
- Have a responsibility to provide the ODS all print material that needs to be converted to an alternate format (e.g. large print, electronic text, Braille, taped, etc.) a minimum of three (3) working days in advance of the beginning of class or within a minimum of three (3) working days of receipt of notification of accommodations after the beginning of class;
- Have a responsibility to protect and maintain confidentiality at all times when working with students with disabilities;
- Have a responsibility to treat every student with dignity and respect;
- Have a right to require all students, regardless of disability, to meet and maintain Angelina College's academic and technical standards because although students with disabilities may use accommodations, they must meet the same academic and technical standards as other students;
- Have a right to consult with the ODS Manager and student if the location, delivery system, or instructional methodology limits the access, participation, or ability to benefit of any student with a disability because collaboration ensures that reasonable accommodations in those aspects of the course or program are identified and implemented and do not cause a fundamental alteration in the nature of the course; and
- Have a right to teach in an environment supportive of learning and free of disruption because all students, regardless of disability, are required to follow the AC Student Code of Conduct.

1.05 Office of Disability Services (ODS) Rights and Responsibilities

The Office of Disability Services (ODS) is responsible for maintaining confidential student disability records and coordinating reasonable accommodations and services for students with disabilities. For some students this may involve a combination of student support services (e.g., tutoring, advising, etc.) and accommodations. For others, a single accommodation is all that may be required. The ODS Manager oversees the scope of support services needed by an individual student. As a part of this process, the ODS:

- Has a responsibility to comply with Angelina College policies, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and the ADA Amendments Act, as they apply to higher education;
- Has a responsibility to maintain confidential records for self-identified students with disabilities;
- Has a responsibility to identify and coordinate reasonable accommodations as indicated by the student's documentation of disability and the interactive discussion;

- Has a responsibility to obtain and/or convert standard print material to alternate formats, as needed, in a timely manner;
- Has a responsibility to identify barriers for students with disabilities within ODS and to make recommendations for eliminating those barriers;
- Has a responsibility to protect and maintain confidentiality when working with students with disabilities;
- Has a responsibility to treat every student with dignity and respect;
- Has a right to require documentation of disability and need prior to making accommodations;
- Has a right to require all students, regardless of disability, to meet and maintain Angelina College's academic and technical standards and the Student Code of Conduct; and
- Has a right to work in an environment supportive of learning and free from disruption because all students, regardless of disability, are required to follow the AC Student Code of Conduct.

1.06 Confidentiality

Records related to disabilities are considered to be highly confidential. The purpose of such confidentiality is to protect the student from discrimination on the basis of disability as well as to ensure that the student's medical records are not released except as needed to provide educational services. The Office of Disability Services (ODS) is responsible for collecting and maintaining these records, and only ODS personnel have direct access to the files. Information related to disability should be shared only when there is a legitimate educational need to know, and then only limited information shall be shared and only with designated college administrators. The ODS Manager determines when it is appropriate to share information about students' disabilities and/or accommodations and ensures that FERPA, HIPAA, and primary guidelines are followed. In addition, the ODS may not share the nature of a student's disability with faculty.

- **Confidentiality and Parents of Students with Disabilities**

Within the postsecondary education environment, ODS staff and other College employees may communicate only with the student who is an adult. Parents are not authorized to contact the ODS or try to complete accommodations processes on behalf of a student, and the ODS is not able to work with parents who attempt to do so. It is the student's right and responsibility to self-identify. If the student wants parents involved, the student may invite them to attend appointments. In that case, the student must complete the college's release form granting permission for a parent to have access to information about their accommodations and other information related to the College. Confidentiality also extends to instructors, who may not share information with parents.

- **Limits to Confidentiality**

Exceptions to the protection of confidentiality include; (1) a court-ordered subpoena, (2) the student expresses intent to harm self or others; and (3) report of abuse of a child, an individual with a disability, or an elderly individual.

SECTION TWO: DEFINITIONS

2.01 Definitions

The following definitions of terms apply to all procedures and regulations developed and used by the Office of Disability Services (ODS). *Subsection 7.01* of this Regulation provides additional definitions of terms relevant to animals on campus.

