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Student Access Statement

This handbook serves as the policy and procedure for all students to access disability accommodations. As mandated in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA), Birthingway will provide academic and program modifications as well as auxiliary aids to qualified students with a documented disability. The purpose of these accommodations is to ensure you have an equal opportunity to participate in any program, course, activity, or service offered by the College. An equal opportunity means you have the chance to access and attain the same level of performance or to enjoy equal benefits and privileges as are available to similarly-situated students without a disability.

The College is only mandated to provide accommodations for the known limitations of an otherwise qualified student with a disability. It is the responsibility of the student with the disability to inform the College that an accommodation is needed. Once the request has been made, the College will make reasonable effort to ensure that an effective accommodation, modification or auxiliary aid is provided for the student. Students will be notified with a written response regarding eligibility for services and recommended accommodations (if any) once the required documentation has been received.

The College does not discriminate on the basis of disability in employment decisions, admissions or other College activities including evaluation of performance, course examinations or other measures of achievement.

During the accommodation process, the Disability Services Coordinator is your advocate. She is responsible for collecting all documentation and assisting you. This is a collaborative process wherein you will work with the Disability Services Coordinator to determine how the College will accommodate your needs.

Contacting Birthingway's Disability Services Coordinator.

The Disability Services Coordinator can be reached by telephone at 503-760-3131 or by email at fac@birthingway.edu. To help ensure your confidentiality, it is not recommended that any disability-related information be sent by fax or from any email account outside of the birthingway.edu domain.

Student Eligibility

Birthingway is responsible for confirming that students receiving accommodations have verified disabilities according to state and federal law. We do this by collecting documentation of the disability that will be used to create the accommodation plan.

Accommodations and services may not be provided if you do not provide documentation of a disability, do not have a diagnosed disability, or do not follow College procedures for accessing accommodations.

If you do not have a documented disability but have extenuating circumstances you believe warrant an academic or programmatic adjustment, please use the *Petition for Exception to Policy* process as outlined in the [Student Handbook and Catalog](#).

Employee Access Statement

This handbook serves as the policy and procedure for all employees to access disability accommodations. As mandated in Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA), Birthingway will provide modifications to job tasks and duties, as well as auxiliary aids. The purpose of these accommodations is to ensure you have an equal opportunity to contribute and participate in any employment-related activity or service offered by the College. An equal opportunity means you have the chance to access and attain the same level of performance or to enjoy equal benefits and privileges as are available to similarly-situated employees without a disability.

The College is mandated to provide accommodations for any employee who states that accommodations are needed. It is the responsibility of the employee with the disability to inform the College that an accommodation is needed. *At no point will the employee be required disclose their disability or any medical information pertaining to their disability.* Once the request has been made, the College will make reasonable effort to ensure that an effective accommodation, modification or auxiliary aid is provided for the employee.

The College does not discriminate on the basis of disability in employment decisions, admissions or other College activities including evaluation of performance, course examinations or other measures of achievement.

During the accommodation process, the Disability Services Coordinator is your advocate. This is a collaborative process wherein you will work with the Disability Services Coordinator to determine how the College will accommodate your needs.

Contacting Birthingway's Disability Services Coordinator.

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Employee Eligibility

Birthingway is responsible for providing accommodations for any employee stating that accommodations are needed. *At no point will the employee be required disclose their disability or any medical information pertaining to their disability.*

Employees may request accommodations by speaking directly with the Disability Services Coordinator or by speaking with their supervisor.

The remainder of this handbook is specific to students and does not apply to employees.

Requesting Services

The Request Process

1. Submit a Disability Services Request for Accommodation form (*see [Appendix A](#)*).
2. Submit a Disability Confidentiality Acknowledgment form (*see [Appendix B](#)*).
3. Submit all necessary documentation (*see [Documentation Requirements](#)*).
4. The Disability Services Coordinator will review the documentation and request any clarifications or additional information needed to substantiate your need for accommodation. She may request that you sign a release of information so that she can speak directly with your provider(s).
5. Within 45 days of receiving the completed documentation, the Disability Services Coordinator will review the accommodations being requested and will schedule a meeting with you to review the accommodations the College will offer. She will also meet with the Academic Coordinator and your Program Coordinator to discuss the accommodations and determine which ones the College will offer.
6. At the meeting, the Disability Services Coordinator, Academic Coordinator, and your Program Coordinator will discuss accommodation options with you to create the final accommodation plan.
7. After the meeting has happened, you will receive a set of Accommodation Authorizations to give to each of your teachers so that they can implement the plan within their class (*see [Appendix D](#)*).

