



Inter American University of Puerto Rico  
Office of the President

## **GUIDELINES, RULES, AND PROCEDURES FOR ATTENDING TO STUDENTS' REQUESTS FOR REASONABLE ACCOMMODATION**

NORMATIVE DOCUMENT E-1213-005

***NOTE:** This Normative Document is available in Spanish and English. In the event of a conflict as to its interpretation, the Spanish version shall prevail.*

### **Introduction**

It is the policy of the Inter American University of Puerto Rico to not discriminate on the basis of race, gender, disability, national origin, social condition, or political or religious beliefs. This policy also includes providing equal educational opportunities and full participation for students with disabilities.

This document defines reasonable accommodation, how to determine whether it is necessary to provide it, and what accommodation, if any, ought to be offered.

The General Counsel's Office will be available to assist the Coordinators of Services to Students with Disabilities (CSSD) in all stages of the process of attending to reasonable accommodation requests.

### **I. Legal Basis**

This normative document is promulgated by virtue of the authority conferred on the President by the Board of Trustees in the Bylaws of the University. It is also based on Section 504 of the Rehabilitation Act of 1973, which establishes that no student with a qualified disability may be excluded from participating in a program or activity financed with federal funds because of his disability.

In 1990, the Americans with Disabilities Act (ADA) substantially extended accessible protection to students with disabilities. This Act not only prohibits discrimination because of disabilities, but also creates the obligation to offer reasonable accommodation to qualified persons and establishes the standards that all facilities open to the public, including universities, must follow.

The Americans with Disabilities Act Amendments Act of 2008 (ADAAA), which went into effect on January 1, 2009, had the effect of expanding the conditions protected under ADA. These changes apply by reference to the provisions of Section 504 of the Rehabilitation Act.

## **II. Purpose**

The purpose of this document is to assist university administrators to comply with applicable laws by establishing a procedure to attend to requests for reasonable accommodations.

## **III. Scope**

This normative document will be effective on all academic units of the University System.

## **IV. Definitions**

For the purposes of this document and in harmony with current regulations, the following terms or expressions will have the meaning described below:

- 4.1 Reasonable Accommodation - any modification or adjustment to a study program or physical environment that allows students with disabilities to enjoy equal conditions to demonstrate academic achievement, participate in programs and benefits, and enjoy academic life. Any student with disabilities who meets the requirements established by law may request reasonable accommodation. The reasonable accommodation will be provided once the Reasonable Accommodation Certificate is issued.
- 4.2 Major activities - major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
- 4.3 Undue hardship - an action that would represent a significant difficulty or expense for the University.
- 4.4 Certification of disability - all documentation provided by a qualified professional that describes the type of disability that a student has and how it affects a major life activity.
- 4.5 Coordinator of services to students with disabilities (CSSD) - the person designated on each campus to attend to students' requests for accommodation.
- 4.6 Disability - a physical or mental impairment that substantially limits one or more major life activities. Under Section 504 of the Rehabilitation Act (1973) and the ADA Act, a student with a disability is defined as:
  - 4.6.1 a person who has a history or record of such impairment, or

- 4.6.2 a person who is perceived by others as having such a an impairment.
- 4.7 Qualified student with a disability - a student who, with or without reasonable accommodation, can perform the essential functions related to the academic program in which he is enrolled and complete it satisfactorily.
- 4.8 Essential functions related to the academic program - all the basic or fundamental functions required to satisfactorily complete an academic program.
- 4.9 Transitory impairment - an impairment with an actual or expected duration of six months of less.
- 4.10 President - the President of Inter American University of Puerto Rico.
- 4.11 Unit of the System - The Central Office, each of the campuses, the School of Law, the School of Optometry, and any other unit that may be established in the future.
- 4.12 University or Institution - Inter American University of Puerto Rico, Inc.

