



Policies and Procedures for Students with Disabilities

Phillips Theological Seminary

Phillips Theological Seminary recognizes disability as an aspect of diversity, the inclusion of which is vital to the seminary community and to society. The Office of Admissions and Student Services has worked to identify opportunities to strengthen our academic programming by making available to all students various disability resources intended to bolster success and make the learning environment accessible and inclusive to all. Students with disabilities can begin the collaborative process of accessibility by contacting the Dean of Students to develop a partnership, generate solutions, and implement reasonable accommodations.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit discrimination against individuals with disabilities. The seminary's Dean of Students shall serve as the institution's ADA Coordinator for student with disabilities.

STUDENT RIGHTS AND RESPONSIBILITIES:

Students with disabilities have both rights and responsibilities which include the following:

- RIGHT to equal opportunity to learn and participate in their chosen academic program, through the provision of reasonable accommodations, academic adjustments, and/or auxiliary aids and services.
- RIGHT to confidentiality of information regarding their disability, except as disclosure is necessary to acquire accommodations, facilitate services and/or is required by law.
- RIGHT to accessible formats of information and means of communication.
- RIGHT to file a complaint, in accordance with the seminary's Section 504/ADA Grievance Procedures if they believe they have been subjected to discrimination on the basis of disability or have been denied access to accommodations as required by law.
- RESPONSIBILITY to meet and maintain essential qualifications and standards for the seminary's courses and programs.
- RESPONSIBILITY to follow published procedures for obtaining reasonable accommodation at the seminary.
- RESPONSIBILITY to provide documentation that details the manner in which their disability may impact their participation in the academic classroom that supports each accommodation request. This includes disclosure of a disability that directly effects course content delivery, even if the student does not request a Plan of Accommodation.

SEMINARY RIGHTS AND RESPONSIBILITIES:

The seminary also has rights and responsibilities which include the following:

- RIGHT to identify essential functions, abilities, skills, knowledge and standards for courses and programs and to evaluate all students equally on these bases.

- RIGHT to request and receive current documentation that supports accommodation requests.
- RIGHT to select among equally effective accommodations to provide for students, and to do so in a timely manner.
- RIGHT to refuse an unreasonable accommodation request that imposes a fundamental alteration to a program or course.
- RIGHT to deny a request for an accommodation if documentation does not support the request, or if documentation is not provided.
- RIGHT to disclose a student's disability to applicable faculty members if it directly effects course content delivery, even if the student does not request a Plan of Accommodation.
- RESPONSIBILITY to provide information to students in accessible formats.
- RESPONSIBILITY to provide and facilitate reasonable accommodations for students in courses and programs.
- RESPONSIBILITY to ensure programs, courses, and facilities are available in the most integrated and accessible settings possible.
- RESPONSIBILITY to maintain appropriate confidentiality of records and communications.

DEFINITIONS AND QUALIFYING CONDITIONS

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act define a disability as "a mental or physical impairment that substantially limits a major life activity."

Recognized conditions that are eligible to receive disability services, for example, include but are not limited to:

1. Learning Disabilities (dyslexia, ADD)
2. Physical Disabilities (visual impairment, deafness, cerebral palsy)
3. Psychological Disabilities (anxiety, depression, PTSD)

SUMMARY OF STEPS FOR OBTAINING SERVICES

These are the steps that shall be followed when a student seeks services from the seminary in dealing with a disability. Below are detailed explanations for each step.

1. The student contacts the Dean of Students and requests assistance in walking through the following steps to secure disability resources.
2. After conversation, the student submits a written petition to the Dean of Students, requesting a "Plan of Accommodation" including documentation to support the request.
3. The petition is reviewed by the Dean of Students, the Senior Director of HR & Title IX Coordinator or Chair of the Degree Programs Committee, and appropriate faculty (e.g. academic adviser, current instructors).
4. A "Plan of Accommodation" is drafted by the Dean of Students and presented in writing to the student for acceptance and a signature.
5. After the "Plan of Accommodation" is accepted by the student, the signed copy is submitted to the student's instructors and adviser.
6. The student is responsible for initiating conversation with each professor prior to the beginning of the semester concerning implementation of the "Plan of Accommodation."
7. The "Plan of Accommodation" is reviewed before each subsequent academic year and at the time of each portfolio review.
8. A student who believes they have been denied a requested academic accommodation or service required by law has the right to file a grievance seeking review of the denial. Please refer to the ADA Grievance Procedure.

