# **Division of Disability Resources and Educational Services Policy and Procedures**

## I. INTRODUCTION

The University of Illinois at Urbana-Champaign is committed to ensuring that all qualified students with disabilities are provided equal opportunities to participate in and benefit from an equitable and inclusive environment and recognizes individuals with disabilities as valued components of diversity and our campus community. Consistent with the University’s [Nondiscrimination Policy](https://cam.illinois.edu/policies/hr-48/), the Americans with Disabilities Act (1990 as amended 2008), and Section 504 of the Rehabilitation Act of 1973, the university is prohibited from excluding qualified individuals with a disability from participating in, being denied the benefits of, or subjecting individuals with disabilities to discrimination under any program or activity of the university (34 CFR § 104.4) Qualified applicants for admission and students with a disability may be provided reasonable academic accommodations, adjustments, and auxiliary aids and services to ensure equal access to participate in and benefit from the programs and activities offered by the university. The Division of Disability Resources and Educational Services (DRES) is the unit responsible for engaging in the interactive process with students who seek academic accommodations, auxiliary aids and services.

## II. SCOPE

The policy and procedures outlined in this document are intended to be the exclusive means for the implementation of academic accommodations pursuant to [Section 1-110 of the Illinois Student Code](https://studentcode.illinois.edu/article1/part1/1-110/): Policy for the Provision of Academic Accommodations and Adjustments for Students with Disabilities. This section of the Student Code is incorporated herein in Section IV. The policy and procedures outlined below are intended for all currently enrolled students, including undergraduate, graduate, degree-seeking and non-degree seeking, full and part time students as well as pre and post doctorate fellows who may be enrolled in courses. To receive academic accommodations, students must self-identify as having a disability and follow these procedures to receive academic modifications and adjustments. Applicants and students who have been accepted and who are enrolled for an upcoming semester, may also request academic accommodations and adjustments using the policy and procedures outlined below.

Student employees, including graduate assistants and teaching assistants, seeking reasonable accommodations related to their workplace duties may do so by submitting their request to the Accessibility and Accommodations Division of the Office for Access and Equity which processes employee accommodation requests pursuant to [CAM HR 67](https://cam.illinois.edu/policies/hr-67/). Student employees should submit a request for work-related accommodations by filling out a request [form](https://illinois-accommodate.symplicity.com/public_accommodation/). Student employees with disabilities are encouraged to seek reasonable workplace accommodations if necessary to perform the essential functions of a student’s employment.

## III. DISABILITY LAWS IN POSTSECONDARY EDUCATION

*The following information has been adapted from a resource provided by the National Deaf Center.*

Individuals with disabilities are entitled by law to equal access to postsecondary education programs.

The Individuals with Disabilities Education Act (IDEA) applies for students with disabilities in grades K to 12. IDEA protects students’ rights and ensures that schools serve their educational needs; IDEA requires that schools provide special education services to eligible students as specified in their Individualized Education Programs (IEPs). Educational rights covered by the IDEA do not apply to students in postsecondary education; as such, college students with disabilities do not receive IEPs from their institutions.

There are two federal laws that protect persons with disabilities in postsecondary education: The Rehabilitation Act of 1973 (Pub. L. No. 93-112, as amended) and the 1990 Americans with Disabilities Act (Pub. L. No. 1001-336) as amended by the 2008 Americans with Disabilities Act Amendments Act. Consistent with these laws, a student with a disability is someone who has a physical or mental impairment that substantially limits a major life activity such as learning, speaking, seeing, hearing, breathing, walking, caring for oneself, or performing manual tasks. These laws also protect individuals who have a history of such an impairment and individuals who are regarded as having a disability. Subpart E of the Rehabilitation Act, outlines the obligation of the university to ensure equal access. Generally, this means that institutions of higher education must provide academic accommodations to ensure that students have equal access to their education but does not ensure academic success.

## A. THE REHABILITATION ACT OF 1973

## Title V of The Rehabilitation Act of 1973 is generally regarded as the first civil rights legislation at the national level that protects people with disabilities from discrimination in programs and activities that receive federal financial assistance. Section 504 of the Rehabilitation Act is a program access statute. It prohibits discrimination on the basis of disability in any program or activity offered by an entity or institution receiving federal funds. Section 504 states (as amended):

*No otherwise qualified person with a disability in the United States…shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance.*

Under Section 504, educational institutions are required (1) to designate at least one person to coordinate its efforts to comply with the requirements of Section 504 and (2) to adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504. The University has designated the following individual to serve as its ADA/Section 504 Coordinator:

ADA Coordinator

[Office for Access & Equity](http://oae.illinois.edu/)

614 East Daniel St.
Suite 303 | MC 311
Champaign, IL 61820

(phone): 217-333-0885

adacoordinator@illinois.edu

The Office for Access & Equity (OAE) [Procedures for Addressing Discrimination, Harrassment and Non-Title IX Sexual Misconduct Complaints](https://oae.illinois.edu/wp-content/uploads/2022/02/complaint_procedures.pdf) have been designated as the grievance procedures for investigating complaints of alleged discrimination or harassment by the university or its employees based on disability. For complaints regarding disability discrimination, the Equal Employment Opportunity (EEO) Division of OAE works with the ADA Coordinator to ensure the prompt and equitable resolution of complaints alleging any actions prohibited by state and federal law. Individuals who believe they have been discriminated against on the basis of disability should submit a [complaint](https://illinois-gme-advocate.symplicity.com/public_report/index.php/pid273724) to the EEO Division and may also contact the ADA Coordinator directly. The University’s grievance procedures may be found at <https://oae.illinois.edu/wp-content/uploads/2022/02/complaint_procedures.pdf>

## B. THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990

## The Americans with Disabilities Act (ADA) is a federal civil rights statute that prohibits discrimination against people with disabilities. There are four main sections of the law: employment, government, public accommodations, and telecommunications. The ADA provides additional protection for persons with disabilities in conjunction with the Rehabilitation Act of 1973. The ADA is designed to remove barriers which prevent qualified individuals with disabilities from enjoying the same opportunities that are available to persons without disabilities.

