



## Accommodation for Disabilities

Effective Date: 10/15/2024

Campus is dedicated to enhancing educational access for all students and providing accommodations and services to qualified students with disabilities, enabling them to reach their full academic potential. We recognize and uphold our obligations under the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA), the ADA Amendments Act of 2008, and relevant state laws. The specific accommodations offered depends on each student's unique disability and limitations.

### **Section 1: Scope and Purpose**

The Rehabilitation Act stipulates that no qualified individual with a disability shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity that receives Federal financial assistance, including colleges, universities, and public higher education systems. Students are not charged additional fees for disability accommodations, and the college may utilize external service agencies to provide these accommodations as needed.

Section 504 of the Rehabilitation Act of 1973 mandates that all services, benefits, and programs offered by the college must be accessible to students with documented disabilities. This law serves as a guiding framework but does not address every possible situation. It is important for all parties to recognize that accommodations may vary, and the appropriateness of services can differ depending on the situation. Section 504 also requires the college to have a published grievance procedure to ensure disputes are handled impartially and efficiently.

### **Section 2: Definitions**

1. **Accommodations Provided by External Service Agencies:** Examples of accommodations include but are not limited to the following: sign language interpreters, mobility services, and real-time captionists.
2. **Individual with a Disability:** Per the ADA, "Any individual with a disability who: (1) has a physical or mental impairment that substantially limits one or more major life activities; or (2) has a record (or past history) of such an impairment, or (3) is regarded as having such an impairment."
3. **Major life activities:** The ADA defines major life activities as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. Under the ADA Amendments Acts of 2008, major life activities have been expanded to include major bodily functions. These are functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.
4. **Reasonable accommodations:** A reasonable accommodation is a modification or adjustment to a course, program, service, or activity that enables a qualified student with a disability to have an equal opportunity to access and use the available benefits, privileges, and services to similarly-situated students without disabilities.

### **Section 3: Procedure to Request Accommodations**

To ensure a transparent and fair process, Campus has established the following steps and documentation guidelines for students seeking accommodations after admission:

#### **1. Request Disability Accommodations**

- A. Students must complete and submit the *Student Disability Accommodation Request Form* to [ADA@campus.edu](mailto:ADA@campus.edu).

#### **2. Provide Documentation**

- A. Students must provide documentation of their disability from a qualified professional, such as a medical doctor, psychologist, or psychiatrist.
- B. The Student Medical Evaluation Report form should be completed by a licensed medical or mental health professional who is not related to the student.
- C. Documentation should come from a professional familiar with the student's condition.

#### **3. Attend an Intake Appointment**

- A. Once the request form and medical documentation are received, an Accommodation Coordinator will contact the student to discuss appropriate accommodations.

#### **4. Determination of Accommodation**

- A. Each accommodation request is evaluated on a case-by-case basis, taking into account the following factors:
  - i. **Nature and Extent of the Disability:** Type, severity, and impact on major life activities, based on documentation from a healthcare professional.
  - ii. **Impact on Academic Performance:** How the disability affects the student's ability to participate in academic programs and activities.
  - iii. **Essential Course or Program Requirements:** Ensuring accommodations do not alter core academic components or standards.
  - iv. **Student's History of Accommodations:** Previous accommodations at other institutions, while considered, are not automatically granted.
  - v. **Feasibility and Reasonableness:** This assessment determines if the requested accommodations are practical, whether they impose undue hardship on the institution, or if they fundamentally alter the nature of the program. Accommodations aim to provide access and participation without compromising essential requirements. Students remain responsible for meeting all program, course, service, or activity standards and are expected to adhere to the College's policies, behavior standards, and instructions from faculty, staff, and administrators.
  - vi. **Input from Faculty and Staff:** Faculty may provide input on how accommodations could affect course delivery and instructional goals.
  - vii. **Student Preferences:** While not the sole factor, student preferences are considered to ensure comfort and effectiveness.
  - viii. **Availability of Alternative Accommodations:** If a requested accommodation is not feasible, the college explores comparable alternatives.

#### **5. Receive a Letter of Eligibility for Accommodation**

- A. Upon approval, students receive a Letter of Eligibility for Accommodation detailing the granted accommodations.

## 6. **Share the Letter**

- A. At the start of each course, students must provide the Letter of Eligibility for Accommodation to their instructor(s).

### **Section 4: Decision Appeal Process**

If a student wishes to appeal the decision made by the Accommodations Coordinator, they must submit a formal request to the President within (7) calendar days of being notified of the decision.

The appeal process includes the following steps:

#### **1. Submit a Written Appeal**

- A. The student must submit a written appeal detailing specific objections to the decision and providing any relevant supporting materials. The appeal should include:
  - i. A summary of the original accommodation request, including the decisions and actions taken.
  - ii. A detailed statement of the circumstances, with any documentation related to the complaint.
  - iii. An explanation of the reasons for disagreement with the Accommodations Coordinator's decision.
  - iv. The desired outcome or resolution the student is seeking.

#### **2. Notification of Appeal Process**

- A. Within (7) calendar days of receiving the appeal, the President will notify the student, the Director of Student Affairs, and the Vice President of Academic Operations that a college-level review process has been initiated.

#### **3. Review and Investigation**

- A. The President will review all relevant evidence, records of previous discussions, and deliberations. If necessary, an independent investigation may be conducted to gather further information on the evidence and circumstances of the case.

#### **4. Decision and Notification**

- A. Upon completion of the review, the President will make a decision and communicate the outcome to the student, all involved parties, and any other relevant individuals.
- B. The President may elect to use a designee to inform all involved parties of the decision.

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

#### **7. Timeframe and Finality**

- A. The college-level review process duration will depend on the complexity of the case, but it will not exceed (30) calendar days. The President's decision is final and binding.

This process ensures that appeals are handled systematically, fairly, and transparently while maintaining thorough documentation for accountability and compliance purposes.

### **Section 5: Responsibility for Attendant Care Services**

1. An otherwise qualified student who requires attendant care services is responsible for arranging and covering the costs of these services independently. The College does not coordinate or assume financial responsibility for attendant care services.

## **Section 6: Limitations on Accommodations and Admission**

2. The College is not obligated to provide accommodations, admit, or continue enrollment for an individual with a disability in any program, course, service, or educational opportunity under the following conditions:
  - A. **Impact on Educational Standards or Mission:** The accommodation would significantly compromise the educational standards or mission of the College.
  - B. **Fundamental Alteration:** The accommodation would fundamentally alter the nature of the program, course, service, or activity.
  - C. **Qualification Standards:** The student, with or without accommodations, does not meet the academic and technical standards required for admission or participation.
  - D. **Irreducible Effects of Disability:** The disability's effects cannot be mitigated through reasonable accommodations.
  - E. **Inability to Complete Program Requirements:** The individual would be unable to complete the program, course, service, or activity, even with reasonable accommodations.
  - F. **Undue Hardship:** The accommodations would impose undue financial or administrative hardship on the institution.
  - G. **Direct Threat to Health or Safety:** The individual poses a direct threat to the health or safety of themselves or others.

## **Section 7: 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.

## **Policy Owners**

Director of Student Affairs

## **Revision History**

Original Policy Approval Date: N/A

Revision Dates: 03/21/2024, 10/15/2024

Administrative edits as result of ongoing review: