

Academic Resource Center Americans with Disabilities Act Accessibility & Accommodations Manual

Revised July 2025



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NOTES AND DISCLAIMERS

ADA - accessibility and accommodations support services are part of the [Academic Resource Center \(ARC\)](#), which is part of West Virginia Northern Community College (WVNCC).

This manual is not all inclusive and is subject to change without notice. The manual is not intended to replace academic requirements for courses or programs, nor is the manual meant to represent or replace student code of conduct policies. For additional information, please refer to the [College Catalog](#), the [WVNCC website](#), and the [Student Handbook](#).

To the best knowledge of WVNCC staff, the information contained in this publication was correct at the time it was published. However, this publication should not be considered in any way to constitute a contract between West Virginia Northern and any student. WVNCC reserves the right to make changes in tuition, fees, admissions, regulations, schedules, or curricula without prior notice or obligation.

This manual is intended to be a reference for students, faculty, and staff, about the processes and procedures of Accessibility and Accommodation Services at WVNCC. Information is presented in general; all accommodation requests are handled on a case-by-case basis.

ARC ACCESSIBILITY CONTACT INFORMATION

Academic Resource Center

arc@wvncc.edu

Wheeling Campus

1704 Market Street, Wheeling, West Virginia 26003
B&O Building (2nd Floor)
304.214.8923

Weirton Campus

150 Park Avenue, Weirton, WV 26062
304.723.7514

New Martinsville Campus

141 Main Street, New Martinsville, WV 26155
304.510.8766

INTRODUCTION

The Academic Resource Center is responsible for collaborating with students with documented disabilities and faculty to implement reasonable accommodations and support services that are individualized and based upon supporting documentation and the intake interview. Students are encouraged to use appropriate self-advocacy skills to request authorized accommodations specific to academic needs. ARC provides reasonable accommodations in order to provide equal opportunity and access to college programs and services.

MISSION

West Virginia Northern Community College (WVNCC) has campuses in Wheeling, Weirton, and New Martinsville. As a comprehensive community college, West Virginia Northern's mission is to educate and empower our community by providing open access to affordable, high-quality learning opportunities. The Academic Resource Center (ARC) endeavors to provide academic services to build a culture of independent learning while supporting students in their college career. (*See appendix for Mission Statement links.*)

IMPORTANT LEGISLATION

Rehabilitation Act of 1973 (as amended through 1998)

Section 504(A) of the Rehabilitation Act of 1973 states the following:

"No otherwise qualified individual with a disability in the United States, as defined in section 7(20), shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."
(*See Appendix for link to legislation*)

Section 508 of the Rehabilitation Act

Section 508 of the Rehabilitation Act (19 U.S.C. 794d) expanded the federal government's role in providing accessible Internet/web accessibility, captioning of videos, and audio description of video.

Section 508 of the Rehabilitation Act refers specifically to federal agencies and provides a model for post-secondary education. (*See Appendix for link to legislation*)

The Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 is a broad affirmation of the administrative regulations of Section 504. In contrast to Section 504, its application is not limited to agencies receiving federal funding. Like the Civil Rights Act of 1964, the ADA is a federal anti-discrimination statute that seeks to provide access to opportunities. The ADA does not guarantee equal results, establish quotas, or require preferences favoring individuals with disabilities over those without disabilities.

According to Title II-2.8000 of the ADA, individuals must be "qualified" as having a disability in order to be entitled to reasonable accommodations under the act. To be qualified, the individual with a disability must meet the essential eligibility requirements for receipt of services or participation in a public entity's programs, activities, or services with or without (1) reasonable modifications to a public entity's rules, policies, or practices; (2) removal of architectural, communication, or transportation barriers; or (3) provision of auxiliary aids and services.

ADA Amendments Act of 2008

On January 1, 2009, the ADA Amendments Act became effective. Through federal legislation, the ADA Amendments Act (ADA AA) provided clarity and broadened the scope of who was guaranteed civil right protection.

Accordingly, the “ADA Amendments Act of 2008” revises the definition of “disability” to more broadly encompass impairments that substantially limit a major life activity. The amended language also states that mitigating measures, including assistive devices, auxiliary aids, accommodations, medical therapies and supplies (other than eyeglasses and contact lenses) have no bearing in determining whether a disability qualifies under the law. Changes also clarify coverage of impairments that are episodic or in remission that substantially limit a major life activity when active, such as epilepsy or post-traumatic stress disorder.

In addition to the changes out-lined above, the ADA AA now includes among its major life activities, but does not limit to, the following:

caring for one’s self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, learning, reading, concentrating, thinking, communicating, and working. Also, individuals who are “regarded as” being disabled based upon the definition provided in both the ADA and the ADA AA are protected (*source: Association of Higher Education and Disability – AHEAD*).

Telecommunications Act

Section 255 and Section 251(a)(2) of the Communications Act of 1934, as amended by the Telecommunications Act of 1996, require manufacturers of telecommunications equipment and providers of telecommunications services to ensure that such equipment and services are accessible to and usable by persons with disabilities, if readily achievable. These amendments ensure that people with disabilities will have access to a broad range of products and services such as telephones, cell phones, pagers, call-waiting, and operator services that were often inaccessible to many users with disabilities.

DEFINITIONS

What Defines a Student with a Disability?

A person with a disability, defined by the “ADA Amendments Act of 2008,” includes “Any person who

- (1) has a physical or mental impairment which substantially limits one or more major life activities,
- (2) has record of such impairment, or
- (3) is regarded as having such impairment.”

A qualified person with a disability is defined as one “Who meets the requisite academic and technical standards required for admission or participation in the post-secondary education institution’s programs or activities.”

WVNCC has the responsibility to ensure that the process for academic accommodations is uniform and does not substantially alter educational standards or fundamentally alter the nature of the program, course, service, activity, and/or practice/policy. In addition, the college is also tasked with providing access to a program when a student is not otherwise qualified (with or without accommodations) to meet the academic and technical standards required. Please note that reasonable accommodations do not and should not:

- substantially alter educational standards or mission, or fundamentally alter the nature of the program, course, service, activity, and/or practice/policy.
- allow access to a program when a student is not otherwise qualified (with or without accommodations) to meet the academic and technical standards required.
- cause undue financial or administrative hardship (college-wide) be of 'personal service' in nature (personal aid, caregiver, etc.), or pose a direct threat to the health or safety of the student or others.

