

Harris
Family

cdhp

Center for Disability
and Health Policy

Student Handbook





Welcome Student! The Harris Family Center for Disability and Health Policy (HFCDHP) at Western University of Health Sciences (WesternU) values the uniqueness of each student as an integral member of our diverse WesternU community. Our dedicated staff works with students, administrators, faculty, and staff throughout the university community to create an accessible environment where students can thrive.

HFCDHP provides individualized academic accommodations, adjustments, and support services for enrolled students with disabilities. Since each disability and the circumstances surrounding each request for accommodations are unique, HFCDHP engages students in an interactive process that includes a review of documentation to determine accommodations and adjustments. Our team also provides support services and resources for students with disabilities, to help them in their pursuit of their academic and professional goals.

Whether you are a prospective student or already attending WesternU, the Student Handbook includes HFCDHP's policies and the process to apply for accommodations, important information about the Center, relevant disability legislation, and on and off campus resources. Our team is available to meet with students in-person, virtually, or by phone. Start your journey by visiting [HFCDHP's website](#) today!

Sincerely,

Marcelle

Marcelle Daniels, M.HRD.
Director



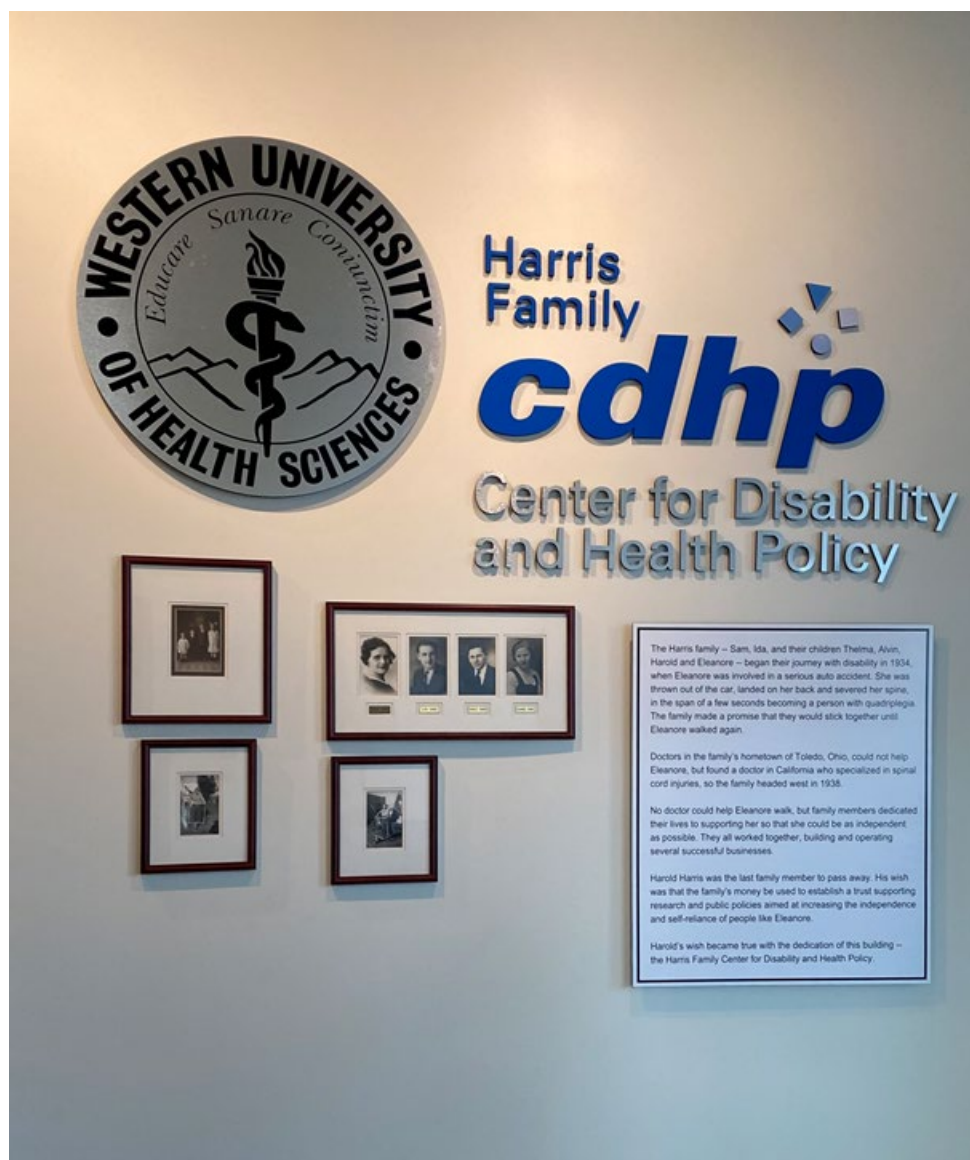
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History, Mission, and Purpose



History

In 1998, Western University of Health Sciences (WesternU) established a center to serve students with disabilities pursuing health professions. Founding director Brenda Premo was charged with improving the capabilities of health care providers to meet the growing needs of people with disabilities, increasing the number of qualified individuals with disabilities who pursue careers in the health professions, and empowering people with disabilities to become more vocal and active participants in their health care. In 2001, the Harold W. Harris Foundation Trust made a \$3.5 million philanthropic gift to the university to establish the Harris Family Center for Disability and Health Policy (HFCDHP) to make significant strides in setting national policy and improving access, health care, and equity for people with disabilities.

