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Notices

Legal Notice: Policy, procedures, and services provided and implemented by Accessibility Services are in compliance with the Americans with Disabilities Act (ADA) of 1991, the Vocational Rehabilitation Act of 1974 (as amended), and other laws governing the disabled. Accessibility Services also adheres to the professional code of conduct adhered to by the Association of Higher Education and Disability (AHEAD). Individuals have a right to file a complaint with the Office for Civil Rights (OCR) of the Department of Education. The address of the OCR Regional Office that covers New Mexico is: Office of Civil Rights/ED, 1244 Speer Boulevard, Suite 310, Denver, CO 80204-3582. Telephone: 303-844-5695, FAX: 303-844-4303; TDD: 303-844-3417. E-mail: OCR.Denver@ed.gov.

Confidentiality Notice: As an ethical matter, Accessibility Services places the highest priority upon maintaining confidentiality of all personal information in its care. We are aware of the fact that individuals with disabilities still face misunderstanding and discrimination. Student records in the possession of Accessibility Services are governed under the legal requirements of the Family Educational Rights and Privacy Act (FERPA). This law prevents release of student information to individuals outside the university unless explicit consent is given by the student. Note that confidential information may be shared with university employees outside of Accessibility Services if deemed necessary to ensure the successful implementation of accommodations or to respond to a student grievance or appeal. Full information about FERPA can be found on the Web site of the U.S. Department of Education.

Conduct Notice: Students with disabilities are held responsible for the same university standards of conduct as students without disabilities. This includes attendance and arriving to class on time unless specifically deemed necessary by official documentation and/or if specific situations arise. The existence of a disability, in and of itself, does not excuse behavior that is in violation of the student code of conduct. This code of conduct is located in the Student Handbook and is included in this handbook by reference. Students found in serious violation of the code of conduct may be refused future services.

New Mexico Highlands University Accessibility Services Handbook

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Introduction

Welcome to New Mexico Highlands University!

Your interest in Accessibility Services is welcomed and appreciated. This handbook serves as your guide to disability-related issues at New Mexico Highlands University. It describes services provided, important policy and procedures, and offers assistance in dealing with areas of concern for students with disabilities. Students with disabilities are strongly encouraged to read and understand the information contained in this handbook. A thorough knowledge of the contents will significantly enhance your educational success while at Highlands. Parents, faculty, and university staff will also gain value from the content of this manual. Alternate forms of this handbook can be procured from Accessibility Services using the contact information on the back cover.

Overview of Services

The Office of Accessibility Services is the primary point of contact. This includes all centers. At Highlands, Accessibility Services does not normally provide accommodations directly. Rather, Accessibility Services coordinates academic accommodations with appropriate university departments and employees; advises faculty, staff, and management on disability issues, and advocates on issues of concern to students with disabilities. Accessibility Services also advises students on academic, career, and transitional issues and provides referrals where appropriate.

Disability related assistance for employees, including EEO related matters, is handled by Human Resources.

Vision, Values, Mission, and Goals

Vision: Students with disabilities have a right to equal access and opportunity to learn and achieve based on their innate abilities and not be judged solely on the basis of a disability.

Values: The Office of Accessibility Services refrains from overbearing interventions, for such are the roots of oppression and discrimination against people with disabilities.

Mission: To coordinate the provision of reasonable accommodations and related disability services; to advocate responsibly for an accessible and hospitable learning environment through removal of informational, physical, and attitudinal barriers; to promote student self-determination and personal responsibility.

Goals: “To fully integrate the disabled into the intellectual and social life of the campus community, including compliance with the requirements of the Americans with Disabilities Act.” NMHU Strategic Plan Action Item A.6.8., adopted December 2003.

Advocacy

At the college level, students must become their own disability advocates and learn to negotiate with faculty, staff, and administrators. Students do not have to disclose specific information about their disabilities to instructors or university administrators. Any questions about the appropriateness of an accommodation can be directed to the office of Accessibility Services. Faculty and staff need to recognize that many students find disclosing their disability threatening and difficult. This is especially true of freshmen, newly diagnosed students, or students with an acquired disability who have not had to explain it at the high school level.