It should be noted that documentation policies differ from one institution to another. If a student will attend another institution or take a standardized test (GRE, MCAT, etc.) administered by an outside agency, the student is responsible for researching those documentation and/or accommodation policies and should investigate requirements at least six months prior to an anticipated start date or test date.

DIFFERENCES: HIGH SCHOOL VERSUS HIGHER EDUCATION

Students need to be aware that there are notable differences between secondary to post-secondary education when it comes to accessibility services and accommodations. Not all accommodations that students receive in high school are applicable in the post-secondary environment. Post-secondary institutions are not obligated to provide the same services and accommodations received in high school. Below are points to help clarify these differences: *(See chart on next page)*

Education Level	High School	Higher Education
Legal Background	(Individuals with Disabilities Education Act [IDEA]) and Section 504)	(Section 504 & ADA)
Responsibility:	School district identifies, evaluates, and plans educational interventions in attempt to facilitate student success.	Students must self-identify, provide their documentation, and request disability services to facilitate access.
Parental Rights:	Parents/Guardians are involved and must approve plan for students under 18.	Students 18 and over are their own advocates; parents are not involved; Family Educational Rights and Privacy Act (FERPA) applies, mandating non-disclosure to parents.
Accommodations / Services:	Educational programs, student outcomes, class requirements, etc. may be modified to facilitate student success. Schools may also provide academic and non-academic services.	Reasonable accommodations are provided, once disclosed, to facilitate access. Success is the responsibility of the student. The fundamental nature and outcomes of courses cannot be altered or modified. Students are provided access to any service, program or activity sponsored by the institution. Services of a personal nature (personal care, personal attendants, private tutors, readers, typists, etc. for out of class work) are the responsibility of the student.
Plans:	Individual Education Plan (IEPs) and 504 Plans are provided.	Letters of Accommodation (LOAs) are developed each semester. An email with the LOA is sent to the student and to all the instructors listed on the student's schedule as of the date the LOA was drafted. In addition, a second email with the attached LOA is emailed directly to the students with reminders such as to notify the ARC of any schedule changes (e.g. drop or add of classes). Students and instructors are encouraged to connect early once accommodations have been approved and an LOA has been received to determine to what degree the approved accommodations can be best implemented in that particular course.
Confidentiality:	The school district shares student plans with school personnel as deemed appropriate.	The student is in charge of their disability information and disclosure is made only at the request of the student or on a need-to-know basis.
Intent:	Legal mandate with aim to foster success	Civil rights, non-discrimination to foster access

ANTI-HARASSMENT/ANTI-DISCRIMINATION STATEMENT

West Virginia Northern Community College, pursuant to the requirements of Titles IV, VI, VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, does not discriminate against applicants, employees, or students on the basis of race, color, religion, sexual orientation, disability, age, gender, ancestry, marital or parental status or national origin in its employment policies and/or educational programs or activities, including admissions to such.

Inquiries concerning this rule should be directed to Robert Brak, Director of Human Resources, who is designated coordinator for Title IX and Section 504 at 304-214-8901, rbrak@wvncc.edu.

CONFIDENTIALITY AND RELEASE OF INFORMATION

The ARC views all materials pertaining to a student's disability as confidential. This policy is based upon government mandates regarding the confidential treatment of disability-related information. Any material regarding the student's disability obtained by the ARC is used to verify the disability and plan for reasonable accommodations. All disability-related information for students at WVNCC is housed in the ARC. Each student has a separate file housed in a secure location. Only staff persons working in the ARC have access to these files.

ARC generated disability information may be released only when a student submits a signed "Release of Confidentiality" to the ARC staff member. Third party disability information can only be released from the direct source.

The Family Educational Rights and Privacy Act of 1974 as amended (FERPA), also known as the Buckley Amendment, and the Americans with Disabilities Act Amendments Act (ADAAA) do not allow faculty or others access to disability-related information unless student has signed a release form. FERPA also permits disclosures of information in a health or safety emergency, if in light of the circumstances and information available at the time, that knowledge of the information is necessary to protect the health or safety of a student or other individuals.

According to the [Association on Higher Education and Disabilities \(AHEAD\)](#), "Disability related records provided by a physician, psychiatrist, psychologist, or other recognized professional are not subject to free access under FERPA."

Even with a FERPA Release on file with WVNCC, all decision making is the responsibility of the student unless there is a legal guardianship with appropriate supporting documentation in place. No accommodations or other decisions can be implemented without student approval.

A student may request to review the contents of his/her own file when an ARC staff member is present. All information in the file is the property of the ARC. The ARC will retain all disability documentation during enrollment and after students have not been enrolled at the college for five (5) consecutive years.

Financial Considerations

WVNCC will not charge current students with disabilities for accommodated services or assistive technology to use on any of our three campuses, and it is incumbent on the ARC. Students with disabilities who are loaned technology equipment through the ARC are required to return said equipment in the same condition as it was loaned by the designated date per loan agreement. Any damage, destruction, theft, loss and/or misuse incurred during the loan period is the responsibility of the student and may require reimbursement for the cost of repairing or replacing the equipment.

STEP ONE: INITIATING SERVICES & ACCOMMODATIONS

WVNCC is committed to assuring that students with disabilities are afforded the same opportunities and the same responsibilities as all other students. Accommodations for students with disabilities are arranged through the ARC, working with faculty, staff, and community agencies to arrange for reasonable and appropriate accommodations. Students requesting academic accommodations are required to complete the Voluntary Disability Disclosure Form (<https://www.wvncc.edu/offices-and-services/voluntary-disability-disclosure/8510>) followed by scheduling an intake interview with a staff member.

