

# ADA HANDBOOK

## Students, Faculty, and Staff

September 2018

This handbook provides a comprehensive overview of our policies, procedures and services offered through the Office for Accessible Education (OAE) for faculty, staff and students. If you have any questions, or would prefer the handbook in an alternative format, please [contact us](#).

### **Mission Statement**

Providing access to a diverse student population is embedded in the philosophy of Loyola. We recognize disability as an aspect of diversity that is integral to society and to the campus community. To this end, the OAE collaborates with students, faculty, staff, and community members to create usable, equitable, inclusive and sustainable learning environments. We promote and facilitate awareness and access through training, partnerships, innovative programs and accommodations.

### **Operating Statement**

OAE determines eligibility for services and reasonable accommodations through a collaborative process between the student, faculty, and OAE staff. Our services are designed to encourage independence, backed by a comprehensive system of supports. Students are expected to articulate their accommodation needs directly to faculty and administrators. In instances where the student requests are met with questions or concerns regarding provision or appropriateness of the recommended accommodations, OAE staff will communicate directly with faculty. Students are expected to adhere to all published deadlines, procedures, and policies for the provision of services.

### **Expectations Statement**

All students attending Loyola, whether or not they have a disability, typically face challenges associated with attending a selective and competitive university in an urban setting. Students with disabilities at Loyola must be able to function as independently as possible and to seek appropriate assistance in a reasonable and timely manner. University resources and staff cannot meet all of a student's needs associated with managing a disability. Students with disabilities must follow appropriate health regimens (e.g., medication compliance) secure appropriate medical and therapeutic assistance from qualified practitioners, and arrange necessary personal services (e.g., transportation, individual monitoring of needs, financial assistance, personal care) that Loyola does not provide. Students who are provided reasonable accommodations must also be able to function in their academic and residential environments. They must meet the requirements and expectations of their academic programs, follow established guidelines and procedures for securing and remaining in residential living spaces, and adhere to the University's student conduct and discipline codes.

### **Accessibility: The Key to Equal Opportunity**

Loyola University New Orleans, in accordance with applicable Federal and State laws and university policy, does not discriminate on the basis of disability.

Equal educational opportunity is required by federal and state law, including the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008. Under federal law, a person with a disability is one who: 1) has a physical or mental impairment that substantially limits one or more major life activities; 2) has a record of such impairment; or 3) is regarded as having such an impairment. Individuals seeking reasonable accommodations for academic programs should contact the OAE.

## **Rights and Responsibilities**

### *STUDENT RIGHTS AND RESPONSIBILITIES*

Every qualified student with a documented disability or disabling condition has the right to:

- A timely intake assessment to determine reasonable accommodation eligibility.
- Equal access to University courses, programs, services, activities and facilities with or without reasonable accommodation.
- Reasonable accommodations, as determined on a case-by-case basis through an interactive process between the student and the University.
- Appropriate confidentiality of all information pertaining to his/her disability.

Every student with a documented disability or disabling condition has the responsibility to:

- Meet the University's qualifications and academic standards for participation in programs and activities.
- Identify him or herself to appropriate University personnel as a student with a disability.
- Follow the reasonable accommodations eligibility determination procedures outlined in this handbook.
- Provide documentation from a qualified professional source that verifies the nature of the disability, the functional limitations resulting from the disability, and the need for specific requested accommodations.
- Recognize that accommodations cannot be provided, regardless of eligibility, until the eligibility determination process is completed.

### *INSTITUTIONAL RIGHTS AND RESPONSIBILITIES*

Loyola University New Orleans has the right to:

- Set and maintain the University's academic standards.
- Request current, comprehensive documentation to verify a student's need for reasonable accommodations in the University setting.
- Discuss a student's need for reasonable accommodations with the professional source of his/her documentation (with the student's signed consent authorizing such discussion).
- Discuss the nature of course, curriculum, program or degree requirements with University personnel responsible for the particular course, curriculum, program or degree.

- Share information regarding a student's disability with University faculty and administrative staff on a need-to-know basis, in order to facilitate the interactive reasonable accommodation process.
- Designate a student's accommodations from a range of equally effective reasonable accommodations.
- Periodically review recommended reasonable accommodations to ensure their continued reasonableness in a particular classroom setting or environment.
- Deny a request for a specific accommodation if documentation is inadequate or not provided in a timely manner, or if an equally effective accommodation is being offered.
- Deny a request for a specific accommodation if the accommodation is unreasonable or inappropriate including any that pose a direct threat to the health and safety of the student or others, fundamentally alter a course or program, or are considered an undue burden.

Loyola University New Orleans has the responsibility to:

- Determine and provide reasonable accommodations in a timely manner for eligible students with disabilities.
- Provide information regarding policies and procedures to students with disabilities in a timely manner and in a reasonably accessible format.
- Evaluate students' academic progress as fairly as possible, without altering the academic standards for each course.
- Maintain appropriate confidentiality of records and communication concerning students with disabilities (except where disclosure is authorized by the student or required by law).
- Coordinate with faculty and staff to ensure recommended accommodations are reasonable on a case-by-case basis in each particular situation and if so, that such accommodations are implemented.

