POLICY ON EFFECTIVE COMMUNICATION WITH INDIVIDUALS WHO HAVE HEARING, VISION, AND SPEECH IMPAIRMENTS

In accordance with the requirements of Title III of the Americans with Disabilities Act (ADA) and its implementing regulations (34 C.F.R. Part 36) and Section 504 of the Rehabilitation Act and its implementing regulations (34 C.F .R. Part 104), Apollo College does not discriminate against qualified persons with disabilities on the basis of disability in its programs, services, and activities.

Apollo College ensures that qualified persons with disabilities have communication access that is as effective as that provided to persons without disabilities. To be equally effective, an aid, benefit or service need not produce the identical result or level of achievement for disabled and non-disabled persons; it must afford the person to whom it is provided equal opportunity to achieve equal results, gain equal benefit, and reach the same level of achievement.

For purposes of this policy, the following terms are defined:

- individual with a disability is any person who: (1) has a physical, sensory or mental impairment that substantially limits one or more major life activities (e.g., caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, reading, learning, and/or working in a class of jobs); (2) has a record of such an impairment (has a history of, or has been classified as having a mental, sensory or physical impairment that substantially limits one or more major life activities); and/or (3) is regarded as having such an impairment (is perceived by others in the College as being substantially limited in performing at least one major life activity.
- qualified person with a disability means a person with a disability who, with or without academic modifications, the removal of architectural, communication or transportation barriers, or the provision of auxiliary aids and services, meets the essential academic and technical standards requisite to admission or participation in the institution’s education programs or activities provided by Apollo College.
- programs and activities include but are not limited to: admissions, academic and degree plans-(including coursework); counseling; advising; financial aid; recreation activities; transportation; student organizations; placement; field trips; and any other programs offered by Apollo College.

Apollo College will furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities. More specifically, in accordance with 28 C.F.R. 36.303 and 34 C.F.R. 104.44, Apollo College will take such steps as may be necessary to ensure that no individual with a disability is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of auxiliary aids and services, unless Apollo College can demonstrate that taking such steps would fundamentally alter the nature of the program and services being offered or would result in undue burden, e.g., significant difficulty or expense. Apollo

College will still provide an alternative auxiliary aid or service that would not result in an undue burden or fundamental alteration, but that would ensure effective communication to the extent possible, if one is available.

Auxiliary aids and services include:

- qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD' s), videotext displays, or other effective methods of making aurally delivered materials available to students with hearing impairments;
- qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods of making visually delivered materials available to individuals with visual impairments;
- acquisition or modification of equipment or devices; and
- other similar services and actions.

For purposes of this policy, qualified interpreters means an interpreter who is able to interpret effectively, accurately and impartially both receptively and expressively, using any necessary specialized vocabulary and possesses any required state certification. In Arizona, for a sign language interpreter to be qualified, s/he must also possess certification from the Arizona Commission on the Deaf and Hard of Hearing pursuant to A.R.S. § 36-1971 & A.A.C. R9-26-501.

Apollo College will not place a surcharge on an individual to cover the costs of providing the auxiliary aid or service. Apollo College is not required to provide personal aids and services such as personal attendants, individually prescribed devices such as prescription eyeglasses or hearing aids, or readers for personal use or study, or other devices or services of a personal nature such as assistance in eating, toileting, and dressing that are not provided to other students and are not geared towards facilitating effective and meaningful access to the institution's educational programs or activities.

In accordance with 28 C.F.R. § 36.302 and 34 C.F.R. § 104.44, Apollo College will also make reasonable modifications to its policies and practices (“academic modifications”) to ensure that such requirements do not discriminate or have the effect of discriminating against a qualified individual with a disability on the basis of such disability, unless to do so would fundamentally alter the nature of its program. Academic requirements that Apollo College can demonstrate are essential to the instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory.

Modifications to academic requirements may include changes, such as the length of time permitted for the completion of degree requirements, substitution of specific courses required for degree requirements, and adaptation of the manner in which specific courses are conducted.

The Request Process

An applicant or enrolled student who believes that s/he might need an auxiliary aid or services or reasonable modifications should make a request to the campus Director of Admissions or the Executive Director as far in advance as reasonably possible before the scheduled program or activity. Written requests are preferred. However, if an applicant or enrolled student makes a verbal request, the request will be converted to writing on a reasonable accommodation request form by the person making the request or an Apollo College staff member and then reviewed and signed by the person making the request.

While prospective students and students may request an accommodation, or the need for one, at any time, Apollo College cannot guarantee that an accommodation will always be immediately available. Apollo College will make every effort, however, to provide prospective students and students with the appropriate and/or requested accommodation as quickly as practicable under the circumstances.

If a prospective student voluntarily informs an Apollo College Admissions staffer that he or she is a person with a disability and needs the provision of an auxiliary aid or service or a reasonable modification as part of the application process, the admission's staff shall immediately refer the prospective student to the Director of Admissions or Executive Director. The Admission staff may explain as follows: "Requests for accommodations during admissions are handled by our Director of Admissions or Executive Director who will promptly be in touch with you regarding your request."