- **Accessible:** Individuals with disabilities are able to independently acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as their nondisabled peers, with substantially equivalent ease of use.
- **Accommodation:** Supports, including auxiliary aids and services, provided by Angelina College (AC) at no cost to qualified students with disabilities to ensure they have equal access.
- **Accommodation Memo:** Document issued by the ODS after the interactive discussion to a student with a disability that authorizes instructors and other AC personnel to provide approved accommodations to the student.
- **ADA/504 Coordinator:** The individual at the College who is assigned the responsibility of assuring compliance with the Americans with Disabilities Act (ADA), Sections 503 and 504 of the Rehabilitation Act of 1973, and other federal and state laws and regulations pertaining to persons with disabilities. For students, the ADA/504 Coordinator is the Manager of the Office of Disability Services.
- **Alternative Testing:** Any type of testing that is an exception to the normal testing environment for a class. Includes, but is not limited to, extended time, testing in a distraction-reduced environment, and/or use of technology, software, or other devices to make the test more accessible for the student.
- **Alternative Text or Media:** Text or media that ensures accessibility for individuals with varying disabilities. The nature of the alternative depends on the access needs of the individual and the original form of the content. Textbooks, course packs, and other print-based material may need to be converted to an accessible format, which could include but is not limited to accessible PDFs, audible text, large print, Braille, and tactile renderings. Electronic information may need to be converted to audible text or may need to include captioning and/or descriptive narration of videos.
- **Assistive Technology for Note-Taking:** The use of software or technology to provide students with an effective means of accessing notes independently while still being able to engage interactively within the classroom environment.
- **Auxiliary Aids:** Equipment, technology, and/or software provided by Angelina College (AC) at no cost to qualified students with disabilities to promote the accessibility of AC's programs, classes, activities, and events.
- **Communication Aids and Services:** Interpreting, real-time captioning, computer-assisted real-time transcription (CART), note-taking services, and other auxiliary aids and services that assist with communication, primarily for students who are deaf or hard of hearing.

- **Computer-Assisted Real-Time Transcription (CART):** The process of a third-party individual converting spoken English into text viewable on a computer or smart phone. The transcription is word-for-word, including noting laughter, throat-clearing by the instructor, and other audible elements. The purpose of CART is to provide access for a student who is deaf/hard of hearing to the spoken word within a class setting. The CART provider may be present in the room with the student or may access the spoken lectures and discussions through a high-quality microphone while located in another location. The student is provided a copy of the CART transcription after class to use for notes.
- **Course Substitution:** Substituting an alternative course that teaches similar competencies and skills for a required course.
- **Descriptive Narration:** Softly spoken English within a video or film that provides descriptions of what is occurring to provide access for individuals who are blind or have low vision.
- **Direct Threat:** There is a significant risk to others that cannot be eliminated or reduced to an acceptable level by reasonable modifications to AC's policies, practices, or procedures or by the provision of appropriate accommodations, auxiliary aids, or services. The determination that a person or device poses a direct threat to the health or safety of others may not be based on generalizations or stereotypes about the effects of a particular disability; it must be based on an individual assessment that considers the particular activity and the actual abilities and disabilities of the individual.
- **Office of Disability Services (ODS)** Angelina College's designated office where students with disabilities request services and provide confidential documentation of disabilities. It is the first point of contact for students and faculty who have questions or concerns regarding accommodations or other issues related to students' disabilities.
- **Documentation:** Material that provides official information or evidence or that serves as a record; the act or an instance of furnishing or authenticating with documents.
- **Dual Credit Courses:** Courses in which students receive credits that apply toward both high school graduation and college requirements.
- **Emotional Support Animal (ESA):** An animal that provides comfort to an individual with a disability upon the recommendation of a healthcare or mental health professional; its role is to alleviate the symptoms of an individual's disability, but not to assist an individual with a disability with activities of daily living.
- **Equal Access:** Within higher education, students with disabilities are provided an equal opportunity to participate in, and benefit from the educational opportunities, activities, and events offered at or by Angelina College.
- **Fundamental Alteration:** A change that is so significant that it alters the essential nature of the goods, services, facilities, privileges, advantages, or accommodations offered. Auxiliary aids, accommodations, and services provide a modification to the academic environment, but cannot lower requirements of a course, program, or event. Although students, employees, and campus guests with disabilities can choose courses, academic programs, or events as any other person chooses, people with disabilities are strongly encouraged to explore the learning outcomes of the courses and/or programs prior to enrolling or engaging in this pursuit.