### **Intake and Registration**

All students with disabilities who are interested in attending Loyola must complete the regular admission process prior to accessing OAE services.

Any otherwise qualified student with a documented disability may be eligible to receive services through OAE. In order to access OAE services, a student must (a) be either currently enrolled at Loyola or admitted to Loyola and about to attend; and (b) complete the intake and registration process, which includes: completing an online registration form or meeting an OAE staff member in person and presenting appropriate, current documentation supporting the student's status as a qualified individual with a disability and their need for accommodation.

The purpose of accommodations is to reduce or eliminate any disadvantages that may exist because of an individual's disability. The law does not require OAE to waive specific courses or academic requirements considered essential to a particular program or degree. Modifications that do not fundamentally alter a course or program are made on a case-by-case basis. Students who want to access services must self-identify and provide appropriate verification of their disability. Eligibility for reasonable accommodations will be determined on an individual basis.

During the intake and registration process, the student will participate in an individualized assessment based upon the student's expressed needs and the documentation of disability the student presents. Determination of reasonable accommodations is an interactive process between the student, the faculty, and OAE. All new and updated requests will be reviewed and responded to within ten (10) working days. Once determined eligible for registration, an Accessibility Counselor will work with the student to develop a reasonable accommodation plan.

### **Documentation of a Disability**

In order to qualify for services and accommodations, a student must provide appropriate documentation of the student's disability to OAE. OAE will maintain a copy of these records for seven (7) years after the student has left the University. Appropriate documentation will assist in determining reasonable accommodations.

Documentation must be recent enough to demonstrate the current need for reasonable accommodations. The description of functional limitations provided in the documentation must specifically state how the disability and/or related medications or treatments substantially limit current participation in courses, programs, services, or activities of the University. The cost of obtaining appropriate documentation is the responsibility of the student. If the documentation is incomplete or inadequate to support a request for accommodation, additional documentation may be required. In such cases, the cost of providing any additional documentation will be the student's responsibility.

### **Confidentiality of Records**

Student OAE files are confidential and are not part of a student's educational record (as defined by the Family Educational Rights and Privacy Act (FERPA)) at Loyola. Information about a student's disability is not shared with anyone without the student's written consent, except on a need-to-know basis as defined by FERPA.

### **Disclosure of Disability**

Often, students disclose their disability status directly to OAE, but sometimes students may disclose directly to their instructors and/or request specific accommodations from them. However, in order to receive academic accommodations, students must identify themselves directly to OAE as a student with a disability. If a student discloses their disability to instructors and/or requests academic accommodations from them, the instructors should refer the student to OAE for reasonable accommodation eligibility determination. Faculty members are not required to honor a student's accommodation request before they receive reasonable accommodation eligibility verification from OAE. Requests for accommodations must be made in a timely manner so that appropriate evaluation of and planning for the request can take place, including consultation between OAE and faculty/staff if necessary. Faculty and staff are not responsible for retroactively accommodating a student who has not previously disclosed a disability and made a request through OAE for an accommodation in a timely fashion.

Students who complete the intake and eligibility process are advised to submit a request every semester through the Clockwork Student Portal to notify their faculty of their eligibility for reasonable accommodations. Students need not disclose the specific nature of their disability to instructors. Students are advised against sharing documentation directly with faculty, as faculty are not required to be knowledgeable about disability regulations and accommodation options. As such, faculty are not responsible for interpreting, evaluating, or responding to disability documentation.

## **Accommodations and Services**

OAE assists students in obtaining reasonable accommodations and auxiliary aids. OAE also provides assistance with issues related to on-campus housing, accessibility, transportation services, and advocacy. Academic accommodations for qualified students may include, but are not limited to: extended testing time, interpreters, note-taking services, scribes, alternative media formats for coursework, and assistive technology services.

OAE also assists students in arranging services not required by law, on a case-by-case basis and as resources allow, as a part of a comprehensive program. Such services may include learning skills assistance, support groups and referral services.

### ***The following accommodations are available:***

#### ***Accessibility to Programs/Facilities:***

To request an accommodation for a University-sponsored program or event, please contact the department responsible for the event at least 14 days in advance.

#### ***Access to Adaptive Equipment and Assistive Devices:***

OAE may provide software licenses to assistive technology and other equipment to individual students, as available. Computer lab rooms in the Monroe Library contains adaptive technology. Software available includes comprehensive screen reading programs (Kurzweil 300+firefly), audio note-taking program (e.g. Sonocent Audio Notetaker). Other available software may be recommended on a case-by-case basis. Please contact your Accessibility Counselor to learn which version is currently being used by the University.

#### ***Alternate Media: See Section on Alternate Media Policy:***

#### ***Attendant Care:***

OAE does not provide attendant care for students, although OAE does assist students in securing additional housing space for certified attendants if necessary. It is the student's responsibility to secure the services of certified attendant care and make all necessary arrangements, including payment for such services. OAE will assist a student's certified attendant in accessing housing, dining, and entry to university buildings, as appropriate.

