

<b>TITLE:</b>	<b>AMERICANS WITH DISABILITIES ACT (ADA): STUDENT ACCESSIBILITY</b>
<b>EFFECTIVE DATE:</b>	<b>*September 27, 2022</b> <i>(*LCTCS/ADA Procedural Update 9/27/22; 11/14/17, 10/5/15; 1/15/14; Title Updates 6/7/12, 2/24/05; Original 12/17/96)</i>
<b>CANCELLATION:</b>	SA-1468.1 (11/14/17)
<b>CATEGORY:</b>	Student (SA) <i>(Formerly issued as AD-1468.1)</i>

### **POLICY STATEMENT**

Delgado Community College is fully committed to ensuring compliance with the requirements of the Americans with Disabilities Act and its Amending Act of 2008 (collectively ADA) to include:

- **Title I:** Prohibits discrimination against qualified individuals with disabilities in all employment practices, including recruitment, hiring, advancement, compensation, fringe benefits, job training and other terms, conditions and privileges of employment. Upon request, Delgado Community College will engage in an interactive process and may approve a reasonable accommodation, unless the Requestor is not a qualified individual; doing so poses an undue hardship to the College; or poses a direct threat to the health or safety of the individual with a disability or others.
- **Title II:** Ensures qualified individuals with disabilities have equal access to the full range of programs, services, activities and facilities of the College. Upon request, Delgado Community College may provide a reasonable accommodation, unless the Requestor is not a qualified individual; doing so would fundamentally alter the nature of the College's service, program or activity; or poses a direct threat to the health or safety of the individual with a disability or others.

The College is committed to making reasonable accommodations for qualified persons with disabilities such as making facilities accessible and purchasing or modifying equipment or devices necessary as auxiliary aids to students with disabilities. Reasonable accommodations for students may include substitution of courses in curricula, providing readers or interpreters, and other similar actions but do not obligate the College to waive course, or other academic requirements or change the standards of the program. Programs with limited admissions within the College have specific policies which guide requirements for applicants with disabilities. Program directors for each of these programs may be contacted for information on program policies. Reasonable accommodations must not impose undue hardship on the College. Factors to be considered in determining undue hardship include College operational necessity, the nature and cost of the accommodation, and the resulting personnel requirements.

## PROCEDURES & SPECIFIC INFORMATION

### 1. **Purpose**

To outline Delgado Community College's standards and procedures for purposes of ADA compliance relative to academic matters, student matters other than academic, and matters of student accessibility.

### 2. **Scope and Applicability**

This policy and procedures memorandum applies to all current and prospective students of Delgado Community College.

Standards and procedures for purposes of ADA relative to employees, applicants for employment, and members of the general public that receive services from the College are outlined in detail in the College's [Americans with Disabilities Act \(ADA\): Employee/Public Accessibility policy](#).

### 3. **Definitions**

A. **Disability:** Under the ADA, an individual with a disability is a person who:

1. Has a physical or mental impairment that substantially limits one or more major life activities;
2. Has a record of such impairment; or
3. Is regarded as having such impairment as described in item #1 above.

B. **Impairment:** Any physiological, mental or psychological disorder or condition, including those that are episodic or in remission, that substantially limits one or more major life activities when active.

C. **Substantially Limits:** An impairment that prevents the ability of an individual to perform one or more major life activities as compared to most people in the general population when taking into consideration factors such as the nature, severity, duration and long-term impact of the condition. Such consideration must be regardless of any mitigating measures such as modifications, auxiliary aids or medications used to lessen the effects of the condition (except for use of ordinary eyeglasses or contact lenses).

D. **Major Life Activities:**

1. Generally, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others and working; *and*

2. The operation of a major bodily function, including functions of the immune system, special sense organs and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal and reproductive functions. The operation of a major bodily function includes the operation of an individual organ within a body system.

**E. Qualified Individual:**

Under Title II, an individual with a disability who meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by Delgado Community College, with or without reasonable accommodation(s).

**F. Reasonable Accommodations:**

Under Title II, a modification that permits an individual with a disability to effectively communicate with Delgado Community College and/or ensure equal opportunity relative to Delgado's programs, services, activities and facilities.

Reasonable accommodations for students include actions such as making facilities accessible and purchasing or modifying equipment or devices necessary as auxiliary aids to the students with disabilities. Reasonable accommodations for students may include substitution of courses in curricula, providing readers or interpreters, and other similar actions but do not obligate the College to waive course, or other academic requirements or change the standards of the program.