How to Access Services

The Office of Accessibility Services, as the name implies, exists to serve. Students wishing to access services provided by the Office of Accessibility Services must abide by the policy and procedures outlined in this manual. The goal of such policies and procedures is to implement a system and process that promotes the educational success of students while they are at Highlands, is fair for all students, and is consistent with professional and legal guidelines.

Students with disabilities are not required to register or identify themselves in anyway unless they wish to receive services. Students requesting academic accommodations must provide current medical documentation of their disability and meet with staff in the Office of Accessibility Services. Students who wish to receive general academic support such as academic advising, career advising, and/or other like services should contact Accessibility Services for either an appointment or a referral. Students with a complaint or grievance should follow grievance procedures on page 17 of this manual.

The Office of Accessibility Services is located in the
Felix Martinez Building
Room 108A
Phone (505) 454-3252
Fax/TTYD (505) 426-2037

It is the responsibility of the student to disclose a disability, to provide appropriate documentation from a qualified professional who will identify the disability and make recommendations for accommodations.

Definition of a Disability

The primary definition of a disability is: “A physical or mental impairment that substantially limits one or more of [a person’s] major life activities” The definition includes: “[having] a record of such impairment” or “[is] regarded as having such an impairment”.

Documenting Your Disability

Accommodations are provided only to students who have current and appropriate clinical documentation of their disability on file with the Office of Accessibility Services. Documentation of a disability cannot be older than three years from the date of the evaluation/diagnosis. A new evaluation must be completed prior to accommodations being approved.

Deadlines

Students wishing to receive accommodations must completely document their disability with the Office of Accessibility Services before the drop/add deadline for the fall and spring semesters. Please check course schedule for dates. For summer and other sessions, students must document their disability before the first day of regular classes for that session. Students are strongly encouraged to document their disability and meet with office staff as early as possible to ensure that the appropriate accommodations are in place before classes begin.

A special notice to hearing impaired students requiring an interpreter: There is a general shortage of deaf interpreters in New Mexico. Hearing impaired students who did not attend Highlands the previous semester must document their disability one month before the beginning of the term in which they plan to attend. This early deadline is required so that an interpreter can be located, hired,

and scheduled for the first day of classes. If all needed documentation is not received within two weeks of services being rendered, services will be suspended until the documentation is received. Deaf or hard of hearing students who attended Highlands the previous semester must notify the Office of Accessibility Services of their intent to continue at the University no later than two weeks before the beginning of the following semester. If a situation arises during the semester, modifications for accommodations will be reviewed on a case by case basis. Any accommodation will be in effect from the date of application.

Documentation Requirements

In order to receive academic accommodations during attendance at New Mexico Highlands University, each student must supply appropriate clinical documentation of his or her disability. Each student must also submit a completed NMHU Accessibility Services Application packet. These packets are available from the Office of Accessibility Services.

Highlands University requires this documentation as part of its effort to comply with all relevant legal mandates relating to people with disabilities. It also believes that the provision of such documentation is essential in order to accomplish its goal of promoting the educational success of students with disabilities. It is important for students to realize that medical documentation is never used to determine service eligibility. Rather, medical documentation is used to evaluate specific ways that a student's disability might affect them in the classroom or on campus. The goal is to predict and prevent problems before they occur.

In evaluating your documentation, Highlands University has adopted standards utilized by the Association of Higher Education and Disability (AHEAD) member institutions. These standards are designed to ensure all students are treated fairly and professionally. Under these standards, Highlands retains final discretionary authority as to the nature and duration of the accommodations that are provided to each student.

Please note that high school IEPs alone are never sufficient to document a disability. Further, note that all evaluations must be performed by licensed medical practitioners and that nursing staff (RNs, PAs, LPNs, etc.) or social workers are not qualified to diagnose and evaluate medical conditions for the purposes of disability accommodations.