Making Requests in a Timely Manner

Advanced planning is necessary to ensure the timely provision of appropriate accommodations. As a qualified student with a disability needing accommodation you have a right to access College services, however, all services may not be on hand at all times. It is important to allow sufficient time for the College to create and implement accommodations and appropriate auxiliary aids.

You must turn in any request for accommodation and the completed documentation at least 45 days prior to the term for which accommodations are being requested. For disabilities that are diagnosed after the term has started, you must file a request for accommodation immediately.

If a request is submitted after the relevant deadline, Birthingway will make every reasonable effort to create accommodations but cannot guarantee that an untimely request can be met. Untimely requests may result in delay, substitutions, or denial of accommodation.

Implementing Approved Accommodations

Once an accommodation plan has been finalized, you will be given Accommodation Authorizations for each course you are being granted an accommodation in. It is your responsibility to notify your teachers right away of the Accommodation Authorization; do not wait until you need to use the accommodations.

The Disability Services Coordinator will determine if staff or teacher education and training is needed to ensure the accommodations are fully implemented.

Documentation Requirements

With all requests for accommodation, the following information must be provided.

A letter from you covering these points:

- Identify that you have a disability that requires accommodation.
- Describe what limitations you are experiencing and how those limitations affect you and your academic performance.
- Provide a list of the specific accommodations being requested.
- Describe how the accommodations will alleviate the limitations experienced as a result of the disability.

A letter from an appropriate medical professional including:

- The professional's name, title, professional credentials, information about license or certification, and area of specialty. Any provider conducting evaluations or making a diagnosis must be qualified to do so, and should have experience doing so with adults.
- Identify any other special qualifications for helping students with the specific type of disability as well as describing the professional's experience working with other students who have similar disabilities.
- The length of the relationship between the professional and the student.
- Name and describe any tests, assessments, evaluations, etc used to diagnose the disability.
- Describe the disability and specific diagnosis, how the student meets the diagnostic criteria, as well as the facts and observations upon which the diagnosis was based.
- Describe the disability-related impairments as they relate to the student's ability to learn and participate in the educational program.
- Provide a list of accommodations that are being recommended to allow the student to participate fully and equally in the educational program.
- Describe how these accommodations were decided upon and how the accommodations are expected to help.
- The documentation must be on letterhead, typed, dated, and have the original signature of the provider.

All documentation must be current. For disabilities that may change over time, this means the documentation must be within the last three years, and will need to be reevaluated and resubmitted every three years following.

A doctor's note or another school's plan is not sufficient documentation in and of itself but can be included as part of a more comprehensive evaluation report.

It is important to note that submitting documentation will not automatically qualify you for accommodations. All of the items above must clearly show the presence of a disabling condition and clearly justify the need for reasonable accommodations. Birthingway's Disability Services Coordinator will make the final decision as to whether reasonable and appropriate accommodations are needed and can be provided.

Additional Documentation Requirements

For certain specific disabilities, some additional documentation is needed.

For students who are deaf and hard-of-hearing:

Please submit a report from an audiologist or an Ear Nose and Throat Doctor that includes the following:

- Results of an audiogram showing the degree of hearing loss.
- The type of hearing loss (conductive or sensorineural).
- Whether the hearing loss is temporary or permanent, and if it is stable or progressive. If temporary, how long the impairment is expected to last.
- Whether the condition is mitigated by hearing aids or medication.

For students with a physical disability and/or health-related impairment:

Please submit a letter or report from a physician in an appropriate medical specialization that includes the following:

- The specific medical condition which causes the disability.
- Whether the condition is temporary or permanent, and if it is stable or progressive. If temporary, how long the impairment is expected to last.
- Information about current prescribed medications used to treat the disability and possible side effects.
- A description of the functional limitation(s) caused by the disability, including effects, symptoms and restrictions as a result of the disability.
- Whether the condition is mitigated by auxiliary devices.