- G. **Undue Hardship:** An accommodation that would be unduly costly, extensive, substantial or disruptive, in light of factors such as the size of the agency, the resources available and the nature of the agency's business operations.
- H. **Direct Threat:** A significant risk of substantial harm to the health or safety of an individual with a disability or others that cannot be eliminated or reduced by reasonable accommodation.
- I. **Service Animal**  
  
Under the American with Disabilities Act (ADA), a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability. The dog must be trained to take a specific action when needed to assist the person with a disability.
- J. **ADA Coordinator:** The Delgado representative responsible for facilitating the interactive, evaluation process relative to any request for accommodation relative to academic matters, student matters other than academic, and matters of student accessibility, whose name and contact information is provided below.

(\*LCTCS/ADA Procedural Update 9/27/22;  
11/14/17; 10/5/15, 1/15/14; Title Updates  
6/7/12, 2/24/05; Original 12/17/96)

Name: Joseph Williams, Student Accessibility Coordinator  
Location: Delgado Community College  
Building 2 (Student Services Building), Room 102-W  
City Park Campus  
615 City Park Ave.  
New Orleans, LA 70119  
Phone #: (504) 671-5161  
Email: [jwilli6@dcc.edu](mailto:jwilli6@dcc.edu)

The Student Accessibility Coordinator has the responsibility for making judgments for students, faculty, and other academic personnel as to the following: whether a given illness, disorder, or condition substantially limits one or more major life activities; whether a person with a disability is qualified for participation in the program or activity; what accommodation required is reasonable so as not to impose undue hardship on the College; and what method is to be used in achieving program accessibility.

In reaching these decisions the Student Accessibility Coordinator may wish to call upon Student Health Services and the EAEO Officer. It is the responsibility of the Student Accessibility Coordinator to notify each instructor and the EAEO Officer that a student with a disability should be provided with reasonable accommodation.

#### 4. General Provisions

- A. It is the responsibility of the student with a disability to inform the Student Accessibility Coordinator of their disability in writing, which will be considered confidential.
- B. A release of information form must be signed by the student before the Office of Student Accessibility may (1) inform instructors and department heads regarding the restrictions on the work or duties of the person with a disability and regarding their necessary accommodations; (2) inform first aid and safety personnel, where appropriate, if the person with a disability may require emergency treatment; and (3) provide relevant information on the nature of the person's disability and their special needs (upon request) to Government officials investigating compliance with the Americans with Disabilities Act.
- C. Students requesting accommodations are responsible for following the procedures as published in the [Office of Student Accessibility Student Handbook](#). Failure by the student or employee to notify the Student Accessibility Coordinator of their disability will not subject the person to adverse treatment, nor will it require them to receive special consideration, if not desired.

- D. Students who request special consideration by virtue of a disability that is not clearly discernible must present medical or other appropriate professional certification of disability dated within the last three years.

## 5. **Operating Procedures**

### A. **Orientation and Registration**

Special provision for students with known disabilities will be made in all phases of orientation and registration, so that (a) students with disabilities will have suitable access to meetings and other events and (b) those with impaired hearing or vision will have adequate opportunity to receive the same information imparted to other students. Testing (e.g., placement tests and advanced-standing tests) will be administered in such a manner as to compensate for disabilities unless the compensating adjustments would invalidate the tests.

### B. **Curricular Requirements**

Division Deans, Academic Counselors, and other advisors will give careful consideration to modifications of curricular and degree requirements to accommodate the special needs of students with disabilities. With approval of the Division Dean in which the student is registered and the Vice Chancellor for Academic Affairs, substitutions of courses and exceptions to degree requirements may be made, provided that the academic integrity of the degree program is not violated.

### C. **Course and Examination Requirements**

To ensure all students are aware of the student accessibility services available to those who qualify, faculty are required to include the published [Course Syllabus Student Accessibility Statement](#) in all course syllabi. In providing accommodations, faculty and staff are required to meet the responsibilities and complete the procedures as published in the [Office of Student Accessibility Faculty and Staff Guidelines: ADA Rights and Responsibilities](#).