## **V. Responsibilities**

- 5.1 The responsibilities that the University has towards students with disabilities can be summarized, in general terms, as follows: guarantee access to and integration into the courses, programs, services, work, activities, and facilities; provide reasonable accommodation if requested in a timely manner, as established in this normative document; and maintain the confidentiality of the records and communications related to students with disabilities, including requests for reasonable accommodation.
  - 5.1.1 The University is not required to admit or graduate a student who does not obtain the indicated academic index solely because he or she is a student with a disability.
  - 5.1.2 The University is only required to provide the reasonable accommodation necessary so that a student with disabilities may participate in academic life on equal terms with students without disabilities. However, the University is not required to make reasonable accommodations that represent an undue hardship for the University. Nor is the University required to provide personal equipment or services.
  - 5.1.3 Once it is determined that a student with a qualified disability can receive a reasonable accommodation, the University has the obligation to:

- 5.1.3.1 Make the necessary changes in the academic requirements, unless the requested changes alter the essential requirements of the study program or accrediting agencies.
  - 5.1.3.2 Conduct assessments and examinations in a manner that ensures that the results reflect the student's achievements.
  - 5.1.3.3 Make the necessary modifications in its procedures, unless these would fundamentally alter the program or service offered.
  - 5.1.3.4 Provide auxiliary aids, unless these would fundamentally alter the program or constitute an undue hardship.
- 5.2 Responsibilities of students with disabilities who request reasonable accommodation:
- 5.2.1 Be qualified to carry out and complete the essential tasks of the academic program in which they enroll.
  - 5.2.2 Submit the necessary documentation to the CSSD Office.
  - 5.2.3 Comply with the provisions of the General Student Regulations, the General Catalog, and other institutional regulations.
- 5.3 Responsibility of the Professors:
- When a professor receives a request for a reasonable accommodation from a student, he must refer it to the CSSD for the official processing of the application (Appendix 2). When a professor receives the reasonable accommodation certification (Annex 4) issued by the CSSD, he is required to comply with what is recommended in the certification.
- 5.4 Responsibilities of the Coordinator of Services for Students with Disabilities (CSSD), regarding reasonable accommodation requests.
- 5.4.1 Verify that the student complies with the rules for requesting the services (Appendix 1). Submit the request for reasonable accommodation (Appendix 2). Include the Certification of Disability for Reasonable Accommodation when necessary (Appendix 3).
  - 5.4.2 Determine the eligibility of students with disabilities to participate in the reasonable accommodation process, based on the evaluation of the documentation submitted (See Section VI).
  - 5.4.3 Determine the appropriate accommodation for each student who submits a request.
  - 5.4.4 Process the application and issue the Certificate of Reasonable Accommodation to the faculty (Appendix 4). If necessary, notify the professor and the corresponding department chair and dean.

- 5.4.5 Inform the student the date on which the approved accommodation will begin.
- 5.4.6 Verify that the student receives the recommended accommodation.
- 5.4.7 Guarantee the confidentiality of the information regarding the disability.
- 5.4.8 Keep statistics of the services.
- 5.4.9 Advise and consult with the faculty when necessary.
- 5.4.10 Encourage students with disabilities to request reasonable accommodation at the beginning of their courses.

## **VI. Procedure for Determining Reasonable Accommodation**

- 6.1 The first step in determining whether to grant a reasonable accommodation is to ascertain whether the student qualifies according to the law. That is, determine whether the student is affected by a condition that substantially limits a life activity.
- 6.2 To determine the reasonable accommodation, the University must:
  - 6.2.1 Determine whether the student can comply with the essential requirements of the course or academic program, with or without reasonable accommodation, if evident from the medical documentation that he is a student with disabilities. The University reserves the right to request the student to submit to an additional medical evaluation, to be paid for by the Institution, before making a final decision on the reasonable accommodation request.
  - 6.2.2 If a substantial alteration of the academic program is required, refer the information to the department chair for a pertinent evaluation and recommendation.
  - 6.2.3 When a student requests changes to a current accommodation, determine whether that accommodation should continue while information is obtained to make the requested change. Establish a reasonable period for responding to the request.
- 6.3 To determine whether to grant a request for reasonable accommodation, the necessary documentation and an individualized evaluation are required. The documentation must describe the type of disability the student has and how it affects a major life activity.
- 6.4 The following criteria will be used to ensure that the documentation submitted is adequate to verify eligibility, support requests for reasonable accommodation and supplementary services, and interview the applicant. The documentation must:
  - 6.4.1 Be recent (no more than three years old), since changing conditions may justify the information being updated frequently.

- 6.4.2 Be prepared by a specialized doctor or qualified professional.
- 6.4.3 Include information on the diagnosis and an explanation of current manifestations or functional limitations of the condition.
- 6.4.4 Contain a complete evaluation and include recommendations for accommodation and treatment.

