Mission
Western Dakota Technical College prepares students to be highly-skilled professionals through accessible, career-focused programs to improve their lives, while adapting to community workforce needs and positively impacting our economy.
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Introduction
This handbook is designed to help faculty, staff, and students understand the ADA & 504 accommodation process. Faculty, staff, and students are encouraged to talk to the Student Resource Coordinator with any questions. While conversations early in the semester are preferred, questions are welcome at any time.

Disability services follow standards set by the Americans with Disabilities Act (ADA) of 1990, Section 504 of the Rehabilitation Act of 1973, and Family Educational Rights and Privacy Act (FERPA). WDTC is a member of the Association on Higher Education and Disability (AHEAD) and adheres to their code of ethics.

Western Dakota Technical College is a public institution of higher learning that embraces quality programs, expert faculty and staff, and a commitment to academic excellence to teach the knowledge, skills, and behaviors students need to be successful.

History of Accommodations

Americans with Disabilities Act (ADA)
WDTC provides accessible programs, services, activities, and reasonable accommodations for any student with documented disability as defined by Section 504 of the Rehabilitation Act of 1973 and by the Americans with Disabilities Act of 1990. Disability Services works to ensure students with disabilities have an equal opportunity to pursue higher education based on their ability rather than their disability.

The Americans with Disabilities Act Amendments Act of 2008 (ADAAA) define disability as any major medical, physical, learning, or psychological condition that substantially limits someone from a major life activity such as seeing, hearing, learning, and self-care.

Disability services assists students with documented disabilities. These include, but are not limited to, the following: Learning Disabilities, Attention Deficit/Hyperactivity Disorders, Psychiatric Disorders, Sensory Disabilities, Physical Disabilities, and Health Impairments. Students registered with disability services are provided reasonable accommodations on a case-by-case basis. These accommodations give the student equal access to the institutions’ programs, activities, and services.

Reasonable accommodations might include extended time for exams, exams given in a low distraction environment, note taking assistance, recording class lectures, sign language interpreters, audiobooks, or brailed book class material. Our goal is to create an accessible environment to help students become independent, self-empowered, and self-advocating.
### Differences between High School and College for Students with Disabilities

#### Laws

<table>
<thead>
<tr>
<th>High School</th>
<th>College</th>
</tr>
</thead>
<tbody>
<tr>
<td>IDEA (Individuals with Disabilities Education Act)</td>
<td>ADA (Americans with Disabilities Act of 1990, Title II)</td>
</tr>
<tr>
<td></td>
<td>ADAAA (Americans with Disabilities Act Amendments Act of 2008)</td>
</tr>
<tr>
<td>Section 504 of Rehabilitation Act of 1973</td>
<td>Section 504 of Rehabilitation Act of 1973</td>
</tr>
</tbody>
</table>

**IDEA is about success.**

**ADA is about access.**

#### Required Documentation

<table>
<thead>
<tr>
<th>High School</th>
<th>College</th>
</tr>
</thead>
<tbody>
<tr>
<td>IEP (Individual Education Plan) and/or 504 Plan</td>
<td>Interactive Process</td>
</tr>
<tr>
<td>Students are provided evaluation at no cost to the student or family.</td>
<td>Student first meets with the Disability Service Coordinator.</td>
</tr>
</tbody>
</table>

Documentation focuses on determining whether student is eligible for services based on specific disability categories in IDEA. Should 3rd Party documentation be deemed necessary, it must provide information on specific functional limitations and demonstrate the need for specific accommodations in an academic environment. Documentation must provide clear rationale for each accommodation being requested. Please keep in mind not all recommended accommodations may be approved.

#### Self-Advocacy

<table>
<thead>
<tr>
<th>High School</th>
<th>College</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student is identified by the school and is supported by the parents and teachers.</td>
<td>Student must self-identify to Disability Services.</td>
</tr>
<tr>
<td>Primary responsibility for arranging accommodations belongs to the school.</td>
<td>Primary responsibility for self-advocacy and arranging accommodations belongs to the student.</td>
</tr>
<tr>
<td>Teachers approach you if they believe you need assistance.</td>
<td>Instructors are usually open and helpful, but most expect you to initiate contact if you need assistance.</td>
</tr>
</tbody>
</table>
Parental Role

