

DISABILITY ACCOMMODATIONS AT NORTHWEST TECHNICAL INSTITUTE

INDIVIDUALS WITH DISABILITIES

Disability Accommodations at Northwest Technical Institute

Northwest Technical Institute is committed to providing support needed for equal access and equal educational opportunity for each student. If a student has a documented disability that could affect his/her pursuit of an education, he/she may receive appropriate accommodations by contacting the Student Services Coordinator for an appointment. Services for students with disabilities are personalized to meet individual needs and to comply with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and with subsequent state and federal legislation.

Federal Law

The Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of a qualified disability. [\(42 U.S.C. §12101\)](#) The ADA protects persons with disabilities from discrimination in the areas of employment, access to state and local government programs and services. Section 504 of the Rehabilitation Act of 1973 [\(29 U.S.C. §§ 701-796\)](#) provides similar protections against discrimination in regard to programs or activities that receive federal financial assistance.

Students in General

Title II of the Americans with Disabilities Act prohibits any government body, including Northwest Technical Institute, from denying any qualified individual with a disability an equal opportunity to participate in any program, service or activity offered. In addition an institution must provide reasonable accommodations, when necessary, to allow an individual with a disability the opportunity to participate in the institution's educational programs, service and/or activity.

Qualified Individual with Disability

A qualified individual with a disability is a person with a disability who is applying for admission to or participation in a program, service or activity of the institution or who is currently participating in a program, service or activity of the institution and who, with or without reasonable accommodations, meets the essential eligibility requirements for participating in those programs, services or activities. Persons are not qualified if they present a direct threat to the health or safety of themselves or others.

Reasonable Accommodation

A reasonable accommodation means any reasonable modification of the institute's rules, policies or practices, environmental adjustments (such as the removal of architectural or communicative barriers) or auxiliary aids and services. An accommodation is not reasonable if it would result in an undue financial or administrative burden or hardship; require a fundamental alteration to the program, service or activity; violate accreditation requirements; or require the waiver of essential program or licensing requirements. Some examples of a reasonable accommodation include modification of examinations, training materials or policies, or the provision of auxiliary aids and services. Because determining a reasonable accommodation is often complex and fact-specific, students should contact the Student Services Coordinator for assistance. If that person is unable to assist the student, the student should contact NTI's Director of Instruction. Any questions that remain should be directed to Northwest Technical Institute's Legal Counsel.

Interactive Process for Reasonable Accommodations

The accommodation process should be an interactive process which provides for give-and-take between the institution and the student. However, remember that, while the student's preference should be considered, the institution has the ultimate discretion to determine what accommodation will be provided. The institution does not have to choose the best accommodation, but rather the accommodation that is sufficient to effectively meet the program-related needs of the student.

DISABILITY ACCOMMODATIONS AT NORTHWEST TECHNICAL INSTITUTE

Complaint Process

Institutions must have a complaint process for students to appeal an accommodation decision or to file a complaint of disability discrimination or harassment. Students can find more information in Northwest Technical Institute's Catalog and Student Handbook.

Admissions

Except in very limited circumstances, an institution may not inquire about possible disabilities before deciding whether to admit an individual. If an applicant for admission includes materials about a disability with his or her application, the institution may not consider these materials in deciding whether to admit the applicant. However, all institutions must notify admitted students of the institutional processes for disclosing disabilities and requesting reasonable accommodations.

An institution must not use admissions test to screen out disabled applicants. An institution must administer admissions tests to individuals with disabilities as regularly as it does other admissions test. An institution must provide reasonable testing accommodations to disabled individuals. The individual with the disability must, however, make his or her special needs known in a timely manner.

Finally, recruitment and eligibility criteria should not screen out applicants who would otherwise be qualified for admission. Eligibility criteria should be reviewed to ensure that they are fundamental and essential to the program. Institutions may be required to waive non-fundamental requirements that bar applicants with disabilities who are otherwise qualified for admission.

Documentation of Disability

Once accepted for admission, a student who wishes to receive accommodations for his or her disability must identify the disability. The institution should then require the student to provide recent, supporting documentation of the disability from an appropriate treating professional that is relevant to the requested accommodation. This documentation should include a diagnosis of the disability, the major life activities that the disability impairs, the disability's severity, and any functional or educational limitations caused by the disability and recommended accommodations. A high school IEP is usually not sufficient by itself, but may be helpful.