Public postsecondary institutions are covered in many ways under the ADA. Employment is addressed by Title I, and Title II addresses accessibility provided by public entities. Accessibility provided by private entities that qualify as public accommodations is addressed in Title III, and Title IV addresses telecommunications. Miscellaneous items are included in Title V. At UIUC, DRES processes requests from students and applicants for admission for academic accommodations, auxiliary services and aids in the academic setting, and the Accessibility & Accommodations Division of the Office for Access and Equity processes employee requests for workplace accommodations under the ADA.

The ADA Amendments Act (ADAAA), which took effect January 1, 2009, clarifies who is covered by the law’s protections. The ADAAA revised the definition of “disability” to more broadly include impairments that substantially limit a major life activity. The ADAAA also states that mitigating measures, including assistive devices, auxiliary aids, accommodations, medical therapies, and supplies have no bearing in determining whether a condition qualifies as a disability under the ADA.

Under Title II of the ADA, institutions that employ 50 or more persons are required (1) to designate one employee to comply with and carry out its responsibilities under Title II and (2) adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging any action that would be prohibited by Title II. As noted above, the University has designated Allison Kushner to serve as its ADA/Section 504 Coordinator and the grievance procedures may be found in the Office for Access & Equity, Equal Employment Opportunity [Procedures for Addressing Discrimination, Harassment, and Non-Title IX Sexual Misconduct Complaints.](https://oae.illinois.edu/our-services/discrimination-and-harassment/)

## C. THE ADA IN RELATION TO SECTION 504 OF THE REHABILITATION ACT

## While Section 504 of the Rehabilitation Act and the ADA differ in some ways, institutions such as the University of Illinois at Urbana-Champaign, are subject to both laws. If you have questions about these laws, please contact the ADA Coordinator.

### IV. STUDENT RIGHTS AND RESPONSIBILITIES

# Students with disabilities have the right to:

1. An equal opportunity to learn. If the location, delivery system, or instructional methodology limits access, participation, or the ability to benefit, students have a right to reasonable academic accommodations in those aspects of the course.
2. An equal opportunity to participate in and benefit from the University community. This includes access to programs and services, extracurricular activities, housing, and facilities at a comparable level as that provided to any student.

Students with disabilities are responsible for:\*

1. Contacting DRES to begin a formal request for accommodations.
2. Submitting any required documentation that substantiates the student’s disability and demonstrates the need for accommodations.
3. Participating in an initial interactive process meeting and any other communications that are part of the interactive process.
4. Providing a Letter of Academic Accommodations to faculty and staff to receive any reasonable academic accommodations that are approved.
5. Adhering to the timelines to request and activate accommodations that have been approved.
6. Notifying DRES of any issues, concerns, or delays in receiving approved accommodations and utilizing the Academic Accommodations Implementation Review Procedures (AAIR) when necessary.
7. Meeting and maintaining the University’s academic and technical standards with or without accommodations.

\* The laws concerning the education of students with disabilities vary from high school to college (see Section II above); as such, the burden of responsibility to identify students with disabilities and initiate the interactive process generally shifts from the educational institution to the student in the higher education setting.

## V. DEFINITIONS

Note: Where applicable, the following terms are applied by the university in accordance with and by using the definitions supplied by federal law and regulations, which are summarized here.

**Academic Accommodations:** means any reasonable academic modification, to policies, practices, or procedures, or auxiliary aid or service the university is required to make or provide when necessary to avoid discrimination on the basis of disability, unless the academic accommodation, modification, or auxiliary aid would fundamentally alter the nature of the service, program, or activity. Examples of potential academic adjustments, reasonable accommodations, and auxiliary aids include but are not limited to:

* Extended time for completion of exams or other assignments;
* Ability to use speech-to-text software;
* Provision of a private, distraction-free testing environment;
* Moving class to an accessible lecture hall;
* Permitting the use of an Emotional Support Animal in class;
* Providing qualified interpreters.

Accommodations do not include:

* Adjustments, aids, or services that result in a fundamental alteration to an academic program or impose an undue burden.
* Personal attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

**Access Specialist:** means the DRES employees responsible for engaging in the interactive process with the student. The Access Specialist reviews medical documentation, meets with the student, recommends reasonable accommodations and supports, and prepares documents related to the reasonable accommodation implementation.

**ADA Coordinator:**means the individual**designated by the university who is** responsible for coordinating and monitoring the university’s efforts to comply with Section 504 of the Rehabilitation Act of 1973 (codified in [29 U.S.C. 701](https://www.govinfo.gov/app/details/USCODE-2010-title29/USCODE-2010-title29-chap16-other-sec701)), the [Americans with Disabilities Act of 1990](https://www.ada.gov/), and other federal and state laws and regulations pertaining to the rights of persons with disabilities.

**Appeal:** means a request by the current student or accepted student to reconsider the determination of a finding of a disability or the determination regarding what academic accommodations are reasonable and therefore must be provided.

**Business Day:** Any day in which the normal operating business of the university is conducted. Generally, this means Monday through Friday, but excludes federal and state holidays and semester breaks when the university is closed.

**Current documentation**: means documentation that reflects the current condition(s) of the student seeking accommodations.

**Days:** means calendar days; unless otherwise specifically noted, days are considered calendar days.

**Director:** means the director of the Division of Disability Resources and Educational Services.

**Direct** **Threat**: means a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services as provided in Title II of the ADA.

