

ESR DISABILITY POLICY

As a community of two seminaries in partnership we approach a policy such as this from both moral and legal bases. We desire to be a community of equal opportunity in learning and extracurricular activities for all our students. We choose to begin our policy statement with the following quote from the National Council of Churches that articulates the motivation toward equality within the lives of followers of Christ.

"Indeed, the body does not consist of one member but of many." (1 Corinthians 12:14)

One in five Americans lives with an impairment that significantly limits one or more major life activities. Virtually everyone will live with a disability at some time in life. Concepts of justice for people with disabilities have evolved beyond paternalism toward the ideals of full participation and inclusion in all aspects of life. Disability rights and self-advocacy movements have emerged.

At the national level, landmark laws such as the Rehabilitation Act, The Individuals with Disabilities Education Act (IDEA), and the Americans with Disabilities Act (ADA) seek to assure the same rights to people with disabilities that are guaranteed to all other people in our society.

The religious community also has taken a number of initiatives. Beginning in 1958 and as recently as 1995, the NCC has affirmed its belief in the dignity and worth of all people, including those of us with disabilities. Most NCC member communions have issued statements calling for the full inclusion of people with disabilities in all aspects of church life. In spite of these efforts, attitudinal, communication, and architectural barriers remain. The church has served as a point of entry for many marginalized individuals into the mainstream of society. Now the time has come for the NCC to reaffirm and broaden its commitment to people with disabilities.

This policy statement rests upon four theological principles.

1. All people are created in the image of God

"Then God said, 'Let us make humankind in our image...' (Genesis 1:26) God creates all human beings in the divine image or likeness. This image is not a measurable characteristic or set of characteristics. God's image is reflected uniquely in each person.

2. All people are called by God

"For we are what (God) has made us, created in Christ Jesus for good works, which God prepared beforehand to be our way of life." (Ephesians 2:10) God calls all human beings to express the divine image through their unique characteristics. Each person's characteristics, including disabilities, are inseparable and valuable features of the unique, indivisible person.

3. All people have special gifts

"Now there are varieties of gifts but the same spirit..." (1 Corinthians 12:4) God supplies all human beings with the unique gifts needed to obey the divine call. The gifts God has given to each person are needed by all other people, and no one is dispensable or unnecessary.

4. All people are invited to participate in God's ministry

"To each is given the manifestation of the Spirit for the common good." (1 Corinthians 12:7) God invites all human beings to rely on and participate in the ministry of the church. God continually empowers each member of the Body of Christ to reflect the divine image in ways that will serve and benefit the church and the broader community.¹

I STATEMENT OF NON-DISCRIMINATION

Bethany Theological Seminary and Earlham School of Religion (hereafter referred to as: the seminaries) do not discriminate on the basis of disability in the administration of the education programs and activities, including

¹ National Council of Churches Policy Statement "Disabilities, the Body of Christ and the Wholeness of Society" Adopted by the NCC's General Assembly on November 11, 1998

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admission practices, and access to their programs and services. The purpose of this policy is to ensure that students with disabilities have maximum independence and full integration into campus life and shall be prepared for further education or employment. The seminaries' efforts to accommodate people with disabilities will be measured against the goal of full participation and integration. Services and programs to promote these benefits for people with disabilities shall complement and support, but not duplicate, the seminaries' regular services and programs. A person with a disability shall be ensured access as all others to programs, opportunities, and activities at either seminary.

Information concerning the provisions of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, Section 504 (hereafter referred to as the Acts), the rights provided there under, and specific policies regarding non-discrimination of students with disabilities are available from the seminaries' Academic Services Office.

II DEFINITIONS OF DISABILITY

The standard definition of a person with a disability is any person who has a physical or mental impairment that substantially limits one or more of the major life activities of such an individual, or any person who has a record of such an impairment or who is regarded to have such an impairment.

Disabilities fall into three broad categories, learning, mental, and physical.

