
Purpose:

To provide for equal access, Mercy College of Ohio is committed to making individuals with disabilities full participants in its programs, services and activities through compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990.

Scope:

All College representatives, including faculty, staff, and students are responsible for the implementation of this policy and adherence to the principles of equal access.

Policy:

It is the policy of Mercy College of Ohio (the “College”) that no otherwise qualified individual with a disability shall be denied access to the benefits of, or participation in, any program, service or activity offered by the College. As such, individuals with disabilities have a right to request reasonable accommodations. Specifically, the College does not discriminate on the basis of disability in its admission, recruitment, academics, research, financial aid, counseling, employment assistance, and/or any other service, facility, or privilege available to students or potential students. Further, the College does not screen out, exclude, expel, limit, or otherwise discriminate against an individual seeking admission as a student, or an individual enrolled as a student, based on disability.

Definitions:

Disability

The United States’ Americans with Disabilities Act (ADA) defines “disability” as “having a physical or mental impairment that substantially limits one or more of the major life activities.” In addition, the ADA protects individuals from discrimination if they have a record of such impairments or if they are regarded as having such impairments. Additional protections are provided through Section 504 of the Rehabilitation Act of 1973.

Reasonable Accommodations

Reasonable accommodations include modifications to policy, procedure, or practice and the provision of auxiliary aids and services that are designed to provide equal access to programs and services for qualified individuals with disabilities. Accommodations are reasonable when they do not pose a direct threat to health, safety, or quality of care; when they do not fundamentally alter the nature of a program

or service; and when they do not represent an undue financial or administrative burden.

In order for Mercy College to fully determine eligibility for services and evaluate requests for accommodations or auxiliary aids, the Office of Accessibility applies an interactive process that includes documentation of the disability, student input and discussion, and faculty (as applicable). Other offices of the college may be contacted for consulting purposes as well to determine reasonableness of a requested accommodation.

Accommodations granted at Mercy College of Ohio in no way guarantee that the same accommodations will be granted at other institutions, testing centers, or licensing agencies. Students are solely responsible for pursuing accommodations at other institutions, testing centers, or licensing agencies. The Office of Accessibility may assist in the process at the student's request.

Academic Honesty & Integrity:

Reasonable accommodations provided to students may relate to the administration of testing, examinations, or other coursework. Students provided with such accommodations must continue to adhere to the College's academic honesty & integrity policy and to the College's Student Code of Conduct. Failure to adhere to the academic honesty & integrity policy and the standards of behavior may result in corrective action.

Grievance Procedures:

Any person may file a grievance alleging discrimination or harassment on the basis of disability by filing a complain pursuant to the Civil Rights/Nondiscrimination Policy. The grievance process applies to all individuals regardless of whether the individual has requested accommodations. Grievances may allege disability discrimination, including disability harassment, carried out by employees, students, or third parties. A copy of the Civil Rights/Nondiscrimination Policy and its related procedures is available online at:

https://assets/mercycollege.edu/uploads/documents/policy_109_civil_rightsnondiscrimination_201806_board_approved.pdf?mtime=20190225083240.

Referencing Form: Office of Accessibility and Testing Services Disability Disclosure Form 501-A

Procedures:

Initiating Consideration for Accommodations

Students who are seeking assistance from the Office of Accessibility, on the basis of a specific disability are responsible for:

- a) Contacting the Office of Accessibility. Students bear the responsibility for disclosure of a disability and the request of services (see Attached Disability Disclosure and Accommodations Request Form). Official notification usually must be done by the person requesting services, depending on the nature of the disability.
- b) Providing complete, adequate, and current documentation from an appropriately qualified professional regarding the disability and the need for accommodations (see OAA Documentation Guidelines below.) Students are responsible for costs associated with obtaining the appropriate documentation.
- c) Notifying the College of accommodation requests prior to the beginning of a semester in order to provide the granted accommodation. However, accommodation requests can be made and will be considered at any time. Please note that granted accommodations are not effective retroactively so that a student will not be able to retake exams or redo assignments that were originally completed before he or she asked for and received an accommodation.

Essential Elements of Disability Documentation

1. **The credentials of the evaluator(s).** Documentation should be provided by a licensed or otherwise properly credentialed professional who has undergone appropriate and comprehensive training, has relevant experience, and has no personal relationship with the individual being evaluated. A good match between the credentials of the individual making the diagnosis and the condition being reported is expected (e.g., an orthopedic limitation might be documented by a physician, but not a licensed psychologist).
2. **A diagnostic statement identifying the disability.** Documentation should include a clear diagnostic statement that describes how the condition was diagnosed, provide information on the functional impact, and detail the typical progression or prognosis of the condition. When appropriate include diagnostic codes from the Diagnostic Statistical Manual of the American Psychiatric Association (DSM) or the International Classification of Diseases (ICD).

