

Finding the Balance: Developing a Structured Process for Evaluating Accommodation Requests

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Presenter Introduction



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We ask you to join us in creating a culture that reflects...

Access and Inclusion

and

Civility and Respect

...this week and in all aspects of our organization.

Legal Obligations in Higher Education

- **Postsecondary institutions must:**
 - Provide equal access to programs and services.
 - Offer reasonable accommodations.
 - Ensure non-discrimination.
- **Institutions are not required to:**
 - Lower academic standards.
 - Provide personal devices or services.
 - Approve accommodations that fundamentally alter a program.
- The ADA is not **prescriptive**; the interactive process comes from case law.

Process and Document

- Although your process may not replicate ours, make sure to have a process to review accommodation requests.
- Processes allow for more consistency among staff within a Disability Services office.
- Clearly document any accommodation requests and how they were processed. This should include the interactive process, documentation submitted, denials, etc.

Determining if an Accommodation is Reasonable and Necessary

- **Reasonable:**
 - It is necessary to ensure equitable access
 - It does not create a fundamental alteration to an essential component of the course/program
 - It does not create an undue burden
 - It does not pose a safety risk

Determining if an Accommodation is Reasonable and Necessary (2)

- **Necessary:**

- Is there a disability?
- Is there a specific barrier the student faces directly related to their disability (without the accommodation)?
 - What specific functional limitations interfere with the student's ability to access or participate in the program?
- Is this accommodation needed for the student to access/benefit from the program? Is there an alternative accommodation that would be equally effective?

Interactive Process for Determining Accommodations

Step 1: Confirm Disability Status

- Is there documentation from a qualified provider?
- Does the documentation establish a disability under ADA/Section 504?
- Does the student self-report how the disability affects them?

Step 2: Identify Functional Limitations/ Barriers

- What are the student's functional limitations in the academic setting?
- What barriers do these limitations create for equal access?

Step 3: Link Limitation to Requested Accommodation

- Does the requested accommodation directly address the barrier?
- Is the accommodation clearly tied to the disability's impact?

**most of the interactive process happens here*

Step 4: Determine Necessity

- Is the accommodation **needed** for the student to access or benefit from the course or program?
- Would the student be denied **equal opportunity** without it?
- Are there alternative accommodations that are less burdensome and equally effective?

Step 5: Assess Reasonableness

- Does the accommodation **maintain essential course requirements**?
- Does it **avoid fundamental alteration** of a program?
- Does it avoid posing an **undue burden or direct threat**?

The fundamental alteration process is used to evaluate whether a disability accommodation request would significantly change the **essential nature of a course, program, service, or activity.*

Fundamental Alteration Process

- **Interactive Process**
 - Begins with a student's request for accommodation.
 - Disability Services engages in an interactive process with the student to understand the nature of the disability and the accommodation needed.
- **Assessment of Essential Requirements**
 - The institution identifies **essential requirements** of the course or program (e.g., core learning objectives, technical standards, licensing requirements).
 - Faculty and/or departmental input is often needed to define what is essential.

“Otherwise qualified”

- Means that a student meets the essential academic and technical requirements of a course, program, or university **with or without reasonable accommodations**.
- Under the ADA and Section 504, colleges must provide reasonable accommodations to ensure equal access. However, accommodations are intended to remove disability-related barrier, not to eliminate the essential requirements of a course or program.
- This is where the fundamental alteration process comes in.

Access vs. Success

- **Access-Oriented:** Removing *barriers* to participation in the academic environment.
- **Success-Oriented:** Supporting students beyond equal access to *promote positive outcomes* (e.g., retention, graduation).

Non-Approval of a success-oriented accommodation request

- Alternatives to a 'denial':
 - Make applicable referrals
 - Academic support services
 - Counseling & Psychological Services
 - Peer Mentoring/Learning Specialist

Non-Approval Notification

- Include the following elements:
 - Acknowledge the student's request and disability status.
 - Explain the reason(s) for non-approval using clear, neutral, and factual language.
 - Cite applicable policies or legal standards (e.g., ADA, Section 504).
 - Describe any alternative accommodations offered.
 - Provide information about the appeal process.

