

ACCOMMODATION SERVICES FOR STUDENTS WITH DISABILITIES

Kirkwood Community College does not discriminate against qualified individuals with disabilities. The College provides reasonable accommodation(s), as required by law, to otherwise qualified applicants and students with disabilities in all education programs, activities, services and practices, including application procedures, admissions, course selection, the awarding of degrees, discipline and dismissal. Educational opportunities will not be denied to an otherwise qualified applicant or student because of the need to make reasonable accommodation(s) or modification(s) for the physical and mental impairment(s) of any such individual.

Definitions

A student “with a disability” is: an individual with a physical or mental impairment that substantially limits one or more of the major life activities, a person with a record of such impairment, or a person who is regarded as having such impairment.

- Individuals with disabilities may include persons who have: mobility, sensory or speech impairments; cosmetic disfigurements; mental illness; mental retardation; learning disabilities; cognitive disabilities. Individuals with disabilities may also include persons who have neurological, psychological, or physical disabilities.
- “Major life activities” include caring for oneself, performing manual tasks, walking, sitting, standing, lifting, reaching, seeing, hearing, speaking, breathing, learning, and working.

A “qualified individual with a disability” means:

- with respect to educational opportunities: a person with a disability who meets the academic and technical standards required for admission or participation in an education program or activity;
- with respect to public adult educational services: a person with a disability qualified to the same extent as non-disabled individuals who are provided such services, or of any age during which it is mandatory under state law to provide such services;
- with respect to other services: a person with a disability who meets the essential eligibility requirements for the receipt of such services.

“Otherwise qualified” means: an applicant or student with a disability is “otherwise qualified” if they are qualified for receipt of educational opportunities, public adult educational services or other services, in that they satisfy all of the fundamental academic and technical standards, essential eligibility requirements and other applicable education-related selection criteria.

Reasonable Accommodation

When requested by an otherwise qualified applicant or student with a disability to do so, Kirkwood Community College is prepared to modify or adjust the admissions process or the educational environment to make “reasonable accommodations” to an applicant or student to enable the applicant or student to be considered for admission to the program, course, activity or service they desire; to meet and perform academic and technical standards required for performance of an education program or activity; to meet the essential eligibility requirements for the receipt

of other services; or to enjoy equal benefits and privileges of education as are enjoyed by other similarly situated applicants or students without disabilities.

In determining the College’s ability to offer reasonable accommodation to an otherwise qualified applicant or student with a disability, each request for an accommodation will be evaluated on a case-by-case basis. Factors to be examined include, among others: the academic and technical standards required for admission or participation in an education program or service; the purpose and nature of the program, course, and/or service; the precise education-related abilities and functional limitations of the applicant or student and how those limitations could be overcome with reasonable accommodation; the nature and cost of the accommodation required in relation to the College’s financial resources.

An otherwise qualified applicant or student who requires attendant care services must make arrangements to provide for their own attendant care service. The College does not assume coordination or financial responsibilities for attendant care services.

The College will engage in an interactive process to determine if an accommodation can be made to admit or continue to enroll an individual with a disability to any particular program, course, service, and/or activity or to provide educational opportunities and other services. The College would not provide an accommodation to admit or continue to enroll if or when:

- an accommodation would substantially alter the educational standards or mission of Kirkwood Community College;
- an accommodation would fundamentally alter the nature of the program, course, service and/or activity;
- an accommodation would not enable a student or applicant to meet the essential functions or technical standards of a program, course, service and/or activity
- an accommodation would not overcome the effects of the individual’s disability and meet essential functions or standards of the program, course or service;
- an accommodation would cause an undue financial or administrative hardship on the College;
- an accommodation, that even made, would still result in direct threat to the health or safety of the individual or others.

The implementation of reasonable accommodation does not eliminate or negate requirements for successful completion of a program, course, service and/or activity; the necessity for adherence to generally acceptable standards of behavior and the College’s code of conduct; and the requirement to adhere to administrative and faculty directions and instructions. If the academic, technical, or other standards required for admission or participation in an education program, course, service and/or activity are expanded, revised, or modified with an accommodation, the conditions and procedures stated in this procedure shall apply to any evaluation of the student’s ability to perform the expanded, revised, or modified requirements and the College’s determination whether reasonable accommodation will be provided.

Request Process for Reasonable Accommodation

To request reasonable accommodation under this procedure, an applicant or student must submit an Application for Accommodations to Accommodation Services requesting accommodation(s) and describing the nature of the requested accommodation. An applicant or student should also indicate the nature of the claimed disability and identify their abilities and functional limitations with respect to the claimed

disability. The applicant or student will be asked to provide supporting documentation of a disability along with the request. Supporting documentation includes medical, psychological, and educational records which outlines the need for accommodations.

In the request process, the applicant or student with a disability shall also assist the College in determining if and what reasonable accommodations might be provided by identifying in writing or otherwise:

- any special methods, skills, or procedures that would enable them to perform the tasks, functions, or requirements that they otherwise might not be able to perform because of their disability;
- the accommodations the College might make that would enable them to perform and meet the academic and technical standards required for admission to or participation in an educational program, course, service, and/or activity; and
- any equipment, aids, or services that the applicant or student is willing to provide and utilize that the College is not required to provide.

If the applicant or student requires secretarial or other assistance in preparing such written statement or request due to their disability, such assistance will be provided upon request.

