

Status **Pending** PolicyStat ID **15845857**



**BLESSING-RIEMAN**  
**College of Nursing  
& Health Sciences**

Origination 05/2002  
Last N/A  
Approved  
Last Revised 04/2024  
Next Review 2 years after approval

Owner Reta Richmond:  
EXECUTIVE  
ASSISTANT-  
BRCN  
Area Academic  
Committee  
References Husch-  
Blackwell

## Accommodations Under the Americans with Disabilities Act (ADA)

### PURPOSE

To outline the process for student requests for ADA accommodations.

### POLICY

Qualified students are granted reasonable accommodations in accordance with ADA guidelines.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 define *reasonable accommodation* as an academic adjustment, modification to the environment, auxiliary aid, or service that ensures students with a disability who are otherwise qualified have an equal opportunity to participate.

An accommodation is not reasonable when it poses a direct threat to the health or safety of others, lowers academic standards, alters the nature of the program, results in a substantial change in an essential element of the curriculum, and/or fundamentally alters an academic requirement essential to meeting licensing requirements.

### PROCEDURE

All students are expected, with or without reasonable accommodation, to meet nursing and health sciences competencies and performance standards required to safely perform the role of the RN or Health Sciences professional.

In compliance with ADA, the College:

- Provides tutoring to students with disabilities in the same manner as it provides tutoring to non-disabled students.
- Does not provide attendants, individually prescribed devices, readers for personal use or study, or other devices of a personal nature.

### **Otherwise Qualified Individuals with a Disability**

Section 504 of the Rehabilitation Act of 1973 defines an *otherwise qualified student with a disability* as "a student with a disability who meets the academic and technical standards requisite for admission or participation in the institution's educational program or activity".

### **Disability**

The ADA Amendments Act of 2008 defines *disability* as "a physical or mental impairment that substantially limits one or more major life activities. A major life activity includes but is not limited to caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sitting, reaching, interacting with others, and a major bodily function."

A diagnosis or impairment, by itself, is not a disability and is insufficient to qualify an individual as disabled. In compliance with ADA, the College may request documentation in order to establish a disclosed disability and need for accommodation.

### **Acceptable Documentation from a Health/Education Professional**

Students are responsible for providing all requested documentation to establish a disability and the need for/type of accommodation.

Acceptable documentation from a qualified health or education professional:

- Must be typed on professional letterhead that provides the name and credentials of the professional; and must be dated and signed by the professional.
- Must provide:
  - A clear, specific statement of the diagnosis/impairment and the degree of functional limitation to one or more major life activities
  - Description of any behavioral, cognitive, medical, or other features accompanying the disability that may relate to the requested accommodation
  - Medical side effects that may warrant requested accommodations
  - Recommendations for accommodation
  - Rationale for recommended accommodations.
- Must be within three years of the disclosure as the effects of a diagnosis or impairment can change over time, resulting in changes in or ineligibility for ADA accommodation.

## **Request for Reasonable Accommodation**

Students requesting reasonable accommodation must:

- Self-disclose and provide documentation for the disability to the Section 504/ADA Coordinator

as soon as possible (preferably, at least two weeks before classes start) to ensure that any granted accommodations are available in advance.

- Meet with the Section 504/ADA Coordinator who reviews ADA eligibility, rights, and responsibilities.
- The Section 504/ADA Coordinator will consider the student's request, documentation, and other factors to determine, on a case-by-case basis any reasonable accommodations.
  - The Section 504/ADA Coordinator will consult other College officials (\*Academic Dean, Dean of Enrollment Management/Business Manager, Program Coordinator, and course and/or clinical faculty). Where the student is requesting accommodations directly impacting the student's academic program, including coursework and attendance, the Section 504/ADA Coordinator will consult appropriate faculty members to determine whether the requested accommodation would alter the fundamental nature of the student's academic program, including whether the requested accommodation would prohibit the measurement of a particular skill and/or essential function associated with the role of a nursing or health sciences professional.
  - In the event of a disagreement between a faculty member and the Section 504/ADA Coordinator regarding whether an accommodation would alter the fundamental nature of the student's academic program, the Section 504/ADA Coordinator will consult the Academic Committee, which will review the matter in a reasonably prompt manner. The Academic Committee will determine whether there are articulable, and preferably evidence-based, reasons why the fundamental requirements of the academic program prohibit the proposed accommodation and why alternative methods of meeting those requirements are not acceptable.
- Collaborate with the Section 504/ADA Coordinator to establish a plan for reasonable accommodation.

The Section 504/ADA Coordinator shares the approved plan with the student.

Students are responsible for sharing the approved accommodation plan with individual course and/or clinical instructors.

Note: Though requests may be made at any time, accommodations are not retroactive except in very rare circumstances **as determined appropriate at the discretion of the** Section 504/ADA Coordinator and appropriate College officials\* (such as where a student experiences an unexpected disability that renders the student unable to engage in any College programs or activities).

Temporary accommodations may be granted, at the discretion of the Section 504/ADA Coordinator and appropriate College officials\* while a request for accommodation is pending; the grant of temporary accommodations do not guarantee ongoing accommodations, or any particular ongoing accommodation, following completion of the accommodation process.

The Section 504/ADA Coordinator meets with the student once per semester to review the plan and re-evaluate student eligibility for ADA accommodation.

# Section 504/ADA Coordinator

The Section 504/ADA Coordinator, Sarah Mueller, can be reached at [smueller@brcn.edu](mailto:smueller@brcn.edu) or (217) 228-5520, extension 6997.

## Grievance

The College is committed to the resolution of concerns and issues regarding the civil rights of individuals with disabilities through informal or formal process.

### Informal Process

The student contacts the Section 504/ADA Coordinator who facilitates informal resolution of the concern or issue. The formal process may be used for students dissatisfied with informal resolution.

### Formal Process

- The student submits the written complaint to the Section 504/ADA Coordinator, providing name, address, and description of the alleged violation.
  - Specific facts must be used to describe the allegation.
  - The complaint must be filed within 30 working days of the alleged violation.
- The Section 504/ADA Coordinator conducts an investigation, affording all interested persons with the opportunity to submit evidence relevant to the complaint.
- After the investigation, the Section 504/ADA Coordinator provides a written response to the student
  - Within 20 working days from submission of the complaint.
  - Describing the validity and resolution of the complaint.
- The student may request reconsideration of the case if dissatisfied with the resolution.
  - The request must be submitted to the Section 504/ADA Coordinator within 10 working days, who forwards the request to the President/CEO of the College.
- The President/CEO makes a final decision within 20 working days from receipt of request

### Office for Civil Rights (OCR) Complaint

Students with a disability have the right to file a complaint directly with the U.S. Department of Education; Office for Civil Rights (OCR), Region V (Chicago area). Information regarding applicable timelines and procedures is available from OCR.

## Approval Signatures

Step Description	Approver	Date
------------------	----------	------

Approval by Academic Chair	Lacey Petersen: Associate Professor	Pending
Approval by Academic Chair	Lisa King: ASSISTANT PROFESSOR	07/2024