



## Policy and Procedure

<b>Policy Name:</b>	Accommodations for Students with Disabilities
<b>Responsible Office:</b>	Administration
<b>Approved By:</b>	C. Wynd
<b>Issued:</b>	8/10/2015
<b>Revisions:</b>	7/1/2016
<b>Current Version Posted:</b>	7/5/2016

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### I. Background

The Mount Carmel College of Nursing is respectful of students' rights and responsibilities in accordance with the Americans with Disabilities Act of 1990 (ADA) as amended by the ADA Amendment Act of 2008 and Section 504 of the Rehabilitation Act of 1973. These laws require that no qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal assistance. In addition, the Fair Housing Act requires reasonable, housing-related accommodations for individuals with disabilities.

The Mount Carmel College of Nursing is committed to serving qualified students with disabilities in its programs and services. Any qualified student with a disability may request an accommodation to ensure that the academic program does not discriminate against or have the effect of discriminating against that student.

Since the nature and severity of disabilities vary, non-academic adjustments may be applicable only when they are appropriate to the needs of the individual student with a disability. To determine eligibility for accommodations, the College generally requires current and relevant documentation from a qualified professional with expertise in the area of the diagnosed disability/disorder that establishes a disability and its impact on the student and confirms the need for each accommodation requested.

### II. Scope of this Policy

This policy applies to both academic and non-academic accommodations, including but not limited to, requests for accommodations in the student residence halls, with required community service activities, coursework, or in College technologies and services.

### III. Definition of Accommodation and Disability



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### ***Accommodations***

Accommodations (also sometimes called *adjustments*) are modifications of policies, practices, or procedures that will allow the student with a disability/disorder to meet the requirements of the course or program. Examples of available accommodations may include, but are not necessarily limited to, auxiliary aids and modifications to courses, programs, services, activities, or facilities.

The College will take all steps necessary to ensure that its students are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity because of a lack of auxiliary aids and services for students with impaired sensory, manual, or speaking skills. The College, however, cannot honor requests for accommodations that would fundamentally alter its programs or services, are directly related to any licensing requirements, cause undue administrative or financial hardship on the College, or jeopardize the health or safety of others.

It is the responsibility of the student to make his or her disability status and/or need for an accommodation known to the College, following the process outlined below. Once notified, the College will work with the student to identify potential accommodations and assess the practicality and effectiveness of each potential accommodation.

Determinations regarding accommodations will be made on a case-by-case basis. An accommodation must be tailored to address the nature of the disability and the needs of the individual within the context of the requirements of the program. If there are two or more possible accommodations, and one costs more or is more burdensome than the other, the College may choose the less expensive or less burdensome accommodation that is still effective.

### ***Disability***

Generally, a person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating,



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sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

### IV. Admission of Students with Disabilities

Students with disabilities may apply to and are considered for admission to the College in the same manner as any other applicant. Students must meet the same admission requirements and Functional Abilities and Performance Standards, with or without reasonable accommodations, as all other students.

No student (or prospective student) is required by law to disclose a disability before or after admission to the College. However, disclosure and documentation of a disability is required if accommodations (academic or non-academic) are requested.

Students (and prospective students) are encouraged to review the Functional Abilities and Performance Standards that are essential for the safe practice of professional nursing and for successful participation in and completion of a nursing education program. Students will need to demonstrate satisfactory application of these functional abilities and performance standards, with or without reasonable, during their course of study in nursing. The Functional Abilities and Performance Standards can be found [here](#).

### V. Service Animals and Emotional Support Animals

**Service Animals:** Mount Carmel College of Nursing permits the presence of Service Animals which perform tasks in support of persons with disabilities in College buildings, classrooms, and residence halls. Federal regulations define *Service Animals* as dogs (and in specific cases, miniature horses) that are individually trained to do work or perform tasks for people with disabilities. Examples of such work or tasks include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, and alerting or protecting a person who is having a seizure. The work or task a dog has been trained to provide must be directly related to the person's disability. Only the following two questions may be asked to determine if an animal is a service animal, as federally defined: 1) is the animal required because of a disability? (if the disability is not



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obvious), and 2) what work or task has the service animal been trained to do? There are no requirements to register service animals with the College but students are encouraged to notify the Title II/Section 504 Coordinator of the regular presence of a service animal so the Coordinator can provide support and education to others members of the campus community.