Individual instructors will modify the methods, requirements, and procedures of courses and examinations appropriately to accommodate the special needs of students with disabilities, provided that the academic integrity of the course or examination is not violated, and the health and welfare of all students are safeguarded. Possible accommodations will be recommended by the Student Accessibility Coordinator. The instructor must accommodate the student with a disability; however, the instructor may choose which of the accommodations recommended by the Student Accessibility Coordinator is appropriate for that particular course. No adjustments to the recommended accommodations may be made without the approval of the Student Accessibility Coordinator.

Accommodations may include but are not limited to: extended time in class and for testing, distraction-free/ distraction-reduced environment, readers, scribes, oral tests, assistive technologies, etc. Test proctoring services are provided following the testing procedures outlined on the [Office of Student Accessibility webpage](#). A [Request for Special Testing Accommodations for Students with Documented Disabilities Form \(Form 1468/002\)](#) must be submitted for test proctoring services to be provided.

#### D. **Notification of a Disability**

It is the responsibility of the person with a disability to inform the Student Accessibility Coordinator as to the nature of any disability and to discuss their special needs with the Student Accessibility Coordinator as soon as the disability is known to the student.

Students who have a permanent disability are encouraged to work with the Student Accessibility Coordinator at the time of registration, even if the disability is one which is clearly discernible to the layman.

To request reasonable accommodations, students must follow the following procedures:

**Step 1:** Meet with the Student Accessibility Coordinator regarding policies, procedures, and requirements.

**Step 2:** Complete the [Student Accessibility Student Agreement Form](#) and the [Student Accessibility Intake Form](#).

**Step 3:** Provide proper documentation from medical providers and other medical clinicians using the [Office of Student Accessibility Accommodation Referral Form \(Form 1468/004\)](#) and as outlined in the [Office of Student Accessibility Student Handbook](#).

**Step 4:** Submit [Semester Accommodation Request Form](#) each semester/session.

Each semester/session, the Student Accessibility Coordinator sends letters of accommodation to the student and each of their instructors.

Disabilities that are discovered or announced after registration will entitle the student to the consideration required by Sections 504 and 508 of the Rehabilitation Act of 1973, as amended, but if it is the judgment of the Division Dean that no adjustment can be made to accommodate the particular disability without violating the academic integrity of the student's program or course(s), the student will be allowed to withdraw and/or resign on the same basis as any other student at the particular time the action is initiated.

Temporary disabilities such as illnesses, accidents, etc., which will not interfere with the student's work for more than two or three class days may be dealt with by the individual instructor.

#### **E. Classroom Access**

The College will accommodate the needs of students with disabilities for particular classes through the scheduling or rescheduling of classes in accessible locations. In situations in which a student with a disability is enrolled in a class in a building not accessible to the student, the procedure for implementing this policy will be as follows:

1. If the course is a multiple section course with one or more sections scheduled in an accessible building, an effort will be made to rearrange the student's schedule so that the student will be assigned to a section in an accessible building. It will be the responsibility of the student's faculty advisor and/or the Division Dean to work with the student in developing a mutually acceptable modified schedule.
2. If the procedure provided for in "1" above is not workable, or if the class is a single section offering, the meeting place of the class will be moved to an accessible building, if possible. It will be the responsibility of the Division Dean and the Student Accessibility Coordinator to arrange for the movement of the class.
3. If the student's needs cannot be met by "2" above because the class requires a room of special design or one with special equipment, the College will make all reasonable efforts to modify the building so that the student can gain access to the classroom. When such a situation arises, it will be the responsibility of the faculty advisor and/or Division Dean to notify the EAEO Officer and to work with administrators from the Office of the Vice Chancellor for Business and Administrative Affairs to resolve the matter.

#### **F. Service Animals**

To be qualified to utilize a service animal for ongoing accommodation at Delgado Community College, the student must register with the Office of Student Accessibility and supply appropriate documentation of a disability. The requirements and responsibilities outlined in the [Delgado Service Animal Procedures](#) apply in regard to service animals on College premises.



## **G. Voter Registration Assistance**

The Office of Student Accessibility provides [assistance](#) with completing and submitting State of Louisiana Voter Registration Applications / Voter Declaration Forms students with disabilities on an ongoing basis and during authorized voter registration periods.

## **H. Electronic and Information Technology Accessibility**

In accordance with Americans with Disabilities Act (ADA) Guidelines, the College ensures accessibility to electronic and information technology resources to persons with disabilities. Persons with disabilities have access to these resources, which include “computer hardware, software, networks, and peripherals as well as many electronic and communications devices commonly used in offices.” The Office of Student Accessibility ensures accessibility of electronic and information technology resources, as well as the availability of training for these resources, to persons with disabilities at the College.

