

**UNIVERSITY OF HOUSTON SYSTEM  
ADMINISTRATIVE MEMORANDUM**

**SECTION: General Administration**

**NUMBER: 01.D.09**

**AREA: Legal Affairs**

**SUBJECT: Student Academic Adjustments/Auxiliary Aids Policy**

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**1. PURPOSE**

- 1.1. The University of Houston System (“System”) adheres to the mandates of the [Rehabilitation Act of 1973](#), the [Americans with Disabilities Act of 1990](#), and the [ADA Amendments Act of 2008](#), as applicable. The System has developed this Student Academic Adjustments/Auxiliary Aids Policy (“Policy”) to assist with the submission and processing of student academic adjustments/auxiliary aids requests. This Policy applies to students within each of the five units (the System and the four universities) who have a disability as defined by this Policy as well as federal and state law.
- 1.2. The System does not discriminate on the basis of disability against students in any program, service or activity offered by the System. The System is committed to ensuring that no student with a disability is excluded, denied services, segregated or otherwise treated differently than other students because of the absence of a reasonable academic adjustment/auxiliary aid.
- 1.3. It is the policy of the System that all students who have a disability are afforded equal academic opportunities in compliance with federal and state laws. The System, in keeping with its values and goals, provides reasonable academic adjustments/auxiliary aids to students with disabilities that are currently manifested.

**2. DEFINITIONS**

- 2.1. Student With a Disability – A student who 1) has a physical or mental impairment which substantially limits one or more major life activities, 2) has a “record of” such impairment, or 3) is regarded as having such an impairment.
- 2.2. Major Life Activity – Functions which include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating, or the operation of a major bodily function (including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions).

- 2.3. Reasonable Academic Adjustments/Auxiliary Aids – Reasonable Academic Adjustments are modifications to academic requirements that are necessary to ensure that such requirements do not discriminate or have the effects of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that are essential to the instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

Reasonable Auxiliary Aids may include, but are not limited to, taped texts, interpreters or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions.

- 2.4. Undue Burden/Hardship – Any academic adjustment/auxiliary aid that would result in a significant financial or administrative burden or expense. Factors to consider in determining an undue burden/hardship include: 1) the overall size of the program or activity with respect to the number of employees, number and type of facilities, and size of budget; 2) the type of operation, including the composition and structure of the workforce; and 3) the nature and cost of the accommodation needed.
- 2.5. Fundamental Alteration - Any academic adjustment/auxiliary aid that would fundamentally affect or change the nature of a program or course being taught or that fundamentally alters the essential requirements of instruction or course requirements.
- 2.6. Substantial Limitation – An impairment or restriction whereby a student cannot perform one or more Major Life Activities, or is hindered as to the condition, manner or duration under which a student can perform one or more Major Life Activities as compared to the average student in the general performance of the affected activity.
- 2.7. ADA/504 Coordinator – The person who is designated to coordinate efforts to comply with and implement this Policy pursuant to the Americans with Disabilities Act and Section 504 of the Rehabilitation Act. The ADA/504 Coordinator is available to discuss options, provide support, explain University policies and procedures and provide education on relevant issues. The ADA/504 Coordinator may designate one or more Assistant ADA/504 Coordinators. To find the ADA/504 Coordinator for each campus, please visit: <http://www.uh.edu/legal-affairs/equal-opportunity/ADA-504/>.

- 2.8 Student Disability Services Office – An office established at each component institution that assists in providing accommodations and support services to Students with Disabilities.
- 2.9 Student Disability Services Director/Manager – The person who is the designee of the component institution’s student disability services office that has the authority to determine a student’s disability status. This person may determine the presence of a disability without corroborating documentation, if the nature and extent of the disability is evident.

3. CONFIDENTIALITY

Records or information obtained as part of the accommodation request process that reflect diagnoses, evaluation or treatment of a student’s medical or mental health condition are confidential and shall be maintained by the University’s Student Disability Services Office. Such records or information shall be shared with only those System or University officials who the University’s Student Disability Services Office and/or the System’s General Counsel or their designee determines have a “need to know” such information and/or the content of such records in order to evaluate and/or implement the academic adjustments/auxiliary aids request, and such records shall not otherwise be released to anyone except as required by law.

