

University of Rio Grande/Rio Grande Community College Department of Accessibility Operating Policy

I. GENERAL:

The University of Rio Grande/Rio Grande Community College is committed providing reasonable accommodations for enrolled students who have documented disabilities as referenced in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). It is the policy of the University/Community College to ensure that students with disabilities receive appropriate accommodations relevant to their physical and mental limitations as well as to their instructional activities as mandated by State and Federal law.

II. LEGAL POSITION:

Students with disabilities are protected under Section 504 of the Rehabilitation Act of 1973. In addition the Americans with Disabilities Act of 1990 (ADA) extends civil rights protection for those persons with disabilities.

Section 504 of the Rehabilitation Act of 1973 state that: "No otherwise qualified handicapped individual in the United States...shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any other program or activity receiving Federal financial assistance".

The University of Rio Grande and The Rio Grande Community College have in excess of 50 staff and faculty members. The University of Rio Grande and The Rio Grande Community College has designated a staff person to coordinate efforts to carry out responsibilities under Title II at 28 Code of Federal Regulations 35.107(a) and Title II at 28 C.F.R. 35.107(b) which includes any investigation of any complaint.

III. DEFINITION OF DISABILITY:

A "person with a disability "includes" any person who (1) has a physical or mental impairment which substantially limits one or more of such person's major life's activities; (2) has a record of such impairment, or (3) is regarded as having such impairment".

A qualified person with disability is defined as one who has been admitted to the University of Rio Grande/Rio Grand Community College and has disabilities such as, but not limited to, the following:

Blindness or Visual Impairments
Cerebral Palsy
Chronic Illnesses, such as Aids or Diabetes
Arthritis, Multiple Sclerosis
Cancer, Muscular Dystrophy
Cardiac Diseases, Psychiatric Disabilities
Deafness or Hearing Impairments
Drug and/or Alcohol Addiction (Section 504 covers former users and those in Recovery programs who are not currently using drugs or alcohol)
Epilepsy or Seizure Disorders , Speech Disorders
Mental Retardation, Spinal Cord or Traumatic Brain Injury
Orthopedic Impairment
Specific Learning Disability
Asperger's Syndrome

The University of Rio Grande/Rio Grande Community College is an open admission institution. Disability in any form will not be considered a criterion of admission. Accessibility Services will be available to assist the student to gain access to or communicate with any part of the admission process including the determining of class placement in reading, writing, and math.

IV. DOCUMENTATION:

To be eligible for disability related services, a student must have documentation of his/her ADA qualified disability. The Accessibility Office must have documentation of an ADA qualified disability on file prior to a student being provided with reasonable accommodation(s).

Documentation of a disability may include, but is not limited to, documents such as: a statement from a physician, a psychological evaluation from a licensed professional, and/or a Multi Factored Evaluation.

The University of Rio Grande/Rio Grande Community College is obligated to make reasonable accommodations, only to the known limitations of an otherwise qualified disabled student. Therefore, it is in the student's best interest to provide recent and appropriate documentation, which validates the need for services, based on his/her current level of functioning in the educational setting. Section 504 does not require that the University/Community College provide individualized diagnostic or prescriptive services.

V. ACCOMMODATIONS/MODIFICATIONS:

Reasonable accommodations may be provided for disabled students in order to ensure access to all University and Community College facilities, courses, programs, services and activities.

A reasonable accommodation is a modification or adjustment to a course, program, service, job, activity, or facility that enables a qualified student with a disability to have an equal opportunity for success. The University/Community College is obligated to make reasonable accommodations only to the limitations of an otherwise qualified disabled student.

For students with disabilities, academic adjustments may include adaptations in the way specific courses are conducted, the use of auxiliary equipment and support staff as well as modifications in academic requirements. Some suggestions for academic required modifications for students with disabilities are as follows: providing modifications, substitutions, or major fields of study, on a case-by-case basis. (Such accommodations need not be made if the institution can demonstrate the changes requested would substantially alter essential elements of the course or program); increasing the frequency of tests or examinations; changing tests formats (e.g., from multiple choice to essay); using alternative forms of testing for students to demonstrate course mastery (e.g., a narrative tape instead of written journal); and, permitting the use of computer software programs or other assistive technological devices to assist in test-taking and study skills.