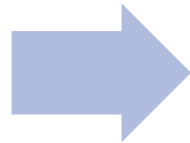
Accommodation Review Process Overview

- Interactive process between student and assigned Coordinator.
 - Review self-report, documentation, history of accommodations
- If Coordinator is confident on what is requested, they can approve.
- If Coordinator cannot approve the request, student has the option to request an appeal for the committee for review.
 - Committee includes Associate Director, Assistant Director(s)

Accommodation Review Committee Overview

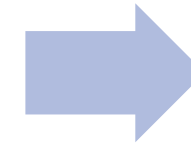
Accessibility Coordinator
“denies” accommodation
request

- Student has the option to request an appeal



Accessibility Review
Committee reviews the
request

- If the appeal is denied, the student has the option to appeal to the Director



Director reviews the
request and appeal

- This is the final decision within Disability Services

Accommodation Review Committee

- Meet weekly (if needed)
- Coordinator provides a summary of the request to the committee
- Committee reviews all applicable documentation
- Votes on the request/documents process
- Provides student with the decision via email

Student Name: [Redacted]

Student Z-Number: [Redacted]

Coordinator: Ashley

Campus: Boca Raton

Date Submitted: [Redacted]

Accommodation(s) being requested by student:

[Redacted]

Additional information regarding the student or request:

[Redacted]

Student Name:

Date of Review:

The Accommodation Review Committee has reviewed your appeal regarding your request for the following accommodation(s):

-

After careful consideration of the documentation provided, the nature of the requested accommodation, and applicable college policies, the committee has determined that your request **cannot be approved** at this time.

Reasoning:

We understand that this decision may be disappointing. You may consider the following next steps:

1. Discuss your current accommodations with your Accessibility Coordinator to explore alternative supports.
2. Submit additional or updated documentation from a qualified professional that more clearly demonstrates the functional limitations and barriers related to the requested accommodation.
3. Submit an Appeal to the SAS Director. Please let your Coordinator know if you would like to submit this appeal.

The committee remains committed to supporting your academic success within the framework of college policies and federal regulations.

Case Study 1: Request for Open-Book Exams

Taylor is a junior majoring in Finance. Taylor submits documentation from a psychologist supporting diagnoses of ADHD and Generalized Anxiety Disorder.

- **Student request: Open-book and open-note testing on all exams.** "I struggle to remember information during tests. I know the material when I study, but I become anxious and forget things during exams. Having access to my notes would help me demonstrate what I know."
- The psychologist's report notes:
 - Reduced working memory
 - Slower processing speed
 - Difficulty sustaining attention
 - Test anxiety
- The report recommends: "Consideration of open-note testing and other testing accommodations."

Case Study 2: Request for a Single Room Accommodation

Jordan is a sophomore living on campus. Jordan submits documentation from a treating therapist indicating diagnoses of Generalized Anxiety Disorder and ADHD.

- **Student request: Single room as a housing accommodation.** “Having a roommate makes me anxious and distracted. I cannot study effectively when someone else is in the room. I get stressed when my roommate has friends over, and I believe I would perform better academically if I had a room to myself.”
- The therapist’s letter indicates the diagnoses and states: "A single room would be beneficial to Jordan's mental health and academic success."

Key Takeaways

- Engage in an interactive process whenever a student requests an accommodation or modification to an existing accommodation.
- Utilize a consistent decision-making framework to support equitable, informed, and well-documented accommodation determinations.
- Recognize when a fundamental alteration review may be necessary and integrate that process alongside the interactive accommodation process.
- Leverage collaborative review structures, such as committees or consultation teams, to promote consistency and shared responsibility in complex cases.
- Maintain thorough documentation throughout the process, including student communications, considerations, decisions, and rationale.

Session Evaluation

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Thank you for attending!

Your feedback helps shape future programming.