- **Individual with a Disability:** Defined by Section 504 of the Rehabilitation Act as “Any person who: Has a physical or mental impairment which substantially limits one or more major life activities; Has a physical or mental impairment which substantially limits one or more major life activities; Has a record of such an impairment.”
- **Interactive Discussion:** The process in which a student with the disability and ODS personnel have a conversation about the functional limitations that the student experiences as a result of the disability (particularly within a class environment); accommodations, services, and/or auxiliary aids previously used; and other factors that are relevant for determining the individualized reasonable accommodations, services, and/or auxiliary aids for this specific student taking specific classes. The purpose is to ensure that the student has the opportunity to share critical or relevant information that could impact accommodations, services, and auxiliary aids, such as the student’s preferred modality of communication.
- **Interpreting:** The process of a third-party individual converting spoken English into sign language (usually American Sign Language [ASL]). Additionally, the interpreter converts sign language into appropriate spoken English.
- **Modality of Communication:** Primary and preferred method of the individual student who is deaf or hard of hearing. Can include, but is not limited to, American Sign Language interpreting, real-time captioning, and computer-assisted real-time (CART) transcription.
- **Note-Taking Services:** The process of having a third-party individual present in class to take notes for a student with a disability who cannot take notes effectively due to the nature of the disability.
- **Online Courses:** College courses that are taught completely online.
- **Other Power-Driven Mobility Device (OPDMD):** Any mobility device powered by batteries, fuel, or other engines, whether or not designed primarily for use by individuals with mobility disabilities, that is used by individuals with mobility disabilities for the purpose of locomotion. For the purposes of this policy, motorized wheelchairs are not considered an OPDMD.
- **Personal Care Attendant:** An individual who provides services of a personal nature (e.g., bathing, feeding, toileting) for another individual. Angelina College allows these services, but is not responsible for paying for the services.
- **Real-Time Captioning:** The process of a third-party individual converting spoken English into text viewable on a computer or smart phone. The words are concept-for-concept, rather than word-for-word. The purpose of real-time captioning is to provide access for a student who is deaf/hard of hearing to the spoken word within a class setting. The third-party captionist may be present in the room with the student or may access the spoken lectures and discussions through a high-quality microphone while located in another location. The student is provided a transcript of the real-time captioning after class to use for notes.
- **Service Animal:** A dog (or a miniature horse, provided it meets the same work and safety requirements as a dog) trained to assist people with disabilities in the activities of daily living. As defined by the ADA Amendments Act (ADAAA), only dogs and miniature

- horses qualify as service animals; the ADA states in part, “other species of animals, whether wild or domestic, trained or untrained, are not service animals.”
- **Services:** Services provided by Angelina College at no cost to qualified students with disabilities to ensure they have equal access.
- **Student Assistant:** An individual who provides services to ensure access to AC classes and labs for a student with a disability who would not otherwise have access. The student assistant is arranged for and paid by the ODS and is an employee of the ODS.
- **Timely Request:** The amount of advance notice that a student with a disability must provide in order to schedule ODS appointments, accommodations, services, and/or auxiliary aids. The length of advance notice varies depending on what the student is requesting and the amount of time required by ODS to procure, convert, or provide the requested appointment, accommodations, services, and/or auxiliary aids.
- **Undue Burden:** Significant difficulty or expense. In determining whether an action would result in an undue burden, factors to be considered include: (a) the nature and cost of the action; (b) the overall financial resources of the site or related sites involved in the action; (c) the number of persons employed at the site; (d) the effect on expenses and resources; (e) legitimate safety requirements that are necessary for safe operation, including crime prevention measures; and/or (f) the impact otherwise of the action upon the operation of the site.
- **Universal Design:** Composition of an environment, whether physical or digital, such that it can be accessed, understood, and used to the greatest extent possible by all people regardless of their age, size, ability, or disability.
- **Working Day:** Monday through Friday when Angelina College is open.

2.02 Interpretation of Terms

Angelina College reserves the right to interpret any term related to this regulation. Generally, the Manager of the ODS, in collaboration with Angelina College legal counsel as necessary, is authorized to interpret any term related to this regulation.

SECTION THREE: DISABILITY SERVICES ELIGIBILITY DETERMINATION AND DOCUMENTATION

3.01 Documentation

A student registering for approval of accommodations for a disability is required to provide documentation of the disability to the Office of Disability Services (ODS). Documentation is required for the following three purposes:

- To establish that the student is an individual with a disability and thus a member of the protected class;
- To establish the need for accommodations on a case-by-case basis due to consideration of functional limitations, the nature of the individual class, and in order to have equal access; and
- To be prescriptive in assigning reasonable accommodations through an interactive process.

Documentation from external sources may include, but is not limited to, educational or medical records, reports, and assessments created by health care providers, school psychologists, teachers, or other qualified employees of an educational institution. External documentation will vary in its relevance and value based on the original context, credentials of the evaluator, level of detail provided, and the comprehensiveness of the narrative.

3.02 Documentation Requirements

A diagnosis related to a disability must be made by a professional with the appropriate credentials for diagnosing/identifying the specific disability. Documentation must include:

1. A specific diagnostic statement on letterhead identifying the disability and date of the current diagnostic evaluation;
2. A description of the diagnostic criteria and/or diagnostic test(s) used;
3. As appropriate and available, information about how each condition or disability affects the student with regard to physical, emotional, and/or cognitive limitations and the severity of limitations within the classroom;
4. Pertinent information regarding treatments, medications, assistive devices, and resources currently prescribed or in use, particularly if these will have an academic impact;
5. Specific suggestions as to the types of resources that may be considered by the ODS Manager as reasonable accommodations; and
6. Credentials of the diagnosing professional(s).