**Discrimination**: means to be subject to different treatment based on membership in a protected classification and to thereby experience an adverse academic action (or adverse employment action for student employees) or to be excluded from participation in or denied the benefits of a university program.

**Disability:** means with respect to an individual: (a) a physical or mental impairment that substantially limits one or more major life activities of such individual; (b) a record of such an impairment; or (c) being regarded by the university as having such an impairment.  Under the ADA, the definition of “disability” is to be construed broadly to the maximum extent permitted by the ADA.

**Equal access:** Equal access means equal opportunity of a qualified person with a disability to participate in or benefit from educational aid, benefits, or services

**Federal Educational Records Privacy Act (20 U.S.C.§ 12332g) (FERPA)**: means the federal law that protects the privacy of student education records. Generally, institutions of higher education must have written permission from a student to release any information from the student's education record to third parties, including parents. FERPA also allows students to review their records and correct certain mistakes. In limited circumstances, FERPA provides exceptions for the disclosure of limited information including to assist students in enrollment and in assisting students to receive their educational benefits.34 CFR § 99.31 for the disclosure of limited information including to assist students in enrollment and in assisting students to receive their educational benefits.

**Fundamental Alteration:** A modification that is so significant that it changes the essential, core elements of a service, program, or activity. In an academic setting, a fundamental alteration exists when the academic modification fundamentally alters an essential requirement to the course or program. Fundamental alterations may not include single assignment objectives.

**Interactive Process:** means the collaborative dialogue between the university and the student to verify the student’s disability and determine what reasonable accommodations, aids or services may be provided to the student. In the DRES procedures, part of the interactive process is the Orientation Meeting with the Access Specialist.

**Interim Accommodation:** means a short-term measure put in place until a final decision regarding a student’s accommodation request has been made.

**Letter of Academic Accommodation (LOA):** means the document that articulates the academic accommodations, auxiliary aids and services approved by DRES that a student is required to provide to their instructors where such academic modifications are being requested.

**Major Life Activity:** means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, concentration, thinking, and working; also “major bodily functions” such as normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, immune system, and reproductive functions.

**Medical Documentation:** means the documentation requested in most cases by DRES from the student to establish that the student has a disability and to determine the functional limitations of the student’s disability. Medical documentation may include but is not limited medical records, doctor’s notes or opinion letters, medical evaluations, Individualized Educational Plans (IEP) or 504 plans, etc. For additional requirements please visit the [Documentation](https://dres.illinois.edu/applying-for-services-2/documentation-requirements/) section of the DRES website.

**Qualified Student with a Disability:** means (at the postsecondary educational level), a student with a disability who meets the academic and technical standards requisite for admission or participation in the institution's educational program or activity. This includes currently enrolled undergraduate, graduate, and professional school students as well as students recently admitted to the university prior to the beginning of the next semester in which they will be enrolled.

**Qualified Professional**: means a health professional with the appropriate credentials and experience to opine as an evaluator of an individual’s current medical condition. When submitting medical documentation to the University, Qualified Professionals are required to provide information about their licensure and area of specialization and are encouraged to provide additional information about their professional experience with the diagnosis and treatment of adults in the appropriate field. For example, an appropriate evaluator for learning disabilities is generally a licensed clinical psychologist or neuropsychologist. The diagnostician and/or treating provider may not be a family member.

**Request for Academic Accommodations:** means a communication by a current student, admitted student or applicant in which the individual asks for requests a modification because of a medical condition or disability. This request may be made using the DRES [Application for DRES services](https://login.uillinois.edu/auth/SystemLogin/sm_login.fcc?TYPE=33554433&REALMOID=06-a89e7de2-117a-4393-96fa-ac613ff4ba18&GUID=&SMAUTHREASON=0&METHOD=GET&SMAGENTNAME=M64cWNvYmTnDuj53VkbSAE6Riss29aufUswZGnlGShcUGZErRiU4YFiJxhUe4YXPp8bJOwke032Hhb6zP0zm3JkJbM09RGQ5&TARGET=-SM-HTTPS%3a%2f%2fmyaccesscenter%2eapps%2euillinois%2eedu%2fmyAccessCenter%2fstudent%2fdashboard), for current and admitted students.

**Retaliation:** means any action, or attempted action, directly or indirectly, against any person(s), because they have, in good faith, reported or disclosed a violation of this policy, requested an accommodation, filed a complaint of discrimination, or in any other way participated in an investigation, proceeding, complaint, or hearing under this policy. Retaliation includes, but is not limited to harassment, discrimination, threats, job termination or other disciplinary action, negative job performance evaluations, adjustment in pay or responsibilities, or actions that have a negative impact on academic progress. Actions are considered retaliation if they have a materially adverse effect on the working, academic, or living environment of a person or if they hinder or prevent the person from effectively carrying out their University responsibilities.

**Temporary Accommodation:** means an accommodation generally lasting no more than six (6) months.

**Undue Hardship:** means an action that would be unduly burdensome, extensive, substantial, or disruptive, or would pose a prohibitive expense to the university.

