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## **Notice of Non-Discrimination**

The college does not discriminate based on disability in its programs and activities.

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### **Mission**

University of Cincinnati, Blue Ash works to ensure students who experience disability have equal opportunity and equal access to participate in offerings both in and out of the classroom.

### **Who We Are**

The College has designated the following individuals to address inquiries regarding the College's discrimination policies and to coordinate its efforts to comply with, and carry out its responsibilities under, the laws prohibiting discrimination based on disability, including Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act.

- Greg Metz, Associate Dean, Enrollment and Student Development/ OMBUDS
- Pamela Goines, Director, Accessibility Resources
- John Kraimer, Program Director, Accessibility Resources

## **Introduction to the Accessibility Resources**

The mission of Accessibility Resources (herein, “AR”) is to ensure that the college provides students with documented disabilities appropriate academic adjustments and auxiliary aids (herein, “reasonable accommodations”).

- The University of Cincinnati, Blue Ash College Accessibility Resources office (AR) seeks to ensure that all students with a documented disability can freely and actively participate in all facets of college life.
- To that end, Accessibility Resources creates opportunities for and promotes educational experiences, advocacy, and enrichment to persons with disabilities.
- Finally, AR seeks to increase the awareness and training among the UC Blue Ash College community so that students with disabilities continue to be seen as people of promise

This policy guideline was designed to provide answers to common questions about accommodations and services, and the procedures for obtaining them from the college. The procedures in this handbook apply to every college program and supersede any conflicting and/or alternative policies and procedures of any college program.

## **Eligibility for Services and Documentation Requirements**

*Are you a qualified student with a disability eligible for accommodations? What does qualified mean?*

A qualified individual is an individual with a disability who meets the academic and technical standards requisite to admission or participation in the College’s education program or activities.

*What does disability mean?*

According to the Americans with Disabilities Act (ADA), an individual has a disability if the individual has a physical or mental impairment that substantially limits one or more of the major life activities; a record of such an impairment; or being regarded as having such an impairment.

*What is a physical or mental impairment?*

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems including but not limited to:

neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine. Mental impairment means any mental or psychological disorder such as developmental/cognitive disabilities, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Physical or mental impairments include, but are not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

***What does major life activity mean?***

It means functions including, but not limited to, caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working; and/or major bodily functions including, but not limited to immune system, normal cell growth, endocrine system, etc.

***What does accommodation mean?***

In the post-secondary educational setting, an accommodation is any modification to the College's academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating against a qualified individual with a disability. An accommodation also means any auxiliary aids that the College must provide to ensure that a qualified individual with a disability is not denied the benefits of the College's program, excluded from participation in the College's program, or subjected to discrimination in the College's program because of the absence of the auxiliary aids.

## **I'm eligible! How do I request accommodations?**

At UC, Blue Ash, it's as easy as 1-2-3.

### **Step 1: Submit documentation of a disability to AR via fax, email, or in-person delivery.**

- Fax: 513-792-8625
- Mail or bring to: 9555 Plainfield Rd., Cincinnati, Ohio 45236
- Email to [ucbaar@uc.edu](mailto:ucbaar@uc.edu)

### **Type of Documentation that may be submitted**

Students should submit at least one of the following:

- Full evaluation/diagnostic report (*Medical Doctor Report*)  
This would provide the richest information to determine the best possible accommodations and supports.
- Documentation that provides proof of diagnosis and prior accommodations.
  - IEP/504 plan
  - Accommodation letter from previous postsecondary institution
- Disability Services Verification Form
  - Must be completed by a healthcare professional
- A healthcare professional can submit a letter of their own. Please provide the following information to Disability Services on letterhead with the date and signature:
  - A diagnostic statement identifying the disability (with the date of diagnosis)
  - Severity of the disorder (mild/moderate/severe)
  - Medication or treatment currently prescribed
  - Recommended accommodations that may assist the student in minimizing the impact of the condition in an academic setting.

### **Step 2: Schedule a Meeting**

- Once received, we will review your documentation and a confirmation email will be sent to your UC Blue Ash College email account, or a text message will be sent to your phone, asking you to go to the UC Blue Ash/Accessibility Resources page and click the link to complete an online Student Self Report Form. This should be completed before meeting with the AR Director. After submitting the form call the number listed above to schedule an interview appointment with the Director.

### **Step 3: Establish Accommodations**

During the meeting, you and the AR Director, or a designee, will discuss the documentation you submitted, barriers you experience in your academics, accommodations that would work best for you, and how to set up those accommodations. You are not considered fully registered with the office until after your intake appointment.

Once the accommodations are established, accommodation forms are generated and emailed to the student. The student must email this form to their instructor(s) in order to receive classroom accommodations.