STEP TWO: INTAKE INTERVIEW (PROVIDE DOCUMENTATION)

Once the Voluntary Disability Disclosure Form (VDFF) has been received, ARC staff will reach out to schedule and intake interview with the student. Interviews are available in-person or virtual; however, students will be required to be visible when virtual. During the intake interview, all paperwork and documentation should be completed and provided. Students should provide documentation for each disability for which they wish to receive accommodations. The intake appointment should be completed as soon as possible before beginning coursework to allow time for the coordination of accommodations. *Please note that accommodations will not be retroactive.*

Any information the student provides is voluntary and will be kept strictly confidential. Documentation must be from a physician, therapist, school psychologist, vocational rehabilitation counselor, or other appropriate professional. The purpose of third-party documentation is to add to the staff member's understanding of each student's need for accommodation so that a reasonable outcome, including acceptance or denial of a request, can be identified. That professional may use his or her own letterhead or the ARC can provide a form to be completed by that individual. Regardless of the form used, the following requirements must be met. Documentation must:

- be on letterhead stationery.
- state a specific diagnosis/disability.
- include the professional's recommendation and possible justification for specific accommodations needed to assist with the student's ability to succeed in the academic program.
- be dated within the past five years (or from high school if an IEP).
- describe the functional limitation.
- address recommended accommodations that are justified.
- provide the evaluators' signature and professional credentials.

STEP THREE: ARRANGE ACCOMMODATIONS

After the intake interview and verification of the disability, the ARC will email a Letter of Accommodation (LOA) detailing the specific accommodations to be provided to the student as well as to instructor(s) assigned to the student's registered course(s). The specific disability/diagnosis will not be disclosed unless it is determined necessary for the student's health, wellbeing or success; information on disabilities pertaining to a particular student will be given to instructors on a need-to-know basis, also

known as a Plan of Action. Once accommodations have been approved, students should introduce themselves to the instructor(s) directly following the receipt of the LOA and seek the instructor's feedback to determine to what degree the approved accommodations can be best implemented in that particular course.

If a particular instructor(s) determine that the requested accommodations are unreasonable, will substantially alter educational standards or will fundamentally alter the nature of the course, within 5 days he or she will send a written response to the ARC and the student explaining why the requested accommodation cannot be made or if further modifications need to be addressed. If the student wishes to appeal the decision, he or she should follow the Grievance & Appeals Process explained in this policy.

The LOA's are dated for a specific semester; therefore, letters are NOT automatically assigned each semester. In order to continue to receive classroom accommodations, a student must respond to an e-mail and/or complete any necessary online forms to reactivate and receive accommodations for each semester. All notifications are sent to a student's WVNCC e-mail account.

STEP FOUR: ONGOING COMMUNICATION

Students should immediately alert the ARC and/or instructor if he/she is having difficulties with any accommodation, service, course, or program. In addition, students should reach out if there are changes to their disability or academic circumstances.

NON-ACADEMIC ACCOMMODATIONS

The ARC works with students and appropriate campus staff/departments to ensure that students with disabilities have access to all non-academic student services. Non-academic accommodations may be requested for programs, services, jobs, activities, or facilities in order to ensure equitable opportunity to engage in the campus environment and with the campus community. See the ____ section for specific information.

Accommodation requests for participation in any non-academic services or functions may be made through the ARC in the same manner that academic accommodation requests are made. Students are responsible for making requests that require time to plan for or implement in advance.

TEMPORARY CIRCUMSTANCES

The ARC offers a variety of legally mandated services to students with temporary documented disabilities. Services are extended to students with temporary disabilities only for the duration of their functional limitations associated with the disability. The eligibility process is the same as for permanent disability status. After reviewing the documentation, staff will recommend appropriate academic services and accommodations depending on the student's limitations in the academic setting.

ALTERNATIVE FORMAT FOR TEXTBOOKS

BookSaver – Hard Copy Accommodations

Through our BookSaver program, students receive the format that the instructor finds most appropriate at a discounted rate. If a student receives a digital copy of a book that is readily available in hard copy, the student may request a hard copy accommodation.

It is important to note:

- hard copy accommodation applies to the entire order, not just a specific course
- hard copies may be provided in hard bound, loose leaf or paperback options (whichever is most cost effective). **[NOTE:** If the student received a loose leaf copy, they can request a binder from the ARC.] Requests for a traditionally bound hard copy will be handled on a case-by-case basis and may require additional documentation.]
- if a hard copy is not available in a timely manner, a refund may be issued **[NOTE:** Just because a book is available in hard copy does *not* guarantee its availability through BookSaver. Every effort will be made to obtain the book and the student will be advised accordingly.
- Receipt of a hard copy accommodation will deactivate any electronic copy that would have been provided as the normal BookSaver version of the book. **[NOTE:** The exception being courses that include the courseware bundles that are required in order to successfully complete the class.]

If a student requests a hard copy accommodation, their name is provided to BookSaver and the order for appropriate items is placed. There is a 7-10 day waiting period for their books to be shipped.¹ Students should monitor their order in the bookstore and contact that coordinator (NOT a Success Coach or the vitalsource customer service center) with any questions or issues regarding delivery. The Success Coaches and vitalsource do not have access to the accommodations information to be able to confirm what specific materials the student is supposed to receive.

ASSISTIVE TECHNOLOGY

Students are encouraged to connect with their local Department of Vocational Rehabilitation Services for supports in regard to technological assistance. Some assistive technology may be available through the ARC. The ARC can also provide students with additional avenues to pursue to obtain needed assistive technology. Local Department of Vocational Rehabilitation Services contacts are in the Resources section at the end of the document.

FLEXIBLE ATTENDANCE / DEADLINE EXTENSION

A student's disability may be episodic and unpredictable in nature, which can impact his/her ability to attend class. A student may arrive to class late, have to unexpectedly leave class, or miss class altogether. In these instances, an attendance flexibility / extended deadline accommodation may be determined to be reasonable and provide an alternate way for a student to meet essential course

¹ Confirm with BookSaver that these details are accurate.

requirements and actively participate in the course while also managing a disability. These accommodations are specific to when students experience an episodic event that impedes their ability to complete and submit their work in a sufficiently similar amount of time.

