Policy Series #:1000 Administration
Policy Manager: Chief Human Resources Officer
Americans with Disabilities Act Policy

Purpose: Riverland Community College will provide equal access to employees and qualified students with disabilities in all programs, services and activities in accordance with the Americans with Disabilities Act.

Applicability: Access means that a qualified individual with a disability will not be excluded from participation in, or be denied the benefits of services, programs or activities, nor will the employee/student be subject to discrimination. With advanced notice all reasonable and appropriate accommodations will be provided for employees/students who have a qualified disability based on a psychological or medical evaluation.

Definitions: Accommodation will not be provided (1) for personal devices or services, even though the individual may be a qualified individual with a disability, or (2) that would result in fundamentally altering the nature of a program, or when the academic requirements are essential to a program of study or to meet licensing prerequisites, or (3) may cause undue financial or administrative burdens.

Does this policy have a procedure? Yes.
The policy and procedure established for all employees to request reasonable accommodations may be requested in hard copy form from the Human Resources office as well as the college website within the Human Resource SharePoint section of the employee site. The contact person(s) are listed in these documents as well as documented on all posters throughout the college classrooms and offices. With prior notification, this material is available in different formats, such as large print, Braille, or on a tape. Or you may access the TTY number 1-800-627-3529 or call Minnesota Relay Service at (612)297-5353 and ask them to place a call to Riverland Community College. The procedure for existing staff follows:

1) Riverland Community College will inform all employees of this accommodation policy in accessible formats.

2) The employee shall inform his/her supervisor of the need for an accommodation.

3) Riverland Community College may request documentation of the individual's functional limitations to support the request.

4) When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:

   a) Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary;
b) Determine the precise job-related limitation;
c) Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job; and
d) Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the college is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.

5) Riverland Community College's ADA Coordinator should work with the supervisor and employee to obtain technical assistance, as needed.

6) If the supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the supervisor will forward a written request for accommodation, along with his/her recommendations, to the Affirmative Action Office (AAO), within 5 working days following the employees request.

7) If the Affirmative Action Office is unable to make a definitive decision, for whatever reason, about providing the accommodation, the ADA Coordinator will forward a written request for accommodation, along with his/her recommendations, to the College President within 10 working days following the employee's request.

8) The College President will provide a decision in writing to the ADA Coordinator and employee within 10 working days.

9) If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the Affirmative Action Officer shall work together to determine whether reassignment may be an appropriate accommodation.

The Affirmative Action Officer shall first look for an equivalent vacant position in Riverland Community College equivalent to the one presently held by the employee in terms of pay and other job status. If the individual with the disability is not qualified, with or without reasonable accommodation, for a vacant position (or position Riverland Community College knows will become vacant within a reasonable period of time) Riverland Community College may reassign the individual as a reasonable accommodation to a lower graded vacant position for which the employee is qualified. If this occurs, Riverland Community College is not required to maintain the individual's salary at the previous level.

Riverland Community College will look at transfer opportunities, mobility opportunities, appointment opportunities, noncompetitive, and competitive opportunities (Minnesota Statute 43A).

Riverland Community College is not required to create a new job or to bump another employee from a job in order to provide a reassignment as a reasonable accommodation.

10) If a request for accommodation is not approved, the College President shall inform the employee of the reason(s) for non-approval, in writing, within 3 working days of the decision.
Procedure for Job Applicants

1) Riverland Community College shall notify all applicants of this accommodation policy using accessible formats.

2) When a request for accommodations is received from an applicant, the Affirmative Action Officer will discuss the needed accommodation and discuss possible alternatives.

3) The Affirmative Action Officer will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

4) If the Affirmative Action Officer is unable to make a definitive decision, for whatever reason, about providing the accommodation; the Affirmative Action Officer will forward a written request for accommodation, along with his/her recommendations to the College President within 3 days following the applicant's request.

5) If approved, the ADA Coordinator shall take the necessary steps to see that the accommodation is provided. If the accommodation is not approved, the Affirmative Action Officer will inform the applicant of the reason for non-approval in writing, within 3 working days of the decision.

Accommodation Procedures for College Services

Riverland Community College will provide equal access to qualified students with disabilities in all programs, services and activities. Compliance issues should be directed to the Disabilities Coordinator, Sharon Stiehm or Gary Schindler, Dean of Students.

The policy established for all students or customers to request reasonable accommodations may be found in the student handbook and registration guides in hard copy form as well as the college web site within the Student Affairs section of the college pages. The contact person(s) are listed in these documents as well as documented on all posters throughout the college classrooms and offices. With prior notification this material is available in different formats, like large print, Braille, or on a tape, or you may access the TTY number 1-800-627-3529 or call Minnesota Relay Service at (612) 297-5353 and ask them to place a call to Riverland Community College. The procedure for students is listed below:

1) Riverland Community College will inform all students of this accommodation policy in accessible formats.

2) The student shall inform his/her instructor of the need for an accommodation and the instructor will refer to the Disability Coordinator.

3) Riverland Community College may request documentation of the individual's functional limitations to support the request. This would include documentation based upon a recent psychological or medical evaluation. The student must give two week advanced notice of the need for such accommodation. This form may be obtained from the Student Affairs web site or by contacting the Student Success Center.
4) When a qualified individual with a disability has requested an accommodation, the Disabilities Coordinator shall, in consultation with the individual:

   a) Discuss the academic requirements that are essential to a program of study or to meet licensing prerequisites;
   b) Determine the precise limitation;
   c) Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to access or participate in all programs, services, or activities; and
   d) Select and implement the accommodation that is the most appropriate for both the individual and the college. While an individual's preference will be given consideration, the college is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.

5) Riverland Community College's Disability Coordinator should work with the faculty member and student to obtain technical assistance, as needed.

6) If the faculty member is unable to make a definitive decision, for whatever reason, about providing the accommodation, the faculty member will forward a written request for accommodation, along with his/her recommendations, to the Affirmative Action Office (AAO), within 5 working days following the students’ request.

7) If the Affirmative Action Office is unable to make a definitive decision, for whatever reason, about providing the accommodation, the Disability Coordinator will forward a written request for accommodation, along with his/her recommendations, to the College President within 10 working days following the student’s request.

8) The College President will provide a decision in writing to the Disability Coordinator and student within 10 working days.

9) If an accommodation cannot overcome the existing barriers or if the accommodation would alter a fundamental aspect of the course, weaken the academic rigor, or cause an undue hardship on the operation of the college, the student and the Affirmative Action Officer shall work together to determine an appropriate accommodation or alternative course of action.

10) If a request for accommodation is not approved, the College President shall inform the student of the reason(s) for non-approval, in writing, within 3 working days of the decision.

11) If the student wishes to appeal this decision, they may contact the Minnesota Department of Employee Relations, Office of Diversity and Equal Opportunity at 651-297-1184 or TTY number 651-282-2699.

List related policies, procedures or plans here:

ADA Authorization for Release Form.docx
ADA Employee Request Form.docx
ADA Accommodation Agreement

Interested persons, including individuals with disabilities or organizations representing individuals with disabilities, are invited to submit comments or request additional information regarding Riverland Community College’s current services, policies and practices. Title II states, in part, that no otherwise qualified disabled person shall, solely by reason of such disability, be
excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs or activities sponsored by a campus.

Complaints can be filed using the [Riverland Complaint Form](#)

Date of Initial Review by President’s Cabinet: 3/14/2013; 9/11/2014
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