<table>
<thead>
<tr>
<th>High School</th>
<th>College</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parent has access to student records and can participate in the accommodation process.</td>
<td>Parents do not have access to the student records without student’s written consent.</td>
</tr>
<tr>
<td>Parent can speak to educators regarding student.</td>
<td>Conversations regarding the student will take place as allowed by FERPA consent.</td>
</tr>
<tr>
<td>Parent advocates for the student.</td>
<td>Student self-advocates.</td>
</tr>
</tbody>
</table>

Higher Education and the Law

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) 1990, as Amended (ADAAA, 2008) prohibit discrimination against individuals with disabilities and mandate the provision of reasonable accommodations to ensure equitable access to programs and services. Per these laws, “no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity.”

A disability is defined by any medical, learning, physical, or psychological impairment that substantially limits one or more major life activities. To have a record of such impairment; or be regarded as having such impairment constitutes a disability.

Medical, learning, physical, or psychological disability may be (but not limited to) AIDS, HIV, cancer, cerebral palsy, diabetes, epilepsy, traumatic head injury, specific learning disability, loss of limbs, multiple sclerosis, muscular dystrophy, psychiatric disorders, speech impairments, spinal cord injuries, hearing impairments, and visual impairments.

Major life activities are defined as (but not limited to) walking, seeing, hearing, speaking, breathing, learning, thinking, concentrating, and working.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a program access statue. Subpart E of Section 504 deals specifically with institutions of higher education. “It requires that an institution (public or private) be prepared to make appropriate academic accommodations and reasonable modifications to policies and practices in order to allow the full participation of students.”

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 reinforced the provisions of the Rehabilitation Act by requiring that all public facilities, services, and communications be accessible to persons with disabilities. This includes providing auxiliary aids and services unless an undue burden would result.

Disability does not require higher education institutions to lower academic standards or fundamentally alter the nature of programs provided nor are reasonable accommodations.
intended for success within courses/programs. Adherence to the College’s code of conduct as well as adherences to faculty directions and instructions are expected.

The US Department for Education Office for Civil Rights (OCR) explains the rights and responsibilities for students in postsecondary education. You can visit their website (https://www2.ed.gov/about/offices/list/ocr/transition.html) for the full article. This article explains the obligations of postsecondary schools to provide academic accommodations, including auxiliary aids and services, to ensure WDTC does not discriminate based on disability. OCR encourages students to know their responsibilities and those of postsecondary schools under Section 504 and Title II. Knowledge improves students’ opportunities to succeed.

Frequently Asked Questions

*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 requirements that apply through high school are different from the requirements that apply beyond high school. For instance, Section 504 requires a school district provide free appropriate public education (FAPE) to each student 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. In addition, the district is responsible for meeting the needs of students without disabilities.

Unlike high school, postsecondary school is not required to provide FAPE. Your postsecondary school is required to provide appropriate academic accommodations as necessary to ensure that it does not discriminate based on a disability.

*May a postsecondary school deny admission because a student has a disability?*

No. If you meet the essential requirements for admission, a postsecondary school may not deny any student’s admission simply because of a disability. Please note, WDTC is an open enrollment Higher Education Institution.

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

No. However, if you want WDTC to provide accommodations, you – a registered student – must self-identify as having a disability to the Student Resource Coordinator. Likewise, you should let WDTC / Student Resource Coordinator know about your disability if you want to ensure assigned assessable facilities.

Disclosure of a disability is voluntary.

*Can I bring my service animal to campus?*
Yes, but you must meet with the Student Resource Coordinator before obtaining full campus access. Some areas may be off-limits where there is potential danger to the service animal. Please see Policy 4013 – Service Animals for full details.

**What accommodations must a postsecondary school provide?**

Appropriate accommodations are determined on a case-by-case basis. Your disability and individual needs will play a role in deciding how best to proceed. Accommodations may include auxiliary aids among other academic accommodations to ensure equal educational opportunities. Examples of accommodations include alternate text format, note taking assistance, sign language interpreters, extended time on quizzes/tests, and usage of testing rooms.