3. **A description of the diagnostic methodology used.** As appropriate, documentation should include a description of the diagnostic criteria, evaluation methods, procedures, tests and dates of administration, as well as a clinical narrative, observation, and specific results. Where appropriate to the nature of the disability, having both summary data and specific test scores (with the norming population identified) within the report is recommended. Diagnostic methods that are congruent with the particular disability and current professional practices in the field are recommended.
4. **A description of the current functional limitations.** Information on how the disabling condition(s) currently impacts the individual provides useful information for both establishing a disability and identifying possible accommodations. Documentation should be thorough enough to demonstrate whether and how a major life activity is substantially limited by providing a clear sense of the severity, frequency, and pervasiveness of the condition(s). A combination of the results of formal evaluation procedures, clinical narrative, and the individual's self-report will be reviewed. While recent documentation is recommended in most circumstances, discretion will be used in accepting older documentation of conditions that are permanent or non-varying. Likewise, changing conditions and/or changes in how the condition impacts the individual may warrant more frequent updates in order to provide an accurate picture. The need for recent documentation depends on the facts and circumstances of the individual's condition.
5. **A description of the expected progression of stability of the disability.** Information on the cyclical or episodic nature of the disability and known or suspected environmental triggers to episodes provides opportunities to anticipate and plan for varying functional impacts. If the condition is not stable, information on interventions for exacerbations and recommended timelines for re-evaluation are most helpful.
6. **A description of current and past accommodations, services and/or medications.** Documentation should include a description of both current and past medications, auxiliary aids, assistive devices, support services, and accommodations, including their effectiveness (and side-effects) in ameliorating functional impacts of the disability.

7. Recommendations for accommodations, adaptive devices, assistive services, compensatory strategies, and/or collateral support services.

Recommended accommodations and strategies should be logically related to functional limitations; if connections are not obvious, a clear explanation of their relationship can be useful in decision-making. Mercy College has no obligation to provide or adopt recommendations made by outside entities.

High school special education evaluations, Summary of Performance (SOP) or Individual Educational Program (IEP) documentation, while helpful, may not provide adequate information to document a disability. In addition, references to academic weaknesses/learning differences/test anxiety alone may not substantiate a learning disability diagnosis.

Specific Disability Documentation:

Learning Disabilities:

Psycho-educational assessment conducted by the diagnosing licensed psychologist, psychiatrist, or other appropriately credentialed professional specializing in learning disabilities.

Psycho-educational Testing: The comprehensive psycho-educational test battery should include intelligence/ability testing and educational/achievement testing. A full diagnostic report, including all standard test scores as well as subtest scores and the evaluator's narrative is recommended. Assessments should be normed for adults, i.e. WAIS-III rather than WISC-III.

Attention Deficit Disorder:

Psychological/Psycho-educational assessment conducted by the diagnosing licensed psychologist, psychiatrist, or other appropriately credentialed professional.

Psychological Disabilities:

Psychological assessment conducted by the diagnosing licensed psychologist, psychiatrist, or other appropriately credentialed professional.

Speech and Hearing:

Full report of assessments conducted by the diagnosing licensed speech/hearing specialist, audiologist, or other appropriately credentialed professional.

Visual:

Full report of assessments conducted by the diagnosing licensed ophthalmologist, optometrist, or other appropriately credentialed professional.

Mobility:

Evidence of substantial limitation in upper and/or lower extremity mobility. As appropriate, this may or may not include full report of assessments conducted by the diagnosing licensed medical doctor/physician or other appropriately credentialed professional.

Review of Documentation and the Determination of Accommodation:

- 1. All documentation will be reviewed on an individual, case-by-case basis.** This calls for an individualized inquiry, examining the impact of a disability on the individual and within the specific context of the request for accommodations. There is no list of covered disabilities or accepted diagnostic criteria.
- 2. Determination of accommodations is an interactive process.** The Director of Accessibility and Testing Services may contact the evaluator, as necessary and with the student's permission, for clarification of any information (tests results, conclusions, recommendations, etc.) contained in the documentation. An interview with the student will be conducted in order to inquire about the disability, understand its impacts and identify appropriate accommodations. The institution and the individual with a disability will determine appropriate accommodations.
- 3. Documentation of a specific disability does not translate directly into specific accommodations.** Reasonable accommodations are individually determined and based on the functional impact of the condition and its likely interaction with the environment. As such, accommodations may vary from individual to individual with the "same" disability diagnosis and from environment to environment for the same individual.

Process of Approved Accommodations

Once an accommodation has been granted, the student will receive, by the student's request, email notification from the Office of Accessibility to verify the accommodations each semester. Students with accommodations are responsible for providing a copy of their Notice of Academic Accommodations to each of their instructors and communicate with their instructors regarding their accommodations needs to initiate the accommodations. Students are also responsible for communicating with their instructors throughout the semester regarding their accommodations.

Students with test accommodations can submit their test schedule to the Testing

Center Coordinator at the beginning of each semester if their tests will be proctored in the Testing Center. Students who have received accommodations may request modifications to those accommodations at any time.

(Attached forms: Disability Self-Disclosure and Request for Accommodations for Students, Documentation of Disability Form to Be Completed by Diagnosing Clinician)

Appeal Procedure

A student who has been denied a requested accommodation or otherwise disagrees with an accommodation decision may file an appeal. The student is encouraged, but not required, to first discuss his or her concern with the Vice President of Student Affairs/Dean of Students. A conversation may resolve a disagreement quickly. The student should complete the Student Appeal and Grievance Form available on the Office of Accessibility and Testing Services website. Individuals needing assistance may fill out the form in the Office of Accessibility and Testing Services with staff assistance.

