*Note: This is a sample SOP; each center should update this sample as needed. Ensure that edits/modifications do not remove PRH requirements and are reflective of the center’s actual disability accommodation process. Wherever this SOP indicates a Disability Coordinator (DC), the center should specifically indicate which DC.*

DISABILITY ACCOMMODATION SOP

**PRH REFERENCES**

PRH 2: 2.4, R2(a); Form 2-03; Exhibit 5-1; Appendix 202

**PURPOSE**

To provide a detailed description of the center’s policy on disability accommodation, how applicants and students may request disability accommodation, how applicants and students are engaged in an interactive disability accommodation process (DAP) and the required components of the disability accommodation process as per PRH Form 2-03.

**POLICY**

The center shall develop a written policy and procedure related to the center’s DAP [PRH 2: 2.4, R2(a); Form 2-03; Exhibit 5-1; Appendix 202].

The center’s DCs ensure that a Disability Accommodation Process SOP is in place and coordinate the center’s DAP. The center’s DCs are the [Health and Wellness Director and the Academic Manager].

**CONFIDENTIALITY**

To maintain confidentiality, disability documentation is made available on a need-to-know basis only, and participants in the DAP do not discuss information about the request outside of the process. See also Appendix 202, Transmission, Storage, And Confidentiality of Medical, Health, and Disability-Related Information.

**PROCESS**

All applicants/students with disabilities may request and receive disability accommodation to participate in the Job Corps program at any time during the admissions process or enrollment. Students who request disability accommodation and/or provide documentation of disability are engaged in an interactive process to consider/determine the functional limitations resulting from their disability and the potential disability accommodation that would allow them to participate in the Job Corps program. The DAP includes the following components outlined in PRH Form 2-03.

* Documenting the Disability Accommodation Process
* Determining the Need for RA/RM/AAS
* Gathering Documentation
* Engaging in the Interactive Process
* Determining Reasonableness
* Entering the Accommodation Plan in CIS
* Notifying Staff of the Accommodation Plan
* Accessing/Implementing/Monitoring the Accommodation Plan
* Maintaining/Storing Files
* Initiating a Disability/Accommodation Referral

**Documenting the Disability Accommodation Process**

For applicants/students with accommodation plans, all interactions related to the provision or denial of disability accommodation are documented in the CIS Accommodation Notes tab.

**Determining the Need for RA/RM/AAS (Disability Accommodation)**

Applicant

The DC contacts the applicant (and parent/guardian, when appropriate) to determine if the applicant wishes to receive disability accommodation when the applicant (or others on the applicant’s behalf):

* Makes a disability accommodation request verbally, in writing, or via the 653, Job Corps Health Questionnaire
* Indicates they would like to discuss the need for disability accommodation with a DC
* Discloses a disability and/or provides documentation that indicates they may be an individual with a disability who may need disability accommodation to participate in Job Corps.

Contact is made prior to assigning the applicant a start date. If the DC is unable to reach the applicant to conduct the DAP, the center in collaboration with Admissions Services staff, documents the attempts to contact the applicant, and if unable to do so, processes the file as a withdrawal of application.

Student

The DC contacts the student (and parent/guardian, when appropriate) to determine if the student wishes to receive disability accommodation when the student (or others on the student’s behalf):

* Makes a disability accommodation request verbally, in writing, or via the 653, Job Corps Health Questionnaire.
* Indicates they would like to discuss the need for disability accommodation with a DC.
* Discloses a disability and/or provides documentation that indicates they may be an individual with a disability who may need disability accommodation.

Documenting Contact

Disability accommodation may be requested in any format (i.e., orally, in writing, by someone on behalf of an applicant/student, etc.); however, the request is documented on the *Reasonable Accommodation, Reasonable Modification in Policies, Practices, or Procedures, and Auxiliary Aids and Services Request and Disability Coordinator Contact Form* (RA/RM/AAS Request and DCC Form). Once a request is made, the DC engages the applicant/student in the DAP. If the applicant/student agrees to an accommodation plan, the form is stored in an Accommodation File (AF) once the student is enrolled.

Applicant/Student Declines Disability Accommodation

* If an applicant/student declines disability accommodation, this information is documented on the *RA/RM/AAS Request and DCC Form* and the applicant/student is instructed to contact the DC(s) if they decide disability accommodation is necessary later.
* The form documenting the declination of disability accommodation is stored in the student’s Disability, No Accommodation File (DNAF) once the student is enrolled.

