

COLUMBUS STATE COMMUNITY COLLEGE
POLICY AND PROCEDURES MANUAL

AMERICANS WITH DISABILITIES ACT (ADA),
THE AMERICANS WITH DISABILITIES ACT
AMENDMENTS ACT (ADAAA) AND
SECTION 504 OF THE REHABILITATION
ACT OF 1973
Policy 3-41
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Effective September 24, 2015

(A) PURPOSE

The Americans with Disabilities Act (ADA), the Americans with Disabilities ACT Amendments Act (ADAAA), and Section 504 of the Rehabilitation Act of 1973 require employers to reasonably accommodate qualified individuals with disabilities. It is the policy of Columbus State Community College to comply with all federal and state laws concerning the employment, application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions and privileges of employment of persons with disabilities.

It is also the policy of Columbus State Community College to comply with all federal and state laws concerning the application, admission, or other terms and conditions of educational programs for qualified students, student applicants and other participants of College-sponsored programs or services who have disabilities.

Columbus State Community College does not discriminate on the basis of disability in any of its educational programs and activities and in any of its employment practices.

(B) REASONABLE ACCOMMODATIONS

It is the policy of Columbus State Community College to make reasonable accommodations as defined in this policy which will provide otherwise qualified applicants, employees, and students with disabilities equal access to participate in opportunities, programs, and services offered by the College. It is the intent of the College to provide accommodations to such applicants, employees, and students with a qualified physical, mental, or learning disability, unless to do so would fundamentally alter the nature of the employment, educational program or service; would result in an undue hardship to the College; or would result in a direct threat to the health or safety of the individual or others.

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(C) DEFINITIONS

As used in this policy, the following terms are defined and will be adhered to as follows:

Disability - 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.

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 and working.

Major Bodily Functions - include but are not limited to: functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

Direct Threat - a significant risk to the health or safety of others that cannot be eliminated by a reasonable accommodation.

Qualified Individual - an individual who, with or without reasonable accommodation(s), meets the eligibility requirements for employment, educational programs or other College-sponsored programs and services such that he/she can perform the essential functions of:

- (1) An employment position that such employee holds or an employment applicant wishes to hold.
- (2) An educational program or other College-sponsored program or service in which an individual is enrolled or wishes to enroll or participates or wishes to participate.

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Reasonable Accommodations - making appropriate and needed changes or modifications without imposing undue hardship so individuals with disabilities can enjoy the same rights and privileges of others without disabilities.

Undue Hardship - an action requiring significant difficulty or expense to the college. This determination is made on a case-by-case basis. Factors to be considered in determining whether an accommodation would impose an undue hardship include, but are not limited to:

- (1) The nature and cost of the accommodation;
- (2) The overall financial resources of the facility or facilities involved in the provision of the reasonable accommodation;
- (3) The number of persons at such facility;
- (4) The effect on expenses and resources or the impact of such accommodation upon the operation of the facility;
- (5) The overall financial resources of the College;
- (6) The number, type and location of facilities;
- (7) The composition, structure and functions of the workforce;
- (8) The ownership and/or lease relationship of the facility in which the College conducts business.

Essential Functions of the Job - those activities that are determined by the College to be essential or core to performing the job, completion of an academic program or participation in other college sponsored programs or services. These functions cannot be modified.

(D) EMPLOYEES

- (1) Accommodations for employees may include: job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies and other similar adjustments.

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- (2) The types of accommodations needed and provided will depend on the limitations of the disability and the individual employee's ability to perform the essential duties of the position. One standardized type of accommodation may not meet the needs of employees who have similar disabilities but different impairments/limitations when performing their essential job functions. Accommodations are designed to meet the specific circumstances of the individual.
- (3) All employees who wish to request a reasonable accommodation are directed to follow the procedures found in Procedure 3-41 (A).

(E) APPLICANTS

Reasonable accommodations for qualified employment applicants are modifications or adjustments to the application process which shall allow persons with disabilities equal access to employment opportunities that are available to persons without disabilities.

(F) STUDENTS

Reasonable accommodations for qualified students shall include: those services or academic adjustments which will ensure the student has access to services or auxiliary aids which will afford them access to and allow them to benefit from educational programs or services; and that the student's participation in the delivery of educational programs or services is equal to those opportunities of students without disabilities.

- (1) All student applicants of educational programs will be advised at the time of scheduling a placement test of their right to request reasonable accommodations for the testing session. If the College requires additional time to review or arrange the requested accommodation, the testing session may be rescheduled at a time mutually convenient to the applicant and the College.

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- (2) A student who is not satisfied with a determination about his/her request for accommodations should consult with Disability Services. The student may appeal the decision in accordance with the Student Complaint Policy 7-13.

(G) PARTICIPANTS OF OTHER COLLEGE-SPONSORED PROGRAMS AND SERVICES

Participants of other College-sponsored programs or services may request reasonable accommodations. Any College-sponsored programs (job fairs, open house, workshops, etc.) will include in their registration procedures the appropriate methods for participants to request reasonable accommodations.

All applicants of other College-sponsored programs and services who wish to request a reasonable accommodation should follow the procedures found in Procedure 3-41 (A).

(H) ADA/SECTION 504 COORDINATORS

The Director of Equity and Compliance is the designated coordinator for employees. The Director of Disability Services is the designated coordinator for students.

(HI) REPORTING ADA DISCRIMINATION

Any individual with a disability who believes that he/she has been a victim of discrimination because of his/her disability should contact the Equity and Compliance Unit in Human Resources or file a complaint at:

https://publicdocs.maxient.com/reportingform.php?ColumbusStateCC&layout_id=3.