



TEXAS SOUTHERN UNIVERSITY

MANUAL OF ADMINISTRATIVE POLICIES AND PROCEDURES

SECTION: Academic Affairs

Policy: 06.02.02

AREA: Office of Compliance

SUBJECT: Students with Disabilities Policy¹

Eligibility for Accommodations & Required Disability Documentation

This policy is intended to specify the disability documentation required that will qualify Texas Southern University (TSU) students for reasonable and appropriate academic adjustments through TSU's Student Accessibility Services Office (SASO).

Only accommodations granted by the SASO and communicated to faculty through a Faculty Notification Letter (FNL) will be recognized by TSU as approved accommodations for students with disabilities.

Faculty are not required to provide reasonable accommodations/academic adjustments to students with disabilities unless the student has registered with the SASO and has engaged in the interactive process. Once granted by SASO, faculty are required to implement the approved accommodations as outlined in the Faculty Notification Letter. Modifications of approved accommodations/academic adjustments may only be made by the SASO.

1. General Eligibility Requirements

- 1.1 To receive services from the SASO, a student must be admitted and enrolled as a TSU student (i.e., registered for classes).
- 1.2 The student must provide the SASO office with documentation of a qualifying disability that verifies the nature and extent of the disability before receiving any accommodation or academic adjustment.
 - a. If a student does not have documentation, they are still required to follow the application and intake process, which includes meeting with a SASO representative and participating in the interactive process. Documentation may be required to support the need for academic adjustments/ accommodations.
- 1.3 Provisional accommodations may be granted to a student by SASO to assist while the student collects appropriate documentation regarding their eligibility and the

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functional limitations supporting the need for reasonable accommodations/ academic adjustments.

- a. Such provisional accommodations must not exceed thirty (30) calendar days unless an extension is granted due to extenuating circumstances. An additional thirty (30) calendar days of provisional accommodations may be granted in the case of an extenuating circumstance. It is SASO's discretion to determine if such extenuating circumstances exist.
- b. The TSU Compliance Office must review any extension request beyond the additional thirty (30) calendar days. Such extension must be based on circumstances beyond the control of the requesting student and is not guaranteed.
- c. In the case of compressed classes (classes shorter than the standard 14 or 16-week schedule), provisional accommodations (as defined in 2.3 above) should be granted for compressed classes until such time as formal approval of academic adjustments can be arranged, a determination is made that the student is not eligible for reasonable accommodations/ academic adjustments, or thirty (30) calendar days of provisional accommodations have passed.
 - i. The SASO office and the student requesting accommodations/ academic adjustments should promptly work together to ensure reasonable accommodations are granted. Nothing in this paragraph is intended to disturb SASO's processing of accommodation requests or the need for reasonable documentation to support the request for accommodations/ academic adjustments.

2. Who is Eligible for Services

- 2.1 To be eligible for SASO support services, a student must have a disability as defined by federal law (Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Americans with Disabilities Act Amendments Act of 2008 (ADAAA)).
- 2.2 An individual with a disability is a person who has a physical or mental impairment that substantially limits one or more major life activities. These persons are protected by Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. These federal laws protect individuals with a record of such an impairment and those who are regarded as having such an impairment.
- 2.3 The definition of "disability" in Section 504 and the ADA should be interpreted to allow for broad coverage.

3. Definitions

3.1 **Academic Adjustment** means modifying a non-essential academic requirement, an examination, or an institutional rule necessary to provide access to the academic and educational environment. Academic adjustments may include changes in the length of time permitted to complete degree requirements, substitution of specific courses required to complete degree requirements and adaptation of how specific courses are conducted. Academic adjustments may not substantially or materially alter the course modality, curriculum, competencies, or degree requirements.

3.2 **Accommodation** means altering the environment, curriculum format, or equipment that allows a student with a disability to gain access to content and/or complete assigned tasks. Since accommodations do not alter what is being taught, instructors can implement the same grading scale for students with disabilities as they do for students without disabilities.

Examples of accommodations include, but are not limited to, attendance accommodations, sign language interpreters for students who are hearing impaired, computer text-to-speech, computer-based systems for students with visual impairments or dyslexia; extended time for students with fine motor limitations, visual impairments, or learning disabilities; and large-print books and worksheets for students with visual impairments.