Vision

We envision a WesternU that leads by example in recognizing, welcoming, and celebrating disability as an integral part of a diverse health professions campus.

Mission

The mission of HFCDHP is to increase the number of qualified individuals with disabilities to successfully pursue careers in the health professions at WesternU. We support the University's commitment to equity and diversity by providing support services and academic accommodations to students with disabilities. We share information, promote awareness of disability issues, and ensure access for students within the University community.

Purpose

WesternU is committed to providing equal educational access for qualified students with disabilities in accordance with federal and state laws including the Americans with Disabilities Act of 1990, the ADA Amendments Act of 2008, Sections 504 and 508 of the Rehabilitation Act of 1973, as amended, and applicable state laws. To ensure equal access for students with disabilities, HFCDHP's policies formalize WesternU's criteria for requesting reasonable accommodations, define parameters for consideration of such requests, and outline procedures for appeal. Compliance with the policies is mandatory for applicants and students enrolled in all WesternU degree-granting programs and certificate programs, and for WesternU administration and faculty responsible for implementing and managing educational program technical requirements for admission in accordance with accreditation standards as well as state and federal laws.

Disability Legislation that Protects the Rights of Students with Disabilities



Americans with Disabilities Act of 1990

The Americans with Disabilities Act of 1990 (ADA) reinforces the provisions of the Rehabilitation Act of 1973 and is the most comprehensive federal civil rights legislation protecting the rights of individuals with

disabilities. The ADA addresses the barriers and discrimination that people with disabilities have traditionally faced and mirrors Section 504's definition of disability [42 U.S.C. § 12102(1)].¹

The ADA defines individuals with disabilities “as a person who has a physical or mental impairment which substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment.”¹ The key factor in determining whether a person is considered disabled under the ADA is whether the physical or mental impairment results in a substantial limitation of one or more major life activities. Major life activities, as defined in the regulation, include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Americans with Disabilities Act Amendments Act of 2008

On January 1, 2009, the Americans with Disabilities Act Amendments Act (ADAAA) of 2008 went into effect, making some major changes that apply to both the ADA and the Rehabilitation Act. The following provides an overview of some of the main changes. The amendment broadened the definition of a disability to provide wider coverage for individuals and establishes that extensive analysis of an individual’s disability shall not be required to prove the disability.

“The Act makes important changes to the definition of the term ‘disability’ by rejecting the holdings [court decisions] in several Supreme Court decisions and portions of the U.S. Equal Employment Opportunity Commission ADA regulations. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that they have a disability within the meaning of the ADA.”² The ADAAA clarifies the coverage of impairments to include those that are episodic or in remission that substantially limit a major life activity when active, such as epilepsy or post-traumatic stress disorder, and temporary disabilities. Furthermore, “mitigating measures, including assistive devices, auxiliary aids, accommodations, medical therapists and supplies (other than eyeglasses and contact lenses) have no bearing in determining whether a disability qualifies under the law.”²

Section 504 of the Rehabilitation Act of 1973, as amended



Section 504 states that “no other qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under any program or activity that receives federal financial assistance...”³

“Qualified” with respect to post-secondary education services means “a person who meets the academic and technical standards required for admission or participation in the education program or activity, with or without reasonable modifications to rules, policies or practices; the removal of architectural, communication or transportation barriers; or the provision of auxiliary aids and services.”³

Section 508 of the Rehabilitation Act of 1973, as amended

Section 508 of the Rehabilitation Act of 1973, as amended, specifies that agencies including universities receiving federal funds must make their electronic information accessible to people with disabilities and applies to the development, procurement, maintenance, or use of electronic information technology. Under Section 508, institutions must give disabled employees and members of the public access to information that is comparable to the access available to non-disabled people.⁴

California Education Code

California law consists of 29 codes that cover various subject areas, which includes the Education Code. All California universities are accountable to the regulations and statues stated in the California Education Code that pertain to post-secondary institutions such as the Unruh Civil Rights Act⁵ and the Disabled Persons Act⁶, which prohibit disability-based discrimination by any business establishment. Furthermore, Government Code 11135 prohibits discrimination for entities that receive state funds.⁷



Eligibility



To be eligible for disability-related services, individuals must have a documented disability as defined by Section 504 of the Rehabilitation Act of 1973, as amended, Title II and Title III of the Americans with Disabilities Act of 1990 (ADA), and the ADA Amendments Act (ADAAA) of 2008. Eligible disabilities are any physical or mental impairments that may include, but are not limited to vision, hearing, mobility, learning, chronic illness, psychological condition, and

brain injury that substantially limit one or more major life activities. Students requesting accommodations at WesternU must submit documentation of their disability. Eligibility for reasonable accommodations and services are determined holistically considering disability documentation, student report of how the functional limitation of their condition impacts them, perceived need for accommodations, history of accommodations (if any), and program requirements including technical standards.