#### ***Digital Recording of Classes:***

Students with a documented need to digitally record a class must sign a Recording Lectures Agreement Form. Faculty members will be notified of this reasonable accommodation via a student's Course Accommodation Record (CAR). If a faculty member objects or raises confidentiality or copyright concerns regarding this practice, OAE will first work with the instructor to determine if the accommodation will create a fundamental alteration to the course requirements or an administrative or financial burden to the university. If either of those outcomes are determined to be possible, OAE will work with the faculty member and the student to attempt to find an equally effective reasonable accommodation alternative to recording the lecture.

*Alternative Media Formats:*

Students with a documented need for alternative media formats for their course documents must first meet with their Accessibility Counselor to determine that alternative formats are a reasonable and appropriate accommodation. Students who are eligible for this service must request this service every semester in a timely fashion. Please refer to the Alternative Media Formats Policy for more information.

*Course Substitutions:*

Course substitutions may be reasonable accommodations for some students with disabilities, provided that: 1) documentation of disability clearly supports any request for substitution and 2) the essential requirements of the University's program are not compromised. Student requests for course substitutions are evaluated on a case-by-case basis.

*Equipment Loan:* See "Access to Special Adaptive Equipment and Assistive Devices".

*Examination Accommodations:* See Section on "Accommodated Exam Policy"

*Housing Accommodations:*

OAE collaborates with the Office of Residential Life in providing appropriate reasonable accommodations for students with disabilities who live on campus. These accommodations are made on the basis of availability, and must be made as far in advance as possible or upon onset of disability.

*Interpreting/CART Services:*

Depending on the nature of a student's hearing disability, OAE may provide a sign language interpreter or computer assisted real-time translation (CART). A sign language interpreter or CART may be provided for any activity directly related to a student's academic program. Students requesting this accommodation must contact their Accessibility Counselor as soon as possible to discuss eligibility for these accommodations. Students must request sign language interpreting or CART services for a specific class or event in a timely manner to ensure availability. Students may receive a transcript from the CART provider in a timely manner after the event.

Students are required to notify OAE if they are unable to attend class so that the interpreter/reporter may be cancelled for the day. If students do not notify OAE in a timely manner, this accommodation may be subject to review or suspension. Students are also responsible for notifying OAE if sign language or CART service is not satisfactory, or to discuss any other concerns.

*Laboratory Assistants:*

Student lab assistants may be provided to students as part of a reasonable accommodation, to assist with physical manipulations in the lab when appropriate. This service must be requested and reviewed by OAE and the student on a case-by-case basis.

### Modified Attendance & Modified Assignment Deadlines:

Requests for modified attendance or assignment deadline policies are evaluated on a case-by-case basis, taking into account the nature of the disability, the essential requirements of the course, and any reasonable alternatives.

These accommodations must be an appropriate response to a disability-related need without compromising academic standards or fundamentally altering the curriculum. Thus, these accommodations may be deemed not reasonable in courses where participation is essential, where the student is supposed to be gaining a given number of hours of experience within a specified time period, where skills are taught and evaluated sequentially, where the nature of the program is an accelerated one or where ongoing feedback is provided.

If a student is approved for either of these accommodations, the instructor will first need to certify the reasonableness of implementation for that specific course by completing and submitting the related form to OAE in a timely manner. Other options such as taking an incomplete or withdrawing from the course may be more appropriate alternatives in some cases.

### Success Coaches:

OAE provides success coaches to assist students in developing compensatory learning skills and strategies. Success coaches assist students with the development of appropriate study, note taking, and time management skills to help students improve their writing, organizational, and study skills.

### Course Accommodation Records (CAR):

Students may request that OAE notify their instructors of the recommended reasonable accommodations. The CAR states that the student is registered with OAE, although the specific nature of the disability is not disclosed. Students are encouraged to follow-up directly with faculty about their requested accommodations. Accommodations outlined in the CAR may require further consultation among OAE, the faculty, and the student. In these cases, the nature and extent of the accommodations originally recommended may be amended.

### Notetaker Services:

OAE may recommend that a student with a qualifying disability be permitted the use of a notetaker for in-class lectures as a reasonable accommodation. At Loyola, this accommodation is provided primarily via individual student licenses for Sonocent Audio Notetaker software. If a student has a specific need for a peer notetaker, the student must identify this need in writing to OAE. No peer notetakers will be provided without OAE approval.

The appropriateness of a notetaker must be discussed with the student's Accessibility Counselor each semester and for each class in which a notetaker is desired. Notetakers are hired per class and not per student. Once a notetaker has been hired for a class, the requesting student will be notified and can expect to obtain notes at least once a week. Requesting students will alert their Accessibility Counselor if they are not receiving their notes in a satisfactory manner. If students fail to use their notetaking accommodation appropriately, they may be in jeopardy of losing their notetaking accommodation. Any questions or concerns about notetaker procedures and policies should be directed to OAE.

### Reduced Course Load:

Students with disabilities with or without reasonable accommodations are expected to complete the same course and credit load and meet the same graduation requirements as students without disabilities. However, in some cases, less than full time enrollment may be a reasonable accommodation.

### Scribing Services:

Student scribes may be provided to students with disabilities as part of a reasonable accommodation during exams or for homework assignments, as appropriate. This service must be requested by the student and reviewed by OAE and the student each semester and on a case-by-case basis.

