



Students with Documented Disabilities Procedure

Procedure Number: 607P

Responsible Office: Vice President, Student Affairs

Forms: [Apply for Accommodations](#)

Effective Date: 02/26/2024

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1. Purpose

The purpose of this procedure is to provide guidance on the process for requesting and utilizing accommodations as a student with a disability. The procedure also provides information on the complaint process for a student with a disability who believes they have been discriminated against or unfairly denied a request for reasonable accommodation.

2. Definitions

Accommodation: an adjustment or modification in the academic environment that enables an individual to enjoy equal access to the College's programs, services, or activities, including auxiliary aids and services. Examples of accommodations include access to notetaking services, recording devices, sign language interpreters, extended time for testing, screen-reading, voice recognition, or other adaptive software or hardware.

Disability:

- a. Any physical or mental impairment that substantially limits one or more major life activities; or
- b. Having a record of such an impairment; or
- c. Being regarded as having such an impairment.

Fundamental Alteration: the College is not required to provide any aid or service or make any modification that would result in a fundamental alteration in the nature of the program. In evaluating whether the requested program modifications would require substantial program alteration or would fundamentally alter academic standards or programs, the College considers the underlying academic reasons for the program components, the academic standards institutionalized in the program, how the challenged components are consistent with the program standards, and how the requested accommodations would be inconsistent with the academic goals and standards of the program.

Major Life Activities: functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, and experiencing leisure.

Memorandum of Accommodation (MOA): the official document prepared by an Accommodations Counselor in consultation with the student that lists the approved classroom and testing accommodations. The instructor and Testing Center personnel must have a copy of the MOA in order to provide the accommodations. Approved accommodations must be reasonable and must not constitute a fundamental alteration of the course.

Substantially Limits: when one is unable to perform a major life activity that the average person can perform; or when one is significantly restricted in the manner or duration under which one can perform a particular major life activity as compared to the average person.

3. Procedure

a. Requesting Accommodations

- i. It is the responsibility of the student with a disability to request a reasonable accommodation from the College and to provide documentation of the disability, if necessary.
- ii. Requests for accommodation should be made as early as possible to allow time to assess the request and provide reasonable accommodation.
- iii. Requests should be submitted using the online application process on the [Accommodations and Accessibility Services webpage](#).

b. Medical Documentation

- i. Accommodations and Accessibility Services may request disability documentation from a licensed or certified professional to establish the existence of a disability; describe the functional limitations and their impact on the student's ability to participate in NOVA's educational programs and services; and recommend accommodations.
- ii. The office will consider any information, including but not limited to:
 1. self-description of needs;
 2. records of past accommodations and services from high school (eligibility testing, IEPs or 504 Plans), another college, state or high stakes testing organizations;
 3. formal psychological or medical evaluations; and
 4. letters from past health, education, or other service providers.
- iii. Documentation must be relevant to the accommodation(s) being requested.

c. Assessment and Interactive Process

- i. An Accommodations Counselor will review the medical documentation to determine whether the student is a qualified individual with a disability. If so, the counselor will assess how the requested accommodation or alternative accommodations may allow the student to have equal access to the educational program.

- ii. The counselor will conduct an intake interview with the student with the goal of reaching agreement on reasonable accommodations. The counselor will consider the student's preferences.
- iii. The final determination of appropriate accommodations rests with NOVA based on the review of all the provided documentation.
- iv. When accommodations are granted, the counselor will provide the student with a Memorandum of Accommodation (MOA).

d. Implementing Accommodations

- i. Implementing accommodations is a shared responsibility between the student, instructor, and Accommodations and Accessibility Services.
- ii. It is the student's responsibility to provide a copy of the MOA to the instructor in each class where the student wishes to utilize accommodations, as well as to the Testing Center, if applicable. The student is encouraged to meet with each instructor to discuss the approved accommodations that applies to the specific class.
- iii. The College is not required to provide any aid or service or make any modification that would result in a fundamental alteration to the program or a lowering of academic standards. In determining whether a modification is a fundamental alteration, the College considers the underlying academic reasons for the requirement, the academic standards in the class or program, and how the requested accommodations would be inconsistent with the academic goals and standards of the program.
- iv. A student may request accommodations at any time, but accommodations are not provided retroactively.

e. Complaints

- i. Students who believe they have been discriminated against on the basis of disability or that a request for reasonable accommodation has been unfairly denied, may use the Student Grievance Procedure to address the complaint.