In consultation with the Accessibility Committee, the College Legal Counsel, and other appropriate faculty and staff of the College, the ADA Officer is responsible for monitoring and evaluating College programs and policies to ensure compliance with state and federal antidiscrimination laws.

**Responsibilities and Duties**

1. Coordinate the College’s compliance with the American with Disabilities Act, as amended, the Rehabilitation Act, and the Iowa Civil Rights Act;
2. Evaluate, document and administer accommodation requests for faculty, staff, visitors and patrons;
3. Act as a resource to the Accommodation Review Panel (ARP);
4. Evaluate and document the College community’s compliance efforts;
5. Recommend campus policies and procedures relating to the ADA and Rehabilitation Act for the entire College community;
6. Respond to information requests, including written materials for institutional response;
7. Work with various departments in response to complaints filed by faculty, staff, patrons, and visitors under the ADA Acts and Amendments and/or Iowa Civil Rights Act;
8. Coordinate and administer training on ADA and Iowa Civil Rights Act issues as the needs of the College require;
9. Chair the Accessibility Committee.

**ACCESSIBILITY COMMITTEE**

**Composition**

Membership is comprised of representatives from each area of the College who work with or handle accessibility issues. In particular, Facilities Management, College Services (ITS, Dinning, Human Resources), Student Affairs (Academic Advising and Disability Services for Students and Security), Communication and Events, the Treasurer’s Office, the Dean’s Office, and the Office of Diversity and Achievement.
Duties and Responsibilities

1. Identifies areas of the campus that need to be made accessible or accessible friendly and makes associated recommendations to appropriate decision makers.

2. Serves as an advisory board to the ADA Officer regarding accessibility policy development and implementation.

3. Recommends to the President and/or President’s staff ADA policies and procedures.

4. Develops, reviews, and updates procedural guidelines for use by the Accommodation Review Panel.

5. Selects members to serve on the Accommodation Review Panel.

6. Other duties and responsibilities as may be assigned by the President.

ACCOMMODATION REVIEW PANEL

Composition

The ARP consists of three members of the Accessibility Committee, each from a different division of the College. The ARP may appoint other members of the College committee as necessary to act as ex officio members and/or advisors to the panel.

Responsibilities and Duties

1. Hear an appeal from the petitioner seeking accommodation if the petitioner does not accept the accommodation(s) made by the ADA Officer. The procedure for a petitioner appeal to the ARP is set forth in the Appeals Process of the following Accommodation Process.

2. Hear an appeal from the applicable department or other administrative unit that the accommodation(s) made by the ADA officer are unacceptable. The procedure for a department or administrative unit to appeal to the ARP is set forth in the following Appeals Process of the Accommodation Process.
ACCOMMODATION PROCESS

Policy Statement

The College is committed to providing accommodations for eligible individuals with documented disabilities as defined by federal and state law in the most timely and effective manner possible under applicable laws and regulations. The College’s intent is to ensure every employee (faculty, staff and student employees) who makes a request for an accommodation under the Americans with Disabilities Act (ADA) or the Iowa Civil Rights Act is promptly and properly advised of the accommodation process. The College is committed to following the requirements of the ADA and all appropriate federal and state laws, rules and regulations.

All new and revised requests for accommodation are to be submitted in writing on the appropriate form(s) and with the appropriate supporting documentation to the College’s ADA Officer for consideration and review. The review of the request may, at the discretion of the College, include an evaluation and determination of the scope of the disability and, if appropriate, requests for additional medical documentation, examinations and/or opinions. Accommodation decisions may be appealed through the designated appeals process.

Procedure to request an accommodation by/for an employee

1. The employee and/or the employee’s immediate supervisor (department chair for faculty) shall contact the ADA Officer for assistance in applying for accommodation. No department, unit, college or individual may grant any accommodation under ADA, whether formal or informal, without first receiving approval of the ADA Officer.
   a. If an employee’s supervisor makes the request for accommodation on behalf of the employee, the employee must then work with the ADA Officer directly. Only that information absolutely necessary shall be shared with the employee’s supervisor. The employee’s supervisor should not act as an advocate or surrogate for the employee.
   b. The ADA Officer shall assist the employee in all ways reasonably possible in completing the ADA process in a timely and efficient manner.

2. The employee shall submit all requests in writing using Appendix A, (Reasonable Accommodation Request Form) to the ADA Officer. Any information submitted shall be considered confidential and may be shared only with those who have a need to know in accordance with federal and/or state law. The ADA Officer shall make the determination of the need to know in consultation with the applicable department or administrative unit. Failure to submit any request in writing may result in delay and/or denial of accommodation requests.
3. Relevant medical information and/or opinions should be submitted using Appendix B (Health Care Provider Release Form) and Appendix C (Disability documentation). When completed and signed, Appendix B (medical release authorization(s) allows the ADA Officer to obtain necessary medical records from the employee’s medical care providers. The documentation listed in Appendix B shall be the minimum documentation to be supplied by the employee.

4. The employee shall respond to all requests for complete documentation within reasonable timeframes set by the ADA Officer.

5. The employee shall respond in a timely manner as determined through the discretion of the ADA Officer to requests for additional medical opinions and/or independent medical examinations as may be necessary.

6. The employee shall be responsible for the expenses of providing acceptable documentation, which may include the costs of necessary medical examinations needed to render an acceptable medical decision. If, upon review and at the sole discretion of the College, the ADA Officer determines additional medical opinions are necessary, the College shall be responsible for the additional costs.

