



Inter American University of Puerto Rico  
Office of the President

**GUIDES, NORMS AND PROCEDURES FOR ATTENDING TO STUDENT  
REQUESTS FOR REASONABLE ACCOMMODATION**

**NORMATIVE DOCUMENT E-1213-005**

**NOTE:** *This Normative Document is available in Spanish and English.  
In the event of a conflict as to its interpretation, the Spanish version shall prevail.*

**Introduction**

It is the policy of Inter American University of Puerto Rico to not discriminate because of race, gender, disability, national origin, social condition, and political or religious beliefs. This policy also includes the provision of equality of educational opportunities and full participation to students with handicaps.

In this document reasonable accommodation is defined, how it is determined if it is necessary to provide it, and what accommodation, if any, should be offered.

The Office for Federal and Labor Affairs will be available to assist the Coordinators of Services for Students with Handicaps (CSSH) in all stages of the process of attending to a request of reasonable accommodation.

I. Legal Base

This normative document is promulgated by virtue of the authority conferred to the President by the Board of Trustees in the Bylaws of the University. It is based, in addition, on Section 504 of the Law of Rehabilitation of 1973, which establishes that no student with a qualified disability may be excluded from participation in a program or activity financed with federal funds, due to his disability.

In 1990, the Americans with Disabilities Act, abbreviated (ADA), substantially extended accessible protection to students with disabilities. This Law not only prohibits discrimination because of disability, but creates the obligation to offer reasonable accommodation to qualified persons, and establishes the standards that all facilities open to the public, including universities, must follow.

The Americans with Disabilities Act Amendments Act of 2008 (ADAAA), which went into effect on January 1, 2009, had the effect of expanding the conditions protected

under ADA. These changes apply by reference to the provisions of Section 504 of the Rehabilitation Act.

## **II. Purpose**

The purpose of this document is to help university administrators to comply with the applicable laws by means of the establishment of a procedure to attend to requests for reasonable accommodation.

## **III. Applicability**

This normative document will be in effect in all academic units of the University System.

## **IV. Definitions**

For purposes of this document and in harmony with the effective regulations, the following terms or expressions will have the meaning indicated below:

- 4.1 Reasonable accommodation - any modification or adjustment to a study program or physical environment that allows a student with a disability to enjoy equal conditions in order to demonstrate academic achievement, to participate in programs and benefits, and to participate in academic life. Any student with a disability, who meets the requirements established by Law, may apply for reasonable accommodation.
- 4.2 Major Activities - major life activities, including, but not limited to: personal care, performing manual tasks, seeing, listening, eating, sleeping, walking, standing, lifting objects, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. It also includes the major corporal functions, such as, the immune system, normal growth of cells, the digestive, neurological, cerebral, respiratory, circulatory, and endocrine systems, and the reproduction function and others.
- 4.3 Undue Hardship - an action that would represent a difficulty or significant expense for the University.
- 4.4 Handicap Certification.-any document provided by a certified professional, which describes the handicap the student has and the manner in which this affects a major daily life activity.
- 4.5 Coordinator of Services for Students with Handicaps (CSSH).- this is the person designated in each campus to attend to the students' accommodation requests.

- 4.6 Disability - a physical or mental condition that substantially limits one or more major daily life activities. According to Section 504 of the ADA Rehabilitation Act (1973), a student with a disability is:
  - 4.6.1 an individual with a disability file, or
  - 4.6.2 an individual considered as a person affected by a disability.
- 4.7 Student with a qualified disability – a student who, with or without reasonable accommodation, can perform the essential functions related to the academic program in which he is registered, and complete it satisfactorily.
- 4.8 Essential functions related to the academic program - all those basic or fundamental functions required to complete an academic program satisfactorily.
- 4.9 Transitory Disability – a disability with a real or expected duration of six months or less.
- 4.10 President - the President of Inter American University of Puerto Rico.
- 4.11 Unit of the System - the Central Office, each Campus, the School of Law, the School of Optometry and any other unit that may be established in the future.
- 4.12 University or Institution - Inter American University of Puerto Rico, Inc.

## **V. Responsibilities**

- 5.1 The responsibilities that the University has with students with disabilities may be summarized, in general terms, in the following way: to guarantee accessibility and integration to the courses, programs, services, work, activities and facilities; to provide reasonable accommodation if it is requested on time, as provided in this normative document; and to maintain the confidentiality of the files and communications related to students with disabilities, among these are the applications for reasonable accommodation.
  - 5.1.1 The University is not required to admit or to graduate a student who does not obtain the academic index indicated just because he is a student with a disability.
  - 5.1.2 The University is only required to provide the reasonable accommodation necessary so that a student with a disability can participate in the academic life in equal conditions with students

without disabilities. Nevertheless, the University is not required to make reasonable accommodations that represent an undue hardship for the University. Neither is it required to provide equipment for personal use.

