

Bemidji State University Policies

Policy Name: University Housing Reasonable Accommodation Policy	Effective Date: 7/1/2021
Policy Owner: Director of Housing and Residential Life/ Advising and Accommodations Coordinator	Last Review: 3/1/2021
	Next Review: 9/1/2024

Policy Statement

Bemidji State University (“BSU” or the “University”) recognizes the importance of providing reasonable accommodations in its housing policies and practices where necessary for individuals with disabilities to utilize University housing. This policy explains the specific requirements and guidelines which govern requests for reasonable accommodations in University housing. BSU reserves the right to amend this policy and procedure at any time as circumstances require.

Scope and Purpose of Policy

The Accessibility Services office is responsible for evaluating whether to grant or deny requests for reasonable accommodations in University housing. In evaluating the request, Accessibility Services will consult with the office of Residential Life and/or other entities 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 Accessibility Services. The purpose of this policy is to outline the need and the steps required to request accommodations for housing. This policy does not address requests for Service Animals or Emotional Support Animals as defined in the University Service Animal Policy and the University Emotional Support Animal Policy as accommodations.

Definitions

Disability: The term “disability” means, with respect to an individual:

- A. A physical or mental impairment that substantially limits one or more major life activities of such individual;
- B. A record of such an impairment; or
- C. Being regarded as having such an impairment.

Major Life Activity: for purposes of defining disability, major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Procedures

Requests for reasonable accommodations in University housing policies and practices are governed by the following guidelines:

1. Requesting a Housing accommodation
 - a. An individual with a disability must complete both the **Accessibility Services Student Intake Form (Intake Form)** and the **Housing Accommodation Request Form** to request a reasonable accommodation. The Housing Accommodation Request Form requires completion by a reliable third party. Copies of the forms are available by request from Accessibility Services. If the individual requires assistance completing the forms due to a disability, Accessibility Services will provide assistance completing the forms.
 - i. A reliable third party is someone who is familiar with the individual's disability and the necessity for the requested accommodation. A reliable third-party includes, but is not limited to, a doctor, other medical professional, and/or other mental health professional who is not related to the individual with a disability.
 - b. The individual must make arrangements to meet with Accessibility Services to discuss the accommodation.
 - c. BSU will accept and consider requests for reasonable accommodations in University housing at any time. The individual making the request for accommodations should complete and provide the Intake Form and the Housing Accommodation Request Form as soon as practically possible before moving into University Housing. However, if the request for accommodations is made fewer than 60 days before the individual intends to move into University Housing, BSU cannot guarantee that it will be able to meet the individual's accommodation needs during the first semester or term of occupancy.
 - d. If the need for the accommodation arises when an individual already resides in University housing, the student should contact Accessibility Services and complete both the Intake Form and the Housing Accommodation Request Form as soon as practically possible. BSU cannot guarantee that it will be able to meet the accommodation needs during the semester or term in which the request is received.
 - e. Absent exceptional circumstances, the University will attempt to provide a written response to a reasonable accommodation request within 14 business days of receiving the information described below.
2. Information that may be requested for Housing-Related Reasonable Accommodation Requests

Accessibility Services shall limit its requests for information to only the information necessary to verify whether the individual making the request has a

disability and/or to evaluate if the reasonable accommodation is necessary to provide the individual an equal opportunity to use and enjoy University housing.

- a. **Obvious Disability:** 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 is being requested. 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 Housing Accommodation Request Form which requires designation of and completion by a reliable third party who can verify the requested accommodation is necessary to provide the individual an equal opportunity to use and enjoy University housing.
 - ii. If the disability and necessity for the accommodation are not obvious, Accessibility Services will require the individual to complete the Housing Accommodation Request Form and designate a reliable third party who can complete the required portions of the form and verify that the individual has a disability and that the requested accommodation is necessary to provide the individual an equal opportunity to use and enjoy University housing.
 - iii. Absent exceptional circumstances, within 14 business days of receiving the completed Accommodation Request Form from the third party, Accessibility Services will determine if the accommodation is necessary because of a disability to provide the individual with an equal opportunity to use and enjoy University Housing.
 - iv. If the third party returns the Accommodation Request Form without sufficient information for Accessibility Services to determine whether an accommodation is necessary, Accessibility Services will inform the individual in writing of the verification's insufficiency and may request additional information, including speaking directly with the individual supplying the third-party verification within 14 business days of receiving the verification.
 - v. The individual making the request for accommodation must cooperate with Accessibility Services in a timely manner in providing all information needed to determine whether the requested accommodation is necessary.
3. **Determination of Reasonableness**
- a. Accessibility Services may deny the requested accommodation if it is unreasonable. Accessibility Services may consult with Housing and Residential Life, and/or other appropriate University authorities 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 Accessibility Services determines a requested accommodation is necessary and is not unreasonable, it will contact the individual, in writing, within seven (7) business days of its determination, to arrange a meeting to discuss the implementation of the accommodation.
5. Denial of Accommodation/Appeal
 - a. If Accessibility Services determines a requested accommodation is necessary but unreasonable, Accessibility Services will contact the individual, in writing, within seven (7) 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 Accessibility Services or there are no alternative accommodations available, Accessibility Services 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 seven (7) business days of the notification of the individual's unwillingness to accept any of the alternative accommodations offered or the determination that there are no alternative accommodations available.
 - c. Students may also use the grievance procedure outlined in the University Student Complaints and Grievances Policy.

Rationale

The purpose of this policy is to outline the need and the steps required to request accommodations for housing.

Supporting References

[The Americans With Disabilities Act \(1990\) and amendments \(2008\) 42 U.S.C. § 12101](#)