

**POLICY TITLE: AMERICANS WITH DISABILITY ACT, REASONABLE
ACCOMMODATIONS AND SECTION 504 OF THE REHABILITATION ACT**

I. Purpose

Lansing Community College is committed to providing and maintaining a barrier-free environment so that individuals with disabilities can fully access employment, programs, services, and all activities of the college.

The college prohibits retaliation or reprisals against any individual because she/he has filed a complaint or report, participated in an investigation, or otherwise opposed unlawful discrimination.

II. Scope

This policy applies to all persons seeking reasonable accommodations from the college.

III. General

A. Students who are seeking classroom and academic accommodations should be directed to the Office of Disability Support Services (ODSS) Staff. The ODSS staff also serves as a resource for answering questions that LCC faculty and staff have when working with students with disabilities. ODSS is located in the Counseling Services Department, 2300 GVT and can be contacted by calling (517) 483-1904.

Students alleging discrimination based on a disability and/or failure to accommodate a disability should be directed to the Office of Equal Opportunity and Diversity Programs.

B. Faculty and staff at Lansing Community College shall follow these three steps to request an accommodation:

1. The faculty and staff must self-identify himself/herself to the ODSS as a person with a disability
2. The faculty and staff should make a written request to the ODSS for an accommodation, and

3. The faculty and staff must provide appropriate documentation of his or her disability and the need for an accommodation if so requested by the College.

Nothing in this document shall be construed to waive the College's right to contest whether an employee or applicant is disabled or is entitled to an accommodation.

Employees may self-identify as a person with a disability. Self-identification as a person with a disability alone is not sufficient to obtain an accommodation. Rather, the appropriate procedures must be followed to request and, if appropriate, obtain an accommodation.

C. Requests for Accommodation

A person with a disability may or may not need an accommodation. If a faculty or staff member believes that he/she needs an accommodation, he/she may request an accommodation by completing a Faculty/ Staff Request for Accommodation form (Attachment A) and an Employee Medical/Documentation form (Attachment B.) (Documents A and B may be obtained in the Office of Human Resources or the ODSS)

D. Medical Documentation

At any time during the accommodation request process, the College may ask the faculty or staff member for documentation (or additional documentation) of the disability and/or of the need for an accommodation. The faculty or staff will be required to provide that documentation.

E. Confidentiality

Medical documentation, as well as Faculty/Staff Request for Accommodation forms, will be maintained in a separate, confidential file apart from the main personnel file(s.) Such documentation will be kept confidential, except as necessary to administer the accommodation process. Accordingly, such documentation will be shared only with those individuals involved in the accommodation process, on an as needed basis, except as otherwise authorized by law.

F. Supervisor

When a faculty or staff member approaches his/her supervisor with a request for accommodation, the supervisor should discuss the need for accommodation with the employee. In addition to discussing the specific accommodation requested by the employee, the supervisor should discuss other possible accommodations and assess the effectiveness each would have in allowing the employee to perform the essential functions of the position.

The faculty or staff and the supervisor should discuss the following issues:

1. The essential job functions;
2. The faculty or staff's ability to accomplish essential job functions with or without a reasonable accommodation;
3. If an accommodation is needed, possible types of reasonable accommodation

The supervisor should not request information regarding:

1. How the employee became a person with a disability
2. Disabilities for which the employee is not seeking accommodation
3. Information, which is unrelated to whether, the person has a disability or what accommodation is needed

The supervisor should make sure the employee has completed the appropriate request and accommodation forms. These forms should be forwarded to ODSS. What constitutes a reasonable accommodation will vary depending on the circumstances of each case. In evaluating alternatives for accommodation, the preferences of the employee will be considered, but the ultimate decision regarding what type of accommodation, if any, will be provided is made by the College.

G. Office of Disability Support Services

The Office of Disability Support Services (ODSS) maintains records of accommodations made for persons with a disability. The staff are available for consultations with faculty, staff or supervisors who are making assessments of accommodation requests. In cases where a requested accommodation involves action or expenses beyond the supervisor's authority or in cases in which the faculty, staff and supervisor cannot agree on an accommodation, the College may do the following:

1. Identify additional alternatives;
2. Gather necessary medical documentation;
3. Where appropriate, gather cost or other technical impact information from resources including:
 1. The department and/or employee
 2. Physical Plant Office
 3. The Human Resources Office
 4. The EEOC, Department of Justice
 5. Rehabilitation agencies
4. Evaluate whether any accommodation is needed and, if it is, whether an accommodation is reasonable and should be made (this evaluation may include preparing cost estimates);
5. Recommend a reasonable accommodation, if appropriate;
6. Discuss the recommendation with the department/unit;
7. Obtain appropriate funding for the accepted accommodation, if needed; and/or
8. Follow up on approved requests.

H. Appeals

If an employee disagrees with the department's accommodation determination, the employee may appeal the determination to the Office Equal Opportunity and Diversity Programs.

I. Retaliation

Retaliation against an employee or applicant who requests an accommodation is prohibited. Individuals who feel that they have been retaliated against may contact the Office of Equal Opportunity and Diversity Programs.

IV. Responsibility

The Office of Human Resources works with the Department to facilitate placement of employees with work restrictions and/or in rehabilitation situations. Such placements may exceed the College's legal duties under the ADA, the MPDCRA and/or the Rehabilitation Act. The nature of the relevant work restrictions may be shared with employing departments so that appropriate discussions about placement can take place. The College does not guarantee such placements nor does it waive its right to limit its responsibility to accommodate a person with a disability to the duties imposed by the applicable state and federal statutes.

The College's Director of Student Success serves as the ADA Coordinator. The Vice President of Academic Affairs is responsible for preparing procedures to implement this policy.