

**Procedure 3045.1**

**Americans with Disabilities Act (ADA)**

**I. Procedures**

The standard procedures for accommodation requests allow for an interactive process whereby the following occur:

1. A request for accommodation is made;
2. The appropriate documentation is provided to support the disability and the requested accommodation; and
3. A reasonable accommodation is made, if appropriate.

More detailed procedural steps based on the role of the individual seeking the accommodation are below.

**A. Employees**

1. To request an accommodation under the ADA, employees must make a request to the Human Resource office. Employees should include documentation of their functional limitations. Documentation of the disability should be timely and from appropriate professionals licensed to diagnose the type of disability the employee has. An initial request may be made through a departmental chair, HR representative, dean, or directly with Academic Affairs, but the requester should keep in mind that requests made are ultimately elevated to the designated office identified. Note: Employees who receive a request for accommodation should elevate the request to the Human Resources office.
2. After reviewing the documentation and the facts of each request, the Human Resources office will determine if the employee is eligible for accommodations under the ADA.
3. A member of the Human Resources office will then facilitate a plan of reasonable accommodation. A member of the designated office will:
  - a. Determine what documentation is needed to support the employee's request for accommodation;
  - b. Clarify the responsibilities of the College and the employee throughout the process;
  - c. Identify the essential and marginal functions of the position (if not already done);
  - d. Discuss the employee's specific physical or mental abilities or limitations as they relate to the essential functions along with potential accommodations;
  - e. Identify the accommodation that best serves the needs of the employee and the College.
4. It is the responsibility of the Human Resources office to determine the reasonable accommodation in a particular situation. The Human Resources office will coordinate with the appropriate parties as necessary.

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5. The accommodation and any related documentation will be maintained by the Human Resources office. Information will be shared only with those having an official need to know.
6. The employee is responsible for contacting the Human Resources office if reasonable accommodations are not implemented in an effective and timely manner. The Human Resources office will work with the employee, and other parties as needed, to resolve disagreements regarding the recommended accommodation.

## B. Students

1. To request an accommodation under the ADA, students must file an intake application with Disability Services in the Student Affairs Office.
  - a. Requests for accommodations should be made far enough in advance to allow staff adequate time to coordinate needed services. Generally, it is best to request needed services before a semester begins or as soon as a disability becomes known.
  - b. Students must provide documentation of their disability and how it limits their participation in the College's services, programs, or activities. Documentation of the disability should be timely and from appropriate professionals licensed to diagnose the type of disability. Medical documentation will be retained only by Disability Services.
  - c. Disability Services makes the determination of whether the student is eligible for accommodations under the ADA. Disability Services and the student will then discuss what assistance is needed and, if requested, will provide information to relevant faculty members, information technology personnel, and/or the academic unit indicating the nature of the accommodation required. Common examples of reasonable academic adjustments include but are not limited to extension of time for tests, private test settings, etc.
  - d. If there is a discrepancy regarding requested accommodations, Disability Services will facilitate discussions between the student and faculty member(s) and/or academic unit(s). It is the responsibility of Disability Services staff to determine the reasonable accommodation in a particular case, considering the content of the course, the student's disability, and the documentation from an appropriately credentialed professional. When necessary, other academic unit(s) will partake in a collaborative process to determine appropriate accommodations. Nothing in these procedures requires an academic unit to make accommodations that would fundamentally alter the nature of its academic program.
  - e. Students are expected to discuss with their instructors the need for accommodations in their respective course. Faculty members are expected to discuss such matters privately and maintain confidentiality. It is the student's responsibility to share approved accommodations with their instructors and discuss implementation. Disability Service staff will aid in communication between student and faculty when necessary.

