

Navigating Accommodation Denials: Language and Processes Shared from Various Institutions

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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.

Learning Objectives

Participants will:

- Explore institutional processes for evaluating accommodation requests and determining fundamental alteration.
- Review denial language used to communicate decisions to students.
- Identify strategies for adapting practices to their own institutional policies, procedures, and student populations.

Discussion Framework



Case Presentations



Overview of the Fundamental Alteration Review
Process and Key Considerations



Comparative Discussion: Similarities and Differences in
Case Management



Overview of Institutional Processes and Practices



Effective Strategies: What Works Well and Why

Novel Accommodation Worksheet – pt. 1

Is the student a person with a disability?

Identify functional limitations.

Define the external barrier is being addressed.

Define similarly situated.

- Is this uniquely a barrier for a student with a disability?

Work with the student to clearly define the request.

- Do the student and the DRP know enough about the program and its unique environments to formulate a relevant request?

Is there a clear nexus between the request and the impacts of a disability?

- Yes.
- No (Then proceed to denial and re-engage).

Novel Accommodation Worksheet – pt. 2

Is this request within your scope? Are there perhaps resources for all students that would be helpful to this student?

- Yes.
- No (Then proceed to denial and provide campus resources).

Engage with faculty:

- Do you have/anticipate concerns about undue burden, fundamental alteration, safety of others?
- What posted materials are available (syllabus, handbook, etc)?
- Has this or something similar been approved in the past?
- Do we know if other schools, particularly peer institutions have permitted this?

Are there effective alternatives to propose?

- Are there concerns about the student being qualified without accommodations in place?

And if parties are not aligned?

Seek legal guidance:

- Is there more risk associated with one decision over another?
- Are foundational documents (mission, technical standards, etc.) and processes sufficiently documented?

Follow your institution's process for:

- Escalation
- Reconsideration
- Grievance



Case Scenarios

Ambiance

Joe has been assigned a room in what happens to be the oldest residence hall on campus. **He is asking to be moved.** As a DRP you meet with him and have a wide-ranging conversation:

- **Allergens:** He is concerned about allergens, although the newer residence halls have carpet.
- **Room size:** He says the room feels small and that he experiences “claustrophobia,” although it is not the smallest room available.
- **Sunlight / mood:** He is worried the room does not have enough sunlight and that he may become depressed.
- **Documentation:** He does not have current documentation and reports that he does not need treatment while living at home.

Thank you, college, up the road...

- Xavier is a **transfer student who has ADHD** and has provided extensive documentation about his diagnosis and past accommodations from middle school through community college. In addition to additional time on exams, and notetaking software, he is seeking 2 novel accommodations – **priority registration and use of a memory aid on math exams** – which he received at his previous institution.
- Xavier shared that at his previous college, all students with accommodations got priority registration. **He is able to focus better in the morning, after taking his medication, and so wants to frontload his schedule.**
- Xavier also explained that he took a 100-level math class where the faculty allowed all students to bring notecards. He is now requesting this for all classes, as he's worried he may forget multi-step processes or key terms. A memory aid could allow him to **stay on track and better demonstrate his understanding.**

Deadlines, Schmeadlines

Stacey is a **1st year undergraduate student** and doesn't know what she will major in. She has a **learning disability** and was diagnosed in the 1st grade when struggling to learn to read. Although she does use text-to-speech and has many compensatory reading strategies, **she does still read slower than her peers and re-reads material** constantly to ensure she knows her stuff. Throughout high school she received additional time on assignments and **would like pre-approval to have more time on all assignments.**

Retro, solo

Erin is in her 2nd year of the Bachelor of Science in Nursing program. She recently **missed 3 days of her clerkship, due to an acute mental health episode**, where she was briefly hospitalized. She received a diagnosis of bipolar and shared her discharge paperwork. **She is concerned she won't meet the minimum number of clerkship hours required and is asking that this requirement be waived.** Erin also expresses concern about talking with her roommate about her hospitalization. She is **hoping for a private room in campus housing**, which she indicates will allow her a **private space for weekly follow up appointments with her therapist.**

Icahn School of Medicine at Mount Sinai

- Embedded within Mount Sinai Health System, a large academic health system based in New York City
- Comprises a medical school and graduate school; no undergraduate programs
- Approximately 1,200 enrolled students
- More than 200 students registered with Student Disability Services (approximately 17% of the student population)



Accommodation Request and Determination Process

Registration in DS (All policies, forms, and processes on DS webpage)

- Submit the Application for Accommodations and Services
- Submit supporting documentation
- Meet with a Disability Services staff member for an interactive review
- Disability accommodation decisions are made by the DS Office

Established vs. Novel Requests

Established Requests

- Accommodation request is reviewed and approved by Disability Services.
- Student receives an accommodation letter outlining approved accommodations.

Novel Requests

- May require fundamental alteration review.
- Determination can include consultation with program leadership, curricular affairs, general counsel, or specific faculty as part of the interactive process.
- DS staff meets with student to explore options/alternatives.
- Student receives a written decision explaining the rationale and information regarding the appeal process.