ODS staff will determine whether the evaluation documentation is sufficiently current. The ODS Manager will combine the documentation with information attained during the interactive discussion and approve appropriate and reasonable accommodations on a case-by-case basis.

3.03 Registration for Services Process

In order for a student with a disability to be approved for accommodations, the registration for services process requires three steps:

1. The student applies for services through the ODS by completing the *Educational Accommodations Application* and submitting it to the ODS;
2. The student submits documentation of disability to the ODS; and
3. The student meets with the ODS Manager for an interactive discussion (see *Subsection 3.04*) no less than fourteen (14) working days prior to the first class meeting.

If the student does not complete registration for services process a minimum of fourteen (14) working days prior to the first day of class, the ODS cannot guarantee that all accommodations will be available on the first day of class.

The student may submit the registration form and documentation by (a) hand delivery to the ODS in Room 206 in the AC Student Center, (b) mail via the US Postal Service to the ODS, or (c) via email to **studentservices@angelina.edu**.

Students should use the following mailing address for the ODS:

Angelina College
Office of Disability Services
PO Box 1768
Lufkin, TX 75902-1768

In the ODS Manager's sole discretion subject to applicable law, if the documentation provided is not sufficient, ODS staff will explain to the student what kind of documentation is needed. Additionally, the Manager can discuss options for obtaining the necessary documentation if the student is unsure if the documentation is available. Options may include, but are not limited to, accessing records from high school, medical or psychiatric documentation (or a letter on letterhead from the doctor who made the diagnosis or is treating the condition, and who has signed and dated the letter), audiograms, psychological testing reports, and evaluations from state or community agencies and organizations.

If additional information is required before a determination of reasonable accommodations can be made, the ODS may provide temporary accommodations for a specified period of time if deemed appropriate by the ODS Manager. Providing a temporary accommodation does not imply that the accommodation will be approved on a permanent basis. If a student granted a temporary accommodation does not comply with requests to produce additional information or documentation by the date specified, the ODS Manager may determine it is not appropriate to extend the temporary accommodations beyond the end of the specified period of time for temporary accommodations.

3.04 Registration for Services Process - Interactive Discussion

After the student completes the *Educational Accommodations Application* and submits documentation, the ODS staff will review the documentation and contact the student to schedule an interactive discussion with the ODS Manager.

The purpose of the interactive discussion is to include important student input and provide the information needed in order to make informed decisions regarding reasonable accommodations. The interactive discussion provides critical information regarding each individual student's preferred modality of communication, which drives decisions about which reasonable accommodations best address the needs and preferred modality of communication of each student.

The type of accommodation necessary to ensure equal access will vary in accordance with the modality of communication used by the student; the nature, length, and complexity of the communication involved, including the nature and vocabulary of the student's individual courses; and the context in which the communication takes place. When determining what type of accommodation is necessary, the ODS will give primary consideration to the accommodation the student indicates is most effective. To be effective, accommodations must be provided in accessible formats that address the individual and unique needs of each student in a

timely manner and in such a way as to protect the privacy and independence of the student. To be effective, accommodations, are not required to produce the identical result or level of achievement for individuals with and without disabilities, but must afford equal access.

3.05 Reconsideration of Approved Accommodations

Students with disabilities who wish to request reconsideration of the reasonable accommodations that have been approved by the ODS may do so on an informal basis by scheduling an appointment with the Manager to review the approved accommodations.

- **Timeline for Requesting Reconsideration**

Typically, a request for a revision to approved accommodations should be made within the first two (2) weeks of a term. However, there are occasions when the need to revise approved accommodations may not become apparent until later in a term.

- **Reconsideration Process**

The ODS Manager shall review the student's request and the supporting disability documentation, engage in an interactive discussion with the student, and make any revisions the ODS Manager determines are appropriate.

If additional information is required before a decision can be made, the ODS may temporarily provide the revised accommodations for a specified period of time if deemed appropriate by the ODS Manager. This temporary revision to accommodations does not imply that the revisions will be approved on a permanent basis. If a student granted a temporary revision to accommodations does not comply with requests to produce additional information or documentation by the date specified, the ODS Manager may determine it is not appropriate to extend the temporary accommodations beyond the end of the specified period of time for temporary accommodations.

In some cases, it is necessary for the ODS Manager to consult with a faculty member to determine which accommodations are reasonable for a specific class. Decisions about reasonable accommodations are made on a case-by-case basis and should take into account the fundamental elements (as documented in core competencies, learning outcomes, and metrics) of each class as well as the impact of the disability on the individual student.

If a student's concerns are not resolved during the informal process of meeting with the ODS Manager, the student may file a formal grievance. Additional information on the grievance procedure is provided in *College Policy FLD* in the College Policy and Procedures Manual.