7. Failure to provide all requested medical documentation, including any additional medical documentation as may be required and/or failure to submit to an independent medical examination may, at the discretion of the College, result in denial of any or all request(s) for accommodation.

8. The ADA Officer should evaluate and consult with appropriate College procedures and resources including the employee’s immediate supervisor to determine if the employee is to be accommodated. The ADA Officer must make the following necessary determinations for each ADA accommodation request:

   a) The nature of the disability. This determination may, at the discretion of the College, require proof of actual diagnosis by an appropriate medical care professional, with appropriate documentation supporting the diagnosis. The documentation listed in Appendix A shall be the minimum documentation to be supplied by the employee.

   b) Whether the disability limits the employee from carrying out the essential function(s) of the employee’s position.

   c) The essential function(s) affected by the disability.

   d) The type of accommodation that is (are) reasonable.

9. What constitutes a reasonable accommodation will vary depending upon the circumstances of each case. In evaluating alternatives, the preferences of the individual are considered, but the ultimate decision regarding what accommodation, if any, is granted lies within the sole discretion of Grinnell College.
10. The ADA Officer should issue a written decision and accommodation plan to the employee within a reasonable time upon receipt of the written request for accommodation. A reasonable time is necessarily flexible, taking into consideration such factors as the complexity of the request, cooperation of the employee, any need for additional medical documentation and/or opinions.

   a. The ADA Officer will assure verification of receipt by the employee of the written decision.

   b. Copies of the decision and accommodation plan will be sent to the immediate supervisor and any other person involved in the implementation of the decision and plan, and the appropriate vice president or division head.

11. The employee and/or the department or administrative unit may appeal the decision of the ADA Officer to the Accommodation Review Panel. Any request by the employee for the ARP to review the accommodation decided by the ADA Officer shall be considered an appeal. The decision of the ARP may be further appealed to the President, whose decision shall be final. The process for appealing an accommodation decision is described in the following section.

**Appeals Process**

1. Appeal to the Accommodation Review Panel

   A. Employee appeal

      1) A notice of appeal shall be filed by the employee requesting accommodation within 3 business days of receipt of the ADA Officer’s written accommodation decision. The notice shall be in writing and submitted to the Director of Human Resources who will convene the Accessibility Committee to select the Appeals Review Panel. Upon receipt of this notice, any recommended accommodation shall be suspended pending resolution of the appeal.

      2) The employee requesting accommodation has 5 business days after filing the notice of appeal within which to file written documentation and reasons why a requested accommodation should be granted with the Director of Human Resources. The Director of Human Resources will forward this material, along with a case summary, to the ARP within 3 business days.

      3) The ARP shall

         a) Follow the guidelines for the appeal process set forth by the Accessibility Committee

         b) Issue a written decision within a reasonable time of receipt of all materials relating to the appeal. A reasonable time for an appeal by an employee shall not exceed 10 college business days after receipt of all materials.
4) The written decision from the ARP shall:
   a) Uphold the decision of the ADA Officer; or
   b) Return the matter to the ADA Officer for revision consistent with the written decision of the ARP.

B. Department/administrative unit appeal

1) The department and/or administrative unit may appeal an accommodation decision for the following reasons:
   a) The accommodation goes beyond the essential functions of the position;
   b) The accommodation disrupts the operations of the department and/or administrative unit beyond what is required by law;
   c) The accommodation is not sufficient to enable the employee to carry out the essential functions of the position.

2) The department or administrative unit shall file a notice of appeal within 3 business days of receipt of the ADA Officer’s written accommodation decision. The notice shall be in writing and submitted to the Director of Human Resources who will convene the Accessibility Committee to select the Appeals Review Panel. Upon receipt of this notice, any recommended accommodation shall be suspended pending resolution of the appeal.

3) The department or administrative unit requesting accommodation has 5 business days after filing the notice of appeal within which to file written documentation and reasons why a requested accommodation should be granted with the ADA Officer. The Director of Human Resources will forward this material, along with a case summary, to the ARP within 3 business days.

4) The ARP shall
   a) Follow the guidelines for the appeal process set forth by the Accessibility Committee.
   b) Issue a written decision within a reasonable time of receipt of all materials relating to the appeal. A reasonable time for purposes of an appeal filed by a department or other administrative unit shall not exceed 10 business days of receipt of all material
   c) Issue a written decision that:
      a) Upholds the decision of the ADA Officer; or
      b) Returns the matter to the ADA Officer for revision consistent with the written decision of the ARP.

5) Both the employee and the department or other administrative unit may file appeals with the ARP.
2. The employee and/or department or administrative unit may appeal the decision of the ARP to the President or designee.

A. Procedure

1) A notice of appeal shall be filed by the employee and/or department administrative unit within 3 business days of receipt of the ARP’s written accommodation decision. The notice shall be in writing and submitted to the Director of Human Resources. Upon receipt of this notice, any recommended accommodation(s) by either the ADA Officer or the ARP shall be suspended pending resolution of the appeal.

2) The employee and/or department or administration unit filing an appeal has 5 business days after filing the notice of appeal within which to file written documentation and reasons why a requested accommodation should or should not be granted with the Director of Human Resources. The Director of Human Resources will forward this material, along with a case summary, to the President within 3 business days.

B. Basis for appeal

1) New evidence not available at the time of the decision;

2) Procedural error that had a material impact on the fairness of the hearing

C. The President or designee shall issue a written decision on the appeal within 10 business days and shall:

1) Uphold the ADA Officer and/or ARP decision; or

2) ARP Return the matter to the ADA Officer for further consideration consistent with the written decision of the President or designee.

D. The decision of the President shall be final.