**Gathering Documentation**

During the Application Process

Admissions Services secures supporting medical and/or educational documentation, but does not review the contents of these documents, and uploads all medical and special education/disability documentation to the Wellness and Accommodation E-Folder. See Appendix 202, Transmission, Storage and Confidentiality of Medical, Health and Disability-Related Information.

After Enrollment

The DC asks the student for reasonable documentation of their disability and functional limitations unless both the disability and need for disability accommodation is obvious. Only the documentation that is needed to establish that (1) the student has a disability, and (2) the disability necessitates a disability accommodation is requested. The applicant/student is provided assistance to obtain documentation, if needed.

Documentation Sources

DCs gather documentation from an appropriate healthcare or rehabilitation professional or educational institutions such as public schools that supports the request for accommodations, unless the disability and need for disability accommodation is obvious. This may include but is not limited to IEPs, evaluations, 504 plans, diagnosis from doctors or mental health specialist, etc.

All documentation is reviewed to ensure the accommodation requested is supported by the documentation provided. If necessary, the DC assists in obtaining available supporting educational and psychological assessments.

No Documentation of Disability

If an applicant’s or student’s disability or need for disability accommodation is not obvious, and they do not provide documentation to support a request for accommodation, then the DC assists the individual in trying to obtain documentation of the disability and if unable to do so, they provide the applicant/student with referral information for assessment of testing of a possible disability.

Documentation to Support Accommodations for Standardized Testing

Testing accommodations are provided only after documentation of the disability containing information that supports the need for the testing accommodations has been provided, unless the disability is obvious (for example, a student is blind and needs either an oral administration or a Braille administration of the TABE, as appropriate).

*Testing by the Center Mental Health Consultant (CMHC)*

Appropriately licensed and trained CMHCs (or practicum students under their supervision) who elect to be involved in the assessment of educational and/or psychological conditions only use evaluations that meet community standards for diagnosis of the particular condition and all documentation related to the assessment is included in the Student Health Record (SHR).

**Engaging in the Interactive Process**

Disability Accommodation Committee

The center’s Disability Accommodation Committee (DAC), led by the DC, initiates an informal, interactive process with the individual with a disability to determine any appropriate disability accommodation needed.

The DAC meets when:

* The center has recommended denial of an application of an individual with a disability.
* An applicant who is an individual with a disability has appealed their denial from the Job Corps Program.
* An applicant or student requests disability accommodation to participate in the Job Corps Program
* An applicant or student provides documentation that indicates they may be an individual with a disability who may need disability accommodation to participate in the Job Corps program.
* Concerns are identified during the disability accommodation effectiveness review process.
* Referrals are made to the DCs that indicate an accommodation plan may be needed or the review of a current accommodation plan may be needed.
* Students enter Work-based Learning or Career Transition Readiness. The DAC meets to review and discuss any disability accommodation the student may need to access and/or participate in the specific work environment or program they are entering.
* A TABE waiver request is submitted.
* A maximum benefit separation is being considered.

*Members of DAC*

Participants of the DAC vary depending on the nature of the request but always include a DC (chairperson) and applicant/student and their parents (if the applicant/student is a minor or requests their parents attend the meeting). Other possible members can include:

* Academic Manager and the Health and Wellness Director (HWD), if not a DC
* CMHC, center physician (PA or NP), center dentist, or center TEAP Specialist
* Career Technical Manager
* Student’s Counselor
* Representatives of center departments directly impacted by the disability accommodation request
* Community agency or other program partner and/or resource if the applicant/student receives benefits or services in the community
* Advocate or authorized representative of the applicant/student

*DAC Considerations*

If the disability accommodation request is straightforward and does not involve significant expense, the interactive process is a DAC meeting (phone or face-to-face) between a DC and the applicant/student (and parents, service providers, if applicable). Agreed upon disability accommodation is determined at this meeting and approved by the DC.

If the RA/RM/AAS request is complex and/or may involve significant expense, a DAC meeting involving additional participants may be required.