SECTION FOUR: REQUESTING APPROVED ACOMMODATIONS

4.01 Requesting Approved Accommodations - Accommodations Memo

Following the interactive discussion, the ODS Manager will issue the student an accommodations memo authorizing AC personnel to provide approved accommodations to the student. Students who have already enrolled in classes can immediately request approved accommodations by presenting the accommodations memo to the instructor. If the student has

not already registered for classes, approved accommodations can be requested once the student enrolls in classes.

4.02 Timeline for Initiating Approved Accommodations

The timeline for initiating approved accommodations varies based on the specific accommodations approved for the student. *Subsection 4.03* provides the minimum amount of advance notice for various accommodations requests. These timelines apply to already-approved accommodations that a student is requesting to use in specific classes. They do not include the additional time needed to complete the registration for services process.

4.03 Approved Accommodation Type and Notice Needed

- Alternative Media or Text: Fifteen (15) working days' minimum advance notice before first day accommodation is needed. Accommodation will be provided by fifteen (15) working days from the day of the request.
- Alternative Testing: Five (5) working days' minimum advance notice before each exam. Accommodation will be provided on day of exam.
- Communication Aids and Services: Five (5) working days' minimum advance notice before first day accommodation is needed. Accommodation will be provided by five (5) working days into the term or from the date of approval.
- Note-Taking Services: Five (5) working days' minimum advance notice before first day accommodation is needed. Accommodation will be provided by five (5) working days into the term or from the date of approval.
- Student Assistant: Ten (10) working days' minimum advance notice before first day accommodation is needed. Accommodation will be provided by ten (10) working days into the term or from the date of approval.
- Other Approved Accommodations: Ten (10) working days' minimum advance notice before first day accommodation is needed; additional time recommended. Every effort will be made to provide the approved accommodation(s) by ten (10) working days into the term or from the date of approval.

For special requests, such as meeting with professors, tutors, or advisors, or attendance at workshops, club activities, off-campus-field trips, and other events that occur outside of regularly scheduled class time, the student should request the necessary accommodation according to the timelines in *Subsection 4.03* by emailing studentservices@angelina.edu. Students are encouraged to notify the ODS as far in advance as possible, particularly for off-campus events, to facilitate scheduling of accommodations.

- **Late Requests**

It is advisable for students to enroll in classes as far in advance as possible and request accommodations at the time they enroll to ensure that services are provided without delay. Every effort will be made to provide approved accommodations for late requests, but the ODS cannot guarantee that these will be in place within five working days.

- **Delays in Providing Accommodations**

The ODS staff members make their best effort to provide approved accommodations within the timeframes specified in its policies. If the ODS determines a student requires an accommodation that is not readily available and will be delayed, ODS personnel will take steps to ensure that the student is not denied an opportunity to participate in the academic program by using available alternatives to minimize the impact of the delay.

4.04 Requests for Changes to Accommodations Due to Schedule Changes

If a student drops, adds, or changes classes, the student must notify the ODS at studentservices@angelina.edu immediately to request a change to accommodations. Timely notification of changes is necessary so arrangements for changes can be established as quickly as possible. The following advance notice periods are required:

- Alternative Media or Text: Fifteen (15) Working Days minimum advance notice; additional time recommended.
- Communication Aids and Services: Five (5) Working Days minimum advance notice.
- Note-Taking Services: Five (5) Working Days minimum advance notice.
- Student Assistant: Ten (10) Working Days minimum advance notice.
- Other Approved Accommodations: Ten (10) Working Days minimum advance notice; additional time recommended.

The ODS staff will strive to expedite requests for changes to approved accommodations, but cannot guarantee a faster turnaround time.

4.05 Cancelling Approved Accommodations

It is the responsibility of the student using approved accommodations to notify the ODS at studentservices@angelina.edu as soon as the student is aware that that the student will not attend class, class has been cancelled, or there is an exam that does not require accommodations. A minimum of thirty-six (36) hours advance notice (not including weekends or holidays) is required.

If a student is a “no show” to class three (3) times during a term and fails to cancel scheduled accommodations in advance, the student’s approved accommodations will be temporarily suspended unless there are extenuating circumstances that are reviewed and approved by the ODS Manager. To reinstate accommodations, the student must schedule an appointment with the ODS Manager to review ODS policies in order to ensure that the student fully understands ODS policies and how to adhere to them.

4.06 Reporting Issues with Approved Accommodations

A student who experiences issues with any approved accommodations should immediately inform the ODS Manager.

To ensure redundancy and avoid delays in addressing issues or concerns, there are three primary methods for contacting the ODS to meet with the Manager or to schedule an appointment:

- Visit the ODS in person
- Email studentservices@angelina.edu

- Call/relay call 936-633-5344.