Definitions

Academic adjustments: modifications to how students participate in classes and activities. These modifications allow students to meet standards, but do not change them.

Adaptive equipment: special versions of already existing technologies or tools that provide enhancements or different ways of interacting with the technology. The adaptation helps individuals with a disability accomplish a specific task. Examples include large print books, software to adjust screen colors, alternative types of keyboards and mouse, etc.

Assistive technology: any device, software, equipment, or tool that helps individuals with disabilities improve, maintain, or increase their functional capabilities. Examples include screen readers, magnification applications, on-screen keyboards, etc.

Auxiliary aids and services: items, equipment, or services that assist in effective communication between a person who has a hearing, vision, or speech disability and a person who does not. Examples include readers, text to speech software, interpreters, real-time captioners, etc.).

Disability: a person who has a physical or mental impairment that substantially limits one or more major life activities; or a record of such impairment; or is regarded as having such as impairment [42 U.S.C. §12102(1)].

Functional limitations: a restriction or impairment in a person's ability to function in a way that falls within the normal range for the activity.

Interactive process: is the process by which ^{HF}CDHP works together with a student to determine if the student has a qualifying disability that requires reasonable academic accommodations/adjustments and the accommodations/adjustments that the institution will provide.

Qualified student with a disability: a student with a disability who meets the academic and technical standards requisite for admission or participation in the institution's educational program or activity (34 CFR Part 104).

Reasonable accommodation: modifications or adjustments to the tasks, environment or to the way things are usually done that enable individuals with disabilities to have an equal opportunity to participate in an academic program or a job without fundamentally altering the essential nature of a course, academic program, or job or result in an “undue burden.”

Technical Standards: refer to the skills and abilities required for a graduate of a health professions program to function as a health professional. These standards are established by individual colleges and are based on the range of physical and mental skills and abilities needed to function competently in the profession.



Determination and Provision of Accommodations

As per Section 504 of the Rehabilitation Act of 1973, as amended, and Title II of the ADA, academic adjustments, auxiliary aids, and program modifications

will be provided to qualified students with a disability to enable them to have an equal opportunity to participate in any program, course, activity, or service offered by WesternU.

WesternU is committed to ensure reasonable academic adjustments, auxiliary aids, and/or program modifications (accommodations) to otherwise qualified students who self-identify as having a disability. In general, it is the responsibility of the student with a disability to notify ^{HF}CDHP of an accommodation request and to provide appropriate documentation to substantiate the limitations of the student’s disability.

Requirements for Disability Documentation

Students requesting accommodations at WesternU must submit documentation of their disability. Documentation should be emailed to ^{HF}CDHP as a PDF document (no image files).

Eligibility for reasonable accommodations and services are determined holistically considering disability documentation, student report of how their condition impacts them, perceived need for accommodations, history of accommodations (if any), and program requirements including technical standards. Lack of accommodation history or specific documentation should not prevent a student from making a request for accommodations. HFCDHP may request additional documentation to support an accommodation request if needed.

Please review the [Requirements for Disability Documentation Section](#) on our webpage, which outlines the information to be included and types of disabilities.

Types of Accommodations

HFCDHP will provide accommodations as mandated under the ADA, the ADAAA, and Section 504 of the Rehabilitation Act of 1973, as amended. As each disability and the circumstances surrounding each request for accommodations are unique, accommodations for students will be determined on a case-by-case basis. The following is a list of potential accommodations, which may be granted based on the student's disability and how it impacts them in a post-graduate environment. Modifications and accommodations for qualified students with disabilities may include, but are not limited to:

- Exam Accommodations
 - Extended Time (1.25X, 1.5X, 2X)
 - Exam environment (Reduced-distraction, private room, breaks during exams)
 - Reader, Scribe
- Academic Support Services (e.g., peer notetaker, integrative notetaking app, audio recording, access to recordings, etc.)
- Sign Language Interpreter
- Communication Access Relation Translation (CART)
- Accessible Instructional Course Materials (i.e., captioning, color contrast, large font, etc.)
- Alternative Course Materials (i.e., alternative media)

- Adaptive Equipment
- Assistive Technology
- Alternative Furniture
- Seating Adjustments