3.3 **Current Documentation** means documentation of a diagnosed physical or mental impairment that is dated within 5-7 years. Adult norms must be used for all testing provided as documentation.

3.4 **Major Life Activities** include, but are not limited to, functions such as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. Major life activities include major bodily functions such as immune system functions, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

3.5 **Mental Impairment** means any mental or psychological disorder, including but not limited to intellectual disabilities (intellectual developmental disorder), organic brain syndrome, emotional or mental illness, specific learning disabilities, post-traumatic stress disorder, depression, and bipolar disorder. The phrase substantially limits must be interpreted without regard to the ameliorative effects of mitigating measures, other than ordinary eyeglasses or contact lenses. Mitigating measures include medications, prosthetic devices, assistive devices, or learned behavioral or adaptive neurological modifications that an individual may use to eliminate or reduce the effects of an impairment. These measures cannot be considered when determining whether a person has a substantially limiting impairment. An episodic or in remission impairment is a disability if, when in an active phase, it would substantially limit a major life activity. For example, a student with bipolar disorder would be covered if,

during manic or depressive episodes, the student is substantially limited in a major life activity (e.g., thinking, concentrating, neurological function, or brain function).

3.6 **Physical Impairment** means a physiological disorder or condition, a cosmetic disfigurement, or an anatomical loss that affects one or more of the following body systems: neurological, musculoskeletal, special sense organs (which would include speech organs that are not respiratory such as vocal cords, soft palate, tongue, etc.); respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine. Examples include but are not limited to, orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, Diabetes, HIV (symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

4. Procedures

4.1 General Procedures

- a. The SASO office is responsible for evaluating documentation and determining eligibility and reasonable academic adjustments/ accommodations for all TSU students, including students in graduate and/or professional degree programs.
- b. Any instructor, academic staff member, or support staff who receives a request from a student for accommodations/academic adjustments due to disability must refer the student to the TSU SASO office.
- c. All instructors/faculty shall utilize the SASO Accommodation statement in their course syllabus or other required course material. This statement identifies SASO as the only office on campus that provides academic adjustments/accommodations for students with disabilities and provides information to students on how to secure accommodations for disabilities.
- d. All requests for academic adjustments/accommodations shall be considered on an individual, case-by-case basis, and all reasonable and appropriate requests for academic adjustments/accommodations from eligible students shall be considered by the SASO. The SASO may exercise its right to require additional documentation supporting a request for academic adjustment/accommodation.
- e. Academic adjustments/accommodations are determined by the SASO through an interactive exchange (the interactive process) with the eligible student. The interactive exchange may continue during the course of the academic semester and may involve faculty members' input regarding the terms and conditions of the course or program of study. Accommodations/ academic adjustments in the classroom

environment should include the participation of course faculty.

- f. TSU is not required to provide “best” or “most desired” accommodations but rather a reasonable accommodation sufficient to provide the eligible student equal access to the educational environment/activities.
- g. TSU shall continue the interactive process to establish a reasonable accommodation for an individual pursuant to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 until it finds an accommodation or accommodations that meet the needs of the individual and do not impose an undue burden on TSU.

4.2 Material alteration of class or certification requirement

- a. If a faculty member believes the SASO-approved academic adjustment/ accommodation would alter an essential academic course competency, curriculum, or licensing requirement, the instructor shall meet with the SASO office as part of the interactive process. If this issue was not previously addressed in the interactive process, a conversation with the SASO should occur within five (5) business days of the faculty member’s receipt of the Faculty Notification Letter outlining the approved academic adjustment or accommodation. The Parties will attempt to resolve the concern.
 - i. If the faculty member’s concerns are not resolved after the meeting with the SASO Director, the faculty member and the SASO Director will meet with the Provost or designee and the Compliance Officer or designee to resolve the concern. This meeting should take place within three (3) business days of the meeting between the SASO Director and the faculty member. The Provost will decide regarding the faculty member’s concern. This decision is final.
- b. Any change in SASO’s initial recommendation resulting from the meeting with the Provost will be communicated to the student by SASO, and the interactive process will continue to provide reasonable and appropriate academic adjustments/accommodations.
- c. Recipients of federal funds are prohibited from intimidating, threatening, coercing, discriminating, or otherwise retaliating against any individual for the purpose of interfering with any right or privilege secured by this policy or by federal and/or state law. Any retaliatory action by instructors, supervisors, managers, academic professionals, administrators, or other employees with the authority to take adverse action against a complainant or witness is strictly prohibited and may be grounds for disciplinary action.

