



## Library Learning Commons

### **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. Fifty 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 some 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 by 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 how we are sanctioned to assist students 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. We 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 because of... disability, be denied the benefits of, be 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. A 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 a disability. 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:

Chronic illnesses, such as Conditions such as:

AIDS

ADD/ADHD

Arthritis

Blindness/visual impairment

Bi-Polar disorder

Cerebral palsy

Chronic illnesses, such as Conditions such as:

Cancer

Deafness/hearing impairment Cardiac disease

|                                |                              |                                 |
|--------------------------------|------------------------------|---------------------------------|
| Epilepsy or seizure disorder   | Diabetes                     | Orthopedic/ mobility impairment |
| Major depression               | Specific learning disability | Multiple sclerosis              |
| Speech and language disorder   | Muscular dystrophy           | Spinal cord injury              |
| Post-Traumatic Stress disorder | Tourette's syndrome          |                                 |
| Traumatic brain injury         |                              |                                 |

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 by 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 to the Education Program Manager at the Greystone campus.

Provides comprehensive, current, professional documentation of a disability.

Has documentation which indicates the need for academic adjustments, modifications, auxiliary aids or services.

Needs those adjustments, modifications, auxiliary aids or services to participate in and benefit from the college's programs and activities.

Can 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 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 auxiliary aids determined by the institution on a case-by-case basis.

Appropriate confidentiality of all information about 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 before 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 auxiliary aids.

Discuss a student's need for reasonable accommodations, academic adjustments, and 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 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 undue 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 promptly 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 the 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)

### **Intake procedure for Graduate Studies**

In the Culinary Institute of America's online environment, the intake procedure for Disability Services is:

Online Submission of CIA's Accommodation Request form, along with documentation of disability, by the student.

Review of those materials by the Disability Services Specialist

Exchange of emails between Disability Services and the student clarifying any unanswered questions and

Formal confirmation of approved accommodations via email from the Director of Academic Support Services to the student's Culinary Institute of America email account.

Students are welcome to request a telephone appointment with the Disability Services Specialist to provide additional information or ask for clarification of processes at any time.

Using the documentation of disability provided by the student, the Director of Disability Services determines the most appropriate accommodations.

Students receive confirmation of approved accommodations, with instructions for initiating accommodations each term, in the form of an email sent from [Laura.Basili@culinary.edu](mailto:Laura.Basili@culinary.edu)

Students who disagree with the approved accommodations may ask for a review of their application and provide additional information at any time. However, only confirmed approved accommodations would be provided during the review period.

The Culinary Institute of America is not obligated to provide accommodations until the application process has been completed and accommodations have been officially approved. Students are encouraged to begin the process early to ensure accommodations are approved before beginning coursework.

### **Registering with Disability Services**

In post-secondary education, it is the student's responsibility to self-identify disability status and register with Disability Services before requesting accommodations.

To register with Disability Services, submit documentation of disability along with The Culinary Institute of America's Request form to Disability Services.

[Disability Accommodation request form](#)

Students who disagree with the approved accommodations may ask for a review of their application and provide additional information at any time. However, only confirmed approved accommodations would be provided during the review period.

The Culinary Institute of America is not obligated to provide accommodations until the application process has been completed and accommodations have been officially approved. Students are encouraged to begin the process early to ensure accommodations are approved before beginning coursework.

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 two 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 Learning Strategy Center at the Hyde Park Campus.

Initially, all hearing impaired/deaf students are encouraged to apply 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 three 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, before 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 notice. The interpreters are hired on a short-term, hourly basis and notice is crucial for scheduling.

On rare occasions, even with 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 at Classes**

If the student knows that he/she will miss a class, at least 24 hours 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 notice is beneficial. Failure to provide any notice is considered a "No-Show."

In some situations, 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 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." Also, 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 a 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 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. An 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. Also, 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 have flashing lights as well as a bed shaker which is 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 one-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 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 treatment on the student's ability to participate in all aspects of the academic environment.

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 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 concerning 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 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.

Further assessment by an appropriate professional may be required if co-existing 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.

## **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 diagnostician 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 one year old at the date of the 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

nondisabled 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 one 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, [U Balt.edu/disability/documentation](http://U Balt.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 by 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 seven-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 receiving 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 for making 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 are 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) before 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. 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. 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. For disability related information to be released to interested parties such as instructors, administrators or parents and 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 receiving 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 the 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

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 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 revocation of parking privileges.

### **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 has 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 determine 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](http://Northwestern.edu/disability/policies))

## **Reporting a Concern - CIA Hotline**



The CIA seeks to ensure that its organizational values are maintained and upheld at all times by all members of the CIA community. Students should immediately bring forward any concern to a CIA

administrator on their respective campus, where it is believed that an issue, situation or circumstance has occurred or is occurring which is inconsistent with these values, the CIA Student Code of Conduct, or the law. This includes but is not limited to Title IX-related issues or sexual harassment and / or discrimination.