### Support Groups/Workshops:

OAE periodically offers support groups and/or workshops for students with similar types of disability or for students with similar disability-related issues (e.g., career planning, advocacy skills improvement). Participation in any support group or workshop is voluntary and confidential.

### Transportation:

Accessible campus transportation services are available to students with disabilities that make navigating the campus terrain difficult. Eligibility for this service is determined by OAE and the student. Students who feel they are in need of this service should alert OAE as soon as they are aware of their need, or if their needs change. Students with disabilities may be eligible for a Loyola Campus Parking Permit as an accommodation if they have a valid Temporary or Permanent Disability Placard from the Department of Motor Vehicles.

### Tutoring Services:

All students, including students with disabilities, may schedule tutoring services through the Student Success Center located on the 2<sup>nd</sup> floor of the Monroe Library.

### Auxiliary Aids:

Please contact OAE for a list of definitions of Auxiliary Aids and Services at (504) 865-2990 or [oe@loyno.edu](mailto:oe@loyno.edu)

### **Alternate Media Formats Policy**

- Eligibility for this service is determined by OAE and is based in part on the disability documentation provided by the student.
- Receiving materials in alternative format as an accommodation will be considered and determined each semester in collaboration between the OAE staff and the student.
- Alternate media requests must be submitted by the student each semester.
- Students requesting material in alternative formats must own a physical copy of the textbook or other course material, and provide OAE with a copy of the itemized receipt before the alternate media will be distributed. It is recommended that the student purchase a new copy of the textbook, rather than a used or electronic copy.
- OAE will determine the media format for each text. Although consideration will be given to the format requested by each student, if OAE considers the requested format unreasonable, one of the other formats will be used.

- Alternative format requests for texts must be submitted to OAE as soon as the student is aware of the need. OAE will make a reasonable effort to process these requests within 3 weeks from date of the request submission; however turnaround times for alternative format requests are determined on a case-by-case basis. Upon review of material to be formatted and converted, the OAE will notify the student of the projected completion date. Late requests will be honored provided that the student making the request understands that the OAE will set the timeline for the completion of the work accordingly. The same guidelines stand for course materials submitted throughout the semester.
- Alternative format requests for materials provided by the faculty throughout the semester must be submitted to OAE as far in advance of their use as possible to ensure that they are available to student with disabilities at the same time the same materials in non-alternative formats are available to students without disabilities. Students should speak with their faculty at the beginning of each semester about these types of materials and faculty members will be responsible for complying with the deadlines.
- Students will be provided with one alternative format copy for each material required for academic use. The student may not copy or reproduce any material provided by OAE, (Fair Use Act excepted) nor allow anyone else to do so. Misuse of this material may result in disciplinary action by the University. These actions will be treated as copyright infringement and/or theft and dealt with in the same manner as laid out in Loyola's Summary of Copyright, Photocopy and Media Reproduction Policy under the Non-Academic Student Conduct Code.
- Loyola faculty members who expect students with disabilities to have access to and knowledge of standard print materials must submit these materials to OAE ten (10) working days before their initial intended use.
- Student questions regarding the provision of alternative media formats should be addressed directly to OAE staff at (504) 865-2990 or [oea@loyno.edu](mailto:oea@loyno.edu).

### **Accommodated Exam Policy**

Students with disabilities may receive exam accommodations determined on an individual basis. "Exam," used in this context, refers to quizzes and examinations taken during the semester in conjunction with an academic class. Students eligible for exam accommodations are able to take their exams with accommodations in class with their faculty or in the faculty's office, when feasible. When not feasible, OAE may proctor accommodated exams. Faculty will be notified of a student's registration with OAE. It is the student's responsibility to verify with his or her faculty that they have received said notification. In those cases where faculty is unable to accommodate a student's request for exam accommodations, a student can arrange to take his or her exam with OAE.

Students should discuss their specific needs for exam accommodations (e.g. extended time, assistive technology, reduced distraction environment; use of a computer, etc.) with their Accessibility Counselor as early in the semester as possible.

OAE authorizes and/or provides exam accommodations for students who present appropriate documentation supporting such needs. Exam accommodations include, but are not limited to: extended time, a distraction-reduced room, use of a computer, use of auxiliary aides such as scribe or reader, use of assistive technology, permission to have food, and restroom breaks.

## Procedures

### Accommodation Agreement:

Once it is determined that a student will receive reasonable accommodations, they are asked to review the terms of this handbook, our grievance procedures, any additional relevant agreements for licenses or specific to certain accommodations and then indicate their understanding and agreement through the Clockwork Student Portal. These policies are not intended to replace other University guidelines and expectations, including the University Academic Honor Code.

### Required Testing Contracts:

Undergraduate and Graduate students: Before OAE can proctor an exam, the student and faculty are required to fill out an electronic testing contract through the Clockwork Portal. This informs OAE that the Instructor is aware that the Student will be taking an accommodated exam with OAE. It also provides OAE with instructions from the Instructor about the exam. OAE cannot schedule any exam without a completed testing contract. OAE will follow the instructions on the testing contract unless the Instructor notifies OAE otherwise. Students and Instructors must abide by the terms of the testing contract.