For students with a psychological and psychiatric disability:

Please submit a psychological or neuropsychological evaluation or report from a psychiatrist, licensed psychologist, licensed clinical social worker, or licensed professional counselor that includes the following:

- A clear statement of the condition with the DSM-V diagnosis.
- Whether the disability is temporary or permanent, and if it is stable or progressive. If temporary, how long the impairment is expected to last.
- Information about current prescribed medications used to treat the disability and possible side effects.
- A description of the functional limitation(s) caused by the disability.

Rights and Responsibilities

Student Rights

- To an equal opportunity to participate in and benefit from courses, programs, services, and activities offered through the College.
- To receive appropriate accommodations, academic modifications, and/or auxiliary aids and services.
- To appropriate confidentiality of all information regarding your disability and to choose whom, outside the College, information about your disability will be disclosed to, except as disclosures are required/permitted by law.
- To refuse any accommodations, modifications, and/or auxiliary services being offered.

Student Responsibilities

- To meet technical standards and essential institutional standards for courses, services, and activities.
- To self-identify as an individual with a disability, and to follow institutional guidelines to request accommodations and services.
- To document how the disability limits your participation in courses, programs, services, or activities.
- To check in with the Disability Services Coordinator any time an issue arises with your accommodations.

College Rights

- To request and receive current documentation that supports requests for accommodations, academic modifications, and/or auxiliary services.
- To deny a request for accommodations, academic modifications, and/or auxiliary services if the documentation demonstrates that they are not warranted, or if the individual fails to provide appropriate documentation.
- To select among the equally effective accommodations, modifications, and/or auxiliary services.
- To refuse any unreasonable accommodation, modification, and/or auxiliary service, or one that imposes an undue hardship or financial burden upon the College, or that fundamentally alters a program or College activity.

College Responsibilities

- To ensure that students are able to access courses, services, and activities in the most integrated and appropriate setting possible.
- To provide or arrange accommodations, academic modifications, and/or auxiliary services for students with disabilities in courses, programs, services, activities, and facilities.
- To maintain appropriate confidentiality of records and communication, per the Confidentiality Statement, except where permitted/required by law.

Confidentiality and Release of Information

Birthingway recognizes that your records for the purpose of disability documentation, determination, and accommodation are confidential, as outlined in state and federal law. Your Birthingway records regarding your disability are not subject to the Health Insurance Portability and Accountability Act (HIPAA). They are, however, subject to and will be maintained according to the standards set in the Family Educational Rights and Privacy Act (FERPA). This information and documentation is not considered a part of, and will be housed separately from, your academic record. However, your right to privacy must be balanced with the College's need to know the information in order to provide accommodations and services.

The process of creating an accommodation plan will largely be between just you and the Disability Services Coordinator. When considering accommodations, it will be necessary to seek input from your Program Coordinator, the Academic Coordinator, and occasionally your course teacher(s), and/or the College President. You will be notified when this happens. By signing the Disability Confidentiality Acknowledgment form you indicate an understanding that in order for the College to coordinate, advise, and administer accommodations and services, disclosure of disability information to faculty or appropriate administrative staff may be necessary and/or required.

The purpose of signing the Disability Confidentiality Acknowledgment form is to maintain a record to show that you understand our procedure on disclosure of disability. It is not a request for permission to disclose information. If you would like to request that the Disability Services Coordinator does not disclose disability or related information, you must do so in writing. The Disability Services Coordinator will not provide full access to or full disclosure of your disability-related records to faculty or other administrative staff. If you request that the Disability Services Coordinator not discuss your situation with any faculty or staff, your request will be honored, however, you need to understand that if you are requesting accommodations and prohibit the College employees responsible for implementing the accommodations from discussing critical components of your situation (such as the relationship of the disability to the course and the requested accommodations), then it may not be possible to implement an accommodation.

Occasionally, it is necessary to request additional information from your medical/mental health provider. The Disability Services Coordinator may request that you sign a Release of Information so that she can speak directly with your provider (*see [Appendix C](#)*).

Concerns or Problems with Accommodations

Communication between the Disability Services Coordinator, your teachers, and you is an integral part of this process. It is important that all parties involved strive to meet this as best as possible, however, we understand that each of us are human and make mistakes, get overwhelmed, or lose track. When these mistakes happen, we want to acknowledge the issue, the impact it had, and engage in dialog to work towards a solution.