Requesting Accommodations – An Interactive Process



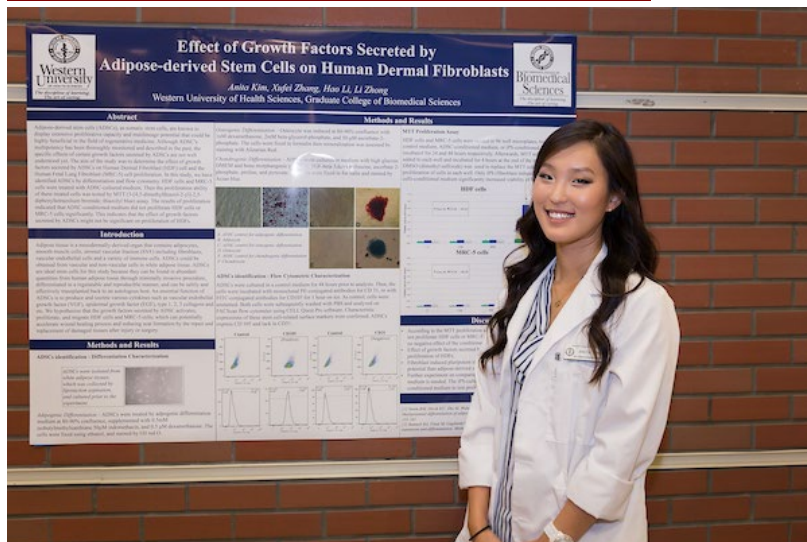
^{HF}CDHP is the designated office at WesternU to determine and approve specific academic modifications or accommodations. Students with disabilities may contact ^{HF}CDHP directly to request academic accommodation. ^{HF}CDHP's involvement in the accommodation process is intended to provide students with disabilities with the legally mandated and necessary support to work toward a higher education and provide legal protection for faculty members and instructors. Should a student inform their college of the need for academic accommodations, the college should refer the student to ^{HF}CDHP. The student should then contact ^{HF}CDHP to begin the accommodation request process.

To request accommodations and start the interactive process at WesternU, students should visit [^{HF}CDHP's website](#) to learn more about the registration process, requirements for disability documentation, and to complete the Student Intake Form. Students are required to complete the Student Intake Form and submit documentation of their disability to disabilityaccommodations@westernu.edu. Once the Student Intake Form has been submitted, the student will receive an email from the ^{HF}CDHP office within three (3) business days regarding scheduling an introductory meeting. Communication will be sent directly to the student's WesternU email address.

Accommodations are determined on a case-by-case basis according to a student's documented needs, federal and state legislation, and criteria set by WesternU. Through the interactive process, ^{HF}CDHP will work with the student to discuss the criteria for disability, potential accommodations to

address any barriers to the curriculum or clinical practicum and ensure that any requested accommodations are reasonable and that they do not alter an essential feature of the curriculum, technical standards of the program, or create an undue burden.

Implementation of Accommodations



When a student is approved for academic accommodations, ^{HF}CDHP will need to notify the college at least three (3) business days before the accommodations can be implemented. ^{HF}CDHP will provide an Accommodation

Memorandum to the College Accommodations Liaison (CAL) and designated personnel within the college. A copy will also be provided to the student for their records. The designated CAL within each WesternU college works in collaboration with ^{HF}CDHP to implement reasonable accommodations and academic adjustments for students with disabilities and is responsible for managing student academic accommodations within the college.

Accommodations are valid for the duration of the student's program unless otherwise stated on the Accommodation Memorandum. If a student experiences barriers within their curriculum or assessments, the student is responsible to contact ^{HF}CDHP immediately to discuss adjustments or modifications to their academic accommodations. Students can request a re-evaluation of their accommodations or request new accommodations at any time during their academic program. In such instances, additional documentation may be necessary. Once approved, all accommodations will be implemented according to their scope and application in all applicable settings.

Provisional accommodations are occasionally provided on a conditional basis generally when information is not fully available, and the student is in the process of acquiring documentation or is undergoing an evaluation. ^{HF}CDHP may implement accommodations for a specific duration to allow the student the time to obtain the documentation.

Temporary accommodations are extended to students with temporary disabilities only for the duration of the functional limitations associated with their condition. Students will follow the process above for requesting accommodation.

Student Accommodation Policies and Guidelines

Upon approval of accommodations, ^{HF}CDHP staff will review the specific procedures for each accommodation for which ^{HF}CDHP has determined the student eligible. Students will be required to review, sign, date, and return the procedures to ^{HF}CDHP through DocuSign. Failure to return the procedures may result in a delay in implementation.

University's Obligation

WesternU has an obligation to confirm that students receiving accommodations have verified disabilities according to state and federal law. We request disability documentation and develop accommodation and service recommendations based on this information. ^{HF}CDHP may consider providing accommodations and services on a provisional basis if the student does not have documentation of a disability but is the process of obtaining it. Disability documentation is maintained in a confidential student file and does not become a part of the student's academic record.

