



# PACIFICA

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## GRADUATE INSTITUTE

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## Policy for Accommodating Students and Applicants with Disabilities 2016-2017

### **Introduction**

The Disability Services Office provides services, advocacy, auxiliary aids, and accommodations for students at Pacifica Graduate Institute who experience disabilities.

This policy, required forms, and other information are available on Pacifica's website at <http://www.pacifica.edu/Disability-Services.aspx>

### **Mission**

The mission of Disability Services is to collaborate with and empower students who have disabilities in order to coordinate support services and programs that enable equal access to the educational experience at Pacifica.

### **Mandates**

There are two legal mandates that protect students with disabilities from discrimination and ensure that they have equal access to all aspects of the educational experience. These laws include Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, as amended in 2008.

Section 504 of the Rehabilitation Act states: "No otherwise qualified individual with a disability in the United States...shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

### **Disability Defined**

A disability is defined by the ADA as a physical or mental impairment that substantially limits one or more major life activities, a record of such an impairment or being regarded as having such an impairment in condition, manner, and/or duration. Major life activities include, but are not limited to, such functions as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of major bodily functions including, but not limited to, the immune system, special sense organs, skin, normal cell growth, digestive,

genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

## **Students Requesting Accommodations**

### ***Accommodations Defined***

An accommodation is defined as: (a) the modification of policies, practices, and procedures; (b) the provision of auxiliary aids and services; (c) academic adjustments and modifications to the environment intended to remove barriers to equivalent access.

### ***Reasonable Accommodations***

Pacifica will provide services and accommodations as required by the ADA and Section 504. Because each student, each disability, and the particular circumstances surrounding each request are unique, the accommodation needs of every person and situation will be considered on an individual basis. The Disability Services Office will consider the student's disability, history, experience, and request along with the unique characteristics of the course, program, or requirement to determine whether or not an accommodation is reasonable.

Pacifica will make reasonable accommodations to students with disabilities. Students with disabilities who require accommodations must make those needs known to the Disability Services Coordinator as soon as possible. It is the student's responsibility to make his or her needs known in a timely manner, and the student should not assume that this information is known by Pacifica because it was included in the student's application for admission or communicated to anyone other than the Disability Services Coordinator.

Students seeking accommodations should contact the Disability Services Coordinator to begin the process of registering with the Disability Services Office. The Disability Services Coordinator will work with the student to develop a suitable accommodation plan. Temporary impairments are not commonly regarded as disabilities, and only in rare circumstances will the degree of limitation rendered by a temporary impairment be substantial enough to qualify as a disability as described in this policy.

Whether a requested accommodation will be provided will depend on the nature and functional limitations of the student's disability, the particular class or classes taken, the burden that the accommodation would place on Pacifica in terms of resources, and whether the accommodation would fundamentally disturb or alter the nature of the service provided. While Pacifica takes the needs of students with disabilities seriously, it is not able to guarantee that all services requested can or will be provided. Specifically, accommodations that are unduly burdensome or that fundamentally alter the nature of the service, program, or activity may not be entertained.

### **Disability Verification**

In order to determine eligibility for services, the Disability Services office will seek information directly from the student about his or her condition in order to establish the existence of the disability, to understand how the disability may impact the student, and to make informed

decisions about accommodations. This process is deliberative and collaborative and is responsive to the unique experience of each individual.

If additional information is needed in order to determine the need for and/or nature of accommodations, Disability Services may request external documentation. Documentation from external sources may include educational or medical records or reports and assessments created by healthcare providers. This documentation should be current and relevant.

### **Admission of Students with Disabilities**

Pacifica will make admission decisions using criteria which do not consider an applicant's disability. Thus, Pacifica will not impose or apply admission or eligibility criteria that screen out or tend to screen out applicants on the basis of their disability, unless such criteria is necessary to keep the program, service or activity being offered from being overburdened or fundamentally altered.

Students with disabilities who wish to enroll in any of Pacifica's programs, services, or activities must be able to meet Pacifica's minimal standards and those of the particular program, service, or activity to which admission is sought.

### **Grievance Process for Students with Disabilities**

The purpose of this process is to assure students prompt and equitable resolution if they believe their request for disability accommodations has been improperly denied or if they believe that they may have been discriminated against on the basis of their disability. This process is designed to secure resolution through mutual agreement and is responsive to students' concerns while providing due process rights for all participants within the disputed issue.

#### *Informal Process*

In an effort to remediate a grievance through an informal process, it is preferred that students who feel they have been unreasonably denied access or accommodations address their concerns with the faculty or staff member(s) who is/are directly involved in the issue. Students are also encouraged to contact the Disability Services Coordinator who may be able to initiate discussions to explore alternative solutions to the requests. In addition, students may pursue informal remediation through contact with the Program Chair or the Director.

#### *Formal Process*

If the informal grievance process does not result in the successful remediation of the issue, the student may initiate a formal grievance by submitting the grievance in writing. The grievance should be filed with the Disability Services Coordinator within 30 days of the alleged violation or perceived discrimination.

The grievance will be reviewed, additional information will be gathered from all parties, and the appropriate supervisors will be consulted. In most cases, a written decision and/or resolution will be rendered within ten days of receipt of the formal complaint and in no circumstance will the timeline extend beyond 30 days. In addition, if it is found that discrimination based upon disability was evident or accommodations were improperly denied, measures will be enacted to prevent future incidents.

### *Appeal Process*

If the decision or recommended resolution is not acceptable, the student may file an appeal to the Provost within 21 days of the recommendation being mailed to the grievant. A written request for appeal should include a summary of the grievance as well as copies of the documents provided throughout the informal and formal grievance process. The Provost will review the grievance, investigate further, and issue a written decision and/or resolution within 21 days of receipt of the grievance. The decision of the Provost will be final.

If the matter involves the Provost, the grievance may be brought to the attention of the Office of the Chancellor. The Chancellor will review the grievance, investigate further, and issue a written decision and/or resolution within 21 days of receipt of the grievance. The decision of the Chancellor will be final.

If it is found that discrimination based upon disability was evident or accommodations were improperly denied, measures will be enacted to prevent future incidents.