

The college shall ensure that the college is in compliance with the Americans with Disabilities Act (ARS 15-1445).

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act (ADAAA) are federal laws that require employers to not discriminate against applicants and individuals with disabilities and, when needed, to provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is the policy of Mohave Community College to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, the College prohibits discrimination against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The college shall facilitate, within reason, appropriate resources, services, and auxiliary aids to allow each qualified person with a documented disability equitable access to educational programs, social experiences, and career opportunities.

The Compliance Officer and the Chief Human Resources Officer will act as ADA coordinators for the college to oversee compliance in the area of facilities, student, staff and faculty accommodations and employment practices.

Date of Adoption: Adoption of Manual: July 2008

*References: ARS 15-1445
Americans with Disabilities Act (ADA)*

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Requests for Accommodations

If an employee with a disability wants or needs reasonable accommodation, it is the responsibility of the employee to request such accommodation in writing, as well as to provide the college with documentation of the disability to the office of human resources. (Medical reports of records, diagnostic evaluations, a letter(s) from a qualified medical professional or completion of the disability verification form are examples of such documentation). Mohave Community College requires up to twenty-one working days' notice to provide disability related "reasonable accommodation" or assistance to the person requesting accommodation, provided the accommodation does not create an undue hardship on the financial or structural operation of the college. Wherever possible, the college may provide reasonable accommodation(s) with less than a twenty-one day working notice provided an undue hardship on the financial or structural operation of the college does not exist.

Under the ADA, an "individual with a disability" is someone with a physical or mental impairment that substantially limits one or more major life activities. An individual is considered to be a person with a disability if he/she has the disability, has a record of the disability or is regarded as having the disability. It is college's intention and obligation to provide "reasonable accommodation" to qualified employees with disabilities in all aspects of employment, provided the accommodation does not create undue hardship on the financial or structural operation of the college. Reasonable accommodation is the provision of an auxiliary aid, or modification of the facility, service or program, which may allow access by the employee with a documented disability.

Evaluation and provision of accommodations: It is the responsibility of the employee with a documented disability to inform the office of human resources of his or her need for special assistance or accommodation. When the request for assistance or accommodation is received, the office of human resources will:

Determine if the individual is qualified by taking appropriate steps. Request documentation of the disability to include completion of the disability verification form by a physician or qualified health professional.

Consult with the qualified employee with a documented disability who has identified his or her need for assistance and evaluate reasonable accommodation.

Research available accommodations and resources. Consult with the relevant administrator in considering types of reasonable accommodations.

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Consider the preference of the employee with a documented disability. In most cases, the college is free to choose the readily achievable accommodation. This could be the least expensive or the easier to provide; however, if accommodation avenues are equal, the employee's preference will be provided.

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Mohave Community College is committed to providing reasonable accommodation pursuant to the American's with Disabilities Act and other relevant laws. These guidelines provide information regarding the accommodation process for individuals using service animals.

Definitions:

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 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 handler's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition.

Disability means a physical or mental impairment that substantially limits one or more of the major life activities of a person. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Process:

Short-term visitors and members of the public: In the event that a member of the community is attending an event or using the library, the individual will not be asked to document a disability to bring a service animal onto campus. Questions or concerns regarding the appropriateness of a service animal being on campus should be brought to the attention of the Compliance Office.

Students: Students who are planning to be accompanied by a service animal on campus are encouraged to complete the disability services application process with an advisor. Although not required, documenting the need for services increases communication and organization between the student and the College, which allows the institution to review the need to make any arrangements or modifications in a classroom or lab. Students accompanied by a service animal may also be eligible for other accommodation services. The submission of documentation may assist the College in determining further accommodation services for which the individual may be eligible.

Employees: As with any other accommodation, Mohave Community College employees who use a service animal on campus are required to speak with MCC Human Resources and engage in an interactive accommodation process, which may require certain documentation.

General Requirements for Individuals Using Service Animals on Mohave Community College Campus:

These are the general requirements for the use of service animals on MCC property.

Except for licensing and vaccination requirements, MCC will make reasonable accommodation for individuals who are not able to comply with these requirements due to disability.

1. A service animal will be permitted to accompany a person with a disability unless:
 - a. The animal poses a direct threat to the health or safety of others
 - b. The animal fundamentally alters the nature of the place, services or activities.
 - c. The animal poses an undue burden.
 - d. The animal is unruly or disruptive.
 - e. Except in an immediate safety situation, the Compliance Officer or ADA Coordinator should be contacted prior to excluding a service animal.
2. The animal must be immunized in accordance with the county and/or city requirements where the animal is being brought on to MCC property.
3. The animal must be licensed in accordance with the county and/or city requirements where the animal is being used, and must display the license as required by that county or city.
4. The user must be in control of the animal at all times while on MCC property.
5. The care and control of the animal is solely the responsibility of its user.
6. The user must clean up the animal's waste.
7. The user is responsible for damage caused by the animal.

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