4. INSTRUCTOR RESPONSIBILITIES

- 4.1. Each course instructor and any individual who teaches a course at any component or teaching center within the University of Houston System, has an obligation to be aware of the System’s policies and procedures regarding equal educational opportunities for students. An instructor may contact their University’s Student Disability Services Office Director/Manager or their designee with questions or concerns. It is the responsibility of each instructor’s Department Chair to ensure that all instructors, i.e. faculty, teaching assistants, lecturers, and others involved with the instructional responsibilities, know and understand their obligations with regard to this policy. Failure to follow the procedures of this Policy may be considered a violation of this Policy and may result in disciplinary action.
- 4.2. The System also requires that each instructor informs their classes at the beginning of each semester of the instructor’s willingness to reasonably assist Students with Disabilities. The instructor will provide the class with the contact information of the University’s student disability services office. Furthermore, the System suggests that all course syllabi contain the following statement:

*The University of Houston System complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for students who have a disability. In accordance with Section 504 and ADA guidelines, [enter name of component institution here] strives to provide*

*reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please contact [enter the name and contact information of the component institution's Student Disability Services Office here].*

## 5. ACADEMIC ADJUSTMENTS/AUXILIARY AIDS REQUESTS

### 5.1. **Step One: Student Meeting With Student Disability Services Office**

- 5.1.1. A Student with a Disability who wants to request academic adjustments/auxiliary aids must first contact the University's Student Disability Services Office to schedule a meeting with the office. Only students who schedule and meet with a representative of the office will be considered for academic adjustments/auxiliary aids. The meeting may be in person, telephonic or electronic. The University's Student Disability Services Office will establish a student file.
- 5.1.2. Two business days before the meeting, the student may be required to provide current documentation of a disability from an appropriately licensed professional that clearly identifies the nature of the disability and how the disability affects a Major Life Activity. The student is responsible for any costs necessary to provide the appropriate documentation from the professional. Please refer to the component institution's student disability services web site for additional information regarding documentation.

With written student authorization, the University's Student Disability Services Office may obtain, at the University's expense, an independent medical opinion concerning the disability for which the student seeks an academic adjustment/auxiliary aid, including additional suggestions or recommendations regarding Reasonable Academic Adjustments/Auxiliary Aids. A student's failure to grant such authorization may result in a denial of the student's request.

### 5.2. **Step Two: Completing the Academic Adjustments/Auxiliary Aids Accommodation Form**

- 5.2.1 A student who seeks an academic adjustment/auxiliary aid must complete an Academic Adjustments/Auxiliary Aids Accommodation Form ("Accommodation Form") with the University's Student Disability Services Office.
- 5.2.2 If the institution has implemented an electronic (on-line) system for processing accommodation forms, all accommodation forms(s) will be processed through that system. If an electronic system is not available at

the institution, or if a circumstance prevents its utilization (as determined by the institutions ADA/504 Coordinator), the student's form will be processed using the approved written/printed accommodation form. This form can be accessed at the University's Student Disability Services Office.

- 5.2.3 Once the student and the University's Student Disabilities Service Office have completed the accommodation form, the student will sign the accommodation form (either electronically through the on-line system or on the written/printed form). The Student Disability Services Office will forward the form to the Academic Accommodations Evaluation Committee ("AAEC") for their review.

5.3. **Step Three: Academic Accommodations Evaluation Committee**

- 5.3.1. The AAEC is charged with evaluating student academic adjustments/auxiliary aids requests presented through the accommodation form developed by the student with the support of the University's Student Disability Services Office. The AAEC will evaluate all initial and revised forms for academic adjustments/auxiliary aids.
- 5.3.2. The University's Senior Vice President for Academic Affairs and Provost (or comparable administrator) will appoint the AAEC (including the chairperson), which will be comprised of no less than three faculty and/or staff members who have professional expertise in relevant areas (e.g., learning disorders, sensory disorders, on-line education, special education, etc.). The Director/Manager of the University's Student Disability Services Office will also be appointed as a voting member. The AAEC will meet prior to the start of each semester and on a regular schedule thereafter to review qualifying documentation in a timely manner.
- 5.3.3. Based on a careful and rational review of the student's qualifying documentation, the AAEC will consider recommendations regarding the accommodation form. The AAEC may:
- 1) Recommend the requested accommodation without modification;
  - 2) Deny the student's requested accommodation; or
  - 3) Recommend an alternative accommodation.

The AAEC recommendation will be based on a majority vote and the recommendation will be made within five business days from reviewing the student's qualifying documentation. The AAEC will note its recommendation on the accommodation form. Notice of AAEC's recommendation will be sent to both the student and the University's Student Disability Services Office. If a paper/written form is being utilized, the University's Student Disability Services Office will notify the

student of the AAEC's recommendation within three business days of receiving the recommendation.

- 5.3.4 If the student is not satisfied with the accommodation decided by the AAEC, the student may request for the appropriate academic administrator or their designee to review the accommodation recommendation. The request to review the recommended accommodation must be made to the ADA/504 Coordinator within seven business days of the notification of the AAEC's recommendation decision. The ADA/504 Coordinator will then forward the request to the appropriate academic administrator or their designee.