Facilities and Construction

WesternU fosters a welcoming and supportive community environment for students with disabilities. While the University cannot provide a totally barrier-free environment, it does provide students with disabilities access to its programs and activities. Thus, while not every academic and nonacademic building is fully accessible, sufficient access exists to allow students with disabilities the equal opportunity to participate in the academic and social life of the University.



While not every academic and nonacademic building is fully accessible, sufficient access exists to allow students with disabilities the equal opportunity to participate in the academic and social life of the University.

New construction will comply with the guidelines and regulations set forth in Section 504, Title 234 and relevant state and local building codes. The primary standards for such construction are derived from the Americans with Disabilities Act of 1990, the 2010 ADA Standards for Accessible Design (ADAAG), and Title 24 of the California Building Code.

The University endeavors to employ the most barrier-free design and materials in new construction to provide superior access to the functions and programs that take place in those new facilities. The University's goal is to ensure full accessibility and usability of its new buildings.

The renovation and alteration of existing facilities will comply with Section 504 and applicable federal regulations, as well as relevant state and local codes, to enhance program accessibility. The University recognizes that Section 504 does not require structural changes to existing facilities where other methods are effective in achieving overall accessibility to the programs and services of the University.

Any renovation or alteration will, to the maximum extent feasible, be pursued in a way that makes the renovated or altered portion of the building accessible to a student with a disability. However, the design of many existing facilities makes it impractical or prohibitively expensive to renovate or alter them in such a way as to make them barrier-free.



Programs

Although the University endeavors to make its programs accessible to individuals with disabilities, it recognizes that some disabilities may preclude an individual from successfully completing a given academic program. To provide guidance to individuals with disabilities, the University provides a description of what it considers the Personal Competencies for admission and matriculation to each of its programs. Because it is not possible to address every possible circumstance, these Competencies should be considered as guidelines. A student with a documented disability who believes that a reasonable accommodation would permit them to meet the Competencies and complete the program should contact ^{HF}CDHP as soon after admission as possible.

Student Rights and Responsibilities

Students at WesternU have a right to:

- An equal opportunity to participate in and benefit from courses, programs, services, or activities offered through the college.
- An equal opportunity to work, to learn, and to receive reasonable accommodations, academic adjustments, and/or auxiliary aids and services.
- Appropriate confidentiality of disability-related information except as disclosures are required/permitted by law.
- Information, reasonably available, in accessible formats.
- File an informal or formal complaint or grievance if a violation of rights is suspected.

Students at WesternU are responsible to:

- Meet qualifications and maintain essential institutional standards for courses, programs, services, or activities.
- Self-identify as an individual with a disability and request accommodation(s) in a timely manner.
- Demonstrate and/or document (from a licensed professional) how the disability limits participation in courses, programs, services, or activities.
- Follow operational procedures for obtaining information, services, and reasonable accommodations.
- Contact the ^{HF}CDHP if reasonable accommodations are not implemented with fidelity and in a timely manner.
- Follow the WesternU Code of Conduct and Guidelines for Student Honesty and Professional Conduct regardless of disability.
- Discuss accommodations with ^{HF}CDHP staff and designated CALs to implement them.
- Request an Accommodation Memorandum.

HFCDHP Rights and Responsibilities

HFCDHP has the right to:

- Request and receive documentation that supports current requests for reasonable accommodations, academic adjustments, and/or auxiliary services.
- Evaluate and/or identify functional limitations of the student's disability to determine appropriate academic adjustments and accommodations needed for courses, programs, services, and university activities.
- Deny a request for reasonable accommodation, academic adjustments, and/or auxiliary services if the documentation demonstrates that they are not warranted or if the individual fails to provide appropriate documentation.
- Select among equally effective, reasonable accommodations, academic adjustments, and/or auxiliary aids and services.
- Deny a request for an unreasonable accommodation, adjustment, and/or auxiliary service or one that imposes an undue hardship or fundamental alteration of a program or activity of the university.

HFCDHP is responsible to:

- Ensure that qualified students receive reasonable accommodation and/or academic adjustments for courses, programs, activities, and services in the most integrated and appropriate settings.
- Provide information, upon request, to students with disabilities in accessible formats.
- Evaluate each request for accommodation on an individual basis.
- Maintain appropriate confidentiality of records and communication except where disclosures are permitted/required by law.
- Coordinate accommodations with HFCDHP staff, the student, and designated CAL to implement them timely and with fidelity.

Confidentiality, Release of Information, and Maintenance of Records

^{HF}CDHP recognizes the rights of students with disabilities to maintain the confidentiality of their disability-related information and determine who receives it. Disability-related information provided to the ^{HF}CDHP is considered an educational record; therefore, it falls under the protection of the Family Educational Rights and Privacy Act (FERPA). FERPA permits the ^{HF}CDHP to share information about the impact of a disability and accommodation eligibility with other University school officials who have a legitimate educational interest. A school official includes but is not limited to faculty and instructional staff, academic deans, the provost, and security. Legitimate educational interest means the school official needs to review an educational record or receive educational record information to fulfill their professional responsibilities.