## VI. ARTICLE 1, PART 1, SECTION 1-110 STUDENT CODE: POLICY FOR THE PROVISION OF ACADEMIC ACCOMMODATIONS, AUXILLARY AIDS & SERVICES FOR STUDENTS WITH DISABILITIES

1. It is the policy of the university of Illinois Urbana-Champaign to provide admitted and current students with disabilities reasonable academic accommodations, auxiliary aids and services (hereinafter referred to as academic accommodations). The Division of Disability Resources and Educational Services (DRES) is the unit tasked with providing these academic accommodations to accepted and current students.
2. DRES provides services for degree-seeking and non-degree seeking, undergraduate, graduate, and professional students at the university. Admitted and currently enrolled students are required to self-identify as an individual with a disability through a process outlined in this policy and discussed in detail and discussed in the DRES Procedures for the Provision of Academic Accommodations for Students with Disabilities. Students should use the Application for DRES Services form to self-identify and to complete their request for services. Students who need assistance or are unable to complete the Application for Services using this form, should contact DRES to submit their request for academic accommodations by emailing disability@illinois.edu or by calling DRES at (217) 333-4603.
3. When a disability is non-obvious, students will be required to provide documentation to support their need for academic accommodations due to an underlying disability. Documentation requirements are available in the DRES Procedures for the Provision of Academic Accommodations for Students with Disabilities.
4. Upon review of any applicable medical documentation, DRES will make a determination of disability. When a determination of disability is found, students are required to engage in the interactive process with DRES to discuss the student’s individual needs and discuss ways that an academic modification may assist them. Meetings may be in-person or remote.
5. After completion of the interactive process, DRES will document the reasonable accommodations selected and provide the student with a Letter of Academic Modification(s) outlining the available academic accommodations to present as necessary to their course instructors or other academic advisors as needed.
6. To receive the academic accommodations outlined in the Letter of Academic Accommodations, students are required to provide their Letter to each instructor either in person or by email.
7. Academic accommodations are not retroactive. If a student does not provide a Letter of Modification at the beginning of a semester, the student’s Academic Accommodations will only be in effect prospectively from the time the instructor receives the Letter.
8. Students may appeal a decision of DRES to the ADA Coordinator in the following situations:
	1. Where a student believes a determination of disability was made in error.
	2. When a student does not agree with the provision of academic accommodations provided by DRES and as outlined in their Letter of Academic Accommodations.
	3. Where a student believes an instructor or faculty member has failed to implement or incorrectly implemented a current Letter of Academic Accommodations. In this case, a student may seek an informal or formal review through the Academic Accommodation Implementation Review (AAIR) as documented IX (B) of the DRES Procedures for the Provision of Academic Accommodations for Students with Disabilities.
9. The appeals process in Section h above. is distinct from the university’s procedures for investigating and adjudicating behavior pursuant to the university’s Nondiscrimination policy as codified in Section 1-108 of the Student Code. Students may [submit complaints](https://illinois-gme-advocate.symplicity.com/public_report/index.php/pid133801) based on discrimination by faculty or staff on the basis of disability to the EEO Division of the Office for Access & Equity, and by emailing the Office for Student Conflict Resolution if the alleged discriminatory conduct involves behavior by students.
10. Students with disabilities who are involved in university processes including hearings for violations of the Student Code are able to receive accommodations related to the investigation and hearing process. Students should request accommodations as soon as possible to ensure the university has adequate time to review any required documentation of the disability and to issue the accommodation letter. Students should submit such requests directly to their DRES Access Specialist or register for services with DRES using the DRES [Application for Services](https://login.uillinois.edu/auth/SystemLogin/sm_login.fcc?TYPE=33554433&REALMOID=06-a89e7de2-117a-4393-96fa-ac613ff4ba18&GUID=&SMAUTHREASON=0&METHOD=GET&SMAGENTNAME=M64cWNvYmTnDuj53VkbSAE6Riss29aufUswZGnlGShcUGZErRiU4YFiJxhUe4YXPp8bJOwke032Hhb6zP0zm3JkJbM09RGQ5&TARGET=-SM-HTTPS%3a%2f%2fmyaccesscenter%2eapps%2euillinois%2eedu%2fmyAccessCenter%2fstudent%2fdashboard). Students should notify their OSCR contact of their request for services related to a hearing or investigation to ensure the appropriate personnel are able to implement any approved accommodation related to their proceedings. Students submitting requests within 5 business days of a deadline or hearing may not receive requested accommodations on the basis of insufficient notice.

**A.** **Requesting an Academic Accommodation, Auxiliary Aids or Services**

To receive academic accommodations, auxiliary aids and services, accepted and currently enrolled students must first make a request to DRES. Students are encouraged to use the [Application For DRES Services](https://www.disability.illinois.edu/node/add/application-for-dres-services) at <https://www.disability.illinois.edu/applying-services>. Students are also encouraged to submit documentation along with their application for services but should not be discouraged from submitting their request for academic accommodations if they do not have their medical documentation at the time of their request. Students and/or their providers may also fax medical documentation to 217-244-0014 or email documentation to disability@illinois.edu. Students may also mail copies of their documentation to DRES: 1207 S. Oak St. Champaign, IL 61820.

In most cases, where a disability is non-obvious, students are required to provide documentation from a licensed healthcare professional familiar with the functional limitations of the student’s disability, consistent with the DRES [Documentation Requirements](https://www.disability.illinois.edu/node/241).

### B. Determination of Disability

 Upon submission of documentation by a student or applicant, DRES will review the documentation in accordance with the documentation requirements in Appendix A. The Access Specialist will determine whether the documentation supports a finding that the student has a disability. When a determination of disability has been made, the student and Access Specialist begin the process as outlined in Section C below.

When the Access Specialist cannot conclude that the student’s documentation supports a finding of a disability, DRES will provide timely notice to the student in writing to the email address of record used during the disability registration process. The notice will specify what additional information or documentation is needed and information about the student’s appeal rights. Full Disability Determination Appeal procedures are outlined in IX(A) of this document.

It is important to note that students may request reconsideration of a disability determination at any time by providing DRES additional documentation and/or information. Students may also submit documentation related to a change in their medical condition and/or a different disability diagnosis at any time.