*\*Note: If AR determines that a student is not eligible for accommodations, AR will provide a written notification of the denial and the reason(s) within 2 school days of the meeting. The grievance process will be included in that correspondence so that the student is informed of the process for challenging a denial of accommodation requests.*

### **Temporary Accommodations and Services**

The AR office can be of assistance to students who have documentation of a temporary disability. Services are provided only for the duration of the functional limitations associated with the temporary disability. The eligibility process is the same for all students with disabilities.

### **Accommodation for Practicum, Clinical, Field based, or Unscheduled Experiences**

If a student enrolls in a practicum, internship, student teaching, clinical experience, service learning, or other performance-based college-sponsored educational experience, and would like to receive those accommodations during this part of their class, the Director of AR must be notified in order to review the accommodations identified in the accommodation form to determine whether they are appropriate and approved for those experiences. Accordingly, the student must contact AR 30 school days prior to these experiences so there is ample time to meet with program facilitators and the student to establish appropriate accommodations. The interactive process is detailed below. While it is the student's responsibility to contact AR staff at least 30 school days prior to their field experience to begin discussing options regarding these experiences, AR will make every effort to accommodate students who are unable to do so.

Additionally, during this process or any When a student has a request for interpreters outside of their regularly approved class accommodation(s), the student is to complete an Interpreter Request Form located on the University of Cincinnati AR webpage: <http://www.uc.edu/aess/disability/cat/terpreq.html>.

This form should be completed 2 school days prior to the date interpreting service will be needed. If however this is an emergency then services will be provided as immediately as is possible. An emergency in this instance is defined as an unavoidable situation that if left unaddressed for 2 business days could cause the student to fail a class or to be unsafe. If AR determines this request not to be an emergency the student will be asked to follow the standard procedure of submitting a request form for the specified service.

## **Services for Transitioning Students**

If you plan to transition to or take classes at another college campus or sites and require accommodations for your disability, your timely contact with the AR office at each campus you plan to attend is important if you would like to continue receiving your accommodations at the new college. This is especially true if you use accommodations such as interpreters, closed captioning, note takers, e-text, or residence halls, etc.

Students transitioning to or attending other campuses or sites **MUST** do the following:

- Contact the AR office for your current campus to request that your information be sent to whichever campus you plan to attend.
- Contact the AR Director on the campus at which you are taking the course. Even if the course is online, accommodations cannot be implemented without a formal check-in, which can be completed over the phone or in person. It is your responsibility to establish this contact.
- You must complete this process the first time you take a class at a different campus. Once you have established your AR record at a campus, your accommodations and documentation will remain on file. You only need to let the AR Director know that you are taking classes at that campus in subsequent semesters.
- These procedures are designed to help students with disabilities make a smooth transition among campuses throughout the College system. Please do not hesitate to contact the AR office if we can assist you in any way.

## **Personal Care Attendants/Individual Prescribed Devices**

AR does not provide personal care attendants or individually prescribed devices, such as wheelchairs, prescription eyeglasses, or hearing aids, etc., or services of a personal nature, such as assistance in eating, toileting, dressing, etc. If students require these services, they need to make their own arrangements.

## Voter Registration

The AR office can provide information about and assist students with disabilities in the process of registering to vote. Voter registration forms are available upon request in the AR office.

To qualify to vote, you must be:

- a U.S. citizen;
- 18 years old on or before the general election day;
- a resident of Ohio for at least 30 days immediately before the election;
- registered to vote at least 30 days before election day.

Persons with disabilities may also receive assistance marking their ballots in the voting booth. Ohio law provides that persons who tell an election official at the polling place that they need assistance are entitled to receive assistance marking their ballots.

## Service Animals

In general, UC BLUE ASH will permit the use of a service animal by an individual with a disability.

UC BLUE ASH requires an individual with a disability to remove a service animal from the premises if the animal is out of control and the animal's handler does not take effective action to control it or the animal is not housebroken. However, if UC BLUE ASH excludes a service animal for these reasons, it will allow the individual with a disability the opportunity to participate in the service, program, or activity without having the service animal on the premises.

- *Service animal* means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are *not* service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability.
- *Animal under handler's control*. A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- *Care or supervision*. A public entity is not responsible for the care or supervision of a service animal.

- *Inquiries.* UC BLUE ASH will not ask about the nature or extent of a person's disability, but may make two inquiries to determine whether an animal qualifies as a service animal. UC BLUE ASH may make these inquiries where it is not readily apparent that an animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).
  - UC BLUE ASH may ask (1) if the animal is required because of a disability and (2) what work or task the animal has been trained to perform.
  - UC BLUE ASH does not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.
- *Access to areas of a public entity.* Individuals with disabilities shall be permitted to be accompanied by their service animals in all areas of UC BLUE ASH's facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.
- *Surcharges.* UC BLUE ASH will not ask or require an individual with a disability to pay a surcharge, even if people accompanied by pets are required to pay fees, or to comply with other requirements generally not applicable to people without pets. Where UC BLUE ASH normally charges individuals for the damage they cause, an individual with a disability may be charged for damage caused by his or her service animal.

