



POLICY AND PROTOCOL ON THE PROHIBITION OF DISCRIMINATION BECAUSE OF IMPEDIMENT AND REASONABLE ACCOMMODATION

Introduction

The Rehabilitation Act of 1973, Section 504, and Public Law 101-336 Americans with Disabilities Act (ADA) of 1990 prohibit discrimination based on physical or mental impairment. The Law offers people with disabilities the same rights and opportunities that other citizens enjoy. It establishes that all public and private entities that receive federal funds will not be able to discriminate based on the impediment of people to limit or exclude their participation in any program or activity that said entities carry out. Similarly, Law 250 of September 15, 2012, the Post-secondary Passport of Reasonable Accommodation Law, aims to establish a mechanism that facilitates students with disabilities to access higher education institutions equitably to their peers unimpeded and responsive to all their needs.

Under Section 504 of the Rehabilitation Act, the ADA, and Act 250, Columbia Central University (CCU) has developed and established a Policy and protocol on the prohibition of discrimination based on impairment and reasonable accommodation. It is aimed at providing and maintaining an accessible university community that encourages and guarantees people with disabilities an environment of equal opportunities and extended admission, thus achieving their total inclusion in the university community.

Responsibility

It is important to recognize equal employment opportunity, access to public services, and promote full participation, independent living, and economic self-sufficiency for people with disabilities. For these purposes, no person may discriminate against people with disabilities.

This policy is administered by the Guidance and Counseling Office. The Counselor is responsible for planning, organizing, and evaluating all services for persons with disabilities. In addition, he/she processes complaints related to these services. In coordination with the Chancellor's Office and the Academic Dean's Office, he/she will ensure that this policy is complied with.

Applicability

This policy and protocol apply to all the people who make up the university community: employees, student-faculty, visitors, prospective students, prospective employees, vendors, and people who provide some service to the university. It also applies to all people who make use of the university facilities for any reason.



It is up to everyone: students, university staff, and visitors, as a requirement to exercise their rights, fulfill their duties and observe the legal and administrative provisions to that effect.

Procedure to Notify Acts of Discrimination due to Impediments

Legislation requires university institutions to establish complaint, appeal, and reconsideration procedures. In addition, it recommends that people not satisfied with the results of the aforementioned procedures submit their cases to the Office of the Prosecutor for People with Disabilities (Law number 2 of September 27, 1985).

Each campus has as part of its work team professional counselors trained to initially attend to any person who believes that they are being discriminated against or are aware that someone is being discriminated against for reasons of disability.

Steps to Follow

1. The procedure begins with the filing, in writing, of the complaint before the Guidance and Counseling Office. Filing a complaint leads to an investigation by the Counselor into the actions related to discrimination. The Counselor who receives the complaint must instruct the complainant about the policy and their rights.
2. If the complaint can be heard on the premises, the Counselor will try to mediate between the parties to achieve a solution acceptable to the person or persons affected. As a rule, information or other evidence provided by the parties or witnesses during the adjudication process will not be disclosed to third parties.
3. Filing a complaint result in the reported incident being investigated and the Board of Venture Complaints (JVQ) is convened, which cannot be resolved at the level of the Counselor or depending on the severity of the same. Said Meeting will be called by the Director. This Board will be composed of three members: the Rector, the Director of Human Resources, and a student, administration, or faculty representative, according to each applicable case. The process of appointing the Board and beginning the investigation must be carried out on or before five (5) business days from the notification to the parties. Each JVQ will have a life to air the issues that led to its call.

Process Before the Board to Ventilate Complaints

1. The JVQ shall appoint a President and a Secretary at its first meeting. The JVQ will draw up the minutes of all its meetings and at the end of its work, it must deliver all the documents to its President, who will pass them on to the Chancellor's Office for filing and custody.
2. The Director will present the facts that motivated the call to the Meeting.



3. The JVQ must conduct a prompt and detailed investigation of the alleged discrimination. The investigation should include:
 - a. An interview with the complainant to establish the act of the alleged discrimination and identify witnesses or physical evidence, if any.
 - b. An interview with the alleged offender, allowing him an opportunity to admit, deny, or explain each factual allegation in the complainant's statement and identify witnesses or physical evidence if any.
 - c. Interview of any witness. Witnesses will be informed that any matter that is discussed must be kept confidential.
 - d. The JVQ will evaluate the results of its investigation and determine whether the complaint has merit.
 - e. The JVQ must issue its resolution within the first fifteen (15) business days of the end of the investigation. Said resolution shall specify the conclusions reached by the Board and its opinion following said conclusions.
 - f. The results of the investigation must be communicated to the complainant and the alleged offender through a letter.
 - g. Considering the results of the investigation, the university will take the necessary corrective measures in those cases that show that there was the cause of the alleged discrimination.