5.1.3 Once it is determined that a student with a qualified disability can receive reasonable accommodation, the University has the obligation to:

5.1.3.1 Make the necessary changes in the academic requirements, unless the changes requested alter the essential requirements of the study program or those of accrediting agencies.

5.1.3.2 Make evaluations and examinations so that it is guaranteed that the results reflect the achievements of the student.

5.1.3.3 Make the necessary modifications in its procedures, unless these fundamentally alter the program or service that is offered.

5.1.3.4 Provide secondary aid, unless this fundamentally alters the program or constitutes an undue hardship.

5.2 Responsibilities of students with disabilities who apply for reasonable accommodation must:

5.2.1 Be qualified to carry out and to complete the essential tasks of the academic programs in which they are registered.

5.2.2 Submit the necessary documentation to the Office of the CSSH.

5.2.3 Comply with the General Student Regulations, the General Catalog and other Institutional norms.

5.3 Responsibility of the Professors

When the professor receives a request for reasonable accommodation from a student, he must refer it to the CSSH so that this person may officially process the application (Supplement 2). When a professor receives the certification of reasonable accommodation (Supplement 4) of reasonable accommodation emitted by the CSSH, he is required to comply with the recommendation in the certification.

5.4 Responsibilities of the Coordinator of Services for Students with Handicaps (CSSH), with respect to the requests for reasonable accommodation.

- 5.4.1 Verify that the student meets the norms for requesting the services (Supplement 1). Give the student the request of reasonable accommodation (Supplement 2). In the necessary cases, include the medical certification (Supplement 3).
- 5.4.2 Determine the eligibility of students with disabilities to participate in the process of reasonable accommodation, based on the evaluation of the documentation submitted (See Section VI).
- 5.4.3 Determine the appropriate accommodation for each student requesting it.
- 5.4.4 Process the request and issue the certification to the faculty (Supplement 4). If necessary, notify the Professor, the Director of the Department and the appropriate Dean.
- 5.4.5 Inform the student the date on which the approved accommodation will begin.
- 5.4.6 Verify that the student receives the recommended accommodation.
- 5.4.7 Guarantee the confidentiality of the information regarding the disability.
- 5.4.8 Keep statistics on the services.
- 5.4.9 Advise and offer consulting services to the faculty when necessary.
- 5.4.10 Encourage students with disabilities to request reasonable accommodation at the beginning of their courses.

## **VI. Procedure for Determining Reasonable Accommodation**

- 6.1 The first step to determine if it is fitting to make a reasonable accommodation is to ascertain if the student is qualified according to the law. That is, if it is a student affected by a condition that limits a daily life activity substantially.
- 6.2 For determining the reasonable accommodation, the University must:
  - 6.2.1 Determine if the student can meet the essential requirements of the course or academic program, with or without reasonable accommodation, if from the medical documentation it is evident that it is dealing with a student with disabilities. The University reserves the right to request the student to take an additional medical

examination, paid for by the University, in order to make a decision regarding the application for reasonable accommodation.

- 6.2.2 If a substantial alteration to the academic programs is required, refer the information to the director of the department for the pertinent evaluation and recommendation.
- 6.2.3 In case the student requests changes to a current accommodation, determine if the current accommodation should continue while information is obtained to make the requested change. Establish a reasonable period of time to take care of the request.
- 6.3 In order to make a decision on a request for reasonable accommodation, the necessary documentation and an individualized evaluation are required. The documentation must describe the type of disability the student has and how this affects a main daily life activity.
- 6.4 The following criteria will be used to ensure that the documentation submitted is adequate to verify eligibility, to support requests for reasonable accommodations and services, and to interview the applicant. The documentation must:
  - 6.4.1 Be recent (not more than three years old), since the changing conditions may justify that the information be updated frequently.
  - 6.4.2 Be prepared by a specialized doctor or a qualified professional.
  - 6.4.3 Include information on the diagnosis and an explanation of the present manifestations or functional limitations of this condition.
  - 6.4.4 Contain a complete evaluation and include recommendations for accommodation and treatment.