It is your responsibility to check in when concerns arise, if you are struggling with your accommodations, and/or need them adjusted. Please do this as soon as you notice the issue. If you wait until the end of term or until after receiving a final grade, it may be too late to correct the problem.

If you believe that you have been denied access to the accommodations granted, please contact the Disability Services Coordinator right away so that it can be remedied.

If you believe that you have been discriminated against or unjustly denied accommodations you may file a formal appeal and grievance (*see [Appeals and Grievances in the Student Handbook](#)*).

Frequently Asked Questions

Q: Will I automatically get an accommodation?

A: No, it depends on how your disability impacts your learning. Your need for accommodations will be evaluated on a case-by-case-basis to ensure that you are provided equal opportunity to participate in College services. There is no one-size-fits-all accommodation.

Q: Why do you require so much documentation before I can get accommodations?

A: In short, the College needs to be able to show that you are a qualified student with a disability that requires accommodation. This is both for the College's legal protection as well as enabling all involved to make the best, most fully informed, and timeliest decisions about meeting your access-related needs.

Q: Will my disability exempt me from Birthingway's policies?

A: Not necessarily. In some cases, it may become apparent during the accommodation process that you may need an exemption from a specific policy if it is necessary to ensure you have equal opportunity to College services. Otherwise, you are still subject to Birthingway's policies, including our Student Code of Conduct and Disciplinary Process.

Q: Do I still have complete skills courses and clinical training?

A: Yes. The hands-on training portions of our programs are integral pieces of preparing you for work in this field. It would be considered unreasonable to exempt any student from having to perform the skills, professional judgments, and relational aspects that are required to practice in the field of Midwifery Arts and Sciences.

Q: Do I still have to meet technical standards?

A: Yes. All students must meet the technical standards at all times during admissions, their academic career, and graduation either on their own or with accommodations. For example, a student who uses a prosthetic leg as an auxiliary aid could still meet the technical standards, whereas, a student who is blind, even though braille textbooks are available, would not.

Q: How come my authorizations don't include all the accommodations that were requested?

A: The College has a right to decide which accommodations will work within our setting. Our obligation is not to provide all of the accommodations or even the *best* accommodation possible, our obligation is simply to provide the accommodations *needed* to gain equal access.

Q: Can my accommodations retroactively apply to a class I struggled in last term?

A: No. The College is not required to provide accommodations to anyone who does not have a documented disability on file that demonstrates the need for accommodations. We will not provide retroactive accommodations for a past term in which you did not have a documented disability on file. If you have a disability, it is important that you notify the Disability Services Coordinator and start the accommodation process right away for the current or future terms.

Definition of Terms

Accommodation: changes made to any aspect of College programs, policies, services, or facilities for a student who has a documented disability that requires assistance meeting program and/or College standards.

Adjustment: changes made to any aspect of College programs, policies, courses, activities or services for a student who does not have a disability but has documented reasons for needing assistance in meeting program and/or College standards. *Adjustments are not requested, determined, nor granted through Disability Services.*

Auxiliary Aids: assistive, adaptive, and rehabilitative devices such as a standing desk option, large print textbooks, note-takers, an interpreter, etc.

Disability: an impairment that causes a substantial limitation of one or more major life activities over an extended period of time.

Impairment: a loss or abnormality of psychological, physiological, or anatomical structure or function.

Modification: changes made to any aspect of College programs, policies, courses, or activities for a student who has a documented disability that requires assistance meeting program and/or College standards.

You may see the terms “accommodation” and “modification” used interchangeably.

Appendix A: Disability Services Request for Accommodations Form



Birthingway College of Midwifery
12113 SE Foster Road
Portland, Oregon 97266
503-760-3131

Disability Services Request for Accommodations

Student's Legal Name:

First	MI	Last

The following items are required before a written request for accommodation will be considered complete. Please check off each item attached to this request:

A letter from the student (see the Community Access Handbook, page 6).

A recent/current letter from an appropriate medical professional (see the Community Access Handbook, pages 6-7).

Birthingway will comply with all federal and state regulations regarding our responsibilities under the Americans with Disabilities Act and with Section 504 of the Rehabilitation Act.

