



# ACCREDITATION EVIDENCE

**Title:** Board Policy 5460B: Reasonable Accommodations for Students with Disabilities

**Evidence Type:** Corroborating

**Date:** 18 March 2019

**WAN:** 22-0305

**Classification:** Policy

**PII:** No

**Redacted:** No



REASONABLE ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

The College is committed to providing reasonable accommodations and modifications for individuals with disabilities in accordance with the Americans with Disabilities Act of 1990 as amended and Section 504 of the Rehabilitation Act of 1973.

The College prohibits unlawful discrimination against qualified students with disabilities and encourages their full participation within the College community. All faculty, staff and administrators will actively support students with disabilities in all educational programs, services, and activities, in cases where such support is readily achievable and is not an undue burden.

In accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the Americans with Disabilities Amendment Act (ADAAA) of 2008, the College defines a qualified student with a disability as "any person who is regarded as having such an impairment, and (a) who meets the academic and technical standards requisite for admission to or participation in the College's programs, and (b) who has a documented physical or mental impairment that substantially limits one or more major life activities." A student with a disability who believes an accommodation is necessary to complete the educational process should contact the Disability Support Services Specialist in the Support, Disability and Counseling Center. The institution will engage with students with disabilities to determine appropriate, reasonable accommodations in compliance with all applicable local, state and federal laws. The College will require appropriate documentation before accommodations will be provided.

Approved      January 14, 2016  
Revised        March 18, 2019

**REASONABLE ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES**

An individual with a disability is defined as a person who has (or is regarded as having) a physical or mental impairment that substantially limits one or more major life activity. 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, controlling bodily functions, and working. Reasonable accommodations are provided based on individual need and without regard to race, color, nationality or ethnicity, ancestry, age, religion, sex, sexual orientation, marital status, veteran status, family or parental status, gender identification, political beliefs, civil rights activity, military service or disability. All students, including those with disabilities, must meet required academic standards for class admission and participation in post-secondary programs and activities. Students must apply, and be approved, in order to receive accommodations.

**Confidentiality of Disability Records**

Student educational records for disability services, including medical statements and clinical records will be kept confidential in accordance with the Family Educational Rights and Privacy Act (FERPA). The student name and list of accommodations may be released to campus personnel on an as-needed basis for legitimate educational reasons. Wellbeing and Accessibility staff and College administrators may access student educational records including medical statements and clinical records for legitimate educational purposes only. Students may sign a release of information form for any other disclosures and may revoke consent in writing at any time.

**Requesting Academic Accommodations**

Students requesting academic accommodations should take the following steps:

1. Fill out an application for accommodations. Students may request an application by calling 307-382-1806, e-mailing [wellaccess@westernwyoming.edu](mailto:wellaccess@westernwyoming.edu), or by visiting the Wellbeing and Accessibility Office at 2500 College Drive, Room 2011 - D, Rock Springs, Wyoming 82901.
2. Schedule an intake meeting. Students must meet with the Accessibility Specialist to discuss their accommodation needs.
3. Provide documentation. Students must provide documentation of their disability and need for services. Documentation may include (but is not limited to):
  - a. Individualized Educational Programs
  - b. Section 504 Plans
  - c. Medical records/evaluations
  - d. Mental health records/evaluations
  - e. Vocational rehabilitation evaluations and recommendations.

Students have the option of bringing this documentation to the intake meeting, or signing a release of information for the Accessibility Specialist to obtain the information from their provider.

### **Determination of Eligibility**

Determination of eligibility for accommodations will be made by the Accessibility Specialist. Eligibility determinations will be made within 10 business days of completed paperwork provided to the Wellbeing and Accessibility Office. The Accessibility Specialist will take the following steps:

1. The student will be informed whether or not they are eligible for services.
2. If the student is eligible, the student's name and list of accommodations will be e-mailed to the student and personnel having a legitimate educational interest including (but not limited to):
  - a. Instructors
  - b. Peer Tutor Center Employees
  - c. Outreach Staff
  - d. Internet Course Staff
  - e. Housing Staff
3. If the student is not eligible, they will receive a letter explaining why they do not qualify for services.

### **Student Responsibilities for Accommodations**

Students are responsible for the following:

1. Informing their instructors of their desire to use their accommodations at least 48 hours in advance.
2. Notifying the Peer Tutor Center, or a suitable and approved facility, at least 48 hours in advance when they need to access testing accommodations.
3. Updating their accommodations every semester.
4. Contacting the Accessibility Specialist if they have changed a class, need additional services, or are having trouble accessing an accommodation.

### **Instructor Responsibilities for Accommodations**

Instructors are responsible for the following:

1. Identifying a volunteer note-taker.
2. Ensuring that the accommodations do not compromise the integrity of the course.
3. Providing only the accommodations identified for qualifying students.
4. Contacting the Accessibility Specialist if there are any questions about accommodations.
5. Providing online course content in an accessible format.
6. Keeping student information confidential.