### C. Initiation of the Interactive Process: Orientation Meeting

If a determination of disability has been made, the Access Specialist will schedule an Orientation Meeting with the student requesting DRES services. The purpose of the orientation meeting is to 1) discuss the student’s rights and responsibilities in the interactive process, 2) to determine whether the academic accommodations requested by the student are reasonable, or to assist the student in determining what academic accommodations may be available to them based on their individual functional limitations and needs 3) provide an overview of additional services and supports that may be available to the student based on their specific access needs and 4) review confidentiality requirements and provide the student the opportunity to complete an Authorization to Exchange Confidential Information form.

During the orientation meeting, the Access Specialist will discuss the medical documentation provided by the student, as well as the lived experience of the student with a disability. In certain circumstances, the Access Specialist may also seek information from appropriate University personnel regarding essential requirements or standards for courses, programs, services, activities, and facilities when it is necessary to determine whether a specific academic modification is reasonable.

Academic accommodations are determined on an individualized basis and the following items may be discussed in the orientation meeting:

1. The barriers resulting from the interaction between the documented disability and the campus environment;
2. The possible academic accommodations, auxiliary aids and services that might remove the barriers and provide access;
3. Which of the possible academic accommodations would be effective in providing access;
4. Whether or not the student has access to the course, program, service, activity, or facility without accommodations; and
5. Whether or not essential requirements or standards of the course, program, service, activity, or facility would be fundamentally altered by the accommodation.

### D.  Outcomes of the Orientation Meeting

### 1. Letter of Academic Accommodation:

At the conclusion of the Orientation Meeting, in most cases, the Access Specialist will document the approved academic accommodations, auxiliary aids, and services in a Letter of Academic Accommodation.

Each Letter of Academic Accommodation will include the following information:

* Confirmation that the student registered with DRES as a student with a disability
* The name and contact information for the student’s Access Specialist
* A listing of each individualized academic modification available to the student
* A request to the instructor to contact the Access Specialist if there are questions about implementation or possible fundamental alteration concerns.
* A link to the [Academic Accommodation Implementation Review Procedures](https://oae.illinois.edu/wp-content/uploads/2022/07/AAIR-Process-v.1.7.20.22.pdf)
* Contact Information for the ADA Coordinator

If at the conclusion of an Orientation Meeting, an Access Specialist determines that additional documentation, research or additional information is needed, the Access Specialist will explain the need to confer with the appropriate resources or with other DRES Staff, the ADA Coordinator, etc., and will provide a follow up to the student in email within five business days with either the Letter of Academic Accommodation or a request to meet with the student to determine the additional information and provision of services.

In certain circumstances, the Access Specialist may need to discuss the essential elements of the course or program to assist them in determining the appropriate academic accommodation and how to implement aspects of the student’s Letter of Academic Accommodations.

### 2. My Access Center:

The Access Specialist will also provide the student with individual login information for [My Access Center](https://www.disability.illinois.edu/user/login), which provides access to the student’s Letter of Academic Modification and other DRES resource and support services information which provides access to the student’s Letter of Academic Modification and other DRES resource and support services information.

### 3. Rights and Responsibilities Form:

The Access Specialist will also go over the Rights and Responsibilities Form, and request the student sign the document. The signed Rights and Responsibilities Form will be available to the student in their My Access Center for review and reference by the student. The text of the Rights and Responsibilities Form is available in the My Access Center.

### E. Utilizing a Letter of Academic Accommodation:

Students are encouraged to document receipt of the Letter of Academic Accommodation to their instructors in the following ways:

1. Providing Letter of Academic Accommodation electronically: Students should request their instructor to respond and confirm they have received their Letter and ask if the instructor has any questions about their Letter or any implementation concerns. Students can also send their email with a “read receipt requested.”
2. Providing a Hard Copy Letter of Academic Accommodation in Person: Students should follow up in an email the same day as presenting their Letter to their instructor and ask them to confirm receipt of the and ask if the instructor has any questions about their Letter or any implementation concerns. Students can also send their email with a “read receipt requested.”

Students are encouraged to ask their Access Specialist for assistance in discussing the implementation of their Letter of Academic Accommodations with their instructors whenever necessary.

When requested, instructors are encouraged to timely respond to any questions posed by the Access Specialist in order to ensure timely implementation of the student’s academic accommodations. If an instructor informs a student or Access Specialist upon receipt of the the Letter of Accommodation that implementing the approved academic accommodation will fundamentally alter the nature of the course or program, the student should follow the Academic Accommodations Implementation Review (AAIR) Procedures as reproduced in Section of this document.

**F.** **Temporary Disabilities**

In certain circumstances, students experiencing temporary illness or injury may need academic accommodations, services and supports in order to maintain access to their academic program or to maintain academic program requirements. To request temporary academic accommodations, students should utilize the Application for DRES Services as outlined above. Examples of conditions which may result in a need for a temporary academic modification, include but are not limited to:

1. Broken limbs
2. Conditions related to pregnancy and postpartum diagnoses[[1]](#footnote-2)
3. Hand injuries (preventing the ability to write or type)
4. Short term impairments due to surgery or accidents (including concussions)

Documentation requirements for temporary disabilities can be found on the DRES documentation webpage.

Students are also encouraged to review information about absence letters which may be available through the [Student Assistance Center](https://odos.illinois.edu/community-of-care/resources/students/absence-letters/#to-know).

**G.** **Monitoring an Accommodation**

Students are encouraged to monitor their academic accommodations on an ongoing basis to determine if their needs have changed, or if there are additional services or supports that may be helpful to consider with their Access Specialist. Students should reengage in the interactive process by contacting their Access Specialist and providing details about their concerns or request, or may schedule an appointment to discuss their ongoing academic support needs at any time.

Students who are currently registered with DRES will also be contacted on an annual basis by their Access Specialist to review their Letter of Academic Modification and to update the document as necessary. Students are not required to provide additional or updated documentation during the annual review, except where the Access Specialist believes such documentation is necessary to determine whether additional academic accommodations, supports or services are reasonable. During this reevaluation, Access Specialists also consider the lived experience of the student who is requesting additional or different supports and students should not be dissuaded from requesting additional supports or services based on a possible request for additional documentation. Where a student does not agree with a request for additional documentation, students may contact the Director of DRES or contact the ADA Coordinator for additional guidance and review.

