

STUDENT ADA/SECTION 504

I. Purpose

Students¹ with disabilities are an essential part of the campus community and contribute significantly to Western Dakota Technical College (WDTC) through their talents, abilities, and skills. The College is committed to assuring that students with disabilities can fully participate in College life and that the College's programs, activities, and services are consistent with the Americans with Disabilities Act of 1991, as amended by the ADA Amendments Act of 2008, and Section 504 of the Rehabilitation Act of 1973.

II. General Statement of Policy

The policy of the College is to provide accessible facilities and reasonable and appropriate accommodations to ensure equal access to students with a documented disability.

A. Eligibility

A qualified student with a disability will be eligible for reasonable accommodations under this policy. A qualified student with a disability is a disabled student who, with or without reasonable accommodation meets the College's academic and technical standards required for admission or participation in the College's educational programs or activities.

B. Reasonable Accommodations

The Disability Services Office provides reasonable accommodations intended to promote equal access to programs, services, and activities. These accommodations are not instituted for the purpose of guaranteeing academic success.

- A. The Disability Services Office will not provide accommodations that fundamentally alter academic standards that are essential to an academic program, activity, technical standard, or professional or licensing requirement. Accommodations will also not be provided that would result in undue hardship based upon the nature, cost, or effect that would jeopardize the health or safety of others. Determination of undue hardship is assessed on a case-by-case basis. Finally, WDTC does not provide personal aids, devices, or specialized transportation as reasonable accommodations for a disability.

C. Roles and Responsibilities

- 1. Students:

¹ Students as it pertains to this policy means students or prospective students.

- a. Disclosure of a disability is voluntary. However, if a student is requesting accommodations, they must self-identify disability status to the Disability Services Office, and they must complete all required steps to be Registered with the Disability Services Office each semester in advance of the need for accommodations.
 - b. Students are responsible to read and follow the processes/guidance in the Disability Services Handbook located on the College's website at: www.wdt.edu/current-students/section-504ada-process/ and work interactively with the Disability Services Office for requested accommodations and adjustments to those accommodations.
- 2. Disability Services:
 - a. Provide reasonable accommodations for students' disclosed disabilities to ensure students have equal access to courses, activities, and programs.
 - b. Provide policy and procedure information to students with disabilities.
 - c. Provide appropriate supportive services to students, faculty, and staff.
- 3. Employees:
 - a. Provide approved accommodations, upon Notice.
 - b. Collaborate with the Disability Services Office, as needed, to ensure accommodations are appropriately provided, upon Notice.

D. Request for Accommodations

The Disability Services Office is responsible for addressing the needs of qualified students with disabilities. Students in postsecondary education are required to self-identify to the Disability Services Office and request accommodations. Notification to a faculty or staff member does not qualify as self-identification to begin this process. Students requesting accommodations must follow the steps provided in the Disability Services Handbook to Register for accommodations.

The accommodation process is interactive and requires a series of steps including specific medical documentation from a reliable third-party as explained in the Disability Services Handbook. The medical documentation and information regarding the student's disability will remain confidential and will be released only if and to the extent that the student provides Disability Services with written authorization to release such information, or in the unlikely event that disclosure is compelled by legal process.

Students are strongly advised to begin the Registration process with the Disability Services Office upon matriculation into the College as it can take several weeks to complete the necessary steps to Register, and accommodations are not retroactive.

E. Implementation of Approved Accommodation

The accommodation becomes active upon Notice. For academic accommodation, after Notice, the student needs to request to meet with their instructor(s) to discuss implementation. To maintain confidentiality, the student should meet with instructor(s) during office hours. For other types of accommodation, the Disability Services Office will guide the student in the implementation of said accommodation.

Reasonable accommodation under the ADA is an ongoing process. At any point in time, the student receiving the reasonable accommodation may request a reevaluation of their request from the Disability Services Office. Disability Services will engage the student in an interactive process to consider the reasonableness of any new requests and/or revisions to the initial requests.

F. Appeals and Complaints

If a student disagrees with the accommodation decision made by Disability Services, they can reach out to WDTC's Compliance Officer, the VP for Institutional Effectiveness and Success, for a reevaluation of the request.

Any student who believes their rights have been violated based on determinations made through the Disability Services Office with requested accommodations can follow Policy 4440 – Student Resolution Process and 4440.Procedure.03 Discrimination Based On A Protected Class Procedure.

[Policy 4440 – Student Resolution Process](#)
[4440.Procedure.03 Discrimination Based On A Protected Class](#)

Complaints may also be filed with the U.S. Department of Education's Office for Civil Rights at:

Office for Civil Rights (OCR), *South Dakota Regional Office*
One Petticoat Lane
1010 Walnut Street, Third Floor, Suite 320, Kansas City, MO 64106
Phone: (816)268-0550 FAX: (816)268-0599
TDD: (800)877-8339
Email: OCR.KansasCity@ed.gov Web: www.ed.gov/ocr

Complaints may be filed online, using the form available, at
www.ed.gov/ocr/complaintintro.html.

III. Definitions

- A. "Disability" means an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

- B. “Major Life Activities” mean basic activities that the average person in the general population can perform with little or no difficulty such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, working, and major bodily functions, such as functions of the immune system, special sense organs, and skin; normal cell growth; and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions.
- C. “Interactive Process” means the method by which the student and Disability Services explore whether reasonable accommodations can enable the student to equal access to programs, services, and activities. The interactive process should involve open dialogue that allows full participation by both Disability Services and the student.
- D. “Notice” is defined as the Disability Services Office receiving the final accommodation paperwork signed by the Student, Disability Services Office, and Instructor/Employee. This Notice comes electronically through a secure method and will be signed electronically by all parties.

IV. Reporting Procedures

- A. Instructors are to have the ADA/504 Accommodations statement provided on their Master Syllabus which is provided to each student each semester.
- B. The Disability Services Handbook is to be updated outlining full processes and procedures and published to the WDTC website each academic year.

V. Dissemination of Policy and Training

- A. This policy shall appear on the WDTC website on the policy page.
- B. The College shall train employees when hired and on an annual basis.

Legal References: [28 CFR Part 35](#)
[10 CFR Part 4 Subpart B](#)

Board Approved 7/28/2023; Committee Reviewed 12/7/2023; Committee Reviewed 7/9/2024