



## Accommodation for Disabilities

(Revised 3/21/2024)

### Policy:

It is the policy of Campus to comply with state and federal regulations that prohibit discrimination on the basis of disability, including Section 504 of the Rehabilitation Act of 1973 (Rehabilitation Act). As such, faculty and staff have the responsibility to become familiar with Campus's policy and reasonably accommodate disabled students who have special needs that have been identified at the time of enrollment or while attending classes at Campus.

The Rehabilitation Act, states that, no qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives Federal financial assistance ("college, university or other post-secondary institution, or a public system of higher education").

Further, the act defines an individual as "handicapped" if he/she:

- Has a mental or physical impairment which substantially limits one or more of such person's major life activities (see below);
- Has a record of such impairment; or
- Is regarded as having such impairment.

### Definitions:

Physical or mental impairment means:

- A. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or
- B. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Major life activities means: functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Has a record of such an impairment means: has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

Is regarded as having an impairment means:

- A. Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;
- B. Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
- C. Has none of the impairments defined in this section but is treated by a recipient as having such an impairment.

To summarize the above as it applies to Campus, as an institution participating in the federal financial aid programs, no qualified individual with a disability in the United States shall be excluded from, denied the benefits of, or be subjected to discrimination under any of Campus's

programs or activities. For the purposes of this statement, “qualified” with respect to post-secondary educational services means a person who meets the academic and technical standards required for admission or participation in the educational program activity, with or without reasonable modifications to rules, policies or practices; the removal of architectural, communication or transportation barriers; or the provision of auxiliary aids and services.

Reasonable accommodation does not negate requirements for successful completion of a program, course, service and/or activity, adherence to generally acceptable standards of behavior and the College's stated student policies, and adherence to administrative and faculty/staff directions and instructions.

In determining the College's ability to offer reasonable accommodation to an otherwise qualified student with a disability, each request for an accommodation will be evaluated on a case-by-case basis. Factors to be examined include among others:

- The academic and technical standards required for admission or participation in an educational program or service;
- The purpose and nature of the program, course, and/or service;
- The precise education-related abilities and functional limitations of the student and how those limitations could be overcome with reasonable accommodations;
- The nature and cost of accommodation required in relation to the College's financial resources;
- The consequences of such an accommodation upon the operation and educational mission of the College, course, program, service and/or activity;
- Other federal, state and local regulatory requirements.

An otherwise qualified student who requires attendant care services must make arrangements to provide for his/her own attendant care services. The College does not assume the coordination or financial responsibilities for attendant care services.

The College is not required to offer or provide accommodation, to admit or to continue to admit, an individual with a disability to any particular program, course, service, and/or provide educational opportunities and other services when:

- The educational standards or mission of Campus would be substantially altered;
- The nature of the program, course, service, and/or activity would be fundamentally altered;
- The student is not otherwise qualified (with or without accommodations) to meet the academic and technical standards required for admission or participation in an educational program, course, service and/or activity;
- The effects of the disability cannot be overcome even with reasonable accommodation;
- The individual would not be able to complete the program, course, service, and/or activity, even with reasonable accommodations;
- An undue financial or administrative hardship (college-wide) would be caused by the accommodation;
- The individual would still pose a direct threat to the health or safety of himself/herself or others.

Like all Campus applicants, individuals with disabilities must demonstrate the ability to benefit in order to be accepted into the college. If a student's request for reasonable accommodation is denied, they have the option to appeal the decision to the Vice President of Academic Operations.

**Disclosure**

The Department of Labor's equal opportunity regulations 29 CFR Part 37.37 (b)(2), require the collection and retention of demographic information about individuals participating in programs or activities funded by the department, such as race, ethnicity, age, gender and disability status. Services cannot be denied to students who decline to indicate their disability status. Requesting this information is not in conflict with the Rehabilitation Act as long as there is no evidence of denial of services as a result of providing the information, or of a student declining to identify a disability.

**Procedure:**

Campus provides evaluation of individual needs, advisement, and appropriate support for academic programs of persons identified as disabled.

**New Student**

1. If the student is new to Campus, it is their responsibility to contact their Admissions Counselor who is responsible for the initial assessment and enrollment of students with special needs.
2. At that time, the student will be given the Campus Student Disability Accommodation Request Application, which they must complete and submit to the Accommodations Coordinator. Additionally, students are required to provide a Campus Student Medical Evaluation Report completed by a physician.
3. The Accommodations Coordinator is responsible for documenting the date the accommodation documents were provided to the student, and the date the completed documents were returned. Documentation is to be made in the document tracking section of the contact manager in Campus Nexus and/or the Campus ADA Accommodations file.
4. If the student fails to return the application and supporting documentation, the Admissions Counselor will contact the student to verify that the need still exists and offer assistance if necessary.
5. When the application and supporting documentation are received from the student, the Accommodations Coordinator will provide them to the Accommodations Committee for evaluation and decision.

**Existing Student**

1. If the student is an existing student, it is their responsibility to contact the Director of Student Affairs who is responsible for initializing accommodation assessments for existing students.
2. At that time, the student will be given the Campus Student Disability Accommodation Request Application, which they must complete and submit to the Accommodations Coordinator. Additionally, students are required to provide a Campus Student Medical Evaluation Report completed by a physician.
3. The Accommodations Coordinator is responsible for documenting the date the documents were provided to the student and the date the completed documents were returned. Documentation is to be made in the document tracking section of the contact manager in Campus Nexus and/or the Campus ADA Accommodations file.
4. If the student fails to return the application and supporting documentation, the Director of Student Affairs or their Student Success Coach will contact the student to verify that the need still exists and offer assistance if necessary.
5. When the application and supporting documentation are received from the student, the Accommodations Coordinator will provide them to the Accommodations Committee for evaluation and decision.

## **Evaluation**

The Accommodations Coordinator will schedule an accommodations committee meeting consisting of one or more leaders from the academic, student success or executive team. The accommodations committee will determine if the College is able to make reasonable accommodations and what those accommodations will be.

## **Record Keeping and Documentation**

The Accommodations Coordinator will update Nexus and/or the Campus ADA Accommodations file with notes of the decision in the accommodations section. Original accommodations forms will be kept in the student's administration file or the ADA. Scanned image(s) of the accommodation forms will be kept in a secure location on the network.

## **After the Decision is Made**

1. The Accommodations Coordinator along with the appropriate members of the Accommodations Committee, will meet with the student.
2. If the request is approved, the student will be advised of any provisions or limitations of Campus's accommodation.
3. For new students, the Accommodations Coordinator will communicate the student's needs to the academic and student success teams, who notifies faculty once per term. Faculty are responsible for ensuring accommodations are provided to the approved student(s)
4. The student is responsible for speaking with their instructor no later than the first day of each term to discuss their needs and the accommodation. The instructor will contact the Vice President of Academic Operations or the Director of Student Affairs to verify that the accommodation has been approved. The student is responsible for notifying their Student Success Coach as soon as possible should any problems arise concerning his/her academic program.

## **Appeal Process**

If a student wishes to appeal the decision of the Accommodations Coordinator, they must submit a formal request to the President within seven calendar days of being notified of the decision.

The appeal process involves the following steps:

1. The student must submit a written appeal to the President, outlining specific objections to the decision and providing any relevant supporting materials.
  - a. The appeal must include:
    - i. A summary of the original request for accommodations and the resulting decisions and actions.
    - ii. A detailed statement of the circumstances, along with any documentation related to the complaint.
    - iii. An explanation of why the student disagrees with the Accommodations Coordinator's decision.
    - iv. The resolution the student is seeking.
2. Within seven calendar days of receiving the appeal, the President will inform the student, Director of Student Affairs, and Vice President of Academic Operations that a college-level review process will begin.
3. The President will review all evidence, records of prior discussions, and deliberations. If necessary, the President may also request an independent investigation into the evidence and circumstances of the case.
4. After the investigation, the President will make a decision and communicate the outcome to the student, all involved parties, and any other relevant individuals.

5. A full report of the incident, appeal, and all related materials will be kept in the Accommodations Coordinator's records and, upon request, made available to Campus boards and appropriate regulatory bodies.

The duration of the college-level review will depend on the complexity of the case but will not exceed 30 calendar days. The President's decision is final.