

## **Disability and the Law**

Sioux Falls Seminary is committed to providing equal access and reasonable accommodations for students with physical, psychological, and learning disabilities. In compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA), SFS does not exclude otherwise qualified persons with disabilities, solely by reason of the disability, from participating in seminary programs and activities.

Sioux Falls Seminary is aware of the importance of remaining current with any of the laws regarding the American with Disabilities Act of 1990 and the Americans with Disabilities Amendments Act. Therefore every attempt will be made to keep policies formulated to include any changes that may occur in the law.

### **Eligibility for Service**

A student's eligibility for services at Sioux Falls Seminary is determined by the following criteria:

- < Has a mental or physical impairment which substantially limits one or more major life activities
- < Provides appropriate documentation of the impairment
- < Establishes the need for reasonable accommodations in order to participate fully in campus programs

Sioux Falls Seminary determines eligibility for reasonable accommodations on a case-by-case basis or, at times, course-by-course basis. Therefore, students with the same disability or diagnosis may not receive accommodations or services that are exactly the same.

### **Confidentiality**

All personal information or documentations regarding a student received by SFS is kept confidential as

- < Inform Kairos Advisor of any changes in your needs such as academic schedule each term or updates in essential contact information (cell phone or local address).
- < Notify the Kairos Advisor if an approved academic adjustment/auxiliary aid has not been implemented by instructors or other persons responsible.
- < Develop self-advocacy skills and build relationships with faculty and staff and others in our campus community.
- < Observe all policies and procedures of Sioux Falls Seminary.
- < Treat community members with dignity and respect.

**Responsibilities of the Kairos Advisor**

- < Guide students disclosing a disability through the accommodation process.
- < Maintain confidentiality of all student information and files.
- < Review documentation to determine if accommodations are appropriate
- < Develop student's accommodation plan.
- < Prepare accommodation letters for faculty prior to academic sessions.
- < Coordinate auxiliary services (ASL interpreters, scribes, readers, note-takers).
- < Cooperate with agency personnel who support a student with disabilities if consent for the release of information form has been signed.
- < Assist students in developing self-advocacy skills in the graduate school setting.
- < Support Sioux Falls Seminary faculty members and staff in implementing accommodation, including clarification of their responsibilities in the event that a student notifies the Kairos Advisor that an approved accommodation/auxiliary aid has not been implemented.
- < Educate Sioux Falls Seminary community on disability awareness issues and initiatives.
- < Treat community members with dignity and respect.

**Responsibilities of Sioux Falls Seminary Faculty and Staff**

- < Keep accommodation letters in a secure location to maintain confidentiality.
- < Implement student's accommodation plan.
- <

- < Describes the presenting problem(s) and developmental history, including relevant educational and medical history.
- < Describes the comprehensive assessments (neuropsychological and psycho-educational evaluations), including evaluation dates used to arrive at the diagnosis.
- < Describes functional limitations resulting from the disability, as supported by the test results.
- < Describes specific recommended accommodations and provides a rational explanation how these specific accommodations address the functional limitations.
- < Establishes the professional credentials of the evaluator, including information about the licensure of certification, education, or specialization.

### **Specific Requirements**

- < For learning disabilities, provide test results, with standard scores and percentiles (including subtest), from:
  - An aptitude assessment using a complete, valid, and comprehensive battery.
  - A complete achievement battery.
  - An assessment of information processing, and
  - Evidence that alternative explanations were ruled out.
- < For ADD/ADHD, include:
  - Evidence of early impairment.
  - Evidence of current impairment, including presenting problem and diagnostic interview.
  - Evidence that alternative explanations were ruled out.
  - Results from valid, standardized, age appropriate assessment, and
  - A number of applicable DSM-IV criteria and description of how they impair the individual.
- < For psychiatric disorders, a clinician's diagnosed mental illness impact on academic performance plus-DSM-IV diagnosis.
- < Letters must be typed on letterhead stationery and include the treating specialist's (physician, psychiatrist or clinical psychologist) certifying license number.

### **Section 504 Coordinator**

Brandi Pohlmeier, Kairos Advisor

Phone (605) 679-0208 or (605)336-6588

- < Provide current and comprehensive documentation of your disability from a credentialed professional qualified to make the diagnosis to the Kairos Advisor. Generally speaking, documentation should not be more than three years old.
- < Receive a copy of the current accommodation letter sent to your professors and the accommodation plan that has been established.
- < Meet with each of your professors to review and clarify your accommodations.
- < Communicate with the Kairos Advisor about any concerns, including concerns regarding the effectiveness of accommodations, each semester.

### **Reasonable Accommodations**

The Kairos Advisor and the student will discuss reasonable accommodations, auxiliary aids, and other adjustments once a request for services has been received and supported by current, complete and comprehensive documentation.

Accommodations provide equal access to the student with disabilities while not changing the integrity or content of an academic course. Accommodations may include (but are not limited to) the following:

- < Preferential seating
- < Priority registration
- < Textbooks in alternate format
- < Extended time on test
- < Less distracted exam locations
- < Note-takers
- < Accessible desks/classrooms/furniture
- < Other ongoing academic support through the Office of Enrollment Management

### **Temporary Disabilities**



While it is hoped the complainant can resolve a grievance within the campus process, he/she has the right to file any grievance directly to the U.S. Office of Civil Rights at any time. The Statute of Limitations for filing a complaint with OCR is 180 day from the time the incident occurred. OCR's contact information is found below: