

# State University of New York at Potsdam Medical Housing Accommodation Policy



## Section I. Introduction and Background

In accordance with applicable federal and state disability laws, The State University of New York at Potsdam (SUNY Potsdam or the "University") will make every effort to provide reasonable housing accommodations for students who have qualifying disabilities to utilize University housing. This Policy explains the specific requirements and guidelines which govern requests for reasonable accommodation in University housing. Only applications that represent a qualifying disability will be considered for housing accommodations. Students that qualify for disability-related housing accommodations under Section 504 of the Rehabilitation Act of 1973 and the subsequent Americans with Disabilities Act (ADA) of 1990 as amended in 2008, will receive any such accommodations without any additional charge. SUNY Potsdam reserves the right to amend this policy at any time as circumstances require.

## Section II. Procedure for Requesting Reasonable Accommodation (Excluding Requests for Service Animals under the Americans with Disabilities Act Amendments Act)

The Medical Housing Committee, which consists of representatives from Accommodative Services, the Counseling Center, Residence Life/Student Affairs, and Student Health Services, is responsible for evaluating whether to grant or deny requests for reasonable accommodation in University housing. In evaluating the request, the Medical Housing Committee will 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 complete the Medical Housing Accommodation Application.

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 Medical Housing Accommodation Application (the "Application") to request a reasonable accommodation. Copies of the Application are available from the Residence Life Office. If the individual requires assistance in completing the Application because of their disability, the Office of Accommodative Services will provide assistance in completing the form.
- b. SUNY Potsdam 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 Application to Residence Life as soon as practicably possible before moving into University housing. However, if the request for accommodation is made fewer than 30 days before the individual intends to move into University housing, SUNY Potsdam cannot guarantee that it will be able to meet the individual's accommodation needs during the term of occupancy. Please note - SUNY Potsdam cannot guarantee that all required accommodations can be met. In order to allow for Residence Life to make necessary housing assignment modifications for the approved students, the deadlines for the next academic semester are as follows: Returning Students – April 1<sup>st</sup>; New Incoming Students - June 1<sup>st</sup>; Spring Admits – December 1<sup>st</sup>.
- c. If the need for the accommodation arises when an individual already resides in University housing,

they should contact Residence Life and complete the Application as soon as practicably possible. SUNY Potsdam cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.

- d. In any of the above instances, SUNY Potsdam will work collaboratively with the applicant to address the needs of the accommodations.
- e. Absent exceptional circumstances, the University will attempt to provide a written response to a reasonable accommodation request within fourteen (14) business days of receiving the information described below.

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

- a. All students requesting Medical Housing Accommodations are required to complete the Medical Housing Accommodation Application.
- b. The University requires the individual to complete the Application including information from a Licensed Healthcare Provider who can verify that the requested accommodation is necessary to provide the individual an equal opportunity to use University housing.
- c. Absent exceptional circumstances, within fourteen (14) business days of receiving the completed Application, The Medical Housing Accommodation Committee (“Committee”) will determine if the accommodation is necessary because of a disability to provide the individual an equal opportunity to use University housing.
- d. If the completed application is returned without sufficient information for the Committee to determine whether an accommodation is necessary, the Residence Life Office will inform the individual in writing of the application’s insufficiency and may request additional information, within fourteen (14) business days of receiving the application.
- e. The individual making the request for accommodation must cooperate with the Committee in a timely manner in providing all information needed to determine whether the requested accommodation is necessary.

## 3. Determination of Reasonableness

- a. The Committee may deny the requested accommodation if it is unreasonable. 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 the Committee determines a requested accommodation is necessary and is not unreasonable, Residence Life will contact the individual, in writing, within fourteen (14) days of its determination.

## 5. Denial of Accommodation/Appeal

- a. If the Committee determines a requested accommodation is necessary but unreasonable, Residence Life will contact the individual, in writing, within fourteen (14) 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 Residence Life or there are no alternative accommodations available, Residence Life will provide a verbal explanation and 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) days of the notification from the individual of their 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 SUNY Potsdam ADA Compliance Officer. If the appeal is denied, the SUNY Potsdam ADA 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 grievance procedure provided under the general University antidiscrimination policies. The individual should contact the ADA Compliance Officer at 315-267-2224.

## 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 requests and accompanying documentation in a secure area to which only those designated individuals have access, except as otherwise required by law.