Disability Policies

Introduction
Higher education administrators have always been charged with the task of determining which applicants are qualified to participate in the academic programs at their institutions and who are not. Thirty years ago, the task of choosing students for admission tended to be very selective, and sometimes biased depending on an applicant’s social status and economic background. Students who met the institution’s standards were admitted and those who did not either enrolled in community colleges, through their open enrollment programs, or entered the workforce.

Access to higher education progressed in this manner until 1973 when President Jimmy Carter signed into law the Rehabilitation Act (U.S. Congress, 1973). This legislation provided a number of new protections and rights for individuals with disabilities. Because of this statute, colleges and universities who receive federal funds could no longer discriminate against any student on the basis of their disability. These institutions were required to provide students with disabilities an equal opportunity to participate in their educational programs.

Section 504 of the Rehabilitation Act of 1973 and the passage of the Americans with Disabilities Act of 1990 have given Americans with disabilities the impetus and support necessary for entry and success in higher education. This disability policy manual was created to publicize the types of services that are available at The Culinary Institute of America, the relevant laws with which we must comply, the types of disabilities that may be encountered and the ways in which we are sanctioned to assist students so as to remain in compliance with the law.

Students with disabilities substantially contribute to the diversity of our campus community, the Hospitality Industry and our American culture. It is our hope that the information within this document will aid you in helping students, parents, faculty, and staff when addressing a disability-related issue or question. If there ever is a time you need further assistance, always feel free to contact the staff at the Learning Strategies Center for additional guidance.

Laws and Definitions

Section 504 of the Rehabilitation Act of 1973 states that...
“No otherwise qualified person with a disability in the United States...shall, solely by reason of... disability, be denied the benefits of, by excluded from participation in, or be subjected to discrimination under any program or activity receiving federal financial assistance....”

Section 504 is the foundation for all the terminology and access which impact students with disabilities in post-secondary settings. Relevant vocabulary of Section 504 includes:

A “person with a disability” is …
any person who (1) has a physical or mental impairment which substantially limits one or more major life activities, (2) has a history of such an impairment, or (3) is regarded as having such an impairment.

A “major life activity” can include…
caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
A “qualified person with a disability” is defined as one who meets the academic and technical standards requisite to admission or participation in the education program or activity.

Section 504 of the Rehabilitation Act protects the rights of qualified individuals who have disabilities such as, but not limited to:

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<th>Chronic illnesses, such as:</th>
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<td>Traumatic brain injury</td>
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Section 504 specifies that colleges and universities MAY NOT:

- Limit the number of students with disabilities who are admitted.
- Make pre-admission inquiries as to whether or not an applicant has a disability.
- Use admissions tests or criteria that inadequately measure the academic qualifications of students with disabilities because special provisions were not made.
- Exclude qualified students with disabilities from any course of study, program or activity.
- Establish rules or policies which might adversely affect students with disabilities.

Under the provision of Section 504…

Colleges and universities which receive federal assistance such as PELL grants, ROTC, federal grant money, etc, may not discriminate on the basis of disability in the recruitment, admission, educational processing of students. At the Culinary Institute of America, a qualified student with a disability is one who:

- Self-identifies himself or herself to the Learning Strategies Center on the Hyde Park campus and/or to the Education Program Manager at the Greystone campus.
- Provides comprehensive, current, professional documentation of a disability.
- Has documentation which clearly indicates the need for academic adjustments, modifications, auxiliary aids or services.
- Needs those adjustments, modifications, auxiliary aids or services to participate in and/or benefit from the college’s programs and activities.
- Is able to benefit from the adjustments, modifications, auxiliary aids or services.
- Can meet the academic and technical standards set out by the Institute.
The American’s with Disabilities Act of 1990 states…
“that no otherwise qualified individual with a disability shall by reason of such disability be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.”

Section 504 of the Rehabilitation Act of 1973 and the American’s with Disabilities Act of 1990 (ADA) are similar in the respects that they both protect the rights of “a qualified individual with a disability”. Congress meant for the language of the ADA to be similar to Section 504 in order to prevent inconsistencies and conflicts in protecting the rights of disabled individuals. Where the two laws are different, is in the respect that Section 504 pertains mostly to colleges and universities whereas, the ADA pertains mostly to employment.

**Student Rights and Responsibilities**

Every qualified student, as defined by Section 504 of the Rehabilitation Act, with a documented disability has the following rights:

- Equal access to courses, programs, services, jobs, activities, and facilities available through the college.
- Reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined by the institution on a case-by-case basis.
- Appropriate confidentiality of all information pertaining to the disability with the student’s choice of to whom to disclose the disability, except as required by law.
- Information reasonably available in accessible formats.

Every qualified student, as defined by Section 504 of the Rehabilitation Act, with a documented disability has the responsibility to:

- Meet the required qualifications and essential technical standards, including the student code of conduct.
- Identify him/herself as an individual with a disability when requesting an accommodation from the appropriate service provider. The request for accommodations must be made prior to the course, practical or test in which the accommodations are needed. Having documentation on file at The Learning Strategies Center does not automatically bestow accommodations. Accommodations must be requested by the student at each point in time that an accommodation is needed.
- Provide documentation from a qualified source that verifies the nature of the disability, functional limitations, and the need or specific accommodations.
- Follow specific procedures for obtaining reasonable and appropriate accommodations, academic adjustments and services.

