

Policies and Procedures for Student Claims of Disability and Requests for Accommodation / Grievance Procedures for Complaints of Denied Requests

Civil Rights Compliance Policy

Brewton-Parker College complies with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and is committed not to discriminate on the basis of disability in any of its policies, practices, procedures, programs, or activities.

Section 504 Accommodation Policy

Brewton-Parker College provides reasonable accommodations to qualified students with learning, physical, or other disabilities and impairments, whether chronic or temporary, under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794), its implementing regulations at 34 C.F.R. Part 104, and other applicable state and federal laws. Pursuant to these standards the College will make such modifications to its academic and other requirements as are necessary to ensure that such requirements do not discriminate, or have the effect of discriminating, against qualified students on the basis of their claimed and documented disabilities.

However, notwithstanding the above policy, the College may decline a requested modification to any instructional (or directly related licensing) requirement that the College can demonstrate is essential to a student's degree program and would result in a fundamental alteration of that requirement. Declining to approve such a fundamental alteration will not be regarded as discriminatory within the meaning of Section 504 and its implementing regulations. In this case, the College will offer alternate modifications/academic adjustments that would not result in a fundamental alteration of the program, service or activity.

The following procedures describe the process the College uses in determining whether students with disabilities are entitled to auxiliary aids, academic adjustments, or other aids or services needed to provide them an equal opportunity to participate in the College's programs and activities.

The Initial Conference

Disability support services are provided through the Office of the Provost and Senior Vice President (also serving as the Office of Disability Services), located on the first floor of Gates Hall at 201 David-Eliza Fountain Circle at the front of campus. Requests for accommodation should be directed to the Provost and Senior Vice President *via* email at [<rbrian@bpc.edu>](mailto:rbrian@bpc.edu) or by arranging an appointment either in person or by telephone at 912-583-3108. With this initial conference, the College will conduct an interactive process

with the student, including requests for documentation supporting a claim of disability and consideration of prior evaluations, diagnoses, accommodations, academic plans, and other documents that promote informed decisions and optimal support for the student.

Documentation of Disabilities

In order to qualify for accommodation, students are responsible to provide, as necessary, current, diagnostic documentation of their disability or impairment from a licensed professional care provider qualified in the field relevant to a claimed disability or impairment. Examples of such care providers include physicians, clinical psychologists, athletic trainers, and others qualified to evaluate and diagnose specific conditions that impair learning, mobility, vision, hearing, and other major life functions.

In the case of chronic learning, psychological, or other disorders that may change over time, documentation must be current within three years. Note that “Individualized Education Programs” (IEPs) and “Section 504 Accommodation Plans” from high schools or transfer institutions of higher education, while they provide valuable background information, are *not* diagnostic documents and do not suffice as documentation of claimed disabilities.

Letter of Accommodation

Upon documentation of a qualifying condition, the Office of Disability Services will certify the student as a person with a disability entitled to accommodation and will provide a letter or memorandum detailing approved accommodations to course instructors, residence life and athletics staff, and other service providers on campus. Accommodations will be provided on an individual basis upon re-evaluation each semester or, in the case of temporary disability, for a shorter period to be determined based on the diagnosis. Auxiliary aids, academic adjustments or modifications, and other aids or services include but are not limited to the following:

- extended-time testing
- testing in an isolated or small-group environment
- dual-modality testing (including readers)
- large-print testing
- use of assistive technology in classroom
- use of note-takers
- one-on-one or small-group tutoring
- use of service animals
- extended time permitted for degree completion
- substitution of specific courses required for completion of degree requirements
- adaptation of the manner in which specific courses are conducted
- taped texts, interpreters, or other effective methods of making orally delivered materials available to students with hearing impairments
- readers in libraries for students with visual impairments

Accommodation Timeline

Initial Conference	within five (5) calendar days of student's claim of disability and/or request for accommodation
Memorandum/Letter of Accommodation	within five (5) calendar days of initial conference or of the College's receipt of documentation of claimed disability or when class rosters are finalized at the end of the "Drop/Add" period

Students granted accommodations will receive a copy of the letter or memorandum detailing approved accommodations. Likewise, any students who are denied requested accommodations will receive a copy of the decision in writing explaining the reasons for denial and the procedures available for appealing such decisions.

