



Disabled Student Services Policy and Procedure

**DISABILITY AND ACCESS POLICY:** (As stated in the second half of the College Catalog)

“The college provides assistance for students, faculty, staff, and patients with disabilities and does not discriminate on the basis of disability in its programs, benefits, and services, including the admission and retention of students. Under Title III of the Americans with Disabilities Act Amendments Act of 2008 (ADAAA) and Section 504 of the Rehabilitation Act of 1973 (Section 504), qualified persons with disabilities are entitled to reasonable accommodations, including modifications to the academic requirements, and auxiliary aids and services, to achieve nondiscriminatory access to programs, services, and activities of Pacific College. Section 504 and the ADA define a ‘disability,’ with respect to an individual, as (1) a physical or mental impairment that substantially limits one or more major life activities, (2) a record of such impairment, or (3) being regarded as having such an impairment.”

In order to ensure that qualified students with disabilities are not denied the benefits of, excluded from participation in, or otherwise subjected to discrimination in all academic and other programs, services, and activities of Pacific College, as required by law, reasonable accommodations and auxiliary aids and services will be provided unless it is determined that doing so would alter the essential academic requirements of the College program being pursued or to any directly related licensing requirement. These may include modifications to the academic requirements and auxiliary aids and services, including, but not limited to, auxiliary aids and services for students with hearing visual impairments (readers and such technology as adaptive computer software and hardware, reading machines); note takers; extended or divided time on examinations for students with learning disabilities or reduced physical stamina; adjustments in course load when appropriate; and taping classes.

Persons seeking accommodations are required to schedule an initial in-person appointment, as described below, with the following **Disabled Student Services (DSS) officer:**

For SD campus, undergraduate programs - Academic Dean, Deborah Reuss  
Suite 103 (Main Bldg 1)  
[dreuss@pacificcollege.edu](mailto:dreuss@pacificcollege.edu)  
619-574-6909, ext. 161

For SD campus, graduate programs - Student Advisor, Jason Roberg  
Suite 109 (Main Bldg 1)  
[jroberg@pacificcollege.edu](mailto:jroberg@pacificcollege.edu)  
619-574-6909 ext. 150

For NY campus, all programs - Director of Student Services, Ashley Kowal  
110 William Street, 19<sup>th</sup> Floor  
[akowal@pacificcollege.edu](mailto:akowal@pacificcollege.edu)  
212.982.3456 ext. 250



For CH campus, all programs -

Student Advisor, Sarah Hawley  
65 East Wacker Place, 21<sup>st</sup> Floor  
[shawley@pacificcollege.edu](mailto:shawley@pacificcollege.edu)  
773-477-4822 ext. 337

Confidentiality is subject to the Family Educational Rights and Privacy Act of 1974 (FERPA).”

## PROCEDURE:

### I. RESPONSIBILITIES OF THE STUDENT

Below are the steps required to ensure a successful partnership with the Disabled Student Support officers at Pacific College, and to assure equal access to educational opportunities at Pacific College of Oriental Medicine:

- a. **Apply** for services as soon as possible by completing the “Disabled Student Services- Declaration and Accommodations Request Form,” which can be obtained from the secure site, student services office, or student advising office, and attach verification of disability, such as medical, psychological, and/or educational assessments of the impairment and functional limitations.\* This form can be submitted during an initial in-person meeting with a Disabled Student Services officer, or prior to such a meeting.  
Make Note- If you submit verification of your disability during the admissions application process; you are NOT automatically eligible or provided with services by Pacific College. You MUST still fill out the “Disabled Student Services- Declaration and Accommodations Request form and submit it, as described above.
- b. **Schedule** an initial in-person appointment with the Campus Director, Academic Dean, or Student Advisor (Pacific College’s Disabled Student Services officers).\*\* Appointments can be made at Reception.
- c. At the initial in-person meeting, **engage** in dialog and discuss your specific needs with the Disabled Student Services officer.
- d. If necessary, have testing performed by a qualified professional. Request a report specifying recommended accommodations be sent to Pacific College to the attention of the Disabled Student Services Officer.
- e. Once accommodations are determined by Pacific College, **confirm** receipt of and agreement of the “Disabled Student Services- Authorized Accommodations Form” by signing and dating the bottom of the form and returning to the Disabled Student Services officer.
- f. Personally **meet** with each instructor and provide him or her with a copy of your “Disabled Student Services- Authorized Accommodations Form” as soon as you are returned a hard copy of the form. This will give each instructor ample time to make any necessary arrangements.