STEP #1: INITIAL CONTACT

The Dean of Students welcomes the opportunity to dialogue with students who wish to seek Disability Resources and to assist them in walking through the process outlined below. If a student has a disability, but chooses not to pursue a Plan of Accommodation, the Dean of Students will secure written permission from the student to disclose the disability to applicable faculty, if the disability directly effects course content delivery.

STEP #2: PETITION FOR SERVICES AND REQUIRED DOCUMENTATION

Once admitted to Phillips and at least 4 weeks prior to matriculation, entering students requesting accommodations should petition the Dean of Students in writing requesting accommodations. Current students should petition as early as possible, but at least 4 weeks prior to the beginning of each semester in which accommodations are requested. Students who choose not to self-identify when they enter the seminary do not forfeit their right to receive accommodations at a later date. However, late submission of documentation may result in a delay in implementing any accommodation plan. Accommodations cannot be retroactive.

The written petition submitted to the Dean of Students should include a description of the student's needs/disabilities, a list of services requested, and appropriate documentation to support the accommodations being requested.

REQUIRED DOCUMENTATION

In support of the written petition, students must submit relevant and current documentation of a disability from a qualified health professional(s). Documentation of previously provided accommodations from other educational settings can also be submitted in support of the petition for accommodation.

Appropriate documentation should not be more than 3 years old and should include:

- A description of the disability, specifying duration and severity
- Test scores and interpretation, if relevant
- Information concerning prescribed medications and their potential side effects
- Assessment of substantial disability-based limitations and how they relate to the educational environment
- Recommendations concerning educational accommodations

Documentation must be on official letterhead and signed by the doctor or health care professional.

The seminary reserves the right to request additional documentation, if needed. No documentation will result in a waiver of Phillips' admissions policies, regulations regarding acceptable behavior, or course objectives and requirements, including the attendance policy. Accommodation requests that fundamentally alter the nature of the curriculum or a course's learning objectives are not considered reasonable under the applicable federal laws. All costs for testing and assessment in support of the petition are the responsibility of the student, although testing costs may be reimbursed by health insurance companies.

Documentation is also required for the use of service animals on campus. Please see Appendix I.

STEP #3: PETITION REVIEW

The Dean of Students shall review the student's petition for services and respond within 5 business days.

STEP #4: PLAN OF ACCOMMODATION

The Dean of Students, in consultation with the Senior Director of HR & Title IX Coordinator or Chair of the Degree Programs Committee, and appropriate faculty members, will craft a "Plan of Accommodation." The plan will then be presented in writing to the student for approval. Implementation expenses, if any, are the responsibility of the student. A student who believes they have been denied a requested academic accommodation or service required by law has the right to file a grievance seeking review of the denial. Please refer to the ADA Grievance Procedure.

Class format, i.e., online, on-campus, intensive, shall be taken into consideration when crafting the "Plan of Accommodation."

STEPS #5 and #6: PLAN IMPLEMENTATION

After the "Plan of Accommodation" has been crafted, submitted to the student, approved, and signed, a final copy of the plan will then be submitted to the student's academic adviser, all instructors, and, if applicable, the Director of Supervised Ministries. Information about student disabilities will only be provided to individuals on a need-to-know basis. It is the student's responsibility to communicate with each instructor about implementation of the "Plan of Accommodation" prior to the beginning of the semester.

If a student requests accommodation directly from a faculty member without communicating with the Dean of Students, the faculty member should counsel the student to contact the Dean of Students. Accommodations for reported disabilities should not be provided without notification from the Dean of Students. A faculty member is not responsible for any learning accommodations until a copy of the "Plan of Accommodation" has been issued by the Dean of Students, approved by the student, issued in writing to instructors, and a conversation between the student and instructor has occurred concerning implementation.

STEP #7: REVIEW

The "Plan of Accommodation" for each student shall be reviewed by the Dean of Students before each academic year. It should also be evaluated by the adviser during each portfolio review to determine the effectiveness of the plan.

OTHER IMPORTANT INFORMATION ABOUT DISABILITY SERVICES

ADA GRIEVANCE PROCEDURE

This Grievance Procedure shall be effective on July 1, 2016. The seminary reserves the right to amend such procedures.

Any seminary student who believes they have been subjected to discrimination on the basis of disability or has been denied access or accommodations required by law shall have the right to invoke this Grievance Procedure. In general, this Grievance Procedure is designed to address the following types of concerns:

1. Disagreements or denials regarding requested services, accommodations, or modifications to curriculum requirements;
2. Alleged harassment or discrimination on the basis of a disability; and
3. Any other alleged violations of the ADA and/or Section 504.

