



**Equal Employment Opportunities  
Policies for Individuals with Disabilities  
Americans with Disabilities Act**

**Diversity/Affirmative Action Office**

July 2011



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A Message From the President:

I am proud of Worcester State University's history of providing access to a quality, affordable education. Our population has changed a great deal through the years, and it continues to evolve.

Our campus hosts students from over 40 countries and we welcome students and employees of all ages, abilities and backgrounds. I am proud of the rich ethnic, racial and cultural make up of our campus community. All of these differences bring their own essence and qualities to enhance the overall richness of the tapestry that is Worcester State University.

Multiculturalism works, not just for a few, but for everyone. Worcester State University is committed to social justice and we present these Equal Employment Opportunity/Affirmative Action Policies for the entire community. I want to assure that all students, faculty and staff experience a campus environment of mutual respect.

Best Wishes,

A handwritten signature in black ink, reading "Barry M. Maloney". The signature is written in a cursive style with a large, prominent initial "B".

President Barry M. Maloney

**WORCESTER STATE UNIVERSITY**  
**Equal Employment Opportunities**  
**Americans with Disabilities**  
**Policies for Individuals with Disabilities**

In order to meet its legal responsibilities for the admission and accommodation of students with various disabilities, the University establishes the following policy:

## **General Statement**

Worcester State University is a Title I, Affirmative Action institution and complies with requirements of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. Applicants for admission are not required to identify themselves as having a disability at the time of application. If an applicant does voluntarily identify him/herself as a person with a disability as part of the application process, this information is treated confidentially. In order for the Disabilities Services Office to provide properly for any required services/accommodations, the University does request timely notification of any disability.

Please be aware that individual education plans (IEPs) do NOT carry over from high school to college. An IEP is NOT sufficient documentation of a disability. Proper documentation must include assessments from qualified evaluators such as educational psychologists. Proper documentation of a disability must include scores from appropriate tests. All qualifying documentation must be current (within 3 years) and must include a diagnosis and a rationale for each requested accommodation. This documentation is confidential and kept on file at the Disability Services Office. It is the responsibility of the student to request these accommodations on a semester-to-semester basis.

# I. Scope of Policy

- A (i).** The University encourages all applicants for admission who have physical disabilities to identify themselves as such during the admission process. These applicants will be referred to the Director of Disability Services in order to verify or provide documentation of their disability.
- A (ii).** Any admitted student who is identified as physically disabled after admission to the University and who wishes to invoke the provisions of Article III of this policy shall provide documentation of the disability to the Director of Disability Services.
- B (i).** The University encourages all applicants for admission who have been diagnosed as learning disabled to identify themselves as such during the admission process. These applicants shall provide the documentation of their learning disability and any services they have received under Mass General Law Chapter 766 to the Director of Disability Services. Those Massachusetts resident students who wish their admission application to be evaluated without SAT scores, as provided for under Massachusetts law, must provide documentation of their learning disability along with their application.
- B (ii).** Any admitted student who is identified as learning disabled after admission to the University and who wishes to invoke the provisions of Article III of this policy shall provide appropriate documentation of the disability to the Director of Disability Services.
- C (i).** The University encourages all applicants for admission who have documented neurological and/or psychiatric disabilities (e.g. head injuries, seizure disorders, psychiatric disabilities) to identify themselves as such during the admission process. These applicants shall provide documentation of their disability to the Director of Disability Services.
- C (ii).** Any admitted student who is identified as having neurological and/or psychiatric disabilities after admission to the University and who wishes to invoke the provisions of Article III of this policy shall provide appropriate documentation of the disability to the Director of Disability Services or the Associate Vice President, Student Affairs/Dean of Students for Student Affairs.

## **II. Administrative Processes**

- A.** For applicants and students identified in I A: After receipt of the appropriate documentation, the Director of Disability Services will meet with each identified person after they have been offered admission in order to determine that person's needs and to explain the services that the University is able to provide.
- B (i).** For applicants identified in I B (i): After receipt of the appropriate documentation, the Director of Disability Services shall meet with all such applicants after their acceptance as a student. At this meeting, the services that the University is able to provide to the applicant will be explained, and the person's need for services will be evaluated.
- B (ii).** For students identified in I B (ii): After receipt of the appropriate documentation, the Director of Disability Services will meet with the student to explain the services the University is able to provide, and to evaluate the person's need for services.
- C.** For students identified in I C: After receipt of the appropriate documentation and the student has been offered admission, the Director of Disability Services shall meet with the applicant or student to describe the services the University is able to provide and to evaluate the person's need for services.

## **III. Services to Identified Students**

In addition to services available to all students, the following procedures shall be explicitly permitted as needed for students identified under Article I of this policy: nonstandard test administration; use of tape recorders, note-takers, interpreters, or other learning assistance in class; and permission to be enrolled in less than 12 credits each semester. These will be allowed in a way that is neither demeaning to the student nor disruptive to the classroom environment.

