

Accessibility Services Policies and Procedures Manual



Niagara County Community College



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Introduction

Niagara County Community College (NCCC) is committed to the full participation of students with disabilities in their college education. NCCC strives to make every effort to provide an accessible learning and technological environment for all students who meet the academic standards for admission. Accessibility Services is a part of the Student Development department in A-131. Accessibility Services strives to coordinate services that will enable students with disabilities to act as independently as possible in a supportive environment that promotes self-reliance. The Accessibility Services office is premised on the philosophy that the individuals it serves are students first and their disabilities are secondary.

Accessibility Services staff is ready to assist faculty and staff so that students may achieve access to all the educational opportunities offered on campus. We encourage members of the NCCC community to contact Alissa Shugats-Cummings, Accessibility Services Program Administrator, at 716-614-6285, or email her at: acummings@niagaracc.suny.edu with any questions about this document or accessibility issues.

Accessibility Services Mission Statement

The mission of Accessibility Services at NCCC is to provide reasonable accommodations and related services to qualified students with disabilities in the most inclusive setting possible and to enhance student independence while promoting self-advocacy in accordance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Amendments Act.

The mission of promoting access across the campus is fulfilled by the Accessibility Services Program Administrator who ensures that NCCC adheres to legal mandates stipulated under Section 504 of the Rehabilitation Act and the Americans with Disabilities Amendments Act of 2008. The intent of these laws is to ensure that individuals with disabilities at NCCC have the same access to programs and services as any other student. It should be noted that the purpose of these laws is not to give students with disabilities an unfair advantage, but rather to eliminate barriers – physical, attitudinal, or programmatic -- that would otherwise deny students with disabilities equal access.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a civil rights and anti-discrimination law that applies to any entity (business, organization, schools, colleges, etc.) that receives federal financial assistance of any kind. It has different subparts that apply to elementary, secondary, and postsecondary education. Subpart D applies to grades K-12, and Subpart E applies to postsecondary education. Subpart E requires that an institution be prepared to make appropriate academic adjustments and reasonable modifications to policies and practices in order to allow for the participation of students with disabilities in the same programs or activities as their non-disabled peers.

The law states that:

No qualified person with a disability in the United States ...shall solely by reason of a disability, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity receiving federal financial assistance...

A qualified person with a disability is defined as "one who meets the academic and technical standards requisite for admission or participation in the educational program or activity." In the case of NCCC, a "qualified individual with a disability" means an individual with a disability who, with or without reasonable accommodations, meets the essential eligibility requirements for receiving services or for full participation in programs or activities provided by the institution. Furthermore, any college or university that receives federal funding such as PELL grants or federal grant money may not discriminate on the basis of a disability in its recruitment, admission, educational process or treatment of students in any of the institution's programs, services or activities.

Under the provisions of Section 504, colleges and universities may not:

- limit the number of students with disabilities admitted;
- make pre-admission inquiries as to whether or not an applicant is disabled;
- use admission or placement tests that inadequately measure the academic level of blind, deaf, or otherwise qualified applicants with disabilities;
- exclude a student from a particular course of study;
- counsel a student with a disability toward a more restrictive career when otherwise qualified;
- or
- institute prohibitive rules that may adversely affect students with disabilities.

Americans with Disabilities Amendments Act

The primary intent of the Americans with Disabilities Act (ADA) of 1990 was to extend the provisions of Section 504 to private entities such as private colleges, regardless of whether or not they received federal funding. Basically, the ADA requires the same things from colleges and universities, as does Section 504. There are five major titles, or sections, to the law that cover employment, public accommodations, private entities, telecommunications, and miscellaneous topics.

In order to be considered an individual with a disability under the ADA, a student at NCCC must have a physical or mental impairment that substantially limits one or more major life activities, and have a record of an impairment or a record of being regarded as having an impairment. A major life activity includes, but is not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, thinking, concentration, breathing, reading, learning, communicating, and working.

In order to determine if a student has a disability that is substantially limiting, the Accessibility Services Program Administrator reviews the medical or psycho-educational documentation from a qualified professional to determine whether or not the student qualifies for accommodations. Requests for accommodations are evaluated based on the sufficiency of the medical documentation, the student's current functional limitations and the technical standards of the program of study.

Student Rights and Responsibilities

Students with disabilities have the same obligation as any other student to meet and maintain the college's academic and technical standards. They have the responsibility to advocate for their own individual needs and to seek information, counseling, and assistance as necessary, in order to be effective self-advocates.

Every student with a disability has the following rights:

- equal access to courses, programs, services, jobs activities, and facilities available throughout the College;
- reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids and services determined on a case-by-case basis;
- control of access to information pertaining to his/her disability except as required by law;
- an equal opportunity to benefit from and participate in the educational program through the provision of academic adjustments, auxiliary aids and services; and
- information reasonably available in alternative formats.