Students who experience these scenarios due to their disability are aware of these possibilities. Thus, students are expected to request consideration for a flexible adjustment / extended deadline as part of the regular intake process. Academic adjustments are intended to provide equal access to students with a disability. A reasonable academic adjustment preserves the integrity of the course and does not change the essential elements of the course, while preserving the student's right to participate in all aspects of the course. Students should be aware that failure to maintain a minimal level of adequate attendance and/or adhere to due dates for the majority of assignments may result in being administratively withdrawn from a course or failing the course, which may affect their financial aid.

Faculty are tasked to make a good faith effort in considering any adjustments due to the student's needs. Faculty and students must work together to find a flexible way for the student to meet course requirements without altering the essential nature of the course. The ARC is able to help facilitate these conversations if needed.

Based on the US Department of Education Office of Civil Rights guidelines, the following are some questions to consider.

- How much classroom interaction is there between the instructor and students, and among students?
- Do student contributions constitute a significant component of the learning process?
- Does the fundamental nature of the course rely upon an interactive/performance component for a student to require participation/attendance as an essential method for learning in that course (e.g. foreign language, lab courses, etc.)?
- To what degree does a student's absence constitute a significant loss to the educational experience of other students in the class?
- How is attendance calculated in the final grade? (Reference the course syllabus for attendance policy and if it is an essential component of the course.)
- What is the classroom policy regarding attendance?

A “flexibility of attendance” accommodation does NOT mean:

- students can attend or not attend as they choose.
- students can miss as many classes as they want.
- students' attendance cannot factor into the final grade.
- there should be any alteration to essential functions of the course.
- undue burden be placed on faculty.

A “flexibility of attendance” accommodation DOES mean:

- students are responsible for discussing this accommodation with the professor.
- students must complete all coursework/assignments/activities etc. in a realistic timeframe.
- faculty members must assess the impact of attendance and determine appropriate implementation for each course.

SIGN LANGUAGE INTERPRETING, TRANSCRIPTION, AND REAL TIME CAPTIONING (ITR SERVICES)

In providing sign language, transcription, or real time captioning² services for classes, students need to meet with their advisor to participate in early course registration. This helps to ensure that services can be arranged as soon as possible.

These services will be scheduled to start on the first day of classes; however, late requests for services may result in a failure to make proper arrangements. Students may also be asked to reschedule courses for times that arrangements can be made. Depending on availability, standard services may be secured in another modality. In addition, requests can be made to provide these services for other college functions.

PERSONAL ATTENDANTS

WVNCC does not provide personal care attendants. This is the responsibility of the student.

NOTE TAKING

Students authorized for note taking assistance will work with the ARC and each instructor to determine the best method of assistance with notes. Reasonable note-taking assistance could include:

- obtaining lecture notes and/or PowerPoint slides from the instructor.
- use of technology (audio recorder, laptop, smart phones, etc.) to allow for the ability to review.
- recruit peer note taker.
 - Consult with the instructor to identify a classmate who has regular attendance and takes good notes. Neither student nor accommodation recipient may be publicly singled out to determine this, for privacy reasons.
 - Ask the classmate if they are willing to take and share their notes. If you are uncomfortable approaching the classmate directly, have the instructor ask the classmate and let the instructor know that you wish to keep this confidential.
 - The classmate taking the notes can give the notes to you directly. If you did not wish to be identified, the student can give the notes to the instructor, who in turn, can give the notes to you.
 - Duplication of materials/photocopies or carbon-less paper is available for note-taking purposes through the ARC.

Students need take their own notes in addition to the notes they receive from a peer note-taker. In addition, rewriting or typing the original notes can be a very effective study tool providing an opportunity to review the material and possibly fill in any gaps.

Note taking is NOT designed to be used in place of the student's active participation in class. If a student is absent (planned or otherwise), they need to reach out to the instructor to make arrangements for notes.

² Available inside classes recorded and posted inside Brightspace, but it has to be applied by the instructor for each individual video.

RECORDING CLASS LECTURES

Students with this accommodation may benefit from recorded lectures as a way to assist them in learning the material through memorization and notetaking. Recorded lectures are protected under federal copyright laws and may not be published without the consent of the instructor. Instructors may even ask a student with this accommodation to sign a form promising not to distribute the contents of the recorded information.

Recordings should only occur during times when students would otherwise be taking notes. Outside of those times, it may be appropriate for the instructor to ask the student to stop recording, such as during small group discussions.

SERVICE ANIMALS

According to the Americans with Disabilities Act Amendments Act (ADAAA), a service animal is defined as "a dog individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals to an impending seizure or protecting individuals during one, and alerting individuals who are hearing impaired to intruders, or pulling a wheelchair and fetching dropped items." Service animals may accompany a person with a disability everywhere on campus. If there are any questions as to whether an animal qualifies as a service animal, a determination will be made by an appropriate ARC staff member.

In compliance with the ADAAA, service animals are welcome in all buildings on campus and may attend any class, meeting, or other event. Students with a disability desiring to use a service animal on campus must contact the ARC to register as a student with a disability, at which point the staff will evaluate the documented disability and recommend any additional accommodations appropriate to the functional limitations of the disability.

Requirements of service animals and their owners include:

- Dogs must be licensed in accordance with county regulations and wear a vaccination tag.
- Animals must be in good health.
- Animals must be on a leash.
- The owner must be in full control of the animal at all times.
- The owner must provide the ARC information as to how the animal accommodates for his or her disability.

Cleanliness of the service animal is mandatory. Consideration of others must be considered when providing maintenance and hygiene of service animals. The owner is expected to clean and dispose of all animal waste.

EXTENDED TESTING TIME

Extended testing time refers to additional time for reading, concentration, comprehension, or other adjustments related to the test-taker's disability or limitations in order to not become a barrier to an equal opportunity in education.

With predetermined time limits, extended time is applicable to all exams, tests, quizzes (including pop-quizzes), and in-class assignments, for in person or online classes. Extended time does not determine when something is scheduled. Extended time affects the duration for completing the task when it is administered.