Learning Disability/ADD/ADHD. A full diagnostic evaluation is required from a licensed neurophysiologist, psychologist, or psychiatrist trained in the assessment of learning disabilities. This evaluation must have occurred within the last three years and must clearly state that (a) a learning disability exists, (b) the nature of the learning disability, (c) the tests utilized to diagnose the learning disability and their results, and (d) accommodations required.

Psychological, Emotional, and Psychiatric Disabilities. A written evaluation from a licensed psychologist/psychiatrist based on the current DSM manual. The evaluation must have occurred within the last year and clearly indicate (a) the DSM code for the disability, (b) the severity and length of the disability, (c) the current course of treatment, (d) any medication prescribed, and (e) accommodations required. The documentation must also clearly state if the student is a threat to the health and safety to themselves or to others. Please note that students with psychological, emotional, and psychiatric disabilities must be re-evaluated at least once a year.

Physical Disabilities. A written evaluation and diagnosis by a licensed medical doctor clearly stating the nature and severity of the disability, any medication prescribed, and accommodations required. If the disability is not permanent, the doctor must indicate how long the condition is expected to last. For a hearing disability, a current audiogram from an ENT or Audiologist is required.

The evaluation must have occurred within the last five years for permanent disabilities or within the last three years for temporary disabilities.

Multiple Disabilities. Students with disabilities in multiple categories must provide documentation for all the disabilities they wish accommodations for.

Accommodations Provided

Accommodations are provided to meet the requirements of the ADA and Section 504 and to equalize the opportunity for success by minimizing the impact of the disability.

Accommodations provided to students are as varied as the myriad ways people experience disability. All accommodations reflect the reality that two people with similar medical diagnosis may experience their disabilities in unique ways. There is no set of accommodations that apply to every student or every situation. Accommodations provided to a student are based upon the medical documentation provided by the student and, where necessary, discussion with medical providers. Whenever practicable, it is the policy of Accessibility Services to meet with the student and discuss each personal situation before approval of accommodations is made.

Please note that it is the practice at Highlands University to provide in-classroom accommodations to a student on a semester basis. Students are given the latitude to determine whether or not they wish to take advantage of an authorized accommodation at any particular time or place. Students must request accommodations each semester and provide a current copy of their class schedule.

Students are strongly encouraged to meet with their professors to discuss how accommodations will be implemented in their class. Typical accommodations are discussed further in the following section. Please note that tutoring services are never considered an academic accommodation. However, student with a documented disability may take advantage of tutoring services that are provided to all students at Highlands. Accommodations must be within reason and not every request may be filled. The following may be considered unreasonable accommodations: a change in course requirements, fundamentally alteration of the nature of the program, an undue financial or administrative burden, and/or pose an appreciable threat to personal or public safety. The University is not required to provide items that are considered personal that could be needed in accomplishing daily activities both at school and elsewhere, such as a wheelchair, hearing aid, etc.

Testing Accommodations. Testing accommodations are the most frequently requested academic accommodation. Because of its potential impact on academic integrity, it is also the accommodation evaluated most carefully by the Office of Accessibility Services. Even when recommended by medical professionals, requests for testing accommodations are never automatically approved. The Office of Accessibility Services strives to find the level of accommodation that ensures academic integrity while allowing the student a fair opportunity to be successful. Common modifications include extra time for exams, a quiet and separate room for exams, and scribes.

Other accommodations may be made based on the student's unique situation.

Adaptive Technology. Highlands University supplies appropriate adaptive technology to students with disabilities. Such technology includes CCTVs, hearing equipment, speech-to-text and text-to-speech software, and usable print materials. The main location for this equipment is in Donnelly Library.