## **VII. The Nature of the Reasonable Accommodation**

- 7.1 The reasonableness of an accommodation depends on the nature or degree of severity of the documented disability. Once it is determined that a substantial alteration of the tasks or of the program of study is not necessary, the CSSD must determine what the reasonable accommodation will be.
- 7.2 It is possible to begin with the accommodations that the student received in other institutions of higher education or in elementary and high school. The recommendations made by agencies, such as the Office of the Procurator for Persons with Disabilities, Vocational Rehabilitation, and the health professionals who care for the student will be of an illustrative nature, rather than directive. In addition, the student's own recommendations should be considered.
- 7.3 Even if the specific accommodation requested by the student with a disability is considered, this does not imply that it has to be approved if the University considers that it is not reasonable, and other measures of equal effectiveness are available.
- 7.4 To determine the reasonable accommodation, the CSSD must consider:
  - 7.4.1 The functional limitations of the student requesting the accommodation
  - 7.4.2 The academic requirements that are affected by the student's disability
  - 7.4.3 How onerous or difficult it is for the University to meet the reasonable accommodation request
  - 7.4.4 The type of equipment used in the classroom
  - 7.4.5 The existence of problems of accessibility to the study areas
  - 7.4.6 The applicant's recommendations
  - 7.4.7 Medical recommendations
  - 7.4.8 Recommendations by specialized agencies

- 7.5 The following should not influence this process:
  - 7.5.1 The prejudices or preferences of the CSSD
  - 7.5.2 Concern for what other students may think
  - 7.5.3 Claims of academic freedom
- 7.6 The CSSD should consider the need to provide reasonable non-traditional accommodation to:
  - 7.6.1 Cancer patients who might require changes in their class program, so that they can rest after receiving chemotherapy
  - 7.6.2 Students with mobility problems who might request that their classes be conducted in the same building or on the first floor
  - 7.6.3 Students with certain respiratory conditions who might need air-conditioned classrooms
  - 7.6.4 Students with diabetes or other medical conditions that require them to eat, so that they be allowed to eat in the classroom or adjacent areas
  - 7.6.5 Students with albinism who might request to be excused from outdoor activities
- 7.7 Notification – once it is determined which accommodation is reasonable, the CSSD must immediately notify the applicant and the professor.
- 7.8 If the applicant does not agree with the recommended accommodation, he may appeal this recommendation to the CSSD, following the established procedure (Attachment 7).

## **VIII. Confidentiality**

All documents provided by the student during this process are confidential. This is established in the *Rehabilitation Act of 1973*, the *American with Disabilities Act*, and the *Family Educational Rights and Educational Privacy Act*.

- 8.1 This information will be shared with other components of the University only when indispensable for obtaining an academic goal.
- 8.2 Professors do not have the right to review their students' reasonable accommodation documents.

8.3 These documents must be filed separately from the academic file.

## **IX. Retaliation**

The University must not retaliate against students who request reasonable accommodation under the aforementioned laws. Neither may it retaliate against the persons who help them claim their rights.

## **X. Sanctions**

Any supervisor or professor that refuses to provide the reasonable accommodation indicated by the CCSD incurs not only a violation of institutional rules, but also in violations of the law which may make him liable to civil claims in a court of law in his personal capacity.

## **XI. Forms**

The following forms for requesting reasonable accommodation for students are included as appendices:

Appendix 1	Rules for Requesting Reasonable Accommodation Services
Appendix 2	Application for Reasonable Accommodation
Appendix 3	Certification of Disability for Reasonable Accommodation
Appendix 4	Reasonable Accommodation Certification (Faculty Notification)
Appendix 5	Consent Form for Disclosure of Information
Appendix 6	Application for Renewal of Reasonable Accommodation
Appendix 7	Procedure for Handling Complaints
Appendix 8	Examples of Traditional Reasonable Accommodations

## **XII. Severability**

If any part or section of this document is declared null by a competent authority, such decision will not affect the remaining sections.

## **XIII. Repeal or Amendment**

These guidelines, rules, and procedures revoke Normative Document E-1209-003R and any other directives that are in conflict with the provisions herein. This document may be amended or repealed by the President of the University.