Every student with a disability has responsibility to:

- Meet the College's qualifications, essential academic requirements and technical standards;
- Identify himself or herself in a timely manner to the Accessibility Services Program Administrator, as an individual with a disability when seeking accommodations;
- Provide documentation to the Accessibility Services Program Administrator from an appropriate professional in a timely manner that verifies the nature of the disability, functional limitations, and the need for specific accommodations;
- Follow specific procedures as outlined below for obtaining reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids;
- Make themselves available to faculty and advisors to discuss any concerns about accommodations; and
- Exercise due diligence to make the accommodation process work.

NCCC Rights and Responsibilities

- Maintain the College's academic standards;
- Ensure that all programs are made accessible to students with disabilities;
- Inform its applicants and students about the availability and range of accommodations offered;
- Require current documentation as stipulated on the NCCC website to verify the need for reasonable accommodations, academic adjustments, and/or auxiliary aids and services in accommodating students;
- Determine the essential requirements of educational programs that all students must satisfy;
- Refuse to provide academic adjustments, auxiliary aids and services that are inappropriate or unreasonable including any that:
 - pose a direct threat to the health and safety of others;
 - constitute a fundamental alteration to an essential element of a course or program; or
 - pose an undue financial burden or administrative burden to the College.

Student Identification Process

In order to be eligible for accommodations, academic adjustments, and/or auxiliary aids and services, students must first make an appointment to meet with the Accessibility Services Program Administrator to register for support services. In this meeting the student should identify him or herself as having a disability and should provide the Accessibility Services Program Administrator with diagnostic testing and/or medical assessments from a qualified professional.

The Accessibility Services Program Administrator will then review the documentation and determine if it is sufficient. Documentation should include a diagnosis of an impairment that is substantially limiting to one or more major life activities. Disability documentation should be printed on professional letterhead with the name, title/credentials, address, phone number of the certifying professional and the date of the evaluation(s).

The documentation should also include a listing of all diagnostics tests and assessments used including the results of the diagnostic procedures, the examiner's narrative interpretation, and summary of test and subtest scores. Data should logically reflect a substantial limitation and relate to the specific functional limitations that necessitate accommodation. The expected progression or stability of the disability, if relevant, should also be included. Documentation of a disability must be written by a medical/professional in the related field of disability. Specific guidelines for what constitutes adequate disability documentation for a variety of conditions are posted on the NCCC website and is included in this document based on AHEAD's Seven Essential Elements of Quality Documentation (Appendix I).

During the initial intake interview and documentation review, the Accessibility Services Program Administrator and the student should discuss the student's academic history and use of accommodations in the past, and determine if the documentation provided is sufficient given the requested accommodations. If the documentation is deemed adequate and provided in a timely manner (two weeks before classes begin), the Accessibility Services Program Administrator will provide the student with a letter of accommodation on NCCC letterhead from Accessibility Services within five business days prior to the start of the semester. The student is advised to meet with the professor for each class in which he/she wishes to use accommodations. It is the Accessibility Services Program Administrator's job to serve as a liaison to faculty in regard to all disability

accommodation issues.

If the original documentation is incomplete or inadequate to determine the extent of the disability or necessary accommodation(s), the College has the discretion to require additional documentation. Any cost incurred in obtaining additional documentation when the original records are inadequate is borne by the student. The Accessibility Services Program Administrator, if possible, will provide the student with a list of reputable places that perform evaluations in the area, including a free service, NY State ACCESS-VR (<http://www.acces.nysed.gov/vr/buffalo>).

Provisional accommodations may be granted when a student has a prior history of a disability, but needs additional time to provide Accessibility Services with updated disability documentation. This may be granted for one semester while the student secures adequate documentation. The College is not obligated to provide these accommodations beyond one semester, and any informal accommodations with faculty will not be honored without approval of the Accessibility Services Program Administrator.

*Please note: Although a student may give the accommodation letter to the professor at any time throughout the semester, it is highly recommended that students make the contact as soon as possible. **Accommodations begin at the point of contact when the professor receives the letter and may not be granted retroactively.***

Examples of accommodations include, but are not limited to:

- Testing accommodations, such as extended time, scribes, a reduced distraction environment, and use of adaptive/assistive technology;
- Notetaking assistance;
- Permission to record lectures or use a Livescribe pen;
- Sign language interpreters;
- Printed materials in alternative format (e-text); and
- Use of service animals.

Services such as note taking are typically requested at the beginning of each semester. Testing accommodations should be scheduled in advance according to the course syllabus. Students requesting sign language interpreters are strongly encouraged to provide as much notice as possible due to shortages of freelance interpreters.

It is the student's choice whether or not to utilize the academic adjustments, auxiliary aids and services offered in response to an accommodation request. However, students are encouraged to first try utilizing the accommodations; if they feel they no longer need them, they can be gradually eliminated.

Accommodations

Testing Accommodations

Students with disabilities may receive test accommodations as determined by the Accessibility Services Program Administrator on an individual basis. A test, as used in this context, refers to quizzes and examinations taken during the semester in conjunction with academic coursework. New students should discuss their specific needs for testing accommodations with the Accessibility Services Program Administrator before the beginning of their first semester. Continuing students should contact the Accessibility Services Program Administrator if they need or anticipate changes to their previously approved accommodations.

