


PROCEDURE

Subject	Accessibility for Disabled Individuals	Number: 1.42.01
Source	Human Resources/ADA Coordinator	Reference (Rule #) 6HX14-1.42
President's Approval/Date: 7-1-09		

State College of Florida, Manatee - Sarasota recognizes and supports the standards set forth in Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) and similar state laws, which are designed to eliminate discrimination against qualified individuals with disabilities.

A. ADA Definitions

1. Individual with a disability: any person who: (1) has a physical or mental impairment that substantially limits one, or more, major life activity, (2) has a record of such an impairment or (3) is regarded as having such an impairment. To be protected by the ADA, the individual must be a qualified individual with a disability.
2. Qualified individual with a disability: with respect to employment, a person with disability who, with or without reasonable accommodation, can perform the essential functions of the job in question.
3. Essential function: EEOC regulations define essential function as "the fundamental job duties of the employment position the individual with a disability holds." The ADA covers only qualified individuals with disabilities. Determining the "essential functions" of a position is critical in evaluating whether or not a person with a disability is qualified for the position he or she holds. If an individual with a disability can perform the essential job functions, with or without reasonable accommodation, he or she may be considered qualified for the position held.

The ADA requires reasonable accommodation for a disabled person, unless the accommodation would cause an undue hardship. Reasonable accommodations allow an otherwise qualified person with a disability to perform essential job functions. Any qualified individual employed at the State College of Florida, Manatee - Sarasota with a disability who needs to have the disability reasonably accommodated must complete the procedure below.

B. Procedure for requesting reasonable accommodation by qualified individuals with a disability

The employee may request the accommodation by obtaining a copy of the request form from the ADA Coordinator (ADAC), located in the Human Resources office (HR), completing and signing it, and returning it to HR along with appropriate medical certification.

If an employee makes a verbal request for accommodation to a supervisor, or other college administrator, that individual should refer the employee to the ADA Coordinator and notify the ADA Coordinator of that referral.

When the ADAC receives a signed request form, the ADAC will convene a meeting of the Benefit Coordinator, the supervisor/department head and other administrative personnel as appropriate to discuss the request and reasonable accommodation.

The supervisor will provide this committee with a current job description for the position held by the qualified employee.

If the individual meets the definition of a qualified individual with a disability, a reasonable accommodation plan will be developed. Once it is agreed upon by the requesting employee, the supervisor, and ADAC, the plan will be signed and implemented. All accommodation plans will be reviewed after six months unless a shorter period of review is agreed to in the plan.

If the employee does not believe that they have been treated fairly during this process or that the accommodation plan is not reasonable or does not reasonably accommodate their disability, they may file a grievance with the College through the formal grievance procedure.

C. Requesting reasonable accommodations for college events

The Public Relations and Marketing Department will include the following statement “Individuals requiring accommodations should contact the Disability Resource Center (DRC) at (941) 752-5295 at least two business days prior to the event” on all external advertisements.

D. Grievance Procedures for Persons with Disabilities

These grievance procedures are established to meet the legal requirements of the Americans with Disabilities Act (ADA). They may be used by anyone who thinks they have experienced discrimination on the basis of disability in employment practices or policies or in the provision of services, activities, programs, or benefits by Manatee Community College.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of the complainant and location, date, description of the problem and may be supplemented by supporting documents and/or affidavits from persons having firsthand knowledge of the facts. Alternative means of filing complaints, such as personal interviews or tape recording, are made available to persons with disabilities upon request. The complaints alleging violation of the ADA or Section 504 should be submitted to the appropriate supervisor or administrator as soon as possible, but no later than sixty (60) working days of the alleged violation or claim of failure to provide reasonable accommodation. If the complainant is not comfortable with submitting the complaint through the supervisor/administrator, they may submit the written complaint directly to the ADAC.

Within five (5) working day of receipt, the supervisor/administrator will meet with the complainant and attempt resolution of a complaint through mutual agreement of the affected parties. Should such resolution be achieved, the investigation shall be ended. If a resolution is not achieved, the complainant may file a formal written complaint with the ADAC.

Within ten (10) working days of receiving the complaint, the ADAC meet with the complainant to discuss the grievance and identify possible resolutions. If an investigation is warranted, it will be conducted in a timely manner and the ADAC will respond in writing, or in a format accessible to the complainant, within fifteen (15) workdays after the completion of the investigation. The response explains the position of the college for resolution of the complaint.

E. Appeals

If the response by the ADAC does not satisfactorily resolve the issue, the complainant may appeal the decision to the Director of Human Resources. Within ten calendar days after receipt of the appeal, the Director of Human Resources meets with the appellant to discuss the grievance and possible resolutions. Within five working days after the meeting, the appellant is sent in writing or another format accessible to them, a final resolution of the complaint.