In consultation with various relevant parties, the appropriate academic administrator or their designee will approve the AAEC's recommendation or recommend an alternative accommodation. The appropriate academic administrator or their designee will provide justification to the student for their decision. The accommodation recommended by the AAEC will be provided until a final decision is made by the appropriate academic administrator or their designee.

5.4. **Step Four: Student Submission**

- 5.4.1. The student is responsible for submitting the accommodation form to the instructor for whose course(s) the student intends to utilize the requested accommodation. The student is also responsible for securing the instructor's signature on the accommodation form. .

For a student using an electronic accommodation form, the student will:

- 1) Identify and select which recommended accommodation(s) they intend to utilize;
- 2) Identify and select the courses for which they intend to use the selected accommodations; and then,
- 3) Submit the accommodation form to their instructor(s).

For a student who does not have access to the electronic form, it is the responsibility of the student to:

- 1) Obtain the accommodation form(s) from the Student Disability Services Office;
- 2) Submit the form(s) to the instructor(s) for whose course(s) the student intends to utilize the requested accommodation; and
- 3) Advise the instructor(s) as to what recommended accommodation(s) are needed for the course.

- 5.4.2. Students may seek assistance from the University's Student Disability Services Office in submitting and presenting the accommodation form(s) to instructors, if needed.

5.5. **Step Five: Instructor/Instructor's Supervisor Decision**

- 5.5.1. The instructor is strongly encouraged to provide a recommended academic adjustment/auxiliary aid whenever possible. Within seven business days of receipt of the accommodation form, the instructor must decide to either:
- 1) Accept the AAEC's recommendation and provide the accommodation;
  - or,
  - 2) Deny the AAEC's recommendation.

If no action is taken and a decision is not made by the instructor within seven business days of the instructor's receipt of the Accommodation Form, the request will be deemed approved and the accommodation will be provided by the instructor.

If the instructor has any concerns regarding the requested accommodation, the instructor must request a consultation with a University's Student Disability Services Office Director/Manager or their designee so that further understanding and collaboration with the student in providing the requested accommodation can be achieved. The instructor's decision to accept the requested accommodation must be made within seven business days of the instructor's receipt of the accommodation form. The instructor must provide written notification of the decision to accept the requested accommodation to the student and the University's Student Disability Services Office.

- 5.5.2. In order to deny a recommended accommodation, the instructor must first obtain signed approval from their supervisor (e.g., the instructor's department chair, dean, or their designee). The AAEC's recommended accommodation will be implemented while the supervisor is considering the proposed denial from the instructor, until a final decision is made. The supervisor must consult with the Student Disabilities Services Office Director/Manager or their designee, prior to approving a denial. If a decision is not made by the supervisor within seven business days of the supervisor's receipt of the request form, the request will be deemed approved and the accommodation will be provided by the instructor.

If a paper/written accommodation form is being utilized, it is the supervisor's responsibility to notify the student and the University's Student Disability Services Office in writing of their decision within seven business days.

- 5.5.3. The instructor's supervisor is strongly encouraged to provide a recommended academic adjustment/auxiliary aid whenever possible. If the instructor's supervisor has any concerns regarding the requested accommodation, the instructor's supervisor must request a consultation with the University's Student Disability Services Office Director/Manager

or their designee so that further understanding and collaboration with the student in providing the requested accommodation can be achieved.

If a supervisor approves a denial of a recommended academic adjustment/auxiliary aid, the supervisor will attempt to facilitate a reasonable accommodation with the assistance of the student, instructor, Student Disability Services Office Director/Manager or their designee, and the AAEC Chairperson. If an agreement is not reached by the student and instructor, the supervisor will notify the ADA/504 Coordinator of such, who will find a reasonable accommodation within seven business days of the supervisor's notification. The ADA/504 Coordinator will provide justification to the relevant parties for their decision.