Appeals should be filed promptly and no later than 10 business days after receiving an accommodation decision. Appeals submitted after this deadline will not be accepted absent a showing of good cause. Time-sensitive requests should be made as far in advance as possible. Although the College tries to expedite urgent matters, requests made fewer than 10 business days in advance of a deadline typically do not allow for adequate time for review.

Informal Review: Upon receipt of an appeal, the Vice President of Student Affairs/Dean of Students will try to resolve the disagreement informally with the student and the Office of Accessibility and Testing Services. If informal resolution is not possible or the student requests to proceed through the formal appeals process, the Vice President of Student Affairs/Dean of Students will refer the matter to the Office of Compliance and Risk Management.

Formal Appeals Process: The Director of Compliance and Risk Management will review the formal appeal request and determine whether an investigation is necessary. If any material facts are in dispute, an investigation will be initiated within 5 business days of receipt of the appeal request from the Vice President of Student Affairs/Dean of Students. The investigation will involve meeting with the student and may also involve meeting with Office of Accessibility and Testing Services staff, faculty members, or other staff members with relevant information. During the investigation, all parties to the appeal will be permitted to present witnesses and other relevant evidence. The Director of Compliance and Risk Management will present written findings of fact from the investigation to the President, who will decide whether any changes to the original decision are warranted. The President will issue a written

determination regarding the appeal to the student and Office of Accessibility and Testing Services. Unless an extension is necessary for good cause, this determination will be provided within 5 business days of receiving the findings from the Director of Compliance and Risk Management. If the President decides that additional or different accommodation(s) should be approved, an updated accommodation letter will be issued to the student. If the President upholds the initial accommodation determination, the matter will be closed. The President's decision is final and not subject to appeal. Every effort will be made to complete the appeal process within 30 days of the initial request for appeal.

The College does not tolerate retaliation against any individual who participates in the appeal process. Allegations of retaliation should be referred to the Director of Compliance and Risk Management.

**DISABILITY SELF-DISCLOSURE AND REQUEST FOR ACCOMMODATIONS
FOR STUDENTS**

By completing and signing this form and providing it directly to the Office of Accessibility, you agree that you are voluntarily disclosing your disability, and are requesting accommodations to be provided at Mercy College of Ohio.

Once your completed form is received in the Office of Accessibility, you will be contacted for an appointment to meet and discuss disability-related accommodations. *Please forward any documentation you have directly to the Office of Accessibility prior to meeting in order to allow time for verification and review.*

Information regarding disabilities/medical conditions that is received in the Office of Accessibility is kept confidential at the highest level possible. Please notify our office below if you need assistance with completing this form.

Name (Please print): _____

Email: _____ Phone: _____

Disability/Medical Condition: _____

Accommodation(s) Requested: _____

Signature: _____ Date: _____

Please submit this completed form along with relevant documentation in person or by mail to:

Toledo Campus:

Mercy College of Ohio
Attn: Accessibility Services
2221 Madison Ave, M5815
Toledo, OH 43604
Ph 419-251-1784, Fax 419-251-1746

Youngstown Campus:

Mercy College of Ohio
Attn: Accessibility Services
1044 Belmont Ave.
Youngstown, OH 44501
Ph 330-480-5374

Completed forms can also be scanned to: ADA504@mercycollege.edu from your student email account.

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**DOCUMENTATION OF DISABILITY FORM TO BE COMPLETED BY THE
DIAGNOSING CLINICIAN**

(Please print)

Student's Name: _____ Today's Date: _____

Clinician's Name and Credentials: _____

Address: _____

Clinician's Phone Number: _____

Clinician's License/Cert. Number: _____

If you are related to this student, what is your relationship? _____

Clinician's Signature: _____

Disability Diagnoses (please fill out ALL Sections):

DSM/ICD code for Diagnosis #1: _____

Diagnosis (full diagnostic title): _____

Date of first diagnosis: _____

Duration: Permanent Chronic/Recurring Temporary (with end date): _____

DSM/ICD code for Diagnosis #2: _____

Diagnosis (full diagnostic title): _____

Date of first diagnosis: _____

Duration: Permanent Chronic/Recurring Temporary (with end date): _____

What evaluation methods/procedures/assessments were used to diagnose the condition(s)? Please attach available diagnostic reports, i.e. test results:

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Functional Limitations (please fill out ALL sections):

Please list functional limitations/symptoms of the disability the student is **currently** experiencing? _____

How might these symptoms limit the student's functioning in a post-secondary educational setting? _____

Medications currently being taken (including any adverse side effects which may impact the student): _____

Suggested Accommodations/Adjustments (please fill out ALL sections):

Academic accommodations/adjustments recommended: _____

Additional information that might be appropriate: _____

Information may be forwarded to:
Mercy College of Ohio
Office of Accessibility
2221 Madison Ave., Toledo, OH 43604
Fax: (419) 251-1746, Email: ADA504@mercycollege.edu

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