5. Rights and Responsibilities

5.1 Students served by SASO have the right:

- a. to an equal opportunity to access course information and materials
- b. to an equal opportunity to participate in and benefit from the academic environment
- c. to choose whether or not to disclose the nature of their disability to their professor(s). FERPA protects the information the student provides to the SASO. The SASO will not share documentation about a student's disability, including the nature of the diagnosis with faculty or other TSU staff, unless permitted by the student at issue or by FERPA.
- d. to request reconsideration of accommodation determinations if a student is dissatisfied with the granted accommodations because they believe their disability(ies) is/are not being properly accommodated or if they believe they have been discriminated against during the interactive process.
- e. To be free from retaliation for seeking redress under this or other TSU policy.

5.2 Students served by the SASO Responsibilities:

- a. Self-identify to SASO as having a disability and provide accurate, recent, and timely documentation.
- b. Check their TSU email for updates and announcements from SASO.
- c. Request accommodations each semester in a timely manner and understand that a late request does not constitute grounds for retroactive adjustments.
- d. Notify the SASO if classes are dropped or added.
- e. Communicate directly with the SASO regarding exam accommodations, such as taking exams in the testing center, and communicate about the time and place for such exams.
- f. Contact the SASO promptly if they are having difficulty securing accommodations or if granted accommodations are not being implemented by faculty.
- g. Promptly return any borrowed or assigned equipment (as an accommodation) to SASO when it is no longer needed.
- h. If approved for note-taking or audio-recording services, understand that these services are for personal use only and may not be shared, sold, or

otherwise distributed in person or through electronic means. In addition, the student must understand that they must be present in class to receive these services.

- i. Understand that requesting accommodations does not mean the student's request will be approved.
- j. Meet the same standards—academic, technical, performance, and behavioral—expected of all TSU students.
- k. Accommodations may be granted on a provisional basis (30 days). This may be based on the need for additional documentation. In these cases, the student must update their documentation to receive accommodations beyond the 30 days. The student must understand that approval will be based on a review of the new documentation, and there is no guarantee that the provisional (or any) accommodations will ultimately be approved.
- l. Understand that faculty are not required to provide any accommodation that fundamentally alters the nature of their course or lowers the academic standards.

6. General Disability Documentation Guidelines

Physical Disabilities

TSU's SASO will accept current diagnoses of physical disabilities that are based on appropriate diagnostic evaluations administered by trained and qualified (i.e., certified and/or licensed) professionals (e.g., medical doctors, ophthalmologists, psychologists, neuropsychologists, audiologists).

Learning Disabilities

TSU's SASO will accept diagnoses of specific learning disabilities that are based on comprehensive, age-appropriate, psychoeducational evaluations that demonstrate the current functional limitations of the disability.

The assessment must be administered by a trained and qualified (i.e., certified and/or licensed) professional (e.g., psychologist, school psychologist, neuropsychologist, educational diagnostician) who has had direct experience with adolescents and adults with learning disabilities, including all battery scores in addition to evaluative notes.

Attention Deficit Hyperactivity Disorder (ADHD)/Attention Deficit Disorder (ADD)

TSUs SASO will accept current diagnoses of ADHD that are based on age-appropriate diagnostic evaluations administered by trained and qualified (i.e., certified or licensed) professionals (e.g., psychiatrists, psychologists, or neuropsychologists). Submitted documentation must demonstrate the current functional limitations of the disability.

Psychiatric Disabilities

TSU's SASO will accept current diagnoses of psychiatric disabilities that are based on comprehensive and appropriate diagnostic evaluations completed by trained and qualified (i.e., licensed or certified) professionals (e.g., psychologists, psychiatrists, neuropsychologists, school psychologists).

Submitted documentation must demonstrate the current functional limitations of the disability.