Testing accommodations are determined on a case-by-case basis and may include:

- Extended time to complete examinations and quizzes;
- A reduced distraction environment that is separate from the class;
- Use of special equipment such as a word processor, assistive software programs, magnifier, or braille; and
- Electronic readers, e-text, and/or scribes.

Students are expected to take examinations at the scheduled time of the course unless the professor approves an alternative time. Students should be advised that it is at the discretion of the professor to administer exams within the academic department. Exam questions and content will not be clarified or explained by the test proctor. Testing Center staff will proctor all examinations given in the Testing Center.

Exam Administration Procedures

When exams or quizzes are administered in the Testing Center, students will need to bring the Test Reservation Form (Appendix II) to the professor and return the completed form to the Testing Center:

- Exams must be scheduled at least 3 business days in advance in order to ensure adequate accommodations. Failure to provide adequate notice may result in the accommodations not being available.
- Exams should be sent by email, or hand delivered in a sealed envelope by the professor or department designee. Professors should not send exams to the Testing Center or to Accessibility Services through inter-campus mail.
- The Testing Center will secure all exams upon receipt.
- Student may not return exams.

Please note: All test materials, including calculators, will be checked by the Testing Center staff prior to the start of the exam. Once the student has begun an exam, he/she will not be permitted to leave the room. In case of an emergency, the Testing Center staff will document why the student left and will inform the instructor. All cell phones, pagers, PDAs, student backpacks, coats, bags, etc. will be set aside in a designated area during exams. Students who are more than 5 minutes late for a scheduled examination will not be administered the exam without approval from the instructor. Students may ask for a 10 minute warning during their testing session. When allowed test time is over, Testing Center staff will inform the student and allow them to finish the question/section they are on.

During an examination, if a student is suspected of misconduct or utilizes a potentially questionable resource that was not noted on the student's exam sheet by the professor (ex. note cards) the following steps will be taken:

The student will be asked for clarification and a notation will be made on exam for the professor. The ultimate decision regarding the appropriateness of the resource or any subsequent course of action will be determined by the professor.

Notetaking Assistance

Notetaking assistance is provided as an accommodation for students whose documented disabilities interfere with their ability to take notes. Whenever possible, students with disabilities should first be introduced to a variety of technological aids that may make the hiring of a note taker unnecessary. For example, the Smart Pen from Live Scribe may allow the student to take his or her notes without being dependent on another student.

Please note: If class notes are available on-line or from the instructor as PowerPoint slides, note taking assistance may not be indicated.

Notetaking assistance is intended for a student's personal study use only and is not to be shared with other individuals. The service is provided as a necessary academic accommodation and is not considered a substitute for the student's full participation in each class. In most instances notetakers are students recruited by the professor from the class during the first week of the semester. The funding of notetakers is provided by Accessibility Services and includes a stipend or credit for community service.

- Upon receipt of an accommodation letter, the professor is encouraged to make an announcement to the class that Accessibility Services is seeking a qualified notetaker for this course. Professors will not reveal the name of the student who requires the notetaker in any announcement to the class. (A sample announcement is provided in Appendix III).
- Instructors may be able to assist Accessibility Services by nominating a potential notetaker based on the quality of their notes.
- Notetakers will receive training through Accessibility Services. The training will summarize the responsibilities of a notetaker, confidentiality issues, and the procedure for duplicating completed notes.
- Note takers are only to perform duties stipulated and should not be asked to tutor the student, take notes from the textbook, or recopy notes.
- If a class is dropped or a schedule changes it is the student's responsibility to inform the notetaker.
- If notes are determined to be unsatisfactory (e.g., legibility, organization, completeness), the student requiring the service should discuss the problem with the Accessibility Services

Program Administrator.

- Notetakers must attend all scheduled classes, except in cases of illness or emergencies. In such instances, the notetaker must inform the student directly at least 24 hours in advance.
- If a notetaker wishes to resign, they are required to give the Accessibility Services Program Administrator and the student at least two weeks' notice.

Adaptive Technology

In accordance with the mission of Accessibility Services, Accessibility Services understands that the use of adaptive technology allows persons with disabilities greater independence in pursuing their academic goals.

In most cases, the need for adaptive technology must be:

1. Justified through documentation (i.e. an adapted technology evaluation report, or past use of specific adapted technology), and
2. Requested by the student

If adaptive technology is approved, the student must sign an Adaptive Technology Equipment Contract (Appendix VI).

Students with disabilities are encouraged to become familiar with technology specific to their needs to facilitate appropriate technology requests. Accessibility Services does staff an Adaptive Technology Specialist who can offer information about available technology on campus and will provide in-depth training in the use of such technology. A list of available adaptive technology aids can be found on the Accessibility Services website under the "Adaptive Technology" tab.

Niagara County Community College is not required to provide students with adaptive technology which would be considered for personal use or study. Individuals may contact service providers such as ACCES-VR or The New York State Commission for the Blind and Visually Handicapped (CBVH) to acquire technology for personal use. The Accessibility Services staff or administrator can direct students to additional community resources available to qualifying individuals with disabilities. Information can also be found on the Accessibility Services website under the "Resources" tab.

