Americans with Disability Act (ADA)

Policy and Procedure

I. **Introduction:**

Prism Career Institute (Prism) is committed to providing opportunities for all qualified students with disabilities to participate in its programs and activities including students with disabilities who need reasonable accommodations. A qualified student is one who meets the essential academic and technical standards requisite to admission or participation in our programs and activities.

Reasonable accommodations allow a student with a disability to participate in our programs and activities. However, Prism will lower or substantially modify any academic requirements that it can show are essential to the instruction being pursued or are directly related to a licensing requirement. Similarly, Prism is not required to provide accommodations that would be a fundamental alteration of Prism's program or activities or would create an undue financial or administrative burden.

An example of a reasonable accommodation is allowing students with certain established learning disabilities additional time to take an exam. While reasonable accommodations are provided to allow a student to participate in our programs and activities, Prism does not provide personal attendants, assistants, individual prescribed devices, readers and or interpreters for personal use or study, dressers, feeders, or other services of a personal nature, such as tutoring or typing.

II. **Americans with Disability Act ("ADA") Definition**

Having a physical or mental impairment that substantially limits one or more of the major life activities of such individual; having a "record of" such an impairment" or being "regarded as" having such an impairment as defined by the ADA. These include a physical or mental impairment that substantially limits one or more major life activities such as seeing, hearing, walking, or learning.

III. **Notice of Non-Discrimination**

Prism Career Institute does not discriminate on the basis of disability in its programs and activities in violation of Section 504 of the Rehabilitation Act, as amended and its implementing regulations at 34 C.F.R. Part 104(Section 504). Programs and activities subject to the

nondiscrimination provisions of Section 504 include admissions and recruitment, treatment of students, academic adjustments (academic requirements, course examinations, auxiliary aids, and/or services), financial assistance to students, employment, and nonacademic services.

IV. Process for Requesting Accommodation

a. Who to Contact:

All requests for accommodations must be submitted to Fred Fitchett Campus Director/Compliance Coordinator. While a student may discuss a possible accommodation with any faculty or staff member, students should be aware that faculty and staff are not authorized to provide accommodations. All inquiries from students about accommodation should be directed to the Compliance Coordinator.

b. Compliance Coordinator Contact Info:

Fred Fitchett –Compliance Coordinator
3 Executive Campus, Suite 280
Cherry Hill, NJ 08002
(856) 317- 0100
ffitchett@prismeducation.com

All requests must be put in writing by letter or e-mail.

c. How is the request made:

To obtain an accommodation, a student or applicant should submit a Request for Accommodation in writing to the Compliance Coordinator. The request completed by the student or applicant, should provide a description of the disability and the accommodation requested, as well as a release allowing Prism to share information about the disability with others at Prism who need to know about it, for example to help decide how best to provide an accommodation or to assist in providing the accommodation. You must specify in detail the accommodations being sought. This requires you to provide documentation prepared by an appropriate professional, such as a medical doctor, psychologist, or other qualified diagnostician. The required documentation may include one or more of the following: a diagnosis of your current disability, as well as supporting information, such as the date of the diagnosis, how that diagnosis was reached, and the credentials of the diagnosing professional; information on how your disability affects a major life activity; and information on how the disability affects your academic performance. The documentation should provide enough information so that it can be determined what is an appropriate academic adjustment. This information should include an assessment that verifies the nature of the disability, all functional disabilities, and an assessment of the impact of the disability on the ability to participate in our programs, the timeframe for the accommodation and must clearly substantiate the need for

any accommodation requested. An IEP or 504 Plan by itself may not be sufficient documentation.

V. Accommodation Process:

a. Evaluating the Request

The Compliance Coordinator will schedule a meeting with the student or applicant to discuss the accommodation request and to engage in an interactive process with the student/applicant as to the requested accommodation. In some circumstances the Compliance Coordinator may request additional information or ask the student to permit the Compliance Coordinator to talk with the professional who provided an assessment of the student or applicant.