FILING A GRIEVANCE

Regardless of the specific grievance procedure invoked by a student, all grievances must be filed within 30 days of the event or action giving rise to the student's complaint(s). As an initial matter, all grievances shall be reviewed to determine whether they are submitted within a timely manner and/or whether they contain all required information. The seminary shall not review a grievance which is untimely or fails to contain all required information, including a clear statement of all grounds for the grievance. To facilitate a clear and prompt resolution; once initiated, a grievance shall not be expanded beyond the issues presented in the student's initial complaint. The seminary reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure.

AN INFORMAL GRIEVANCE

With respect to any grievance covered under this policy, a student shall first attempt to resolve their complaint informally by meeting with the Dean of Students. If the grievance is not resolved informally, then the student shall have the right to invoke the appropriate formal grievance procedure detailed below.

A FORMAL GRIEVANCE

1. An otherwise qualified student with a disability, as defined by the ADA and the Rehabilitation Act, shall have the right to request that the Grievance Committee* review the denial of any requested academic accommodation or service by fully complying with the procedures detailed below. This provision shall also apply to a student requesting an academic accommodation who believes they have been wrongly denied certification of a disability by the seminary.

*The Grievance Committee shall be led by the Vice President of Academic Affairs and Academic Dean and shall include the following: the seminary's Vice President of Finance and Administration, a neutral staff person, an uninvolved faculty member, and a representative from the student body. The aforementioned list of individuals shall be selected by the Vice President of Academic Affairs and Academic Dean.

2. The Student shall fully complete an "ADA Review Request Form" and submit it to the Vice President of Academic Affairs and Academic Dean within 30 days following the date of the denial of the requested academic accommodation or service. A student may obtain a copy of the "ADA Review Request Form" from the Dean of Students. The student's completed form must clearly state:
 - The basis and rationale for the review
 - The specific facts and/or policies supporting the student's position
 - The remedy and resolution desired by the student
 - All other information required on the form
3. A timely "ADA Review Request Form" is considered incomplete and not eligible for review if it does not contain all required information. The student is solely responsible to supply all required information on

the form. Upon receiving a timely “ADA Review Request Form,” the Grievance Committee shall send a notice of acknowledgment of receipt to the student.

4. The Grievance Committee shall assess the “ADA Review Request Form” and review all information necessary to render a written determination. If requested by the committee, the student shall supply any additional information pertaining to the grievance. The committee will issue a written “Letter of Determination” on the student’s “ADA Review Request Form” within 30 days after receiving the student’s completed form, or as soon as possible thereafter. Further, the committee shall provide the student with a copy of the “Letter of Determination.”
5. Within ten (10) days following receipt of the committee’s written “Letter of Determination,” if the student disagrees with the determination, the student may seek a review with the Vice President of Academic Affairs and Academic Dean. The student shall submit a written letter requesting a review of the committee’s “Letter of Determination.” The written request must identify the specific facts and grounds which form the basis for the student’s appeal. Upon receiving a timely letter seeking a review of the “Letter of Determination,” the Vice President of Academic Affairs and Academic Dean shall, at their sole discretion, gather additional information necessary for the consideration of the student’s appeal, including, but not limited to, interviewing individuals, including the student, who may possess relevant information. The Vice President of Academic Affairs and Academic Dean shall complete their review within 30 days or as soon as possible thereafter.
6. After completing their review, the Vice President of Academic Affairs and Academic Dean shall send a second written “Letter of Determination” in response to the student’s appeal, setting forth their decision. The Vice President of Academic Affairs and Academic Dean’s second “Letter of Determination” shall constitute the final decision of the seminary.
7. During the Grievance Process, the student will be entitled to receive the academic accommodations/services offered, if any, by the seminary. The seminary recognizes the importance of a student’s concerns and pledges to address issues promptly so as not to inhibit the student’s participation in the course or program.

NOTE: For purposes of calculating all time periods set forth in this Grievance Procedure, official seminary holidays and breaks set forth in the seminary’s academic calendar (such as Thanksgiving break, Christmas break, and Holy Week break) or dates the seminary officially closes (such as for inclement weather) shall be excluded in determining the time period for taking any required action. Moreover, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of any time period provided in the Grievance Procedure shall be included, unless it is a Saturday or Sunday, and in such an event, the next business day shall be counted in the time period.

