

Asher College Texas Campus

Facilities and Services for Students with Disabilities

Definitions

The Americans with Disabilities Act (ADA) The ADA further reinforces The Rehabilitation Act statutes. Under Title II, postsecondary institutions may not discriminate against students with disabilities, and they are obligated to offer educational programs in accessible buildings and offer related accessible services (e.g., classroom instruction, residence life, food service, and parking).

Title III provides that individuals with disabilities shall benefit from full and equal enjoyment of all goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation. Places of public accommodation include: museums, hotels, professional offices, restaurants, schools (including classrooms and residence halls), sport complexes, and theaters.

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.

To be protected under Section 504, a student must be determined to:

- (1) have a physical or mental impairment that substantially limits one or more major life activities; or
- (2) have a record of such an impairment; or
- (3) be regarded as having such an impairment.

Reasonable Accommodation:

Texas Law Provides that employers with 15 or more employees must provide **reasonable accommodations** to qualified employees or applicants with disabilities, unless such an accommodation would be an undue hardship. The applicant is not required to disclose the disability, but any documentation the applicant has will help Asher College understand the need for accommodations.

The cost of an accommodation and the availability of alternate accommodations are **factors** in determining if an accommodation would be an undue hardship.

Courts cannot award damages against employers who can show that they have made **good faith efforts** to accommodate a qualified individual with a disability, including consultation with that individual and efforts to provide an equally effective opportunity for that individual. **Texas Labor Code, Section 21.128**

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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.]

Attached is a letter from [my physician/psychiatrist/therapist/social worker/other third party] confirming my need for these modifications because of my disability.

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

([Texas Human Resources Code, Section 121.002](#))

“Assistance Animal” and “Service Animal” mean a canine that is specially trained or equipped to help a person with a disability and is used by the person.

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

If a person's disability is not readily apparent, for purposes of admittance to a public facility with a service animal, a staff member or manager of the facility may inquire about:

- whether the service animal is required because the person has a disability; and
- what type of work or task the service animal is trained to perform.

Responsibilities of People with Disabilities

- A person with a disability who uses an assistance animal is liable for any damages done to the premises or facilities by the animal.
- A person with a disability who uses an assistance animal for assistance in travel or auditory awareness must keep the animal properly harnessed or leashed, and a person who is injured by the animal because they are not properly harnessed or leashed is entitled to maintain a cause of action for damages in a court of competent jurisdiction.

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

Asher College
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