Accommodations necessary for ensuring complete access to and full participation in the educational process do not require instructors to adjust evaluations of academic performance. The accommodations make it possible for a student with a disability to learn the material presented and for an instructor to fairly evaluate the students' understanding of the material. Some examples of Common Academic Accommodations are as follows:

- Priority seating in Classroom,
- Use of Note Takers
- Alternative Test Formats
- Faculty Member Facing Class When Speaking
- Providing Copies of Overheads & Lecture Notes
- Taping (audio) Lectures
- Enlarging Exam Questions or Lecture Notes
- Use of Signers, Interpreters
- Change of Classroom to accessible building or floor
- Extended Time on Exams, Tests and/or Quizzes
- Textbooks on Tape
- Oral Presentation of Tests
- FM System
- Closed Circuit Television image/text enlargement
- Use of Computer in Taking Tests
- Removal of Structural Barriers
- Use of Calculator/Spell Check
- Special Parking
- Advanced Copy of Syllabus Methods
- Specialized Computer Software
- Modified Program Requirements not effecting Syllabus

Policy regarding Service Animals:

Definition: Service Animals are animals that are individually trained to perform tasks for people with disabilities such as guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals perform some of the functions and tasks that the individual with a disability cannot perform for him or her. Service animals are trainable working animals, and not considered pets.

- A health record form is required as completed and signed by a licensed veterinarian before the animal can be maintained by the student on campus.
- People with disabilities who use service animals cannot be charged additional fees to maintain the service animal or be isolated from other students and college personal.
- People who use the services of a service animal will be responsible for any damages caused by his or her service animal.
- The service animal must be kept under control (leash when applicable) and must be removed from the premises if the animal poses a direct threat to the health or safety of others.
- Rio Grande University and Rio Grande Community College registered students with disabilities who will be using service animals should be registered with the Office of Accessibility.

Policy regarding Therapy Animals:

Definition: Therapy animals are individually obedient trained be a companion animal for disabled individuals who have been diagnosed as behavioral challenged as documented by a licensed Psychiatrist. Therapy animals are designated as such and not considered as a specially trained Service Animal or as a pet. A therapy animal must have a stable, tolerant temperament, free of any signs of aggression toward people or other animals. A therapy animal must be interested in people and of an outgoing nature. The animal must be able to handle a reasonable amount of stress, and able to accept such things as loud noises, sudden yelling and movements, the many pieces of equipment and devices used in daily living, classroom, and people who may look, sound and smell different to them.

- A Health Record Form is required as completed and signed by a licensed veterinarian before the animal can be maintained by the student on campus.
- People with disabilities who use a therapy animal cannot be charged additional fees to maintain the therapy animal, or be isolated from other students and college personal.
- People who use the services of a therapy animal will be responsible for any damages caused by his or her therapy animal.
- The therapy animal must be kept under control (leash when applicable) and must be removed from the premises if the animal poses a direct threat to the health or safety of others.
- Rio Grande University and Rio Grande Community College registered students with disabilities who will be using a therapy animal will register their attending licensed Psychiatrists recommendation to maintain a therapy animal with the Office of Accessibility.

VI. ACCESSIBILITY OFFICE:

It is the policy of the University of Rio Grande/Rio Grande Community College to assist in making services available for any student who can document a disability as referenced under Section 504 of the Rehabilitation Act of 1973 and/or the Americans with Disabilities Act of 1990 (ADA).

The Accessibility Office has as its goal the promotion of barrier-free environments (physical, program, information, attitude) for students with disabilities. The Accessibility Office strives to ensure access to University and Community College courses, programs, facilities, services, and activities by assisting with and/or providing reasonable accommodations and academic adjustments for those admitted students with documented disabilities.

The Accessibility Office, located in Rhodes Hall, maintains files on all self-reported disabled students. Any student

requesting disability related accommodation must have documentation on file.

The Accessibility Office provides services to disabled students, which include: (a) providing (on request) pre-admission information regarding the availability of support services; (b) providing assistance with academic accommodations and Jenkins Center for Student Success referrals; (c) providing for the disabled student by assisting and consulting with faculty and staff regarding reasonable accommodations, disability rights, architectural barriers, attitudes, curriculum access and Federal legislation.

Accommodations as written by the Office of Accessibility are in response to the medical, psychological, academic observation and/or psychiatric documentation as provided by the student. It is the adult student's responsibility to self proclaim to both the Accessibility Service and to the instructors. The student will be provided an Accommodation Detail Memorandum to be hand carried to the instructor as prepared by Accessibility Services. Due to issues of confidentiality, the Accessibility Counselor can only provide knowledge of the student's disability to the instructor with implied student consent. Instructors cannot be held responsible for failure to comply with requested accommodations if they are not provided the Accommodation Detail Memorandum by the student.

Accommodations as written by the Office of Accessibility for the use of the instructors to provide ADA required services to the student have been conditioned by several rulings made by O.C.R., C.F.R., and civil litigation. Accommodations are not to alter the essential nature of a given program or create an unreasonable burden. Exceptions to requested accommodation can be made as long as the result is not discriminatory and the results are the same.

Instructors may not decide unilaterally that accommodations other than those recommended and authorized are adequate for students with disabilities.

