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MIDWIVES COLLEGE OF UTAH

M I D W I F I N G M I D W I V E S



Adjustment Agreement Rights & Responsibilities

Students who are seeking services / information from Student Life regarding accommodations at MCU have the right to:

- Appropriate confidentiality of all information regarding the disability, except disclosures required or permitted by law.

Students who are seeking services / information from Student Life regarding accommodations at MCU have a responsibility to:

- Meet qualifications and maintain essential institutional standards for courses, programs, services, jobs, activities, and facilities.
- Self-disclose the need for academic adjustments, auxiliary aids, and/or services to Student Life in a timely manner.
- Demonstrate or document (from an appropriate professional) how the condition significantly impairs functioning in courses, programs, services and activities. The cost of obtaining documentation is the responsibility of the student. If the initial documentation is incomplete or inadequate to determine the current functional limitations of the disorder and/or the reasonable academic adjustments, auxiliary aids, and/or services, the Student Life office has the right to require additional documentation.
- Follow the currently published policies, procedures, and guidelines for obtaining services through the Student Life departments.
- Meet with the Director of Student Life as needed to discuss the need for consideration accommodations, which may be determined on a course-by-course and semester-by-semester basis
- Provide faculty with academic adjustment letter as early in the semester as possible to inform them of your need for the consideration accommodation(s)
- In the case that a course specific [Consideration Adjustment Agreement Form](#) is needed, this necessitates a conversation between student and instructor to discuss the parameters of the flexibility.



- In these situations return the completed [Consideration Adjustment Agreement Form](#) to Student Life and receive a copy of the completed form upon doing so

- Communicate with faculty regularly throughout the semester to keep them apprised of disability-related consideration needs and requests.
- Understand that consideration accommodations are based on variable and unpredictable need and do not enable students to unilaterally determine reasonable flexibility
- Contact Student Life as soon as possible if you:
 - Make changes to your class schedule
 - Are experiencing an exacerbation of disability-related symptoms that is causing a reliance on consideration accommodations
 - Have concerns with any of the consideration accommodations

Rights and Responsibilities of Midwives College of Utah in relation to Students Seeking Services/Information from Student Life regarding accommodations at MCU:

MCU has the right to:

- Request and receive current documentation that confirms disability status and supports requests for academic adjustments, auxiliary aids, and/or services.
- Deny a request for academic adjustments, auxiliary aids, and/or services if: the student fails to provide appropriate documentation that meets MCU's documentation guidelines, the documentation does not indicate the student's current functional impairment (s), or the documentation does not support that the student has a disability as defined by Section 504 of the Rehabilitation Act, 1973 or Title II of the Americans with Disabilities Act Amendments Act of 2008.

The MCU Office of Student Services / Student Life has the responsibility to:

- Respond to requests in a timely manner.
- Maintain appropriate confidentiality of all information regarding the disability, except disclosures required or permitted by law.
- Meet with students to discuss the need for consideration accommodations.
- Assist faculty and students in determining potential flexibility as it relates to course essential requirements
- Provide academic adjustment letters to students including consideration accommodations
- Provide students with the Consideration Adjustment Agreement Form for completion by students and faculty when discussing flexibility
- Provide students with a copy of completed Consideration Adjustment Agreement Form upon return to the Office of Student Life
- Provide support and assistance to students and faculty regarding consideration accommodations

The Faculty has the responsibility to:

- Respond to Office of Student Life staff if contacted about determining potential flexibility as it relates to course essential requirements
- Upon receipt of an academic adjustment letter from a student, discuss the accommodation with them and provide support as needed
- Upon receipt of a Consideration Adjustment Agreement Form from a student, together determine parameters of the flexibility as it relates to course essential requirements
- Maintain a copy of the completed Consideration Adjustment Agreement Form
- Recognize the following:
 - consideration accommodations are provided to students based on documented need

- consideration accommodations should be implemented upon receipt of an academic adjustment letter and do not need to be applied retroactively
- Contact Office of Student Life with concerns about a student's use of consideration accommodations

Under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, individuals with learning disabilities are guaranteed equal access to academic programs and university services. In order to request an accommodation as the result of a learning disability, a student must provide MCU with documentation indicating that the disability substantially limits some major life activity, specifically learning.

Our duties as a higher education institution subject to Section 504.

Q. What kinds of aids and services must postsecondary in-situations provide to ensure effective communication?

A. Qualified interpreters, assistive listening systems, captioning, TTYs, qualified readers, audio recordings, taped texts, Braille materials, large print materials, ensuring that online materials are available in an accessible electronic format, and adapted computers are examples of auxiliary aids and services that provide effective communication. Such services must be provided unless doing so would result in a fundamental alteration of the program, or would result in undue financial or administrative burdens. Postsecondary programs that receive federal funds must give primary consideration to the individual's preferred form of communication unless it can be demonstrated that another equally effective means of communication exists.

Source: <https://www.pacer.org/transition/resource-library/publications/NPC-42.pdf>

What services are available for students with disabilities under Section 504?

Section 504 requires recipients to provide to students with disabilities appropriate educational services designed to meet the individual needs of such students to the same extent as the needs of students without disabilities are met. An appropriate education for a student with a disability under the Section 504 regulations could consist of education in regular classrooms, education in regular classes with supplementary services, and/or special education and related services.

Source: <https://www2.ed.gov/about/offices/list/ocr/504faq.html>

In terms of who is protected, Section 504 covers *qualified students with disabilities who attend schools receiving Federal financial assistance. To be protected under Section 504, a student must be determined to: (1) have a physical or mental impairment that substantially limits one or more major life activities; or (2) have a record of such an impairment; or (3) be regarded as having such an impairment. Section 504 requires that school districts provide a free appropriate public education (FAPE) to qualified students in their jurisdictions who have a physical or mental impairment that substantially limits one or more major life activities.*

Source: <https://www2.ed.gov/about/offices/list/ocr/504faq.html>

Important note: We must provide students with *appropriate academic adjustments and auxiliary aids and services that are necessary to afford an individual with a disability an equal opportunity to participate in a school's program. We are not required to make adjustments or provide aids or services that would result in a fundamental alteration of our program or impose an undue burden.*

Source: <https://www2.ed.gov/about/offices/list/ocr/504faq.html>