Response to Applicants and Students Who Request Reasonable Accommodation

The College, through Accommodation Services, will review the application and documentation and determine eligibility of a student within two (2) weeks (14 calendar days) upon receipt of all documentation and evaluations requested. Once the College determines the student is eligible for services and the student is registered for classes, the College will communicate that decision to the student by electronic communication or other appropriate form. The student is responsible for contacting their assigned Advocate upon receipt of the communication to schedule an initial meeting. Advocates will attempt to meet with the student and determine reasonable accommodation(s) within three (3) weeks.

The determination of whether and/or what reasonable accommodation will be made for an applicant or student shall be made by the Accommodation Access Advocates (or designee), individually or in consultation with appropriate administrators, instructors, and medical or other personnel related to the College. When determining reasonable accommodations Accommodation Services will engage in an interactive process with the student. The following will be considered:

- the academic and technical standards required for admission or participation in an education program or activity by the applicant or student, and
- potential reasonable accommodations to overcome any limitations, and the effectiveness of various accommodations in enabling the applicant or student to perform the academic, technical, or other requirements of the course, program, activity, or service in question.
- the essential eligibility requirements necessary for receipt of other services will be made based on the individual's precise academic and technical abilities and functional limitations and whether and/or how a reasonable accommodation would enable the applicant or student to overcome those limitations to perform and meet all of the required academic, technical, and other standards.

Once reasonable accommodations have been determined, an applicant or student in consultation with their Advocate will develop an

accommodation letter with their Advocate. Accommodation letters will be shared with the appropriate faculty through electronic communication. The applicant or student is responsible for making arrangements and communicating with appropriate faculty regarding the determined accommodations. Accommodation Services will maintain a confidential file to document the applicant or student's disability and determined reasonable accommodations.

Accommodations that would substantially modify the educational standards, operation, and/or mission of the College will not be offered and are, by definition, not "reasonable" accommodations. An accommodation that would be unduly costly, extensive, substantial, or disruptive or that would fundamentally alter the nature of the course, program, service, or activity offered by the College would constitute such a substantial modification.

Accommodations are provided on a course-by-course basis and are required to be established (renewed) each semester an applicant or student is enrolled. A student or applicant can request accommodations at any time however it is recommended to start the accommodations request process early in the semester to allow as much time as possible to develop and implement an accommodation plan which will be useful to the student. Accommodations are not retroactive. No student is assured of any particular accommodation or of the student's preferred accommodation.

The College may make inquiries of applicants concerning the presence of a disability but recognizes that such inquiries will be for the purpose of planning support services and such inquiries will not form the basis for any decision regarding acceptance or enrollment in educational programs.

Student Appeal Procedure

Applicants or Students Who Reject Reasonable Accommodation

An applicant or student with a disability has the right to reject an offered reasonable accommodation and submit an appeal. However, in that event, admission to or current enrollment in the program, course, activity or academic support may be denied, withdrawn, or modified as deemed appropriate by the College.

Appeal Process

Accommodation Appeals are addressed to the Accommodation Services Equity Committee.

An applicant or student can submit an appeal of the offered reasonable accommodation to the Accommodation Services Equity Committee if the matter cannot be resolved after:

1. Discussing the rejection with their Accommodations Access Advocate
2. Discussing the rejection with the Dean of Students or other designee with supervisory responsibility
3. In cases where a resolution is not reached, then an applicant or student can submit a written appeal to the Educational Equity Steering Committee which will make final determination on the appeal.

Submitting an Appeal

Appeals must be submitted to the Accommodation Services Equity Committee, Attn: Dean of Students, 3034 Iowa Hall, Kirkwood

Community College, Cedar Rapids, IA 52404, or via email to deanofstudents@kirkwood.edu.

Appeals must be submitted no later than fifteen (15) working days following the decision of the appropriate dean, as stated in paragraphs above. Appeals should be clearly printed, or preferably typed, on standard 8 ½ x 11 inch paper and include the student's name, address, and date. It should be brief, clear and concise and state specifically:

- What decision is being appealed
- What relief the student is seeking
- Any alternative accommodations that should be considered
- Why the Committee should grant the appeal.

Supporting documentation, if any, should be submitted by the student and attached to the letter of appeal.

Within ten (10) working days of the receipt of the student appeal, the Accommodation Services Equity Committee will convene to consider the appeal. The Chairperson will contact all parties involved in the appeal and determine whether they wish to appear in person for the appeal hearing or have the Accommodation Services Equity Committee render a decision based entirely on the written appeal material. It is the intention of the Accommodation Services Equity Committee to reach a decision concerning appeals within five (5) working days following the conclusion of the appeal hearing. The Chairperson of the Accommodation Services Equity Committee will notify all parties involved of the Committee's decision.

The decision of the committee is final and cannot be appealed within the College.

Kirkwood Community College shall not engage in nor allow unlawful discrimination against individuals involved in its educational programs and activities on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion, age, disability, or actual or potential parental, family, or marital status. If you have questions or complaints related to compliance with the policy, please contact the Vice President of Human Resources at Kirkwood Community College, 313 Kirkwood Hall, 6301 Kirkwood Blvd. SW, Cedar Rapids, IA 52404, Telephone: 319-398-5572, Email: equity@kirkwood.edu (equity@kirkwood.edu), or the Director of the Office for Civil Rights U.S. Department of Education, John C. Kluczynski Federal Building, 230 S. Dearborn Street, 37th Floor, Chicago, IL 60604-7204, Telephone: 312-730-1560, Fax: 312-730-1576, Email: OCR.Chicago@ed.gov.