7. Additional Documentation Guidelines and Resources

- 7.1 TSU's SASO can provide a "Disability Verification Form" that can be completed by a trained and qualified professional, or the professional may choose to submit a letter. The letter must be on letterhead, with date and signature (including license number, if applicable), and must include the following:
 - a. a diagnostic statement identifying the disability (including the date of the diagnosis)
 - b. current severity/impact of the disability (mild/moderate/severe)
 - c. an assessment of major life activities that are impacted by the disability (e.g., learning, concentration, class attendance, social interactions, reading, walking, etc.) and
 - d. specific recommendations for accommodations. The SASO office alone is responsible for evaluating documentation and determining eligibility and reasonable academic adjustments/accommodations.

8. Request for Reconsideration and Grievance Procedure

8.1 Request for Reconsideration

- a. If a student is unsatisfied with either the academic adjustments/ accommodations granted by the SASO office or the denial of academic adjustments/ accommodations, the student should submit **in writing** to the SASO office the specific reason(s) they are unsatisfied and the redress they seek. The SASO office will respond to this communication within five (5) business days. The communication should outline the Director's response as well as if there has been a determination that an adjustment or change of accommodation status is warranted.
- b. If the student is still dissatisfied with their academic accommodations or the denial of their accommodations, the student may submit a formal request for reconsideration of accommodation to the TSU Compliance office.

- i. The request for reconsideration must be made in writing within ten (10) business days of the delivery of the SASO response to the initial request for reconsideration.
- ii. This written request should be delivered to the District Compliance Officer and must include a statement of the desired outcome. In reviewing a request for reconsideration, the Compliance office will rely on the documentation available to the SASO at the time of the initial decision in making accommodation determinations.
- c. The Compliance Officer will respond to students within ten (10) business days of the SASO Director receiving the request for reconsideration.
- d. The Compliance Officer may uphold the original accommodation determination or may return the matter to the SASO to revisit the interactive process. The decision of the Compliance Officer shall be final. Any changes to accommodations will be communicated to the student by the SASO office. Accommodations are not retroactive.

8.2 Grievance Procedure

- a. If a student believes they have been subject to unlawful discrimination based on their disability, they may file a complaint under the Student Complaint Process.

9. Eligibility of Students Taking Reduced Course Loads

- 9.1 Although any student may register for fewer than twelve (12) credit hours, a student with a disability may request a reduced academic load as a reasonable and appropriate accommodation. The SASO may certify that a student who is afforded a reduced academic load as an accommodation for a disability shall nevertheless be deemed a full-time student. Such certification shall be solely to enable the student to seek eligibility for health insurance benefits and to seek eligibility to comply with the National Collegiate Athletic Association (NCAA) mandates. The SASO professional will certify that a student may be deemed a full-time student as provided under this regulation only on a semester-by-semester basis.
- 9.2 The appropriate University offices will receive the SASO professional's certification documentation from the professional or the student. An incoming student may apply for such certification upon acceptance to TSU. Requests for certification must be made prior to the beginning of each semester.
- 9.3 The following criteria also apply:
 - a. Students taking a reduced course load must register for at least 6 credit hours (based on SASO approval) during the regular fall and spring semesters. It is recommended that students register for at least three (3)

credit hours during the summer to offset the impact of academic eligibility.

- b. Students taking a reduced course load must maintain satisfactory academic progress standards as defined by the TSU course catalog.
- c. The reduced credit load may result in an adjusted financial aid package.
There may be additional ramifications including, but not limited to, extra time to complete college, insurance coverage, Vocational Rehabilitation funding, etc.
- d. Eligibility for Federal Stafford Loans may be reduced according to the total number of credit hours taken in the full academic year. A student taking a reduced course load must be at least half-time in a semester (6 credits) to receive a Stafford Loan.
- e. The amount of Federal Financial Aid (Title IV) awarded is based on the actual number of credit hours taken.
- f. Requirements for continuation of funding through Vocational Rehabilitation may differ. The student must contact his/her VR counselor to determine how a reduced course load will impact their funding.
- g. Enrolling in a reduced course load may jeopardize NCAA eligibility, F-1 or J-1 visa status, financial aid, or veteran's benefits. Please check with the respective offices before taking a reduced courseload.

