

Asher College California Campus Facilities and Services for Students with Disabilities

Definitions

The Americans with Disabilities Act (ADA) is a federal law that prohibits discrimination against people with disabilities in many areas of life, including higher education. The ADA is made up of several different sections, which are called “titles.” Title II of the ADA applies to state and local government entities, which includes public colleges and universities. Title III of the ADA applies to “public accommodations.” Public accommodations are private entities that make their services available to the general public. Title III of the ADA says that “a nursery, elementary, secondary, undergraduate, or postgraduate private school, or other place of education” is a public accommodation.

Section 504 of the Rehabilitation Act is a federal law that prohibits entities that receive federal funds from discriminating against people with disabilities. In other words, if a school gets money from the federal government (including federal student loan money), it cannot discriminate against people with disabilities.

The Unruh Civil Rights Act is a California state law that protects people with disabilities from discrimination by a “business establishment.”

The Disabled Persons Act is a California state law that protects the rights of people with disabilities to access public buildings, facilities, and other spaces.

Government Code Section 11135 is a California state law that prohibits discrimination by businesses and government entities that receive state funds.

Reasonable Accommodation: Includes any changes to the work environment and may include making existing facilities readily accessible to and usable by individuals with disabilities, job restructuring, part- time or modified work schedules, telecommuting, reassignment to a vacant position, acquisition or modification of equipment or devices, appropriate adjustment or modifications of examinations, training materials or policies, the provision of qualified readers or interpreters, and other similar accommodations for individuals with disabilities.

Some common modifications are extended time on tests and exams; extra time to complete assignments; in-class notetakers; textbooks and academic materials in alternative formats like Braille; excused absences for medical needs; and priority registration. Note that some of these “modifications” are actually auxiliary aids and services under the ADA. For more information on your rights to auxiliary aids and services, see the U.S. Department of Justice’s technical assistance guidance, “[ADA Requirements – Effective Communication](#),” January 31, 2014.

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Student Accommodations Documentation Guidelines

Asher College uses several tools in determining what may be a reasonable accommodation for a disability. If you are not sure what type of accommodation you need, we might be able to help you figure it out.

Please make the request in writing, explaining:

- 1) that you are a person with a disability;**
- 2) the ways in which your disability affects your participation in school or ability to submit an application;**
- 3) the specific accommodations that you need,**
- 4) the date by which you would like the college to respond to your request.**

Asher College will not require a doctor's letter or other documentation if your disability is known or obvious. If your disability is not obvious, Asher College can require that you submit a letter from your doctor or another professional who can support your need for accommodation.

The letter does not have to identify your specific diagnosis or disclose medical information beyond your functional limitations as a person with a disability and need for the accommodation that you are requesting.

ADA Accommodation

When an individual with a disability requests accommodation and can be reasonably accommodated without creating an undue hardship or causing a direct threat to safety, they will be given the same consideration for admissions to the college. Applicant accommodations that pose a direct threat to the health, safety or pose a threat to the well-being of the applicant or others will not be granted.

Asher College will reasonably accommodate qualified individuals with a disability so that they can effectively benefit from the education unless doing so causes a direct threat to these individuals or others and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to Asher College . Potential students should notify their Admissions Representatives with any requests for accommodation(s) and current students should notify their Program Supervisor. These requests will then be referred to the Director of Education for appropriate action. All students are required to comply with the company's safety standards. Current students who pose a direct threat to the health or safety of themselves or other individuals will be placed on a Leave of Absence until an organizational decision has been made in regard to the student's immediate enrollment situation.

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Sample Request for a Reasonable Modification

[Date]

Dear Asher College:

I am a [student/applicant] and am writing to request reasonable modification for my disability. Because of my disability, I need: [Describe the modification you need and explain why it is necessary because of your disability.] These modifications are necessary for me to have equal access to [class, service, or program] as my nondisabled peers.

[Example: Because my disability prevents me from writing quickly and clearly, I need to type all notes on my laptop. I also need a notetaker to ensure I can catch all significant material from professors in my classes. Without this modification, I will not be able to capture information in my classes. I need these modifications to ensure I have good notes to study from and do well on exams.]

Please let me know when I can expect to receive a decision from you. [If you need the modifications by a certain date, explain that in the letter. Example: I need these modifications in place by the time classes begin on September 1.]

Sincerely,

[Your name and contact information]

Flexibility Accommodation

A student with a disability that is episodic in nature may have their ability to attend class and complete tests or assignments at the scheduled time occasionally impacted. Granting flexibility accommodations ensures that the student is not penalized for effects of their disability so long as the accommodation does not fundamentally alter the essential elements of the class. Asher College makes the determination if the accommodation(s) for flexibility is reasonable. If approved the accommodations could include but are not limited to the below:

- Note-taking software utilization.
- Attendance exceptions
- Assignment extensions
- Breaks during class, as needed

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Service Animal Accommodation

A "Service Animal" means any dog (and possibly miniature horse) that is individually trained to do work or perform tasks for the benefit of a person with a disability, including a physical, sensory, psychiatric, intellectual, or other mental health disability. The work or tasks performed by a Service Animal must be directly related to the person's disability, including but not limited to:

- Assisting individuals with low vision or blindness
- Alerting individuals who are deaf or hard of hearing
- Pulling a wheelchair or stabilizing a person's gait
- Retrieving items such as medicine, food, or a telephone
- Recognizing and assisting a person having a seizure or who may be experiencing flashbacks or emotional trauma, such as from PTSD

When a person's disability is obvious, the College does not require documentation, such as proof that the animal has been certified, trained, or licensed as a Service Animal.

However, when it is *not* readily apparent that a dog is a Service Animal, the College staff may make two inquiries to determine whether the dog qualifies as a Service Animal. The inquiries are:

- 1. Is the dog a service animal required because of a disability?**
- 2. What work or task has the dog been trained to perform?**

The below also must be followed:

- The animal cannot pose a direct threat to the health and safety of persons on the college campus.
- Local ordinances regarding animals apply to service animals, including requirements for immunization, licensing, etc.
- The handler must be in full control of the animal at all times. Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices. In that case, the handler must maintain control of the animal through voice, signal, or other effective controls.
- The handler is responsible for cleaning up the animal's feces.

For further questions and assistance please contact your Director of Education at your campus below.

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