**The College’s Rights and Responsibilities**

The Culinary Institute of America has the right to:

- Maintain academic, technical, admissions, student code of conduct and graduation standards.
- Request that a student with a disability provide current documentation completed by a qualified professional source, other than a family member, to verify the need for reasonable accommodations, academic adjustments and/or auxiliary aids.
• Discuss a student’s need for reasonable accommodations, academic adjustments, and/or auxiliary aids with the professional source of his/her documentation with the student’s signed consent authorizing discussion.
• Select among equally effective and appropriate accommodations, adjustments, and/or auxiliary aids for each student on a case-by-case basis.
• Deny a request for accommodations, adjustments, and/or auxiliary aids if: a) the documentation does not identify a specific disability, b) the documentation fails to verify the need for the requested services, c) the documentation is not provided within 2 months time of the initial disclosure and/or the documentation is not current as defined by the specific disability documentation standards within this guide, d) the request for accommodations is made after the course, practical or test has been completed. Accommodations or academic adjustments cannot be provided retroactively.
• Establish that a prior history of accommodations does not, in and of itself, warrant the provision of a similar accommodation.
• Provide an alternative accommodation to the one requested provided it furnishes equally effective, meaningful access.
• Refuse to provide an accommodation, adjustment, and/or auxiliary aid that is inappropriate or unreasonable. Including any that:
  1. Pose a direct threat to the health and safety of others;
  2. Constitute a substantial change or alteration to an essential element of a course or program;
  3. Fundamentally alters the nature of the service provided and/or;
  4. Poses undo financial hardship or administrative burden on the institution.

The Culinary Institute of America has the responsibility to:
• Review and revise institutional, programmatic, employment and other policies and procedures to assure that they do not discriminate against qualified individuals with disabilities.
• Ensure that the institution’s courses, programs, services, jobs, activities, and facilities, when viewed in their entirety are offered in the most integrated and appropriate settings based on a review of what the law requires.
• Provide information regarding policies and procedures to students with disabilities in a timely manner and assure its availability in accessible formats upon request.
• Evaluate students on their abilities, not on their disabilities.
• Provide reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids for student with disabilities upon a timely request by a student.
• Maintain appropriate confidentiality of records and communication concerning students with disabilities except where disclosure is required by law or authorized by the student.
• Assist students with disabilities who self-identify and meet the college’s criteria for eligibility in receiving reasonable and appropriate accommodations, academic adjustments, and/or auxiliary aids determined on a case-by-case basis.
• Inform students with disabilities of College policies and procedures for filing a formal grievance both internally and/or through external agencies e.g.. US Department of Education Office of Civil Rights. (Effective College Planning, 5th Ed. WNY Collegiate Consortium of Disability Advocates)
**Documentation Requirements for Learning Disabilities and ADD/ADHD:**

A student with a learning disability or Attention Deficit Disorder/Attention Deficit Disorder with Hyperactivity (ADD/ADHD) who is requesting accommodations must identify him/herself to the Learning Strategies Center. Requests for accommodations at other Culinary Institute of America sites, such as Greystone, will be coordinated through the Learning Strategy Center at the Hyde Park Campus. Documentation requirements are as follows:

1. Documentation must originate from a qualified professional who has training and experience in the assessment of learning problems with adolescents and adults. Examples of qualified professionals are clinical or educational psychologists, school psychologists, neuropsychologists, or learning disabilities specialists.
2. Documentation must not be older than 5 years at the date of the request for accommodations and must be an adult form of the test.
3. Documentation older than 5 years would require new testing except where appropriate documentation is provided by a professional indicating that new testing would not be required given the individual circumstances.
4. The cost of obtaining documentation is the responsibility of the student.
5. Documentation must confirm the presence of a disability.
6. The report should be direct and confirm or deny the existence of a disability without being vague.
7. When documenting a learning disability or ADD/ADHD the diagnostician is encouraged to avoid using terms such as “suggests” and/or “is indicative of”. These terms are vague and not conclusive.
8. The presence of a disability does not necessarily guarantee that a student will receive accommodations.
9. Documentation must state how and to what degree the disability currently, adversely affects a student’s educational performance as well as recommendations for services and accommodations to improve student performance.
10. The use of medication in and of itself does not support or negate the need for accommodations.
11. The Learning Strategies Center will make the final decision regarding appropriate accommodations based on all relevant information.
12. A student whose documentation is current and complete at the time of enrollment, but expires while in attendance, need not be retested.
13. All students requesting accommodations based on a diagnosis of a learning disability or ADD/ADHD must submit the results of a psychoeducational evaluation using an adult format such as the Wechsler Adult Intelligence Scale.
14. A test of achievement such as the Woodcock-Johnson must also be included within the testing requirements.
15. Test results should also include tests of memory, processing speed, a summary of recommendations and a clear diagnosis.
16. (The Wide Range Achievement Test (WRAT 3) is not acceptable as a test of achievement)
17. A student who has a diagnosis of ADD/ADHD, must provide the name of the testing instrument used to verify the existence of ADD/ADHD.

18. The diagnostic report for ADD/ADHD should include specific recommendations that are appropriate to the post-secondary level of education.

19. A detailed explanation should be provided as to why each accommodation is recommended and should be correlated with the specific functional limitations determined through the interview, observation and/or testing.

20. Letters stating only that the student has a learning disability, which do not provide any diagnostic information through test scores and narrative are not acceptable.

21. Once a student is enrolled, if the documentation provided is deemed insufficient or does not support a requested accommodation, additional testing will be required.

22. If a student is notified that additional testing is required, the student has 2 months to complete the testing process in order to continue receiving services except where exceptional circumstances would make compliance with the two month requirement impossible.

