



## **HOUSING ACCOMMODATION REQUEST POLICY**

### **Section I. Introduction and Background**

As stated in the Student Handbook, Concordia University is intentionally a residential campus and therefore requires all full-time single undergraduate students to live on campus until the student is 21 years old by December 31 of the academic year they desire to live off campus. Additional information about the residency requirement can be found in the Student Handbook. Concordia recognizes that living in a traditional residential campus setting may not always adequately meet every student's housing needs. For this reason, the following policy has been created.

In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), Concordia University, Nebraska ("CUNE" or the "University") recognizes the importance of providing reasonable accommodations in its housing policies and practices where necessary for individuals with disabilities to fully participate in the University housing program. This Policy explains the specific requirements and guidelines which govern requests for reasonable accommodation in University housing. CUNE reserves the right to amend this policy at any time as circumstances require.

### **Section II. Procedure for Requesting Reasonable Housing Accommodation Based on Medical, Psychological, and Disability Related Needs**

The Disability Support Services Office ("DSS") is responsible for evaluating whether to grant or deny requests for reasonable accommodation in University housing. In evaluating the request, DSS will consult with the Student Life Office ("SLO"), and the CUNE Health and Wellness Center, as necessary, to determine whether the requested accommodation is necessary and reasonable. Individuals with a disability who reside or intend to reside in University housing who believe they need a reasonable accommodation must contact the Disability Support Services Office.

Individuals must document the current impact of their disability on major life activities. The responsibility of the University is to provide an equal opportunity to fully participate in the University housing program. Our first obligation is to make appropriate accommodations within university housing, as needed, for students with serious health conditions and/or disabilities.

Requests for reasonable accommodation in University housing policies and practices are governed by the following requirements:

## 1. Requesting a Housing Accommodation

- a. An individual with a disability must complete the appropriate Accommodations Application Request Form that is found on the Student Health Portal to request a reasonable accommodation. If the individual requires assistance in completing the Request Form because of his/her disability, Disability Support Services will provide assistance in completing the form.
- b. CUNE will accept and consider requests for reasonable accommodation in University housing at any time. The individual making the request for accommodation should complete and provide the Request Form to the Disability Support Services Office as soon as practicably possible before moving into University housing. **However, if the request for accommodation is made fewer than 60 days before the individual intends to move into University housing, CUNE cannot guarantee that it will be able to meet the individual's accommodation needs during the first semester or term of occupancy.**
- c. If the need for the accommodation arises when an individual already resides in University housing, he/she should contact the Disability Support Services Office and complete the Request Form as soon as practicably possible. **CUNE cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.**

## 2. Information that May Be Requested for Disability-Related Housing Accommodation Requests

- a. Obvious Disability
  - i. If the individual's disability and the necessity for the accommodation are obvious (e.g., an individual with a physical disability using a wheelchair needs an accessible room), the individual need only explain what type of accommodation they are requesting. No verification of disability and/or necessity is required under these circumstances.
- b. Non-Obvious Disability/Necessity
  - i. If the disability is obvious but the need for the accommodation is not obvious, the University may require the individual to complete the "Disability-Related Housing Accommodation Request, Provider Verification" form ("Verification Form") and designate a health care provider or other professional who can verify that the requested

accommodation is necessary to provide the individual with a disability an equal opportunity to fully participate in the University housing program.