For physically disabled students, one or more of the following accommodations can be made, as determined by need: rescheduling of classes into accessible classrooms, priority registration, handicapped parking, readers/scribes, adaptations to lab tables and preferential room assignments in Residence Halls.

Requests for any other accommodations or services will be considered on a case by case basis.

## **IV. Designated Administrative Responsibilities**

- A.** The documentation for all students to whom this policy applies shall be maintained by the Director of Disability Services.
- B.** For purposes of the administration of this policy after the completion of the admissions process, the designated administrator, after specific request from the student, shall communicate both the policy and any specific recommended accommodations for a particular student to those faculty and other administrators who are involved.
- C.** Authorization to take less than 12 credits, and be considered a full-time student, shall be accomplished through a petition initiated by the student through either the Director of Disability Services and approved by the Vice President for Academic Affairs or his/her designee. This petition shall normally be filed during the official pre-registration period for the semester in which a reduced course load or part time enrollment is requested.

When the petition is filed during the official pre-registration period, the student may be granted part time student status for that semester, and will be billed according to the University's established pro-rated basis for part time enrollment.

Petitions filed at any time other than the official pre-registration period shall be approved by the Vice President of Academic Affairs to permit the student to be considered on reduced load status. Such students shall pay all tuition and fees as are set for full-time students.

There is no formal limitation on the number of semesters during which an eligible student may be granted part time or reduced load status.

- D.** For purposes of reporting the status of students covered by this policy to outside, and campus entities (e.g. insurance companies and financial aid), the Registrar's Office will designate those students with reduced course loads as registered full time on a reduced load under the regulations of the University and, if required to designate the number of credits, shall add an appropriate explanatory notation. The Director of Disability Services can provide an explanation of the nature of part time enrollment. However, the University cannot guarantee that any other entity will use the University's categorization of the student's status in evaluating the student's eligibility under their own criteria.

All applicants for admission to the University who have a disability (physical, learning or psychiatric) and who may be in need of those specialized accommodations and services that the University is able to provide are requested to identify their disability in a timely manner (either at the time of their application for admission or immediately after receiving an offer of admission from the University) in order that their specific needs may be determined and that the services which can be provided by the University may be discussed with them.

Prospective students who wish to discuss issues related to a disability prior to admission are encouraged to speak with the Director of Disability Services at **508-929-8733**.

# **Procedure for Resolving Disputes Involving Objections by the Faculty to Accommodations Recommended for a Student with a Disability**

Objections by the faculty to recommended accommodations made by the Director of Disability Services will normally fall under one of two categories:

- a) Those claiming the accommodation is an undue burden on the faculty member or the University
- b) Those claiming the accommodation alters the essential nature of a course, program of study, or discipline

Both require an internal resolution acceptable to the University, and which the University is willing to defend in any possible litigation. It is the policy of the University that no individual faculty or administrator shall have the unilateral authority to deny a recommended accommodation without a further adjudication process.

The University therefore establishes the following procedure for adjudicating such objections.

1. Upon receipt of notification of an accommodation recommended by the Office of Disability Services, the faculty member shall notify the Office of Disability Services personally by phone of any objections within five (5) working days. Failure to notify of objections within five working days shall be considered as acceptance of the recommended accommodations by the University and appropriate arrangements shall be made to implement them.
2. Upon receiving a timely objection to an accommodation, the Director shall, within five (5) working days, convene a meeting with the faculty member and the chairperson of the department offering the course to review the objection and resolve it if possible.

In the case of an 'undue burden' objection, the Academic Vice President shall also be involved at this first level to assess what University resources will be used to meet an accommodation. Because the University has established funds to provide resources for extended time or oral examinations, note-takers, scribes, sign-language interpreters, aides, etc., it is expected that 'undue burden' objections will be resolved at this meeting.

3. If a successful resolution of the issue is not established at this meeting, the Director shall, within a further five (5) days, convene a meeting involving the faculty member, the Department Chair, the Associate Vice President for Academic Affairs, for an undergraduate student, for the graduate student, the Associate Vice President for Continuing Education and Outreach/Dean of Graduate Studies would be involved in place of the Associate Vice President. The Affirmative Action Officer would also be included, to address the appropriateness and implementation of the accommodation. At this meeting, any documentation supporting the faculty member's objection may be presented, including the recommendations of any departmental meeting that may have been convened in the meantime to discuss the issue.
4. Again, if no successful resolution is reached, the student may appeal to the Academic Vice President.
5. If there is no satisfactory resolution of the issue at this meeting, the Affirmative Action Officer shall, at the end of the meeting, establish a time frame and identify the procedure which will be followed to resolve the issue, including, if necessary, a final decision by the President.