Students should feel free to raise any concern directly with an administrator from the following offices:

| Administrator/Department   | Hyde Park  | Greystone  | San Antonio  |
|--|--|--|--|
| Student Affairs (Matters not related to education)   | Dennis Macheska<br>Associate Dean<br>Roth Hall Room E368<br>845-905-4240<br><a href="mailto:dennis.macheska@culinary.edu">dennis.macheska@culinary.edu</a>                           | Catherine Réblé<br>Student Affairs Manager<br>Education Office<br>(707) 967-2420<br><a href="mailto:catherine.reble@culinary.edu">catherine.reble@culinary.edu</a>                   | April Goess<br>Director of Education<br>Administrative Office<br>210-554-6452<br><a href="mailto:april.goess@culinary.edu">april.goess@culinary.edu</a>                              |
| Education Department (Matters Related to Education and to set up an appointment with the Associate Dean) | Stephanie Mauro<br>Roth Hall-Room S315A<br>845-905-4779<br><a href="mailto:stephanie.mauro@culinary.edu">stephanie.mauro@culinary.edu</a>  | Catherine Réblé<br>Student Affairs Manager<br>Education Office<br>(707) 967-2420<br><a href="mailto:catherine.reble@culinary.edu">catherine.reble@culinary.edu</a>                   | Howie Velie<br>Director of Education<br>Administrative Office<br>210-554-6402<br><a href="mailto:howie.velie@culinary.edu">howie.velie@culinary.edu</a>                              |
| Title IX/Age Discrimination Act Coordinator  | Joseph Morano,<br>Senior Director-Faculty Relations<br>Roth Hall Room S324<br>845-451-1314<br><a href="mailto:joe.morano@culinary.edu">joe.morano@culinary.edu</a>                   | Joseph Morano,<br>Senior Director-Faculty Relations<br>Roth Hall Room S324<br>845-451-1314<br><a href="mailto:joe.morano@culinary.edu">joe.morano@culinary.edu</a>                   | Joseph Morano,<br>Senior Director-Faculty Relations<br>Roth Hall Room S324<br>845-451-1314<br><a href="mailto:joe.morano@culinary.edu">joe.morano@culinary.edu</a>                   |
| Section 504/ADA  | Carolyn Tragni<br>Dean—Academic Engagement & Administration<br>Roth Hall, Room S-319<br>845-451-1615<br><a href="mailto:carolyn.tragni@culinary.edu">carolyn.tragni@culinary.edu</a> | Carolyn Tragni<br>Dean—Academic Engagement & Administration<br>Roth Hall, Room S-319<br>845-451-1615<br><a href="mailto:carolyn.tragni@culinary.edu">carolyn.tragni@culinary.edu</a> | Carolyn Tragni<br>Dean—Academic Engagement & Administration<br>Roth Hall, Room S-319<br>845-451-1615<br><a href="mailto:carolyn.tragni@culinary.edu">carolyn.tragni@culinary.edu</a> |

### **Hotline Reporting via Telephone**

The CIA also provides students (and other members of the CIA community) with the opportunity to report incidents or issues of concern through its CIA HOTLINE reporting service which may be accessed 24 hours a day, 7 days a week, 365 days a year by telephone at **(845) 905-4477**. All reports made will be handled on a confidential basis. Issues received over this hotline system will be investigated and / or relayed to appropriate individuals within the CIA for handling or resolution.

### **Hotline Reporting via the Web**

For Title IX -related issues of sexual harassment, sexual misconduct and / or discrimination [click here to report online](#).

### **General Complaints**

For complaints *OTHER THAN* harassment, sexual misconduct, discrimination or disability, [click here](#).

**Please note that in an emergency situation, such as a student is at risk of harm to self or others, you should report directly to Campus Safety/Security or 911.**

**The CIA hotline should not be used to report general or minor administrative matters, such as grading, class schedules, roommate conflicts, or other general concerns. Please follow the process outlined in the Student Handbook to resolve concerns of this nature, or click the link above for general complaints.**

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 ten 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 ten 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 ten 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 ten 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/present/policy)

#### APPENDIX

The Culinary Institute of America

**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 preceding 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

Association of Higher Education and Disability: Home Page (2002).

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

Manhattan College Specialized Resource Center: (1996) Policy for Requesting a Course Substitution.

<http://www.manhattan.edu/sprscnt/index.html>

Northwestern University: (2003) Services for Students with Disabilities Policies and Procedures for Students with Disabilities. <http://northwestern.edu/disability/policies.html>

One Hundred First Congress of the United States of America (1990) Americans with Disabilities Act of 1990. Washington, DC: U. S. Government Printing Office

The Rehabilitation Act of 1973 (section 504)

Federal Register/Vol. 45, No. 92, pp. 30937-30944. United States Code at 29 U.S.C. §794. Washington, DC: U.S. Government Printing Office

University of Baltimore: (2003) Home Page Disability Support Services.

<http://www.ubalt.edu/disability/documentaion/physical.html>

U.S. Congress. (1973). P.L. 93-112-Rehabilitation Act.

US Office of Education: The Civil Rights of Students with Hidden Disabilities and Section 504 December 28, 2002, <http://www.ed.gov/office/ORC/docs/hg5269.html>

Western State College of Colorado: (2002) Documentation Guidelines for Rehabilitated Drug Addiction/Alcoholism [http://www.western.edu/studaff/disability\\_svcs/welcome.html](http://www.western.edu/studaff/disability_svcs/welcome.html)

WNY Collegiate Consortium of Disability Advocates (1997) Effective College Planning, 5th Ed. pg.26-30

Vassar College: (2003) Disability Documentation Guidelines  
<http://disabilityandsupportservices.vassar.edu/documentation.html>