



ACCESSIBILITY SERVICES | WELLNESS CENTER

TROCAIRE COLLEGE, RM. 111

P: 716-827-2489

E: WellnessCenter@trocaire.edu

Accessibility Services

Procedural Manual



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Welcome!

Accessibility Services at Trocaire College is committed to providing full participation of our students. It is our goal to support student access and work to secure reasonable accommodations for eligible students. We strive to maintain a supportive environment to help students achieve their goals.

Trocaire College will make reasonable accommodations in compliance with Section 504 of the Rehabilitation Act of 1973, Section 508 of the Rehabilitation Act, and the Americans with Disabilities Act Amendments Act (ADAAA) of 2008 to provide academically qualified individuals with a permanent or temporary disability, mental health impairment, or chronic medical condition access to the College's services, programs, and activities. Students must be able to meet academic requirements of the college as well as technical standards of the programs they may be entering with or without reasonable accommodations.

Accessibility Services is located in room 111, which is on the 1st floor in the Wellness Center on the Main Campus, located at 360 Choate Ave. In addition to securing reasonable accommodations, Accessibility Services is available as a support to students, faculty, and staff; all are encouraged to contact the office throughout the semester for questions, concerns, and additional support.

If you are interested in learning more about Accessibility Services, please contact Dawn Colton at 716.827.4343 or by email at coltond@trocaire.edu

Best regards,

Kathleen Saunders
VP Enrollment and Student Affairs
Interim Director of Wellness

Overview of Laws

Rehabilitation Act

Prohibits federal agencies and their grantees and contractors from discriminating against people based on disability in employment, programs, and activities.

Section 504 of the Rehabilitation Act of 1973 (ADA/504)

A federal statute that guarantees the rights of disabled people to equal opportunity in all programs and activities that receive federal financial assistance. It prohibits discrimination against qualified individuals solely based on disability. Section 504 regulations apply to state education agencies, elementary and secondary school systems, colleges and universities, libraries, vocational schools, and state vocational rehabilitation agencies.

Americans with Disabilities Act of 1990

Signed into law to protect individuals with disabilities against discrimination in employment; in programs operated by city, county, and state entities; public and private transportation, public accommodations, and telecommunication services.

The ADA Amendment Act of 2008 (ADAAA) was enacted on September 25, 2008, and became effective on January 1, 2009. The law made a number of significant changes to the definition of “disability” under the Americans with Disabilities Act (ADA). It also directed the U.S. Equal Employment Opportunity Commission (EEOC) to amend its ADA regulations to reflect the changes made by the ADAAA. The EEOC issued a Notice of Proposed Rulemaking (NPRM) on September 23, 2009. The final regulations were approved by a bipartisan vote and were published in the Federal Register on March 25, 2011.

In enacting the ADAAA, Congress made it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the statute. Congress overturned several Supreme Court decisions that Congress believed had interpreted the definition of “disability” too narrowly, resulting in a denial of protection for many individuals with impairments such as cancer, diabetes, and epilepsy. The ADAAA states that the definition of disability should be interpreted in favor of broad coverage of individuals.

In order to be considered a student with a disability at Trocaire College, the student must fit the following definition under the Americans with Disabilities Act (ADA):

- A. Student with a disability is defined as an individual who:
1. is enrolled as a student in the College, or seeks to enroll as a student in the College, and who has a physical or mental impairment that substantially limits a major life activity;
 2. has a record of having such an impairment; or
 3. is regarded as having such as impairment.
- B. A qualified individual with a disability is one who meets the essential functions or requirements of a program with or without reasonable accommodations.
- C. Major life activities include, but are not limited to: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Major bodily functions - a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Section 508

Section 508 of the Rehabilitation Act of 1973, requires that when certain entities develop, procure, maintain, or use electronic and information technology, individuals with disabilities have access to and use of information and data that is comparable to the access and use by individuals without disabilities, unless providing such access or use would be an undue burden on the entity.

Title II

Title II: Title II requires that colleges receiving government funding not discriminate against individuals with disabilities.



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ADA Part-Time TAP: Financial Aid for Students with Disabilities in New York State

ADA TAP is an award for students who must take a reduced course load based on their disability. Students with a disability may enroll in 3-12 credit hours per semester and be eligible for ADA/part-time TAP. Upon enrollment and based on eligibility, students receive a prorated portion of the TAP award they would be eligible for if they were enrolled full time. More information about ADA TAP can be found at the New York State Higher Education Services Corporation website: ADA Part time TAP

(<https://www.hesc.ny.gov/partneraccess/financial-aid-professionals/tap-and-scholarship-resources/tap-coach/12-ada-part-time-tap.html>) or by reaching out to Trocaire's Office of Financial Aid at 716-827-2545 or finaid@trocaire.edu

Confidentiality

Our student's privacy is important to us. The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. Student's disability records are kept secured in Accessibility Services and are not released without the student's permission.

