

PROCEDURE TITLE:	Accessing Accommodations with Disability Resources
PROCEDURE NUMBER:	PR 706.01
RESPONSIBLE UNIT:	Student Services
ACCOUNTABLE MANAGER:	Vice President – Student Services
OWNER:	Vice President – Student Services
POLICY REFERENCE:	AP 706 Accessibility
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Procedure Sections:

[Overview](#)

[Process](#)

[Procedure History](#)

Overview:

Disability Resources facilitates equal access for students with disabilities, allowing full participation in educational programs, services and campus activities through appropriate and reasonable accommodations while maintaining the academic standards and integrity of the College. This procedure sets forth provisions for Moraine Park Technical College's (MPTC) compliance with relevant state and federal law, including the Americans with Disabilities Act of 1990 (ADA), the ADA Amendments Act of 2008 (ADAAA), and Section 504 of the Vocational Rehabilitation Act of 1973.

Definitions

Disability: The presence of a sensory, mental, or physical impairment (whether temporary or permanent) that:

- 1) Is medically cognizable or diagnosable, exists as a record or history, or is known or shown through an interactive process to exist in fact; and
- 2) Has a substantially limiting effect upon the student's ability to perform and complete the essential elements of the course, program, service, or activity.

Reasonable Accommodation: Implementing academic adjustments and/or auxiliary aids, and/or modifying or adjusting practices, procedures, or policies so that a qualified student with a disability receives equal access to a course, program, service, or activity. Reasonable accommodations will be implemented as long as:

- 1) They are medically necessary (i.e., there is competent medical evidence establishing a relationship between the disability and the need for accommodation); and
- 2) They do not impose an undue hardship on the College or result in a fundamental alteration to the nature or operation of the institution, program, course, service, or activity.

The College need not accept the student's requested accommodation if an alternative reasonable accommodation is determined to be equally effective.

Process:

A reasonable accommodation is determined by an Accommodation Specialist and is based upon the documentation provided and the accommodation requested.

All applicants and students will be informed of Moraine Park's policy to provide reasonable accommodations for persons with disabilities and with Moraine Park Technical College Disability Resources information. All applicants and students will be given equal access to College services, curricula, entrance requirements, activities, and programs.

Applicants will not be asked if they have a disability; however, all applicants who voluntarily disclose a disability may be asked follow-up questions and referred to staff in Disability Resources for further assistance. College staff will provide contact information for Disability Resources staff and/or MPTC's web-based system, to create an accommodations request. The Accommodation Specialist will provide the appropriate coordination of services/accommodations for students with disabilities.

Any student who becomes disabled during their enrollment or attendance at Moraine Park Technical College may request reasonable accommodation at any time. In order to assure accommodations are available to meet the students' needs, the Accommodation Specialist must be contacted as soon as possible, but no later than 6 weeks prior to the first day the service is needed.

Eligibility

Anyone requesting accommodations must schedule an appointment with an Accommodation Specialist at Moraine Park Technical College and provide specific disability documentation. The acquisition of documentation is the responsibility of the applicant. Students may access MPTC's web-based system to submit disability documentation to Disability Resources. Reports from medical doctors, licensed psychologists, the Division of Vocational Rehabilitation, any licensed/certified social service agency, high school Individual Education Plans (IEPs) or summary of performance are acceptable.

Process

Accommodations are determined in the following way:

- 1) Student provides full documentation on disability.
- 2) Accommodation Specialist reviews documentation and collects information on functional limitations, past accommodations and current needs.
- 3) Following Disability Resources process, Accommodation Specialist determines most appropriate accommodations and services at Moraine Park Technical College. Accommodation Specialist may consult with program faculty, facilities personnel, or other relevant staff in determining appropriate accommodations.
- 4) Accommodation Plan is generated through MPTC's web-based system. Student and Accommodation Specialist review Accommodation plan and student receives a copy. If student asks for additional accommodation(s) that the Accommodation Specialist has determined not reasonable or appropriate, the student can appeal the accommodation(s) through the [Reasonable Equal Opportunity Accommodation Appeal Request process](#).
- 5) Students with questions or concerns about accommodations must inform Disability Resources as soon as he/she becomes aware of the problem. Students should discuss the specific issue(s) with an Accommodation Specialist in order to explore possibilities and solutions.