24. An IEP or Summary of Performance without other supporting documentation is not acceptable as documentation.

**Deaf and Hearing Impairments**

The Culinary Institute of America will provide sign language interpreters for deaf students who are enrolled at the Institute and who qualify for this accommodation. Interpreters will be provided for classes, academic meetings/appointments, and Institute-sponsored programs. Qualified interpreters are hired on a short term, hourly basis.

**Procedure**

At least 2 months before registering for credit or non-credit classes, or returning from an absence of studies, a request must be made to The Learning Strategy Center at the Hyde Park Campus for an interpreter or other necessary accommodations. Requests for interpreters at other Culinary Institute of America sites, such as Greystone, will be coordinated through the The Learning Strategy Center at the Hyde Park Campus.

Initially, all hearing impaired/deaf students are encouraged to file an application for the funding of interpreting services or appropriate accommodations such as note taking services to the Department of Rehabilitation Services (DRS), Vocational Rehabilitation, VESID and other possible funding resources offered by the student's local or state agencies. The student is encouraged to follow recommendations offered by the Disability Support Specialist regarding the funding of interpreters and note takers.

If the student is eligible, an interpreter will be assigned to the lecture portions of a practical (hands-on) kitchen class or, in its entirety, to a sit-down lecture (academic) class. Additionally, The Culinary Institute of America will provide interpreters for all course related academic events and all public events hosted by the Institute.

**Documentation Requirements:**

The types of accommodations available will be determined after an interview and review of submitted, professional documentation. An audiogram administered by a licensed audiologist is required for all hearing impaired/deaf students requesting services.

The audiogram and any additional medical documentation provided must be less than 3 years old at the date of the request for services. Information about the functional limitations caused by
the hearing loss should also be included in the report. An audiogram showing evidence of a moderate to severe hearing loss will make a student eligible for accommodations.

**Policies**

**Classroom Interpreting:**
Classroom interpreting schedules will be arranged before a course begins. The student must inform the Disability Support Specialist, prior to enrollment, the type of interpreting service he/she will need i.e. Signed English or American Sign Language. Once enrolled, it is the student’s responsibility to inform the Disability Support Specialist as to any changes or additions to a class schedule. The Disability Support Specialist will do his/her best to accommodate any last minute schedule changes. Bear in mind that the agency which provides us with interpreters may be unable to find a qualified interpreter for a specific class at a specific time without advance notice. The interpreters are hired on a short term, hourly basis and advance notice is crucial for scheduling.

On rare occasions, even with advance notice, the agency that provides us with interpreters may be unable to find a qualified interpreter for a specific class at a specific time. If this occurs, the student will be notified as soon as possible and may be given the opportunity to take the class at another time when an interpreter is available.

Additional classroom accommodations may include:

- test adaptations such as extended time or change of test format,
- preferential seating
- available notes or note takers
- faculty consultation and advocacy assistance

**Non-Classroom Interpreting**
Non-classroom interpreting consists of all school related activities done outside assigned classes. Examples include scheduled meetings at The Learning Strategies Center, tutoring sessions, telephone calls which are curriculum related, workshops related to the enrolled class and on campus activities requiring an interpreter. Social events or events of a personal nature will not be accommodated with interpreters.

The Culinary Institute of America reserves the right to ascertain whether an accepted student would benefit from interpreting services.

**Student Attendance**
The CIA's policy on lateness/absenteeism will be adhered to. If the student cannot attend class, the student must notify the Learning Strategies Center in advance or as soon as possible.

**Non Attendance to Classes**
If the student knows that he/she will miss a class, at least 24 hours advance notice must be given to the Disability Support Specialist. In some situations, such as an emergency, the student may not be able to provide 24 hours notice; however any advance notice is beneficial. Failure to provide any advance notice is considered a "No-Show."

In some situations advance notice is not possible. Following such a situation the student is required to contact the Disability Support Specialist to indicate that he/she is ready to resume classes.
The Disability Support Specialists can be contacted as follows:

- Call The Learning Strategies Center Office at 451-1219 or 451-1288 and either speak with or leave a message for the Disability Support Specialist by voice, relay or TTY,
- Contact any Learning Strategies Center staff member at 451-1283 and speak in person by voice, relay or TTY.
- Send an email message to the Disability Support Specialist

If a student fails to provide advance notice or fails to make contact after the absence the following actions will result:

1) First "No-Show":
A letter or email will be sent to remind you of the policy and appropriate procedures.

2) Second "No-Show":
A letter or email will be sent informing you that you have two "No-Shows." In addition, the letter will remind you of the policy and appropriate procedures.

3) Third "No-Show":
Services will automatically be temporarily suspended and a letter or email will be sent informing you of the policy and the appropriate procedure. Services will remain suspended until the student makes an appointment and meet with the Disability Support Specialist to discuss reinstatement of services.

4) For each subsequent "No-Show": Services will automatically be suspended and a letter or email will be sent informing the student of the policy and the appropriate procedures. The services will remain suspended until the student makes an appointment to meet with the Disability Support Specialist to discuss reinstatement of services.

Repeated cancellations of interpreter services with less than 24 hours notice or no shows may also result in suspension of services. In such instances, the Disability Support Specialist will suspend services until the student makes an appointment to discuss reinstatement of services.

These policies will be followed even if the student has not received notification. For example, if the student has 3 or more "No-Shows" in a course, interpreting services will be suspended, even if the student has not received a letter from the Disability Support Specialist. Two classes missed on one day still counts as two "No-Shows."

