



Maryland University of Integrative Health
Academic Policy and Procedures

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Subject: Disability Services

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1. Purpose

This policy provides guidelines and procedures for students with disabilities requesting accommodations and grievances.

2. Applicable Laws and Definitions

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) was signed into law in 1990. The primary goal of the ADA is to decrease discrimination and make society more accessible for people with disabilities. The ADA is comprised of five areas, Employment (Title I), Public Services (Title II), Public Accommodations (Title III), Telecommunications (Title IV), and Miscellaneous (Title V).

Title II of the ADA mandates that state and local government agencies cannot deny services to people with disabilities or deny participation or activities available to people without disabilities. It requires state and local governments to provide qualified individuals with disabilities equal access to their programs, services, and activities. While the ADA Section 504 prohibits discrimination based on a disability, it does not release students with a disability from meeting the same essential qualifications for admissions to a program, course, or degree.

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act 1973 Section 504 states:

“No otherwise qualified individual with a disability in the United States . . . shall solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Rehabilitation Act prohibits discrimination on the basis of a disability. The Section 504 mandate has promoted the development of disability-related services in educational settings. While colleges and universities are not required to provide special education programming for students with disabilities, they are required to make appropriate academic accommodations and reasonable modifications to policies and practices to allow the participation of students with disabilities in the same program and activities available to non-disabled students. Although colleges and universities must assure that students with disabilities have the same opportunities as all qualified students to be successful on their intellectual abilities and academic achievements, post-secondary institutions are under no obligation to guarantee the success of students with disabilities in higher education. A student with disabilities at the postsecondary level must be proactive in disclosing their disability, self-advocating for their needs, and reaching out for the services provided.

Section 508 of the Rehabilitation Act of 1998

In 1998, Congress amended Section 508 of the Rehabilitation Act (19 U.S.C. 794d) to expand the federal government's responsibility to provide electronic and information technology which is accessible to, and usable by, people with disabilities. Section 508 requires federal departments or agencies that develop, procure, maintain, or use electronic and information technology, to ensure that the electronic and information technology is accessible.

Definitions

A student with a disability is defined as

- A student with a physical or mental impairment which substantially limits a major life activity (e.g. caring for one's self, walking, speaking, seeing, hearing, thinking, learning, concentrating, working)
- A student who has current documentation (e.g. recent psycho-educational evaluation confirming a learning disability) of such impairment from a qualified professional.
- A student who is regarded as having impairment

A “qualified individual with a disability” is a person with a disability who has been certified by a professional qualified to evaluate the disability in question; meets the essential eligibility requirements for participation in or receipt of a program or activity; and is capable with accommodations as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of their disability, against a qualified prospective or matriculated student.

Reasonable Accommodations

Reasonable accommodations include the modifications to any auxiliary and services at MUIH to enable equal access to students with disabilities. Unreasonable accommodations are modifications that fundamentally alter the nature of the program and or course, create a significant health or safety concern, or create an undue burden to MUIH.

3. Policy

Maryland University of Integrative Health (MUIH) is committed to ensuring equal access for qualified individuals with disabilities and complying with all relevant federal and state laws. At MUIH, no qualified individual with a disability is excluded from participation in, denied the benefits of, or subjected to discrimination in access to services, benefits, and extracurricular activities at the University solely by reason of their disability.

4. Procedures

4.1 Accommodation Request and Determination Process

MUIH is committed to ensuring equal access for qualified individuals with disabilities and fully complies with all relevant federal and state laws. At MUIH, no qualified individual with a disability is excluded from participation in, denied the benefits of, or subjected to discrimination in access to services, benefits, and extracurricular activities at the University solely by reason of their disability.

A "qualified individual with a disability" is a person with a disability who has been certified by a professional qualified to evaluate the disability in question; meets the essential eligibility requirements for participation in or receipt of a program or activity; and is capable with accommodations as necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of their disability, against a qualified prospective or matriculated student. Requests for accommodations are considered on an individual, case-by-case basis.

