



POLICY: PROVISION OF ACCOMMODATIONS TO STUDENTS WITH DISABILITIES

I. INTRODUCTION

Redstone College is dedicated to providing opportunities for all qualified students, to participate fully in the academic environment. Redstone College recognizes and supports the role that Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and similar state laws have in achieving that success. Redstone College is committed to making reasonable accommodations for students with qualifying disabilities and making its campus and facilities accessible as required by applicable law. Redstone College cannot make accommodations that fundamentally alter the nature of Redstone's programs, cause undue burdens on Redstone, or create a direct threat to the health or safety of students or others.

It is the responsibility of the student to request an accommodation and to follow the processes set forth in this policy. A student who does not request an accommodation will not be given one. Likewise, a student with a disability who chooses not to have any accommodations is under no obligation to seek or obtain one.

Nothing in this policy is intended to provide less substantive benefits or procedural protections than are required by these laws. Likewise, nothing in this policy is intended to provide greater substantive benefits or procedural protections than legally required. The specific language of such laws and controlling interpretations thereof are incorporated by reference herein and in the event of any apparent discrepancy between the language of this policy and such legal authority, Redstone's obligations will be determined exclusively by the latter.

II. DEFINITIONS

A. **"Disability"** means, with respect to an individual, a *"physical or mental impairment"* that substantially limits one or more of the *"major life activities"* of such individual; a *"record of such an impairment"*; or *"being regarded as having such an impairment."*

1. **The term *"disability"* does not include:**

a. Transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

b. Compulsive gambling, kleptomania, or pyromania; or

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c. Psychoactive substance use disorders resulting from current illegal use of drugs. “*Drug*” means a controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812).

2. **“Physical or mental impairment”** means:

a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine;

b. Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

c. Examples of “physical or mental impairment” includes, but is not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

3. **“Major life activities”** means: functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

4. **“A record of such impairment”** means: has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

5. **“Being regarded as having such an impairment”** means:

a. Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a private entity as constituting such a limitation;

b. Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

c. Has none of the impairments defined in paragraph (a) of this definition but is treated by a private entity as having such an impairment.



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Some disabilities are visible, while others, such as learning disabilities or psychiatric disorders, are “invisible” or not apparent. Factors such as fatigue, pain, or medication side effects can also aggravate an existing disability.

III. IDENTIFICATION OF STAFF AND ROLES

Section 504 of the Rehabilitation Act requires covered colleges to designate at least one individual who will coordinate compliance with the statute. Redstone College has designated several individuals who have varying roles in ensuring compliance with the laws protecting qualified individuals with disabilities. The staff members primarily involved in making decisions regarding requested accommodations are discussed below.

A. Campus Staff

1. Campus Disabilities Coordinators

Each campus has an assigned Campus Disabilities Coordinator who is the primary contact for students with disabilities at their campus for information related to requesting an accommodation, appealing the denial of a requested accommodation, or access issues. Students requesting accommodations should contact the Campus Disabilities Coordinator **at least six weeks prior to the start of the semester** for Letters of Accommodation. Campus Disabilities Coordinators oversee all disability services at their campus and work in conjunction with the Academic Dean, Student Services, and Campus Operations or the Campus Business Office to arrange for the provision of auxiliary aids (*e.g.* interpreters, note-takers, etc.).

2. Campus Academic Dean

Each campus has a Campus Academic Dean, or an individual with similar responsibilities, but a different title. The primary responsibility of these individuals related to this policy, is to ensure that **academic accommodations** set forth in Letters of Accommodation are properly and adequately carried out by faculty. The Academic Dean serves as the point of contact for questions and issues regarding academic accommodations and serves as the liaison between the student and faculty members. The Academic Dean keeps the Campus Disabilities Coordinator informed of matters related to academic accommodations.