RECORDS

A student filing a grievance shall have the right to review all records maintained in the grievance file or relied upon by any decision-maker, unless any such review is prohibited by federal or state law. Upon a student’s request, the seminary shall establish a mutually acceptable time and location for the student to review the requested records.

NO RETALIATION

Retaliation against any person who files a *bona fide* complaint of discrimination, participates in an investigation, or opposes a discriminatory educational practice or policy is prohibited by seminary policy and federal and state law.

SELF REPRESENTATION

A student exercising their right to invoke this Grievance Procedure is free to consult with others but shall be expected to represent themselves directly in the grievance process.

URGENT OR UNUSUAL MATTERS

Depending upon the specific circumstances and the urgency of any issue(s) raised by a student in their grievance, the seminary reserves the right (but shall not be required) to modify its procedures or conduct an expedited review.

OCR COMPLAINT

Although students are encouraged to attempt to resolve complaints pertaining to disabilities by utilizing this Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR) (Dallas regional office). Information regarding applicable timelines and procedures is available from OCR.

<https://www.usa.gov/federal-agencies/office-for-civil-rights-department-of-education>

APPENDIX I

SERVICE ANIMALS

If a disabilities qualified student has a service animal, the following shall apply:

A service animal is defined as a guide dog or signal dog trained to work or perform tasks for the benefit of an individual with a disability. (At the current time, only dogs are recognized as service animals under Titles II, III, and the ADA.) Pets and therapy animals whose primary purpose is to provide comfort and emotional support do not qualify as service animals under the ADA.

The care and supervision of a service animal is the responsibility of the owner using the animal's services. The owner must ensure that the animal is in good health and has been vaccinated against diseases as recommended by the American Veterinary Medical Association. Further, service dogs must wear rabies vaccination tags.

Service animals must be kept on a leash or lead at all times when the animal is in a public area. The owner must also be in full control of the animal at all times. The owner is responsible for the cost to repair any damage done by the service animal to seminary property.

Appropriate documentation must be on file with the Dean of Students before a service animal enters the seminary.

APPENDIX II

PHILLIPS SEMINARY

DISABILITY SUPPORT SERVICES PLAN OF ACCOMMODATION

Name _____ Date _____

Degree Program _____ Academic Term _____

The student has requested that the following description/explanation of their condition be disclosed: _____

Professor & Course: _____

Students with disabilities may experience barriers to their full and meaningful participation in an academic setting. The above noted student is enrolled in your class and has been determined eligible to receive disability support services.

The student has requested academic accommodations as outlined below and **should be held to the same attendance and academic standards** as students who do not have a disability. In order to provide equal access to the course and all course materials, the following accommodations are necessary:

1.

2.

3.

Student's Signature Date

Signature of Dean of Students Signature of Senior Director of HR & Title IX Coordinator

NOTE TO PROFESSOR:

*If appropriate, discuss with the student their perceived barriers should there be an emergency evacuation and develop a plan of action. Accommodations should not fundamentally alter the nature of any course or program of study. It is not always possible to anticipate how each student's disability will be impacted in a course. As a result, it may be necessary to amend the above approved accommodations. Should you require clarification regarding this, please contact the Dean of Students. The information contained in this document is **CONFIDENTIAL** and should not be disclosed to a third party without written permission from the student.*

APPENDIX III

PHILLIPS SEMINARY

PETITION FOR DISABILITY SUPPORT SERVICES

Name _____ Date _____

Degree Program _____ Academic Term _____

Description/explanation of condition: _____

☐ I have attached supporting documentation from a professional health care provider to support this request and certify that it is not more than three years old.

☐ I have requested supporting documentation and it is forthcoming.

Please provide an itemized list of the accommodations you wish to request. Include a statement explaining how and why said accommodation will increase your academic performance. **(NOTE: Accommodations cannot reduce the attendance or academic standards set forth by the seminary, nor can they fundamentally alter the nature of any course or program of study.)**

1)

2)

3)

I understand that the information contained on this form will be held in confidence and only shared with others on a “need to know” basis. I expect it to be utilized for the sole purpose of assisting me in achieving academic success. Further, I understand that I will in no way be discriminated against for the disclosure of this information.

Student's Signature

Date

INSTRUCTIONS: Please submit this petition to the seminary's Dean of Students at least 4 weeks prior to the beginning of an academic term, or as soon as possible. The Dean of Students will review the petition and respond within 5 business days.

Last Edited 8/4/2020