Law students: Law students/faculty are not required to fill out testing contracts; proctoring information is distributed through the College of Law.

### Scheduling Tests/Quizzes:

Undergraduate and Graduate students: All tests and quizzes must be scheduled at least two (2) business days in advance using the Clockwork Student Portal. OAE cannot guarantee the student an exam appointment if not provided with this advance notice. Midterm and Final exams must be scheduled at least seven (7) business days in advance through the Clockwork Student Portal. If there are any issues with access to the portal, it is the responsibility of the student to request the accommodation from OAE and the Instructor in writing via email to ensure all parties are properly notified according to the respective deadline. If the student's accommodations include reading or writing assistance, or the use of assistive technology, please inform OAE of this when you schedule your exam.

Law students: all exam appointments are scheduled through the College of Law.

### Pop Quizzes:

Please have your faculty contact us if pop quizzes are part of the course.

### Delivering Exam Materials:

Exams are to be delivered to OAE as indicated by the Instructor on the testing contract. If the Student is required to deliver the exam, then the student must come immediately upon receipt of the exam unless alternative arrangements have been made.

Returning Exam Materials: Once the exam is completed, the Student must return the exam to the appropriate exam proctor. Professors must make arrangements for the return of all exam materials to them from the OAE.

### Finals:

Undergraduate and Graduate students: Students will receive a notice via email to sign up for their exam(s) approximately 3-4 weeks before finals. In order to facilitate the large number of exams, students must sign up by 5:00 p.m. at least seven (7) days prior to the testing date using the Clockwork Student Portal. If there are any issues with access to the portal, it is the responsibility of the Student to request the accommodation from OAE and the Instructor in writing via email to ensure all parties are properly notified according to the respective deadline. If students sign up past the due date, OAE cannot guarantee the student a time/date to take their exam in the OAE office.

Law students: The College of Law informs all students of the time and venue of final exams. In the event a student experiences a conflict with final exam times, every attempt is made to schedule accommodated exams as close to the original date as possible.

### Opening Hours and Appointments:

OAE is open from 8:45 a.m. to 4:30 p.m. Monday through Friday. All exams must end before closing. If students require proctoring services beyond regular office hours they must make arrangements a minimum of two weeks prior to the scheduled exam with their faculty and OAE.

Students must be on time for exams. If a student arrives late for an exam, the amount of time may be deducted from the accommodated time. For instance, if the exam is scheduled to begin at 9:30 and the student arrives at 10:00, 30 minutes may be deducted from the accommodated exam time.

### Proctoring:

Proctors observe the tests to ensure security and the integrity of exams. All students who take exams under the supervision of OAE staff agree to follow the instructions of the proctor, the University Honor Code and conduct themselves in a responsible and respectful manner. OAE staff will proctor exams with the use of video monitoring. Students cannot leave the exam center without permission or exams may be terminated and the professor notified.

If the student receives reading or writing assistance during exams as a reasonable accommodation, it is the student's responsibility to notify OAE of this when signing up for the accommodated exam. Failure to give OAE at least two weeks advance notice may result in the student not receiving this accommodation for the exam. If students require clarification of test questions, OAE staff will assist them in contacting faculty.

At the beginning of an exam, OAE staff will inform students of the start time, scheduled end time, and the total amount of time the student has to complete the exam. At the end of the exam, OAE staff will collect all materials from the student. The student must stop working on his or her exam and return all materials at the end of the accommodated time and/or if directed to by an OAE proctor. If a student refuses to turn in exam materials, OAE staff will inform the student of possible exam policy violation; notice will be given to the faculty, and an Academic Honor Code Incident Report may be filed.

### Academic Honesty During Accommodated Exams:

It is expected that all students will adhere to the University's Academic Honor Code during accommodated exams (students enrolled in the College of Law, and distance learning and/or online courses will be subject to OAE policies as well as supplemental policies set forth by their program). Unless otherwise stated, no books, notes, electronic devices (e.g. cell phones, iPods, etc.) or any other unauthorized materials may be used during an exam. If a student is observed or suspected of using unauthorized materials or electronic devices during an exam, the exam will be immediately stopped, the student's Instructor will be notified and an Academic Honor Code Incident Report may be filed by OAE. The student must also meet with his/her Accessibility Counselor before taking any future accommodated exams in OAE. Students who violate OAE exam policy may be subject to alteration or forfeiture of their exam accommodation privileges, and may also be subject to sanctions outlined by the Academic Honor Code.

### **Service Animal Policy**

Loyola is committed to compliance with state and federal laws regarding individuals with disabilities. The Office for Accessible Education (OAE) is committed to supporting students who require a service animal. The following is a guide for students who request the presence of a service animal on campus.

What is a service animal? A service animal is a dog (or in some cases a miniature horse) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

The work or task that the service animal performs must be directly related to the individual's disability. Examples include assisting individuals with low vision and alerting individuals who are hearing impaired. Service animals may also be needed to retrieve items such as medicine or a telephone, recognize and assist during seizures, and prevent or interrupt compulsive or destructive behavior.

Animals whose presence provides emotional support, companionship or comfort but are not individually trained to do work or tasks in response to an individual's disability are not considered service animals. See Loyola's policy on Assistance Animals if you feel you have a disability and believe you require an assistance animal for emotional support or comfort.