**H. Parking Accommodations:**

Parking accommodations are facilitated by the DRES Access Specialists and personnel at Parking Services. Most often, parking accommodations address disabilities related to mobility, including but not limited to, walking due to an arthritic, neurological, oncological, or orthopedic condition. While the parking accommodation process is under DRES's purview, the assigning of parking spaces and the processing of the request for a parking space is completed by the Parking Department. Parking spaces identified in a parking accommodation case may still be subject to the University's standard parking fee structure. Additional parking accommodation information can be found on the [DRES Transportation website](https://www.disability.illinois.edu/getting-around/parking).

**I. Pregnancy/Parenting Accommodations:**

Students who experience a disability due to pregnancy or childbirth may request reasonable academic accommodations related to their conditions and experiences. Pregnancy related disabilities are determined on a case-by-case basis through an individualized assessment. There are three main offices which provide accommodations to pregnant/parenting students pregnant/parenting student- employees:

**1. Title IX Office:**

Pregnant or parenting students are encouraged to contact the Title IX Office to discuss their pregnancy accommodation needs. Upon review, the Title IX Office may determine that a student’s request should be evaluated by DRES if the reason for the request is a pregnancy-related serious medical condition requiring a disability accommodation. If this need arises, the Title IX Office will connect the student with DRES for further assistance. Examples of pregnancy related accommodations that may be addressed by Title IX include but are not limited to, occasional excused absences, ergonomically appropriate seating in classrooms, assistance with making up assignments due to birth etc. Parenting students who need to request accommodations related to lactation should contact the Title IX Office.

**2. DRES:**

Students who experience a disability related condition that may functionally impact their major life activities beyond those provided by the Title IX Office are encouraged to request academic accommodations from DRES using their Application for DRES services. Examples of when a pregnant or parenting student’s medical condition may require DRES academic accommodations include but are not limited to episodes of post-partem depression, stress fractures resulting in a need for parking accommodations, preeclampsia requiring bedrest, gestational diabetes requiring changes to class modality and needing extended breaks.

**3. Office for Access & Equity:**

Student employees who need an accommodation in the workplace due to pregnancy or parenting should [request reasonable accommodations](https://illinois-accommodate.symplicity.com/public_accommodation/) through the Accessibility & Accommodations Division of the Office for Access an Equity consistent with [HR 67](https://cam.illinois.edu/policies/hr-67/). When appropriate OAE will collaborate with the Title IX Office and/or DRES, if additional academic or workplace accommodations are necessary to provide academic accommodations along with the workplace related accommodations.

Students who may require a parking accommodation related to their employment with the university, may also request a parking accommodation through the Accessibility & Accommodations Division [portal](https://illinois-accommodate.symplicity.com/public_accommodation/).

## VIII. CONFIDENTIALITY

DRES recognizes a student’s right to determine who receives disability-related information and/or documentation. DRES will only share information as is necessary to assist students in the implementation of their accommodations, if required under law, or at a student’s request. Student disability records including medical documentation are stored in a secure, confidential file within DRES and are not part of a student’s permanent educational record.

**1. Information Disclosure:**

On an individualized case-by-case basis, disclosure of information to appropriate university staff, including to the ADA Coordinator may be necessary to provide services requested by the student. The amount of information that may be released is determined case by case, in the context of the service being coordinated. is a necessary procedure to coordinate and provide requested accommodations. Information about a student’s functional limitations may be provided to staff responsible for ensuring students receive the appropriate accommodations or may be shared with an instructor to assist them to understand the connection between the limitation and requested academic modification.

**2. Confidential Documentation**

Students may request that DRES release confidential documentation in their DRES file to individuals they designate by signing an Authorization to Exchange Confidential Information form. Students may revoke previously signed Authorization forms at any time by submitting their request to DRES by emailing disability@illinois.edu.

Students may authorize DRES to provide third parties including licensure boards and testing authorities (e.g. GRE, NABP, AAMC, etc.) by signing an *Authorization to Exchange Confidential Information.* If contacted by third parties for whom an Authorization is signed, DRES will only provide academic accommodations and/or functional limitations related to testing or licensure. DRES will not provide diagnoses or medical documentation to such testing or licensure entities.

**3. Student Rights under FERPA**

Documentation is protected under the [Family Educational Rights and Privacy Act](https://studentprivacy.ed.gov/resources/ferpa-general-guidance-students) (FERPA) and will be released from your file in the following circumstances:

1. A court order;
2. A student’s written permission;
3. Within DRES or with the ADA Coordinator for a legitimate educational purpose of the student.

Students have the right under FERPA to review their own records including the records in their DRES file. Students may request to review or receive a copy of their DRES file[[2]](#footnote-3) in writing to DRES by email to disability@illinois.edu. Students seeking a hard copy of their record should specify this in their request and provide a mailing address or indicate their intent to pick up the records in person. DRES reserves the right to charge for hard copies of a student’s full record.

Under FERPA, students must give explicit permission regarding what information in their record may be shared, as well as with whom it may be shared. The Office of the [Registrar](https://registrar.illinois.edu/faculty-staff/ferpa-fs/access-to-student-records/) is the official steward of academic records and can provide further information on FERPA. Students who would like to allow disclosure of information protected by FERPA (including to their parents) should [contact](https://registrar.illinois.edu/contact-us/) the Registrar and complete a Student Consent to Release Educational and Financial Records Form.

