

ACCESS FOR INDIVIDUALS WITH DISABILITIES

POLICY

In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1996, Ridgewater College affirms the rights of individuals with disabilities to equal opportunity and treatment. Ridgewater College acknowledges and adheres to the definitions and processes described in [Minnesota State Board Policy 1B.4 – Access and Accommodation for Individuals with Disabilities](#) and [Minnesota State Board Procedure 1B.0.1 – Reasonable Accommodations in Employment](#).

Nothing in this document is intended to expand, diminish or alter the provisions of the Americans with Disability Act or the Minnesota Human Rights Act.

History:

3.26.09 Adopted

02.06.14 Proposed

09.22.14 Revised

06.22.20 Link Updates

09.15.20 Proposed; Reviewed for Equity Compliance

02.05.21 Revised

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PROCEDURES**STUDENTS WITH DISABILITIES**

In order to receive accommodations, a student must:

1. Initiate a request for services through the Office of Disability Services.
2. Provide recently completed documentation (within the past five years if the disability is not visible) from an appropriate licensed professional verifying the disability and need for academic accommodations that are appropriate and effective. This may include an Individualized Education Plan (including the evaluation report) and/or a professional evaluation on agency letterhead and signed by an evaluator. The letter should clearly state the student's name, birthdate, and diagnosed disability, and address the student's functional limitations as they relate to an academic setting.
3. Follow the student support plan as determined after consultation with the Coordinator of Disability Services.
4. Complete a Services Request Form with the Disability Services Coordinator which gives the Office of Disability Services permission to inform instructors about student disability accommodations. This must be done each semester for students to receive accommodations for that semester.

In accordance with [Minnesota Statute 135.a.16](#), Ridgewater College shall provide, at a minimum, the following for students with identified disabilities:

1. Support, counseling, information, resources and referral services.
2. Academic assistance services.
3. Advocacy services.

Students with disabilities are responsible for contacting the Disability Services Office if reasonable accommodations are not implemented in an effective or timely way. The Disability Services Office works with college personnel and the student(s) with the disability(ies) to come to a satisfactory resolution when there are differing opinions regarding recommended accommodations.

A student's disability information and Disability Services registration stay private. Instructors are contacted regarding student's accommodations only after the Service Request Form is completed. Disability information is not shared except in the case of a medical emergency or if requested by the student and current release of information authorization form is completed.

If a student with a disability feels they have not received the requested accommodations, the following steps can be taken:

- ADA requires that accommodations be developed in a give-take dialogue process between the college and the person with disabilities. Students should meet with Disability Services to more completely discuss and explore appropriate reasonable accommodations.

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- The college is not required to provide the requested or preferred accommodation. The college is required to provide reasonable, appropriate and effective accommodations for disabilities which have been adequately documented and for which the accommodation has been requested. The question, therefore, can be asked, "Is the accommodation that has been offered reasonable and effective?"
- If the student has considered both of the above and feels the accommodation that has been offered is not reasonable or effective, they can appeal the action of the Coordinator of Disability Services to the Director of Equity, Inclusion and Student Success/Diversity Officer.

At no time does this process preclude the student's right to contact the Minnesota Department of Human Rights, to file a complaint <https://mn.gov/mdhr/intake/consultationinquiryform/>.

EMPLOYEES WITH DISABILITIES

The Chief Human Resources Officer is responsible for administering requests for reasonable accommodations in employment.

In accordance with applicable collective bargaining agreement language, employees may have the right to request and receive union representation during the reasonable accommodation process.

Current Employees:

The employee shall inform their supervisor or the Chief Human Resources Officer of the need for an accommodation. The Chief Human Resources Officer shall require documentation of the individual's functional limitations to support the request unless the nature and extent of the disability is already known to the employer, or as a practical matter, the requested accommodation is minimal and the employer makes modifications for its convenience. Any medical documentation must be collected and maintained on separate forms and in separate locked files. No one will be told or have access to medical information unless the disability might require emergency treatment. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:

- Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
- Determine the precise job-related limitation(s).
- Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
- Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the employer is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
- Work with the employee to obtain technical assistance as needed. The employer will provide a decision to the employee within a reasonable amount of time.

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If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the employer shall work together to determine whether reassignment may be an appropriate accommodation.

Job Applicants: The job applicant shall inform the Chief Human Resources Officer of the need for an accommodation. The Chief Human Resources Officer will discuss the needed accommodation and possible alternatives with the applicant.

The Chief Human Resources Officer will make a decision regarding the request for an accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

Appeal Process

Employees or applicants who are dissatisfied with the decision(s) pertaining to their accommodation request may file an appeal with the President within a reasonable period of time for a final decision.

History:

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