If the student is late for class, the interpreter will wait outside of the classroom for 20 minutes before leaving. If the student arrives late but before the interpreter leaves, the student is not to ask the interpreter what he/she missed. It is the student’s responsibility to ask the instructor, notetaker, or other students what he/she missed, either after class or during break.

If the student needs to talk to the instructor or other students after class, he/she should ask the interpreter if she/he is available. If she/he is not, the student will need to set up an appointment and request an interpreter from the Disability Support Specialist for another day and time.

The student is responsible for all course content, tests, and other course requirements. The interpreter is not responsible for the grades the student receives. The instructor is to be asked questions related to the course, not the interpreter. The interpreter is not to be asked for help in class or for tutoring. The interpreter is only there to assist with communication.
**Student Concerns:**
When a student has a concern regarding an interpreter, he/she should first talk with the interpreter about the concern. If the issue is not resolved, the student should speak with the Disability Support Specialist. If the concern is still not resolved, and if all parties agree, a team meeting will be set up between the student, interpreter, and the Disability Support Specialist. If a student has concerns about the accessibility of a program in a classroom, kitchen or anywhere on campus, the CIA urges him/her to bring those concerns to the Disability Support Specialist who will seek a prompt resolution.

Students may request a preference for a particular interpreter. Effort will be made to assign the preferred interpreter; however, there is no guarantee. Printed guidelines for working with hearing impaired/deaf students will be sent to all faculty members and/or fellows who will have hearing impaired/deaf students in their classes.

**Professional / Ethical Concerns:**
All interpreters are expected to adhere to the Interpreter Code of Ethics as stated by the National Registry of Interpreters for the Deaf. Acceptable attire for interpreters at the CIA consists of casual business dress. If jewelry is to be worn, it must be minimal. Jeans, shorts, and sweat clothes are considered inappropriate attire and are not acceptable. In addition, the CIA guidelines of proper sanitation must be adhered to. All interpreters will receive the student handbook so that sanitation guidelines as well as other college policies are understood.

**Residential Accommodations:**
Deaf students residing on campus will have available the following dormitory accommodations. Each room outfitted for deaf students has flashing lights as well as a bed shaker which are used as a fire alert. Each room has a door bell that, through a common outlet, is wired to a lamp that flashes when the doorbell is rung. The student must supply the lamp. If the student requires other dorm accommodations the Disability Support Specialist must be contacted at least 1 month prior enrollment to discuss any requests.

**Definition of Mental Illness**
Mental illness is a term that describes a broad range of mental and emotional conditions. Mental illness also refers to one portion of the broader ADA term mental impairment, and is different from other covered mental impairments such as mental retardation, organic brain damage, and learning disabilities. The term ‘psychiatric disability’ is used when mental illness significantly interferes with the performance of major life activities, such as learning, thinking, communicating, and sleeping, among others.

**Documentation Requirements for Psychiatric Disabilities:**
1. A diagnosis by a licensed professional, qualified in the appropriate specialty area and not related to the student; the report should be on letterhead, dated and signed. Recommended professionals may include licensed clinical social workers (LCSW), licensed professional counselors (LPC), psychologists, psychiatrists, and neurologists. The diagnostician should be an impartial individual who is not a family member of the student.
2. A clear statement of the student's illness(es), including the DSM-IV diagnosis, summary of the present symptoms and a prognosis. (Must be coded on Axis I or II)
3. Documentation must be current, and describe how the student's psychiatric condition interferes with, or impacts on his/her ability to participate in the educational process. Documentation should be no older than 1 year and should be updated annually.
4. Medical information relating to the impact of medication and/or treatment on the student's ability to participate in all aspects of the academic environment.

5. Suggestions of academic accommodations, which might be appropriate in an educational environment, supported by disability, related information. (Western State College of Colorado, 2002, Disability Services, Documentation Guidelines for Psychiatric/Psychological Disabilities Western.edu/studaff/disability)

Further assessment by an appropriate professional may be required if coexisting learning disabilities or other disabling conditions are indicated. The student and the Disability Support Specialist collaboratively determine appropriate accommodations at The Culinary Institute of America.

Rehabilitated Drug Addiction/Alcoholism

Under the Americans With Disabilities Act the term “a qualified individual with a disability” refers to an individual who has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of drugs, or has otherwise been rehabilitated successfully and is no longer engaging in such use.

The term "qualified individual with a disability" does not include any individual who is currently engaging in the illegal use of drugs or alcohol.

Professionals who are qualified for diagnosing, treating, and providing documentation for individuals who have been rehabilitated for drug addiction or alcoholism may include physicians with a specialty in addiction, clinical psychologists, psychiatrists, and licensed mental health professionals or State Health Department certified addiction counselors who are supervised by psychologists or psychiatrists. The diagnostician should be an impartial individual who is not a family member of the student.

Documentation serves as the foundation that legitimizes a student’s request for appropriate accommodations. Acceptable documentation varies with respect to the disabling condition, the current status of the student, and the student’s request for accommodations.

**Documentation Requirements for Rehabilitated Drug Addiction/Alcoholism:**

1. The DSM-IV diagnosis, a clear statement of successful completion of a supervised drug/alcohol rehabilitation program, and a dated statement attesting to compliance with appropriate post rehabilitation treatment. In clear, direct language, the report must identify the substantial limitation of a major life activity.