Any student with a disability that requires accommodation must submit written notice of a request for accommodation at least 45 days before the start of the term in which the accommodations are being requested for..

Students who are diagnosed with a disability that requires accommodation after a term has begun must immediately submit a written request for accommodation.

In some cases, Birthingway may require additional information from the student's medical provider. We may request that the student provide a written release for the provider to speak directly with the College.

All information regarding this Disability Services Request for Accommodations is held in confidence according to the Family Educational Rights and Privacy Act (FERPA).

By signing this form I acknowledge that I have read the Community Access Handbook and have submitted the information required to move forward on my Disability Services Request for Accommodations.

Student Signature

Date

Please return this form directly to Birthingway's Disability Services Coordinator.

Appendix B: Disability Confidentiality Acknowledgment Form



Birthingway College of Midwifery
12113 SE Foster Road
Portland, Oregon 97266
503-760-3131

Disability Confidentiality Acknowledgment

Student's Legal Name:

First	MI	Last

By signing this form I acknowledge the following:

- I understand that Birthingway needs information about my disability in order to provide services.*
- I understand that I am responsible for reviewing my rights and responsibilities pertaining to disability access.*
- I understand that in order for the Disability Services Coordinator to facilitate accommodations for me, she may need to consult with other College employees and share information about my condition as outlined in the Confidentiality and Release of Information section of the Community Access Handbook.*
- I understand that signing and returning this form is only an acknowledgment of the confidentiality of my information, not a permission slip to share my information.*
- I understand that if I specifically do not want the Disability Services Coordinator to share any information about my disability or accommodations, I will need to submit a letter clearly stating so and that doing so may limit the College's ability to provide services.*

Student Signature

Date

Please return this form directly to Birthingway's Disability Services Coordinator.

Appendix C: Consent to Release of Information Form

Consent to Release Confidential Information

Student's Legal Name:

--	--	--

First

MI

Last

Birthingway College must follow all applicable State and Federal laws (Family Educational Rights and Privacy Act, FERPA), rules and regulations that apply to student records. Therefore, all information contained in the college records which is personally identifiable to any student shall be kept confidential and not released except: Upon express written consent of the student; In compliance with a judicial order or lawfully issued subpoena; To provide necessary information to school officials with a legitimate educational interest; and/or To notify appropriate officials in cases of health and safety emergencies.

I hereby authorize a two-way disclosure for Birthingway's Disability Services Coordinator to release information to and to request information from:

Name: _____ Agency or Relationship: _____
Phone: (____) _____ Email: _____
Address: _____
City: _____ State: _____ Zip: _____

Method of Disclosure: (check all that apply)

Verbal Written Email

Specific Information to be Released:

Disability accommodations Disability diagnosis and related limitations
 Other (specify): _____

Purpose of Disclosure: _____

This authorization is valid until ____/____/____

I understand that I may revoke this authorization at any time in writing.

Student Signature

Please return this form directly to Birthingway's Disability Services Coordinator.

Your provider may also require you to complete a HIPAA release before information can be released.

Appendix D: Sample Accommodation Authorization



Birthingway College of Midwifery
12113 SE Foster Road
Portland, Oregon 97268
503-760-3131

Modification Authorization

To: Holly Scholles (instructor)
CC: Jane Doe (student)

This notice is to be held in strict confidence. At no point may the information contained within (or any disclosures made by Jane) be shared with anyone without Jane's prior written consent.

This notification is being provided as part of a process to uphold Birthingway's obligations under the American's with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.

Please observe that Jane has been granted the following modifications for Critical Care Skills I.

- The ability to stand and move around during class as long as it isn't disrupting learning for her or for other students.
- The ability to use a standing desk during class.
 - There is a tabletop podium located in the Foster front hallway closet.
 - If needed, it is your responsibility to ensure that the podium is received and placed for student use.

Note: You may choose to reassign Jane's dyad partner if Jane's absence or incomplete assignments impacts other students cooperative learning.

You are required to ensure that these modifications are made available to our student. If you have any questions about how to implement these modifications in your class, please contact me right away. Any requests by the student for additional modifications should be directed to me.

This authorization is in effect from 10/10/14 through the duration of your class.

Amari Fauna
Disability Services Coordinator

Date

Authorization not valid without original signature and official seal.