If a student or applicant voluntarily informs a member of Apollo's staff that he or she has a disability and needs/requests an accommodation, the employee shall immediately refer the student to the Director of Admissions or Executive Director. The Admission staff may explain as follows: "Requests for accommodations in academic programs and other services are handled by our Executive Director who promptly will be in touch with you regarding your request."

Students who require accommodations must contact the Director of Admissions or Executive Director, located on each campus, in a timely manner. Contact should be made as soon as a prospective student knows s/he will need an accommodation to have access to admission services, prior to the start of classes or as soon as the disability becomes known for students.

All qualified prospective students with disabilities who, with or without reasonable accommodations (i.e., academic adjustments, modifications to policies, practices, and procedures, the removal of architectural, communication or transportation barriers, and/or the provision of auxiliary aids and services) can meet the essential enrollment requirements as stated in the student catalog, are allowed to complete an enrollment agreement.

Procedure for Determining Eligibility

Student and prospective students requesting an auxiliary aid or service, academic modification, or other reasonable modification in accordance with the "Request Process" (described above) must provide documentation, upon request, to Apollo College regarding the disability and limitations on participation in courses, programs, services, jobs, activities, and/or use of facilities.

- The documentation should identify how a student's ability to function is limited as a result of her or his disability.

- The primary purpose of the documentation is to establish that the student or prospective student has a disability and needs an academic modification or auxiliary aid or service to have an equal opportunity to participate in Apollo College's program, services, or activities.

- Apollo College may also request documentation to determine if a device or practice used by a student reduces or eliminates the effects of the student's impairment.

- Apollo College may require the applicant or student submit documentation prepared by an appropriate professional, such as a medical doctor, psychologist, audiologist, or other qualified diagnostician.

- The required documentation may include one or more of the following: a diagnosis of your current disability, the date of the diagnosis, how the diagnosis was reached, the credentials of the professional, how your disability affects a major life activity, and how the disability affects the ability to participate in Apollo College's program, service or activity for which the accommodation is requested.

- The student or prospective student is responsible for providing the documentation at his or her own expense.

Apollo College will promptly review the documentation and determine eligibility for such requests. If the initial documentation is incomplete or inadequate to determine the extent of the disability and need for auxiliary aids or services or academic modifications, Apollo College may require additional documentation.

Apollo College will notify the student, verbally and in writing, and in a timely manner considering the nature of the request, whether the accommodation request has been approved or denied and explain the basis for any denial.

Once a prospective student or student has been deemed to be a qualified individual with a disability, Apollo College's designee will promptly meet with the prospective student or

student to discuss reasonable accommodations, academic adjustments, and/or auxiliary aid or services, as applicable.

Apollo College will provide academic adjustments and auxiliary aids and services as needed by the student or prospective student in order to afford him/her an equal opportunity to participate in the College's programs, activities and services (including extracurricular activities). With respect to auxiliary aids and services, the College shall consult with the individual in choosing the specific aid or service it provides to him/her. As explained above, the discussion with the prospective student or student may address:

- the limitations imposed by the individual's disability; and
- the effectiveness of potential auxiliary aids or services or reasonable modifications in enabling the student to have the effective communication necessary to meet the course requirements or licensing requirements.

Appropriate auxiliary aids or services and reasonable modifications are determined on an individual case-by-case basis. After consulting with the student or prospective student, Apollo College has flexibility in choosing the specific auxiliary aid or service it provides to the student or prospective student, as long as the aid or service selected is effective. More specifically, based on discussion with the applicant or student, Apollo College will determine the type of auxiliary aids or services and the date, time, and place where such services will be provided. Apollo College, at its own expense, will secure the particular aids or services necessary to ensure effective communication. Such aids will remain the property of Apollo College.

Confidentiality

All information obtained in the process of determining whether a student is an individual with a disability and in determining effective accommodations for an individual, will be considered confidential, except as permitted or required by law. The information, however, may be made available to instructors and supervisors on a need to know basis; first aid and safety personnel if the disability might require emergency treatment; and government officials investigating compliance.

Access to confidential information regarding disability will be limited to certain Apollo College employees on a need-to-know basis. The employees are limited to the Director of Admission (prospective students) and the Executive Director (students) as well as faculty members who need to know to implement the accommodations. No information to identify a student with a disability will be made available to or discussed with other College personnel without the permission of the student. To ensure confidentiality, all medical and/or psychological documentation should be addressed directly to the requesting Apollo College staff and the envelope marked as "Confidential" by the sender. Qualified interpreters provided by Apollo College shall adhere to confidentiality in accordance with the Registry of Interpreters for the Deaf (RID) Code of Ethics.

Grievance Procedure

A student or prospective student who is dissatisfied with the decision of Apollo College about the denial of an auxiliary aid or service, academic modification or other reasonable modification to the rules or policies of the school because of disability may file a grievance with the Campus Executive Director under Apollo College's internal grievance procedures.

Methods of Administration

In order to ensure effective and efficient implementation of this policy, Apollo College will:

- maintain a list of qualified readers and interpreters that are available to provide services, when necessary and such list will be updated annually;
- include information regarding this policy in our student catalog and handbook and on our website; and
- provide regular training of our staff regarding the contents of this policy.