

South Puget Sound Community College
Procedures and Appeals Process for
Accommodating Students with Disabilities and
Disability Discrimination Complaints

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Part I. Purpose and Scope

A. Introduction

South Puget Sound Community College has an institutional commitment to provide equal educational opportunities for qualified students with disabilities in accordance with state and federal laws and regulations, including the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Washington Law Against Discrimination, the Students with Disabilities – Core Services law, and the Students with Disabilities – Accommodations law.

The purpose of this document is to outline the College’s procedures for accommodating students with disabilities, the process for appealing the denial of academic adjustments, auxiliary aids and services, and program modifications¹ and the procedures for lodging disability discrimination complaints. It also identifies the rights and responsibilities of qualified students with documented disabilities seeking accommodations.

Part II. Procedures for Accommodating Students with Disabilities

A. Overview

Academic adjustments, auxiliary aids and services, and program modifications will be provided to afford equal access for qualified students with documented disabilities in compliance with state and federal laws. For each student, these accommodations will address those functional limitations of the disability which adversely affect equal educational opportunity. South Puget Sound Community College has established the Disability Support Services (DSS) office, within Student Support Services, to assist qualified students with disabilities in securing appropriate academic adjustments, auxiliary aids and services, and modifications.

To receive academic adjustments, auxiliary aids and services, and modifications, students are responsible for (i) providing appropriate documentation regarding the nature and extent of their current disability, or the nature and extent of their functional limitations supporting their need for requested adjustments, aids/services, or modifications based on disability, and (ii) requesting academic adjustments, auxiliary aids and services, and/or modifications in a timely manner.

The College will make those modifications to its programs and services that (1) are necessary in the College’s determination to mitigate disability or the effect of discrimination against a qualified student with a disability; (2) do not impose an undue burden on the College as determined by the College; or (3) do not require a fundamental alteration of essential course, program or academic requirements as determined by the College.

¹ “Academic adjustments, auxiliary aids and services, and program modifications” for purposes of this procedure may also be referred to as “accommodations”.

B. Definitions

1. “**Academic adjustments, auxiliary aids and services**” may include but are not limited to note-takers, readers, alternative text formats, interpreters, alternative testing, and tape recording. Devices or services of a personal nature such as personal attendants, individually prescribed devices, or readers for personal use or study are not provided.
2. “**Core Services**” are those services listed in the Core Services Act of 1994, RCW 28B.10.910-912 that may be reasonably necessary for qualified students with disabilities. Some of those services include, but are not limited to, early registration, scribes, facilitation of physical access, access to adaptive equipment, early release of syllabi, tutoring, academic advising available on campus, notice of the College’s disability nondiscrimination policy and the process for redress of disability discrimination.
3. “**Disabled**” means having a physical or mental impairment which substantially limits one or more of a person's major life activities.
4. “**Functional limitation**” means the functions or acts a person cannot do, resulting from a physical or mental impairment which substantially limits a major life activity.
5. “**Fundamental alteration**” means a significant modification that alters the essential nature of the services, programs, activities, facilities, privileges, advantages or courses offered.
6. “**Major life activities**” means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
7. “**Modifications**” means modifications or changes to the course, program or educational requirements as are necessary and appropriate, so that such requirements do not discriminate or have the effect of discriminating on the basis of disability. Academic requirements that are essential to the course, or to the program of instruction being pursued by the student, or which relate directly to licensing requirements will not be regarded as discriminatory within the meaning of this section. Potential modifications that may be considered include, but are not limited to, changes in the length of time permitted for completion of a degree, substitutions of specific courses required for the completion of degree requirements, extended time on an examination or paper, and other appropriate accommodations which do not unduly burden or fundamentally alter the essential nature of a course or instructional program.
8. “**Qualified student with documented disability**” means a disabled person who meets the standards required for admission and participation in the educational program or activity.
9. “**Service animal**” means any animal individually trained to do work or perform tasks for the benefit of an individual with a documented disability, including but not limited to, guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

10. “**Undue burden**” means a significant difficulty, financial or administrative burden or expense.

C. Rights and Responsibilities of the College and Students

The College will:

- receive and review appropriate documentation supporting requested academic adjustments, auxiliary aids and services, or modifications, and notify the student² of any additional documentation needed by the College to respond to requests.
- accommodate reasonable and appropriate requests for academic adjustments, auxiliary aids and services, or modifications in compliance with law.
- deny requested academic adjustments, auxiliary aids and services, or modifications if documentation is inadequate or demonstrates the request is not warranted, or if the requested accommodations pose an undue hardship or burden on the College, or results in a fundamental alteration to College programs or services, or if granting the request would result in a disruption of the learning environment or compromises the health or safety of the student or others.
- prohibit discrimination against persons with disabilities, post notice of nondiscrimination, and have an appeal procedure, as provided herein.
- maintain appropriate confidentiality.