Types of Accommodations

The Accommodation Specialist is responsible for evaluating the documentation and determining accommodations required for students with disabilities. Accommodation requests to the Accommodation Specialists or Disability Resources can be made at any time, but

accommodations are not retroactive. The Accommodation Specialist will meet with the student to determine what services could be provided until documentation is secured.

Reasonable accommodations can include but are not limited to any or all of the following:

- 1) Note taking services
- 2) Testing Accommodations
 - a) Extended time
 - b) Test reader
 - c) Scribe
 - d) Distraction reduced environment
- 3) Technology adaptations
- 4) Sign language interpreter
- 5) Auxiliary aids include, but are not limited to:
 - a) Adaptive furniture
 - b) Alternate keyboards
 - c) Alternate mouse
 - d) Assistive listening devices
 - e) Electronic textbooks
 - f) Smartpen
 - g) Video Relay Service (VRS) phone access
 - h) Software technology
 - i) Kurzweil
 - ii) Jaws
 - iii) Dragon naturally speaking
 - iv) Natural reader
 - i) Text magnification

Confidentiality

Admission of a disability is voluntary and will be handled in a confidential manner as outlined in the Americans with Disabilities Act of 1990 (ADA), the ADA Amendments Act of 2008 (ADAAA), Section 504 of the Vocational Rehabilitation Act of 1973, and the Family Educational Rights and Privacy Act of 1974 as amended.

Accommodation Appeal Process

This process is restricted to disability-related access accommodations. Students/applicants with concerns or disagreements about approved accommodations, may appeal the decision to the College's Equal Opportunity Officer or designee within 30 calendar days, using the following process:

- 1) Complete a [Reasonable Equal Opportunity Accommodation Appeal Request](#) citing specifics regarding his/her request or challenge and submit to the Equal Opportunity

Officer or designee. If more complete documentation is required to support the request, the student/applicant bears the responsibility of providing such documentation. The review will not progress without full documentation.

- 2) It is anticipated that disagreements will be resolved as expeditiously as possible. During the process, current accommodations as determined by the Accommodation Specialist will continue to be in effect and available in order to provide access during the appeals process.
- 3) The Equal Opportunity Officer will re-evaluate the decision, considering any additional information or statements supplied by the applicant/student (including any additional information from medical or vocational rehabilitation experts). The Equal Opportunity Officer's review will determine whether:
 - a) proper procedures were followed and all relevant information was gathered and fairly considered,
 - b) the requested accommodation fundamentally alters the nature of the program or an essential program standard,
 - c) the requested accommodation presents an undue financial or administrative burden to the institution,
 - d) the denial is supported by the record and was not arbitrary or capricious,
 - e) the denial is in compliance with the law,
 - f) any other factors the Equal Opportunity Officer deems relevant to the matter.
- 4) The Equal Opportunity Officer may elect to use the assistance of an accommodations committee. If necessary, the committee will consult with outside agencies in the appeal process, while ensuring confidentiality for the student/applicant. The committee will discuss its findings and make recommendations to the Equal Opportunity Officer for the appropriate action.
- 5) Maximum possible confidentiality will be maintained and information will only be shared on a "need to know" basis, if it appears necessary in order to decide the appeal.
- 6) The potential outcomes of the ADA appeal process may include:
 - a) The decision to deny the accommodation is upheld.
 - b) The decision to deny the accommodation is overturned and the appealing student/applicant and the Accommodation Specialist return to the interactive process to determine implementation of the accommodation.
 - c) The Equal Opportunity Officer returns the issue to the interactive process to reevaluate reasonable accommodations.
 - d) The appeal is dismissed for untimeliness or because insufficient information was provided by the appealing student/applicant initially or during the course of the review.

- 7) The Equal Opportunity Officer makes the Final Appeal Decision. The student/applicant will be notified of the final decision in writing within 30 calendar days after the appeal is filed. If the 30-calendar day time limit cannot be met, the Equal Opportunity Officer will inform the student/applicant, the Accommodation Specialist, and relevant other parties of an alternative time limit, not to exceed an additional 60 calendar days.
- 8) This is the final internal appeal process for accommodation denials. By filing this appeal, the student/applicant does not give up the right to pursue other appeal processes within the College or through outside regulatory agencies.

Procedure History:

Revision Date	Unit/Author	Description
02-20-2020	Student Support Services Manager/Bauer	Created

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