- Time and one half (50% more time than regular testing time)
- Double time (100% more time than regular testing time)
- Triple time in one sitting (200% more time than regular testing time)

For example, if a student is approved for time and one half (50 % more time than regular testing time) extended time, extended time would grant the student 90 minutes to complete the test in one sitting where otherwise the student would have had 60 minutes to complete the test after starting it. However, extended time does not allow for additional days or weeks in which to take the test. The test could be in-seat or online.

The student should discuss extended time accommodations with his/her instructor in advance to determine implementation of accommodations. Faculty may select to make arrangements for meeting test accommodations themselves. As long as the accommodations are made as specified, faculty may make arrangements independently. Any questions regarding appropriate implementation of accommodations can be directed to the appropriate ARC staff member. Testing accommodations arranged through the ARC are not available by walk-in and needs to be initiated by faculty in advance. Ultimately, it is each student's responsibility to initiate arrangements with faculty to receive approved accommodations.

PROCEDURE FOR ARC TESTING

After the faculty and student have determined an agreed upon date/time for each exam, test, or quiz where an accommodation is needed, faculty must submit this online form <https://forms.office.com/r/LdtjQ03S3c> for the testing request. To ensure appropriate staffing for individual student testing in the ARC, advanced notice must be provided (at least 24 hours). After the request is received, an ARC staff member will contact the instructor to confirm arrangements.

ARC TESTING RULES

1. All test takers will be required to leave their belongings (backpacks, purses, electronics, etc.) outside of the testing room/area.
2. All test takers will be observed throughout testing, either by a proctor (in person) or direct video surveillance.
3. Students are expected to be on time for scheduled test sessions. Cancellations should be made in advance when possible.
 - a. A student arriving late may not have his/her exam time extended.
 - b. The end time of the exam may not change due to the late arrival, as space and/or proctor availability may be limited.
 - c. Students may not be allowed to take an exam if arriving 30 minutes (or more) late. A new request will need to be made.
 - d. The student is responsible for any consequences per the instructor/course guidelines.
4. Students failing to arrive for a scheduled test session will be considered a "no show" - a new request must be made.

DISTRACTION FREE OR REDUCED TESTING ENVIRONMENT

Provided to those whose disability necessitates different degrees of separation from other examinees. For students taking classes online, it will be assumed that this is addressed by their remote

environment. Should there be a need for them to come to school to complete a test, they should contact the teacher and ARC to make appropriate arrangements. This still needs to be done at least 24 hours (1 business day) in advance.

BREAKS

Determined case-by-case depending upon student's disability/limitations and the specifics of the test requirements.

READER

A reader is a person who reads the test to the test-taker. Depending on the test format, the reader could be provided by technology or an individual.

NOTE: A reader does not interpret, re-word, or explain the test. A reader reads the test directions, questions, and answer choices exactly as written. When a reader is required, a separate room is also necessary.

ALTERNATIVE FORMAT

Alternative format is any format that is different from the existing test. Alternative formats include: hard copy, large print, Braille, color-coded text, audio (reader, tape/cd, or computer).

SCRIBE

A scribe is a person who writes down, or otherwise records, the test-taker's responses. The scribe does NOT create answers for the test-taker or help the test-taker identify correct answers. The scribe simply writes the test-taker's answers EXACTLY as given.

NON-ACADEMIC ACCOMMODATIONS

NATIONALLY CERTIFIED EXAMS

Students needing these types of accommodations need to speak with the program director as soon as possible before the exam. Accommodation information for such requests is typically found on the examiner's website. If the student working with the program director needs additional assistance, they can reach out to one of our staff members in the ARC.

FIELD TRIPS, INTERNSHIPS, AND PRACTICUMS

If a course or program includes field trips, special programs, internships, or practicums, reasonable accommodations options must also be offered for these experiences. If these opportunities are not necessary for the essential functions of the course and accommodation options are not reasonable, the students will not be penalized academically and an alternative assignment could be provided. When enrolling in a program, it is important for students to become familiar with all course/program requirements. If the program includes or offers such opportunities as part of the curriculum, it is suggested that students discuss this with the program director as soon as possible. In some cases, certain internships or practicums may not be able to provide all of the accommodations for which a student has been approved at the college. Students may receive accommodations similar to those that an individual would receive if one were an employee in the same setting. Students should discuss how accommodations will be handled in these instances with their advisor or the instructor of the course.

prior to registration and/or within a reasonable time frame to allow for arrangements to be made. This must be a minimum of five business days prior to the event.



GRIEVANCE AND APPEALS PROCESS FOR ACADEMIC ACCOMMODATIONS

This appeal process shall apply to situations where a student, based on a disability related issue, has requested an accommodation which has been denied or is experiencing problems or concerns with an approved accommodation. Students are requested to begin with a first level appeal and have the option to continue the appeal process through level three.

Students experiencing problems with an approved accommodation are referred to the ARC for assistance. If the problem persists or involves the ARC, then the student may request an Accommodations Complaint/Appeal Form and begin with level two and proceed through the remainder of the process.

INFORMAL PROCESS

The student may begin the complaint/appeal process in an informal manner. While completely voluntary, an informal manner is encouraged whenever possible. The informal process should be initiated as quickly as possible after the student identifies a concern. A student must report concerns as soon as possible; however, the report must not exceed 30 days after identifying a concern. This informal procedure is a recommended first step as it allows for greater flexibility, is less adversarial, and does not preclude utilizing the formal process. The student may select to consult with the ADA staff member.

STEPS IN THE FORMAL PROCESS

First Level Complaint/Appeal

The student should complete an Accommodations Complaint/Appeal Form and submit it to the ARC within ten business days of the concern/issue. The ARC may render a decision, request additional information, or schedule a mediation conference. Upon receiving the additional information or completion of the mediation, a decision must be rendered in writing within ten business days. The final decision of the ARC can be appealed to the second level.

Second Level Complaint/Appeal

The decision at the first level may be appealed within ten business days of the first level final decision by notifying in writing, the designated ADA staff member of WVNCC. The ADA staff member may request additional information but must rule in writing within ten business days upon receiving the additional information. The final decision of the ADA staff member can be appealed to the third level.