**J.  Service Animals, Service Animals in Training and Emotional Support Animals**

Campus Administrative Manual Fo-53, the [Service, Emotional Support (Assistance), And Other Animals Policy](https://cam.illinois.edu/policies/fo-53/#:~:text=Animals%20must%20be%20under%20the,Animal%20must%20be%20otherwise%20under) governs the use of service animals, service animals in training, therapy animals, and other animals on the university campus. Students interested in utilizing a service or emotional support animal should consult with DRES regarding the specific requirements for entering designated areas on campus. To utilize Emotional Support Animals in Housing, a [registration form](https://forms.illinois.edu/sec/6738619?referrer=https://www.google.com/) is required along with a DRES letter of Accommodation. If you plan to bring a Service Animal, you may fill out a voluntary [service animal information record](https://forms.illinois.edu/sec/129673?referrer=https://shibboleth.illinois.edu/) as well. For additional information about Housing requirements for service animals visit [Housing’s Assignment Consideration](https://www.housing.illinois.edu/Apply/Accommodations) website and FAQ.

**K. Accessible Housing and Dietary Accommodations**

Students requiring specific accessible housing accommodations are encouraged to register with DRES as soon as possible. Students will discuss their access needs with their Access Specialist including the need to hire Personal Assistants, identify dietary accommodation options for those with allergies or restrictions related to an underlying medical condition, and determine the level of assistive devices necessary to enable equitable access to the residential experience at Illinois. Additional information about accessible housing communities, including Beckwith Residential Services is available through housing’s [website](https://www.housing.illinois.edu/Apply/Accommodations).

**L. Testing Accommodations**

Students registered with DRES have the option to utilize the [Testing Accommodation Center](https://dres.illinois.edu/academic-supports/accommodations/testing-accommodations/) (TAC). At the beginning of each semester students should discuss their schedules with their Access Specialist and determine how they will take their exams and whether they will utilize the TAC. Students who wish to use the TAC or who require in-class testing related accommodations must provide their Letter of Accommodations to their instructor.

The TAC requires online registration through My Access Center to schedule exams at the TAC. Students must register for their exam one week prior to the date of the exam. If a student is unable to access the online registration portal due to an underlying disability, students may schedule their exams by emailing the TAC or calling DRES at (217) 333-4604. For additional information regarding hours, testing center policies and final examination testing schedule deadlines visit the [TAC website](https://dres.illinois.edu/academic-supports/accommodations/testing-accommodations/).

**M. Live Interpreting and Live Captioning**

Students requiring live ASL interpreters, speech-to-text services, and live closed captioning services may contact the Interpreter Coordinator and review Alternative Media Services information available through the DRES [website](https://dres.illinois.edu/academic-supports/accommodations/interpreting-and-live-captioning/). Examples of alternative media services include closed captioning of media and converting paper documents (journal articles) to speech-to text files. AMS also assists with the scheduling and assigning of ASL interpreters for individual student needs and for faculty and staff hosting events at which ALS services are required. Students, faculty and staff should request interpreter services, CART, and Typewell services at least two weeks before services are needed. For additional information contact the Interpreter Coordinator by [email](http://tcowsert@illinois.edu) or calling 217-244-6972.

**N. Academic Skills Coaching, Career Services and Supports and Individual Counseling Services**

DRES provides comprehensive supports for registered students with disabilities. To learn more about currently available processes, please visit the main [DRES](http://www.dres.illinois.edu/) webpage.

## IX.APPEALS PROCESS

**A. Disability Determination Appeal Process**

When a student receives a notice of a decision that the student has not established the existence of a disability as referenced in Section C above, DRES will provide notice to a student’s email and will include information regarding their right to appeal. A student will have ten (10) days from the date of the notice to appeal the decision. Only appeals received within the ten (10) day appeal timeframe will be considered. Upon receipt of the appeal, the DRES Director, in consultation with the ADA Coordinator, will review the submission. After review, the DRES Director and ADA Coordinator will reach a final determination and will either 1) uphold the non-determination or 2) rescind the non-determination finding and issue a disability determination. This decision will be made within ten (10) days after the receipt of the appeal, and decisions of the DRES Director and ADA Coordinator are final.

**B. Appeal of Letter of Academic Accommodation Process:**

When a student disagrees with the decision regarding what academic accommodation(s) identified by the Access Specialist are reasonable and should be provided, the student should first request a review of the academic accommodation(s) in writing by emailing the DRES Director and copying their Access Specialist (where possible) within five (5) days of receiving the Letter of Academic Accommodation from their Access Specialist.  Emails should include the following subject line: “request for academic accommodation review” and include the basis for their disagreement as well as any recommended changes to their accommodation letter. The DRES Director will reply within seven (7) days, unless the DRES Director determines that additional time is needed, in which case the DRES Director will so notify the student.

If upon receipt of the response from the DRES Director, a student continues to disagree with the academic accommodation(s) decision, a student may request a review by the ADA Coordinator by submitting an appeal of the academic accommodation(s) using the Academic Accommodation Appeal form within ten (10) days. The Academic Accommodation Appeal process is based on a reasonableness standard of review. This means the ADA Coordinator will consider information provided in the appeal, the Letter of Accommodation, and any additional information provided by DRES as determined necessary by the ADA Coordinator in reaching an appeal decision. The decision of the ADA Coordinator will be issued by email to the student and DRES Director within ten (10) days following receipt of the review request, unless the ADA Coordinator determines that additional time is needed, in which case the ADA Coordinator will so notify the student. Upon reaching a decision, the ADA Coordinator will provide the student a copy of the decision which will either 1) confirm the decision of the DRES Director or 2) indicate that a Notice of Reconsideration and Consultation has been sent to DRES. If a Notice of Reconsideration and Consultation is received, the ADA Coordinator will meet with the DRES Director and Access Specialist for further collaboration as soon as practicable, and a final Letter of Academic Accommodation will be provided to the student after any feedback is considered and incorporated.