## **Communication/Auxiliary Aids**

AR shall take appropriate steps to ensure that communication with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others.

For purposes of this section, "companion" means a family member, friend, or associate of an individual seeking access to a service, program, or activity of a public entity, who, along with such individual, is an appropriate person with whom the public entity should communicate.

- AR shall furnish appropriate auxiliary aids and services where necessary – and requested – to afford qualified individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of UC BLUE ASH.
- The type of auxiliary aid or service necessary to ensure effective communication will vary in accordance with the method of communication used by the individual; the nature, length,

and complexity of the communication involved; and the context in which the communication is taking place.

- In determining what types of auxiliary aids and services are necessary, UC BLUE ASH will give primary consideration to the requests of individuals with disabilities. In order to be effective, auxiliary aids and services must be provided in accessible formats, in a timely manner, and in such a way as to protect the privacy and independence of the individual with a disability.

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### **Emergency Plans**

If you have concerns about emergency evacuation because of your disability, speak with the Security to determine specific procedures to fit your needs.

# Grievance Procedure

## SECTION 504/ADA GRIEVANCE PROCEDURE

The University of Cincinnati (“University”) has adopted the following Grievance Procedure for addressing complaints of discrimination under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990. The University does not tolerate discrimination on the basis of disability in its programs or activities and will take prompt and effective steps to address disability discrimination (including disability harassment and retaliation), end a hostile environment if one has been created, and prevent the recurrence of disability discrimination.

This procedure applies to all individuals, including students and employees, who may experience or witness disability discrimination in a University program or activity. This procedure is designed to provide a prompt, reliable, and impartial procedure for the resolution of disability discrimination complaints.

For the purposes of this procedure, “business day” means any day other than Saturday, Sunday, or a federal holiday.

### Step 1: Optional Informal Resolution

A. The University encourages the reporting of incidents of disability discrimination. Individuals who believe they have experienced disability discrimination in a University program or activity are encouraged, but not required, to discuss the matter informally as follows:

- i. Students – Students who wish to participate in informal resolution of their concerns may contact

University of Cincinnati, Blue Ash  
Gregory Metz, OMBUDS  
9555 Plainfield Rd.  
Muntz Hall Room 112J  
Blue Ash, Ohio 45236  
513-936-1641

If there is a conflict of interest with the OMBUDS, students may contact the University Section 504/ADA Coordinator (“the Coordinator”):

Chief Human Resources Officer  
University Hall Suite 340  
51 Goodman Drive  
Cincinnati, OH 45221-0039  
(513) 556-6381  
[HRONESTP@ucmail.uc.edu](mailto:HRONESTP@ucmail.uc.edu)

- ii. Employees – Employees who wish to participate in the informal resolution process may contact their immediate supervisor. If there is a conflict of interest with the supervisor, employees may contact the University Section 504/ADA Coordinator.

B. The representative of the OMBUDS office will facilitate discussion between the parties during the informal process. The parties may participate in joint and/or separate sessions with the facilitator to attempt to resolve the complaint. The sessions will be confidential to the extent permitted by law.

C. Participation in the informal process is voluntary, and the grievant may end the informal process at any time and file a formal complaint.

D. The informal process generally will be concluded within 30 business days. Within 10 business days of the conclusion of the process, written notice of the outcome will be provided to the parties and the Coordinator.

### **Step 2: Formal Resolution**

A. If the informal Step 1 process does not resolve the matter, or if the grievant does not wish to use the informal procedures set forth in Step 1, a written complaint may be submitted to the Coordinator. The Coordinator will investigate the complaint personally or through his/her designee. If the Coordinator is the subject of the complaint or otherwise has a conflict of interest, the complaint shall be submitted to the Senior Vice President for Administration and Finance who will appoint another administrator to conduct the investigation.

B. The complaint shall be signed or otherwise attested by the grievant and include 1) the grievant's name and contact information; 2) the facts of the incident or action complained of; 3) the approximate date of the incident or action giving rise to the complaint; 4) the type of discrimination alleged to have occurred; and 5) the specific relief sought. Names of witnesses and other relevant evidence may also be submitted. If in the investigator's judgment the complaint also falls within the jurisdiction of the Student Code of Conduct, the investigator shall refer the matter to the Office for Judicial Affairs. The investigation provided for in this procedure shall continue in parallel with any action taken by the Office for Judicial Affairs.

C. An investigation of the complaint will be initiated within 5 business days following the submission of the written complaint. As appropriate, the investigation shall include an interview of the parties and witnesses, a review of relevant evidence, and any other steps necessary to ensure a prompt and thorough investigation of the complaint. The investigation shall generally be completed within 30 business days after initiation.