- ii. If the disability and necessity for the accommodation are not obvious, Disability Services will require the individual to complete the Verification Form and designate a health care provider or other professional who can verify that the individual has a disability and that the requested accommodation is necessary to provide the individual with a disability an equal opportunity to fully participate in the University housing program.
- iii. A health care provider or other professional (e.g., a physician, optometrist, psychiatrist, psychologist, physician's assistant, nurse practitioner, or nurse) must be someone who is familiar with the history and functional limitations of the individual's disability, including the impact on major life activities, and the necessity for the requested accommodation. Generally, someone related to the student should not be the one to provide supporting documentation.
- c. Absent exceptional circumstances, within fourteen (14) business days of receiving the completed Verification Form from the health care provider or other professional, the Disability Support Services Coordinator, after consultation with the Student Life Office ("SLO"), and the CUNE Health and Wellness Center, as necessary, will determine if the accommodation is necessary to provide the individual with a disability an equal opportunity to fully participate in the University housing program.
- d. If the health care provider or other professional returns the Verification Form without sufficient information for DSS to determine whether an accommodation is necessary, the Disability Support Services Coordinator will inform the individual in writing of the verification form's insufficiency and may request additional information, including speaking directly with the individual supplying the verification, within fourteen (14) business days of receiving the verification form.
- e. The individual making the request for accommodation must cooperate with DSS in a timely manner in providing all information needed to determine whether the requested accommodation is necessary.

### 3. Determination of Reasonableness

- a. Requests are reviewed on the basis of ensuring an equal opportunity to fully participate in the University housing program. Disability Support Services may deny the requested accommodation if it is unreasonable. DSS shall consult with SLO to determine if implementing the requested

accommodation is reasonable.

- b. An accommodation is unreasonable if it: (1) imposes an undue financial and/or administrative burden; (2) fundamentally alters university housing policies; (3) poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including University property; and/or (4) is otherwise unreasonable to the operation of the University.

#### 4. Approval of Accommodation

- a. If DSS determines a requested accommodation is necessary and is not unreasonable, it will contact the individual, in writing, within fourteen (14) business days of its determination and direct them to the Student Life Office to arrange the implementation of the accommodation.

#### 5. Denial of Accommodation/Appeal

- a. If Disability Support Services determines a requested accommodation is necessary but not reasonable, DSS will contact the individual, in writing, within fourteen (14) business days of its determination and engage in an interactive process with the individual to determine if there are alternative accommodations that might effectively meet the individual's disability-related needs.
- b. If the individual is unwilling to accept any alternative accommodation offered by Disability Support Services or there are no alternative accommodations available, DSS will provide written notification to the individual of the denial, the reasons for the denial, the right to appeal the decision, and the procedures for that appeals process. The notification shall be in writing and made within fourteen (14) business days of the notification from the individual of his/her unwillingness to accept any of the alternative accommodations offered or the determination that there are no alternative accommodations available.
- c. All appeals are reviewed by the CUNE ADA/Section 504 Compliance Officer. If the appeal is denied, the University's ADA/Section 504 Compliance Officer shall provide written notification of the denial to the individual and a written explanation with all of the reasons for the denial.
- d. An individual may also use the student complaint procedure provided under the general University Student Resources. This procedure can be found at <https://www.cune.edu/today/students/student-complaint-procedure>.

## 6. Confidentiality and Recordkeeping

- a. In processing requests for reasonable accommodations, the University will take all steps required by federal, state, and/or local law to protect the confidentiality of any information or documentation disclosed in connection with the requests. Such measures may include limiting access to such information to individuals specifically designated to determine and implement requests for reasonable accommodations, who will disclose the information only to the extent necessary to determine whether to grant the request, determine if the request is unreasonable, and implement any request granted, keeping all written or electronic requests and accompanying documentation in a secure area to which only those designated individuals have access, except as otherwise required by law.

## 7. Renewal of Requests

- a. Students needing housing accommodations must renew their accommodation requests each year along with their general housing request as outlined by the SLO process. Housing accommodations are assigned on the basis of need as determined by the current impact of the individual's disability on their housing assignment. Some students may be asked to update the documentation they have submitted in support of an accommodation request to ensure that we have current information about their needs.

## Section III. Additional Information

This policy reflects the process the University follows in considering requests for housing accommodations and implementing accommodations, as appropriate. The CUNE Housing Accommodation Requests FAQs may clarify those statements of policy and procedure.