## **7. Internal Complaint Procedure**

As outlined in the College's official publication of its policy on [non-discrimination](#), an internal grievance procedure is available to students with disabilities for resolution of complaints *regarding the disposition of an accommodation request or asserting any action that would be prohibited by the ADA*.

Students wishing to file a complaint must follow the College's academic appeals procedures (for [academic grievances](#)) or the College's student complaint procedures (for [non-academic grievances](#)) as outlined in the *Delgado Community College Catalog*.

## **8. Protections**

No individual shall be discriminated or retaliated against, coerced, intimidated, threatened, harassed or interfered with for:

- Making an accommodation request;
- Opposing any act or practice made unlawful by the ADA;
- Filing a charge, testifying, assisting or otherwise participating in an investigation, proceeding or hearing to enforce any provision of the ADA;
- Aiding or encouraging another individual in the exercise of any right granted or protected by the ADA; or
- Having a family, business, social or other relationship or association with an individual with a known disability.



## 9. **Public Notice**

To ensure accessibility by all interested persons, this policy is available on the public Delgado Office of Student Accessibility webpage at <https://www.dcc.edu/student-services/advising/disability-services/default.aspx>, as well as a notice posted conspicuously for access by the public on each of Delgado Community College's campuses and sites.

## 10. **Documentation**

Forms and resources associated with this policy are available at the Delgado Office of Student Accessibility webpage at <https://www.dcc.edu/student-services/advising/disability-services/default.aspx>, or by request to the ADA Coordinator:

Forms:

- [Student Accessibility Agreement](#)
- [Student Accessibility Intake Form](#)
- [Student Accessibility Accommodations Referral Form](#)
- [Semester Accommodations Request Form \(Submitted Each Semester/Session\)](#)
- [Request for Special Testing Accommodations for Students with Documented Disabilities Form](#)
- [Consent to Release Information Form](#)
- [Student Waiver of Services/Accommodations Form](#)
- [Interpreting Request Form](#)
- [Voter Declaration Form](#)

Resources:

- [Delgado Student Accessibility Handbook](#)
- [Course Syllabus Student Accessibility Statement](#)
- [Office of Student Accessibility Faculty and Staff Guidelines: ADA Rights and Responsibilities](#)
- [Delgado Service Animal Procedures](#)

## 11. **Confidentiality**

All documentation obtained as part of an accommodation request, including medical and other relevant information, shall be maintained as confidential records, separate from the employee's personnel file, and subject to disclosure only as allowed by law or with the individual's permission.

## 12. **Additional Resources**

For additional resources, individuals with disabilities may contact Rikki Nicole David, State ADA Coordinator, at [rikki.david@la.gov](mailto:rikki.david@la.gov) or (225) 342-1243.

Individuals may also contact or file a complaint with the following:

- U.S. Equal Employment Opportunity Commission (EEOC) pursuant to Title I (29 CFR § 1630.1 – 1630.16) at 1-800-669-4000, 1-800-669-6820 (TTY for Deaf/Hard of Hearing callers only) or 1-844-234-5122 (ASL Video Phone for Deaf/Hard of Hearing callers only).
- Louisiana Commission on Human Rights pursuant to La. R.S. 23:323 et seq at 225-342-6969; or
- U.S. Department of Justice (DOJ), Civil Rights Division, pursuant to Title II (28 CFR § 35.101 – 35.190) at 202-514-3847 or 202-514-0716 (TTY for Deaf/Hard of Hearing callers only).

Be advised that strict time limitations apply for filing complaints with these governmental agencies.

### *Policy Reference:*

Louisiana Revised Statute 46:2594, Americans with Disabilities Act (ADA)  
Americans with Disabilities Act and its Amending Act of 2008 (collectively ADA)  
Louisiana Community and Technical College System Policy #6.023 Americans with Disabilities Act: Employees and Students  
Louisiana Community and Technical College System Policy #6.011 Prohibition and Prevention of Harassment, Discrimination and Retaliation  
Delgado Policy and Procedures Memorandum, [Americans with Disabilities Act \(ADA\): Employee/ Public Accessibility](#)

### *Review/Approval:*

Act 103 La. Legislative Session 2022 - LCTCS/ADA Procedural Update Approved by Vice Chancellor for Academic and Student Affairs 9/27/22

### *Distribution:*

Distributed Electronically Via College's Website