2. A summary of assessment procedures and evaluation instruments used to make the diagnosis.

3. A summary of qualitative and quantitative information that supports the diagnosis.

4. Medical information relating to the student’s needs to include the impact of medication on the student’s ability to meet the demands of the post-secondary environment.

5. Suggestions of reasonable accommodations that might be appropriate at the post-secondary level. These recommendations should be based on significant functional limitations and should be supported by the documentation.

6. At the time of disclosure, documentation must be no more than one-year-old. (Western State College of Colorado, 2003, Disability Services, Documentation Guidelines for Rehabilitated Drug Addiction/Alcoholism, Western.edu/studaff/disability)

Further assessment by an appropriate professional may be required if co-existing learning disabilities or other disabiliing conditions are indicated. The student and the Disability Support
Specialist collaboratively determine appropriate accommodations at The Culinary Institute of America.

**Medical and Physical Disabilities**

Physical and medical disabilities include, but are not limited to, mobility impairments, multiple sclerosis, cerebral palsy, chemical sensitivities, spinal cord injuries, cancer, AIDS, muscular dystrophy, and spina bifida. Physical disabilities and systemic illness are considered to be in the medical domain and require the expertise of a physician, including a neurologist, psychiatrist, or other medical specialist with experience and expertise in the area for which accommodations are being requested. The diagnostian should be an impartial individual who is not a family member of the student. Students who have medical or physical disabilities are eligible for services. Documentation serves as the foundation that legitimizes a student’s request for appropriate accommodations.

* See page 24 in the Appendix for a description of our Technical Standards

**Documentation Requirements for Medical and Physical Disabilities:**

1. A clear statement of the medical diagnosis of the physical disability or systemic illness. In clear, direct language, the report must identify the substantial limitation of a major life activity presented by the disability or illness.
2. Documentation must be prepared by an appropriate professional as described above.
3. Documentation should be less than 1 year old at the date of request for services except where appropriate documentation is provided by a professional indicating that new testing would not be required given the individual circumstances.
4. A summary of assessment procedures and evaluation instruments used to make the diagnosis, including evaluation results and standardized scores if applicable.
5. A description of present symptoms that meet the criteria for diagnosis.
6. Medical information relating to the student’s needs to include the impact of medication on the student’s ability to meet the demands of the post-secondary environment.
7. Suggestions of reasonable accommodations that may be appropriate at the post-secondary level. These recommendations should be based on significant functional limitations and should be supported by the diagnosis. The Learning Strategies Center will make the final decision regarding appropriate accommodations based on all of the relevant information.
8. Medical and Physical Disabilities can be accommodated provided that the accommodations requested do not modify, weaken or alter any program or course requirements/competencies. Students with Medical and Physical Disabilities must demonstrate the same competencies as non-disabled students with or without accommodations and are subject to the technical standards as stated in The Culinary Institute of America disability policies.

(University of Baltimore, 2003, Disability Support Services, Documentation Guidelines for Students with Physical Disabilities and Systemic Illness, Ubalt.edu/disability/documentation)

Further assessment by an appropriate professional may be required if coexisting learning disabilities or other disabling conditions are indicated. The student and the Disability Support Specialist at The Culinary Institute of America collaboratively determine appropriate accommodations.

**Visual Impairments**

Ophthalmologists are the primary professionals involved in the diagnosis and medical treatment of individuals who experience low vision. Optometrists provide information regarding the measurement of visual acuity, as well as tracking and fusion difficulties (including, but not
limited to, eye movement disorders, inefficiency in using both eyes together, misalignment of the
eyes, lazy eye, focusing problems, visual sensory disorders, and motor integration). The
diagnostician should be an impartial individual who is not a family member of the student.

**Documentation Requirements for Visual Impairments:**
1. Documentation must be less than 1 year old at the date of the requested accommodations.
2. A clear statement of vision-related disability with supporting numerical description.
3. A summary of assessment procedures and evaluation instruments used to make the diagnosis
   and a summary of evaluation results.
4. Present symptoms that meet the criteria for diagnosis.
5. Medical information relating to the student’s needs and the status of the individual’s vision
   (static or changing) and its impact on the demands of the academic program.
6. Narrative or descriptive text providing both quantitative and qualitative information about the
   student’s abilities that might be helpful in understanding the student’s profile, including the use
   of corrective lenses and ongoing visual therapy (if appropriate).
7. Suggestions of reasonable accommodations that might be appropriate at the post-secondary
   level. These recommendations should be supported by the diagnosis. (University of Baltimore,
   2003, Disability Support Services, Documentation Guidelines for Students with Physical
   Disabilities and Systemic Illness, Ubalt.edu/disability/documentation)

Further assessment by an appropriate professional may be required if coexisting learning
disabilities or other disabling conditions are indicated. The student and the Disability Support
Specialist at The Culinary Institute of America collaboratively determine appropriate
accommodations.

**Verification of a Temporary Disability**
Students requesting accommodations on the basis of a temporary disability must provide
documentation verifying the nature of the condition, stating the expected duration of the
condition and describing the accommodations deemed necessary. A professional health
care provider who is qualified in the diagnosis of such conditions must provide such verification.
The assessment or verification of disability must reflect the student’s current level of disability
and must be no older than 60 days. The cost of obtaining the professional verification must be
borne by the student. If the initial verification is incomplete or inadequate to determine the extent
of the disability and appropriate accommodations, The Culinary Institute of America has the
discretion to require a supplemental assessment of a temporary disability.

