

Essex County College College Regulation

REG 5-22 DISABILITY SUPPORT SERVICES FOR STUDENTS

Purpose:

To ensure equal opportunity and access to all students in accordance with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973 *et. seq.* and all other applicable state and federal laws, hereinafter defined as "Disability Support Services."

Application:

1. Disability Support Services shall be offered through the Office of Student Development and Counseling ("OSDC"). The OSDC shall be primarily responsible for implementing the mandates of the Americans with Disabilities Act ("ADA") and Section 504 of the Rehabilitation Act ("Section 504") and other related federal and state statutes and regulations.
 - (a) The Coordinator of Disability Support Services ("the Coordinator") shall follow state and federal laws and regulations to carry out its duties and responsibilities to provide Disability Support Services to qualified students with disabilities and provide ongoing training to its staff, remain informed of current statutes and regulations as well as best practices.
 - (b) The Coordinator shall make every effort to ensure that all interested parties in the College are informed about the College's Disability Support Services and that its procedures and programs follow Board Policy, College Regulations, and all applicable laws.
 - (c) The Coordinator shall hold formal Disability training sessions on disability services as well as ADA and Section 504 compliance with all College departments that work with students. These training sessions will emphasize Essex County College's commitment to non-discrimination on the basis of disability and will provide training on the legal requirements of reasonable accommodations to students with disabilities.
2. The Coordinator shall follow state and federal laws and regulations to reasonably accommodate students with disabilities, qualified to receive services under the ADA, Section 504 of the Rehabilitation Act of 1973, and all other applicable state and federal laws.
 - (a) Students are responsible for self-identifying and shall request reasonable accommodations from the College and shall make their requests to the Coordinator.
 - (b) Students who self-identify their disability and wish to seek a reasonable accommodation from the College shall provide appropriate medical documentation that is **no more than two years old** from the date of the request for accommodation. Such documentation shall confirm their disability, indicate how their disability impacts their learning and further support their need for a reasonable accommodation from a **qualified medical provider**.
 - (c) The Coordinator shall document the interactive process for determining the reasonable accommodations that can be offered, including when and how a request for accommodations

are made and the possible accommodations to be considered.

- i. After a thorough assessment of the supporting documentation and once a decision is made whether to grant or deny the accommodation, the documentation is provided to the student. The student is immediately responsible to present the accommodation to the respective faculty in each of their courses. The faculty members and students are expected to execute the reasonable accommodations as detailed.
- (d) Medical information provided in connection with requests for reasonable accommodation, including information about a Student's disability, will be treated as confidential and protected under Health Insurance Portability and Accountability Act ("HIPAA") and the ADA.
- (e) Under this Regulation, Students are responsible for furnishing a HIPAA release form authorizing the College to interact with the Student's health care provider in order to determine reasonable accommodations.

3. **Student Disability Grievance Process:**

- i. **Informal Complaint Process:** Students are encouraged to first resolve any complaints related to their request for reasonable accommodations with the Coordinator. If the complaint is not remedied by the Coordinator, it will then be reviewed by the Director of Student Development and Counseling ("Director"). If a resolution cannot be achieved, the student may appeal to the College's Section 504 Coordinator.
 - ii. **Formal Appeals Process:** The Section 504 Coordinator will conduct a prompt, thorough and impartial investigation. If it is determined by the Section 504 Coordinator that a violation has occurred, the Section 504 Coordinator shall prepare a written report of the findings and recommendations. The report shall be sent to the appropriate Area Heads (Dean of Students Affairs and/or Vice President of Academic Affairs), for implementation of any appropriate remedies, as deemed necessary. The decision made by the Dean of Student Affairs and/or Vice President of Academic Affairs will make the final determination of the remedies to be implemented and share that determination with the Director and the Student, including the outcome of the appeal in a letter to the student.
4. All information regarding a student with a disability shall be kept confidential in accordance with the Family Educational Rights and Privacy Act (FERPA) and will only be disclosed upon the consent of the student, unless required under the law.
- i. Specifically, faculty must maintain strict confidentiality of Student disability information, including diagnoses and accommodations.

Responsible Official(s):
Office of Student Development &
Counseling

Reference: *American with Disabilities Act of 1990, 42 U.S.C. 126 Section 12101 et seq.; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794*

Regulation History: App. 11/95, Rev. 10/01, 12/10, 3/17, 9/22, 9/24, 04/25	Attachment(s):
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