**XIV. Effective Date**

These guidelines, rules, and procedures will go into effect immediately upon the approval and signature of the President.

**XV. Approval**

Signed by the interim president on October 3, 2014

Appendices

**NOTE:** Normative Document E-1213-005: *Guías, Normas y Procedimientos para atender solicitudes de Acomodo Razonable a Estudiantes* was signed by President Manuel J. Fernós on October 3, 2014.

---

## **APPENDICES**

---



Inter American University of Puerto Rico  
Services to Students with Disabilities



### RULES FOR REQUESTING REASONABLE ACCOMMODATION

1. Fill out the Request for Reasonable Accommodation, available in the Office of the Coordinator of Services to Students with Disabilities. Students requiring the services of reasonable accommodation must fill out an application as soon as possible.
2. Present **recent** medical evidence that includes: **diagnosis of the disability, description of the functional level, the accommodation needs, and the type of recommended academic accommodation.** The psychological or psychiatric evaluations must be recent (3 years or less). The name, address and telephone number of the professional that conducted these evaluations must appear on the documents. The documents, besides being legible, must include the letterhead of the professional that prepared them.
3. If the file does not include the required medical documentation, but the student is a beneficiary of the services of the Vocational Rehabilitation Program, he may bring a certification by his advisor. (He can get the form in the Office of the Coordinator of Services to Students with Disabilities and give it to the Office of Vocational Rehabilitation).
4. The request must be made personally or with a **written** authorization, **signed by the student or his legal representative.**
5. The student will submit a copy of his official registration for **each term** for which he requests reasonable accommodation. If there is any change in his enrollment during the academic term, the student must notify the Coordinator of Services to Students with Disabilities.
6. A 2 x 2 photo and Inter American University identification card.







Inter American University of Puerto Rico  
Services to Students with Disabilities



**MEDICAL CERTIFICATION FOR REASONABLE ACCOMMODATION**

I, \_\_\_\_\_ identification  
*Print*

number    -   -       , certify that I have been duly oriented on my rights and responsibilities in relation to the Request for Reasonable Accommodation and the confidentiality of the information. I authorize that the information required be disclosed to \_\_\_\_\_, Coordinator of Services to Students with Disabilities of Inter American University of Puerto Rico, \_\_\_\_\_ Campus.

\_\_\_\_\_  
Student's Signature

**CERTIFICATION OF CONDITION OR DISABILITY**

I hereby certify that \_\_\_\_\_

with ID number    -   -       has the following condition or disability: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and due to this condition has the **following limitations:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION OF CONDITION AND/OR DISABILITY**

for which the following reasonable accommodations are **recommended** (Please specify):

**Academic:**

---

---

---

---

---

---

**Non Academic:**

---

---

---

---

---

---

---

Name (printed) of Qualified Professional

---

---

---

Address

---

Telephone

---

Signature

---

License Number

---

Date



**Inter American University of Puerto Rico**  
 Services to Students with Disabilities  
**CERTIFICATION OF REASONABLE ACCOMMODATION**  
 (Notification to Faculty)



Campus \_\_\_\_\_ Academic Term \_\_\_\_\_

Inter American University of Puerto Rico complies with the provisions of the ADA ACT, Section 504, that establishes that all qualified students must receive appropriate reasonable accommodation. Therefore, and based on the medical evidence submitted, the required modifications to facilitate and implement the reasonable accommodation for the student in the courses in which he is enrolled this semester, are included.

**1. Student Information**

Surname \_\_\_\_\_ Mother's Maiden Surname \_\_\_\_\_

---

Name \_\_\_\_\_ Initial  Identification Number  -  -

Program:  Regular  AVANCE  Technical Certificates  Graduate  Educational Services  
 Others: \_\_\_\_\_

**2. Modifications for Reasonable Accommodation in the Classroom**

- Additional time and means to complete the class work, examinations and quizzes.
- Information - in accessible format.
- Reader       Tutoring       Sign language interpreter       Scribe
- Others: \_\_\_\_\_
- Use of recorder, calculator, or other required technological assistance equipment.
- Preferential location in the classroom.
- Adjustable portable table in the classroom and appropriate furniture.
- Written material (enlarged letters if the disability so requires).
- Standing up frequently.
- Specific and individualized instructions.
- Clear articulation and face the student when speaking.
- Alternate methods of evaluation (examination with a fewer alternatives, examination divided into two parts, oral, tasks that reflects skills, etc.)
- Others: \_\_\_\_\_

Professor's Name	Course Subject	Section	Professor's Signature

NOTE:  PROFESSOR, PLEASE CONTACT THE COORDINATOR OF SERVICES TO STUDENTS WITH DISABILITIES.