Alternative Format Text

Students with disabilities who require alternative access to print materials may receive their textbooks and related materials in an alternative format. Eligibility for this accommodation is determined on an individual basis, and the student must be able to demonstrate a substantial physical and/or learning disability, which requires alternative media materials.

Students who are eligible to receive alternative format versions of their textbooks are responsible for submitting their requests as soon as they identify their need. This is important due to the time required to submit, be approved for, and receive/produce texts. Typically, it can take six to eight weeks to obtain alternative media materials, so it is preferable to find a digital format from a repository, such as Bookshare or Learning Ally, if one is available.

Students are responsible for providing:

1. A copy of their textbook list from the NCCC Barnes and Noble Bookstore or the course instructor as soon as possible after they register for classes.
2. NCCC students who require alternative media are required to complete the Text Media Request Form (Appendix V).
3. This is both a request for media and an agreement that converted materials will not be reproduced or shared with others, that alternative media will be returned, and that electronic files will be deleted from computers and players at the end of the semester.
4. Once the student has submitted his/her request for alternative text, Accessibility Services Staff will submit the request through Bookshare, AccessText, or Individual Publisher Permissions Departments.
5. Once Accessibility Services has received the e-text or permission to scan materials, the student will need to provide proof of purchase (receipt/invoice) in order to receive his/her e-text.

The Accessibility Services staff will make every attempt to provide materials as promptly as possible, and in the format requested by the student. However, consideration will be given to the most expedient manner to obtain materials. Late requests will result in a delay in providing materials.

The following formats are available:

- E-text (DOC or PDF) provided from the publisher to the Accessibility Services Staff
- Text scanned by the Accessibility Services Staff and converted to e-text (DOC or PDF)
- Large print
- Braille
- MP3 file from AccessText.org or Bookshare.org

If the material is not readily available from any of these sources, the Accessibility Services Program Administrator should obtain permission from the publisher to scan the material. In New York State, Chapter 194, Laws of 2010 require publishers and manufactures of instructional materials to share with colleges the responsibility for the timely provision of alternative format materials to students with print disabilities in the higher education setting. Contact information can be found at the Publisher Lookup Service (www.publisherlookup.org).

If necessary, the Accessibility Services staff may have to scan and convert course materials to e-text for student use. However, students are encouraged whenever possible to scan their own materials in the Testing Center (A-167) office using the portable scanner. This process requires the student to purchase the book and provide proof of purchase in order to receive an alternative format.

Confidentiality of Student Records

Documentation is housed in a locked cabinet in the Program Administrator for Accessibility Services office and is not released without the student's expressed permission. According to FERPA provisions a school or institution may not generally disclose personally identifiable information from a student's educational records to a third party without the student's written consent unless it satisfies a regulatory exception. Educational records are considered to be records that are directly related to students (individuals in attendance, including distance learning participants) maintained by an educational institution or agency. Disclosures of personally identifiable student information, including disability status, are subject to the protections of FERPA.

Faculty Guidelines

The College is obligated to provide accommodations to students with disabilities in compliance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act and the New York State Human Rights Law.

The Accessibility Services Program Administrator determines which students are eligible for accommodations based upon their disabilities and identifies the academic adjustments, auxiliary aids and services that the students should be provided.

Faculty members are valuable participants in the College's program to accommodate students with disabilities and have the following responsibilities:

- To ensure that students with documented disabilities receive the accommodations identified by the Accessibility Services Program Administrator
- To refer students who disclose information about a medical condition or a disability and/or who you observe as having performance deficiencies that may be based upon a medical condition to the Accessibility Services Program Administrator if they have not already sought accommodations from or registered with Accessibility Services.
- To report all situations where a student with a disability is being denied access to programs, services or activities because of the lack of necessary accommodations to Accessibility Services staff.
- To adhere to accessibility guidelines when developing on-line and/or distance learning courses.

What actions are impermissible?

- It is a violation of the law and College policies and procedures to refuse to provide students with disabilities accommodations identified by Accessibility Services Program Administrator.
- To unilaterally change or modify the accommodations identified by the Accessibility Services Program Administrator for a student.
- To engage a student with a disability in a discussion or debate about the appropriateness or need for prescribed accommodations.
- To interfere with a student's ability to receive and use prescribed accommodations.

- To discriminate, harass, treat students differently or retaliate against students based upon their disabilities.

What should you do if you believe that the accommodations identified by the Accessibility Services Program Administrator are not appropriate?

- If you believe that a student is not qualified because he or she cannot meet the essential requirements of the course or educational program; the prescribed accommodation(s) would fundamentally alter the educational program or impose an undue hardship and/or the suggested accommodation(s) would infringe upon your academic rights you should raise these concerns, not with the student; but with the Accessibility Services Program Administrator. Any issue that cannot be resolved between a faculty member and the Accessibility Services Program Administrator will be referred to the Director of Student Development and the Academic Dean/Department Chair.