D. A written disposition of the complaint shall be issued to the parties within 5 business days of completion of the investigation. If discrimination or harassment was found to have occurred by a preponderance of the evidence, the disposition will include the steps that the University will take to prevent recurrence of any discrimination/harassment and to correct its discriminatory effects on the grievant and others, if appropriate.

### **Step 3: Appeal Procedure**

A. If the grievant wishes to appeal the decision in Step 2 above, he/she may submit a signed or attested written appeal to the Senior Vice President for Administration and Finance within 10 business days after receipt of the written disposition.

The only permissible grounds for appeal shall be:

(1) New information was discovered, which was not available at the time of the hearing, and such evidence is material and is likely to affect the outcome of the matter; or

(2) A substantial procedural error occurred in the process, which materially affected the decision; or

(3) A sanction of suspension or dismissal from the university was imposed and is not commensurate with the violation.

B. Within 30 business days, the Senior Vice President for Administration and Finance or his/her designee shall review all the evidence presented to the previous investigator. If the Senior Vice President for Administration and Finance or his/her designee determines that he/she agrees with the grounds for appeal, he/she may, if deemed necessary, require that additional investigation be conducted or shall make his/her own determination.

C. Written notice of the Senior Vice President for Administration and Finance's decision will be given to both the grievant and the respondent. If discrimination or harassment was found to have occurred, the disposition will include the steps that the University will take to prevent recurrence of any discrimination/harassment and to correct its discriminatory effects on the grievant and others, if appropriate.

The University hereby provides assurance that it strictly prohibits any form of retaliation against any person for asserting his/her rights under Section 504 and/or the ADA. Anyone engaging in retaliation will be subject to disciplinary action. Complaints of retaliation may also be addressed through the foregoing procedure.

A person is not required to use this procedure and may instead file a complaint directly with the U.S. Department of Education's Office for Civil Rights, 1350 Euclid Avenue, Suite 325, Cleveland, OH 44115

## **Student Code of Conduct**

Students with disabilities must adhere to the Student Code of Conduct.

**Comparisons of IDEA 2004 and ADA/504**

	<b>IDEA 2004</b> (Birth to age 21)	<b>ADA and Section 504 of the Rehabilitation Act</b> (Postsecondary Level)
What are the rights guaranteed by law?	Free Appropriate Public Education (FAPE) Special education and related services for those classified via Child Study Teams (CST)	Access as an otherwise qualified individual Reasonable accommodations
Who is covered?	Students birth through age 21 or graduation from high school, whichever comes first, who are CST classified	Students who are "otherwise qualified" Students currently abusing substances are not protected under this law.
How are students identified and determined eligible?	The Local Education Agency (LEA) is responsible for the identification, evaluation, and cost to determine eligibility.	The student must self-identify and provide recent, appropriate documentation. The student bears the cost of the evaluation, if recent documentation does not already exist
How are services determined?	Students must be in need of special education and related services to qualify for services. Using the results of the evaluation, services are individually determined through the IEP process. IDEA is about success, and modifications to programs and curriculum may be made to encourage success.	Using documentation provided and after discussion with the student, reasonable accommodations are determined. Academic adjustments that equalize opportunity for participation are required. ADA/504 is about access, and accommodations are made for students who are "otherwise qualified". Fundamental modifications of programs and curriculum are not required.
Are personal services provided at the college?	Students in special education are provided a variety of personal services if indicated in the IEP, e.g., personal care attendants, special transportation, tutors, etc.	Personal care attendants are not provided by the college and the student would need to arrange/pay for these services on their own. Tutors available for all students are also

What is the role of the parent?	Teachers, counselors, and/or parents identify students who may need special education services. Teachers, counselors, and parents monitor services.	available to students with disabilities Students must self-identify and request accommodations. Students are responsible for informing AR if there are problems with their accommodations and services.
What is the role of the student?	Teachers, counselors, and/or parents identify students who may need special education services. Teachers, counselors, and parents monitor services.	Students must self-identify and request accommodations. Students are responsible for informing AR if there are problems with their accommodations and services.
What is the appeals process?	Parents have due process rights under IDEA and individual state law.	College students may use the college informal and formal complaint processes as stated in the AR handbook. Complaints may also be filed through the Office of Civil Rights (OCR) which is part of the United States Department of Education (USDOE).
What types of accommodations require a student to use the services of the AR?		Accommodations needed to provide access on campus Academic accommodations Accommodation for temporary medical conditions Handicapped or medical parking

*\*Adapted in part from Seton Hall College 05/06*

Note: All students enrolled in postsecondary courses, regardless of age, are covered by ADA and Section 504 of the Rehabilitation Act. IDEA does not apply in postsecondary institutions.