It is the responsibility of the student who has a disability and needs assistance in gaining equal access to University services, benefits, and activities to contact the Office of Disability Services and Accessibility with a completed [Accommodation Request Form](#). The form should be submitted with documentation of the need for an accommodation. As appropriate to the disability, documentation should include:

- Evidence of issuance by an appropriate professional, such as a psychologist, psychiatrist, or physician. The credentials of the diagnosing professional should include information describing the certification, licensure, and/or the professional training of the person conducting the evaluation.
- A diagnostic statement identifying the existence and impact of the disability, date of the current diagnostic evaluation, and the date of the original diagnosis. The diagnostic systems used by the Department of Education, the State Department of Rehabilitative Services, or other State agencies and/or the current editions of either the Diagnostic Statistical Manual of the American Psychiatric Association (DSM) or the International Statistical Classification of Diseases and Related Health Problems of the World Health Organization (ICD) are the recommended diagnostic taxonomies.
- An explanation of how a disability limits an individual's ability to benefit from a particular delivery system, instructional method, or evaluation criteria, or to perform certain duties or functions. It

should address the accommodation that is necessary and how the accommodation might mitigate the effect of the disability.

- A description of the impact of treatments and/or medications, assistive devices, accommodations, and/or assistive services in current use and their estimated effectiveness in ameliorating the impact of the disability. Significant side effects that may affect physical, perceptual, behavioral, or cognitive performance should also be noted.
- A description of the diagnostic criteria and/or diagnostic test used. The description should include the specific results of diagnostic procedures, diagnostic tests utilized, and when administered. When available, both summary and specific test scores should be reported as standard scores and the norming population identified. When standard scores are not available, the mean, standard deviation, and the standard error of measurement are requested as appropriate to the construction of the test. Diagnostic methods used should be congruent with the disability and current professional practices within the field. Informal or non-standardized evaluations should be described in enough detail that a professional colleague could understand their role and significance in the diagnostic process.

New documentation may be required if:

- (i) an individual's diagnosis changes;
- (ii) the individual requests an accommodation that is new or different from the accommodation(s) included in the documentation;
- (iii) if the documentation submitted is not pertinent to and/or does not support the accommodation request; or,
- (iv) The documentation is outdated (three years or more).

If the Office of Disability Services and Accessibility determines that additional information regarding an individual's disability is necessary, the individual will be contacted in a timely manner.

Students registered with the Office of Disability Services and Accessibility are required to formally grant permission each term for accommodation letters to be released on the student's behalf.

The Office of Disability Services and Accessibility will verify the disability and collaborate with the student in identifying accommodations and ways to implement these accommodations. Accommodations may include, but are not limited to, auxiliary aids and other services. Students will be notified of approved accommodations in writing within two weeks.

4.2 Grievance Procedures

Any person who believes that they have been subjected to discrimination on the basis of disability may file a grievance under this policy. It is against the law for MUIH to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

Grievances must be submitted to the ADA Compliance Coordinator within 15 calendar days of the date the person filing the grievance becomes aware of the alleged discriminatory action. If the complaint is directed towards the ADA Compliance Coordinator, the grievance must be submitted to the Dean of Student Affairs. A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.

The ADA Compliance Coordinator or their designee shall conduct an investigation of the complaint. This investigation may be informal, but will be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The ADA Compliance Coordinator will maintain the files and records of MUIH relating to such grievances.

The ADA Compliance Coordinator will issue a written decision on the grievance no later than 30 days after its filing.

The person filing the grievance may appeal the decision of the ADA Compliance Coordinator by writing to the Dean of Student Affairs or their designee. In the event that the Dean of Student Affairs initially heard the grievance, the Provost/Vice President of Academic and Student Affairs will hear the appeal. The appeal officer shall issue a written decision in response to the appeal no later than 30 days after its filing.

The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100

Phone: 800-421-3481 Email: OCR@ed.gov

MUIH will make appropriate arrangements to ensure that persons with disabilities are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing notetaking, or assuring a barrier-free location for the proceedings. Dean of Student Affairs will be responsible for such arrangements.

Questions about this policy should be directed to the Office of Disability Services and Accessibility at dscoordinator@muih.edu or the Dean of Student Affairs at deanofstudents@muih.edu.

5. References

- Accommodation Request Form,
<https://muih.edu/campus/disability-services/accommodation-request-form/>
- ADA – <https://www.ada.gov/>
- Section 504 – <https://www2.ed.gov/policy/speced/reg/narrative.html>
- Section 508 - <https://www.section508.gov/manage/laws-and-policies>

6. Approval and Revisions

Approved August 29, 2018 by Provost & Vice-President Academic & Student Affairs, Christina Sax, Ph.D.

Revision 1 – February, 2022

Applicable laws and definitions were added. Positions were updated.