### **Note-Takers**

Students who are awarded a note-taker will need to actively coordinate their accommodations with their instructor.

1. Note taking services may only be provided for qualified students.
2. Students must notify their instructors that they will be using a note-taker. Note-taking services shall begin within 5 business days of the student request.
3. If a student has notified an instructor that they need a note-taker, the instructor must take the following steps:
  - a. Explain to the class (without identifying the student with a disability) that a note-taker volunteer is needed, emphasizing the importance of accurate and timely notes.
  - b. Provide the name of the note-taker to the Accessibility Specialist.
  - c. In the event that there is no one willing to volunteer to take notes, contact the Accessibility Specialist to schedule a peer note-taker.
  - d. If the instructor has detailed lecture notes, these can be provided to the student as an alternative to a note-taker.
  - e. The note-taker should take notes on a computer, unless it is not feasible to do so.
  - f. Hand written notes can be copied in the Wellbeing and Accessibility Office.
  - g. Notes are to be given directly to the instructor, then forwarded to the identified student within 24 hours of class.

### **Course Substitutions**

The College provides reasonable modifications to the academic requirements of a course of study if these requirements have a discriminatory impact on a student with a disability. The college does not waive or change requirements if they are essential to the course or if the changes would fundamentally alter the program. Students with disabilities may apply for appropriate class substitutions for required courses.

Students must apply for course substitutions at least 8 weeks prior to the semester for which the modification is desired. Applications are available in the Wellbeing and Accessibility Office. In addition to the application, students must provide the following:

1. Verification from a qualified medical provider that the student has a disability and related need for academic modification. The medical documentation must be current.
2. A letter stating which class the student would like substituted and why.
3. Documentation, if any, that the student attempted the same or similar classes, with or without accommodations and/or tutoring, and the results of that attempt.

Course substitutions will not automatically be granted based upon disability status. The Accessibility Specialist, coordinating with the Vice President for Student Learning, and at least

one representative from the student's chosen academic program will consider each request individually. The request will be considered in light of the impact on the integrity of the program, whether or not the course is a prerequisite for an upcoming course, the core expected responsibilities of an individual working within the certification or degree field, the severity of the impact of the disability, and the relevance of the impact of the disability to the requirements of the course.

Possible course substitutions will be identified by the Vice President for Student Learning and Division Chair of the student's academic program. The student will be responsible for checking with their transferring university to determine if their course substitution will impact future degree requirements.

Students will be informed of the course substitution approval or denial in writing within 45 days of their completed application to Wellbeing and Accessibility.

### **Concerns**

Students with concerns about their accommodations should first contact the Accessibility Specialist to have a discussion and make a plan to resolve the situation. This informal discussion is normally the quickest and most effective way to resolve situations that arise. The Accessibility Specialist may:

- Mediate a solution between students and faculty.
- Counsel the student in self advocacy skills (if the student would like to attempt to resolve the situation on their own.)
- Refer the situation to the Director of Wellbeing and Accessibility.
- Discuss alternative solutions with the student.
- Refer the student to outside agencies that can help the student.

In the event that the student is not able to resolve the situation through discussion, the student may submit an internal grievance or appeal.

### **Internal Grievance/Appeal**

Any person who believes that they have been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for the College to retaliate against anyone who files a grievance or who cooperates in the investigation of a grievance.

Grievances must be submitted to the Director of Wellbeing and Accessibility within 30 days of the date the person filing the grievance becomes aware of the alleged discriminatory action. The complaint must be in writing and include the name and address of the person filing the complaint. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought, if known.

## Procedure 5460B

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The Director shall conduct an investigation of the complaint. The investigation may be informal but it will be thorough and will give all interested persons an opportunity to submit relevant evidence. The Director will maintain the files and records of the College related to the grievances.

The Director will issue a written decision on the grievance no later than 30 days after its filing. The person filing the grievance may appeal the decision of the Director by writing to the Vice President for Administrative Services within 15 days of receiving the Director's decision. The Vice President for Administrative Services shall issue a written decision in response to the appeal no later than 30 days after its filing. The decision of the Vice President is final. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the US Department of Health and Human Services, Office for Civil Rights or the US Department of Justice, Civil Rights Division.

The College will make appropriate arrangements to ensure that people with disabilities are provided other accommodations, if needed, to participate in the grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing audio materials for those with visual/reading impairments, or providing a physically accessible area for proceedings. The Accessibility Specialist will be responsible for such arrangements.

Students have the right to contact the Rocky Mountain Region Office for Civil Rights at 1-800-368-1019 or TTD: 1-800-537-7697.

*Western Wyoming Community College does not discriminate on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in any program or activity conducted or funded by the college.*

Approved      March 18, 2019