## C.  Academic Accommodation Implementation Review Procedures (AAIR)

**1**. **Purpose**

The purpose of the Academic Accommodation Implementation Review (AAIR) is to promptly address disputes that may arise related to the implementation of academic accommodations and to minimize any potential disruption to a student’s access to or performance in an academic course or program.

**2. Scope**

The Academic Accommodations Implementation Review process applies to all situations where a student currently enrolled at UIUC has a Letter of Academic Accommodations from DRES setting forth their approved academic accommodations, and where that student believes that a faculty member or instructor is failing to properly implement or abide by the terms of the Letter of Academic Accommodations.

This process does not diminish or replace an instructor or faculty member’s ability to communicate directly with a DRES Access Specialist upon receipt of a student’s Letter of Academic Accommodations. If a faculty member or instructor has questions or concerns regarding an accommodation, how it is to be implemented, or the possibility that it creates a fundamental alteration to the course, they should contact the DRES Access Specialist within five (5) calendar days after receiving the student’s Letter of Academic Accommodation.

**3. Procedure**:

The student may pursue an informal or formal process as outlined below. The informal process is intended to provide an efficient avenue to promptly resolve issues. The decision to initiate the informal process does not waive a student’s right to initiate a formal process at any time.

**a. Informal Process**

The student initiates the informal process by contacting their Access Specialist to report the alleged denial of their accommodation. The Access Specialist or another representative from DRES will contact the instructor or administrator to attempt to resolve the issue to the satisfaction of the student and in compliance with the Letter of Academic Accommodations. If these attempts do not resolve the issue within five business days, DRES will notify the student that the status of the academic accommodation is “in dispute” and will 1) submit the Academic Accommodation Implementation Review Form on behalf of the student or 2) ensure that the student submits the form at the time the student is informed that the informal process has been unsuccessful, and the academic accommodation is “in dispute.”

The student may bypass or discontinue the informal resolution process at any time and initiate the formal process by completing the Academic Accommodations Implementation Review Form and submitting it to the ADA Coordinator.

**b. Formal Process**

Step 1) Within three business days of receipt of the [Academic Accommodations Implementation](https://oae.illinois.edu/wp-content/uploads/2022/06/AccommodationMedicalRequestForm5.20.22.pdf) Review Form, the ADA Coordinator will notify the relevant faculty member or instructor and the relevant administrators (Associate Vice Chancellor for Access & Equity, the Office of the Provost, dean, and/or department head) of the academic accommodations in dispute. The dean, department head or departmental designee may be asked by the ADA Coordinator to provide, within five (5) calendar days, a written statement indicating whether they believe the accommodation poses an undue hardship or creates a fundamental alteration to the course, as well as suggested resolutions or options based on their knowledge of the essential academic and programmatic requirements.

Step 2) If the suggestion arising from Step 1 does not produce a mutually acceptable resolution, or if there is no suggestion arising from Step 1, any of the parties may, within three (3) calendar days of the end of Step 1, request a resolution by the Associate Vice Chancellor for Access and Equity. The Associate Vice Chancellor for Access and Equity, working in consultation with the affected student, the DRES Director, appropriate academic administrators, and the ADA Coordinator, will review all relevant information and determine a resolution within ten (10) calendar days of receipt of the Academic Accommodations Implementation Review Form.

### 4. Additional Provisions:

To ensure that a student’s right to an equitable to the educational opportunity is not irretrievably and unlawfully compromised during the period when the accommodation request is under consideration or in dispute, accommodations included in the Letter of Academic Accommodations by DRES will be in effect during Step 1 and Step 2 Failure of the instructor (or other relevant university employees) to provide the accommodations included in the Letter of Academic Accommodations during this period will be referred to the EEO Division of the Office for Access and Equity for investigation and resolution pursuant to the university's Nondiscrimination Policy.

The student has a right (and must be so informed) to advice from DRES and the ADA Coordinator at all times during this process. A representative from DRES may accompany the student to any meetings in which the student is involved.

Retaliation against any student for invoking this process is prohibited by university policy. Reports of retaliation should be submitted to the Office for Access and Equity, EEO Division.

To submit an AAIR request please submit an [AAIR Request Form](https://oae.illinois.edu/our-services/accessibility-and-accommodations/ada-coordinator/aair-request-form/).

### N. Conflict of Interest

DRES will routinely review requests for any apparent or perceived conflicts of interests with students requesting accommodations. Where appropriate, the Director will direct DRES employees to provide any concerns of a conflict of interest to the Director. If necessary, the Director will reassign a case to another Access Specialist to ensure that an appearance of a conflict of interest is removed. If the recusal results in the removal of the DRES Director or AHS Dean from hearing an appeal, the DRES Director and AHS Dean will work to identify an appropriate Provost’s office staff member to decide the appeal.

### O.  Information Tracking and Recordkeeping for Audit Purposes

To ensure compliance with these Procedures, the ADAAA, and Section 504 of the Rehabilitation Act, and the Access Specialist will document information and emails in the student’s DRES case file. These are kept in a secured cloud-based database.

### P. Report a Barrier

Students who encourage barriers to access physically and digitally when attempting to access university services, programs or activities are encouraged to submit a barrier report to the ADA Coordinator using the [Report a Barrier Form](https://oae.illinois.edu/get-help-report-a-problem/report-a-barrier-to-access/). The ADA Coordinator will follow up and determine the appropriate outcome for the reported barrier. The ADA Coordinator will also contact the reporter and let them know when the barrier has been addressed.

### Q. References and Resources

1. [↑](#footnote-ref-2)
2. FERPA does not allow a student to access certain records including medical, psychiatric, or similar records in connection with the treatment of the student. [↑](#footnote-ref-3)