

COLLEGE of CHARLESTON

OFFICIAL POLICY

9.1.11

Reasonable Accommodation and Equal Access Policy

8/25/2016

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

Policy Statement

The College is committed to providing equal opportunities to all qualified individuals with disabilities, including providing reasonable accommodations and equal access to programs, services, activities and employment offered by the College. A qualified individual with a disability who meets the academic and technical standards requisite to admission or participation in a College education program, service, or activity shall not be denied admission or participation because of their disability. In accordance with the Americans with Disabilities Act (ADA), as amended, Section 504 of the Rehabilitation Act (Section 504), as amended, other applicable federal and state laws and consistent with the College's Policy on Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse, it is the policy of the College to provide reasonable accommodations to qualified individuals with disabilities unless the accommodation or modification would pose an undue hardship on or create a fundamental alteration to the College's operations, services, programs or activities.

Various offices across the campus are responsible for providing reasonable accommodations and access, and the ADA Coordinator in the Office of Equal Opportunity Programs assists with the coordination of these efforts. The related procedures for requesting reasonable accommodations for individuals with disabilities provide general information about the reasonable accommodation process and specify the proper office to direct requests for reasonable accommodations and access for qualified individuals with disabilities.

It is the responsibility of the individual current and prospective students, faculty, staff, members of the Board of Trustees and third parties (*e.g.*, contractors, consultants, guests and visitors), to identify themselves as an individual with a disability when seeking an accommodation or modification. The person seeking accommodation has a responsibility to cooperate in the interactive process, and failure to provide appropriate supporting documentation can result in denial of a reasonable accommodation

request. Requests for accommodations will be evaluated promptly and on a case-by-case basis in accordance with applicable laws and regulations.

Policy Manager and Responsible Department or Office

The Office of Equal Opportunity Programs is responsible for the administration of this Policy.

Policy

1.0 APPLICABILITY

This Policy applies to all members of the College community, including current and prospective students, faculty, staff, members of the Board of Trustees and third parties (*e.g.*, contractors, consultants, guests and visitors), and includes the College's operations, services, programs or activities, both on College premises and in any off-campus College-sponsored program or activity.

2.0 EMPLOYMENT ACCOMMODATIONS

Please contact the Office of Human Resources at: (843) 953-5512; TTY: (843) 953-4874; or jobs@cofc.edu or the Office of Equal Opportunity Programs at (843) 953-5754; or eop@cofc.edu to request assistance. Additional information regarding the interactive accommodation process for employment accommodations is contained in the related Procedures for Requesting Reasonable Accommodations for Individuals with Disabilities at the College of Charleston. An individual dissatisfied with the decision following a reasonable accommodation request can ask the Vice President of the Office of Human Resources to reconsider the decision within 10 business days of the decision.

3.0 EDUCATIONAL ACCOMMODATIONS

Please contact the Center for Disability Services to request assistance at: (843) 953-1431; SC Relay System for TTY users: 711 (within SC) or 1-800-735-2905; or SNAP@cofc.edu. Additional information regarding the interactive accommodation process for educational accommodations is contained in the related Procedures for Requesting Reasonable Accommodations for Individuals with Disabilities at the College of Charleston.

Student disagreement over educational accommodations should be resolved using the Student Grievance Procedure as described in the Faculty/Administration Manual. The Faculty/Administration Manual also describes the appropriate process for resolving disputes between faculty and the Center for Disability Services regarding proposed educational accommodations. Students who wish to pursue an informal resolution may also speak with an administrator in the Center for Disability Services.

4.0 PUBLIC ACCESS ACCOMMODATIONS

Please contact the Office of Equal Opportunity Programs or event sponsors, where applicable, to request assistance. Additional information regarding the interactive accommodation process for public access accommodations is contained in the related Procedures for Requesting Reasonable Accommodations for Individuals with Disabilities at the College of Charleston.

5.0 CONFIDENTIALITY

Medical information obtained through the reasonable accommodation process will be maintained separately and confidentially and will only be provided to College officials on a need-to-know basis when necessary to facilitate the interactive process or implement a reasonable accommodation. This means that all medical information obtained in connection with a request for reasonable accommodation must be kept in separate, confidential files, including the fact that an accommodation has been requested or approved, the type of disability and information about functional limitations. Any College employee who obtains or receives such information is strictly bound by these confidentiality requirements.

6.0 RETALIATION PROHIBITED

Any College community member who believes that they are a person with a disability has the right to request reasonable accommodation without fear of retaliation. It is a violation of College policy to retaliate against an individual for requesting an accommodation. Any person who retaliates against an individual under this Policy is subject to disciplinary action up to and including separation from the College.

7.0 COMPLAINTS OF DISCRIMINATION

In accordance with the ADA, Section 504, and other applicable federal and state laws, and consistent with the College's Policy on the Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse, the College prohibits discriminatory conduct that is based upon disability or another legally protected category. Concerns about possible discrimination on the basis of disability should be reported to the Director of the Office of Equal Opportunity Programs. Complaints will be handled in accordance with the College's Policy on the Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse and related procedures. Any questions about this process should be directed to the Office of Equal Opportunity Programs at 843-953-5754 or eop@cofc.edu.

For information specific to service and assistance animals on campus, please refer to the College's Service and Assistance Animal Policy.

Terms used in this policy and related procedure, are used in accordance with applicable controlling laws and regulations.

Departments/Offices Affected by the Policy

This Policy applies to the entire College community.

Procedures Related to the Policy

Please visit the Office of Equal Opportunity's webpage at eop.cofc.edu for procedures under this Policy.

Related Policies, Documents or Forms

6.1.8 Service and Assistance Animal Policy
9.1.10 Prohibition of Discrimination and Harassment, Including Sexual Harassment and Abuse
12.5.2.9 Rights of Students with Disabilities
12.6.1 Student Grievance Procedure
13.7 Faculty/Administration Manual

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POLICY APPROVAL

(For use by the Office of the Board of Trustees or the Office of the President)

Policy Number: 9.1.11

President or

Chairman, Board of Trustees

Alan E. McConally, Pres.

Date:

8/25/16