1. **Learning disabilities:** Capable students are sometimes found to lack the cognitive tools necessary to read, listen, speak, write, or calculate on a level comparable to their intelligence. To be legally recognized and supported within the seminaries as a "disabled" student, this student needs to provide documentation of diagnosis and methods of testing administered by either an education specialist, a psychologist, or a medical doctor.
2. **Mental disorders disability:** Common mental health diagnoses effecting students are: depression, bipolar disorders (manic/depressive), anxiety disorders, Post Traumatic Stress Disorder (PTSD), panic disorders, and sleep disorders. Disorders less frequently seen in students are schizophrenia, and schizoaffective or character disorders. A single episode of a mental disorder does not constitute disability. To qualify as a disabled student, the mental disorder must be chronic and clinically diagnosed and documented by a psychologist or a psychiatrist. Medication and treatment may alleviate symptoms partially or completely, but as long as medication is needed for treatment the person with a clinically diagnosed chronic mental disorder is defined as disabled.
3. **Physical disabilities:** Common chronic and debilitating physical conditions might include, but are not limited to examples such as blindness, poor vision, deafness, poor hearing, speech impairments, long term need for a wheelchair, AIDS, HIV positive, epilepsy or Chronic Fatigue Syndrome (CFS). To qualify as a disabled student, the disability must be diagnosed and documented by a medical doctor unless it is apparent to the untrained observer. In such cases where a chronic debilitating condition is communicable within the scope of normal seminary activities, participation will not be allowed.

III CONFIDENTIALITY OF STUDENTS WITH DISABILITIES

The seminaries are committed to protecting the privacy and dignity of all students. In compliance with the Acts, no applicant, student, or potential user of the facilities and/or services of the seminaries shall be required to disclose in writing or orally that he or she has a disability. Self-disclosure of a disability is the voluntary right of the student. The seminaries may request information about a student's disability only after the student has voluntarily disclosed his or her disability (see Student Responsibilities below). The seminaries will maintain the confidentiality of a student's medical and academic records. The seminaries may disclose information about a student's disability under the following conditions and for the following purposes:

1. Faculty, staff, and other appropriate parties, including tutors, may be informed of a student's disability for the purpose of facilitating essential aid and accommodations. Every attempt will be made to inform the student when confidential information has been passed on.
2. First aid and safety personnel may be informed when necessary, if the student requires emergency treatment.

3. Government officials investigating compliance with the Acts shall be provided with relevant information upon request.
4. No representative of the seminaries may make public, to individuals or a group—such as a classroom of students—information regarding the disability of a student, except when the conveyance of such information meets the above-mentioned conditions.

IV REASONABLE ACCOMMODATIONS

The seminaries are committed to provide a seminary education that prepares individuals with disabilities for ministry. However, both schools are small with limited financial resources. Reasonable accommodations are provided within the scope of what is possible given the seminaries' resources. The nexus of accommodating students' disabilities lies in the faculty and student relationship. Instructors and advisors work together to provide accommodations appropriate for the student, while at the same time maintaining institutional standards so that all students receive a comparable graduate-level education.

Reasonable accommodations are those that help the student but do not cause undue hardship on the institution. Some examples of reasonable accommodations are:

1. Examinations and quizzes may be given orally.
2. Recognition and credit should be given for student's oral participation in class.
3. Extra time to complete tests and assignments may be granted.
4. Students may be allowed to tape classroom lectures and discussions.
5. Students may be allowed to photocopy another student's class notes.
6. Students may receive instructor's lecture notes.
7. Directions are given clearly and in both oral and written forms.
8. Peer tutoring or study groups may be utilized.
9. Instructors are available for discussion and questions between class meetings. Example: posted "Office Hours."

Some accommodations are not reasonable because they would involve undue financial hardship for one or both of the seminaries. Decisions concerning whether an accommodation will create undue hardship are made by the Dean and faculty of each partner seminary concerning students enrolled in their own seminary. The hiring of a full time deaf translator would be an example of undue financial hardship. If a particular accommodation cannot be granted, the Dean of the seminary involved informs the student with explanation and regrets.

V IMPLEMENTATION

A. General

1. The Director of Business & Student Services shall be designated to work with students who have disabilities. A system of services shall be developed and maintained to facilitate the provision of access for students with disabilities to all academic programs, services and activities. This system shall integrate students with disabilities into the academic environment to the maximum extent possible.
2. All students defined within this process who qualify as disabled shall be entitled to reasonable accommodations and appropriate academic adjustments regardless of their status (full or part-time, class rank, or level).
3. In-service training shall be provided to faculty and staff the purpose of which will be threefold:
 - to heighten awareness of existing barriers
 - to promote accurate perceptions of students with disabilities regarding their abilities, needs, and rights; and of the institution's accessibility
 - to offer tools and ways to enhance accessibility
4. A grievance procedure shall be developed and maintained by each seminary. The procedure shall

incorporate due process and provide prompt and equitable resolutions to complaints regarding the denial of services, adjustments, or accommodations.

5. All programs, services, activities, and physical structures shall be evaluated on a regular basis to ensure that existing barriers are ultimately removed and that new barriers are not erected. The evaluation shall be coordinated by the seminaries' Director of Business & Student Services and other appropriate administrators.