- g. **Check-in** each semester, by scheduling an in-person meeting with Pacific College's Disabled Student Services officer, and modify accommodations as necessary.
- h. **Update** requests for additional accommodations, or adjustments to accommodations, as needed during each term.

## **\*\*What to Expect at the Initial In-person Appointment with a Disabled Student Services Officer**

At the initial in-person appointment with a Disabled Student Services officer, a student is informed of the Disabled Student Services Policies and Procedures and has the opportunity to ask questions and receive clarification regarding Disabled Student Services. The DSS officer will engage in a collaborative interactive process to establish the student's disability, to determine how the disability may impact the student and to determine any necessary reasonable accommodations. The process will consider previous educational experience and other information provided by the student, previous accommodation, and recommendations of clinicians. If the student has already obtained written verification of his or her disability, he or she may submit a hard copy of the documentation along with a "Disabled Student Services- Declaration and Accommodations Request Form" by the time of this meeting. If not, he or she may, in certain circumstances, be required to schedule a follow-up appointment to submit the documentation and the Disability Accommodations Request Form. Once the documentation is provided, the student and the Disabled Student Services officer will continue to engage in an interactive dialog about the student's needs and the nature of the accommodations offered by the college, based on the recommendations of the verifying professional. The Disabled Student Services officer may request additional information and/or documentation, in writing, if it is needed. Once the accommodations are determined, the student will then receive a copy of his or her "Disabled Student Services- Authorized Accommodations form," within 5-10 business days of the meeting (if the request itself does not require more time for research), to be signed, dated, and returned by the student to the Disabled Student Services officer. The Disabled Student Services officer will then provide the student with a hard copy of his or her "Disabled Student Services- Authorization form," signed by both the student and the Academic Dean or Student Advisor.

The accommodations process is an interactive one concerning your disability and related needs in which you are a full participant in the process.

### \*Verification of Disability

In some cases as described below, a student may be required to submit documentation or additional documentation from a professional clinician. In general, a professionally verified disability means a condition certified by a licensed physician, psychologist, audiologist, speech pathologist, registered nurse, social worker, rehabilitation counselor, physical therapist, corrective therapist, learning disability specialist, or other appropriate professional. Where the nature of the disability is obvious (e.g. amputation, blindness, quadriplegia) the Disabled Student Services officer or designee (the Academic Dean,

Campus Director, or Student Advisor) may verify the disability. In those cases, where the officer or designee is unable to verify the disability, the student may be asked to either provide the verification documentation to the Disabled Student Services officer or designee, or, in certain circumstances, a student may choose but will not be required to sign a release authorizing the campus to obtain necessary documentation from one of the above professional persons or agencies. Disability documentation usually will not require scientific, medical, or statistical analysis. An IEP or 504 Plan may be sufficient to document disabilities that persist into adulthood. More current information may be required where the College has reason to question the persistence of the disability or where more information is needed to design effective academic adjustments and auxiliary aids (accommodations).

If the verification documentation is determined to be inadequate, the student will receive a written request for more information and/or documentation. Any request for additional documentation should be reasonable and limited to the need for the modification, accommodation, or auxiliary aid or service requested. The written request will specifically state what information and/or documentation is missing in order to verify his or her request. Furthermore, the student will be informed, in that same written document, of the Complaint-Resolution options (See Section IV below).

## II. RESPONSIBILITIES OF PACIFIC COLLEGE

- Once the student submits the Disability Accommodations Request form, the Disability Support Services officer will determine student eligibility for accommodations and/or support services, taking into account the documented limitations and recommendations of certified professionals, as appropriate. The Disability Support Services officer will ensure that accommodations are determined within a reasonable time frame (5-10 business days from the meeting, unless the specific request itself requires more time for research) and that they are provided within a reasonable time frame (also 5-10 business days, unless the specific request itself requires more time for acquisition or implementation).
- Each campus shall maintain confidential records identifying its students with verified disabilities. These records shall indicate the student's name, disability documentation, "Disabled Student Services- Declaration and Accommodations Request Form" and a "Disabled Student Services- Accommodations Confirmation Form" (signed by the student and the DSS officer).
- The Disability Support Services officer will provide the student with a hard copy of his or her "Disabled Student Services- Declaration and Accommodations Form," signed by the student and the DSS officer, which the student is expected to use to show proof of approved accommodations to his or her instructors.