Service animals are exempted from the University's policy of no animals on campus and are allowed in all places of public accommodation. This includes campus buildings, residence halls, and anywhere on campus they are needed to assist an individual with a disability to participate in educational programs and other campus activities.

Service animals must be under effective control at all times and cannot harm or threaten others in the campus community; including faculty, staff, students and guests. Consistent with federal and state law, a service animal may be prohibited from university facilities or programs if the animal's behavior or presence poses a direct threat to the health or safety of others. The animal may also be excluded from areas where its presence fundamentally alters the nature of a program or activity, if the animal is disruptive, if its presence would result in substantial physical damage to the property of others, or if it substantially interferes with the reasonable enjoyment of housing or public accommodation by others. Service animals must be housebroken and cleaned up after. Animals may only relieve themselves in designated areas as defined by Residential Life and Facilities Management. Students with service animals are encouraged to register with the OAE but not required to.

## Assistance Animal Policy

Loyola is committed to compliance with state and federal laws regarding individuals with disabilities. The following is a guide for students who request the presence of an assistance animal, as defined by applicable law, in their campus residence. Loyola abides by both state and federal law regarding its housing policies, including the following:

Under the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, “individuals with a disability may be entitled to keep an assistance animal as a reasonable accommodation in housing facilities that otherwise impose restrictions or prohibitions on animals. The assistance animal must be necessary to afford the individual an equal opportunity to use and enjoy a dwelling or to participate in the housing service or program. Further, there must be a relationship, or nexus, between the individual's disability and the assistance the animal provides.”

Assistance animals, which are defined under the Fair Housing Act, provide necessary emotional support to individuals with disabilities, and alleviate one or more identified symptoms or effects of a person’s disability, who have established the need for such an animal. Assistance animals are not required to have special training for work or tasks. The regulations permitting assistance animals pertain only to on-campus residential living facilities. Assistance animals are not permitted in non-residential facilities, including but not limited to academic buildings, offices, and classrooms.

Service animals, which are generally limited to dogs, are defined under the American with Disabilities Act and have special training to provide services or tasks for individuals with disabilities. Unlike assistance animals, they are allowed to accompany the individual with a disability in public places. If you require a service animal, please refer to the separate guidelines “Service Animals for Students with Disabilities.”

There are three requirements that need to be met in evaluating a request for an assistance animal. First, you need to establish that you have a disability that limits you in one or more major life activities as defined under state and federal law. Individuals who do not have a disability are not eligible for an assistance animal. Second, the animal must be necessary to afford you with an equal opportunity to use and enjoy your campus residence. Third, you need to provide information that demonstrates why an assistance animal is a reasonable accommodation for your disability. In other words, there needs to be an identifiable connection between your disability and the assistance the animal provides.

OAE requires you provide information from a medical professional, a psychiatrist, psychologist, social worker, or other person who is qualified to diagnose and assess your disability. They should be familiar with you and able to identify the major life activity or activities in which you experience a limitation or limitations. These healthcare professionals should also describe the connection between your disability and your need for an assistance animal, and describe how the assistance animal is of benefit. However, OAE may also consider information from other sources. If your disability is not considered permanent, you may need to reapply each academic year for continued permission to have an assistance animal.

What rules and expectations pertain to assistance animals? There are some rules that apply to assistance animals, and failure to follow them can result in the loss of permission to keep an assistance animal in your residence. The rules include:

- Assistance animals must comply with state and local animal regulations, including license and vaccination requirements depending on the type of animal. This includes animals from other countries as long as they meet any customs/federal regulations concerning animals entering the U.S.

- Assistance animals should be under effective control at all times and may not pose a danger or threat to the health or safety of other students, staff, faculty or guests.
- Assistance animals cannot fundamentally alter the nature of the University's programs, activities or operations.
- Assistance animals cannot create a nuisance to or distract from other students' use of the residence. Residence halls are places of study, so animals must not make excessive noise or cause disruption.
- Assistance animals need to be kept in clean, sanitary and safe conditions. This responsibility falls on the student and the university assumes no liability for the animal. All animals must be properly cared for which includes food, medical treatment, clean living space, etc. Abuse and neglect of animals may result in a formal complaint and possibly ultimate removal from your campus residence.
- Students are responsible for complying with all applicable laws and regulations concerning their assistance animals, including vaccination, licensure, leash control laws, cleanup rules, and animal health.
- Assistance animals do not require a deposit, but you are responsible for costs associated with any damage caused by your assistance animal. Damage includes pests (fleas, ticks) and additional wear and tear on carpets, furniture and university property.
- Assistance animals are not permitted general access to campus areas other than your residence. Assistance animals may use a designated area to relieve themselves provided they are under effective owner control at all times.
- Assistance animals may not be left in the care of another residential student overnight and/or during university breaks. Alternative arrangements must be arranged.
- Owners are responsible for properly containing and disposing of all animal waste. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and tied securely before disposing of in an outside trash receptacle. Outdoor animal waste, such as dog feces, must be immediately retrieved by the owner, placed in a sturdy plastic bag and securely tied before disposing of in an outside trash receptacle.
- Owners must ensure that preventative measures are taken at all times for flea and odor control. Consideration of others must be taken into account when providing maintenance and hygiene to assistance animals. As per housing policy, Residential Life staff inspect residential rooms during winter break and upon student move-out. If fleas or ticks are detected, the unit will be treated using an approved method and the resident will be billed for the expense.
- Assistance animals are not allowed to go on university sponsored international trips. Many countries do not have similar disability laws to the U.S., and the laws regarding assistance animals pertain only to U.S. housing accommodations and may not necessarily extend to other countries.
- Students who are approved to have an assistance animal on campus must sign an agreement with OAE, which will be on file with OAE and Residential Life. The agreement will incorporate the rules and expectations with caring for an assistance animal on campus. It will also provide an emergency contact and will name a person responsible for the animal should the student be unable to take care of the animal.