B. Corporate Accommodation Staff

1. College Accommodation Committee

This committee, chaired by the College Accommodation Officer, reviews and evaluates all requests for accommodations and is authorized to:



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- determine disability status;
- grant requests for accommodation;
- deny requests for accommodation;
- grant accommodations that may differ from those requested;
- instruct the Campus Disabilities Coordinator to seek from the student additional documentation needed to make such determinations.

The Chair of the committee selects the other members of the committee.

2. College Accommodation Appellate Officer

The Corporate Director of Compliance of Redstone College appoints the College Accommodation Appellate Officer who considers all appeals of the final decisions of the College Accommodation Committee. In cases where the College Accommodation Appellate Officer has a conflict of interest or otherwise is unable to review a particular case, the Corporate Director of Compliance shall appoint the substitute College Accommodation Appellate Officer. No current member of the College Accommodation Committee may serve as the College Accommodation Appellate Officer or as a substitute College Accommodation Appellate Officer.

IV. PROCEDURES

A. Certification and Accommodation

Redstone College has adopted a two-part process for evaluating and providing reasonable accommodations for its students with qualifying disabilities. Certification is the first stage, and is the process by which the College Accommodation Committee reviews documentation submitted by the student to determine whether the student qualifies as a disabled student. Accommodation, is the second phase in which the College Accommodation Committee formulates an appropriate accommodation for students who are certified as eligible for accommodation.

All students seeking an accommodation for a disability must complete the process of obtaining certification of a qualifying disability and obtaining a written Letter of Accommodation from the College Accommodation Committee. This process assists Redstone in making consistent, principled decisions with regard to student accommodations and provides guidance to students and faculty members on the proper manner of accommodating a disability without compromising the fundamental nature of the academic program, causing an undue burden on Redstone, or causing a direct threat to the health and safety of others.



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While students may discuss requested accommodations with faculty members if they so choose, students should be aware that members of the faculty are not authorized to grant such accommodations. All requests for accommodations should be made in accordance with the contents of these policies and procedures.

1. Certification Phase

Any student requesting an accommodation should complete and submit a Request for Accommodation form to the Campus Disabilities Coordinator **at least six weeks prior to the start of the term**. This form is found at Appendix A of this document and may also be obtained from the College Disabilities Coordinator or accessed at www.redstone.edu/ADA.

Redstone College will make all reasonable efforts to respond to a Request for Accommodation and arrange for any granted requests before the term commences. However, Redstone cannot guarantee that all requests will be resolved by the first day of class. A student who submits a Request for Accommodation with insufficient time for the College Accommodation Committee to consider and resolve a request before the term commences, may opt either to attend classes without the requested accommodation or to delay attending classes until the request is decided. **Note that accommodations cannot be provided if they are not specifically requested. It is the responsibility of the student to request an accommodation and to follow the processes set forth in this policy. A student who does not request an accommodation will not be given one. Likewise, a student with a disability who chooses not to have any accommodations is under no obligation to seek or obtain one.**

The Request for Accommodation form has two sections. **Section I** is completed by the student and requires that the student provide:

- a description of the student's disability, including the manner in which the disability limits major life activities relevant to a student's participation in Redstone's programs; and
- a description of the specific accommodation(s) requested.

This section also contains a release section permitting information to be shared with other relevant individuals on a need-to-know basis.

Section II of the Request for Accommodation form is to be completed by an objective professional qualified to diagnose the disability at issue, verifying the nature and extent of the disability and the manner in which the disability limits major life activities relevant to a student's participation in Redstone's programs. Thus, this section should contain information to both establish the disability and to provide adequate information on the functional impact of the disability so that effective accommodations

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can be identified. Objective professionals include licensed physicians, psychologists, audiologists, speech pathologists, licensed clinical social workers, rehabilitation counselors, marriage and family therapists, learning disability specialists, or other appropriate certified/licensed professionals. The documentation should provide the College Accommodation Committee with a basic understanding of the student's disability and enough information to anticipate how the current impact of the disability is expected to interact with Redstone's structure of courses, testing methods, and program requirements. Section II sets out the particular information needed from the professional.