\_\_\_\_\_  
 Coordinator of Services to Students with Disabilities

\_\_\_\_\_  
 Date





**Inter American University of Puerto Rico**  
Services to Students with Disabilities



**APPLICATION FOR RENEWAL OF REASONABLE ACCOMMODATION**

Campus: \_\_\_\_\_ Academic Term: \_\_\_\_\_

This application must be completed and submitted each term.

1. Surname				2. Mother's Maiden Surname											
3. Name				Initial		4. Identification Number									
5. Mailing Address						City									
				Country		Zip Code									
6. Residential Address if different from the Mailing Address						City									
				Country		Zip Code									
7. Home Phone						Mobile Phone									
8. E-mail															
9. Major															
10. Year of Studies <input type="checkbox"/> 1st year <input type="checkbox"/> 2nd year <input type="checkbox"/> 3rd year <input type="checkbox"/> 4th year <input type="checkbox"/> 5th year or more															

Service Requested

- Scribe
  
- Additional time for examinations
  
- Seat at the front of the classroom
  
- Use of recorder





**Inter American University of Puerto Rico**  
Services to Students with Disabilities



**PROCEDURE FOR ATTENDING TO COMPLAINTS**  
(Rehabilitation Act 1973, Section 504)

**I. Informal Procedure**

1. All students who feel that their rights under the laws that protect students with disabilities have been violated may present either an oral or written complaint to the Coordinator of Services to Students with Disabilities (CSSD).
  - a. The CSSD will meet with the student after receiving the complaint.
  - b. The CSSD will maintain a record of the complaint.
  - c. The CSSD will take all measures within his reach to help solve the situation expeditiously, including making accommodations to provide auxiliary aids or proposing the necessary adjustments. If the complaint is solved at the informal level, the file will be closed and the decision will be non-appealable and final.
2. If the complaint is not solved by the informal procedure expressed above, or if the student is not satisfied with the result, he may present a written complaint using the formal procedure described below.

**II. Formal Procedure**

1. The student may present a formal complaint, in writing, to the Dean of Students within the next five (5) business days of having been notified of the decision made by the CSSD regarding the complaint made under the informal procedure.
2. The Dean will ask the CSSD for the file after receiving the complaint.
3. The Dean will call the student who has presented the formal complaint for an interview. The Dean may, also, at his discretion, summon witnesses of the concerned parties.
4. The Dean will make a record of the declarations and will emit a written ruling. The student will be notified of this ruling.
5. If the student is not in agreement with the ruling, he will have ten (10) business days, from the date of the notification, to appeal this decision to the Chancellor or Dean of the academic unit.
6. The Chancellor or Dean will review the file of the case and will emit a non-appealable and final ruling.
7. If the complaint is against the Coordinator or the Dean of Students, it will be made directly to the Chancellor. In these cases, the Chancellor will designate a person who will conduct the necessary investigation, including summoning witnesses and conducting interviews with the concerned parties.
8. When it is determined that the complaint is against the norms or procedures of the Institution and could bring about the formulation of charges under any of the applicable norms, the Chancellor will be informed, so he/she may proceed as established in institutional policies.



**Inter American University of Puerto Rico**  
Services to Students with Disabilities



### EXAMPLES OF TRADITIONAL REASONABLE ACCOMMODATIONS

- Use of recorders
- Interpreters, readers and/or scribes
- Information in accessible formats
- Appropriate furniture.
- Tutors and assistants, if necessary
- Documents printed in larger letters

### EXAMPLES OF ALTERNATIVE REASONABLE ACCOMMODATIONS

- Extended time to complete examinations or quizzes
- A place free from distractions to answer a test
- Specialized equipment like a computer, amplifier, or Braille machine
- Readers or note takers (scribes)
- Alternative formats
- Alternative methods of academic evaluation, information in accessible formats, and necessary modifications for the use of time, among others, for distance learning students