If a student fails to comply with the policies, then Residential Life will investigate any complaints and will work with OAE to resolve any issues or concerns. If a determination is made that the animal should be removed, a joint letter will be sent to the student from Residential Life and the OAE. If the student refuses to remove the animal from his or her campus residence after such a determination has been made, the issue will be referred to the Office of Student Rights & Responsibilities (OSCRR) for proceedings under the Student Conduct Code.

## Grievance Procedures

OAE strives to provide equal access and reasonable, appropriate assistance and services to qualified students with disabilities. If a student is dissatisfied with OAE policies or procedures, or with decisions made regarding disability status or accommodations, the student is encouraged to resolve the matter by speaking with their Accessibility Counselor or the Director. Equitable resolution of the matter between the parties should be sought through this discussion. If, after speaking with a specialist the student is still dissatisfied, they should initiate the informal dispute resolution procedure (if the student's specialist is the Director of OAE, the student should bypass the informal and initiate the formal dispute resolution procedure). If the student is dissatisfied with the outcome of the informal procedure, and at least one of the criteria for appeal has been met, they should initiate the formal dispute resolution procedure.

### Informal Procedure

To file a complaint related to academic accommodations, contact the Director of OAE and outline the complaint in dispute as listed below. All informal complaints will be reviewed within ten (10) working days. All informal complaints should be submitted in writing, and should include the following information:

- Name, address, and phone number of complainant
- Date(s) of alleged incident
- Parties involved
- Witnesses (if applicable)
- Specific description of allegations of discrimination and impact of alleged incident on the learning process
- Signature of complainant

For complaints related to non-academic program accommodations, contact the Program Director or Department Chair of the program involved.

### **Formal Procedure (to be followed if the above procedure does not result in satisfactory results and at least one criteria for appeal is met).**

A formal grievance must be filed within ten (10) days of the decision or incident for consideration by:

*Office of the Provost  
Marquette Hall 221  
(504) 865-3034*

The Office of the Provost coordinates the ADA-related review committee. This committee consists of a representative from the Provost's office, a faculty member, a student, and a representative from the Dean's office of the College or School in which the student is enrolled. All formal complaints will be reviewed by the committee within 30 days.

### Criteria for Appeal

A request for appeal of the informal decision will be considered if at least one of the following criteria for appeal is met:

- Procedural irregularities sufficient to affect the determination of the review committee and/or the decision of the Director of OAE or designee. The review committee and the Director of SDS or designee are expected to conduct themselves in accordance with their policies and procedures. Deviations from those policies and procedures that render their actions fundamentally unfair constitute a sufficient basis for an

appeal. Procedural irregularities that are considered by the review committee to be harmless and did not, in the judgment of the committee, adversely affect the process, are not a basis for upsetting the determination of the review committee and/or the decision of the Director of OAE or designee. The student must describe how the procedures were not followed and how the conduct meeting was not conducted fairly in light of the allegations and information provided.

- New evidence that was not reasonably available for presentation during the investigation to the review committee, the introduction of which could reasonably be expected to affect the determination of the committee. All available evidence, including testimony of witnesses, is expected to be presented to the review committee. Only on that basis can the committee render fair and reasonable decisions. A student who seeks to introduce new evidence has the burden of demonstrating that the evidence was not reasonably available at the time of the original process, and that the introduction of such new evidence can be reasonably expected to affect the determination of the committee. If the committee determines that the student has satisfied this burden, the committee will reconsider the case in light of the new evidence. The student must submit, provide and describe the new and relevant information and explain why it was not available at the time of the original complaint.
- The student's counselor is the Director of Accessible Education.

#### **Consideration of Request and Determination of Appeal**

- The committee will review the appeal request(s). The original finding and responsive actions will stand if the appeal is not timely (within 10 days of the decision) or is not based on the grounds listed above, and such a decision is final.
- Where the committee finds that at least one of the grounds is met, and proceeds, additional principles governing the review of appeals include the following:
  - Appeals decisions by the committee are to be deferential to the original decision, making changes to the finding only where there is clear error and to the responsive action only if there is a compelling justification to do so.
  - Appeals are not intended to be a full rehearing of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original complaint, and pertinent documentation regarding the grounds for appeal.
  - The Vice President of Student Affairs will normally, after conferring with the review committee, render a written decision on the appeal to all parties within 5 business days from review of the appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted.
- Any student has the right to file a complaint with the Office of Civil Rights of the U.S. Department of Education. The office will investigate and issue a Letter of Findings either supporting the student or the institution. To file a complaint with the Office of Civil Rights, please contact:

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

Telephone: 800-421-3481

FAX: 202-453-6012; TDD: 800-877-8339

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>

- Retaliation against any persons filing a complaint is prohibited under state and federal law.