For more information on FERPA:

<https://trocaire.edu/privacy-student-records-family-educational-rights-privacy-act-ferpa/>

Non-Discrimination Policy

Trocaire College does not discriminate in admission, employment, in the administration of its educational policies, scholarship and loan programs, and other institutionally administered programs, on the basis of an individual's actual or perceived, race, color, creed, religion, religious practice, national origin, ethnic group, sex, gender identity, sexual orientation, political affiliation, age, familial status, military status, veteran status, disability, domestic violence victim status, genetic information or any other basis prohibited by New York State and/or federal non-discrimination laws. Retaliation against an individual because he or she made a complaint, testified or participated in any manner in an investigation or proceeding will not be tolerated and is unlawful under Civil Rights laws.

The College's policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment, including the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and the New York State Human Rights Law.



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If you are a student who feels that you have been discriminated against on the basis of your disability, please contact:

Civil Rights Compliance Officer/ Title IX Coordinator
360 Choate Ave
Buffalo, NY 14220
716.827.2461
CivilRightsCompliance@Trocaire.edu

<https://trocaire.edu/title-ix-enough-enough-non-discrimination-resources/>

Students Rights and Responsibilities

Students with disabilities have the right to:

- Voluntary disclosure of disability
- Equal access to courses, programs, instructional materials, services, jobs, activities, and facilities available through Trocaire College
- Appropriate confidentiality of all information pertaining to disability with the choice of to whom to disclose the disability, except as required by law
- When requested in a timely manner, reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined by the institution on a case-by-case and/or course-by-course basis, including accessibly formatted materials

Students with disabilities have the responsibility to:

- Meet the eligibility and essential technical standards of their program, both academic and institutional, including the student code of conduct with or without accommodations
- Identify themselves in a timely manner as an individual with a disability to the office responsible for accommodations when requesting an accommodation

- Provide current documentation from a qualified and licensed source that verifies the nature of the disability, current impact of that disability in an academic setting and every day activities, if appropriate, and the need for specific accommodations
- Follow specific procedures for obtaining reasonable and appropriate accommodations, academic adjustments and services
- Inform the College's Director of Wellness in Accessibility Services of the existence of a disability, mental health impairment, or chronic medical condition and the need for accommodations by completing an Accessibility Services Intake Form
- Maintain academic, admissions, conduct, and graduation standards

General Guidelines

In order to determine eligibility, all students seeking accommodations are required to provide Accessibility Services with current and appropriate medical, psychological, and/or educational documentation of their disability, mental health impairment, or chronic condition from a licensed professional.

Requests for accommodations are evaluated based on the review of documentation provided as well as the student's self-report and observation regarding current functional limitations.

Students are encouraged to contact Accessibility Services to discuss what documentation they may have and/or obtain assistance in getting linked to an appropriate provider to get an evaluation/testing done if they think they may be a student in need of accommodations.

Examples of appropriate documentation include:

- A current diagnostic statement from a qualified and licensed professional (ex. psychologist, neuropsychologist, educational psychologist, learning disability specialist, psychiatrist, or medically based physician) identifying the diagnosed disability, current functioning as it relates to an academic setting, and any recommendation for accommodations. Prescriptions from a physician are **NOT** acceptable forms of documentation.

- A description of the diagnostic tests used along with the specific results and date administered may be required.

*In determining the acceptability of documentation, Trocaire College follows “Best Practices: Disability Documentation in Higher Education,” including the “Seven Essential Elements of Quality Disability Documentation” published by the Association on Higher Education and Disability (AHEAD). See the AHEAD website at <http://www.ahead.org>.

Student Identification and Initial Steps for Receiving Accommodations:

1. In order to determine eligibility for accommodations and/or auxiliary aides, students must contact Accessibility Services and self-identify as a student with a disability, mental health impairment, or chronic medical condition. Students may initiate this discussion at any point in the semester.
2. Accessibility Services will discuss what documentation is needed to determine eligibility for reasonable accommodations with the student and work to set up an intake meeting.
 - a. If the student has appropriate documentation or is working with a current licensed provider who can supply the needed documentation, the student can send the documentation ahead of time to be reviewed or plan to bring the documentation with them to their initial intake meeting. When possible, it is recommended for students to send the documentation prior to the initial intake meeting to ensure that it is sufficient. If a student submits documentation that is not sufficient, it will be discussed what additional information may be needed.
3. If the student has:
 - a. **No prior documented disability**, they may be referred for an appropriate evaluation; no accommodations will be given at that time until documentation is provided.
 - b. **A prior documented disability, but the documentation provided is not sufficient** or does not accurately reflect current functioning, the student may be granted provisional accommodations if he or she is in the process of obtaining updated testing/evaluation for the duration of the current semester until the updated documentation is provided.
4. The student must meet with Accessibility Services for an initial intake meeting. The intake form must be completed prior to the meeting. Please click here to complete form: <https://trocaire.edu/student-life/student-support-services/accessibility-services/> During the intake meeting, the student will be

expected to discuss their academic history and, if applicable, their previous use of accommodations. The student will also be asked questions in regards to how their disability or medical diagnosis affects their current functioning in relation to the accommodations that they are requesting. This information will be taken into consideration in addition to the supporting documentation when reviewing and securing reasonable accommodations.