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- f. Students are responsible for notifying Disability Services, if reasonable accommodations are not implemented in an effective and timely way. In the event that an accommodation is not implemented in a test-taking or similar situation, the student should address that with the faculty member or proctor immediately and the amount of time necessary to implement the accommodation (e.g., to print a test paper with enlarged print or move the student to a quiet room) should be added back to the test time such that the student is not disadvantaged.
2. To request an academic program modification under the ADA, students must file an intake application with Disability Services and the application must be accompanied by documentation of their disability. Requests submitted directly to an academic unit will be referred to Disability Services to initiate the process.
    - a. Documentation of the disability should be timely and from appropriate professionals licensed to diagnose the type of disability the student has. If the student is already receiving accommodations pursuant to Paragraphs B.1.a.- f. of these procedures, the student may, but is not required to submit additional documentation in support of the request for an academic program modification.
    - b. Disability Services may also request additional documentation if prior documentation does not adequately address the requested academic program modification.
    - c. Disability Services will forward the request and any other relevant information developed by that office to the appropriate official(s) in the academic unit and will serve as a resource as the unit makes its determination as to whether the requested academic program modification constitutes a fundamental alteration to the program. In addition to serving as a resource for the academic unit, Disability Services will support the interactive process by facilitating requests for additional information and updates, if any, between the academic unit and the student. This process will be undertaken by using reasoned deliberation and will include a diligent assessment of available options. Nothing in these procedures requires an academic unit to make a program modification that would fundamentally alter the nature of its academic program.
      - i. Disability Services will fully document in the student's file the date of the request for program modifications, the nature of each request and any supporting documentation, the reason(s) for any denials, and the interactive process that occurred between the College and the student.
      - ii. The academic unit will consider whether the requested program modification constitutes a fundamental alteration to the academic program, which includes lowering its academic standards or compromising the rigor of the program.
      - iii. The appropriate official in the academic program will notify the student and the Disability Services Office in writing that the request for an academic program modification has been approved or denied in a timely manner and, if denied, the reason(s) for the denial. The student may appeal a denial of a

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request for an academic program modification to the Dean of Instruction no later than ten calendar days after the date of the denial. The Dean of Instruction will make a determination on the appeal within ten calendar days of receipt of the appeal and will communicate that determination in writing to the student. The Dean's decision is final.

#### C. Complaint Procedure

1. Employees or students who believe the College has not met its obligations under the ADA should consult with the College's Assistant Vice President for Human Resources (AVPHR), who has overall responsibility for coordinating the efforts of the College to comply with the Americans with Disabilities Act (ADA). The AVPHR will refer complaints to the appropriate campus or College office for investigation.

#### D. Website Accessibility

1. All College websites published after November 1, 2016, are required to meet the accessibility standards set forth by Web Content Accessibility Guidelines (WCAG) 2.0 AA. College websites published prior to that date are also expected to meet accessibility standards and have been prioritized for review and update for compliance.

#### E. Definitions

College Community consists of the members of the Board of Trustees, any employee of the College, including administrators, students, faculty, staff, temporary, and student employees, any individual using the College's resources or facilities or receiving funds administered by the College, and volunteers and other representatives when speaking or acting on behalf of the College.

#### F. Sanctions

Any violations of College policies by an individual will be addressed in accordance with applicable College policies and procedures.

#### G. Additional Contacts

College ADA Compliance Officer  
Jennifer McArthur  
Assistant Vice President for Human Resources  
Human Resources  
Griffith Memorial Building, Rm. 141  
1 Whitney Way  
Sheridan, WY 82801  
307-675-0571  
[jmcarthur@sheridan.edu](mailto:jmcarthur@sheridan.edu)

Office for Civil Rights  
U.S. Department of Education  
Office for Civil Rights  
1244 Speer Blvd., Ste. 310  
Denver, CO 80204-3582  
303-844-5695 or TDD 303-844-3417  
Website:  
<http://www2.ed.gov/about/offices/list/ocr/index.html>

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Disability Services in Student Affairs  
Sheridan & Johnson County  
Shelby Garstad, MSW, PCSW  
Coordinator of Counseling and ADA Services  
EA Whitney Academic Center, Rm. 156E  
1 Whitney Way  
Sheridan, WY 82801  
307-675-0122  
[sgarstad@sheridan.edu](mailto:sgarstad@sheridan.edu)

Disability Services in Student Affairs  
Gillette  
Susan Serge, M.A., LPC, NCC  
Director, Student Affairs, Counseling  
and ADA Services  
GC Main Bldg. Rm. 206D  
300 West Sinclair  
Gillette, WY 82718  
307-681-6082  
[sserge@sheridan.edu](mailto:sserge@sheridan.edu)

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