10. Application Process

- 10.1 Applications for reduced course loads must be submitted to the SASO professional with supporting documentation. Requests must be made at least ten (10) days before the beginning of each semester.
- 10.2 Supporting documentation must include a diagnostic evaluation from an appropriate professional. The documentation must meet the guidelines set forth by the TSU Students with Disabilities policy in order to evaluate the current impact of the disability in regard to the request. Students must complete an application form for this status every semester but do not need to re-submit their documentation, once such documentation is approved. Continuation of this status is not automatic. Each case will be re-evaluated at the end of the semester to determine if this accommodation is still appropriate.
- 10.3 Students requesting a reduced course load should consult with their academic advisor regarding the consequences of this status for progressing toward graduation requirements and eligibility for various academic distinctions and designations.

- 10.4 Students registered in occupational and/or academic programs with specific block formats will not be considered for reduced course loads.
- 10.5 Students who are approved for a reduced course load will be required to sign the Reduced Course Load Acknowledgement Form, which includes a statement acknowledging that he or she has reviewed the consequences of reduced load status and accepts them.
- 10.6 When the SASO grants a reduced course load status, a copy of the Reduced Course Load Approval Form will be sent to the appropriate individuals.

Student Accessibility Services Office (SASO)

Reduced Course Load Student Acknowledgement Form

I, _____
(Student Name)

_____ (Student T-Number)

am requesting permission to take a reduced course load while maintaining full-time status. By signing below, I am acknowledging compliance with and consent to the following conditions:

1. I understand I must register for at least 6 credit hours (based on SASO approval) during the regular Fall and Spring semesters. It is recommended that I register for at least three (3) credit hours during the summer session to offset the impact of financial aid eligibility.
2. I understand that I must maintain Satisfactory Academic Progress standards as defined by the College catalog.
3. I understand that my reduced course load will result in an adjusted financial aid package. I am responsible for discussing the impact of this status with the TSU Financial Aid personnel.
4. I understand that requirements for continuation of funding through Vocational Rehabilitation may differ based on the reduced course load. If applicable, I am responsible for contacting my VR counselor to determine how a reduced course load will impact my funding.
5. I understand that The National Collegiate Athletic Association (NCAA), Division I: Regulations Section 14.1.6.2.2.1.3 states: "The Eligibility Compliance Cabinet may waive the general satisfactory progress requirements for a learning disabled or handicapped student-athlete when objective evidence demonstrates that the institution has defined full-time enrollment for that student-athlete to be less than 12 credit hours to accommodate a student's learning disability or handicap."
6. I understand there may be additional requirements or regulations due to taking a reduced course load (e.g., academic progress, veteran benefits, visa eligibility, etc.)
7. I understand that if I am enrolled in an occupational and/or academic program with a specific block format, I will not be considered for a reduced course load.
8. I understand that continuation of this status is not automatic and is approved for the _____ semester. My eligibility for this accommodation will be re-evaluated at the end of this semester.

_____ (Student's Signature)

_____ (Date)

_____ (Director SASO Signature)

_____ (Date)

Student Accessibility Services Office (SASO)
Reduced Course Load Approval Form

Academic Year _____

Semester: Fall ____ Spring ____ Summer ____

Part A: To be completed by Student

Name: _____

Student ID: _____

Phone: _____

Date of Birth: _____

SASO Profile: Yes ____ No ____

Credit Load Requested: _____

Rationale: _____

Student Signature: _____ Date: _____

Part B: To be completed by student and DRS Personnel

1. Discuss possible considerations resulting from taking a reduced course load, including, but not limited to, the following list:

- Extra time to complete degree
- Insurance coverage
- Notice from SASO does not guarantee coverage
- Financial Aid*
- Vocational Rehabilitation Funding*
- Graduation requirements*
- Athletics*
- Visa requirements*
- Veteran benefits*
- Occupational/academic block programs
- Other: _____

_____ (student initials) The possible impacts of taking a reduced courseload on the aforementioned items have been explained to me.

* Specific requests for a reduced course load must be discussed with the individual department, as additional requirements or regulations could impact academic progress.

Part C: To be completed by SASO Personnel

1. Does documentation support the request? Yes _____ No _____

If yes: Rationale _____

Credits Requested: _____ Approved: Yes _____ No _____

DRS Signature: _____ Date: _____

Review each semester: _____ Continue upon request: _____