The Compliance Coordinator will review the request and supporting materials and make a final determination in writing regarding whether the individual has a disability and if so, whether the accommodation is necessary for the student to have an equal opportunity to participate in Prism's programs or activities. If so, Prism will provide the accommodation unless Prism determines that the accommodation would require modification of essential elements or licensing requirements or create a fundamental alteration or undue financial or administrative burden.

b. Appeals

A student or applicant whose request for accommodation is denied or who is granted a different accommodation than is sought may appeal that decision to the Director of Operations at ealkhal@prismcareerinstitute.edu. within 10 days of the accommodation denial. Any appeal should be put in writing and submitted promptly along with a copy of the paperwork used to request the accommodation. The appeal should state clearly why the student or applicant still believes that he or she should be provided the accommodation sought. Students granted a different accommodation than they first sought are encouraged to try the alternate accommodation while appealing the decision.

VI. Grievance Procedure

The purpose of these procedures is to ensure that all complaints of discrimination based on disability –whether filed against students, employees, or third parties –are promptly, thoroughly, and fairly investigated by Prism. Prism will conduct a fair and impartial investigation of all allegations of discrimination, with due regard for the rights of all parties. Retaliation against any individual who has filed a complaint of discrimination, or who has cooperated in the investigation of such a complaint, is unlawful and in violation of Prism's policy.

When a student believes that he or she has been discriminated against on the basis of disability, a formal grievance may be filed with the Campus Director. In the event a complaint involves the

Campus Director, the grievance should be submitted to the Director of Operations. Written grievances are required. The statement should be specific as possible regarding the action(s) or inaction(s) that precipitated the grievance: date, place, persons involved, efforts made to settle the matter informally (if applicable), and the remedy sought. Students are encouraged to file grievances promptly. A complaint should be filed within 180 days of the alleged discrimination (or longer if extenuating circumstances exist).

In conducting the investigation, the Campus Director may forward a copy of the grievance statement any supporting documentation the persons whose actions (or inactions) are the subject of the grievance and may request a written response from appropriate individuals in the Institution. The investigation will include an interview of each party, as well as an opportunity for both parties to suggest witnesses and present other evidence. The Campus Director may choose to interview witnesses, to meet with concerned parties, to receive oral or written statements, and to make other appropriate inquiries.

Within thirty (30) days of the filing of the grievance, the Campus Director will render a decision on the merits of the student's complaint. If, due to extenuating circumstances, resolution is not possible within thirty (30) days, the Campus Director shall inform the parties of the status of the investigation.

Copies of the decision will be sent to both parties and the Prism Corporate Office. Additionally, if discrimination is found, Prism will take steps to promptly and effectively end the discrimination, prevent its recurrence and remedy its effects.

In the event that the party who filed the grievance is not satisfied with the resolution of the grievance, an appeal may be made. The appeal should be filed within 10 days with the Campus Director, who will direct the appeal and all appropriate records to Prism Regulatory Department (specifically to the Director of Operations) for review and disposition with in thirty (30) working days of receiving notice of the result of the investigation.

These procedures shall constitute the grievance procedure mandated by regulations implementing Section 504 of the Rehabilitation Act.

Questions about these Grievance Procedures should be addressed to the Campus Director.

An applicant or student may ordinarily file a complaint with the US Department of Education, Office for Civil Rights, or other appropriate agency within 180 days of the last act of discrimination if they believe their rights under the ADA Act have been violated.

a. **Confidentiality**

Information about a student's or applicant's disability will be shared with those with a need to know about it, such as to assist Prism in evaluating or implementing the accommodation or for reasons of safety. Records relating to disability accommodations will be kept separate from other files and only made available to personnel with a need to access the files.

VII. **Approved Accommodations**

The Compliance Coordinator will formulate a course of action for implementing an approved accommodation and for providing information as needed to faculty and others with a need to know about the accommodation.

a. **Making Adjustments to Approved Accommodations**

At times, adjustments to an accommodation may become necessary if, for example, the accommodation has become a waiver of an essential element of the program, it no longer seems to be effective, or it is no longer necessary. Students who believe an accommodation should be adjusted should notify the Compliance Coordinator promptly and submit a revised Request for Accommodation and documentation consistent with the requirements above. If Prism determines that an accommodation requires modification or is no longer feasible (for instance, because it has become a waiver of an essential element), then the Compliance Coordinator will promptly engage in an interactive process with the student to address any accommodation changes.

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