**University of
California, San
Francisco (UCSF)**



UCSF – Campus Information

- Graduate-level campus focused on Medical & Health Sciences
 - 3,000+ total enrollment
 - No undergraduate programs
- DS Staff: 3 Specialists, 1 Program Coordinator
 - ~600 students currently registered
- Liaison model
- Students spread over 4 campuses and numerous clinical sites in Bay Area and beyond
- Each DS Specialist leads accommodation support for their assigned schools
- Implemented Accommodate system early 2022

UCSF – Accommodation Decisions, Appeals and Grievances

- Accommodation determinations made by DS office specialists (no committees)
- For complex accommodations, the **interactive process** may involve:
 - Faculty
 - School/program leadership
 - Departments
- Final determinations may evolve during interactive process
- Denial letters are customized, often after consultation with legal
- We developed the items in the worksheet after a recent denial.
- [UCSF Fundamental Alteration Guidance Document](#)
- [Appeals and Grievances](#) are defined and delineated

Northwestern University



Campus Locations

- Evanston, Illinois
- Chicago, Illinois
- Doha, Qatar

Student Enrollment

- Undergraduate: 9,280
- Graduate and Professional: 14,260
- Total Enrollment: 23,550

Northwestern University – AccessibleNU/ANU (1)

- **ANU Students Registered:** 2,500 or 11% of enrolled students
- **Model:** Centralized
- **Database:** AIM
- **Scope:** Academic & housing accommodations
- **Conducts Accommodation Determination for:**
 - Undergraduate Schools (7)
 - The Graduate School
 - Feinberg School of Medicine
 - Pritzker School of Law
 - Kellogg School of Management
 - School of Professional Studies

Northwestern University – ANU (2)

Division of
Student Affairs



AccessibleNU

- 12 Full-Time Equivalency (FTE)
- Program Assistant (1 FTE)
- Accessible Technology Strategy and Operations Lead (.5 FTE)
- Testing Services separate office

Accommodation Determination Staff

ANU Advisors - Assistant Director & Access
Coordinators (8 FTE)

Initial Accommodation Determination

Associate Directors (2 FTE)

Informal Appeals

Associate Dean of Students & Director (.5 FTE)

Formal Appeals & Fundamental Alteration Committee

Northwestern University – ANU Accommodation Process

1. Student submits **online application** and **documentation**
2. Student meets with an ANU Advisor (**self-report**)
 - Documentation not required to participate in meeting
3. ANU Advisor or case review team **determines reasonable accommodations**
4. Student **notified of approvals, denials, alternatives**

Appeal and Grievance Options:

- Informal appeal with an Associate Director, if denied;
- Formal appeal with Associate Dean/Director, if denied;
- Grievance with ADA Coordinator

Northwestern University – ANU Fundamental Alteration

Fundamental Alteration Expert Ad Hoc Committee

“Deliberative, interactive process that may occur between representatives from **AccessibleNU and other staff, faculty, and administration** with relevant expertise, including instructors, technology staff, general counsel, campus medical experts, department chairs, and division or School leadership”.



Palomar College



Palomar – The Basics

- Public Community College
 - Certificates, Associate and Transfer Degrees, Non-Credit
 - 1 bachelor program (FA2025)
- District Model – Size of Rhode Island
 - 1 main campus
 - 3 Educational Centers
 - 4 Education Sites
- Centralized Disability Services Office
 - 4 offices on main campus
- 1800 registered students (8%)
- Staff: 21
 - Counselors, Testing, Office Management, Atl. Media, Access Tech., Transportation, Administrators.
- Use Clockworks SMS
- Follow CA Ed. Code Title V
- Categorically funded
- Provides academic advising
- No on-campus housing

Palomar – Accommodation Process

- Student completes intake form and submits disability documentation,
- Counselor reviews documentation – either approved or requests additional documentation
- Student attends a welcome appointment with a counselor where reasonable accommodations are approved.
- Complex requests or requests for flexible attendance, assignment extensions or memory aid are determined through a consultation meeting with one or more counselors.

Palomar – Appeal Process

Appeal process outlined by Ed. Code (Article 2, Section 56027 – Academic Adjustments).

- Options for appeal/grievance:
 - Informal appeal with a DSPS Counselor
 - Formal appeal with Director
 - Formal appeal with 504 Officer
 - Formal appeal with College President.
- Section 504/ADA Coordinator/Compliance Officer, or other designated official has the ability to make an interim decision pending final resolution.

Palomar – Fundamental Alteration Process

- Informal process outlined in Ed. Code
- DSPS staff and faculty collaborate to:
 - Identify the essential academic standards of the course as delineated in the course outline of record,
 - Engage in "reasoned deliberation" as to whether modification of an assignment, course/program would change the fundamental academic standards, and
 - Determine whether there are any options to the fundamental requirements of the assignment, course/program.
 - Determine if the requested accommodation lower the academic standards of the course/program,
 - Determine if a different method or requirement that will not be altered by the accommodation achieve the required academic or pedagogical result

Palomar – Degree/Certificate Requirement Change

- District procedure – AP5140
- Used for substitutions and waivers
- Committed consisting of: Student, DSPS Director, Dean of involved area, student advocate, Department Chair of academic area involved, Faculty Senate representative from academic area.
- Committee reviews request and documentation. Decision is based on a vote.
- If a substitution is approved, the academic department will identify appropriate course substitutions.
- Several courses have predetermined course substitutions.