If a student has existing, current documentation of their disability from their healthcare provider or diagnostic professional, it may be attached to the Request for Accommodation form, thereby relieving the professional from duplicating the information requested in Section II. Documentation for eligibility should be current, preferably within the last three years; (the age of acceptable documentation is dependent upon the disabling condition i.e. older documentation may be accepted for conditions that are permanent, the current status of the student and the student's specific request for accommodations). If a student has existing and/or current documentation of their disability from their health care provider or diagnostic professional, it may be attached to this section, provided it meets the criteria requested in Section II.

A high school IEP is not adequate documentation for Section II "Documentation of Disability" since IEP's generally do not provide the information necessary to assess the current nature of a student's disability or to determine the appropriate accommodation, if any, for the disability of a post-secondary student.

It is important to note that documentation of any one specific disability does not automatically mean the student will be provided any specific accommodation. Likewise, the specific accommodation recommended by the professional may not always be granted. Reasonable accommodations are individually determined and based on the functional impact of the condition and its likely interaction with the environment, *i.e.*, course assignments, program requirements, physical design, and the like. Consequently, the accommodation provided to the student will vary individually such that those with the "same" disability may be provided different accommodations and such that the same individual may be provided a different accommodation depending on the environment.

Disability documentation, at times, requires augmentation through an interview. Thus, on occasion, the College Accommodation Committee may contact the Campus Disabilities Coordinator to arrange for an interview by the committee with the student and/or the professional submitting documentation on behalf of the student. Such an interview can be extremely valuable in substantiating the existence of a disability, understanding its impact, and identifying the appropriate accommodation.



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Redstone College treats all documentation submitted by or on behalf of the student as confidential information shared only on a need-to-know basis.

2. Notification and Accommodation Phase

Once the College Accommodation Committee has certified a student as eligible for an accommodation, it works with the student and the Campus Disabilities Coordinator along with other appropriate members of the Redstone community such as faculty members and the Directors of Education, Student Services, and Campus Operations or the Campus Business Office to formulate a proposed course of action to accommodate the student's disability. Input from all of these parties is crucial to devising an accommodation that will not alter the fundamental nature of the program, cause an undue financial burden on Redstone, or cause a direct threat to the health or safety of others.

a. Notification

Upon determination by the College Accommodation Committee of the proper accommodation, the committee will notify the student, the Campus Disabilities Coordinator, and the Campus Director of Education of the granted accommodation. The Director of Education, in turn, works with the relevant faculty members to ensure that granted academic accommodations are carried out properly for the student for each term. Some accommodations, however, may not require faculty participation or notification, for example, in cases where classroom activity is not affected. In most cases, however, it is important that faculty be notified of the accommodation to ensure that it is carried out.

b. Accommodation

Redstone College will provide only reasonable accommodations. Accommodations are reasonable when they **do not fundamentally alter the nature of a program or service, do not represent an undue financial or administrative burden, and do not pose a direct threat to the health or safety of others.** There are several kinds of reasonable accommodations available that preserve essential academic program requirements while minimizing the effect of a certified disability on a student's performance.

Students eligible for funding from the vocational rehabilitation agency in their home state are encouraged to seek such funding. Appendix C contains a list of vocational rehabilitation agencies in the states where Redstone College, Inc. has campuses. If such funding is unavailable, if the student does not wish to seek it, or the full costs of funding are not available through the state, Redstone College will assume the differential expense or full expense of the accommodation for the course-related activities of qualifying students.



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A student who requests an accommodation after classes begin may not have his or her previous coursework reexamined or expunged even if the student can show that he or she had a disability at the time of the coursework in question.