SECTION FIVE: PERSONAL CARE ATTENDANTS

5.01 Statement on Personal Care Attendants

Angelina College (AC) strives to accommodate individuals with disabilities as required by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act Amendments Act. AC recognizes that personal care attendants may be necessary, in some instances, to address the personal needs of a student with a disability in order for the student to participate in the College's activities, classes, services, and programs. If necessary, a student may hire an impartial personal care attendant in order to ensure an equitable and independent experience similar to other College students. However, since a personal care attendant is a personal service, personal care attendants are not provided or paid by Angelina College.

5.02 Requirements for Bringing a Personal Care Attendant to Campus

The responsibilities of a student requesting to bring a personal care attendant to campus include the following:

- Submit appropriate documentation to the ODS supporting the necessity of having a personal care attendant present on campus;
- Secure one or more personal care attendants, as needed, prior to attending any College-related event or class;
- Ensure that each personal care attendant registers with the ODS each term;
- Ensure that if personnel changes occur during a term, the new personal care attendant registers with the ODS;
- Have a back-up plan or alternative plan of action should the regular personal care attendant not be available on a particular day or during a particular class period;
- Comply with, and ensure the personal care attendant complies with, Angelina College policies and ODS procedures, as well as the AC Student Code of Conduct; and
- Pay for all personal care attendant services.

The personal care attendant is expected to:

- Follow all applicable AC policies, rules, regulations, procedures, and practices;
- Assist the student before and after class;
- Wait outside the classroom during class periods (unless attendance in class is deemed appropriate by documentation and approved by the ODS);
- Allow the student to take responsibility for his/her own progress and/or behavior;
- Refrain from intervening in conversations between the student and faculty, staff, or students; and
- Refrain from discussing any confidential information about the student with faculty, staff, or students, except when necessary;

If a personal care attendant fails to abide by the above practices, the ODS Manager may determine that the personal care attendant will no longer be allowed to accompany the student to classrooms and/or other College sites. In that case, the student will need to make other arrangements.

SECTION SIX: COURSE SUBSTITUTIONS AS DISABILITY ACCOMMODATIONS

6.01 Course Substitutions

In some circumstances, the specific nature of a student's disability may require consideration of a course substitution. If, as a direct result of the student's disability, the student is unable to complete the work required within a specific class, with or without accommodations, without creating a fundamental alteration to the nature of the class, it may be appropriate to substitute another course. The purpose of a course substitution is to provide an alternative course with similar educational goals that could be completed by the student with accommodations without fundamentally altering the nature of the class or program.

6.02 Requesting a Course Substitution

The student requests a course substitution through the Vice President of Academic Affairs. It is recommended that the student first schedule an appointment with the ODS Manager for assistance consulting with appropriate academic administrators about course substitutions. The ODS Manager may provide the student a letter of support that documents the necessity of a course substitution based upon documentation of disability, prior academic history, and input from current instructors.

6.03 Approval Process for Course Substitutions as Accommodation

The Vice President of Academic Affairs will consult with academic administrators and faculty members within the student's field of study or academic program regarding potential courses that would provide similar educational outcomes and be appropriate as a substitution. The final decision on whether to approve a course substitution is made by the academic administrator for the school in which the student's field of study or academic program is housed.

SECTION SEVEN: ANIMALS ON CAMPUS

7.01 Definitions

The following definitions of terms apply to animals on campus related to disability services and accommodations.

- Emotional Support Animal (ESA): An animal that provides comfort to an individual with a disability upon the recommendation of a healthcare or mental health professional; its role is to alleviate the symptoms of an individual's disability, but not to assist an individual with a disability with activities of daily living.
- Guide Dog: A trained dog that serves as a travel tool for persons with severe visual impairments or who are blind or have low-vision.
- Hearing Dog (sometimes referred to as a signal dog): A dog trained to alert a person with significant hearing loss, or who is deaf, to the presence of sounds or people.
- Partner: The person assisted by a service animal.
- Pet: An animal kept for ordinary use and companionship.

- Psychiatric Service Dog: A dog trained to detect the onset of psychiatric episodes and lessen their effects.
- Seizure Response Dog: A dog trained to assist a person with a seizure disorder.
- Service Animal: A dog (or a miniature horse, provided it meets the same work and safety requirements as a dog) trained to assist people with disabilities in the activities of daily living. As defined by the Americans with Disabilities Act (ADA), only dogs and miniature horses qualify as Service Animals; “other species of animals, whether wild or domestic, trained or untrained, are not service animals...”
- Service Animal in Training: A dog or miniature horse that is being trained as a service animal. For the purposes of this policy, all statements that pertain to service animals apply equally to service animals in training.
- Social Signal (SSig) Dog: A dog trained to assist a person with autism.