Third Level Complaint/Appeal

The decision at the second level may be appealed within ten business days of the level two final decisions by notifying the President or his designee. The President or his designee may request additional information but must rule in writing within ten business days upon receiving the additional information. The President's decision is final.

Disclaimer Regarding Complaints

Maximum confidentiality will be maintained, although the appellant may be asked for permission on a "need-to-know" basis to provide or allow disclosure of pertinent medical, academic, and other significant records as necessary in order to decide the complaint/appeal. Failure by the student to

release information may result in a halting of the process at the last level of which the information was disclosed or cancellation of the appeal in its entirety due to lack of supporting documentation if the needed information was never disclosed.

Nothing in the West Virginia Northern Community College Student Accessibility Accommodations Requests Appeal/Complaint Procedures should be construed to impede or prohibit a timely filing of an ADA or discrimination complaint with the appropriate external governmental agency.

SAFETY CONSIDERATIONS FOR STUDENTS WITH DISABILITIES

For a student with a disability, it is important to take responsibility for his or her own safety. In order to ensure this, students should develop an emergency plan or strategy in advance. When making your plan, think about how you should respond to an emergency. It usually depends on:

- the type of emergency.
- your specific disability.
- the location of your classes.

SUPPORTING DOCUMENTS

College Mission - <https://www.wvncc.edu/about/strategic-plan-mission-and-vision/31>

Academic Resource Center - <https://www.wvncc.edu/offices-and-services/academic-resource-center/8323>

For more information about this legislation, visit <https://www.hhs.gov/civil-rights/for-individuals/disability/index.html>.

For more information about this legislation, visit <https://www.hhs.gov/web/section-508/index.html>.

For more information about the Americans with Disabilities Act, visit, <http://www.ada.gov>

For more information about this legislation, visit <https://www.eeoc.gov/laws/statutes/adaaa.cfm>.

For more information, contact <https://www.ada.gov/cguide.htm#anchor62335>.

[https://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html#:~:text=Section%20504%20and%20the%20ADA%20define%20disability%20as%20\(1\)%20a,as%20having%20such%20an%20impairment.](https://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html#:~:text=Section%20504%20and%20the%20ADA%20define%20disability%20as%20(1)%20a,as%20having%20such%20an%20impairment.)



FORMS

Voluntary Disability Disclosure Form

<https://www.wvncc.edu/offices-and-services/voluntary-disability-disclosure/8510>

Intake Packet

This packet will be sent to the student via email once the voluntary disclosure form is submitted and will be completed during the intake interview.

Documentation Support Forms

Students must provide documentation supporting the disability. Such documentation could be a copy of an IEP (other than the final exit IEP) or 504 plan (no more than 5 years old) or supporting documentation from a physician or health care provider. The following WVNCC documentation support forms can be completed by the health care provider should the provider not have a specific office form. If not using one of the forms below, documentation must be submitted on physicians' letterhead and must provide specific details regarding the disability. A simple physician's script is not sufficient to be accepted as proper documentation.



WVNCC ACCOMMODATIONS PHYSICIAN/PROVIDER REFERRAL

Revised: 10/02/2024

Dear Physician/Provider,

A request for a student-related reasonable accommodation has been made by our student (Name)_____. To assist us with this process, please complete the attached questions and/or supply our department with appropriate documentation.

For documentation to be useful in making accommodations decisions, it should meet the following criteria:

- The diagnosis is clearly stated.
- Information is current (within 5 years).
- Educational, developmental, and medical history is presented.
- The diagnosis is supported.
- The functional limitation is described.
- Recommended accommodations are justified.
- Evaluators' professional signature and credentials are established.

Auxiliary Services offered by WVNCC Academic Resource Center provides students with a variety of supportive services.

- Extended test time, including time and a half, double time
- Distraction-free testing
- Access to assistive technology
- Accommodations appropriate for a wide range of disabilities including physical, psychological, cognitive
- Designated parking for those with a handicapped placard or license plate

The Academic Resource Center makes every effort to assist students with disabilities in order to provide the opportunity for a successful college experience. For questions or concerns, please contact the Academic Resource Center 304-214-8954. Please return/provide requested documentation directly to patient or mail in a confidential manner to the attention of the following:

Staff Member Name: Academic Resource Center Staff Member

Direct Contact Number: 304-214-8954 E-mail: arc@wncc.edu

West Virginia Northern Community College, 1704 Market Street, Wheeling, WV 26003



WVNCC ACCOMMODATIONS ADA INQUIRY FORM

CONFIDENTIAL

Revised: 07/02/2025

Student Name: _____ **Student ID:** _____

First Name Middle Initial Last Name

Has the student named above been diagnosed with a “qualifying disability” as established by the Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act? Yes ☐ No ☐

What is/are the diagnoses:

Is the impairment long-term, permanent, and/or chronic? Yes ☐ No ☐

Is the impairment episodic, remitting, relapsing? Yes ☐ No ☐

Answer the following questions based on limitations the student has when his/her condition is active and the limitations if no mitigating measures are used.

-Mitigating measures include things such as medication, medical supplies, equipment, hearing aids, mobility devices, the use of assistive technology, reasonable accommodations or auxiliary aids or services, prosthetics, and learned behavioral or adaptive neurological modifications.

-Mitigating measures do not include ordinary eyeglasses or contact lenses.

Does the impairment substantially limit a major life activity? Yes ☐ No ☐

If yes, what major life activity(s) is/are affected?

<input type="checkbox"/> Caring For Self <input type="checkbox"/> Interacting With Others <input type="checkbox"/> Performing Manual Tasks <input type="checkbox"/> Breathing <input type="checkbox"/> Working	<input type="checkbox"/> Walking <input type="checkbox"/> Standing <input type="checkbox"/> Reaching <input type="checkbox"/> Thinking <input type="checkbox"/> Toileting	<input type="checkbox"/> Hearing <input type="checkbox"/> Seeing <input type="checkbox"/> Speaking <input type="checkbox"/> Learning <input type="checkbox"/> Sitting	<input type="checkbox"/> Lift/bend <input type="checkbox"/> Sleeping <input type="checkbox"/> Focus <input type="checkbox"/> Eating	<input type="checkbox"/> Reading <input type="checkbox"/> Communication <input type="checkbox"/> Other: (describe)
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Does the impairment substantially limit operation of major bodily functions? Yes ☐ No ☐

If yes, what bodily function is affected?