Grievance and Appeal Procedures for Complaints Arising Under Section 504

Student complaints that pertain to discrimination or harassment based on disability should be submitted to the College's "Section 504 & Civil Rights Compliance Officer" for resolution in accordance with the College's Grievance Procedures and, if necessary, by referral to the standing Grievance Committee. The College designates Ms. E. Lynn Addison, Associate Provost for External Programs, as an alternate to receive complaints filed pursuant to Section 504 if the Provost is the subject of the complaint.

Contact information for the Compliance Officer and alternate are as follows:

Section 504 & Civil Rights Compliance Officer

Robert M. Brian, Provost
and Senior Vice President
Office: Gates Hall, 1st Floor
201 David-Eliza Fountain Circle
Mount Vernon, GA 30445
Email: <rbrian@bpc.edu>
Phone (W) 912-583-3108
Cell Phone: 504-220-9701

Alternate Section 504 & Civil Rights Compliance Officer

E. Lynn Addison, Associate
Provost for External Programs
Office: Jordan Building, Room 118
540 North Robinson Street
Mount Vernon, GA 30445
Email: <laddison@bpc.edu>
Phone (W) 912-583-3286
Cell Phone: 478-410-2110

In compliance with applicable law, Brewton-Parker College has developed the following procedures. The President periodically appoints the Compliance Officer, who receives complaints, helps mediate disputes, and facilitates forwarding of the complaints to the standing Grievance Committee when necessary. The College's Grievance Committee has responsibility for hearing and making decisions on matters that cannot be resolved by informal mediation. Procedures are as follows:

1. All complaints must be written, dated, signed by complainant, and filed with the "Section 504 & Civil Rights Compliance Officer" of the College.
2. Initially upon receipt of a complaint the officer will conduct a preliminary investigation to gather and preserve available evidence, including relevant party and witness statements, photographs, videos, emails, texts, social media artifacts, and other documents or things.
3. The officer also will conduct informal efforts to resolve the complaint through interactive conversation with the complainant, defendant, witnesses, or others, or through informal mediation.
4. If the complaint cannot be resolved informally within five (5) calendar days, then the officer will schedule a meeting of the standing Grievance Committee to hear and decide the matter no later than ten (10) calendar days from the date the officer received the complaint.
5. All parties will be notified in writing of the date, time, and place of the meeting.
6. Complainant will be invited to state the nature of the alleged discrimination before the Grievance Committee and answer any questions the members may want to ask.
7. Any party to the proceeding has the right to present direct testimony through witnesses and/or any other relevant evidence in support of the party's allegations or defense.
8. All parties will be given written notice of the Grievance Committee's decision within five (5) calendar days following the meeting, including the basis for the decision.
9. Within seven (7) days of Complainant's receipt of written notice of an adverse decision by the Grievance Committee, the parties may file an appeal with the standing College Appeals Committee. Like the original complaint, the parties should submit an appeal to the Provost and Senior Vice President or the alternate if the Provost and Senior Vice President is the subject of the complaint. See procedures for non-academic appeals to the College Appeals Committee at pages 67-68 of the *Academic Catalog*, published at [<http://www.bpc.edu> > Home > Registrar > 2020-2021 Catalog].
10. The officer will schedule a meeting for the College Appeals Committee to hear and decide the appeal no later than five (5) calendar days from the date the officer received the appeal.
11. All parties will be notified in writing of the date, time, and place of the appeal hearing before the College Appeals Committee.
12. In an appeal before the College Appeals Committee, each party will be accorded the same rights (described in Procedures 5-8 above) as were available when appearing before the Grievance Committee.

13. All parties will be given written notice of the College Appeals Committee's decision within five (5) calendar days following its decision, including the basis for the decision.
14. Except upon presentation of new evidence unavailable at the time of the appeal, the decision of the College Appeals Committee will be final and not subject to review by college officials.
15. The College will take steps to prevent recurrence of any discrimination and to correct discriminatory effects on the complainant and others, if appropriate.
16. Publication of the above procedures will be made to all students and employees of Brewton-Parker College.