- Administrators will make public the Disability and Access policy and will discuss related procedure with faculty during faculty and department meetings. Also, administrators will ensure that the faculty and staff within their departments understand Pacific College's commitment to implementing law and policy assuring nondiscrimination on the basis of disability.
- The faculty member's responsibility is to provide the necessary accommodations by the next class session, or sooner if possible, and to communicate via e-mail with a Disability Support Services officer (the Student Advisor, Academic Dean, or Campus Director) if he or she has any questions regarding the implementation or acquisition of necessary accommodations. Moreover, the faculty member agrees to engage in the Complaint-Resolution procedure (See section IV below) if he or she wishes to challenge the approved accommodations or if he or she believes the necessary accommodations will require fundamental alterations to the course.
- If an authorized accommodation is challenged, the Academic Dean will ensure that it is still provided until the matter has been formally reviewed and resolved.
- Administrators will uphold the final decision of the Campus Director regarding any formal complaint (See section IV. Complaint-Resolutions Procedures)

### III. ACADEMIC ACCOMMODATIONS AND AUXILIARY SERVICES

Students with disabilities may require accommodations and auxiliary aids and services to ensure equal and effective access to educational programs, benefits, and services. Accommodations, including modifications to the academic requirements and auxiliary aids and services, are individually determined based on each student's disability-related needs and the requirements of the course.

Examples of accommodations and services:

- Extended time for course examinations\*
- Extended time on Comprehensive Exams\*\*
- Rest breaks during exams to avoid problems with stamina and fatigue
- Quiet, distraction-free testing environment\*
- A designated note-taker in class
- A designated reader
- Alternative media (electronic texts or audio files)\*\*\*
- Allowance for occasional disability-related absences
- Preferential seating in class
- Priority registration
- Peer tutoring
- Reduced course load and schedule advisement



## \*Procedure for scheduling extended time and a quiet testing environment for course examinations

- After your disability is verified and your accommodations approved, notify your instructor by providing him or her a copy of your “Disabled Student Services-Authorized Accommodations Form.”
- To ensure the provision of approved extended time for testing, as well as a quiet, distraction-free testing environment, the DSS officer for your campus should be contacted to arrange a proctor, room, and time for midterm and final examinations, and/or quizzes, if necessary. All proctored examinations are to be taken within **one week** of the course’s original examination date, and prior to the next class session.
- To guarantee a date and time that best suites your schedule, please try to submit requests for all semester exams at the beginning of the semester. At the very least, you must schedule examinations **one week** prior to the desired date. Proctoring cannot be guaranteed if requested later.
- If there is an extenuating circumstance that makes it necessary to reschedule your exam or quiz, you will need to provide documentation in order to be accommodated.
- You are required to leave the classroom during the in-class administration of any exam or quiz which you will make up at a later date. Your exam or quiz should be ready to be reviewed on schedule with the rest of your class, unless it is reviewed immediately following administration. Of course, you are not permitted to be in the classroom while any quiz or exam is reviewed if you have not yet taken the test.
- The faculty member’s role is to prepare a copy of all necessary examinations and/or quizzes and submit a copy to the Academics Department within one week of the exam date.
- If the faculty member has any questions regarding the implementation of the student’s accommodations, he or she will contact the DSS Officer. Moreover, the faculty member agrees to engage in the Complaint-Resolution procedure (See section IV below) if he or she wishes to challenge the approved accommodations or if he or she believes the necessary accommodations will require fundamental alterations to the course.

## \*\*Procedure for scheduling extended time for Comprehensive Exams

- After your disability is verified and your accommodations approved, the DSS Officer should be contacted at least **two weeks** prior to the date of the Comprehensive Examination.
- Students needing extended time and a quiet testing environment may need to start the Comprehensive Examination one day earlier in order to assure extended time for each section of the examination. The student’s specific schedule will be confirmed prior to the date of the exam.