The Student will:

- provide appropriate documentation to verify the presence of a disability and allow ample time for the College to process the disability-related information.
- self-disclose his or her disability or functional limitations to, and work collaboratively with the appropriate person(s) at the Disability Support Services (DSS) office to request and receive academic adjustments, auxiliary aids and services, and modifications.
- provide a signed Release of Information form (addendum A) to the DSS office to allow for communication and exchange of information between staff and others on a “need to know” basis.
- follow published procedures and College regulations regarding requested academic adjustments, auxiliary aids and services, or modifications.
- have the opportunity to lodge complaints based on disability discrimination with the College, and have due process to appeal denial of requests for academic adjustments, auxiliary aids and services, and modifications.

² In and throughout this document, “student” means qualified student with documented disability.

- adhere to the College's Student Code of Rights and Responsibilities. Additional information related to Student Rights and Responsibilities is available at http://www.spscc.ctc.edu/student_services/code_of_rights_responsibilities.html or at the Olympia campus at the Office of Student Life, Building 27, upstairs, lobby desk; or at the Hawks Prairie campus at the lobby area, front desk at Hawks Prairie Center.
- notify faculty and/or DSS immediately when an academic adjustment, auxiliary aid or service, or modification is not being provided.
- act as his or her own advocate.

D. Service Animals on Campus

South Puget Sound Community College seeks to accommodate students with disabilities who need the assistance of service animals. The College is simultaneously mindful of health and safety interests of its community.

The care and supervision of a service animal is the responsibility of the individual who uses the animal's service. Service animals must be on a leash and under control at all times. Each service animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies, distemper and parvovirus and must wear a rabies vaccination tag and license.

The College has a no pets on campus policy. College personnel are entitled to ask the individual using the service animal what task or function the service animal is trained to do.

College community members are expected to abide by the following practices:

- Allow a service animal to accompany the handler at all times and everywhere on campus, except where animals are specifically prohibited due to safety or health restrictions, or where the animal may be in danger, or the integrity of research may be compromised.
- Not touch or feed a service animal unless invited to do so.
- Not deliberately startle a service animal.
- Not separate or attempt to separate a service animal from its handler.

Removal of service animal from grounds/facilities

A service animal may be removed from College grounds or facilities if its behavior is disruptive (e.g., barking, running around, and displaying aggressive behavior). If such behavior persists, the handler may be directed to not bring the animal to campus until the problem is remedied. Sick and/or unclean service animals are not permitted. The handler for any such an animal may be required to remove it.

Geographical limitations

The College may prohibit the use of service animals in certain locations due to health or safety restrictions, where service animals may be in danger, or where their use may compromise the integrity of research. Such restricted locations may include, but are not limited to, the following areas: research laboratories, wood shops and metal/machine shops, classrooms with demonstration/research animals, kitchen and food preparation areas, medical and dental areas, mechanical rooms, and custodial closets. Exceptions to restricted areas may be granted on a case-by-case basis by contacting the DSS office and the appropriate department and/or laboratory representative.

E. Requesting Accommodations

The general process for requesting accommodations is:

1. the student contacts DSS staff to discuss the accommodations process, which may include requesting academic adjustments, auxiliary aids and services, or modifications, filling out necessary forms, and providing documentation of a disability or functional limitations as necessary.
2. DSS staff or the Dean of Student Support Services determines whether the requested academic adjustments, auxiliary aids and services, or modifications are supported by the student's need and documentation.
3. DSS staff collaborates with the student about appropriate and reasonable academic adjustment, auxiliary aid and services, or modifications.
4. DSS notifies and consults as necessary with faculty regarding the academic adjustments, auxiliary aids and services, or modifications. Faculty acknowledges the receipt of the request for accommodations. An academic adjustment, auxiliary aid or service, or modification is unreasonable if it requires a change in the essential nature of, or fundamentally alters a course or instructional program; or creates an undue burden or hardship in implementation; or compromises the health or safety of the student or others.
5. the student may initiate discussion with faculty related to specific support or arrangements needed to access academic adjustments, auxiliary aids and services, or modifications.
6. faculty and/or student makes adjustments and implements the academic adjustment or auxiliary aids or program modifications.

Part III. Process for Appealing

A. Appealing the Denial of Accommodations

A student may appeal the DSS office decision to provide, refuse to provide, or otherwise deny requested academic adjustments, auxiliary aids and services, or modifications.