7.02 Animals Allowed on Campus

The Americans with Disabilities Act (ADA) allows service animals and service animals in training to be on the Angelina College campus. If a person with a disability requires a service animal, the animal must be allowed to accompany the person anywhere on campus, including food service areas, except in situations where the service animal may cause a safety issue or interfere with the fundamental nature of campus activities, such as research or clinical areas that require a sterile environment.

The Fair Housing Act (FHA) and the Rehab Act Section 504 allows emotional support animals in residential housing. An emotional support animal (ESA) must be approved through the ODS.

7.03 Animals Other than Service Animals and Emotional Support Animals

Angelina College prohibits individuals from bringing animals, other than service animals or approved emotional support animals in the residence hall, to campus without prior written approval from the Vice President of Academic Affairs. Animals other than service animals and emotional support animals in campus housing may be on campus only if they are approved in advance as part of a campus-sponsored event, program, or service (e.g., test anxiety relief days sponsored by a unit). The academic or office administrator of the sponsoring unit is responsible for securing approval, ensuring proper supervision and control over the animal, and any necessary waste clean-up. Failure to do so will result in revocation of approval to have the animal on campus. Moreover, an animal participating in a campus-sponsored event, program, or service may be removed for any of the reasons listed in *Subsection 7.06*.

7.04 Eligibility for Service Animal Status

To qualify as a service animal, a dog (or, if approved, a miniature horse) must perform work or tasks that directly relate to the partner’s disability. According to Section 504 of the Rehabilitation Act (including clarifications issued in September 2010), examples include, but are not limited to:

- Assisting individuals who are blind or have low vision with navigation or other tasks;
- Alerting deaf or hard-of-hearing individuals of the presence of people or sounds;
- Providing non-violent protection or rescue work;
- Pulling a wheelchair;

- Assisting an individual during a seizure;
- Alerting an individual to the presence of allergens;
- Retrieving items such as medicine or a telephone;
- Providing physical support and assistance with balance and stability to individuals with mobility disabilities;
- Helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

If an animal meets one of these criteria, it qualifies as a service animal.

If the service an animal performs is not obvious, the ODS may ask two questions to determine if it qualifies as a service animal:

- Is the animal a service animal that is required because of a disability?
- What disability-related work or task has the animal been (or is the animal being) trained to perform?

The ODS may not require other proof of a service animal's status. Faculty and staff may not require medical documentation of the need for the animal, training documentation, or a demonstration of its ability to perform a task. Service animals do not have to be licensed or certified by the state, local government, or any training program.

- **Dogs**

A dog used as a service animal may be any breed or size. Service animals may (but are not required to) wear specialized equipment, such as a backpack, harness, or special collar or leash, as needed to assist their partners with activities of daily living. Types of service animals include, but are not limited to, guide dogs, hearing dogs, psychiatric service dogs, social signal (SSig) dogs, and seizure response dogs.

- **Miniature Horses**

The ADAAA requires institutions to make appropriate provisions for miniature horses that have been individually trained to do work or perform tasks for people with disabilities. Miniature horses generally range in height from twenty-four (24) to thirty-four (34) inches at the shoulders and weigh seventy (70) to one hundred (100) pounds.

Assessment factors: ODS will determine whether to grant permission for a miniature horse to serve as a service animal on a case-by-case basis. When making such a determination, the ODS will take the following factors into account:

- Whether the miniature horse is housebroken;
- Whether the miniature horse is under the partner's control;
- Whether AC facilities can safely accommodate the miniature horse's type, size, and weight; and
- Whether the miniature horse's presence will compromise legitimate safety requirements necessary for safe operation of AC facilities.
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7.05 Emotional Support Animals

Emotional support animals (ESA) do not qualify as service animals under the ADA, ADAAA, or Section 504 of the Rehabilitation Act. An ESA may be allowed to stay in campus housing under the protections granted by the Fair Housing Act (FHA) or the Rehab Act Section 504. ESAs are subject to the same regulations described in *Sections 7.06 and 7.07*.

For a student to qualify to have an emotional support animal in his or her campus housing:

- The student must have a disability as defined by the ADA;
- The student must be registered with the ODS office;
- The student must have an already established relationship with the animal;
- The animal must be housebroken and up-to-date on all vaccinations;
- The emotional support animal must be approved through the ODS office as an official accommodation;
- The owner must re-submit permission for the ESA to be housed on campus each new term with the ODS;
- The owner must notify ODS if the animal is no longer needed or is no longer residing on College property. If the animal will be replaced, the owner must submit a new request;

For information regarding this process, students should contact the Residential Life Specialist by emailing dorms@angelina.edu and the ODS at studentservices@angelina.edu as early as possible, and no later than two months prior to the dorm move-in date.