## \*\*\*Procedure for requesting alternative media (electronic texts or audio files)



- After your disability is verified and your accommodations approved, and once enrolled in your classes for the upcoming term, request a copy of the “Booklist” from the Student Services Office/Bookstore.
- Determine which books from the list you wish to request in an alternative media format.
- Send an e-mail request, listing each book and the alternative media format desired, to the Disabled Student Services officer listed above.
- The Disabled Student Services officer will respond to your e-mail within 5-10 business and notify you of an expected timeline and the steps necessary to obtain the book in an alternative media format. (For example, certain textbooks are available through Learning Ally, a database of audio files for which Pacific College has an institutional membership, and are able to be downloaded immediately. Other texts, especially translations of Chinese texts, may need to be transferred into an audio format by Pacific College, which would necessitate more time for completion.)

#### IV. COMPLAINT-RESOLUTION PROCEDURES

The purpose of the Complaint-Resolution Procedures are to afford students an opportunity to resolve complaints regarding accommodation eligibility decisions, accommodations, auxiliary services, communication services, denial of services or other administrative decisions of the Disabled Students’ Services officers. Students have options to express their concerns, an “Informal Resolution Procedure,” a “Mid-level Informal Complaint Resolution Procedure,” or a “Formal Grievance Process.”

The College’s Section 504 Coordinator, for which to bring any concerns or complaints related to Section 504:

Director of Student Services, Ashley Kowal  
110 William Street, 19<sup>th</sup> Floor, New York, NY 10038  
[akowal@pacificcollege.edu](mailto:akowal@pacificcollege.edu)  
212.982.3456 ext. 250

#### Disabled Student Services- Informal Complaint-Resolution Procedures:

A student has the choice to pursue an informal resolution of any complaint of disability discrimination alleged to have occurred in any College program or activity by scheduling a meeting with the DSS officer or Campus Director to discuss the complaint and possible avenues of resolution. This step should take no more than 5 – 7 business days. However, an Informal Complaint-Resolution Procedure is not mandatory and need not precede the Formal Grievance Procedure. If an informal resolution is not successful, the Director of Student Services will provide written notice to the student of the right to file a formal complaint within 10 business days of the notice and/or the option to request a Mid-Level Resolution Procedure, if appropriate.

#### Mid-level Informal Complaint Resolution Procedure:

This optional process is available for disputes about accommodations including disputes about the adequacy of verification of a disability and limitations, the denial of an accommodation, and/or a determination that a requested accommodation would alter the essential nature or constitute a fundamental alteration of the College program. If an informal resolution is not possible the Campus Director will convene a panel within 5 business days of notice to the student that informal resolution was not successful or a request for mid-level review by the student. The panel will consist of the Campus Director, the Academic Dean of the program of which the student is enrolled, the Student Advisor of which the student is enrolled, one faculty or professional staff member who has knowledge of the student's disability, one faculty or professional staff member who has knowledge of relevant disability law, and depending on the issues, other academic or administrative personnel. During the Informal Complaint-Resolution Procedure other experts may be called in as needed in order to come to an appropriate resolution.

For disputes involving a claim that a requested accommodation is a fundamental alteration, the panel will implement the following process:

- The panel will identify the objective of the requirement, taking into consideration the information provided by the instructor, program or department concerning essential requirements, including curriculum approval or course creation documents.
- The committee will consider information provided by the student relevant to determining whether notice of the essential requirement in question has been provided to the student, and whether the accommodation requested by the student would invalidate the objective of the requirement.
- The committee will determine whether the accommodation requested by the student would invalidate the objective of the requirement. If not, the accommodation will be implemented.
- If the requested accommodation would invalidate the objective of the requirement, the committee (or designated members) will promptly and diligently search for alternate accommodations in consultation with the faculty member, Disabled Student Services officer, and the student. The committee will address the following:
  - (a) Are there alternate ways that the student can acquire or demonstrate mastery of the skill that would meet the same fundamental objectives of the course or program?
  - (b) Have we diligently searched for potential alternatives?
  - (c) Have we included all the necessary people in this search?
  - (d) Have we identified whether other postsecondary institutions have identified alternatives that achieve the objectives of the College without fundamentally altering requirements?
- The Campus Director will ensure that the student is provided the opportunity to give information to the committee and that the student has his/her interim accommodations, and is given prompt written notice of committee decisions.



