

## **Office of Accessible Education Policy Statement**

The Office of Accessible Education (OAE) at University of Massachusetts Global (UMass Global) is committed to ensuring equal educational access and opportunity for all members of our academic community. The office strives to maximize each student's educational potential by helping to develop self-advocacy, independence, and to promote personal growth.

Students will be provided equitable and reasonable accommodations and services that are in compliance with Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA)/Americans with Disabilities Act Amendments Act of 2008 (ADAA).

There are several policies that UMass Global has developed to oversee programs and resources for students with disabilities and to monitor and to ensure compliance with current policies and legislation. These resources include the Office of Accessible Education (OAE) and the Director of Accessible Education. These resources are designed to offer individualized assessment and to provide accommodations in the most integrated setting appropriate.

The Director of Accessible Education administers these policies. Information concerning these policies is maintained in the OAE. Summaries and references to these policies are provided in the University's admissions materials, its Student Handbook, and in Course Catalogues. Individuals can also obtain information about these policies through the staff in the OAE and on OAE's [internal](#) and [external](#) websites.

These policies apply to every facet of the University's operations, including but not limited to admissions, academic requirements, financial aid, or any other school-administered program or service.

## **Confidentiality and FERPA (Family Education Rights and Privacy Act)**

The Office of Accessible Education (OAE) confidentiality obligations fall under the Family Educational Rights and Privacy Act (FERPA). For more information, please refer to [the Family Educational Rights and Privacy Act](#) under the FAQ, "What Privacy Rights do I have as a Student?"

Confidential information in student files will not be released outside of authorized University personnel except as required by state or federal law. These include:

- The University receives a court order or subpoena requiring the release of a student's file or information within the file.
- The student states an intent to harm himself or herself.
- The student states an intent to harm others.
- A student gives written authorization for the release of information. Prior to giving such authorization, the student should fully understand the information being released, the purpose of the release, and to whom confidential information is being released.

The OAE will retain a copy of all information provided for a minimum of five to seven years. If a student wishes to have a record expunged, then they must make a written request to the Director of Accessible Education, who will decide whether it is necessary for OAE to retain the student's records.

The student has the right to review their file. Requests from a student to review their file should be made by writing to the Director of Accessible Education.

## **Definitions**

1. For purposes of this policy, a person with a disability is defined as any individual who has physical, psychological, and/or medical impairments, which substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such impairment.
2. For purposes of this policy, an otherwise qualified person with a disability is defined as any individual with a disability who meets the academic and technical standards requisite to admission and participation in the University's educational program and activities.

## **Policies for Students with Disabilities**

### **1. Non-Discrimination**

UMass Global does not discriminate against individuals based on disability and is committed to making its educational opportunities accessible to qualified individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973 ("Section 504") and the Americans with Disabilities Act of 1990/Americans with Disabilities Act Amendment of 2008 (together, the "ADA"). By providing full access to qualified students with disabilities, the University demonstrates its belief that the community will benefit from the skills and talents of these individuals.

To comply with Section 504, the ADA, and other applicable laws, the University will provide, as necessary, reasonable accommodations, including academic adjustments and auxiliary aids, to ensure otherwise qualified students with disabilities access to the University's services, programs, and activities. The University will also make modifications to its policies, practices, or procedures that are necessary to avoid discrimination based on disability. This provision applies to all areas of the institution's programs and activities including those unrelated to academics or academic standards.

Accommodations will not be provided if they fundamentally alter the nature of the program, if they would be unduly burdensome to the University, either financially or administratively, or if they would result in lowering academic and other essential performance standards. If the University determines that an accommodation or modification is an undue burden, the University will provide the student with a written explanation of the reasons for its conclusion.

The Office of Accessible Education will work with Course Developers in Academic Affairs and/or relevant faculty to determine if an accommodation or modification would compromise the learning objectives or alter essential technical standards within a course or a program. Alternative accommodations will be offered, whenever possible, when a requested accommodation is denied as a fundamental alteration or an undue burden.

Students with disabilities who require accommodations or modifications must make those needs known to the OAE as soon as possible. Students are responsible for making their needs known in a timely fashion and for providing documentation. Students can connect with OAE by completing an application on the OAE website. OAE can also be contacted at [oea@umassglobal.edu](mailto:oea@umassglobal.edu).

In most cases, it is necessary to start the accommodations request process well in advance of the beginning of a term for the need for accommodations to be evaluated, a decision to be made, and for the accommodations to be implemented in a timely fashion.

The University seeks to accommodate students with disabilities on an individual basis. Students are given reasonable and necessary accommodations based on specific information and assessment data documented by a professional from outside the University, who in the judgment of the University, is qualified to provide such information and assessment. The OAE makes information available, upon request, as to the existence and location of services, activities, and facilities that are accessible to and usable by people with disabilities.

The OAE [internal](#) and [external](#) websites are additional sources of information.

## **2. Verification of Disability**

Applicants are not required to notify the University of a disability or need for accommodations prior to admission. Individuals who need accommodations to apply are invited to contact UMass Global.

Following admission, any student who, because of a disability, needs accommodations with respect to any policy, practice, service, or benefit, is requested to notify the University and provide appropriate information including the reason for the request and the specific type of accommodation requested. To provide the accommodations on a timely basis, new students should inform the University of the need for accommodations well in advance of their matriculation. Please contact the OAE by applying through the OAE Online Portal or by emailing the Office at [oea@umassglobal.edu](mailto:oea@umassglobal.edu).