7.06 Responsibilities of Individuals Using Service Animals or Emotional Support Animals

Partners using service animals on campus, or emotional support animals in campus housing (ESA), are responsible for the following:

- **Safety:** the animal must not pose a direct threat to the health and safety of others on campus.
- **Compliance with Local Ordinances:** the animal must have all immunizations, licenses, and other items required by the city or comparable governmental entity in which the campus, site, or activity exists or occurs and must comply with laws regulating noise, restraint, and at-large animals. Dogs used as service animals or ESA must wear a City of Lufkin (or other relevant municipality) license tag and a current rabies vaccination tag at all times.
- **Control of Animal:** Partners must maintain control over their animal at all times. Animals must be harnessed, leashed, or tethered unless the animal needs to perform a task requiring it to travel beyond the length of the restraint or if the partner's disability prevents the use of such devices. In that case, the partner must maintain control through voice, signal, or other commands.
- **Care and Supervision:** The care and supervision of the animal is solely the responsibility of the partner. The partner must provide the animal with food and water at appropriate intervals. Food and water should not be provided in classrooms, laboratories, the library, the campus café, or other areas where it may present a health risk or create a disturbance. Food and water should be provided outside or in a public area of campus, such as a lobby. The partner is responsible for bringing clean bowls for food and/or water and for cleaning up the area as necessary after the service animal or ESA eats or drinks.
- **Hygiene:** The animal should be bathed regularly to avoid significant odors and/or shedding. Regular grooming may be necessary for flea, tick, and shedding control.

- **Waste:** Animals must be housetrained and able to control their waste elimination, which should take place outdoors. The partner is responsible for independently removing or arranging for the removal of the animal's feces and/or urine, placing the waste in a closed container or bag, and disposing of it in an outdoor trash bin. The partner must carry sufficient equipment and/or bags for cleaning up and disposing of the animal's waste. Partners who are physically unable to pick up and dispose of waste are responsible for making all necessary arrangements for assistance.
- **Damage:** The partner is responsible for any damages caused by the animal.
- **General Regulations:** Partners accompanied by a service animal or ESA are subject to the same campus conditions, regulations, and limitations that apply to individuals without service animals or ESA.

Temporary visitors with service animals who visit campus for conferences, workshops, class work, or other circumstances must adhere to all requirements listed in this section.

7.07 Removing a Service Animal or Emotional Support Animal (ESA)

A service animal, or emotional support animal (ESA) in campus housing, may be temporarily or permanently asked to leave Angelina College facilities, grounds, or sponsored events for any of the following circumstances:

- The partner is unable to control the animal's behavior (including barking) and/or does not take effective action to control the behavior;
- An animal intended for use as a service animal is objectively determined to be presently incapable of performing appropriate and disability-related work or tasks for the partner and is deemed not to qualify as a service animal under the ADA;
- An animal demonstrates unruly or disruptive behavior that indicates it has not been successfully trained to function as a service animal in public settings or as a ESA in campus housing;
- The animal is ill;
- The animal is not clean (this does not apply to animals that become wet from weather-related incidents but are otherwise clean);
- The animal is destructive;
- The animal is aggressive;
- The partner violates the responsibilities set out in this policy;
- The animal is abandoned or left for an extended time without supervision.

The timeframe for removing the animal will be determined based on the facts of the specific case and whether the animal poses an imminent threat of harm to members of the campus community. If asked to remove an animal the partner may return to campus without the service animal/ESA and the College will provide the partner a reasonable accommodation in place of the service animal/ESA.

7.08 Complaints about Animals on Campus

Individuals with medical issues that are affected by a service animal or emotional support animals (ESA) should contact the Office of Disability Services (ODS). The person raising the concern must provide verifiable medical documentation supporting the claim that the presence of

the animal is a medical issue. The ODS will consider the needs of the partner and the person filing the complaint in attempting to resolve the problem as efficiently and effectively as possible. If there is cause to be concerned that an animal may be a health or safety risk, contact the ODS to discuss these concerns. Such reports will be handled on a case-by-case basis.

SECTION EIGHT: STUDENT GRIEVANCES

8.01 Right to Grieve

A student may engage in the grievance process if the student believes the ODS is not reasonably accommodating a disability. A student may also file a grievance based on a belief that there has been discrimination due to the student's disability, whether in class, at a college event, or in any other activity associated with Angelina College.

8.02 Filing a Grievance at Angelina College

A student wishing to file a grievance related to disability services should contact the Manager of Disability Services (see: *College Regulation FFD* in the AC Policies and Procedures Manual). If the student's grievance is against the ODS Manager, the student should file the complaint with the College President (see *College Regulation FFD Section 3.08*).

8.03 External Grievance Process

If a student believes that there has been discrimination and/or that Angelina College has failed to remediate the issue, the student may, at any time, file a complaint with the federal Office of Civil Rights (OCR). The student may contact OCR at <https://www.hhs.gov/ocr/index.html>.