Adaptive technology is also located at other places on campus. Contact Accessibility Services for more information. Students with disabilities are not required to register with Accessibility Services to use adaptive technology located in areas generally accessible to the public. However, if students

need such equipment as part of an in-class accommodation, they must follow the procedures and meet the deadlines outlined in the Academic Accommodations section of this handbook. If equipment is checked out to a student, that student must assume financial liability for loss or damage to the equipment.

Interpreter Services. Accessibility Services provides sign language services for students who are deaf or hearing impaired. Requests for sign language interpreters must be made through Accessibility Services. Accessibility Services may also assist with coordinating interpreting services for campus functions sponsored by the University. Interpreting services for faculty and staff are the responsibility of the relevant University department. While Accessibility Services recognizes the benefit to the student of using a preferred interpreter, the hiring and scheduling of an interpreter is always at the discretion of the University and the Office of Accessibility Services, and there is no guarantee the student will receive the interpreter of their choice. Students utilizing an interpreter must also follow all relevant procedures outlined in the Interpreter Contract for Students, given to each student when an interpreter is assigned. Interpreters will be assigned accordingly with the resources the University has at that time.

Note takers. Accessibility Services offers note-taking as an accommodation. A pool of prospective note takers will be developed at the beginning of the semester. Note takers will be chosen from this field to fill note taker positions, or a student who attends the same class will be assigned. Accessibility Services does provide carbon copy note-taking paper free of charge to students upon request. Note taking should be viewed by the student as a supplement to their own note taking, note takers are not required to take notes for students during unexcused absences.

Variance from Degree Requirements. The main goal of academic accommodations is to provide the student with the assistance to succeed at the regular University curriculum. However, there are times when the student's functional limitations may make success in a particular course extremely difficult. In such a case, the student may request a waiver of a University or department course requirement. This is known as an academic appeal. The responsibility for initiating an appeal lies with the student. The student must follow the procedures outlined in the University's Student Handbook. Accessibility Services can assist and advise the student during the appeals process. However, it is important to realize that Accessibility Services does not approve student appeals. Approval lies with senior administrators in conjunction with faculty advice. Please note that under the law, approval of academic appeals is always at the discretion of the University, assuming the course requirement is valid in the first place.

Handicapped Parking. Accessibility Services does not authorize or issue permits to park in parking spaces reserved for individuals with disabilities. Students parking in reserved parking spaces must possess a state-issued license plate, decal, or placard that identifies them as an individual with a disability. Parking regulations are enforced by University police and complaints regarding code enforcement should be directed to them.

Other. Other accommodations possible include excused absences and lateness to class, priority seating, room reassignments, and large print text.

Transitional Counseling

The college and university environment is very different than K-12 schooling or the world of work. Transitional stress impacts all students but can be a special challenge for individuals with disabilities. Changes in academic, physical, and social environments create stress and tension. In addition, there is a significantly increased level of responsibility placed on the individual student. Students who manage their transition well stand an increased chance of graduating with their degree. Accessibility

Services provides transitional counseling to students and potential students of Highlands University. In particular, Accessibility Services works with students to become aware of the differences between the academic environment and other social environments; assist students in developing the skills to negotiate and manage their new environment successfully; and, develop into individuals who are independent self-advocates. Accessibility Services also works with K-12 staff and community service providers to assist students in adjusting to life in higher education.

Grievances

Should a dispute arise between a student and a faculty or staff member, the student should attempt to resolve the matter with the other party directly, if possible. If the student is not successful, they should bring the matter to the attention of the Office of Accessibility Services. The Office of Accessibility Services will attempt to resolve the complaint informally. If the student still does not receive satisfaction, they should follow the grievance procedures outlined in the official NMHU Student Handbook. If the student's complaint is against the Office of Accessibility Services, the student should file a report with the Vice President of Student Affairs.

Frequently Asked Questions

Will the University provide the same services and modifications as the high school IEP?

The IEP is specific to K-12 education. Accommodations in higher education are determined by disability documentation and substantial limitation due to the existence of a disability. Some services provided in K-12 education may be inappropriate in higher education (e.g., shorter assignments/exams). Determining the availability of accommodations in college is not based on whether an IEP existed (or not) in high school. An IEP can never be used as the sole means to document a disability.