Postsecondary schools are not required to lower or affect substantial modifications to essential requirements. For example, although your school may be required to provide extended time for testing, it is not required to change the content of the test. In addition, 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, postsecondary school does not have to provide personal attendants, individual prescribed devices, readers for personal use or study, or other devices or services of a personal nature, such as tutoring or typing. Personal aids and individual prescribed devices are the responsibility of the student. Please visit the OCR website to learn more at [http://www2.ed.gov/about/offices/ocr/docs/aucaids.html](http://www2.ed.gov/about/offices/ocr/docs/aucaids.html).

**If I want disability accommodations, what must I do?**

The registered student must inform the Student Resource Coordinator of the disability and request accommodations. The first step is to meet with the Student Resource Coordinator. Please note, others contacting the Student Resource Coordinator on the student’s behalf does not substitute for students’ self-disclosure.

**When should I request disability accommodations?**

You may request disability accommodations at any time. Making requests as early as possible helps ensure there is time to provide accommodations. Some accommodations take more time to provide than others. Please keep in mind, accommodations are not retroactive. Accommodations become effective when registration is complete with the Student Resource Coordinator.

**Do I have to prove I have a disability to obtain accommodations?**

Yes. WDTC’s Student Resource Coordinator will determine if 3rd party documentation is necessary to verify a valid disability and necessary accommodations. If this documentation is deemed necessary, it is the student’s responsibility to provide this information.

**What documentation should I provide?**
The Student Resource Coordinator follows a reasonable standard for documentation. Typically, required documentation is prepared by an appropriate professional – such as a medical doctor, psychologist, or clinical social worker. The appropriate professional cannot be of any relation to the student. The required documentation may include one or more of the following: a diagnosis of your current disability; the date of the diagnosis given; what tests were performed to determine diagnosis; the credentials of the professional/evaluator; how your disability affects a major life activity; and how the disability affects your academic performance. The professional/evaluator can and should provide any recommended accommodations. The documentation should provide enough information for you and the Student Resource Coordinator to determine the necessary and appropriate accommodation/s. Please keep in mind, not all recommendations may be appropriate at a higher education level.

Although Individualized Education Program (IEP) or Section 504 plan – if you have one – may help identify services that have been effective for you, it may not be adequate documentation. This will be determined on a case-by-case basis. If documentation does not meet the requirements, the Student Resource Coordinator will provide you with local resources to have an evaluation completed. Diagnostic evaluations must be paid for by the student.

Please be aware, registration for disability accommodations are handled on a case-by-case basis.

*What if I disagree with the accommodations provided by the Disability Service Coordinator?*

You can find the Section 504/ADA Grievance Procedure online. This information is also in Section Six of the WDTC Student Handbook. If you need help with this form, please contact your Student Success Coach.

*What if the identified accommodation is not working?*

Communicate with the Student Resource Coordinator about accommodations not working as you expected. You and the Student Resource Coordinator should work together to resolve any problems. It may be too late to correct the problem if you wait until the end of the course or activity is completed. It may be necessary for you to discuss the issues with your treatment provider. Accommodations are not retroactive.

*What if I feel faculty has denied the accommodations?*

You will need to make the Student Resource Coordinator aware immediately. The Student Resource Coordinator will work with faculty to ensure the appropriate accommodations are provided to you.

*What can I do if I believe WDTC is discriminating against me?*

If a student or visitor believes he/she is or has been subjected to discrimination due to their disability, they may contact the Student Success Director directly. If you wish to file a complaint,
please follow the grievance procedure that is included in Section Six of your WDTC Student Handbook.

Confidentiality
Due to the sensitive and personal nature of disability services, all services and student records are strictly confidential. Information regarding diagnosis or treatment will not be released without written permission from the student. This means nothing you share with disability services is revealed without your written consent. We do not disclose identifying information about our students to anyone including family or WDTC officials without consent. Disability services will not discuss the status of any student with individuals outside of the college without the student present.

Family Educational Rights and Privacy Act (FERPA)
This group governs the confidentiality of students’ educational records. You can find the details about FERPA here:  www.ed.gov/policy/gen/guid/fpco/ferpa/students.html

Disabilities records are kept in a separate secure file. Unless there is an educational need to know under FERPA, disability services personnel are unable to release information about you without your written consent. If you discontinue your enrollment at WDTC, you may contact disability services and request your file be destroyed. If you are not enrolled in courses for 3 years, your file – including any paperwork – will be destroyed.