### **Emergency Evacuation Procedures**

Loyola asks that persons with disabilities learn and remember features of each building they are in, including stairways, exits, phone locations, and elevator procedures. It is very important that persons with disabilities participate in all emergency drills to practice procedures. We recommend that individuals with disabilities assume responsibility in identifying several people in their classes and residence halls or office buildings who are willing to assist them in case of emergency, and discuss their needs with these individuals ahead of time. We highly encourage all students with disabilities to carry a cell phone at all times. In the event of an emergency on campus, the first step is to contact Loyola University Police Department (LUPD) at (504)-865-3434.

### **Students living in University Operated Housing**

The Office of Residential Life recommends students with disabilities to participate fully in all emergency drills. Residential Life also recommends that students disclose their needs to their floor Resident Advisor and a few select and willing floor mates and/or their Residence Hall Director, so that these individuals are aware of evacuation needs and can inform officials what assistance may be needed in the event of an emergency. Students with disabilities who would like individualized evacuation assistance in advance of a drill may contact Residential Life, OAE, or LUPD.

### **Basic Fire Techniques in the Event of a Fire Alarm:**

- Everyone should sleep with the bedroom door closed at night. A closed door will help slow the spread of fire, smoke, and heat. A person following an escape route should be sure to close the door behind him/her to slow the spread of fire.
- When the person hears the alarm, s/he should roll out of bed to the floor whenever possible, get down on hands and knees and crawl to the door and touch it. No one should stop for clothes, papers, jewelry, or other personal items.
- If after a few seconds, the person feels no heat from the door, s/he should open it just a crack to check for smoke. If no smoke is detected the person should close the door and go to the phone to dial Public Safety Dispatch at x2911. Once on the phone with Public Safety Dispatch, inform the dispatcher that the fire alarm is going off in the building you are in. Tell them who you are and where you are located, and that you are a person with a disability with limited mobility.
- Ask them if they have any information on the alarm at that time, and that with no sign of immediate danger that you are remaining in your room with the door closed. If the dispatcher knows that it is a true fire they will instruct you to the nearest fire exit stairwell to wait on the landing for emergency personnel to assist in evacuating you.
- If they have no information at that time (other than officials are on their way), hang up and wait in the room. If the phone does not work and you do not have a cell phone or another way of calling for assistance, go to the window, if possible, and gain the attention of someone below (e.g., wave arms, a colorful piece of fabric, etc.).

- If during the time in the room you begin to detect smoke or feel the door and it is now hot, call Public Safety again and get to the window. Tell them what has changed and you are near the window. If unable to contact Public Safety, again attempt to gain the attention of someone below. If possible, grab some towels or clothing and get them wet with water and shove them around the door to seal the cracks.
- Elevators should not be used when the fire alarm is going off, unless directed by emergency personnel.

*Power Outages or Inoperable Elevators:*

- In the event of a power outage or inoperable elevator in University operated housing, please contact Facilities Management at (504) 864-7490 during business hours, M-F 8:00 a.m. to 4:30 p.m., and LUPD (504) 865-3434 during all other hours of the week.
- Inform officials of the problem, and make sure they know that you are a person with a disability. Give them your name, telephone number and location in the building. Ask officials to inform you when the issue is resolved, as appropriate.
- Stay where you are. If the problem cannot be resolved immediately and you need to get out of the building for an emergency reason, contact Public Safety and tell them that you are in need of assistance.
- If the power outage or downed elevators are anticipated to last overnight, SHaRE will make the commitment to reasonably accommodate you and relocate you to another space in University Operated Housing.

**Students in Academic and Office Buildings**

The University recommends students with disabilities disclose to the professor and/or colleagues what assistance they would need during an emergency. It may also be helpful to inform select classmates as well.

*Basic Fire Techniques in the event of a Fire Alarm:*

- As appropriate, follow the basic fire techniques listed above for University operated housing.
- When the building fire alarm sounds and you are unable to evacuate safely, ask someone to inform the emergency personnel who and where you are. As appropriate, move toward a landing or exit. If possible, call LUPD at (504) 865-3434 to inform them you are a person with a disability with limited mobility needing assistance. Give your name, number, and location.

*Power Outages or Downed Elevators/Lifts:*

- Please call Facilities Management at (504) 864-7490 during business hours, M-F, 8:00 a.m. to 4:30 p.m. and LUPD at (504) 865-3434 during all other hours. Inform these offices of the particular power outage/malfunction. Give your name, number and location.
- Stay in place. Inform these offices whether or not you are trapped, and/or if you are safely able to leave the building independently with the elevators/power down. Ask for an idea of how long the outage will be, and ask the appropriate office to call you and the individual back when there is additional information. If the power will be out for some time and you need to leave the building, contact LUPD to have trained officials assist you.