## **VII. Nature of Reasonable Accommodation**

- 7.1 The reasonableness of an accommodation depends on the nature or degree of severity of the documented disability. Once it is determined that a substantial alteration of the assignments or of the study program is not entailed, the CSSH must determine what the reasonable accommodation is.
- 7.2 It is possible to start with the accommodations that the student received in other institutions of higher education or in elementary and high schools. The recommendations made by agencies, such as: the Office of the Solicitor of Persons with Disabilities, Vocational Rehabilitation and the health

professionals that attend to students will be of an illustrative nature, not directive. In addition, the recommendations made by the student himself should be considered.

- 7.3 Although the specific accommodation requested by the student with a disability is considered, this does not imply that this accommodation must be approved if the University considers that it is not reasonable and other measures of equal effectiveness are available.
- 7.4 When determining what accommodation is reasonable, the CSSH must consider:
  - 7.4.1 The functional limitations of the student requesting the accommodation.
  - 7.4.2 The academic requirements that are affected by the student's disability.
  - 7.4.3 How onerous or difficult it will be for the University to attend to the request for reasonable accommodation.
  - 7.4.4 The type of equipment used in the classroom.
  - 7.4.5 The existence of problems of accessibility to the study areas.
  - 7.4.6 The recommendations of the applicant.
  - 7.4.7 The medical recommendations.
  - 7.4.8 The recommendations of specialized agencies.
- 7.5 The following should not influence this process:
  - 7.5.1 The prejudices or preferences of the CSSH.
  - 7.5.2 The concern about what other students might think.
  - 7.5.3 The reservations regarding academic freedom.
- 7.6 The CSSH must consider the need to provide nontraditional reasonable accommodations to:
  - 7.6.1 Cancer patients that may require that the class schedule be altered, so they can rest after receiving chemotherapy.

- 7.6.2 Students with mobility problems who may request that their classes be conducted in the same building, but on the first floor.
- 7.6.3 Students with some respiratory conditions that may need air conditioned classrooms.
- 7.6.4 Students with diabetes or other medical conditions that require them to eat, so that they are allowed to consume foods in the classroom or in adjacent areas.
- 7.6.5 Students with albinism who might request that they be exempt from outdoor activities.
- 7.7 Notification - once it is determined what accommodation is reasonable, the CSSH must notify this immediately to the applicant and the professor.
- 7.8 If the applicant is not in agreement with the recommended accommodation, he may appeal this recommendation to the CSSH, following the procedure established herein (Supplement 7).

## **VIII. Confidentiality**

All documents provided by the student during this process are confidential. This is established in the "Rehabilitation Act of 1973", the "Americans with Disabilities Act" and the "Family Educational Rights and Educational Privacy Act".

- 8.1 This information will be shared only with other components of the University when it is indispensable for obtaining an academic aim.
- 8.2 Professors do not have the right to review their students' Reasonable Accommodation documents.
- 8.3 These documents must be filed in a file apart from the academic file.

## **IX. Retaliation**

The University must not take retaliation against students who request reasonable accommodation under protection of the laws mentioned. Neither may it take retaliation against the persons that help students claim their rights.

## **X. Sanctions**

Any supervisor or professor, who refuses to provide the reasonable accommodation indicated by the CSSH, incurs not only in a violation of institutional



norms, but also in violations of the law, which makes that person liable to civil claims before the courts as an individual.

## **XI. Forms**

The following forms are supplements, which must be used to attend to student requests for reasonable accommodation:

Supplement 1	Norms for requesting reasonable accommodation services
Supplement 2	Application for reasonable accommodation
Supplement 3	Certification of disability for reasonable accommodation
Supplement 4	Certification of reasonable accommodation (Notification to Faculty)
Supplement 5	Authorization for sharing information
Supplement 6	Application for renewal of reasonable accommodation
Supplement 7	Procedures for dealing with complaints
Supplement 8	Examples of traditional reasonable accommodations

## **XII. Severability**

If any part or section of this document is declared null by a competent authority, such decision will not affect the rest.

## **XIII. Repeal or amendment**

These guides, norms and procedures repeal normative document E-1209-003R and any other directives that are in conflict with the provisions herein. This document can be amended or repealed by the President of the University.

## **XIV. Effective Date**

These guides, norms and procedures will be effective upon the approval and signature of the President.

## **XV. Approval**

**Signed by the President on October 2, 2014**

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Agustín Echevarría  
Acting President

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Date (M-D-Y)

Appendixes

(The appendixes is included in the Spanish version)