1. The student should first contact the DSS Coordinator to try to resolve the situation.

2. If after consulting with the DSS Coordinator a student believes that DSS has not identified or provided, or has improperly identified or provided reasonable necessary documented academic adjustments, auxiliary aids and services, or modifications, the student may within thirty (30) working days file a written appeal with the Dean of Student Support Services.
3. The appeal should contain:
 - factual statements concerning the nature of the student’s disability or functional limitations with documentation supporting the student’s position.
 - what specific requested academic adjustments, auxiliary aids and services, or modifications were denied, and why, if the student knows.
 - a statement that addresses why the student’s request should be granted.
 - a copy of any written decision by the DSS Coordinator, along with any other supporting documentation the student thinks is important.
4. The Dean of Student Support Services will review the appeal and attempt to resolve the situation. The Dean of Student Support Services will respond in writing to the student filing the appeal with a copy to the DSS Coordinator within ten (10) working days of receipt of the appeal, or extended as mutually agreed upon by both the Dean and the student appealing.
5. If after receiving the Dean’s response a student disagrees with the decision, the student may within ten (10) working days of the Dean’s decision appeal in writing to the Vice President for Student Services. The student should include any written decisions by the DSS Coordinator and the Dean for Student Support Services, along with any other supporting documentation the student thinks is important. The decision of the Vice President for Student Services is final.

Part IV. Disabilities Discrimination Complaints

A. Procedures for Lodging Disability Discrimination Complaints

Students may lodge disability discrimination complaints under Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; the Washington Law Against Discrimination; the Students with Disabilities - Core Services act of 1994 and the Students with Disabilities – Accommodations act.

1. If at any time a student feels they have been discriminated against because of disability, the individual is encouraged to notify the DSS Coordinator, with a copy to the Dean of Student Support Services and Vice President for Student Services, through filing a written complaint within ninety (90) working days of the incident or condition comprising disability discrimination with the DSS office located in Building 25, ground floor. The DSS telephone number is: 360-596-5455.

2. The DSS Coordinator will respond to the student within ten (10) working days of receipt of the notice of the complaint, or extended as mutually agreed upon by both the DSS Coordinator and the student complaining, with a copy to the Dean of Student Support Services and the Vice President of Student Services.
3. If the complaint is not resolved to the student's satisfaction, the student may within ten (10) working days of receipt of the written response from the DSS Coordinator, file a written appeal to the ADA Compliance Officer, who is the Vice President for Human Resources. The student should attach a copy of the DSS Coordinator's decision with their appeal. The appeal should state (i) the student's assertion of the facts underlying the complaint, (ii) what parts of the decision he or she disputes, and (iii) why the student disagrees with the decision.
4. The ADA Compliance Officer will review the appeal and respond in writing to the student filing the appeal within ten (10) working days of receipt of the appeal or extended as mutually agreed upon by both the ADA Compliance Officer and the student appealing. The ADA Compliance Officer will provide copies of his or her decision to the Dean of Student Support Services, the DSS Coordinator, and the Vice President of Student Services. The decision of the ADA Compliance Officer is final. The ADA Compliance Officer is located in Building 25, second floor, Human Resources area. The ADA Compliance Officer telephone number is: 360-596-5360.

B. College Contact Information

1. Website:
<http://www.spscc.ctc.edu/student-life/student-services/student-support/disability-support-services.html>
2. Address: South Puget Sound Community College
Disability Support Services
2011 Mottman Road SW
Olympia, Washington 98512-6292
TTY: (360) 596-5439
FAX: (360) 596-5725
3. Questions or Comments:
Disability Support Services Coordinator
South Puget Sound Community College – Building 25
2011 Mottman Road SW
Olympia, Washington 98512-6292
Direct Line: (360) 596-5455
TTY: (360) 596-5439
FAX: (360) 596-5725
4. ADA Compliance Officer, Vice President for Human Resources
South Puget Sound Community College—Building 25
2011 Mottman Road SW Olympia, WA 98512
Telephone: (360) 596-5360

C. Separate Contact with Federal and State Agencies

A student may also contact federal and state agencies regarding disability discrimination complaints. A student may pursue the filing of a complaint with the responsible state or federal agencies, either while going through College processes and appeals, or without going through College processes and appeals, and instead going directly to those agencies. Those agencies are:

Washington State Human Rights Commission
Melbourne Tower, #921
1511 Third Avenue
Seattle, Washington 98101-1626
Telephone: 206-464-6500

U.S. Department of Education
Office for Civil Rights
915 Second Avenue, Room 3310
Seattle, Washington 98174
Telephone: 206-220-7900

Department of Justice
Civil Rights Division
1424 New York Avenue, Room 5041
Washington, D.C. 20005
Telephone: 202-307-0818 (TTY) or Telephone: 800-514-0383 (voice)