



## Facilities and Services for Students with Disabilities

### Definitions

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers with 15 or more employees to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

**Section 504:** Section 504 is a federal civil rights law designed to eliminate disability discrimination in programs and activities that receive federal funds. To be protected under Section 504, a student must be determined to: (1) have a physical or mental impairment that substantially limits one or more major life activities; or (2) have a record of such an impairment; or (3) be regarded as having such an impairment. IBMC College will provide students with appropriate academic adjustments and auxiliary aids and services that are necessary to afford an individual with a disability an equal opportunity to participate in a school's program. Recipients are not required to make adjustments or provide aids or services that would result in a fundamental alteration of a recipient's program or impose an undue hardship.

**Disability (ADA):** A physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment. These are not meant to be all-inclusive and should not be construed as such. They are not the only conditions that are considered to be disabilities, impairments or reasonable accommodations covered by the ADA/ADAAA policy.

**Disability (Section 504):** The Section 504 regulatory provision at 34 C.F.R. 104.3(j)(2)(i) defines a physical or mental impairment as 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 any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The regulatory provision does not set forth an exhaustive list of specific diseases and conditions that may constitute physical or mental impairments because of the difficulty of ensuring the comprehensiveness of such a list.

**Reasonable Accommodation:** Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part-time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

# Student Accommodations

## Documentation Guidelines

The College uses several tools in determining what may be a reasonable accommodation for a disability. We consider the student's self-report as a vital source of information. Additionally, we may require information from other sources to establish that the student is a qualified individual with a disability who is entitled to receive a reasonable accommodation. To begin the process, we ask requestors to fill out our Reasonable Accommodation Form and attach applicable documentation.

Types of documentation that may be helpful include, but are not limited to, the following:

- Letter from a qualified healthcare professional, on letterhead which confirms a diagnosis and impact of the disability;
- Educational records (Individual Education Plan (IEP) or 504 plan);
- Veteran Records verifying condition and impact (rating sheet);
- Reports and assessments created by healthcare providers, psychologists, or the educational system (e.g., a psychoeducational evaluation); and
- Audiology report.

Documentation must be provided on official letterhead with contact information and dated. It should be signed by an evaluator who is unrelated to the student, and who possesses credentials that permit the evaluation of the disability. No hand-written notes or prescription pad notes will be accepted.

We may request additional documentation for students who are requesting a reasonable accommodation in Housing. In these cases, supporting documentation that speaks directly to on-campus housing accommodation request is required:

- A clear statement of the medical and/or psychiatric diagnosis and the functional limitations due to the condition as it relates to on-campus housing.
- State the specific accommodations that are needed in on-campus housing.
- Describe how the student's medical/psychiatric condition necessitates the need for the requested housing accommodation, as it relates to the student's disability.

Education Services will meet with students who do not have documentation or who have not been formally diagnosed with a disability. We recommend you set up an Information Session with us to discuss your specific situation and explore referral options.

Documentation accepted by other institutions, agencies, and/or programs will not necessarily satisfy Disability Services requirements.

## ADA Accommodation

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to safety, he or she will be given the same consideration for admissions to the college. Applicant accommodations that pose a direct threat to the health, safety or pose a threat to the well-being of the applicant or others will not be granted.

IBMC College will reasonably accommodate qualified individuals with a disability so that they can effectively benefit from the education unless doing so causes a direct threat to these individuals or others and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to IBMC College. Potential students should notify their Admissions Representatives with any requests for accommodation(s) and current students should notify their Instructor. These requests will then be referred to the Campus Director. Students must provide documentation supporting their need for a reasonable accommodation and make a request for what accommodation(s) they require to effectively benefit from the education.

All students are required to comply with the company's safety standards. Current students who pose a direct threat to the health or safety of themselves or other individuals will be suspended until an organizational decision has been made in regard to the student's immediate enrollment situation.

### Religious Accommodation

Students whose religious beliefs or practices conflict with his or her education, class schedule, or with IBMC College's policy or practice on dress and appearance, or with other aspects of their education, and who seeks a religious accommodation must submit a written request for the accommodation to his or her Campus Director. The written request will include the type of religious conflict that exists and the student's suggested accommodation(s).

The College will evaluate the request and consider whether a conflict exists due to a sincerely held religious belief or practice and whether an accommodation(s) is available that is reasonable and that would not create an undue hardship on IBMC College's business. Accommodation(s) may include a change in class schedule, allowing an exception to the dress and appearance code or modifying the uniform policy in a way that does not affect safety requirements, or other modifications to student requirements.

The Director of Education and the student will meet to discuss the request and make a decision on an accommodation(s). If the student accepts the proposed religious accommodation, the program faculty will implement the decision. If the student rejects the proposed accommodation, he or she may appeal following the student grievance policy and procedure outlined in the student catalog.

### Service Animal Accommodation

A "Service Animal" means any dog (and possibly miniature horse) that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental health disability. The work or tasks performed by a Service Animal must be directly related to the person's disability, including but not limited to:

- Assisting individuals with low vision or blindness
- Alerting individuals who are deaf or hard of hearing
- Pulling a wheelchair or stabilizing a person's gait
- Retrieving items such as medicine, food, or a telephone
- Recognizing and assisting a person having a seizure or who may be experiencing flashbacks or emotional trauma, such as from PTSD

When a person's disability is obvious, the College does not require documentation, such as proof that the animal has been certified, trained, or licensed as a Service Animal.

However, when it is *not* readily apparent that a dog is a Service Animal, the College staff may make two inquiries to determine whether the dog qualifies as a Service Animal. The inquiries are:

1. Is the dog a service animal required because of a disability?
2. What work or task has the dog been trained to perform?

The below also must be followed:

- The animal cannot pose a direct threat to the health and safety of persons on the college campus.
- Local ordinances regarding animals apply to service animals, including requirements for immunization, licensing, etc.
- The handler must be in full control of the animal at all times. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the handler must maintain control of the animal through voice, signal, or other effective controls.
- The handler is responsible for cleaning up the animal's feces.

### Flexibility Accommodation

A student with a disability that is episodic in nature may have their ability to attend class and complete tests or assignments at the scheduled time occasionally impacted. Granting flexibility accommodations ensures that the student is not penalized for effects of their disability so long as the accommodation does not fundamentally alter the essential elements of the class. The College reviews qualifying documentation and class syllabi to make the determination if the accommodation(s) for flexibility is reasonable. The approved accommodations could include but are not limited to the below:

- Note-taking software utilization.
- Attendance exceptions
- Assignment extensions
- Breaks during class, as needed

For further questions and assistance please contact your Campus Director or Director of Education at your campus below.

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