<input type="checkbox"/> Immune <input type="checkbox"/> Normal Cell Growth <input type="checkbox"/> Digestive <input type="checkbox"/> Bowel <input type="checkbox"/> Bladder	<input type="checkbox"/> Special Sense Organs and Skin <input type="checkbox"/> Lymphatic <input type="checkbox"/> Neurological <input type="checkbox"/> Brain <input type="checkbox"/> Respiratory	<input type="checkbox"/> Circulatory <input type="checkbox"/> Endocrine <input type="checkbox"/> Musculoskeletal <input type="checkbox"/> Special Sense <input type="checkbox"/> Cardiovascular	<input type="checkbox"/> Other: (describe)
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Questions to help determine whether an accommodation is needed.
<i>A student with a disability is entitled to an accommodation only when the accommodation is needed because of the disability. The following questions may help determine whether the requested accommodation is needed because of the disability:</i>
What limitation(s) is interfering with academic performance?
What function(s) is the student having trouble performing because of the limitation(s)?
How does the student's limitation(s) interfere with his/her ability to perform successfully in school?
Questions to help determine effective accommodation options.
<i>If a student has a disability and needs an accommodation because of the disability, the school must provide a reasonable accommodation, unless the accommodation poses an undue hardship. The following questions may help determine effective accommodations:</i>
Do you have any suggestions regarding possible accommodations to improve academic performance? If so, what are they?
How would your suggestions improve the student's academic performance?

Please complete the following table. The Recommendations ratings are as described below:

1 – Highly Recommend; 2 – Recommend; 3 – Do Not Recommend; 4 – No basis for recommendation

Item	Explanation	Recommendation	
		Yes	No
Limited-distraction / Distraction-free testing environment	Student tests in an area separate from other students. (Students in Distance Education/online courses will need to follow up with their instructor if there is a need for this.)		
Extended-time for tests / quizzes	<input type="checkbox"/> 1.5 (time & a 'half) <input type="checkbox"/> x2 (double time) <input type="checkbox"/> x3 (triple time)		
Record lectures	Requires completion of contract before student may record		
Note-taking assistance	General outline provided by instructor. Instructor may ask for a volunteer from the class, completion of contract before note-taking begins. Notes are intended to supplement the student's personal notes, not to replace them in the event of student's absence from class or lack of desire to take personal notes.		
Use of calculator	If the learning outcomes are not assessing the ability to perform the calculator's function. How this applies should be confirmed with syllabus/instructor prior to first assessment.		
Hard copy of textbooks	If applicable. MUST be enrolled in BookSaver to receive accommodations. See back of LOA for specific details for your courses.		
Scribe	Dictate answers to someone when completing tests or homework		
Reader	Have a test read to you		
Captioning / Interpreter	Based on availability of services. This can be done by including captioning in Brightspace materials or using speech-to-text software (requires recorded lecture agreement).		
Service Animal	Must be a legitimate, documented service animal. Emotional support animals are not included.		
Flexible Attendance / Deadline Extension	<i>(This accommodation is specific to when students experience an episodic event that impedes their ability to complete and submit their work in a sufficiently similar amount of time. This accommodation <u>cannot</u> alter the fundamental nature of the course. Instructors and students must complete the Flexible Attendance/Deadline Extension Agreement Form together. The ability to implement this accommodation may differ based on course or program. A discussion with program director and/or faculty is required.)</i>		
Other:			

Additional Comments:

Provider Signature: _____ Date: ____/____/____

Provide Name (Please print): _____

Type of Practice / Medical Specialty:

Business Address:

Phone: _____ Fax: _____

Email: _____



arc@wvncc.edu / 304-214-8954

PROVIDING SUFFICIENT MEDICAL DOCUMENTATION IN SUPPORT OF A STUDENT'S ACCOMMODATION REQUEST

Under the Americans with Disabilities Act (ADA), schools must provide reasonable accommodations for students with disabilities. Under the ADA, when a student requests an accommodation and the disability is not known or obvious, schools can require medical documentation that the disability exists. The ADA contains a specific definition of disability: an impairment that substantially limits one or more major life activities. Therefore, when documenting that a patient has a disability, medical professionals may want to use the ADA's specific language so the information will be helpful for employers.

The first piece of information to include is the patient's diagnosed impairment. If the patient is hesitant to provide the diagnosis, a more general statement about the medical condition may suffice, but if the school insists on having the diagnosis it should be provided or the documentation may be considered insufficient. According to the Equal Employment Opportunity Commission (EEOC), documentation is insufficient if it does not specify the existence of an ADA disability and explain the need for reasonable accommodation.

The next piece of information to include when documenting disability under the ADA is information about what major life activity the impairment substantially limits. There are two categories of major life activities. The first includes, but is 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.

The second category of major life activities is major bodily functions, which includes, but is not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

For more information, see How to Determine Whether a Person Has a Disability under the Americans with Disabilities Act Amendments Act (ADAAA) at <http://AskJAN.org/corner/vol05iss04.htm>.

Once a disability is established, schools have an obligation to accommodate any limitations resulting from the disability, even limitations that are not substantial. One important thing to remember is that the major life activity that establishes that a patient has a disability is not necessarily the same major life activity that is affecting the patient at school and for which the accommodation is needed.

Providing Accommodation Information

Under the ADA, schools are responsible for coming up with and providing effective accommodations. However, schools do not always know what accommodations might work so it may be helpful to provide any accommodation ideas that the medical professional and patient have. In addition to accommodation ideas, this part of the medical documentation should include information about what limitations are causing the patient's work/school-related problems and what those problems are. The goal here is to help the school understand the problem and start exploring solutions. Here are a few examples:

Example A: Because of Patient X's depression and associated concentration problems, she is having difficulty completing tests on time. One accommodation that might be helpful is to reduce distractions in her workspace. This could be done by moving her to a private setting or providing a headset with white noise.