B. Student Responsibilities

Although no student may be required by the school to disclose information regarding his or her disability, in order to secure the needed accommodations, the student must inform the school of his or her disability. This "self-disclosure" must follow the procedures outlined below.

1. Provide Verification.

Students with **permanent disabilities** who seek accommodations must provide the seminaries with professional documentation, certified by any of the following licensed practitioners: physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, learning disability specialist, or any other health care provider who is qualified to diagnose a disability. The documentation must be based on tests that are normalized to the adult level and provide the information that is needed to pinpoint substantial limitations. The student must bear the cost of evaluation and verification.

Documentation of a learning disability should include the following: 1) documentation prepared by a qualified professional; 2) testing procedures and instruments used to diagnose the student's present level of functioning in the achievement areas affected by the disability. The data provided should clearly indicate the need for accommodations and a list of specific accommodations that will aid the student.

The guidelines for verifying a temporary disability are generally the same as those for verifying a permanent disability. However, documentation for a temporary disability must be no older than 60 days and should indicate the nature and expected duration of the disability.

2. Documentation Processing:

All documentation should be delivered to the Director of Business & Student Services. The student must include a signed "Release of Information Statement," allowing the seminaries to inform key personnel (see confidentiality section for more detail) of relevant information regarding the student. The Business Office has "Release of Information" forms available upon request.

The seminaries reserve the right to request further documentation if that provided by the student is deemed inadequate. The student shall bear the cost of supplemental evaluations and documentation. If the seminaries wish to secure a second opinion regarding the disability of a student, then the seminaries shall bear the cost.

3. **Schedule a meeting** with the Director of Business & Student Services and complete an **academic accommodations plan**, designed and established by the student and the Director of Business & Student Services.
4. **Contact his or her instructors** and provide a copy of the academic accommodations plan after the documentation has been submitted. Ideally this process will take place after admission and before the end of the first drop/add period that applies to the course(s) for the student's first session of studies. However, there will be instances where the student is both taking courses and getting documentation of the disability. In these cases, the student must inform their instructors as early in the session as possible.
5. **Work in cooperation** with the Director of Business & Student Services, advisor and the instructors in implementing the academic accommodations plan. Any grievance involving questions around disabilities and instructional accommodations should first be addressed between student and instructor. If this does not work then the grievance procedure in place at each seminary should be followed

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C. Admissions Office/Educational Policies Committee Responsibilities

No representative of the seminaries may ask a student if he or she has a disability; nonetheless, the admissions offices should do three sets of things with diligence and sensitivity: 1) make information about the seminaries' disability services and procedures readily available to all prospective students 2) introduce newly matriculated students with disabilities to the Director of Business & Student Services 3) facilitate comfortable and expedient self-disclosure on the part of students with disabilities.

The following guidelines are suggested:

1. Enclose this policy with the letter of admission. Provide an opportunity for students to voluntarily name any disabilities on the enrollment or confirmation deposit form.
2. Be familiar with the contents of this policy and procedure document and make this document available to students upon request.
3. Convey any relevant information and direct grievances to the Director of Business & Student Services.

D. Faculty Responsibilities

Faculty members shall do their part to ensure that students with disabilities receive the accommodations they need, as determined by the student's academic accommodations plan. Any objections that a faculty member has regarding accommodations should be addressed to the Director of Business & Student Services (rather than the student). Faculty should keep the following guidelines in mind:

1. Include in the course syllabus a statement indicating that disability services are available to students who qualify for such services. The statement should include the name, extension number, and e-mail address of Director of Business & Student Services.
2. Do not ask a student if he or she has a disability or in any way disclose a student's disability to another student, faculty member or staff member, except under conditions outlined in the "Confidentiality of Students with Disabilities" section of this document.
3. Work in cooperation with the student and the Director of Business & Student Services in implementing the recommended accommodations plan

E. Process for Policy Revision

The Office of the Academic Dean of each seminary is responsible for official interpretation of this policy. Policy changes will be reviewed and endorsed by the seminaries' Joint Academic Planning Committee (JAPC) and approved by the Joint Faculty Meeting. Final approval of any changes rests with each partner seminary's Board of Trustees after the faculty of each partner seminary approves and recommends them to the Board. Reasonable changes in policies, procedures, and practices shall be made if necessary to protect individuals from discrimination. The Presidents, the Deans, and all the employees are responsible for ensuring compliance with the requirements contained in section 35.107 of the Department of Justice regulations.