- 5.5.4. The instructor shall notify their supervisor if an instructor implements an academic adjustment/auxiliary aid and later believes that the accommodation may have become an undue burden/hardship and/or a fundamental alteration. If after consulting with the Student Disabilities Services Office Director/Manager or their designee, the instructor's supervisor cannot resolve the issue, or if the instructor's supervisor agrees with the instructor, then the instructor's supervisor shall contact the student, the University's Student Disability Services Office Director/Manager or their designee, and the AAEC Chairperson to attempt to find a reasonable accommodation. If an accommodation is not reached and agreed to by the student and instructor, the supervisor will notify the ADA/504 Coordinator of such, who will evaluate the matter and find a reasonable accommodation, if necessary. The ADA/504 Coordinator will notify the parties in writing of the final decision within seven business days of the notification by the supervisor. The ADA/504 Coordinator will provide justification to the relevant parties for their decision. The AAEC's recommended accommodation will continue to be implemented throughout this process.
- 5.5.5. An instructor who implements an academic adjustment/auxiliary aid and the student may be asked to provide information to the University's Student Disability Services Office and to the AAEC regarding both the manageability and effectiveness of the accommodation(s) at the end of the semester. This may be accomplished by periodic surveys. Students, instructors and instructor's supervisors are also encouraged to provide suggestions for possible improvements.
- 5.5.6. If the student or instructor is not satisfied with the accommodation decided by the ADA/504 Coordinator, either the student or the instructor may request the appropriate academic administrator or their designee to review the accommodation. The request to review the accommodation must be made to the ADA/504 Coordinator within seven business days of the notification of the ADA/504 Coordinator's decision. The ADA/504



Coordinator will then forward the request to the appropriate academic administrator or their designee.

In consultation with various relevant parties, the appropriate academic administrator or their designee will approve the ADA/504's decision or recommend an alternative accommodation. The appropriate academic administrator or their designee will provide justification to the student for their decision. The accommodation decided by the ADA/504 Coordinator will be provided until a final decision is made by the appropriate academic administrator.

6. REVIEW AND RESPONSIBILITY

Responsible Party: Vice Chancellor for Legal Affairs and General Counsel

Review: Every three years on or before August 31

7. APPROVAL

Approved: Dona Cornell  
Vice Chancellor for Legal Affairs and General Counsel

Renu Khator  
Chancellor

Date: December 4, 2015

**REVISION LOG**

Revision Number	Approval Date	Description of Changes
Interim	11/29/2012	Initial version (submitted as Interim)
1	05/22/2013	This SAM is being submitted for review and approval to the Interim designation. Section 5.1.2 was revised to “the student may be required to provide documentation” per the new ADAAAA Law. Added links to Section 5.1.2 and Section 5.2. In Section 5.3.3 and Section 5.4, changed “decisions” to “recommendations.” Rewrote Section 5.6 on Student Appeals, adding eleven (11) subsections of documentation

Revision Number	Approval Date	Description of Changes
Interim	08/13/2013	<p>Added Section 2.6 on ADA/504 Coordinator, and added position to text as applicable. Changed Section 5.1.2 to two business days, and added a web site on student meetings. Changed title of Academic Adjustments/Auxiliary Aids Request Form throughout text and in Section 5.2. Changed Section 5.3.3 to five business days for reviewing the student's file. Added information to Section 5.5.1 on the instructor/official decision. Added information on notification of denial of request within five business days to Section 5.5.3. Changed Section 5.6 from "Student Appeals" to "Appeals." Revised process for appeals in Section 5.6.1. Changed Section 5.6.10 concerning notification of an attorney's appearance during a student appeal</p>
2	12/04/2015	<p>This SAM is being submitted for review and approval to remove the Interim designation. Revised Section 2.1, 2.2, 2.3, and 2.4 definitions to reflect current operating requirements. Added Section 2.5 definition regarding Fundamental Alteration, Section 2.8 definition of Student Disability Services Office, and Section 2.9 definition of Student Disability Services Director/Manager. Capitalized Student Disability Services Office throughout text. Changed Section 4 to Instructor Responsibilities. Added Student Disability Services Office Director/Manager or their designee to Section 4.1, and removed AAEC and ADA/504 Coordinator as contact for instructor questions. Revised course syllabi statement in Section 4.2. Indicated use of the component's student disability services web site regarding documentation in Section 5.1.2. Changed Academic Adjustments/Auxiliary Aids Request Form to an Accommodations Form in Section 5.2 and throughout text. Updated process for signature to either electronic online system or on printed form in Section 5.2.3. Added Director/Manager of Student Disability Services Office as a voting member on the AAEC in Section 5.3.2. Added Section 5.3.4 on the process regarding alternative accommodation for students. Updated Section 5.4.1 regarding process for receiving instructor's signature on student submission in Section 5.4.1, and removed Section 5.4.2. Updated process in Section 5.5.1 regarding actions taken after seven business days, and also updated process for denying a recommendation accommodation in Section 5.5.2. Added recommendation in Section 5.5.3 for instructor's supervisor to provide a requested accommodation. Added process for ADA/504 Coordinator to notification of final decisions in Section 5.5.4. Added Section 5.5.6 on review if accommodation is not deemed feasible, and recommendation of an alternative accommodation. Removed Section 5.6 on Appeals</p>