Additionally, the DAC:

* Reviews documentation that is provided.
* Reviews any specific disability accommodation requested by the applicant/student or by others on the applicant/student’s behalf and review whether the documentation supports the need for the types of disability accommodation requested.
* Considers disability accommodation needs of applicants/students who disclose their disability via documentation but who have made no specific disability accommodation request. The DAC assists in identifying disability accommodation for consideration.
* Identifies all the functional limitations resulting from the applicant’s/student’s disability and the potential disability accommodation that could overcome those limitations
	+ Considers disability accommodation for all areas of the center, not just academics and testing (e.g., career technical, residential, communal areas, transportation, etc.) in which the functional limitations of the applicant/student may impact access and participation.
	+ Disability accommodation afforded to an applicant or student is relevant to that individual’s impairment and functional limitations resulting from the impairment.
* Documents any accommodations declined (including alternative but equally effective disability accommodation) by the applicant/student in the CIS Accommodation Notes tab.
* Identifies the center staff responsible for ensuring approved disability accommodation is provided and the date by which the disability accommodation will be in place. Approved disability accommodations for applicants are documented and ready for implementation by the scheduled arrival of the applicant.
* Determines if there is a cost associated with providing disability accommodation. The center covers costs associated with providing disability accommodation to students with disabilities unless there is a high-cost disability accommodation (e.g., sign language interpreter). If there is a cost, the center determines the amount and the type of contribution to be obtained from other sources toward the purchase or acquisition of the disability accommodation. If disability accommodation costs are more than $5,000, a DC contacts the center’s Regional Disability Coordinator for assistance requesting National Office funding.
* Develops an accommodation plan.

If the center believes that the requested disability accommodation is not reasonable, a reasonableness review is completed. See Determining Reasonableness section.

*Disability Accommodation Request or Documentation of Disability within Recommendations of Denial of Enrollment and/or the Appeal of Recommendations of Denial*

Disability accommodation considerations within the health care needs and/or the direct threat assessment process only include those requests related to the limitations that are presenting barriers to enrollment.

*Appeals of Denials of Enrollment*

Applicants who appeal a denial of enrollment decision to a Regional Office and provide new or updated health information receive a new review of their application, including a new review and consideration of disability accommodation.

**Determining Reasonableness**

Each request for disability accommodation is evaluated individually, and a determination made regarding whether it is reasonable.

Reasonableness Reviews

If there is a concern that a request may either pose an undue hardship or result in a fundamental alteration to the program, the Center Director completes and documents the completion of a reasonableness review using the *Reasonableness Review Form, Undue Hardship or Fundamental Alteration* in PRH Form 2-03. The DAC assists the Center Director with this process.

*Undue Hardship and Fundamental Alteration*

“Undue hardship” with regard to disability accommodation means significant difficulty or expense incurred by Job Corps and “fundamental alteration” means a change in the essential nature of a Job Corps program or activity as defined in 29 CFR 38.4(z), including but not limited to an aid, service, benefit, or training; or a cost that Job Corps can demonstrate would result in an undue burden.

*Center Reasonableness Determination*

The Center Director considers the factors in undue hardship and fundamental alteration in Form 2-03. If the Center Director determines that the request is unreasonable (e.g., results in undue hardship or fundamental alteration to the program), they use the *Reasonableness Review Form, Undue Hardship or Fundamental Alteration* in PRH Form 2-03 to document the decision. The form is uploaded to the Disability E-Folder and the Regional Disability Coordinator is notified.

*National Office Determination on Reasonableness Review*

* If the National Office determines that the request is reasonable, the accommodation is provided to the individual.
* If the National Office determines that the request is unreasonable (meaning that it would either pose an undue hardship or result in a fundamental alteration to the program), the National Office provides the center with a written statement that includes the reason for the denial of the requested disability accommodation.
	+ If the applicant’s health care needs are within what the Job Corps health and wellness program can provide (i.e., defined as basic health care in Exhibit 2-4, Job Corps Basic Health Care Responsibilities), and either there is no need for a direct threat assessment or a direct threat assessment has been conducted with the conclusion that the individual does not pose a direct threat to others, the applicant is informed that they may still elect to enroll in the program or the student may elect to remain in the program without the benefit of the unreasonable disability accommodation.

**Entering the Accommodation Plan (AP) in CIS**

Applicant Request for Disability Accommodation to Participate in the Program during Admissions

* If an applicant discloses a disability and/or requests disability accommodation to participate in the Job Corps program during the admissions process, the accommodation plan is entered in CIS using the accommodation plan icon prior to or on the day of the student’s arrival.