The following are examples of accommodations that may be provided depending on the individual circumstances of the student:

(1) Classroom/Facilities Access for Students

Redstone College is dedicated to ensuring that its program and activities are accessible to qualifying students with disabilities. For example, Redstone may provide special parking or relocate or reschedule classes when the inaccessibility of the classroom prohibits class attendance for the disabled student due to lack of ramps or elevators, construction, inadequate acoustics or lighting, or where other aspects of the physical environment would deny substantial access to students with a qualifying disability.

When classroom accessibility is an issue for a qualifying student, the College Accommodation Committee will work with the Campus Disabilities Coordinator and other faculty and staff members to facilitate access. However, relocation or rescheduling would not be a required reasonable accommodation if such changes would fundamentally alter the nature of a class or program or cause undue burden on Redstone.

(2) Auxiliary Services/Aids

Redstone College is committed to pursuing alternate technologies in considering accommodations; it is not, however, required to use the newest or most advanced technologies as long as the auxiliary aid or service selected provides a reasonable accommodation.

(i) Interpreter Services

In appropriate cases, the College Accommodation Committee may provide for interpreter services such as American Sign Language, Signed English, or oral interpreting services of professional, certified sign language interpreters for course-related activities, such as class sessions, meetings with faculty members, or required attendance at out-of-class activities. Documentation of the need for such services must be provided to the College Accommodation Committee and requests for interpreters should be made **at least six weeks before classes begin** due to the limited availability of qualified interpreters. Unavailability of qualified interpreters may delay the provision of interpreter services.

Interpreter services may also be provided for campus-wide, Redstone-sponsored events when feasible if such services are requested in a timely fashion. A written justification for the request must be submitted to the College Accommodation



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Committee, who in turn will work with the Campus Disabilities Coordinator to obtain such services. Interpreter costs for campus events are the responsibility of the sponsoring department or group and should be budgeted in event planning.

Qualifying students will ordinarily be provided with one interpreter for classes less than two hours in duration. For classes two hours or more in duration, an additional interpreter may be provided. Interpreters working alone in classes over one hour in duration may require breaks and faculty should take such break time into consideration in course planning. When possible, students and faculty members should plan meeting times and discussion group sessions to take place immediately before or after classes, when interpreters are available.

(ii) Note-Taker/Scribe Services

Note-takers from among the other students enrolled in a course will be sought to assist students with motor, hearing, emotional, processing or other disabilities when the College Accommodation Committee determines that the provision of such services is a reasonable accommodation. Having a note-taker does not relieve the student of the necessity to attend class(es). Where possible, Redstone College will compensate note-takers for their services. Scribe services may also be provided for examinations when such services are requested in a timely manner and are determined to be a reasonable accommodation.

In cases where a verbatim transcription of a classroom lecture or presentation is prepared, students must be cognizant of the fact that such lectures or presentations are the intellectual property of the individual faculty member, Redstone College, or both. For this reason, students receiving such transcriptions must agree that they will not copy, publish, or distribute such transcriptions to anyone without prior approval of Redstone College and the faculty member before such services will be provided.

(iii) Reader Services

Students with reading, visual, visual processing, or other disabilities may be provided reader services when the College Accommodation Committee deems them a reasonable accommodation.

(3) Equipment

Where deemed a reasonable accommodation, the College will provide reasonable modifications of equipment utilized by students or auxiliary equipment for class and study activities. Personal equipment, however, such as tape recorders and hearing aids is the responsibility of the student.

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The College Accommodation Committee, where appropriate to facilitate a reasonable accommodation, will modify instructional modes. In such cases, the committee and the Director of Education works with faculty to ensure that such modifications do not compromise academic standards or affect essential program requirements. Such modifications could include change in course materials, substitution for specific required courses, changes in the manner in which a lecture or lab is presented, or change in the format or location of examinations. Academic requirements that are determined to be essential to a program of instruction or to certification and licensing requirements may not be modified.

(5) Course Withdrawal

Where warranted to provide a reasonable accommodation, students may be granted requests for course withdrawals after the deadline for withdrawal when extenuating circumstances related to a student's disability necessitate a withdrawal. Poor grades alone, however, are not sufficient grounds for granting a request for course withdrawal.