^{HF}CDHP values the privacy of its students and the confidentiality of the disability-related information entrusted to us. As such, ^{HF}CDHP limits disclosures of disability-related information to those which are minimally necessary for the delivery of services/accommodations of the student, or for some other permissible basis. Examples of a permissible basis include but are not limited to:

- Disclosure based on a legitimate educational reason:
 - Disclosure to appropriate faculty and staff of your status as a student registered with ^{HF}CDHP and your approved accommodations to coordinate and administer accommodations.
 - Disclosure to a WesternU school official in relation to a student filed complaint, appeal, grievance, or lawsuit against a university action, office, or employee.

- Disclosure to the proper authorities to prevent/control injury or harm to the student or to others.
- Disclosure subject to a court order.
- Disclosure based on the student's written permission.



The degree of information that is required by university constituents regarding your disability is directly related to the nature of the accommodations and services required. Sharing this information does not require student consent under FERPA.

Disclosure of educational record information to a University official having a legitimate educational interest does not, however, constitute authorization for that person to transmit, share, or disclose any or all of that information to a third party who does not have a legitimate educational interest. When disability-related information may need to be shared with a third party, a student may sign a written consent form giving ^{HF}CDHP permission to discuss the disability with a third party, such as parents who require further information. Information will not be released to a third party without written consent from the student unless it is required by federal or state law or when a student may be at risk of harm to self or others.

Only authorized staff within ^{HF}CDHP have immediate access to student records. Disability documentation is maintained in locked cabinets, in locked offices, and on secure servers and is not part of the student's permanent educational record.

In accordance with WesternU policy, ^{HF}CDHP student records are destroyed five years after a student's graduation or date of last attendance. Students with disabilities have a right to review their file. A student who wishes to review their file must schedule an appointment with the Director of ^{HF}CDHP.

Student Academic Accommodation Grievance Procedures

WesternU is committed to providing equal educational opportunities for students with disabilities, who are otherwise qualified, in an academic environment free from harassment and discrimination. In compliance with the Americans with Disabilities Act of 1990 (ADA), the ADA Amendments Act of 2008, and Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, WesternU does not discriminate on the basis of disability in the administration of its education-related programs and activities. The grievance procedure set forth below is applicable to all students requesting or enrolled in services at ^{HF}CDHP. It covers all complaints regarding **contesting accommodations or access to programs or activities**. All other allegations of disability discrimination covering all complaints alleged to have occurred in any College program or activity can be reported via the [Title IX website](#).

^{HF}CDHP determines disability accommodations through an interactive process involving disability services professionals, appropriate members of the university community, and the student. We recognize that in any deliberative process that disagreements may occur because of misunderstandings, miscommunication, or lack of education around disability. In these instances, clarification, and effective communication can lead to a quick and effective resolution.

Throughout any of these procedures, students can expect to be treated with respect, receive a timely response, not experience any form of retaliation, and have their concerns dealt with in a confidential manner to the greatest extent possible. The university encourages students to bring up any concerns early, give clear and detailed information, and alert the Associate Director of ^{HF}CDHP in writing. Should your concern involve the Associate Director of ^{HF}CDHP, please contact the Director of ^{HF}CDHP.

Grievance Process

In general, this policy is designed to address all disability-related disputes concerning the following:

1. Disagreements regarding disability status, requested service, academic accommodations or auxiliary aids, or modification of a course or academic requirement.
2. Inaccessibility of a program or activity.

Students may file a grievance through an informal and/or formal process. It is generally recommended that students attempt an informal resolution before filing a formal complaint; however, students have the right to request a formal resolution at any time. Note, for grade disputes involving a claim of harassment or discrimination on the basis of disability, this policy applies and not the Grade Appeal policy located in the College Catalog.

Optional Informal Resolution: A student with a concern covered by this policy may first attempt to resolve it at the informal level. ^HFCDHP works in collaboration with the student, faculty, and/or staff whom the concern arose through an interactive process to identify an agreeable solution.

Formal Complaint (Step 1):

The Formal Complaint process applies to disagreements regarding the determination and/or delivery of a requested service, accommodation, auxiliary aid or service, assistive technology, or modification of a college/university practice in an effective or timely manner; denial of a requested accommodation; inaccessibility of a WesternU program, service, or activity; harassment or disparate treatment because of a disability; and other instances in which a student believes that they have been subjected to discrimination on the basis of disability. The complaint should be filed as soon as possible, but no later than 30 calendar days from the decision that is being appealed.