The process to be Followed when the Complainant Indicates that the Student Does Not Agree with the Results of the Investigation

1. When the complainant does not agree with the results of the investigation, he/she may file a request for review of the resolution before the Institutional Board of Directors of the university within a term of five (5) working days, after having received the resolution of the JVQ. The request for review will be filed when the complainant, in writing, delivers to the President of the university a request for review in writing where he/she expresses the grounds for said request.
2. The Institutional Board of Directors shall review the request for review and determine if it is substantiated. As a result of the review, the Institutional Board of Directors may confirm, modify, revoke, or exonerate the decision of the JVQ within a term of fifteen (15) working days. The Institutional Board of Directors will draw up special minutes of all the procedures and when issuing its resolution, it will state the reasons that support its determination.
3. The filing of the petition for review will interrupt the effectiveness of the opinion of the JVQ.



4. The Institutional Board of Directors may only pass judgment on the opinion of the Board, based on the record of the proceedings before said Board, and normally and ordinarily, it will respect the conclusions of the JVQ.
5. The decision of the Institutional Board of Directors is final and firm and will conclude the matter that is the subject of the same.

A person not satisfied with the results of the aforementioned procedures may submit a complaint to the Office of the Ombudsman for Persons with Disabilities (Law number 2 of September 27, 1985).

Penalties for Violation of the Policy

When the JVQ has determined that discrimination has occurred, it can take one of the following actions:

When the offender is an employee or student, disciplinary action may be taken under the provisions of the university procedures. The disciplinary action must correspond to the discrimination, and it may fluctuate between a written reprimand to the termination of employment or expulsion from the university.

Protocol of Services for Students or Prospects

In keeping with the policy, the following protocol is adopted, which establishes the following objectives:

- Facilitate the integration and inclusion of the person with a disability with the rest of the university community.
- Offer support to the students to achieve their academic success following the mission of our university.
- Offer an extended admission process to those prospects who request it.
- Establish liaison with agencies that provide services to the population of people with disabilities.
- Promote and disseminate information related to current federal and state legislation.
- Establish a resource bank of professionals and people from the community or public and private agencies specialized in providing services to people with disabilities.



I. Physical Facilities and Direct Services

The university has the necessary access, according to each assigned area within the physical facilities, as well as the direct services necessary to attend to the students with disabilities, through competent and specialized personnel. In turn, it has a referral service in those cases that are meritorious.

In addition, the university makes reasonable accommodations in the academic programs, services, and physical structures and facilities so that an impediment is not an obstacle for the student or prospect to develop the skills and knowledge contemplated in the curriculum and participate in the curricular and extracurricular activities that are held on the premises.

1. **Buildings**-The university will provide a map (sketch) of the location of the facilities on the campus for the population with disabilities.
2. **Parking facilities and access permit**-The university designates spaces for the parking of vehicles for people with disabilities. People with disabilities or temporary conditions with a medical recommendation may request provisional access permits through the Guidance and Counseling Office. Other people who park, without the corresponding authorization, in spaces designated for people with disabilities will be fined according to current state law.
3. **Reasonable accommodation**-The university promotes reasonable accommodation for all those who require accommodation according to their need or health condition. Consequently, any person with a disability may request reasonable accommodation through the Request for Reasonable Accommodation available in the Guidance and Counseling Office. To complete this process, you must:
 - a. Complete and file the application form.
 - b. Accompany the request with a certification of necessity by a specialized professional that specifies the required accommodation.
 - c. It is the responsibility of the person with a disability to request said accommodation, well in advance, for the Guidance and Counseling Office to evaluate his/her request and prepare a service plan. Each case will be evaluated individually.

Reasonable Accommodation: Extended Admission and Tuition

- People who, due to their disability, cannot carry out the admission process within the established period, because it requires accommodation, will proceed to notify the Admissions Officer so that in turn will notify the Counselor.