(6) Time Extensions

In general, where students anticipate that they will be requiring additional time on exams, assignments, and course completion requirements, students should make this known to the College Accommodation Committee at the time they submit their Request for Accommodation before the term commences. However, there may be circumstances where a student is unaware of the need for additional time until the specifics of the exam, assignment, or other requirements are made known to the student after the term commences. For these instances, on a case-by-case basis, the College Accommodations Committee may grant requests for extensions where required to make reasonable accommodations for a qualifying disability. All requests for time extensions should be made upon the establishment of the due date of the assignment at issue using a Request for Accommodation form.

If the student has already submitted a complete Request for Accommodation previously, the student need not complete Section II of the form if the previously-submitted Request for Accommodation form contains information pertinent to the need for the student to have additional time.

The College Accommodation Committee will not waive penalties imposed on students by faculty members for late submission of assignments where an extension is not granted.

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Note that initial accommodations will be effective from term to term and may be later modified for a number of reasons including, but not limited to:

- The faculty member teaching the course determines that providing the accommodation will fundamentally alter an essential element of the course or program;
- The student realizes that the accommodation is not effective or no longer necessary;
- The College Accommodation Committee substitutes an equally effective accommodation for reasons of administrative efficiency.

Students who believe their existing accommodation is no longer effective or necessary should submit an additional Request for Accommodation form to the College Accommodation Committee as soon as they become aware of the need for the modification or cancellation.

B. Appeal

A student may appeal to the College Accommodation Appellate Officer any final, written decision of the College Accommodation Committee including a decision not to certify a student as possessing a qualifying disability, a denial of a Request for Accommodation, provision of an accommodation different than the one requested by the student, and a decision regarding the sufficiency of disability documentation.

All appeals should be in writing utilizing the Accommodation Appeal form as set forth in Appendix C and submitted to the Campus Disabilities Coordinator within five (5) days after the student-appellant receives the College Accommodation Committee's written decision. Upon request and where the student can show good cause, the College Accommodation Appellate Officer has the discretion to permit the student to submit his or her appeal after the five (5) days. The Campus Disabilities Coordinator then forwards the written appeal to the College Accommodation Appellate Officer within three (3) working days of receipt of the written appeal. If requested by the College Accommodation Appellate Officer, the College Accommodations Committee will forward any requested documentation or information in writing to the College Accommodation Appellate Officer. Student-appellants, however, are encouraged to submit a thorough and complete statement in their appeals of the basis for the challenge and should attach any relevant documentation.

In his or her discretion, the College Accommodation Appellate Officer may rely solely on the student's appeal and the written record. However, the College Accommodation Appellate Officer may conduct a hearing or request oral presentations if



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he or she deems either warranted by the circumstances. If the College Accommodation Appellate Officer conducts a hearing or requests oral presentations, such hearing or presentation will be carried out usually within five (5) working days of receiving all appeal materials from the student and any additional information from the College Accommodation Committee. However, this period of time may be extended due to the unavailability of the College Accommodation Appellate Officer, witnesses, the student-appellant, and the like.

The College Accommodation Committee may, in its discretion, provide temporary relief while the appeal is pending.

The College Accommodation Appellate Officer will render a decision as soon as possible but generally no later than three (3) business days from receipt of all information from the student-appellant and the College Accommodation Committee and the completion of hearing any testimony or oral presentations. The College Accommodation Appellate Officer shall notify the student-appellant, the College Accommodation Committee, the Campus Director of Education, and the Campus Disabilities Coordinator in writing of his or her decision. The College Accommodation Appellate Officer may: 1) remand the decision to the College Accommodation Committee for reevaluation (the Committee should attempt to complete its reevaluation within five (5) business days of receipt of the remand decision); 2) grant the relief requested by the student-appellant; or 3) uphold the College Accommodation Committee's original decision. Decisions of the College Accommodation Appellate Officer are final.