**Emotional Support Animals:** Mount Carmel College of Nursing permits residents of its on-campus residence halls to possess an Emotional Support Animal, as required by the Fair Housing Act. Emotional Support (or assistance) Animals may provide physical assistance, emotional support, calming, stability, and other kinds of support to persons with disabilities. The presence of the animal must be necessary in order to provide the resident with a disability the use and enjoyment of the dwelling. There must be an identifiable relationship or nexus between the disability and the assistance or support the animal provides. Emotional Support Animals do not perform work or tasks that qualify them as “Service Animals” under the Americans with Disabilities Act.

Emotional Support Animals are only permitted on the premises of the student residence halls, including the in the student’s individual apartment, in the hallways leading to the exterior of the building, and in common areas outside the residence halls. Emotional support animals are not permitted in the public buildings of the College including Marian Hall, the Center for Learning and Education (CLE), simulation or clinical skills labs, library, hospital buildings, or in dining areas of public buildings. Emotional Support Animals require the approval of the Title II/Section 504 Coordinator, using the process outlined below.

**Handler Responsibilities:** The handlers/owners of Service Animals and Emotional Support Animals are obligated to comply with any applicable laws related to animal licensing, vaccination, and identification. Handlers must keep animals under their control at all times and are responsible to adequately care for, clean up after, and maintain the health of their animal. Handlers are responsible for any and all damage to physical facilities caused by their animal. Handlers assume all liability for the action of their animals, including injuries to other persons or damage of others’ personal property.



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Emotional Support Animals must be “housebroken” (trained not to urinate or defecate inside the residence); animal waste deposited on the grounds outside the residence halls must be collected in plastic bags and disposed of in outside trash receptacles. Animals must be kept in the student’s bedroom when the student is away from the residence. While away from the animal, the use of pet “crates” (sturdy den-like enclosures) to provide safety and security to the animal is generally recommended by animal care experts. Suitemates should not be asked to take responsibility for caring for an Emotional Support Animal; any care provided by suitemates is entirely voluntary.

If the student plans to be gone from the residences for longer than the animal can safely stay alone (generally between 8 and 12 hours), the student must make prior arrangements for the animal’s care. If the student will be gone from the residences for more than 24 hours, the animal must be removed from the residence and cared for according to arrangements made by the student. Students with Emotional Support Animals are required to have current contact information for someone who can take responsibility for the animal in the case of an emergency on file with the Director of Student Life; this should be updated each semester or when there are changes.

**Limitations:** Service Animals or Emotional Support Animals may not be permitted when the animal poses a substantial and direct threat to the health or safety of others, or if the presence of the animal fundamentally alters the nature of the program or service in which the person with a disability is participating. Determinations of this kind are made on a case-by-case basis by the College’s Title II/Section 504 Coordinator.

Animals permitted in the residence halls must not unduly disrupt the quality of life or environment of safety for others living in the residence halls. The College reserves the right to immediately remove animals from its premises that pose a threat to the health or safety of others. Animals creating a disruptive (but not necessarily dangerous) environment may be removed if attempts to correct the problem are unsuccessful. Decisions to remove an animal are made by the Title II/Section 504 Coordinator in collaboration with the Director of Student Life and/or the Mount Carmel Safety and Security department.

## VI. Procedures



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1. The Title II/Section 504 Coordinator (the “Coordinator”) has been designated to handle inquiries into academic<sup>1</sup> and non-academic accommodations. A student requesting accommodations under this policy must notify the Coordinator as soon as possible after the need for an accommodation becomes apparent. The student should schedule a meeting with the Coordinator to discuss his or her needs and requested accommodations.

Contact information: Title II/Section 504 Coordinator, Mount Carmel College of Nursing, 127 S. Davis Ave., Columbus, OH 43222, Phone: 614-234-5021 or [equity@mccn.edu](mailto:equity@mccn.edu).