**Other Conditions**
The Learning Strategies Center will serve students who have disabling conditions that do not fall
in one of the above categories. Decisions regarding the appropriate accommodations will be
made on a case-by-case basis. As in other disabling conditions, the student must provide
documentation from an appropriate professional who attests to the existence of a disabling
condition and makes recommendations as to appropriate accommodations. All other guidelines
contained herein apply.

**Class Accommodations**
At The Culinary Institute of America, students with documented disabilities have in-class
accommodations available to them. It is the student’s responsibility to request the
accommodations he/she needs. Accommodations may include a request to sit closer to an
instructor, a time extension for an assignment, tape recording a lecture, or having important
concepts written on the board. Students requesting accommodations must notify their instructor
of their disability and the type of accommodation they will need within 2 class days of the start of a 7 day class, within 4 class days of the start of a 3 or 6 week class or by week 3 of a 15 week class. It is an instructor’s responsibility to provide academic accommodations within the classroom.

**Test Accommodations**
Students with disabilities may need alternative testing accommodations. It is the student’s responsibility to request the accommodations he/she needs. The Culinary Institute of America and or The Learning Strategies Center being in receipt of a student’s documentation by, of, or in itself does not automatically grant a student test or classroom accommodations. Having test accommodations documented in a student’s IEP does not automatically grant a student test or classroom accommodations. All accommodations must be requested. Parents are welcome to make known to the Disability Support Specialist the types of accommodations that their son/daughter has had in the past, however the student is, nonetheless, personally responsible to make a request for test accommodations. All accommodations must be personally requested by the student and must be approved by the Disability Support Specialist. Examples of test accommodations include but are not limited to: extended time, test questions read to the student, directions explained, tests written in large print, long tests taken in two sittings, assistance in filling out Scantron sheets and tests taken in a distraction reduced environment. It is an instructor’s responsibility to provide alternative testing accommodations within the classroom. However, if the classroom environment is not conducive to the accommodation, it is the student’s right to choose to take a test in The Learning Strategies Center.

**Procedure for test taking at The Learning Strategies Center**
If the Learning Strategies Center is the location for a test accommodation, then test scheduling must be made with the Learning Strategies Center Coordinator at least 48 hours (2 days) prior to the test. Students who notify the Learning Strategies Center Coordinator after the 48-hour deadline may not receive accommodations for that particular test at The Learning Strategies Center.

Appointments for testing accommodations at The Learning Strategies Center are made around the time the class is taking the exam or at a time that does not conflict with the student’s class schedule. Once a student makes an appointment to take a test at The Learning Strategies Center, The Learning Strategies Center Coordinator emails the instructor with the date and time of the test. Instructors deliver exams to the Learning Strategies Center before the time of the scheduled test and are responsible for picking up the completed test.

**Note Takers**
To receive the services of a note taker or a copy of notes, a student’s documentation must verify, through test scores or narrative, the need for note takers. The need for note takers should also be included as a recommendation made by the testing professional. Documentation guidelines apply to all requests for accommodations. Note taking services are arranged through the Learning Strategies Center Coordinator. Any person serving as a note taker in the classroom has to be a registered student in the class or they must be approved through The Learning Strategies Center as a peer note taker. It is the student’s responsibility to personally request a note taker for each class as needed.

**Tutoring**
The Culinary Institute of America does not provide individual tutorial assistance tailored to the special needs of individual learning disabled students nor does it provide in-class personnel
serving as academic aids. Tutoring is not an accommodation. The college provides tutoring as a service to the entire student body. Students receive tutoring on a walk-in or appointment basis that is determined by the availability of tutors.

**Confidentiality**

Students with disabilities are protected under FERPA and Civil Rights laws. In order to provide confidentiality and develop a trusting relationship with students, as with other medical information, disability related information will generally be treated as medical information and handled under the same strict rules of confidentiality. This includes the comprehensive documentation from an appropriate source that persons with disabilities must provide to establish the existence of a disability and their need for accommodations. The confidentiality of records of qualified students with disabilities are protected under both the Family Educational Rights and Privacy Act (see 20 U.S.C. § 1232 et seq and 34 C.F.R. 99.1 et seq as well as the Rehabilitation Act. In order for disability related information to be released to interested parties such as instructors, administrators or parents and in order for the Learning Strategies Center to receive confidential information from a professional source, the student must sign a release form that approves the passing of personal information.

**Confidentiality Policies for Faculty/Staff**

At no time should a faculty/staff member make any public statements or by their actions imply that the disabled student is any different from the general student population. Faculty/staff being in receipt of confidential information from a student should not discuss issues of a confidential nature with other faculty/staff unless they receive permission from the student to do so.

**Speech and Language Disorders**

Speech and language disorders refer to problems in communication. Examples include dysfluency (stuttering), articulation problems, voice disorders, and aphasia, (a difficulty using words, usually as a result of brain injury or loss of voice).

Speech and language disorders may result from many factors, including hearing loss, learning disabilities, cleft lip or palate, or cerebral palsy. Speech disorders may be aggravated by anxiety inherent in oral communication in a group.

**Suggested Modifications**

1. Permit students the time they require to express themselves, without unsolicited aid in filling gaps in their speech. Don't be reluctant to ask the student to repeat a statement.
2. Do not compel the student to speak in class, unless speech is a required course competency appropriate for the particular student.
3. Consider course modifications, such as one-to-one presentations and the use of a computer with a voice synthesizer.