A complaint must be in writing and include the following:

1. The complainant's name, student ID number (if applicable), address, email address, and phone number.
2. A clear statement of the request or concern, identification of the basis of the grievance, and sufficient detail supporting the basis of the appeal, including the identification of faculty or staff involved, course information, informal resolution efforts (if applicable), a chronology or timeline of events; and requested remedy.

The complaint should be filed with the Associate Director of ^{HF}CDHP at Western University of Health Sciences, 309 E. Second St., Bldg. 390, Pomona, CA 91766-1854 or by email at slawler@westernu.edu.

Upon receipt of a formal complaint, the Associate Director of ^{HF}CDHP or designee will review the complaint for timeliness and scope for the grievance process and provide the complainant with a written notice acknowledging receipt of the complaint. If, upon receipt, it is clear that the complaint should be reviewed under WesternU's Non-Discrimination, Anti-Harassment and Non-Retaliation policies, the complainant will be notified and referred to the proper policy and department.

During the review of the complaint, the Associate Director will conduct a thorough and impartial investigation. In doing so, the Associate Director may interview, consult with and/or request written responses to the issues raised in the complaint and review all evidence, documents, and information from any individual believed to have relevant information, including faculty, staff, and students.

At the conclusion of the review, the Associate Director of ^{HF}CDHP will issue a written decision to the complainant which will include a summary of findings, determination of the complaint, and any proposed resolutions, if applicable. This written notice will also be shared with the College as appropriate and consistent with ^{HF}CDHP's Confidentiality, Release of Information, and Maintenance of Records Policy and applicable, privacy and confidentiality laws.

The standard of review is whether there is a preponderance of evidence to substantiate the complaint. When appropriate, the Associate Director may also apply the following standards: 1) would the accommodation result in a fundamental alteration of the program or an essential academic requirement; 2) would the accommodation impose undue financial or administrative hardship on the institution. If there is a preponderance of evidence (more likely than not) substantiating the complaint, the Associate Director, will then decide on the appropriate resolution for the grievance, which will be included in the written notice issued to the complainant. Such resolutions will be decided on a case-by-case basis and may include, but will not be limited to, approval and/or administration of a particular accommodation, remediation to address previously available opportunities,

and/or facilitation of communications between the complainant and the person against whom the grievance is filed. Any resolutions will be implemented promptly. The written notice will be issued to the student within 15 business days of filing the formal complaint. The deadline may be extended for good cause. In such instances, the complainant will be notified of the need to extend the deadline in writing.

Formal Complaint (Step 2): The complainant may challenge the decision of the Associate Director of ^{HF}CDHP or designee fulfilling this role on the grounds of bias or conflict of interest, or disagreement with the decision, by submitting a written challenge to the Director of ^{HF}CDHP, within 5 business days of the acknowledgment of receipt of the Associate Director's decision by submitting a written appeal. The Director has the discretion to designate an appropriate officer to review the challenge. If the original grievance was filed against the Director, then the University has the discretion to designate an appropriate officer to review the appeal.

The challenge should be filed with the Director of ^{HF}CDHP at Western University of Health Sciences, 309 E. Second St., Bldg. 390, Pomona, CA 91766-1854 or by email at mdaniels@westernu.edu.

Upon receipt of a formal challenge, the Director of ^{HF}CDHP or designee will review the complaint for timeliness and scope for the grievance process and provide the complainant with a written notice acknowledging receipt of the complaint.

During the review of the challenge, the Director will conduct a thorough and impartial evaluation. In doing so, the Director will review the Associate Director of ^{HF}CDHP's written decision and documentation pertaining to the decision; the Director may also interview, consult with and/or request written responses to the issues raised in the complaint and review all statements, documents, and information from any individual believed to have relevant information, including faculty, staff, healthcare provider, and students.

At the conclusion of the review, the Director of ^{HF}CDHP will issue a written decision to the complainant which will include a summary of findings, determination of the complaint, and any proposed resolutions, if applicable. This written notice will also be shared with the College as appropriate as

consistent with HFCDHP's Confidentiality, Release of Information, and Maintenance of Records Policy and applicable privacy and confidentiality laws. If the ground for the challenge is not satisfied, the Associate Director's decision will be upheld.

When appropriate, the Director may also apply the following standards: 1) would the accommodation result in a fundamental alteration of the program or an essential academic requirement; 2) would the accommodation impose undue financial or administrative hardship on the institution. If there is a preponderance of evidence (more likely than not) substantiating the complaint, the Director, will identify appropriate remedies and/or corrective actions to resolve the grievance, which will be included in the written notice issued to the complainant. Such resolutions will be decided on a case-by-case basis and may include, but will not be limited to, approval and/or administration of a particular accommodation, remediation to address previously available opportunities, and/or facilitation of communications between the complainant and the person against whom the grievance is filed. Any resolutions will be implemented promptly. The written notice will be issued to the student within 15 business days of filing the formal complaint. The deadline may be extended for good cause. In such instances, the complainant will be notified of the need to extend the deadline in writing.