Note: All records concerning student disabilities are protected by the Family Education Rights and Privacy Act (FERPA). A student's disability documentation and records of accommodations are kept completely separate from his/her academic records and under normal circumstances are not shared with any persons outside NTI (exceptions usually involve danger to yourself or another person or compliance with court orders). Disability recorders do not follow a student when he/she transfers to another institution, nor are records shared with employers.

DISABILITY ACCOMMODATIONS AT NORTHWEST TECHNICAL INSTITUTE

CAMPUS PROGRAMS AND ACTIVITIES

Academic Requirements

In modifying academic requirements to provide reasonable accommodations for students with disabilities, institutions should ensure that the modifications do not fundamentally alter educational programs or compromise educational standards. Academic requirements that are essential to programs of instruction are not discriminatory under the ADA. Consult with the Campus Legal Counsel and appropriate faculty to determine which academic requirements are essential to programs of instruction.

Tests

Students with disabilities must request test accommodations as soon as possible, preferably at the beginning of a course or according to the procedures the institution has outlined. The institution should determine appropriate accommodations individually, based on documentation of the nature of the disability.

Off-Campus Programs and Activities

If an institution does not actually administer or operate a program, service or activity but nonetheless requires student participation, the institution must ensure that the program or activity provides an equal opportunity for the participation of students with disabilities.

Access to Facilities

An institution does not have to make structural changes to existing facilities if other methods of accommodation will provide reasonable access to a program or course for a student with a disability. For example, moving the program, service or activity to an accessible building is acceptable. However, if there is no way to provide the program, service or activity at an alternative location, the institution will have to make existing facilities accessible. Furthermore, each new facility must be designed and constructed in such a way that it is readily accessible to and usable by persons with disabilities.

DISABILITY ACCOMMODATIONS AT NORTHWEST TECHNICAL INSTITUTE

The following information is provided by the Office for Civil Rights (OCR) in the U.S. Department of Education, and explains the rights and responsibilities of students with disabilities who are preparing to attend postsecondary schools.

The following questions and answers provide more specific information for the student who might have documented disabilities and is requesting accommodation at Northwest Technical Institute.

As a student with a disability leaving high school and entering postsecondary education, will I see differences in my rights and how they are addressed?

Yes. Section 504 and Title II protect elementary, secondary and postsecondary students from discrimination. Nevertheless, several of the requirements that apply through high school are different from the requirements that apply beyond high school. For instance, Section 504 requires a school district to provide a free appropriate public education (FAPE) to each child with a disability in the district's jurisdiction. Whatever the disability, a school district must identify an individual's education needs and provide any regular or special education and related aids and services necessary to meet those needs as well as it is meeting the needs of students without disabilities.

Unlike your high school, your postsecondary school is not required to provide FAPE. Rather, your postsecondary school is required to provide appropriate academic adjustments as necessary to ensure that it does not discriminate on the basis of disability. In addition, if your postsecondary school provides housing to nondisabled students, it must provide comparable, convenient and accessible housing to students with disabilities at the same cost.

May a postsecondary school deny my admission because I have a disability?

No. If you meet the essential requirements for admission, a postsecondary school may not deny your admission simply because you have a disability.

Do I have to inform a postsecondary school that I have a disability?

No. However, if you want the school to provide an academic adjustment, you must identify yourself as having a disability. Likewise, you should let the school know about your disability if you want to ensure that you are assigned to accessible facilities. In any event, your disclosure of a disability is always voluntary.

What academic adjustments must a postsecondary school provide?

The appropriate academic adjustment must be determined based on your disability and individual needs. Academic adjustments may include auxiliary aids and modification to academic requirements as are necessary to ensure equal educational opportunity. Examples of such adjustments are arranging for priority registration; reducing a course load; substituting one course for another, providing not takers, recording devices, sign language interpreters, extended time for testing, and equipping school computers with screen-reading, voice recognition or other adaptive software or hardware.

In providing in academic adjustment, your postsecondary school is not required to lower or effect substantial modifications to essential requirements. For example, although your school may be required to provide extended testing time, it is not required to change the substantive content of the test. In addition, your postsecondary school does not have to make modifications that would fundamentally alter the nature of a service, program or activity or would result in undue financial or administrative burdens. Finally, your postsecondary school does not have to provide personal attendants, individually prescribed device, readers for personal use or study, or other devices or services of a personal nature, such as tutoring or typing.