Is Accessibility Services responsible to provide tuition and fee waivers for students with disabilities, and help with the cost of books?

No. Financial aid and scholarships may be available through the Financial Aid office located in the Felix Martinez Building. Other resources include the NM Department of Vocational Rehabilitation, New Mexico Commission for the Blind, and other state agencies or federal agencies.

Will whatever accommodations I say I need be provided?

Accommodations are based on disability documentation and substantial limitation of the disability. The University does not make fundamental alterations to classes, degrees or programs. Consideration is given to individual preferences. However, it is the institution's decision, as long as accommodations provided can be shown to be reasonable and equally effective as any the student suggests.

Are Colleges required to provide one-on-one tutoring?

Tutoring is considered an item of personal nature and, therefore, outside the scope of accommodations. NMHU provides equal access to the same tutoring provided to all students. Students should contact Student Support Services for more information on available tutoring services.

Whenever accommodations are requested, can all the previous exams/assignments be changed, if necessary?

The obligation to provide an accommodation begins at the point a request is made. Reasonable

notice is required from the student to request accommodations (e.g. books on tape); although a good faith effort is expected by the institution to provide them in a timely manner. Accommodations are not retroactive.

Since I provided the other college with documentation about my disability, is all I need to do is bring the accommodation list to the college to which I am transferring?

Each college is permitted to establish their documentation guidelines/ requirements. Accommodations provided at one institution do not obligate another institution to the same. Each institution of higher education is required to make its own informed judgment.

Can I have the ASL interpreter I choose?

Generally speaking, there is a lack of qualified interpreters in New Mexico. Qualified interpreters are provided as an accommodation to facilitate communication. Provided that the interpreter is qualified, Accessibility Services makes every effort to assign an interpreter of the student's choice. However, the ultimate decision rests with the Office of Accessibility Services and a wide variety of reasons may prevent the office from hiring the student's choice. In all cases, the interpreter should adhere to the Code of Ethics, have the skill level necessary to communicate effectively, and be able to utilize the student's sign system. In postsecondary, interpreters are not tutors, Paraprofessionals, or helpers.

Suggestions/recommendations for Instructors

Instructors should not make accommodations without first consulting with the Accessibility Services staff, nor should instructors accept or review medical or psychological reports if offered them by a student to support a request for accommodation. Students should be referred to Accessibility Services to meet with staff for a review of these documents, and to determine eligibility for services and accommodations.

It would be exceptionally useful if instructors would make an announcement in class and have a statement in your syllabus to the effect as follows:

“In accordance with federal law, it is University policy to comply with the Americans With Disabilities Act (ADA). If you believe that you have a physical, learning, or psychological disability that requires an academic accommodation, contact the Coordinator of Accessibility Services by phone at (505) 454-3252 or (505)454-3188, via e-mail at desquibel@nmhu.edu or visit Room 108 of the Felix Martinez Building on the main campus. If you need this document upon which this notice appears in an alternative format, you may also contact the Coordinator of Accessibility Services.

It is inappropriate to ask a student if they have a disability, nor should an instructor ask the student what's “wrong” with them. It is also inappropriate to inquire about the details of the disability when presented with a Notification to Instructors/Faculty letter. You may privately ask the student how the disability will affect specific tasks required in your class.

Always make sure that your discussions with students are done in private, and be aware that many students are very uncomfortable in approaching instructors to discuss their special academic needs.

Instructors should know that accommodations are not retroactive. Instructors do not need to readminister tests or make adjustments to course activities/grades that have already occurred if the student makes a request late in the semester. Instructor must make accommodations from the date a “Notification to instructors” letter is received.

Specific modalities for working with specific disabilities (i.e learning disability, deaf, hard of hearing, blind or visually impaired, etc.) are available at the Office of Disability Services.

Notes:



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