Formal Appeal: The complainant may appeal the decision of the Director of HFCDHP by submitting a written appeal within 5 business days after the receipt of written notice from the Director to the Chair of HFCDHP' Appeal Committee. The chair of the committee will notify the student of the outcome 15 business days after the meeting has concluded.

Appeals must specify the reasons for the appeal that are not based on a disagreement or dissatisfaction with the standards, policies, or procedures of HFCDHP. The appeal must be based on one or more of the following:

1) The appearance of new, material, and documentable evidence that was not available at the time of the Director's review, and that would likely alter the outcome. Information available to the student but not provided during the hearing and/or the complaint review would not be considered "new."

2) Procedural error that significantly affected the interpretation of policies which affected the Director's review such that it prevented the Director from issuing a fair decision.

An appeal review is limited. Appeals are not a full rehearing of the complaint and are restricted to the appeal grounds referenced above. The findings contained in the written notice are presumed to have been decided reasonably and appropriately and the appellant carries the burden of proof to demonstrate that the appeal grounds are substantiated.

The appeal should be filed with the Dr. Tim Wood, Chair of ^{HF}CDHP's Appeal Committee, at tjwood@westernu.edu. Appeals must contain, at a minimum, an explanation of why the determination is improper and a detailed statement of the basis for the appeal, including the specific facts, circumstances, and arguments in support of the appeal.

The Chair will convene the ^{HF}CDHP Appeal Committee to review (1) information provided by the student for the appeal; (2) review the decisions of the Director and Associate Director of ^{HF}CDHP; and (3) any other additional information that may be relevant to evaluating the matter and reaching a decision.

If there is a preponderance of evidence (more likely than not) substantiating the appeal, the Chair of ^{HF}CDHP's Appeals Committee will communicate the decision of the appeal and determine the appropriate resolution via written notification to the complainant and the College as appropriate and consistent with ^{HF}CDHP's Confidentiality, Release of Information, and Maintenance of Records Policy and applicable privacy and confidentiality laws. The Chair will issue a written decision within 15 business days after the meeting has concluded, although the deadline may be extended, in writing, for good cause. If the ground for appeal is not satisfied, the Director's decision will be upheld.

During the grievance process contained herein any accommodations or services that have already been implemented will continue uninterrupted.

Additional External Reporting Options:

Any student who believes they have been subjected to discrimination, including harassment and retaliation on the basis of a protected

category may contact the WesternU Title IX office to file a report via the [Title IX link](#).

Students also have the right to file a complaint with the U.S. Department of Education's Office of Civil Rights if they feel they have experienced discrimination. More information about filing a complaint is available on their website at <https://www2.ed.gov/about/offices/list/ocr/index.html>.

Gift Giving Guidelines

^{HF}CDHP staff appreciate your gratitude; however, we are unable to accept personal gifts from students enrolled with ^{HF}CDHP. Thank you for your cooperation.

Resources

On-Campus Resources - WesternU has many programs, services, and spaces on campus that provide academic support, basic needs, wellness, and relaxation that are available to students to help them succeed academically and personally. Visit our website for a list of [on-campus resources](#).

Off-Campus Resources – Our website houses a comprehensive collection of [off-campus resources](#) for low-cost community services including basic needs, disability, medical, and mental health and counseling.

National Disability Associations are very diverse in both their aims and in their activities on global, national, and local issues. Click on [National Disability Associations](#) for a listing of several disability-related associations that focus on disability issues, specific disability conditions, services, employment, and rights.

Subject to Change Disclaimer

The information contained in this Student Handbook is subject to change without prior notice, if necessary, to be consistent with ^{HF}CDHP policies and procedures and to maintain compliance with university policies, and State and Federal laws.

Sources

1. United States – Department of Justice, Civil Rights Division (Disability Rights Section). A Guide to Disability Rights Laws. Retrieved from www.ada.gov/cguide.htm.
2. Information about the Americans with Disabilities Act Amendments Act (ADAAA). “The Americans with Disabilities Act Amendments Act of 2008.” Equal Employment Opportunity Commission. Retrieved from www.eeoc.gov/laws/statutes/adaaa_info.cfm.
3. U.S. Department of Labor, Office of the Assistant Secretary for Administration & Management. “Section 504, Rehabilitation Act of 1973.” Retrieved from <https://www.dol.gov/agencies/oasam/centers-offices/civil-rights-center/statutes/section-504-rehabilitation-act-of-1973>.
4. GSA Government-Wide Section 508 Accessibility Program, “Section 508 Law.” Retrieved from www.section508.gov/section508-laws.
5. California Legislative Information. “Unruh Civil Rights Act.” Retrieved from https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=CIV§ionNum=51.
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7. California Legislative Information. “Government Code 11135-11139.8.” Retrieved from https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=11135.



^{HF}CDHP Contact Information

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