A student requesting accommodations because of a disability will be required to provide verification by a licensed physician, psychologist, audiologist, or other professional health care provider who, in the opinion of the University, is qualified in the diagnosis and

assessment of the disability. The verification must reflect the student's present level of functioning, of the major life activity(s) affected by the disability. The disability must be readily apparent, or the student must provide documentation to the OAE that addresses the functional limitations of the student's disability to register for disability services and accommodations. The cost of obtaining professional verification will be borne by the student. If the initial verification is deemed incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, the University reserves the right to require supplemental assessment of the disability.

### **3. Assessment and Accommodation**

Requests for accommodations and services will be reviewed and assessed by the OAE on an individualized basis. This includes an interactive process in which the student and OAE staff work together to identify potential accommodations to address the functional limitations of the student's disability. A student will submit an Accommodations Request Form and their medical/psychological documentation online, then are contacted to conduct a personal interview. During the interview, students should self-identify and discuss the impact of their disability. The students' descriptions of their functioning, past use of accommodations, and medical/psychological documentation are all considered.

In appropriate situations, the OAE will engage and consult with faculty and/or representatives of the academic program in which the student is enrolled to obtain more information about the course requirements.

The University will offer reasonable accommodations to otherwise qualified students unless doing so would fundamentally alter the nature of its academic programs, impose an undue financial or administrative burden, or would result in lowering academic and other essential performance standards.

### **4. Records and Privacy**

Medical and clinical information provided to the University by students as part of a request for accommodations is treated as confidential under applicable laws and school policies. Such information is provided only to individuals who are entitled to receive such information on a need-to-know basis. Such confidential records shall be maintained separately by the OAE.

These records shall be archived apart from official transcripts and educational records. All documents produced by consultants on the performance of services for the University will remain the property of UMass Global. The OAE is committed to ensuring that all information regarding a student is maintained as confidential as required or permitted by law. Any information collected is used for the benefit of the student.

Student information may include grades, assessment data, biographical history, disability information, case notes, and other related documents. No one has immediate access to student files at the OAE except the office staff. Disability documentation is part of the student's educational record and falls under FERPA guidelines for confidentiality.

Disability-related information is to be treated confidentially. For example, University faculty and staff members do not have a right or a need to access diagnostic or other information regarding a student's disability. They only need to know what accommodations and services are necessary or appropriate to meet the student's disability-related needs. OAE disability records may be subpoenaed, including disability documentation, case notes and email correspondence.

## **5. Admissions Policy**

The University does not discriminate based on a disability. An applicant who requires an accommodation to fulfill application requirements should inform the University of the need for such accommodation, and the OAE will work with the student and others (as necessary) to recommend reasonable accommodations to be provided.

Any information concerning an applicant's disability provided during the admissions process is voluntary or optional. It is maintained in accordance with laws relating to confidentiality.

The University uses this information only for consulting with students about past performance difficulties that the students may have experienced due to disabilities, or failure to utilize accommodations, as reflected in their academic records. No limitations are placed on the number or proportion of people with disabilities who may be admitted or enrolled.

## **6. Prohibition against Discrimination and Retaliation**

UMass Global prohibits any form of discrimination against individuals with disabilities. No qualified individual with a disability shall, based on disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination. The University strictly prohibits any form of retaliation against any student or applicant who requests an accommodation, reports or participates in the investigation of a complaint, or otherwise exercises rights secured by this policy. If a student believes they have been subject to discrimination or retaliation, they can pursue a grievance by following the procedures detailed below.

## **7. Internal Grievance/Appeals Procedures**

Students who have concerns about an accommodation request that has been denied, or about how the granted accommodation is being administered, should bring those concerns

to the attention of the appropriate campus personnel, e.g., faculty, campus director, or professors for immediate resolution. If immediate resolution is not possible, the student should contact the OAE and initiate an informal appeal or grievance.

The Director of Accessible Education will review the matter and attempt to informally resolve the situation as specified in the University's Accommodation Appeals and Grievance Process for Students. If the matter cannot be resolved informally, a student may pursue a Formal Appeal through the appeal procedures.

Informal and formal appeals of accommodation-related issues are governed by the University's Accommodation Appeal and Grievance Process for Students, which can be accessed on the [internal](#) website. Please note, this process includes strict deadlines and specific requirements to initiate a grievance or appeal.

A student who has a concern that they may have experienced discrimination based upon their disability should contact the [civilrightscomplaints@umassglobal.edu](mailto:civilrightscomplaints@umassglobal.edu).

## **8. External Grievances**

Although students are encouraged to attempt to resolve grievances using the University process, they have the right to file any grievance directly with the U.S. Department of Education Office for Civil Rights (OCR). Complaints filed with the OCR must be filed within 180 days from the time the incident occurred.

### **US Department of Education Office for Civil Rights**

- Address: 50 United Nations Plaza San Francisco, CA 94105
- Email: [OCR.SanFrancisco@ed.gov](mailto:OCR.SanFrancisco@ed.gov) Voice: (415) 486-5555
- TDD: (800) 877-8339
- Fax: (415) 486-5570

For questions related to the University of Massachusetts Global Office of Accessible Education Policy Statement, please contact [oea@umassglobal.edu](mailto:oea@umassglobal.edu) or (949) 341-9976.