Please note, there is a limitation of confidentiality for the following: threats of violence and/or suicide are taken seriously, and the appropriate steps completed. The law mandates any reports of child abuse or adult abuse reported to local Social Services Office. Disability services will adhere to the required mandated reporting law.

Due to the sensitive and confidential nature of files and meetings, disability services locks files always.

Rights and Responsibilities
Students with disabilities rights include:
• Equal access to services, programs, facilities, and employment at WDTC.
• Reasonable and appropriate accommodations and auxiliary aids determined on an individual basis.
• Confidentiality of information related to disability issues.
• Pursue an appeal process by meeting with the ADA/504 Coordinator that is designated as the Director of Student Success for any accommodation requests that have not been met to the student’s satisfaction.

Students with disabilities responsibilities include:
• Self-identify disability status to disability services by providing disability documentation which meets the eligibility guidelines.
• Request necessary accommodations in advance of the need.
• Meet WDTC academic and institutional standards.
• Comply with the WDTC Student Code of Conduct.
• Follow the specific guidelines established for obtaining reasonable and appropriate accommodations and/or auxiliary aids.
• Notify Student Resource Coordinator of any changes to your schedule and/or status as a student at WDTC.
• Notify the Student Resource Coordinator of any concerns or difficulties in the receipt of accommodations.

Disability services has the right to:
• Maintain WDTC’s academic and institutional standards.
• Request current documentation that adheres to disability eligibility guidelines to verify the need for reasonable accommodations and/or auxiliary aids.
• Select effective communications and auxiliary aids in consultation with the student on individual basis.
• Deny an accommodation request and/or auxiliary aids if the documentation fails to verify the need for the requested service or if the documentation is not provided in advance.
• Refuse an inappropriate or unreasonable accommodation request and/or auxiliary aids that pose a direct threat to the health and safety of others, constitute an alteration to an essential element of a course program, or pose an undue financial or administrative burden to WDTC.

Disability services responsibilities include:
• Provide reasonable accommodations for students’ disclosed disabilities to ensure students have equal access to courses, activities, and programs.
• Provide policy and procedure information to students with disabilities.
• Provide advice about accommodation options, reasonable accommodations, and/or auxiliary aids.
• Provide appropriate supportive services to students, faculty, and staff.

Faculty members have the rights to:
• Establish course content and academic standards.
• Request written notification from the Student Resource Coordinator of a student’s need for accommodation.
  o Faculty and staff do not have the right to access disability documentation.
• Contact the Student Resource Coordinator to clarify student requests for accommodation and/or auxiliary services.
Faculty members responsibilities include:

- Provide recommended reasonable accommodations and/or auxiliary aids in a timely manner.
- Work with the Student Resource Coordinator and respective offices to facilitate recommended accommodations both within and outside of their classroom.
- Meet with students who have provided a faculty notification letter to discuss requested accommodations and establish the procedure for providing accommodations and/or auxiliary aids in the course.
- Maintain confidentiality regarding disability issues.
- Alter the form of a testing procedure to measure proficiency in course knowledge based on ability of the student, not the disability.
  - There may be an exception when the purpose of the test is to measure a specific skill.
- Refer students to the Student Resource Coordinator to request accommodations.
- Make course materials on reserve in the library available in alternative formats for students with disabilities.
- Ensure software and “new” technology is accessible before implementing into the course.
- Contact the Student Resource Coordinator for consultation regarding students with disabilities and accommodation concerns.

Registration with Disability Services
As stated previously, students in higher education are required to self-identify and request accommodations. Students must register with the Student Resource Coordinator and provide necessary documentation to receive disability accommodations. Students with disabilities are not required to register nor are they required to receive accommodations if they do not wish to do so. Students are strongly encouraged to register with the Student Resource Coordinator prior to the start of the semester, but students can register at any time during the semester.

Please be aware accommodations are not retroactive. Accommodations are effective upon registration with the Student Resource Coordinator.