Example B: Because of Patient X's progressive vision loss and associated blurred vision, she is having difficulty reading her computer screen. One accommodation that might be useful for her computer access is screen reading software.

Accommodation Support Forms

Once accommodations are determined, instructors and students will be emailed a letter of accommodation. If the accommodations established include flexible attendance/extended deadline or recorded lectures, the completion of an additional agreement form will be required. These forms are provided below.



Confidential

Revised: 07/10/2023

REQUEST FOR ACADEMIC ACCOMMODATIONS

TO: **First Initial, Last Name** (Course Abbreviation Course Code)

FROM: Academic Resource Center (ARC)

DATE: XXX

RE: Accommodation(s) for: XXXX

Student's ID Number: NXXXXXXXXX

Semester: Semester YYYY

The above-named student is enrolled in your course(s) and has a documented disability verified by the ARC. He/She is to receive reasonable academic accommodations according to the Americans with Disabilities Amendments Act, 2008 and the Rehabilitation Act, 1973. The following academic accommodations have been approved:

ACCOMMODATIONS

☐ Extended time (1.5x if needed)

☐ Record lecture

☐ Distraction-free testing location

☐ Note-taking assistance

☐ Reader (for tests and quizzes)

☐ Scribe

☐ Other:

☐ Use of calculator (*Provided the skill being assessed is not the skill being performed by the calculator.*)

☐ Assistive technology

☐ Flexible Attendance / Deadline Extension

(Instructors & students must complete the Flexible Attendance/Deadline Extension Agreement Form together. The ability to implement this accommodation may differ based on course or program. A discussion with program director and/or faculty is required.)

Successful implementation of academic accommodations requires ongoing, effective communication between students, instructors, and ARC staff. Students are advised to show and discuss their LOAs with instructors. Please discuss each student's accommodations and implementation in your particular course.

Students are responsible for seeking, initiating, and managing all aspects of their academic accommodations. These processes and expectations are reviewed with each student during the registration process for accessibility services in the ARC.

For example, students are responsible for scheduling test sessions in the ARC; however, faculty can assist by providing all test materials and instructions to the ARC in person or via email (arc@wvnc.edu) at least 24 hours before the scheduled session.

If you have any questions or would like assistance with this process, please feel free to contact ARC staff at 304.214.8954 or arc@wvnc.edu. Thank you for assisting us in providing equal access and opportunity for all students.

Students and professors may make copies of this letter.



Revised: 10/2/2024

Students who have a qualifying disability and have been approved for a “Recording Lecture” accommodation may record class lectures for their personal study use only. Information contained in the recorded lecture is protected under federal copyright laws and may not be published without the consent of the lecturer.

The student must sign this agreement before lectures can be recorded. The instructor will be notified before class begins that the student named herein will be recording the lecture.

Procedure

A student with a qualifying disability must be registered with the ARC for accessibility services. Individual faculty members, due to the nature and content of specific courses, may require the student to sign this agreement in advance of classroom recording.

One copy of this agreement will be kept in the student's confidential file, along with their disability documentation. An instructor may also keep a signed agreement in his/her personal files.

I, _____, have read and understand the above policy on recorded lectures in the WVNCC and I agree to abide by the policy with regard to any lectures I record while enrolled as a student.

Course Title and Number

Signature of Student

Signature of Instructor





FLEXIBILITY ATTENDANCE / DEADLINE EXTENSION AGREEMENT

Revised: 10/02/2024

Student Name: _____ Student N#: _____
Course name and CRN: _____ Instructor: _____
Year: _____ Semester: _____

Use this form to identify specifically, in writing, the particular expectations for flexible attendance that are conducive for the class and accommodates the student's disability to the extent possible without altering the essential elements of the course while working to preserve the academic integrity of the content. These accommodations are specific to when students experience an episodic event that impedes their ability to complete and submit their work in a sufficiently similar amount of time. **This agreement is valid with an approved disability-related flexible attendance accommodation and only when the student and instructor have completed this form together.**

1. Maximum number of disability related absences allowed for this student in this course: (please be as specific as possible and avoid vague language)
2. How and when will the student notify the instructor when a disability-related absence occurs: (depending on the nature of the disability is it reasonable to notify the instructor immediately before or after the missed class? How should the student notify you?)
3. Procedure for turning in homework/assignments/projects due the day of the disability-related absence. (If allowed, include the maximum number of days that assignments may be late and how they should be submitted to you. In most cases the extension may be equal to 24 hours.)

4. Procedure for making up a missed quiz, examination or in-class graded assignment (on a day when it is necessary to have a disability related absence).

If necessary, ARC staff, the department chair, or other administrator may also be included in the conversation. Both the instructor and student should retain this document. If the maximum number of absences is exceeded, the student and instructor should meet to discuss further options (i.e. incomplete, withdrawal).

Student Signature: _____ Date: _____

Instructor Signature: _____ Date: _____

If it is thought that attendance can be justified as an integral part of how the course is taught and/or how learning is to be demonstrated and measured, there can be a point at which disability-related absences cannot be reasonably accommodated. If at any point the faculty member or student have any questions, please contact the ARC so they can address and work to resolve them.



RESOURCES

West Virginia Division of Rehabilitation Services

Central Union Building

40-14th Street

Wheeling, WV 26003

- Wheeling District and Branch Offices: (304) 238-1092
- Weirton Branch Office: 304-723-5311
- Parkersburg Branch Office: 304-420-4580
- Sistersville Branch Office: 304-652-2354

The West Virginia Division of Rehabilitation Services helps people with disabilities prepare for, get, keep or advance in competitive employment. To accomplish that goal, they provide a broad range of vocational rehabilitation services, such as quality job training, rehabilitation therapy and other support services to people with disabilities across the state. Their goal is to enable and empower people to live independently.

Wheeling (District & Branch Office): 304-238-1092 1324 Chapline Street, Suite 200 Wheeling, WV 26003	New Martinsville: 304-455-4688 WVNCC Itinerant Office 141 Main Street New Martinsville, WV 26155	Weirton: 304-723-5311 100 Municipal Plaza, Suite 200 Weirton, WV 26062
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