

02.02 Americans with Disabilities Act (ADA)

Original Approval: **DATE**

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Policy/Purpose:

The Americans with Disabilities Act (ADA) provides federal civil rights protection to people who are considered disabled.

It is the policy of Wallace Community College – Selma (WCCS) to comply with the Americans with Disabilities Act. To ensure institutional compliance, the College administration has:

- appointed one individual to oversee compliance with the Americans with Disabilities Act;
- required comprehensive self-evaluation of all programs and activities of the institution, including employment;
- provided a committee to assist the ADA Coordinator in their functions in preparation of the self-evaluation and implementation of a plan of compliance;
- provided funding for the activities of the ADA Coordinator and for reasonable accommodations of auxiliary aids and services;
- prepared, published, and distributed policy statements and procedures; and,
- initiated additional activities deemed necessary by the administration to comply with the Americans with Disabilities Act, unless these are deemed to pose an undue burden or would result in a fundamental alteration of programs of the institution.

Scope:

This policy applies to all WCCS students and employees during any activity involving the College, including the workday. In addition, visitors, vendors, contractors, and all other non-employees are expected to recognize and comply with College policies.

Definitions:

There are no definitions applicable to this policy.

Details:

1. **Self-Evaluation:** The College conducts a self-evaluation in setting priorities for compliance.
2. **Providing Services for Employees and Students with Disabilities:** Services and reasonable accommodations are provided pursuant to Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. The Alabama Community College System is committed to working with individuals with disabilities. It is a goal of The Alabama Community College System to ensure that students with disabilities have the programmatic and architectural accesses needed for integration into campus life.

Any requests for academic adjustments should be directed to the ADA Coordinator or designee. All applicants must meet the academic and technical standards requisite to admission or participation in programs and/or activities at Alabama Community College System institutions. Alabama Community College System institutions will not reduce standards in the grading and/or evaluation of students. Academic requirements that are

determined by the respective college to be essential or fundamental will not be modified.

Alabama Community College System institutions strive to eliminate barriers to learning or participation in other institutional activities, and provide the following services for students and employees:

- Screening of disability documentation
- Determination of appropriate accommodations
- Communication with faculty and/or staff regarding student needs
- Referral to other available campus and/or community resources

Providing reasonable accommodations for students and employees with disabilities requires an individual assessment of need and is a problem-solving process. Specific accommodations depend upon the nature and requirements of a particular course or activity and the skills and functional abilities of a particular student or employee.

3. **Criteria for Disability Documentation:** The Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act of 1990 state that qualified students or employees with disabilities who meet the technical and academic standards at Alabama Community College System institutions are entitled to reasonable accommodations. Under these laws a disability is defined as any physical or mental impairment which substantially limits a major life activity, a history of such an impairment, or the perception of such an impairment. Alabama Community College System institutions do NOT provide disability documentation for students. It is the student's responsibility to provide appropriate documentation to the college office responsible for handling the request and to request accommodations. Appropriate documentation is defined as that which meets the following criteria, including recommendations to address each functional limitation.
4. **Health Condition, Mobility, Hearing, Speech, or Visual Impairment:** A letter or report from treating physician, orthopedic specialist, audiologist, speech pathologist, or ophthalmologist (as appropriate), including:
 - Clearly stated diagnosis
 - Defined levels of functioning and any limitations
 - Current treatment and medication
 - Current letter/report (within 1 year), dated and signed
 - Recommendations to address functional limitations
5. **Psychological Disorder:** A letter or report from a mental health professional (psychologist, neuropsychologist, licensed professional counselor), including:
 - Clearly stated diagnosis (DSM-IV criteria)
 - Defined levels of functioning and any limitations
 - Supporting documentation (i.e., test data, history, observations, etc.)
 - Current treatment and medication
 - Current letter/report (within 1 year), dated and signed
 - Recommendations to address functional limitations
6. **Traumatic Brain Injury (TBI):** A comprehensive evaluation report by a rehabilitation counselor, speech-language pathologist, orthopedic specialist, and/or neuropsychologist (or other specialist as appropriate), including:
 - Assessment of cognitive abilities, including processing speed and memory
 - Analysis of educational achievement skills and limitations (reading comprehension, written language, spelling, and mathematical abilities)