Steps for Registering
1. Student will visit MyWDT and complete the Disability Services Request Form.
2. The student contacts the Student Resource Coordinator by phone (605)718-2904, email disabilityservices@wdt.edu, or by visiting the Student Success Center to schedule an appointment for an intake interview.
3. During the appointment, the student and Resource Coordinator take part in an interactive process that relates the disability to requested accommodations.
4. Within 5 business days, the student will be contacted via email and provided a list of identified, reasonable accommodations.
5. If the student does not agree with the accommodations, the student has a right to file a grievance.
   a. Please refer to the grievance process in the WDTC Student Handbook.
6. If the student agrees to the accommodations, the Student Resource Coordinator and student will begin the paperwork to notify faculty of approved accommodations.
   a. There may be multiple forms necessary.
7. The student will need to discuss arrangements with faculty and get their signature on accommodation paperwork.
8. Every semester, the student and Student Resource Coordinator will complete new paperwork for faculty.

Temporary Medical Conditions
Students experiencing short-term or temporary changes in their medical, functional or mobility status are advised to meet with the Student Resource Coordinator. Temporary disability accessibility and accommodations will be discussed to meet your needs.

A temporary medical condition may not legally qualify as a disability. Therefore, it may not be covered either under the ADA of 1990 or under Section 504 of the Rehabilitation Act. It is possible that students experiencing temporary medical conditions will not qualify for legally mandated accommodations. However, WDTC recognizes temporary medical conditions may arise that can adversely affect a student’s ability to fully participate in their academic endeavors. Disability services will assist these students in coordinating short-term support both as a courtesy and a demonstration of commitment to student support.

Timeframes for Alternative Format Requests
If your accommodations require alternative formats of texts or materials, please make your request as soon as possible at the start of the new semester – or before the semester starts. If you are unable to do so, please be aware the Student Resource Coordinator attempts to provide you with the alternative material as soon as possible. Students will be required to show proof of purchase prior to any request for alternative textbooks granted. The accommodation notice includes usage guidelines for alternate text. Students that violate this agreement could face a code of conduct.

Audio Recording of Lectures
If an accommodation allows for audio recording of lectures, the student will be required to sign an audio recording agreement with the Student Resource Coordinator.

Testing Center
If a student has the accommodation of testing in a low distraction area, students can test in the Student Success Center Testing Rooms. Students will provide a photo ID when asked. Students are required to discuss arrangements with faculty before any quiz or test.
To book tests in the Student Success Center, students and/or faculty must reserve a testing room with the Student Resource Coordinator. To reserve a room, email or call the Student Resource Coordinator with the date, time, and length of your test. The Student Resource Coordinator will confirm if a testing room is available at that time.

**Campus/Local/National Resources**

**WDTC Student Success Center**  
Phone: (605)718-2955  
Address: 800 Mickelson Drive  
Rapid City, SD 57703

**South Dakota Regional Office**  
**Kansas City Office**  
**Office for Civil Rights**  
**U. S. Department of Education**  
Phone: (816)268-0550  
TDD: (800)877-8339  
e-Mail: OCR.KansasCity@ed.gov  
Address: One Petticoat Lane  
1010 Walnut St., Third Floor, Suite 320  
Kansas City, MO 64106

**Behavior Management Systems**  
Phone: (605)343-7262  
Address: 350 Elk Street  
Rapid City, SD 57702

**South Dakota Department of Human Services Division of Rehabilitation Services**  
Website: https://dhs.sd.gov/rehabservices/  
Phone: (800)439-8861  
Address: 2330 N Maple Suite 2  
Rapid City, SD 57701

**Disability Rights South Dakota**  
Website: www.drslaw.org  
Phone: (800)658-4782  
Address: 2520 E Franklin St, Suite 2  
Rapid City, SD 57701

**Transition Services Liaison Project – Western Region**  
Website: www.tspl.org

Phone: (605)347-4467  
e-Mail: dhalverson@bhssc.tie.net

**Americans with Disabilities Act**  
Website: www.ada.gov/  

**Association on Higher Education & Disability (AHEAD)**  
Website: www.ahead.org

**SAMHSA’s National Mental Health Information Center**  
Website: www.mentalhealth.org

**Academic Software, Inc (ASI)**  
Website: www.ascw.com

**Communication Services for the Deaf**  
Website: https://www.csd.org/  
Phone: 605-394-6864  
Address: 2310 N Maple Avenue  
Rapid City, SD 57701

**DakotaLink**  
Website: https://www.dakotalink.net/  
Phone: 605-394-6742  
Address: 1161 Deadwood Avenue #5  
Rapid City, SD 57702

**National Federation of the Blind**  
Website: https://www.nfb.org/resources