


PROCEDURE MANUAL

		Procedure HR_102	
		Page 1 of 3	
		Last Revision Date: 11-21-2014	
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Section		Subject	Title Americans with Disabilities Act

Delta Community College adheres to the LCTCS policy on Americans with Disabilities Act: Employees and Students (policy # 6.023):

PURPOSE

1. Guidelines

It is the policy of the LCTCS to provide equal opportunity for all qualified persons without regard to disability in the recruitment of, admission to, accessibility to, participation in, treatment in or employment in the programs and activities operated and sponsored by the LCTCS, and all colleges of the LCTCS, pursuant to the Americans with Disabilities Act of 1990 (ADA) and the ADA Amendments Act of 2008 and other related federal and state law.

The Rehabilitation Act of 1973 laid the groundwork by requiring employers and institutions to employ and advance in employment “qualified handicapped individuals,” and to make “reasonable accommodations” for these individuals. The ADA changes the “handicapped” terminology to “disabled” and broadens the coverage.

The LCTCS prohibits discrimination against qualified persons with disabilities in employment, academic and other programs, public services, transportation, public accommodations and telecommunications. Additionally, the LCTCS is committed to promoting an atmosphere to end discrimination against individuals with disabilities, to bring persons with disabilities into the social and economic mainstream and to provide enforceable standards to address discrimination against individuals with disabilities.

The system office and each LCTCS college is responsible for establishing procedures for requesting reasonable accommodation and an ADA grievance procedure (See *Safety Manual* for procedures on requesting accommodations and filing grievances).

The LCTCS prohibits retaliation against an individual requesting accommodation under the Americans with Disabilities Act.

Employees and Applicants for Employment

LCTCS prohibits discrimination against qualified individuals with disabilities because of the disability in the areas of: hiring, advancement, discharge, compensation, training and other terms and conditions of employment (such as pre-employment testing and selection procedures). LCTCS institutions will provide “reasonable accommodations” to disabled applicants or employees, upon request, unless the accommodation would present an “undue hardship”. The determination of “undue hardship” is a decision that grows out of the ADA Accommodation Assessment process and is made by the designated “Office of Special Programs.” The system and each college will have a designated “Office of Special Programs” which may stand alone or such duties may be made a part of an existing department.

In all cases in which a reasonable accommodation is requested, the LCTCS representative receiving the request should contact Human Resources to obtain appropriate guidelines.

Students and Applicants for Student Status

LCTCS prohibits discrimination on the basis of disability in any academic program or activity associated with the LCTCS and the institution will integrate students with disabilities into the college community to the fullest extent possible. Qualified applicants for student status with disabilities will not be denied admission or subjected to discrimination in admission or recruitment to the LCTCS college on the basis of their disability. In its recruitment efforts, the LCTCS, and all LCTCS colleges, shall not limit the number of persons with disabilities who may be admitted. All admission criteria and testing will be selected, administered, and evaluated in a manner that is accessible and accurately reflects the applicant’s ability rather than an individual’s impaired sensory, manual or speaking skills.

Applicants for admission may voluntarily self-identify as a person with a disability in the admissions process and will be routinely provided information on services available to students with disabilities at the LCTCS. A decision not to self-identify will not result in adverse treatment of the applicant.

In all cases in which a student or applicant for student status requests an accommodation based upon disability, advice and assistance from the designated “Office of Special Programs” should be sought by the LCTCS or institutional representative receiving the request (See ADA Student Services handbook for Delta student guidelines).

Public Services

The LCTCS, and all LCTCS colleges, accommodate and provide programs and services for students and employees. The LCTCS prohibits discrimination on the basis of disability in any such activity, program or service but will make such activities, programs and services available to persons with disabilities to the fullest extent possible.

It is the responsibility of LCTCS personnel and administrators responsible for activities, programs and services to respond to requests for accommodation by persons with disabilities seeking access to such activities, programs and services. In determining an appropriate response, advice and assistance may be obtained from the designated "Office of Special Programs".

Telecommunications

The LCTCS and institutions provide access to the State of Louisiana's TDD relay service so that persons with disabilities who use non-voice terminal devices have opportunities for communications that are equivalent to those provided to individuals able to use voice telephone service.

General questions about such services should be directed to the designated "Office of Special Programs". The "Office of Special Programs" should coordinate requests for such services by students and employees.

The system office and each college of the LCTCS shall have a designated "Office of Special Programs" to be responsible for:

- developing and administering procedures to provide for compliance with regard to employees and applicants for employment,
- implementing reasonable accommodation procedures,
- serving as a resource for matters involving persons with disabilities,
- coordinating all disability-related support services,
- providing accommodations for enrolled students with documented temporary and permanent disabilities at the college,
- providing information on services for students with disabilities to potential students and their families

2. Procedure to Request Reasonable Accommodations

What is a "reasonable accommodation?"

"A reasonable accommodation is any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities." (USDOJ)

How to Request Access

Faculty and Staff

Employees with disabilities needing assistance should contact his/her supervisor to

request accommodation. If the supervisor is unable to provide accommodation, the request should be forwarded to the Office of Human Resources. The Office of Human Resources, working with other appropriate administrative units, will determine whether or not accommodation can be made and, if necessary, assist departments in securing resources.

Students

The Director of Student Counseling and Disability Services has the responsibility for providing services to students with disabilities. This office administers the procedures by which students disclose a disability and request access.

3. Criteria

The criteria to determine at which point reasonable accommodation causes an undue burden is:

1. Reasonable accommodations because of a disability of an employee or student will be evaluated on a case-by-case basis.
2. Every effort will be made to accommodate the individual.
3. Any accommodations requiring additional funds beyond those available in the operating budget and/or any remodeling which would require contracting for the service could fall under the category of “undue burden”.
4. Should a disabled individual not be hired because the agency was unable to provide reasonable accommodations because of undue hardship, documentation of what accommodations were required and the evidence of why this would have caused undue hardship will be attached to the applicant’s job application and kept on file. The job applicant will be made aware of the college’s inability to make these accommodations through certified mail. A copy of this correspondence will be attached to the job application.
5. Any student requiring accommodations, which would cause “undue hardship”, will be notified of reasons and evidence by certified mail with a copy of the correspondence kept on file in the administrative office.