**Medical and Physical Disabilities**

**Campus Parking**

In order to obtain a Culinary Institute of America parking permit for the special parking areas reserved for persons with disabilities, students must have a New York State permit or a special disability license plate. Following that:

1. The student may then apply for a special parking permit sticker from the Safety Office.
2. For those without a state permit, temporary parking is available, as space permits.
3. Confirmation from the nurse’s office as to a need for special parking must be provided to the Safety Office in order for one to be considered for available temporary parking space.
4. There are no exceptions to this policy.
5. It is to the student’s advantage to apply immediately to the Department of Transportation for a permit.
6. Vehicles without approved plates, permits, etc., are prohibited from parking in reserved areas.
7. Violators will be cited and may be subject to fines and/or revocation of parking privileges.

Externship Policies
Students who will have disability related needs while on Externship must make their needs known to the Externship Office, as well as the Disability Support Specialist, prior to leaving on their Externship.

Culinary Arts or Baking and Pastry Arts Externship Student Manual
Students who will have difficulty fulfilling the requirements of the Student Externship Manual due to a disability in writing will have the option of providing an alternative audio or video documentary of their externship experience. The alternative presentation must cover the same exercises and course objectives as contained in the modules of the Student Externship Manual. In order for a student to be eligible for the alternative option, a student must have a current, professional diagnosis on file with the Learning Strategies Center. The diagnosis must justify the need for an alternative presentation as regards the Student Externship Manual. The Extern office and the Disability Support Specialist must approve alternative options before a student leaves on extern.

Due Date of Student Externship Manual
Unless alternative arrangements have been made and recorded with the Externship Manager prior to or during extern, all assignments, including the manual and post externship modules, are to be submitted to the Externship Office on the due date as established in the Student Externship Manual. The granting of a time extension for submitting one’s externship manual must be directly related to a disabling condition which must be documented and on file and at The Learning Strategies Center. The length of a time extension will be determined by the Externship Manager and the Disability Support Specialist.

Course Substitutions
If a student with a disability wishes to petition for a course substitution to be fulfilled at another college, the procedure is as follows:
The student must take the course at the Culinary Institute of America and consequently fail the course in question. Following the failure, the student then has the option of retaking the class or petitioning for a course substitution. If the latter is the choice then the student must petition the College as follows:
1. The student must state their reason for requesting a course substitution and explain how their disability adversely affects passing the course in question.
2. The student must provide or have on file, with the Disability Support Specialist, professional documentation that supports a course substitution through recommendations, narrative and scores.
3. The student must demonstrate that he/she has made a good faith effort to pass the course by pointing to accommodations and services used during the course such as tutors, test accommodations, class accommodations, study groups, meetings with faculty and meetings with Learning Strategies Center staff.
4. The student must specify the type of course substitution he/she would like to make in lieu of
retaking the course.
5. The student must provide a letter from his/her instructor(s) describing any history of difficulty with the course (or related subject), including how his/her limitations affected the course outcome as well as any adjustments that were requested by the student.

In consideration of the substitution request, a committee consisting of a faculty representative with expertise in the course in question, the Disability Support Specialist, the Manager of The Learning Strategies Center, and the Associate Dean of the relevant curriculum area, will address the petition.

If a course substitution is denied, the committee, through a deliberative process, must "demonstrate" that the course in question is "essential" (Section 504 of the Rehabilitation Act of 1973) to the degree program that the student is enrolled in and that a substitution for that course would create an alteration to the fundamental nature of the program.

If the committee feels that the substitution is warranted, the committee will adopt a plan of action that will serve to enhance the student’s learning prospects, connect materially with the substituted course and engage the student’s strengths not weaknesses.

The committee investigating

1. Is this course "essential to the program of instruction being pursued by the student or to any directly related licensing requirement?" (Section 504, Rehabilitation Act of 1973, Federal Register, Vol. 42, no 86, May 4, 1977)
2. Has the student accessed available accommodations, assistance from faculty and the Learning Strategies Center while enrolled in the course?
3. Does the individual's disability warrant a course substitution? Students who are requesting a substitution of a course requirement must provide documentation indicating that the disability directly impacts on their ability to fulfill the course requirements.
4. What course or courses provide a reasonable substitute for the course in question and where can the student access these courses?

Course Waivers
There are no course waivers granted on the basis of disability at the Culinary Institute of America.

Attendance Policies
Class attendance is generally deemed to be a fundamental aspect of a culinary education at The Culinary Institute of America. Attendance issues as related to disability will be addressed on a case by case basis. Students with disabilities are generally subject to the same attendance policies as non-disabled students.

Disciplinary Suspension or Dismissal
A student with any type of disability is subject to the same code of conduct and disciplinary action as a student without a disability. Having a disability is not a defense or justification for antisocial behavior.

Grievance Procedure
It is the policy of The Culinary Institute of America not to discriminate against any individual on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, age, disability, or veteran status in matters of admissions, employment, housing, or services or in the
educational programs or activities it operates, in accordance with civil rights legislation and The Culinary Institute of America’s commitment. It is also policy to ensure that no qualified student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination in any Institute program or activity.

If a student believes that The Culinary Institute of America’s personnel have discriminated against him or her because of a disability, he or she has the right to seek a review of such concerns. Students have the option of pursuing either an informal complaint or a formal grievance. If a student opts to pursue an informal complaint, he or she may later pursue a formal grievance if not satisfied with the resolution of the informal process.