Essential Requirement/Technical Standards Determinations

All questions concerning whether a student's disability prohibits him or her from meeting or satisfying essential academic requirements and/or technical standards will be resolved by the Accessibility Services Program Administrator and the representatives of the academic department following the procedures outlined below:

- The academic department must provide evidence that establishes the essential nature of the standard or requirement in question. Such evidence includes: a "rationally justified" decision made by those knowledgeable and experienced in the relevant instructional area or field of study and/or the importance of the standard or requirement to educational purpose or objective of the course or program. Further, the actual application of the standard or requirement must reflect its essential nature.
- The Accessibility Services Program Administrator will conduct an individualized assessment to determine whether the student's functional limitations do in fact inhibit him or her from meeting or satisfying the standard or requirement
- Available options of accommodating the student must be explored to determine whether there is a reasonable accommodation that would permit the student to participate in the course or program.

Program Access

All College programs, activities and services must be accessible to individual with disabilities. The following statements should be used to inform individuals with disabilities of the availability of assistance with respect to their accessibility needs.

Events, programs and activities:

To be included on flyers, announcements and all forms of marketing materials: *“If you have a disability and need assistance, auxiliary aids or services to participate, please contact Accessibility Services (A-131) to request accommodations at least one week prior to the event or program.”*

Publications (e.g., catalogs, brochures): *“To request this information in an alternate format, (e.g., electronic file, large print, audio, and Braille) please contact Accessibility Services (A-131).”*

Web Pages: *“If you have difficulty accessing any portion of this site with adaptive technology, please contact Corey Wright, Coordinator of Multimedia and Web Services (716) 614-6897.”*

Service Animal Policy

Individuals are permitted to be accompanied by service animals on campus. They are not required to provide proof that the animal has been certified, trained, or licensed as a service animal. If the reason for the use of the animal is not readily apparent the individual will only be asked to provide:

- Verification that he or she has a disability; and
- Evidence of the dog's training and function, (i.e., what work or tasks the animal has been trained to perform).

Any question or concern that the individual is not entitled to have the animal on campus should be directed to Accessibility Services Program Administrator and not the individual. The Accessibility Services Program Administrator will conduct an individualized assessment to determine whether the presence of the animal on campus is appropriate.

A "service animal" may be excluded if:

- **The evidence reflects that the animal is not in fact a "service animal" trained to assist the individual;**
- **The animal is disruptive or out of control and the handler does not take steps to control it (The individual is solely responsible for the care or supervision of the animal.);**
- **The animal is not housebroken; and**
- **The animal poses a "direct threat" (actual behavior or history).**

Individuals with service animals are required to provide evidence that the animal has had recent vaccinations and meets statutory health requirements. The individual must ensure that the animal is properly groomed and must attend to the animals toileting needs.

Students with service animals are requested to advise Accessibility Services of the use of the service animals so that faculty can be advised that the service animal will be present in the class. A student has an absolute right to be accompanied by his or her service animal in all areas that students in the program are permitted to go, any decision that the animal is not permitted must be supported by clear evidence of a health and safety risk that cannot be removed or eliminated by any means other than denying the animal entrance. This determination must be made in consultation with the Accessibility Services Program Administrator. If the student is denied access to his or her service animal the denial will be limited to the circumstances that give rise to the health and safety risk and the student will be provided an alternative access.

Grievance/Complaint Procedures

These procedures are applicable to all student complaints alleging discrimination, harassment, and retaliation on the basis of disability.

Any student that believes that he/she is a victim of discrimination, harassment and/or retaliation may address his or her concerns by seeking informal resolution and/or filing an official complaint.

Informal Complaint Resolution

Individuals who feel they have been denied accommodations and/or have been discriminated against on the basis of disability may contact the Accessibility Services Program Administrator and the administrative head of the department where the discrimination occurred in an effort to resolve the complaint informally. The responsible official will attempt to resolve the matter within 30 days of receiving the complaint.

Formal Complaint Procedures

Step 1: An individual has the right to file a formal complaint to address any incident of alleged discrimination, harassment and/or retaliation. Complaints must be in writing. The complaint process is initiated by the individual submitting a signed Grievance/Complaint form (Appendix III) to the Director of Student Development. Forms may be obtained from the Student Development Office or downloaded from the Accessibility Services website. The form must be submitted no later than ten business days following the alleged incident. [At the discretion of the Director of Student Development, under certain circumstances, a complaint filed beyond the stated deadline may be investigated.]

Step 2: All complaints will be promptly and impartially investigated. The investigating official is the Director of Student Development or a designee. The complainant will be advised in writing when the investigation is initiated which will be no later than five business days following receipt of the completed complaint form.

Step 3: The investigation will include interviews with the complainant, the accused party and any named witnesses. Both the complainant and the accused will be permitted to submit any documentation they consider relevant. The investigation will be completed within ten business days following initiation. If the completion of the investigation will be delayed beyond the stated time period the complainant will be advised of the delay and the reason in writing.

Step 4: The complainant and other relevant parties will be advised of the outcome of the investigation in writing. If the conclusion is that discrimination occurred, the written disposition will also include information regarding the corrective and/or remedial action that will be taken to address the discrimination.