DISABILITY ACCOMMODATIONS AT NORTHWEST TECHNICAL INSTITUTE

If I want an academic adjustment, what must I do?

You must inform the school that you have a disability and need an academic adjustment. Unlike your school district, your postsecondary school is not required to identify you as having a disability or assess your needs.

Your postsecondary school may require you to follow reasonable procedures to request an academic adjustment. You are responsible for knowing and following these procedures. Postsecondary schools usually include, in their publications providing general information, information on the procedures and contacts for requesting an academic adjustment. Such publications include recruitment materials, catalogs and student handbooks, and are often available on school Web sites. Many schools also have staff whose purpose is to assist students with disabilities. If you are unable to locate the procedures, ask a school official, such as an admissions officer or counselor.

When should I request an academic adjustment?

Although you may request an academic adjustment from your postsecondary school at any time, you should request it as early as possible. Some academic adjustments may take more time to provide than others. You should follow your school's procedures to ensure that your school has enough time to review your request and provide an appropriate academic adjustment.

Do I have to prove that I have a disability to obtain an academic adjustment?

Generally, yes. Your school will probably require you to provide documentation that shows you have a current disability and need an academic adjustment.

What documentation should I provide?

Schools may set reasonable standards for documentation. Some schools require more documentation than others. They may require you to provide documentation prepared by an appropriate professional, such as a medical doctor, psychologist or other qualified diagnostician. The required documentation may include one or more of the following: a diagnosis of your current disability; the date of the diagnosis; how the diagnosis was reached; the credentials of the professional; how your disability affects a major life activity; and how the disability affects your academic performance. The documentation should provide enough information for you and your school to decide what is an appropriate academic adjustment.

Although an individual education program (IEP) or Section 504 plan, if you have one, may help identify services that have been effective for you, it generally is not sufficient documentation. This is because postsecondary education presents different demands than high school education, and what you need to meet these new demands may be different. Also in some cases, the nature of a disability may change.

If the documentation that you have does not meet the postsecondary school's requirements, a school official should tell you in a timely manner what additional documentation you need to provide. You may need a new evaluation in order to provide the required documentation.

DISABILITY ACCOMMODATIONS AT NORTHWEST TECHNICAL INSTITUTE

Who has to pay for a new evaluation?

Neither your high school nor your postsecondary school is required to conduct or pay for a new evaluation to document your disability and need for an academic adjustment. This may mean that you have to pay or find funding to pay an appropriate professional for an evaluation. If you are eligible for services through your state vocational rehabilitation agency, you may qualify for an evaluation at no cost to you. You may locate your state vocational rehabilitation agency through the following Web page: <http://www.jan.wvu.edu/SBSES/VOCREHAB.HTM>.

Once the school has received the necessary documentation from me, what should I expect?

The school will review your request in light of the essential requirements for the relevant program to help determine an appropriate academic adjustment. It is important to remember that the school is not required to lower or waive essential requirements. If you have requested a specific academic adjustment, the school may offer that academic adjustment or an alternative one if the alternative would also be effective. The school may also conduct its own evaluation of your disability and needs at its own expense.

You should expect your school to work with you in an interactive process to identify an appropriate academic adjustment. Unlike the experience you may have had in high school, however, do not expect your postsecondary school to invite your parents to participate in the process or to develop an IEP for you.

What if the academic adjustment we identified is not working?

Let the school know as soon as you become aware that the results are not what you expected. It may be too late to correct the problem if you wait until the course or activity is completed. You and your school should work together to resolve the problem.

May a postsecondary school charge me for providing an academic adjustment?

No. Furthermore, it may not charge student with disabilities more for participating in its programs or activities than it charges students who do not have disabilities.

What can I do if I believe the school is discriminating against me?

Practically every postsecondary school must have a person—frequently called the Section 504 Coordinator, ADA Coordinator, or Disability Services Coordinator—who coordinates the school's compliance with Section 504 or Title II or both laws. You may contact this person for information about how to address your concerns.

The school must also have grievance procedures. These procedures are not the same as the due process procedures with which you may be familiar from high school. However, the postsecondary school's grievance procedures must include steps to ensure that you may raise your concerns fully and fairly and must provide for the prompt and equitable resolution of complaints.

School publications, such as student handbooks and catalogs, usually describe the steps you must take to start the grievance process. Often, schools have both formal and informal processes. If you decide to use a grievance process, you should be prepared to present all the reasons that support your request.