If a student is denied academic accommodations or the use of auxiliary aids by an instructor and wishes to appeal, she/he should contact the Office of Accessibility to schedule a meeting with the instructor to discuss and resolve the issue. The student may invite the Accessibility Counselor to attend this meeting. In the case where an unresolved issue becomes a dispute (i.e., an issue that is not resolved informally between the student and the instructor with the assistance of the Accessibility Counselor,) the student may file a complaint through the Student Grievance Procedure as published in the current Student Handbook. Concurrently, the college ADA Coordinator or designee will review the case and make an interim decision pending resolution through the student grievance procedure. If the issue is still not resolved, a formal complaint can be made in writing to the Office of Civil Rights. If the issue is still not resolved, the complainant may file a private civil suit irrespective of OCR's decision in pursuant to Section 203 of Title II ADA.

VII. STUDENT RESPONSIBILITY:

In order to be eligible for classroom (or other) accommodation, students must register their documented disability with the Accessibility Office.

Students who may require reasonable accommodation are responsible for ensuring that the University, particularly faculty members, are aware of those disabilities that require accommodations in the educational process. It is the responsibility of the student with a disability to contact faculty members in a timely manner, preferably at the beginning of each semester, and provide each with a letter addressing the reasonable accommodations as prepared by the Accessibility Office.

The student with a disability must maintain the same responsibility for his/her education as a non-disabled student. This includes maintaining the same academic levels, attending class, maintaining appropriate behavior and providing timely notification of any special needs.

VIII. FACULTY RESPONSIBILITY:

The similarities of students with disabilities and other students are much more significant than their differences. The first step in teaching students with disabilities is: **TREAT THEM AS YOU WOULD ALL STUDENTS.**

As faculty members are often the first to know that a disabled student is in class, they are encouraged to work with the student, whatever the situation. It is important, however, that the student be referred to the Accessibility Office for support.

Students with disabilities are NOT REQUIRED to register with any agency on campus. However, when requesting accommodations as a result of a disability, they are required to be registered with the Accessibility Offices.

IX. ACCOMMODATIONS COMMITTEE:

The University of Rio Grande/Rio Grande Community College created an Accommodations Committee. This committee has four (4) primary functions: (1) Making recommendations about policies and procedures related to the provisions of accommodations for students with disabilities; (2) Developing mechanisms for increasing faculty understanding of disabilities and their accommodations in an academic setting; (3) Assisting the Vice President for Academic Affairs in resolving appealed disagreements concerning particular academic accommodations. (4) To review cases in which there is a question of appropriate eligibility status at the request of the Accessibility Counselor.

The Accommodation Committee is composed of five (5) members:

2 Accessibility Office staff members - - the Accessibility Coordinator/
Counselor and Director of Health Services

2 Faculty members knowledgeable in the area of learning and disabilities

1 Member of the Academic Affairs Committee (elected by that committee,
and other than the two named above)

The faculty representatives and the Academic Affairs Committee representative to the Accommodations Committee will serve one-year terms. The same two faculty representatives may be reappointed at will.

X. CONFIDENTIALITY:

The Accessibility Office, the Jenkins Center for Student Success and the Admissions Office have a responsibility to maintain the confidentiality of student disability records and files. No part of those documents may be released without the student's informed and written consent.

XI. REFERRALS:

The Accessibility Office reserve the right to refer students to other on or off campus agencies as might be appropriate, i.e. a physician, counselor, BVR counselor, etc. Faculty and other staff may also refer students to the Accessibility Office.

XII. APPEAL:

In instances of documented disability, when a request for accommodation has been denied, the student has the right to appeal. The appeal will be conducted, as deemed appropriate, in accordance with the Student Academic Grievance Policy or the Student Non-Academic Grievance Policy as presented in the Student Handbook. Modifications to the Non-Academic Grievance Policy which allow specificity to the Disability Policy are as follows:

LEVEL I

2.1321 Hearing The "appropriate University official" shall read,
for this policy, "the Accessibility Counselor and the
involved faculty member or administrative
employee."

2.1322 "University official" shall read, "the Accessibility
Counselor and the involved faculty member or
Administrative employee."

LEVEL II

2.1331 Appeal “Vice President for Student Services” shall read,
“Vice President for Student Services and Vice
President for Academic Affairs or the appropriate
Administrative Vice President.”

2.1332 Decision “The vice President for Student Services, the Vice
President for Academic Affairs and/or the
appropriate administrative Vice President will
consult with the President of the University and
formulate a response.”

The Student Academic Grievance Policy will be modified so as to allow either the Accessibility Counselor and/or
the Accessibility coordinator to accompany the student during the second and third levels of the appeal process.

Accessibility M.Kimmel; revised 7/11/07