However, the student is not to be considered one of the decision-makers on the committee. The duty to explore this issue diligently, in a well-reasoned manner, without resort to a pretext for discrimination rests with the college.

- The Campus Director or Disabled Student Services officer will take all steps necessary to ensure that the final approved accommodation is implemented fully and promptly by the college, including by any faculty member who previously may have objected to the accommodation.

The panel will review claims brought under this Mid-level Resolution Procedure, make a determination, and provide written notification of the outcome to the complainant within 20 business days of a student's pursuance of the Mid-level Informal Complaint-Resolution Procedure.

These timelines may be extended for good cause shown by the Campus Director in writing to the complainant. In all cases, current services authorized by the Campus Director will continue during the complaint resolution process.

If a satisfactory solution cannot be reached, the student may initiate a formal resolution by following the Grievance Process below. Furthermore, a student has the right to appeal any decisions made during the Informal Complaint-Resolution Procedure through the Formal Grievance Procedure.

#### Disabled Student Services- Formal Grievance Procedure:

The Disabled Student Services- Formal Grievance Procedure may be used for complaints of disability discrimination, including discrimination, regarding the provision of accommodations alleged to have occurred in any College program or activity. A student may pursue a formal resolution by submitting a "Concern or Complaint Form" to the Campus Director within 90 calendar days from the time the student knew or could reasonably be expected to have known of the action(s) or lack of action(s) that is/are the subject(s) of the complaint.

The Campus Director should complete her review and notify the student of the complaint outcome within 90 business days of the date it was received. Upon receipt of a written complaint, the Campus Director will review the complaint and make an initial determination regarding whether the complaint states a claim that is appropriate for review. If the Director makes a determination to dismiss the complaint because it does not state a claim that is appropriate for review, the District shall notify the student in writing within 10 business days of receipt of the complaint. The notice will provide an explanation of why the complaint did not state a claim that was appropriate for review. The notice will also provide the complaint 10 business days to request an appeal of the dismissal to the College President. The President will respond to the appeal within 10 business days of receipt of the appeal. If the dismissal is upheld, that decision is final. If the decision to dismiss is overturned by the President, the



case shall be sent back to the Director for investigation in accordance with the procedures below.

## Investigation:

The Campus Director or designees will make all provisions necessary to ensure a prompt and equitable resolution procedure that includes a thorough, impartial, and reliable fact-finding process. At a minimum, this investigation will include an interview with the complainant, a right to representation, a review of any relevant written materials, and a review of information from relevant individuals (interviews, written statements, or documents). The Campus Director or her designee shall notify the student in writing of the outcome of the complaint and document the outcome on the “Concern of Complaint Form,” including the determination of whether discrimination occurred, and the steps that have been or will be taken to resolve the complaint.

The Campus Director will ensure that any individual making the decision as to whether discrimination has occurred are trained in the legal standards and appropriate methods for resolution including the scope of remedies that should be provided to a student who experienced discrimination.

In California, complaints that are still unresolved after the Formal Complaint Resolution Process has completed may be directed to the Bureau for Private Postsecondary Education, 2535, Capitol Oaks Drive, Suite 400, Sacramento, California 95833. The mailing address is P.O. Box 980818, West Sacramento, CA 95798-0818 and/or the Accreditation Commission of Acupuncture and Oriental Medicine (ACAOM)- Maryland Trade Center 3, 7501 Greenway Center Drive, Suite 760, Greenbelt, MD 20770. Phone 301/313-0855. ACAOM addresses issues that involve students in the Master degree program only.

## Prohibition Against Retaliation:

College policy and federal law prohibits retaliation against an individual who has filed a complaint alleging unlawful discrimination, who participates in an investigation, or who engages in any other activity protected under this policy, Section 504, or the ADA. Complaints alleging retaliation for engaging in these protected rights may be filed under the above formal grievance procedure.