Step 5: If the complainant disagrees with the investigative findings or the recommended corrective/remedial action he or she may appeal the case to the Assistant Director of Human Resources for Compliance. Appeal requests must be submitted in writing within five days of receiving the written disposition of the investigation (Appendix IV). Anyone needing assistance in filling an appeal may contact either the Accessibility Services Office or the Human Resources Office.

Step 6: Appeals will be heard by the Assistant Director of Human Resources for Compliance or a designee. The appeal process will involve a review of the investigative findings and interviews with the complainant and the accused. Within ten days of receiving the appeal request, the final resolution of the complaint will be provided in writing to the complainant. If a delay is necessary the complainant will be advised of the extent of the delay and the reason in writing.

*All information related to the complaint and its investigation will be treated as confidential. Complaints will remain confidential to the extent allowed by law and to the extent that a complete investigation can be conducted. Retaliation against a person who files a complaint or the individuals who participate in the investigative proceedings is prohibited. Anyone who believes that he or she is the victim of retaliation should advise the Human Resources Director immediately.

Appendices

APPENDIX I-	Ahead Seven Essential Elements
APPENDIX II-	Test Reservation Form
APPENDIX III-	Accessibility Services Grievance Complaint Form
APPENDIX IV-	NCCC Student Grievance/Complaint Appeal Form
APPENDIX V-	Alternative Format Requests - Textbooks
APPENDIX VI-	Adaptive Technology Equipment Contract
APPENDIX VII-	College Staff Contact Information

APPENDIX I

AHEAD Seven Essential Elements of Quality Documentation

(As developed by AHEAD, the Association of Higher Education and Disability, www.ahead.org)

1. The credentials of the evaluator(s).

The best quality documentation is 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.

Quality documentation includes a clear diagnostic statement that describes how the condition was diagnosed, provides information on the functional impact, and details the typical progression or prognosis of the condition. While diagnostic codes from the Diagnostic Statistical Manual of the American Psychiatric Association (DSM) or the International Classification of Functioning, Disability and Health (ICF) of the World Health Organization are helpful in providing this information, a full clinical description will also convey the necessary information.

3. A description of the diagnostic methodology used.

Quality documentation includes 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. Methods may include formal instruments, medical examinations, structured interview protocols, performance observations and unstructured interviews. If results from informal, non-standardized or less common methods of evaluation are reported, an explanation of their role and significance in the diagnostic process will strengthen their value in providing useful information.

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. A combination of the results of formal evaluation procedures, clinical narrative, and the individual's self-report is the most comprehensive approach to fully documenting impact. The best quality documentation is 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). While relatively recent documentation is recommended in most circumstances, common sense and discretion in accepting older documentation of conditions that are permanent or non-varying is recommended. Likewise, changing conditions and/or changes in how the condition impacts the individual brought on by growth and development may warrant more frequent updates in order to

provide an accurate picture. It is important to remember that documentation is not time-bound; the need for recent documentation depends on the facts and circumstances of the individual's condition. Generally, current testing and documentation is less than three years old. Students requesting accommodations with documentation older than three years may be asked to submit more current documentation depending on the nature of the disabling condition.

5. A description of the expected progression or stability of the disability.

It is helpful when documentation provides information on expected changes in the functional impact of the disability over time and context. 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 (including the individual's own strategies) for exacerbations and recommended timelines for re-evaluation are most helpful.

6. A description of current and past accommodations, services, and/or medications.

The most comprehensive documentation will include a description of both current and past medications, auxiliary aids, assistive devices, support services, and accommodations, including their effectiveness in ameliorating functional impacts of the disability. A discussion of any significant side effects from current medications or services that may impact physical, perceptual, behavioral or cognitive performance is helpful when included in the report. While accommodations provided in another setting are not binding on the current institution, they may provide insight in making current decisions.

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

Recommendations from professionals with a history of working with the individual provide valuable information for review and the planning process. It is most helpful when recommended accommodations and strategies are logically related to functional limitations; if connections are not obvious, a clear explanation of their relationship can be useful in decision-making. While the post-secondary institution has no obligation to provide or adopt recommendations made by outside entities, those that are congruent with the programs, services, and benefits offered by the college or program may be appropriate. When recommendations go beyond equitable and inclusive services and benefits, they may still be useful in suggesting alternative accommodations and/or services.

Guidelines adapted from AHEAD, Association on Higher Education and Disability (www.AHEAD.org), *Seven Essential Elements of Quality Disability Documentation*.



Test Reservation Form

STUDENT SECTION

Name: _____ Phone #: _____

Today's Date: _____ Student ID: @ _____

Please check which accommodation(s) you need: (check all that apply)

<input type="checkbox"/> Extended time (time and a half)	<input type="checkbox"/> Braille
<input type="checkbox"/> Extended time (double time)	<input type="checkbox"/> Optelec (CCTV magnification machine)
<input type="checkbox"/> Separate Location	<input type="checkbox"/> Calculator (basic/scientific/graphing)
<input type="checkbox"/> Test Reader (Read & Write Gold Software)	<input type="checkbox"/> Scribe
<input type="checkbox"/> Spellchecker	<input type="checkbox"/> Enlarged print
<input type="checkbox"/> Computer for typing	<input type="checkbox"/> Other: _____

(please explain)