- The Counselor will convene the Admissions Evaluation Committee, as required by Law 250 Post-secondary passport of reasonable accommodation. This committee will be composed of: Counselor, Admissions Director, Academic Director or Coordinator, Chancellor, or his/her representative.
 - The Admissions Office will provide an officer to assist you in the process if required.
 - Regarding enrollment, they may authorize in writing another person (duly identified) to carry out these processes.
4. **Library facilities**-The library has the necessary accessibility for users with disabilities. Anyone who requires specialized services will channel it through agencies or organizations to help the disabled.
 5. **Classroom facilities**-The classrooms are provided with sufficient space to allow accessibility for people with disabilities. Anyone that requires a special service will contact the Counselor and/or Chancellor of the campus.
 6. **Tutoring**- The university has a Tutoring Program available to all students. If you need a particular tutoring service, it must be requested at the Guidance and Counseling Office; so that it is referred to the Academic Deanery.
 7. **Student activities**-The university promotes the participation of all its students in those activities of an academic, co-curricular, and extra-curricular nature, to promote intellectual and cultural development and create a sense of belonging among the entire university community.

II. General services

The university has other services available to those with some limitation or disability. Among the services that can be requested through the staff of the Guidance and Counseling Office is:

- Access permissions
- Orientation and training
- Referrals
- File complaints or appeals
- Reconsiderations for alleged violations of Law 504, the ADA, and the institutional policy.

III. Rights and responsibilities

1. From the student or prospect
 - a. Rights - Students or prospects with disabilities will have the right to:
 - i. Equal access to courses, programs, services, employment, activities, and facilities available at the university.



- ii. Appropriate and reasonable accommodation
 - iii. Request an extended admission process
 - iv. Academic adjustments
 - v. Use of ancillary equipment (student property) in the classroom
 - vi. Determine, concerning your impairment:
 - 1. the information that may be disclosed, and,
 - 2. to whom (s) it may be disclosed
- b. Responsibilities:
- i. If reasonable accommodation is required, the person must request it through the Guidance and Counseling Office, during the first two weeks of the beginning of the academic term. Failure to do so, the student has the right to request accommodation, but it is not guaranteed that it will be provided with the same effectiveness.
 - ii. Accompany the request for reasonable accommodation with documentation from the appropriate professional resource that indicates the nature of the impairment, functional limitations, and the need for specific accommodation with their recommendations.
 - iii. If you need an extended admission, the person should notify the Admissions Office immediately, for due process.
 - iv. Comply with institutional procedures to obtain reasonable accommodation and/or technical assistance.
 - v. Meet the academic and institutional requirements.
2. From the university
- a. Rights and Responsibilities:
 - i. Guarantee the academic processes of the university.
 - ii. Require applicants updated documentation of their condition from the appropriate professional resource (physician, occupational therapist, psychologist, as applicable) to verify their need for reasonable accommodation and/or technical assistance.
 - iii. If necessary, to obtain additional information, the appropriate professional resource (physician, occupational therapist, psychologist) will be consulted as established in the Confidentiality Release.
 - iv. The Counselor is responsible for informing professors of the recommended reasonable accommodation.
 - v. Select the most appropriate reasonable accommodation according to the applicant's disability, which does not imply an excessive or unreasonable financial investment for the university.
 - vi. To consider a request for reasonable accommodation and/or technological assistance, the documentation must:



1. Identify the impediment.
 2. Document the needs of the required service.
 3. Provide the requested documents on time, (as established in subsection I, C-2)
- vii. Not to grant reasonable accommodation and/or technological assistance that is considered inappropriate or unreasonable, because:
1. Presents a direct threat to the health or safety of another person or the applicant.
 2. It constitutes a substantial change or alteration to a course or program.
 3. It presents an onerous cost for the university.

IV. Disclosure and Training Procedure

The policy and protocol are available in the Guidance and Counseling Office and the Human Resources Office. The protocol applicable to employees will be available in the Employee Handbook, Chancellor's Office, and the protocol applicable to students will be available in the Student Consumer Handbook, which is published on the website www.columbiacentral.edu.

The Guidance and Counseling Office will keep the university community informed about the Policy and Protocol on the prohibition of discrimination due to disability and reasonable accommodation through email, extracurricular activities and/or workshops, information tables, brochures, among others.

It will be available in an alternate format.

V. Frequency of review

This policy will be reviewed every two years, subject to compliance or changes with current legislation, the services, and facilities available at the university, institutional procedures, and the needs of the population with disabilities.