2. To support most accommodation requests, students are required to provide current (generally no more than three years old) documentation of the disability to the Coordinator. This documentation must be from a professional who has undergone appropriate and comprehensive training, has relevant experience and licensure appropriate to the profession (such as a licensed psychologist, physician, or nurse practitioner). The documentation should describe the nature of the disability, the extent to which the disability limits one or more major life activities, and the suggested accommodation(s). The Coordinator will provide application and approval forms to standardize the documentation process.
  - a) While there are no specific requirements for documenting the need for a Service Animal (described in Section IV, above), requests to possess an Emotional Support Animal in the residence halls are processed using the request and approval procedures specified here.

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<sup>1</sup> The Ohio Board of Nursing governs requests for accommodations by an applicant for the NCLEX-RN® Examination. The Board has promulgated a policy, available [here directly from the Ohio Board of Nursing website](#). Students are encouraged to review these requirements, including the requirement for a letter for the nursing education program demonstrating that accommodations were in place during the nursing education program.



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3. Upon submission of required documentation, the Coordinator will engage in an individualized, interactive process with the student to determine possible accommodations.
    - a) For academic accommodations: Coordinator will review the documentation and any requested accommodations with the appropriate Associate Dean. If necessary, the Coordinator will discuss any alternative accommodations with the student and the Associate Dean.
    - b) For non-academic accommodations and when necessary: Coordinator will review the documentation and any requested accommodations with the appropriate College leader such as the Director of Student Life, Academic Dean, or Manager of Information Technology Services.
    - c) The determination as to whether a requested accommodation will be granted lies with the Coordinator. In some situations, a temporary plan may be developed and implemented by the Coordinator, upon notification to the appropriate College leader, where additional time is required for diagnostic evaluation. A minimum of 2 business days is required to implement the accommodations. A copy of the official documentation will be maintained in the student's file by the Coordinator.
  4. The Coordinator will then notify the student of the determination. If an accommodation is granted, the Coordinator will provide to the student a form setting forth the accommodation for the student to provide to members of the faculty and staff in support of implementing the accommodation. If needed, the instructor and Coordinator will collaborate to plan and implement an academic accommodation.
  5. Students who receive accommodations must meet with the Coordinator at the end of each semester to discuss their progress.
  6. If a student feels that his or her accommodations are not being met, he/she must notify the Coordinator immediately.
  7. If a student has been granted an accommodation and chooses not to use the accommodation(s), the student is required to notify the Coordinator in writing that the student will not be utilizing the accommodations.





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### VII. Grievance Procedure

If the student's request for an accommodation is denied or the student is dissatisfied with the accommodation being provided, the College encourages the student to engage in an informal dialog with the Coordinator in an attempt to resolve the issue.

If a matter cannot be resolved informally or if the student prefers to file a formal grievance, a written grievance must be submitted to the Academic Dean. The informal resolution process is strictly voluntary and is not a prerequisite to filing a formal grievance.

The student may file a formal grievance by submitting a written grievance to the Academic Dean within fifteen (15) business days of an occurrence giving rise to the grievance. The Academic Dean will then review the issue, request to meet with the student, and then provide the student with a written decision in response to the grievance no later than fifteen (15) business days after the grievance is submitted. The Academic Dean's decision shall be final.

A student is not required to file a grievance with the College prior to pursuing any federal or state administrative remedy.

#### ***Discrimination based on Disability***

If you believe you have been discriminated against or harassed due to a disability you should contact the Coordinator who will assist you in making a complaint under the College's Anti-Discrimination and Anti-Harassment Policy.

### VIII. Retaliation

The College prohibits retaliation against anyone who files a grievance under this policy or otherwise complains that he or she has been denied equal access in the form of appropriate accommodations, modifications, auxiliary aids or effective communication. This prohibition of retaliation similarly extends to anyone who has testified, assisted, or





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participated in any manner in an investigation, proceeding or hearing related to a grievance or complaint under this policy.

### IX. Student Privacy

Except where necessary to further the purpose of this policy or where otherwise permitted by law, documentation of a student's disability will be kept confidential and will not be shared with other administrators or faculty members without the student's consent, in accordance with federal educational privacy regulations. Any request by a student to review the documents associated with his or her request for an accommodation or grievance under this policy should be submitted to the Coordinator.

#### Related Policies

[Anti-Discrimination and Anti-Harassment Policy](#)

[Functional Abilities and Performance Standards Policy](#)