INSTRUCTOR SECTION

Date of Test: _____ Time of Test: _____
(as approved by instructor) (as approved by instructor)

Instructor's Name: _____ In-Class Time Allotted for Test: _____ min

Instructor's Signature: _____ Course Title: _____

ITEMS ALLOWED FOR TEST...	Book Allowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Notes Allowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Calculator Allowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No (Basic / Scientific / Graphing)
	Formula Sheet Allowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	***Provided by?	<input type="checkbox"/> Student <input type="checkbox"/> Instructor
	Scrap Paper Allowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Dictionary Allowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Computer Use Allowed?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

TEST DROP OFF ARRANGEMENTS (must choose one)

E-mail the test to testingcenter@niagaracc.suny.edu (**preferred**)

Instructor will deliver the test to A-167 (Testing Center)

TEST PICK UP ARRANGEMENTS (must choose one)

Instructor will pick up the test from A-167 (Testing Center) (**preferred**)

Scan and e-mail the completed test back to the professor

FOR OFFICE USE ONLY

Date Reservation Form Completed: _____/_____/_____	Staff Initials _____	Instructor/Division Signature <div style="border: 1px solid black; width: 150px; height: 30px; margin-top: 5px;"></div>
Date Test/Exam Received: _____/_____/_____	Staff Initials _____	
Date Test Picked Up/Scanned to Instructor: _____/_____/_____	Staff Initials _____	

Standard Class Time: _____

Extended Time: _____

Date exam taken _____ Start Time _____ Staff Initials _____
 End Time _____

*Student's signature** _____

Actual finish time _____ Staff Initials _____

*By signing here I confirm the start and the end times of the exam.

TEST ISSUES

Bathroom Break:
 Time Left: _____ Time Returned: _____

Test Irregularities(i.e. questions numbered oddly): (Please Explain)

Academic Misconduct: (Please Explain and Attach Any Pertinent Documentation)

TEST ACCOMMODATION PROCEDURES

Step 1: Student is responsible for contacting the instructor **one week prior** to a scheduled test to discuss testing accommodations and how the instructor would specifically like the test handled. At this time the *blue* Test Reservation Form (*this form*) should be completed by both the professor and the student.

Step 2: The student will inform the Testing Center (A-167) **at least 3 business days** prior to the test date by handing in the completed blue Test Reservation Form.

Step 3: The professor will e-mail or drop off the test **at least 3 business days** prior to the test date. (Please do not send tests via interoffice mail)

Step 4: Student will arrive promptly to take test at the designated testing are at the time prearranged with the instructor. Students may only test at the prearranged time; tardiness will not be tolerated.

****Remember... it is your responsibility as a student to contact your instructors before the test to make these arrangements and to schedule a test time that allows you adequate time for your granted accommodation(s).***

APPENDIX III



Niagara County Community College Accessibility Services Grievance/Complaint Form

These procedures are applicable to all complaints alleging discrimination, harassment, and retaliation on the basis of disability.

Complainant's Name: _____

Contact Information

E-mail address: _____

Telephone number: _____

Mailing Address: _____

Complaint Information

A description of the discriminatory act or behavior including the date (s) it occurred:

Name(s) and/or title(s) of the person or persons against whom the complaint or grievance is filed:

Name(s) and contact information of any witnesses:

Please provide all the information and facts that you believe is relevant to your complaint. You may attach additional sheets. Please attach any relevant documentation.

Please list the actions or steps that you feel would resolve this matter to your satisfaction and the reasons you feel they are necessary?

Signature: _____

**Date: _____

Anyone needing assistance in filling out the complaint form may contact either the Accessibility Services Office or the Human Resources Office.

**Only complaint forms received within ten business days of the alleged discrimination will be accepted for investigation.

Submit the form to:

Director of Student Development
A-131

Received by: _____

Date: _____

APPENDIX IV



Niagara County Community College Student Grievance/Complaint Appeal Form

These procedures are applicable to all appeals from decisions responding to allegations of discrimination, harassment, and retaliation on the basis of disability.

Complainant's Name: _____

Contact Information

E-mail address: _____

Telephone number: _____

Mailing Address: _____

Complaint Information

Did you file a formal complaint?

Yes _____ No _____

Please provide a brief summary of the original complaint. You may attach a copy of the original complaint form or any other relevant documentation.

Has a decision been rendered?

Yes _____ No _____

Date Received _____

Please provide a brief summary of the decision. You may attach a copy of the original written decision or any other relevant documentation. If no decision has been rendered please explain why.

Please state the reasons for the appeal:

Signature: _____

**Date: _____

Anyone needing assistance in filling out the appeals form may contact either Human Resources or the Accessibility Services Office.

**Only appeal forms received within five (5) business days of the appellant receiving the decision of the investigation will be accepted.