It is the responsibility of the College Accommodation Committee to notify the Campus Director of Education and the Campus Disabilities Coordinator of all decisions of the College Accommodation Appellate Officer.

C. Process for Complaints regarding Disability-Related Harassment or Discrimination

Redstone College prohibits unlawful discrimination or harassment on the basis of disability. A student who believes that he/she has been harassed or discriminated against on the basis of disability in violation of Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act may file a written complaint to his/her Campus President. Within twenty (20) business days after receipt of the complaint, the student will receive written notification of the outcome of the Campus President's investigation into his/her complaint to include corrective actions taken, if appropriate based on the outcomes, to prevent further harassment.

A student may appeal to the Disability Discrimination Appellate Officer any final, written decision of the Campus President regarding his/her claim. A student has ten (10) days from receipt of the written decision from the Campus President to appeal. Upon



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request, and where the student can show good cause, the Disability Discrimination Appellate Officer has the discretion to permit the student to submit his or her appeal after the ten (10) days. If requested by the Disability Discrimination Appellate Officer, the Campus President will forward any requested documentation or information in writing to the Disability Discrimination Appellate Officer. Student-appellants, however, are encouraged to submit a thorough and complete statement in their appeal of the basis for the challenge and should attach any relevant documentation.

In his or her discretion, the Disability Discrimination Appellate Officer may rely solely on the student's appeal and the written record. However, the Disability Discrimination Appellate Officer may conduct a hearing or request oral presentations if he or she deems warranted by the circumstances. If the Disability Discrimination Appellate Officer conducts a hearing or requests oral presentations, such hearing or presentation will be carried out usually within ten (10) working days of receiving all appeal materials from the student and any additional information from the Campus President. However, this period of time may be extended due to the unavailability of the Disability Discrimination Appellate Officer, witnesses, the student-appellant, and the like.

The Disability Discrimination Appellate Officer will render a decision regarding the outcome of the appeal and notify the student-appellant and the Campus President in writing as soon as possible but generally no later than twenty (20) business days from receipt of all information from the student-appellant and the completion of any hearing, testimony, or oral presentations. This decision will include corrective actions taken, if necessary based on the outcome, to prevent further harassment. Decisions of the Disability Discrimination Appellate Officer are final.

To submit an appeal, students should contact MySafeCampus at 1-888-331-3036 or via the internet portal at www.mysafecampus.com. Both of these methods are available 24 hours a day, 7 days a week. In using either method to submit an appeal, the student should indicate "Discrimination" as the category selection.

The College will not tolerate unlawful retaliation against any student who in good faith raises an issue regarding violations of Section 504 of the Rehabilitation Act of 1973. If you believe you have been retaliated against in violation of this policy, you are encouraged to immediately report the retaliation in writing to the Campus President.

IV. STUDENT RECORDS

Each campus will maintain appropriate confidential records that identify students with disabilities. These records shall include the student's name, address, social security number, nature of disability, support services needed, documentation provided by the student, appeal records, Letter of Accommodation, and other documentation related to any request for accommodation. All such records, including student medical records,



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shall be considered “education records” protected by the Family Educational Rights and Privacy Act of 1974 (FERPA). Although certain medical records are not considered “education records” under FERPA, this exception does not apply to student medical records maintained by a campus to provide services to a student with disabilities. Consequently, accommodation-related records will be protected in accordance with FERPA and its regulations. Information may be released with the student’s informed consent in accordance with FERPA or other applicable law. For additional information regarding student rights to examine disabilities-related documentation, students should refer to the section entitled “Examination of Student Records” in the Redstone catalog.

V. APPENDICES

- A. Request for Accommodation Form**
- B. Accommodation Appeal Form**
- C. List of Vocational Rehabilitation Agencies in States Where Redstone College, Inc. has Campuses**