



Title: Students with Disabilities: Rights and Responsibilities	Policy No.: ADM 3.03	Date: 5/19/08 Rev.: 4/22/09, 8/1/12, 8/1/13, 8/1/16, 8/1/2018
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Areas Affected: All BSMCON

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**I. Purpose:**

The College is committed to providing students with disabilities access to higher education through the delivery of reasonable accommodations as outlined under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, as amended. The College's policies and procedures regarding students with disabilities are designed to ensure equal access to educational programs, services, and activities.

**II. Definitions:**

**Qualified individual** - An individual who, with or without reasonable accommodation, can perform the essential functions of the academic program (refer to policy NUR 1.02).

**Disability** - A physical or mental impairment that substantially limits an individual from performing one or more major life activities, as defined by law.

**Reasonable accommodation** - An adaptation to a program or service that allows a student with a disability to have equal opportunity to participate in and benefit from the program or service, and to perform the essential functions, but that does not place undue hardship on the institution.

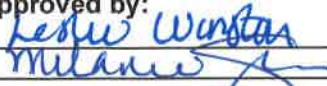
**Essential Technical Standards for the Nursing Student (See Policy NUR 1.02)** - The basic duties that a student must be able to perform, with or without reasonable accommodation.

**Interactive process** - A formal or informal discussion between the student seeking an accommodation and the Bon Secours Memorial College of Nursing, to clarify what the individual needs and identify the appropriate reasonable accommodation.

**Undue hardship** - The accommodation would be too difficult or too expensive to provide in light of the institution's size, financial resources, or represents a fundamental alteration to the curriculum.

**III. Policy:**

The College will provide reasonable accommodations to students with disabilities who are qualified to fulfill the requirements of the program. Students, faculty, and staff must utilize this

Approved by:  _____ Signature	Dean of Student Services Provost/VP _____ Title	<u>6.11.19</u> <u>6.19.18</u> _____ Date
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policy and its procedures in order to request, authorize, and/or implement reasonable accommodations. A student's failure to comply with the policy and procedures outlined may result in the denial of services. Although students are encouraged to identify their needs as early as possible, students have the right to request accommodations at any time during their enrollment.

Because students with similar disabilities may not equally benefit from the same auxiliary aid or service, the College will analyze each request on a case-by-case basis within the specific context of the activity in which the student plans to participate. The College has the right to select among equally effective methods of accommodating a student with a disability. The College also has the right to refuse an accommodation based on undue hardship to the College.

Accommodation requests and services are not retroactive, and therefore requests for accommodations should be made in a timely manner.

#### IV. Procedures:

A. In order to initiate the disability intake process, the following procedures must be followed.

1. The student must initiate contact with the Office of Student Success to set up an intake meeting, and provide documentation of the disability from an appropriate qualified medical provider. Documentation should be typed on letterhead and should provide the following:
  - a. A current, clearly stated diagnosis of the disability.
  - b. The student's functional limitation in an academic environment.
  - c. A statement that the disability is a substantial limitation to a basic life process.
  - d. Signature, printed name, title, and professional credentials of the medical provider, as well as the area of specialization. The provider should have experience and training with adult populations.
  - e. Documentation must be recent (See Director of Student Success or Dean of Student Services for specific guidelines), relevant and comprehensive, and contain test scores and interpretations where appropriate.
  - f. If documentation is incomplete or inadequate in determining the extent of the disability, the College has discretion to require additional documentation from the provider or an independent medical examination.
  - g. Date of the evaluation.

Documentation that does not contain the information cannot be considered until all information is received/provided. Students who do not provide full information may be asked to follow up with their provider for missing information.

2. Once a need is identified, the student and the College will engage in an interactive process to consider appropriate options for reasonable accommodation that would not create an undue hardship on the College. This process will involve reviewing the documentation provided by the student and his/her provider, and consulting with the student and the appropriate departments.
3. If the student should request accommodations from the faculty directly, he/she should be referred to the Office of Student Success.

The Office of Student Success, in consultation with other departments as appropriate, will put reasonable accommodations into place in a timely manner. The Director of Student Success will work with faculty and staff in order to facilitate implementation of accommodations. Once accommodations are granted, the student is responsible to register each semester with the Office of Student Success to ensure his/her eligibility to continue receiving accommodations and provide any updated documentation when applicable.

#### B. Dispute of accommodation decisions or process

Students who wish to challenge any part of the accommodations process may do so under College Policy ADM 1.06 – Appeal Process for Student Grievances/Complaints: Academic and Non-Academic.

#### C. Disclosure and confidentiality

Student disclosure of a disability is voluntary. Information pertaining to an applicant's or student's disability will be shared only among those in Administration who have a need to know in order to evaluate and facilitate the request for reasonable accommodation and the applicant's or student's qualifications. The College considers disability-related information as confidential material and will protect it in accordance with the Family Educational Rights to Privacy Act (FERPA). Information will not be released unless:

1. The student provides written authorization;
2. The information is required by law;
3. The information is needed in order to assist the student with an educationally-related issue.