- Defined levels of functioning and limitations in all affected areas (communication, vision, hearing, mobility, psychological, seizures, etc.)
 - Current treatment and medication
 - Current letter/report (post-rehabilitation and within 1 year), dated and signed
 - Recommendations to address functional limitations
7. **Learning Disabilities:** A comprehensive evaluation report from a clinical psychologist, psychiatrist, neuropsychologist, school psychologist, learning disability specialist, or diagnostician, including:
- Clear statement of presenting problem; diagnostic interview
 - Educational history documenting the impact of the learning disability
 - Alternative explanations and diagnoses are ruled out
 - Relevant test data with standard scores are provided to support conclusions, including at least: (a) WAIS-R; (b) Woodcock-Johnson Psychoeducational Battery-Revised, including Written Language; (c) Woodcock-Johnson Cognitive Processing Battery to substantiate any processing problems
 - Clearly stated diagnosis of a learning disability based upon DSM-IV criteria
 - Defined levels of functioning and any limitations, supported by evaluation data
 - Current report (within 3 years of enrollment date), dated and signed
 - Recommendations to address functional limitations

NOTE: High School IEP, 504 Plan, and/or a letter from a physician or other professional will not be sufficient to document a learning disability.

8. **Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD):** A comprehensive evaluation report from a physician, psychiatrist, clinical psychologist, neurologist, or neuropsychologist, including:
- Clear statement of presenting problem; diagnostic interview
 - Evidence of early and current impairment in at least two different environments (comprehensive history)
 - Alternative explanations and diagnoses are ruled out
 - Relevant test data with standard scores are provided to support conclusions, including at least: (a) WAIS-R; (b) Woodcock-Johnson Psychoeducational Battery-Revised, including Written Language; (c) Behavioral Assessment Instruments for ADD/ADHD normed on adults
 - Clearly stated diagnosis of ADD or ADHD based upon DSM-IV criteria
 - Defined levels of functioning and any limitations supported by evaluation data
 - Current report (within 3 years of enrollment date), dated and signed

NOTE: High School IEP, 504 Plan, and/or a letter from a physician or other professional will not be sufficient to document ADD or ADHD. Medication cannot be used to imply a diagnosis.

Procedure(s):

WCCS has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U. S. Department of Justice regulations implementing Title II of the Americans with Disabilities Act. Title II states, in part, that “no otherwise qualified disabled individual will, solely by reason of such disability, be excluded from the

participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by a public entity.

1. All complaints will be addressed to the ADA Coordinator, 3000 Earl Goodwin Pkwy, Selma, AL 36701, telephone (334) 876-9297 or email ada@wccs.edu.
2. A complaint must be filed in writing. It must contain the name and address of the person filing it, and it must briefly describe the alleged violation of the regulation.
3. A complaint must be filed within ten (10) business days after contacting the ADA Coordinator/Office of the alleged violation.
4. An investigation, as may be appropriate, will follow the filing of a complaint. The investigation will be conducted by the ADA Coordinator. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
5. A written determination as to the validity of the complaint and a description of the resolution will be issued by the ADA Coordinator and a copy forwarded to the complainant no later than ten (10) business days after the completion of the investigation, via certified mail.
6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration must be made to the President of the College within ten (10) business days after receipt of the findings.
7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies, such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
8. These rules will be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that WCCS complies with the American with Disabilities Act (ADA) in implementing regulations.
9. The ADA Coordinator will maintain the files and records of the College relating to the complaints filed.

Additional Provisions/Information

There are no Additional Provisions / Information for this policy.