Submit the form to:

The ADA Coordinator / Assistant Director of HR for Compliance
A-264

Received by: _____

Date: _____



Alternative Format Request - Textbooks

Name

Student ID @

Contact Phone Number

E-mail Address

- I agree that I am enrolled in the below semester and course for which I am requesting the alternative format instructional materials.
- I have provided the Accessibility Services Program Administrator with appropriate documentation of my disability. I understand that this documentation will be kept on file at the college.
- I understand that I must provide proof of purchasing the textbook to Accessibility Services.
- I agree that the alternate format materials I receive will be used solely for my own educational purposes, and I will not copy or reproduce the alternatively formatted materials in any form nor allow anyone else to do so, pursuant to the Copyright Revision Act of 1976 as amended (17 USC §101 et seq.).
- I will not share the alternatively formatted materials with any other party.
- I agree to make all requests for alternate formatted materials in a timely fashion due to the time required to process my request and obtain requested materials. Accessibility Services will make every attempt to honor late requests; however, materials may not be available for the start of the semester.
- I agree to return materials to Accessibility Services by the last day of final exams in the semester the materials were requested.
- Before receipt of materials, this agreement must be signed by the student and kept on file for each book the student is requesting in an alternate format.

I have read and understand the policies and procedures outlined above and agree to comply with them.

Signature of Student

Date

**Please type or print legibly; forms which cannot be read will not be processed.

Course Name (ENG 101) _____

Semester: Fall/Spring/Summer 20_____

Professor Name _____

Receipt (purchase/rental) Attached: _____ yes/no

Title/Edition		
Author/Publisher		
ISBN #		
Format Requested	DOC/ PDF / XML	Other: _____
<i>For AS Office Use Only</i>		
Date Obtained by AS		
Date Completed/Picked-up	AS _____	Student initial & date _____

Course Name (ENG 101) _____ Semester: Fall/Spring/Summer 20 _____
Professor Name _____ Receipt (purchase/rental) Attached: yes/no

Title/Edition	
Author/Publisher	
ISBN #	
Format Requested	DOC/ PDF / XML Other: _____
<i>For AS Office Use Only</i>	
Date Obtained by AS	
Date Completed/Picked-up	AS _____ Student initial & date _____

Course Name (ENG 101) _____ Semester: Fall/Spring/Summer 20 _____
Professor Name _____ Receipt (purchase/rental) Attached: yes/no

Title/Edition	
Author/Publisher	
ISBN #	
Format Requested	DOC/ PDF / XML Other: _____
<i>For AS Office Use Only</i>	
Date Obtained by AS	
Date Completed/Picked-up	AS _____ Student initial & date _____

Course Name (ENG 101) _____ Semester: Fall/Spring/Summer 20 _____
Professor Name _____ Receipt (purchase/rental) Attached: yes/no

Title/Edition	
Author/Publisher	
ISBN #	
Format Requested	DOC/ PDF / XML Other: _____
<i>For AS Office Use Only</i>	
Date Obtained by AS	
Date Completed/Picked-up	AS _____ Student initial & date _____

Course Name (ENG 101) _____ Semester: Fall/Spring/Summer 20 _____
Professor Name _____ Receipt (purchase/rental) Attached: yes/no

Title/Edition	
Author/Publisher	
ISBN #	
Format Requested	DOC/ PDF / XML Other: _____
<i>For AS Office Use Only</i>	
Date Obtained by AS	
Date Completed/Picked-up	AS _____ Student initial & date _____



Adaptive Technology Equipment Contract

Loan Agreement:

Student Name _____ Date _____

Student Phone _____ Student ID @ _____

Accessibility Services Staff Member _____

Campus Location Sanborn Campus NFCI

Equipment _____ Bar Code # _____

Current Retail Value \$ _____

Condition:

I have received the above listed equipment on loan from NCCC Accessibility Services. I understand the purpose of this loan is to assist me in attaining my stated accommodations. I agree to the following conditions:

1. I will participate in a training session in order to be able to appropriately use the equipment.
2. I will not allow other students to use the device without the permission of an Accessibility Services staff member.
3. I will notify the Adaptive Technology Specialist (Caitlin Fulle) when I have a problem with the device (if the device is not working properly).
4. I will ask the Adaptive Technology Specialist (Caitlin Fulle) or Accessibility Services staff member when I have a question about the device (e.g., how a specific feature of device works).
5. I will try to remember to bring the device to the appropriate classes as discussed with the Accessibility Services Program Administrator, Alissa Shugats-Cummings.

Student's Name _____ Date: _____

Signature _____

APPENDIX VII

College Staff Contact Information

Student Services Vice President

Ms. Julia Pitman

jpitman@niagaracc.suny.edu · A-265 · (716) 614-6240

Director of Student Development

Ms. Allison Armusewicz

aarmusewicz@niagaracc.suny.edu · A-131 · (716) 614-6238

Accessibility Services Program Administrator

Ms. Alissa Shugats-Cummings

acummings@niagaracc.suny.edu · A-131 · (716) 614-6293

Accessibility Services Adaptive Technology Specialist

Ms. Caitlin Fulle

cfulle@niagaracc.suny.edu · A-131 · (716) 614-6229

Human Resources Assistant Director of Compliance/ADA Coordinator

Mr. Daniel Kaufmann

dkaufmann@niagaracc.suny.edu · A-263 · (716) 614-6295

(Last Page)

Accessibility Services
Niagara County Community College