

POLICY**ACCESS FOR INDIVIDUALS WITH DISABILITIES**

In accordance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1996, Ridgewater College affirms the rights of individuals with disabilities to equal opportunity and treatment. Ridgewater College acknowledges and adheres to the definitions and processes described in MnSCU Policy 1B.4 – “Access for Individuals with Disabilities”

(<http://www.mnscu.edu/board/policy/index.html>) and MnSCU Procedure 1B.0.1 – “Reasonable Accommodations in Employment” (<http://www.mnscu.edu/board/procedure/1b0p1.html>).

Nothing in this document is intended to expand, diminish or alter the provisions of the Americans with Disability Act or the Minnesota Human Rights Act.

The College’s current Director of Disability Services/ADA Director is Tammy Becker Green. She has offices in the Student Services Office area on both the Hutchinson Campus and the Willmar Campus and can be reached by phone at 320-222-6070 or by email at tammy.beckergreen@ridgewater.edu.

History:

3.26.09 Adopted

PROCEDURES**STUDENTS WITH DISABILITIES**

In order to receive accommodations, a student must:

1. Initiate a request for services through the Director of Disability Services.
2. Provide recently completed documentation from an appropriate licensed professional verifying the disability and need for academic accommodations that are appropriate and effective.
3. Follow the student support plan as determined after consultation with the Director of Disability Services.

In accordance with Minnesota Statute 135.a.16, Ridgewater College shall provide, at a minimum, the following for students with identified disabilities:

1. Support, counseling, information, resources and referral services.
2. Academic assistance services.
3. Advocacy services.

Students with disabilities are responsible for contacting the Disability Services Office if reasonable accommodations are not implemented in an effectively or timely way. The Disability Services Office works with college personnel and student(s) with disability(ies) to resolve disagreements regarding recommended accommodations.

If a student with a disability feels he/she has not received the requested accommodations, the following steps can be taken:

- ADA requires that accommodations be developed in a give-take dialogue process between the college and the person with disabilities. Students should meet with Disability Services to more completely discuss and explore appropriate reasonable accommodations.
- The college is not required to provide the requested or preferred accommodation. The college is required to provide reasonable, appropriate and effective accommodations for disabilities which have been adequately documented and for which the accommodation has been requested. The question, therefore, can be asked, "Is the accommodation that has been offered reasonable and effective?"
- If the student has considered both of the above and feels that the accommodation that has been offered is not reasonable or effective, he/she can appeal the action of the Director of Disability Services to the Dean of Student Services.

At no time does this process preclude the student's right to contact the Minnesota Department of Human Rights.

History:
03.26.09 Adopted

PROCEDURES**EMPLOYEES WITH DISABILITIES**

In order to receive accommodations, an employee must:

1. Inform his/her Supervisor of the need for an accommodation.
2. Provide recently completed documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate files. Supervisors may be told about necessary restrictions on the work or duties of the employee and about necessary accommodations. Supervisors will not be told or have access to medical information unless the disability might require emergency treatment.
3. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
 - a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - b. Determine the precise job-related limitation.
 - c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
 - d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the College is free to choose among equally effective accommodations and may choose one that is less expensive or easier to provide.
4. The College's Director of Disability Services, who also serves as the ADA Coordinator, will work with the Supervisor and employee to obtain technical assistance, as needed.
5. If the Supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the Supervisor will forward a written request for accommodation along with his/her recommendation to his/her Supervisor within five (5) working days following the employee's request.
6. If the Supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the Supervisor will forward a written request for accommodation, along with his/her recommendations, to the College President or designee within ten (10) working days following the employee's request.
7. The College President or designee will provide a decision in writing to the ADA Coordinator and the employee within ten (10) working days.
8. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the college, the employee and the ADA Coordinator shall work together to determine whether reassignment may be an appropriate accommodation.

The College ADA Coordinator and Human Resources personnel shall first look for a vacant position at the College that is equivalent to the one presently held by the employee in terms of pay and other job status. If the individual with the disability is not qualified, with or without reasonable accommodation, for a vacant position (or a position the College knows will become vacant within a reasonable period of time), the College may reassign the individual as a reasonable

PROCEDURES**EMPLOYEES WITH DISABILITIES, continued**

accommodation to a lower-graded vacant position for which the employee is qualified. If this occurs, the College is not required to maintain the individual's salary at the previous level.

The College will look at transfer opportunities, mobility opportunities, appointment opportunities, noncompetitive and competitive opportunities (MS 43A). The College is not required to create a new job or to bump another employee from a job in order to provide a reassignment as a reasonable accommodation.

9. If a request for accommodation is not approved, the College President or designee shall inform the employee of the reason(s) for non-approval, in writing, within three (3) working days of the decision.

(Adapted from State of Minnesota, ADA Reference Manual, 1996, pp. 30 and 31.)

History:

03.26.09 Adopted