

# COMMUNITY COLLEGE OF VERMONT

## DISABILITIES COMPLIANCE POLICY

March 8, 2005

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*See also:*

*Complaint Resolution Policy*

*Confidentiality Policy*

*Non-Discrimination Policy*

*Student Records Policy*

### POLICY

The Community College of Vermont (CCV) intends to comply fully with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. CCV has established guidelines to provide equal access to educational programs and employment. No otherwise qualified individual with a documented disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the CCV.

#### 1. General guidelines

- a. CCV will notify all College constituents of nondiscrimination policies and procedures; further, CCV will make training available to employees regarding nondiscrimination and reasonable accommodation(s) of persons with documented disabilities.
- b. CCV will appoint and maintain an ADA Compliance Officer/504 Coordinator. All questions and concerns regarding ADA compliance should be directed to the ADA Compliance Officer/504 Coordinator.
- c. CCV's 1992 ADA Transition Plan will serve as a guide for full implementation of and compliance with the Americans with Disabilities Act of 1990.
- d. Any construction of new CCV buildings or alterations to existing buildings will comply with the CCV 1992 ADA Transition Plan.
- e. CCV will notify staff and students of emergency evacuation procedures, which will include providing assistance to those with disabilities.
- f. CCV will make available, upon specific request, alternatively formatted College documents.
- g. Any person who wishes to appeal a decision related to ADA compliance should pursue resolution through the appropriate complaint resolution procedures. (see Complaint Resolution Policy)

## **2. Guidelines regarding students with disabilities**

CCV offers regular services, available to all students, which may be sufficient to accommodate the needs of certain students with disabilities; these services include low student-to-instructor ratios, on-site advising, learning labs, and developmental skills courses.

In cases where students need accommodation, the College has established the following procedures to provide equal access to educational programs and to maintain appropriate documentation for all students with disabilities:

- a. It is the responsibility of a student to make the College aware of a documented disability and the need for accommodation(s). There must be evidence that the disability substantially limits one or more major life activities related to learning.
- b. To allow reasonable time for arranging services, the student should provide documentation to the College as soon as possible, preferably four weeks prior to the beginning of classes.
- c. Accommodations cannot be retroactive. A CCV ADA Coordinator will meet with the student and will continue as the student's advisor throughout the process of arranging accommodation(s).
- d. While participation of other support persons or providers (e.g., vocational-rehabilitation counselors or parents) is welcome with written permission from the student, it is essential that the student speak with the CCV ADA Coordinator directly.
- e. During the initial appointment, the CCV ADA Coordinator will inform the student of the responsibilities of both the College and the student in making accommodation(s).
- f. The student is required to provide appropriate documentation from an authorized agency, individual, or appropriate medical source. The documentation must include the names, titles, and professional credentials of the evaluator(s). This documentation must describe the disability and provide an explanation of how this condition may affect the student in an academic setting. The documentation should also suggest reasonable accommodations that may be necessary to assist the student in a College setting. The documentation must be current. The College reserves the right to judge the appropriateness, timeliness, and source of the documentation. This documentation will be filed in the site office with the CCV ADA Coordinator. Even students with apparent disabilities (e.g., deafness, blindness, or wheelchair use) must present written documentation in order to be eligible for accommodations.

g. The ADA Coordinator will review the documentation and request for accommodations and respond within a reasonable amount of time, normally two weeks. When necessary, the ADA Coordinator will consult with CCV's Resource Support Coordinator and/or appropriate outside sources. It is the responsibility of the ADA Coordinator, on behalf of the College, to determine the most appropriate accommodation(s) for the student with a disability.

h. A form describing the accommodation(s) will be prepared and signed by the student and the ADA Coordinator. This form listing accommodations will be sent to the student's instructors.

i. The student may also grant outside agencies and CCV permission to exchange information related to meeting her/his academic needs, specifying the type of information that can be released. The ADA Coordinator will record any information which results from such an exchange.

j. The ADA Coordinator may deny the request for accommodation(s) if the requested accommodation fundamentally alters the nature of the College's program, if it can be demonstrated that the cost would place an undue financial burden on the College, if the request would be unduly burdensome administratively, if the student poses a substantial risk of harm to him/herself or others, the accommodation(s) would give an unfair advantage over his/her non-disabled peers, or if the provision of the accommodation(s) would render the student not otherwise qualified.

### **3. Guidelines regarding employees with disabilities**

CCV employees with a qualified disability may request accommodation(s) to perform their work. The College has established the following procedures to provide equal access to employment and to maintain appropriate documentation for all employees with disabilities:

a. Faculty members with a documented disability should discuss their needs and request accommodations from their site's ADA Coordinator. Other CCV employees with documented disabilities should discuss their needs and request accommodations with their immediate supervisor. The employee should describe her/his disability and how it affects the essential duties of the job.

b. If step a (described above) fails to meet the needs of the employee, s/he can submit a formal request to the ADA Compliance Officer/504 Coordinator for accommodation(s). The request must include:

1) a letter from the employee that describes the disability, identifies how the disability affects the essential duties of the job, and requests a specific type of accommodation(s).

2) documentation from an appropriate authority that describes the disability and recommends an accommodation(s).

3) a letter from the supervisor confirming the employee's need for accommodation(s) in order to meet specific job responsibilities.

c. The ADA Compliance Officer/504 Coordinator in consultation with the supervisor and the employee will consider the options for accommodation(s).

d. The ADA Compliance Officer/504 Coordinator will respond to the request within a reasonable amount of time, normally two weeks. The ADA Compliance Officer/504 Coordinator may provide the specific accommodation(s) requested, may offer alternative accommodation(s), or may deny the request for accommodation(s) if it can be demonstrated that the cost would place an undue financial burden on the College or if such accommodation(s) would fundamentally alter the way the College operates.

e. The employee will acknowledge, in writing, the acceptance of any accommodation(s) to the ADA Compliance Officer/504 Coordinator.

f. The supervisor and employee will keep the ADA Compliance Office/504 Coordinator informed of the arrangements for and effect of any accommodation(s).

#### **4. Guidelines regarding applicants to CCV positions and all other CCV constituents**

CCV applicants or any CCV constituent with a qualified disability may request accommodation(s) in seeking employment, to participate in programs that are open to the public, to visit a site, or to meet with a staff member. The College has established the following procedures in such cases:

a. An individual requests accommodation(s) and provides appropriate documentation of his/her disability. Requests should be directed to the site ADA Coordinator, Regional Director, or the ADA Compliance Officer/504 Coordinator.

b. To allow reasonable time for arranging services, the individual should allow the College as much forewarning as possible.

c. The ADA Compliance Officer/504 Coordinator or designee will respond to the request within a reasonable amount of time. The ADA Compliance Officer may provide the accommodation(s) requested, may offer alternative accommodation(s), or may deny the request for accommodation(s) if it can be demonstrated that the cost would be an undue financial burden on the College or if such accommodation(s) would fundamentally alter the way the College operates.