5. Once accommodations are secured, Accessibility Services will issue an accommodation notice to all instructors whom the student request be notified. The notification will be delivered via Trocaire email, and students will be copied on the message. Students are encouraged to schedule a meeting with each of their instructors to review their approved accommodations to discuss how they may apply to each of their courses and any questions.
6. Students requesting accommodations in a clinical setting may be required to submit specific documentation from a licensed provider and/ or have their licensed provider complete a program technical standards form. This documentation allows providers to speak more specifically to any restrictions or limitations to ensure informed decisions for consideration of reasonable accommodations. Any student needing clinical accommodations should contact Accessibility Services directly to begin the process.
 - a. Due to the nature of clinical accommodations, the Program Director and Clinical Coordinator from the student's academic program may be involved in the interactive process for determination of reasonable accommodations as it applies to the technical standards of the program
7. Accommodations may not be granted retroactively. Each student's accommodation notice will include an effective date of services.
8. Students are required to renew accommodations each semester in which they are enrolled. Prior to the start of each semester, Accessibility Services will contact students who received accommodations the previous semester to remind them of the renewal process. Students may choose to maintain their same accommodations or discuss any changes they would like to make. Depending on the nature of a student's disability or request for updated accommodations, updated documentation may be requested.

Please Note: While students can initiate the accommodation process at any time throughout the semester, it is recommended that a student make contact with Accessibility Services as early as possible. Accommodations begin at the time that a student is deemed eligible, and **cannot be granted retroactively.**

Academic Accommodations

Academic Accommodations may include, but are not limited to:

- Testing Accommodations such as: extended testing time, testing in a reduced distraction environment outside of the classroom, use of assistive technology for test reading, scribes, access to a whiteboard □ Assistance with Notetaking
- Permission to record lectures
- Textbooks in alternative format
- Breaks during lectures

Testing Accommodations

Students eligible for testing accommodations are able to utilize their accommodations for any tests/quizzes given in their academic courses throughout the semester. Approved testing accommodations are for written and online examinations; any skills based or clinical accommodations must be requested separately and will be discussed between Accessibility Services, the academic program, and with the student to determine if the accommodation request would be reasonable based on the learning requirements of the course.

ProctorU Examinations: If examinations are arranged through ProctorU, students will not schedule an appointment through the PLC, as this software provides all proctoring services. Accommodations will continue to be provided directly through examination settings on Moodle.

For ProctorU technical support, please contact: (855) 772-8678 or email Support@proctoru.com

In-person Examinations: If the student's accommodations requires in-person, students will need to schedule a proctoring appointment. Requests must be submitted for each exam **at least 5 business days** prior to the date of the exam. Students are encouraged to schedule appointments as early as possible.

If a proctor suspects that a test taker is cheating the test will be stopped and the incident will be reported to the instructor.

If students are unsure how to schedule or use testing accommodations for any exam, they should contact Dawn Colton at coltond@trocaire.edu for assistance.

Notetaking

Notetaking assistance is provided as an accommodation for students whose documented disabilities interfere with their ability to take notes. Whenever possible, assistive technology will be used. If a student has a disability need that may require an alternative notetaking plan, students should discuss this at their initial intake with Accessibility Services.

Recording of Lectures

If a student is eligible to record classroom lectures as an accommodation, they must sign an agreement stating that these recordings are being used only for their own personal study use and that they will be erased at the end of the semester.

Alternative Textbooks

Students who require alternative access to print materials may be eligible to receive textbooks or other educational materials in an alternative format.

Students who are seeking materials in alternative format must fill out an alternative format request form as early as possible as some materials may take up to a few weeks upon request.

Assistive Technology

Assistive technology is any tool that helps students with disabilities do things more independently to obtain equal access to course materials.

Please Note: Students whose individualized accommodations include technology equipment that will be loaned out for the semester must sign a Technology Loan Agreement and are responsible for the cost of the technology equipment if it is not returned one week after the end of the semester.

Grievance Procedure

When a disagreement arises concerning the providing of accommodations, the following procedure should be followed:

1. Student should contact the Director of Wellness right away. The Director will make every effort to resolve the disagreement with any involved faculty or staff member, and as needed, with the appropriate program director, Associate VP of Academic Affairs, and Senior Vice President of Academic Affairs.

Any student related ADA complaints, **excluding** those filed against the Director of Wellness, should be addressed to:

Kathleen Saunders
VP Student Affairs and Enrollment
Interim Director of Wellness
Trocaire College
360 Choate Ave.
Buffalo, NY 14220
SaundersK@trocaire.edu

In instances where disagreement or cause for concern arises with the Director of Wellness, the student should contact the Vice President of Student Affairs and Enrollment. ADA complaints filed against the Director of Wellness should be addressed to:

Bassam Deeb, President
Trocaire College
360 Choate Ave.
Buffalo, NY 14220
deebB@trocaire.edu