WORKING WITH STUDENTS WITH DISABILITIES

Section I: Our Legal Obligation

While Southeast Missouri State University is interested in providing accommodations for our students with disabilities as the logical outcome of our mission as an institution of higher education, the University is legally obligated to provide these accommodations under two important federal laws. These two laws are Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Section 504 of the Rehabilitation Act of 1973
Section 504 is a federal regulation requiring institutions receiving federal funding to provide program accessibility to students with disabilities. Section 504 mandates:

No otherwise qualified person with a disability in the United States...shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal financial assistance.

Americans with Disabilities Act of 1990
The Americans with Disabilities Act (ADA) is an omnibus civil rights statute that prohibits discrimination against individuals with disabilities in employment, public services, public accommodations, transportation, and telecommunications. The ADA goes beyond Section 504 by requiring institutions of higher education to provide access to students with disabilities regardless of whether or not the institution receives federal funds. As a state institution, Southeast Missouri State University comes under Title II of this act which states:

Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

The ADA was amended in 2009 with the primary goal of re-establishing the original intent of the law which was to ensure access for people with disabilities.
While the Department of Justice has primary responsibility for the implementation of the ADA, education issues are the domain of the Office of Civil Rights of the Department of Education. The ADA is generally implemented under the same guidelines established for Section 504. Students have the right to grieve a perceived discriminatory action through the Office of Civil Rights. Disability Services has available through their website and in their office a grievance procedure for students with disabilities in an effort to resolve any perceived discriminatory actions in a timely and effective manner.