Student Request for RA/RM/AAS

* If a student discloses a disability and/or requests disability accommodation after enrollment and arrival on center, the accommodation plan is entered in CIS using the accommodation plan icon soon after disclosure of disability whether the disclosure occurs from disability documentation, completion of a disability accommodation request form, or verbally.

TABE Accommodations

* For students who disclose their disability prior to arrival and require TABE testing accommodations, data is entered prior to the administration of the first TABE test. If a student discloses a disability and requests testing accommodations after the administration of the first TABE test, the accommodation plan is entered into CIS as soon as possible after the disclosure of disability and are entered prior to the next TABE test administration.

Administrative Considerations

Accommodation plans do not include information about the student’s diagnosis, medication needs, or other health-related history or information unless necessary to comply with the accommodation plan and in accordance with Appendix 202, Transmission, Storage, And Confidentiality of Medical, Health, and Disability-Related Information.

The DC and student sign the accommodation plan soon after the student’s arrival if the disclosure occurred during the admission process or after the DAC meeting if the disclosure occurred after arrival.

A copy of the plan is provided to the student, and the original maintained in the student’s AF.

Accommodation Plans/Files for Transfer/Readmit/Advanced Training Students with Existing Accommodation Plans

If a student with an accommodation plan already in CIS transfers to the center, re-enrolls in the program, or is admitted to the advanced training program, the DC engages the individual in an interactive DAP. See Engaging in the Interactive Process.

*Previous Documentation*

The DC determines if the student’s existing documentation has been uploaded in E-Folder and/or provided to the center (i.e., receiving an AF) or documentation is contained within the SHR. If not, the center requests that the sending or previous center upload the existing documentation. If the documentation cannot be obtained, then the DC documents in the Accommodation Plan notes within CIS that the student previously had an accommodation plan documented in CIS and the center’s efforts to obtain the documentation. The center provides the previously agreed upon accommodations.

**Notifying Staff of the Accommodation Plan**

As necessary (i.e., when accommodation plans are added or updated in CIS), but at least biweekly, the DC e-mails staff members who interact with students a list of all students with accommodation plans available in the CIS. The list specifically indicates any plans that are new or updated. Copies of these e-mails are maintained by a DC in a secured location.

**Accessing/Implementing/Monitoring the Accommodation Plan**

Center staff responsible for providing disability accommodation have access to the accommodation plan report in CIS and access plans by using the CIS accommodation plan icon. Staff provide disability accommodation as indicated in the accommodation plan and managers ensure that accommodation plans are implemented in their areas of supervision. Throughout the student’s participation and progression in the program, DCs and staff monitor for new accommodation needs or adjustments required, convene the DAC accordingly, and update the accommodation plan as needed.

The effectiveness of a student’s accommodation plan is evaluated [insert how the effectiveness is evaluated] with the student at least every 60 days throughout the student’s enrollment in Job Corps. Documentation of monitoring is noted in the CIS Accommodation Notes tab.

**Maintaining/Storing the Accommodation File or Disability No Accommodation File**

Each student with a disability has either an AF (if the student has an accommodation plan) or a DNAF (if the student has a disability but declined accommodation). [Insert where and how files are stored]*.*

AFs contain:

* Documentation of disability (medical records remain in SHR with a note in the AF indicating that the documentation is stored in the SHR)
* *RA/RM/AAS Request and DCC Form*, as appropriate
* Signed Accommodation Plan(s)
* CIS Accommodation Notes Tab printout (added at separation)
* Accommodation Monitoring Forms (if applicable)
* Referral Form (if applicable)

DNAFs contain:

* Documentation of disability (medical records remains in SHR with a note in the AF indicating that the documentation is stored in the SHR)
* *RA/RM/AAS Request and DCC Form*. Completion of the form appropriately serves as documentation of contact with the applicant; however, DCs may store additional notes documenting contact in the DNAF

When the student separates, the AF or DNAF is placed into a sealed envelope and sent to records.

**Initiating a Disability/Accommodation Referral**

The DCs maintain a written referral feedback system to document referrals to the DCs when a student discloses a disability and may want disability accommodation or staff suspects a student may have a disability that is impacting their success in the program and should meet with the DCs to consider disability accommodation. Feedback is provided to the staff person who made the referral when the process is complete. Referrals are documented in the CIS Accommodation Notes tab if an AP is developed. Any documentation related to the referral/feedback is stored in the student’s AF, DNAF, or in the SHR (if no AF or DNAF exists).