Informal Procedure

It is recommended but not required that the student speak first about the concerns to his or her instructor, Associate Dean, or a Dean. As a result of these discussions, including the development of strategies for empowering the student to deal with the situation him or herself or having the person who has received the grievance take it under review, a satisfactory resolution may be readily found. A student who is uncertain about filing a formal grievance may consult informally with the Dean of Student's Office, a Counselor, The Manager of the Learning Strategies Center, or the Disability Support Specialist.

Formal Procedure

A student who wishes to file a formal grievance may do so in writing with the Dean of Students, Disability Support Specialist or the Manager of the Learning Strategies Center. If the subject of the grievance is the actions of personnel at the Learning Strategies Center an impartial college official shall investigate the grievance. All other grievances shall be investigated and reviewed by the Disability Support Specialist and the Manager of the Learning Strategies Center. The purpose of the review is to determine whether or not college policy has been followed and, if not, to address the consequences that may have resulted and shall be corrected. Information relevant to the matter may be requested from the involved parties. The Disability Support Specialist and the Manager of the Learning Strategies Center will undertake an investigation and provide a written finding to the student upon completion of the review. A student who makes use of the grievance procedure shall not be retaliated against for doing so.

A student may choose another student or faculty/staff person to accompany him/her through the steps of the procedure. A student who believes that a grievance has not been resolved to his or her satisfaction after a review is conducted may appeal the outcome to the Dean of Liberal and Management Studies. Such appeal shall be in writing and signed by the student. The Dean of Liberal and Management Studies shall make a determination on the appeal and promptly inform the student in writing of that determination. (Northwestern University, 2003, Services for Students with Disabilities, Policies and Procedures, Northwestern.edu/disability/policies)

Directions for Filing a Formal Complaint

1. A complaint should be filed in writing, containing the name and address of the person filing it, and briefly describing the alleged violation of the regulations.
2. A complaint should be filed within 10 workdays after the complainant becomes aware of the alleged violation where a specific incident or occurrence happens.
3. An investigation conducted by the Disability Support Specialist, as may be appropriate, shall follow the filing of a complaint. The investigation shall be informal but thorough, and afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
5. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Disability Support Specialist and forwarded to the complainant no later than 10 workdays after its filing.

6. The Disability Support Specialist shall maintain the files and records relating to the complaints filed.

7. The complainant can request a reconsideration of the case in instances of dissatisfaction with the resolution. The request for reconsideration should be made within 10 workdays to the Dean of Liberal and Management Studies. A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Dean of Liberal and Management Studies and forwarded to the complainant within 10 workdays after the request for reconsideration.

7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by nor shall the use of this procedure be a prerequisite to the pursuit of other remedies.

8. These rules shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that The Culinary Institute of America complies with the ADA and implementation of the regulation. (Manhattan College, 1996, Manhattan College Specialized Resource Center, Policy and Procedural Guidelines, Manhattan. edu/sprscnt/policy)
APPENDIX
The Culinary Institute of America

Course Substitution Request Form

1) Name:___________________________   I.D.#___________________

2) Date of request ___/___/___

3) Course name for which request is made:____________________________________

4) Please state your reason for requesting a course substitution. Explain how your special needs impact the course in question. (Attach paper if you require more space for an explanation.)

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

5) Attempted Course:
   Semester: ______ Grade: _______ Instructor: ______________________________
   Semester: ______ Grade: _______ Instructor: ______________________________

6) Have you provided documentation to the Disability Support Specialist? _____

7) Accommodations and Services Used: (please check)
   Tutors__  Test Accommodations__  Meetings with LSC staff____
   In Class Accommodations___ Study Groups___ Meetings with Instructor____
   Other: ___

8) Have you investigated or thought about the type of substitution you would like to make in lieu of the course.
   Please explain:

____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
Please provide a letter from your instructor(s) describing any history of difficulty with the course (or closely related subject), including how your special needs affected the course work and any adjustments that were utilized by you.

In consideration of the substitution request, a committee consisting of a faculty representative with expertise in the course in question, the Disability Support Specialist, the Manager of the Learning Strategies Center, and the Associate Dean of Liberal Arts and Management, will address the above questions. The committee must, through a deliberative process, "demonstrate" that the requirement (course) is "essential" (Section 504 of the Rehabilitation Act of 1973) to the degree program that the student is enrolled in and that a substitution would create an alteration to the fundamental nature of the program. If, however, the Committee feels that a substitution is feasible, the Committee will adopt a plan of action that will serve to enhance the student’s learning prospects, connect materially with the substituted course and engage the student’s strengths not weaknesses.

Committee Decision:  
Approved ________  Disapproved ________  Date: ________  

Comments: ____________________________________________________________

The Culinary Institute of America  
Curriculum Technical Standards for Culinary and Baking & Pastry Arts  
Date of Implementation:  January 2003  

To participate in our programs each student, with or without reasonable accommodations, must be able to safely and effectively:

- Communicate in person with co-workers and guests
- Attend and participate in laboratory and production classes for a minimum of 7 hours
- Lift and transport food and other culinary or baking product, equipment, small wares, and utensils
- Lift and transport trays with plated foods, small wares, and other items, and serve and clear tables where guests are seated
- Pour and serve liquids and beverages, including hot liquids
- Use knives and other commercial cooking utensils
- Operate commercial cooking and foodservice equipment
- Maneuver in professional or commercial kitchens, dining rooms and related facilities
- Test and evaluate the taste, appearance, texture, and aroma of food and beverage products
- The foregoing technical standards are essential to the programs of instruction in culinary arts and baking and pastry arts and also reflect industry requirements and standards
Bibliography

http://www.ahead.org/index.html


