



**NORTH CAROLINA SCHOOL OF
SCIENCE AND MATHEMATICS**

Title	QUALIFIED INDIVIDUALS WITH DISABILITIES
Authority	Board of Trustees
History	Adopted September 10, 1993
Legal Reference	
Additional References	
Responsible Offices	Chancellor
Classification	8200

SECTION I. STATEMENT OF POLICY

NCSSM will not discriminate against any student, student applicant, employee, prospective employee, or member of the public because he or she is a qualified individual with a disability. This Board of Trustees policy applies to all employment-related activities including recruitment, advertising, hiring, job upgrading, transfer, training, compensation and benefits, layoff, demotion, and termination; to all student-related activities including admission, housing, use of facilities, completion of academic programs, and extracurricular activities; and to members of the public using the services of NCSSM. All nondiscrimination statements and activities in this plan apply to qualified individuals with a disability.

SECTION II. DISABILITIES REVIEW COMMITTEE

The Disabilities Review Committee makes recommendations to appropriate NCSSM employees regarding persons with disabilities. It works with student applicants, current students, prospective employees, current employees, and members of the public authorized to be on school grounds who report disabling conditions. The Committee assists in determining what, if any, accommodations are needed to allow the individual to be successful. It also considers whether NCSSM can provide those accommodations. Anyone with a disability who needs assistance in making adjustments for that disability should make a request to the Disabilities Review Committee.

Laws prohibiting discrimination in this area specifically protect “otherwise qualified” individuals. Otherwise qualified means the person meets the essential requirements for admission, employment, or participation in school activities, including activities offered to the public, without regard to whether he or she may need accommodation for the disability. “Essential requirements” are those expectations necessary for successful completion of or participation in the program or job.

If a person is otherwise qualified, the school will accommodate the disability, provided it is reasonable to do so. The determination of what is “reasonable accommodation” is based on cost, impact on program quality, safety of the disabled individual, safety of others in the NCSSM community or in the public, and other factors.

Neither essential requirements nor reasonable accommodation is easily determined in all cases. The Disabilities Review Committee looks at each case individually with respect to the job or program in question. Members of the Committee are responsible for staying up to date on these laws and other related legislation concerning persons with disabilities as they apply to NCSSM. The Committee also makes use of technical expertise in areas such as curriculum, job requirements, adolescent psychology, physical and emotional disorders, residential life, physical plant and facilities, personnel, and others, to make the most appropriate recommendation regarding accommodations. Expertise in this area may also be sought from non-NCSSM sources. Before making a decision on reasonable accommodation the Disabilities Review Committee will also consult with the disabled person.

In cases involving accommodations for current students or employees, the Chancellor reviews any recommendation that the disability cannot be accommodated and makes the final decision.

The Committee's membership consists of:

- Vice Chancellor for Academic Programs
- Vice Chancellor for Finance and Operations
- Vice Chancellor for Student Life

SECTION III. PROCEDURES FOR STUDENTS

The Disabilities Review Committee shall be responsible for implementation of the procedures listed below.

A. Applicants for Admission

The Committee reviews the admissions folder after the Admissions Selection Committee has determined that a prospective student meets the essential requirements and an offer of admission has been made to the student. If a disabling condition is reported or otherwise becomes evident, it works with the student to determine what, if any; accommodation is needed to allow the student to be successful. It further recommends to Admissions whether NCSSM can reasonably accommodate the student. Students who cannot be reasonably accommodated are notified that their offer for admission has been withdrawn. If the disabling condition becomes evident before an offer has been extended, the Committee will inquire whether the individual needs accommodations. Applicants who cannot be reasonably accommodated are notified that their admission cannot be considered. For students who can be accommodated, the Committee recommends to appropriate employees what the accommodation(s) should be and works with those employees in implementing the adjustments.

B. Applicants for Employment

The Committee reviews the application folder after the applicant has been determined to meet the essential requirements for the position and an offer has been made to the applicant. If a disabling condition is reported or otherwise becomes evident, it works with the applicant to determine what, if any; accommodation is needed to allow the individual to be successful. It further recommends to appropriate employees whether NCSSM can reasonably accommodate the applicant. Applicants who cannot be reasonably accommodated are notified that the offer to them has been withdrawn. If the disabling condition becomes evident before an offer has been extended, the Committee will inquire whether the individual needs accommodations. Applicants who cannot be reasonably accommodated are notified that their employment cannot be considered. For applicants who can be accommodated, the Committee recommends to appropriate employees what the accommodation(s) should be and works with those employees in implementing the adjustments.

C. Current Students

If a current student identifies himself or herself as an individual with a disability, the Committee consults with the student and any other technical sources and determines what, if any, accommodation is needed to allow the student to be successful. It further recommends to the Chancellor whether NCSSM can reasonably accommodate the student. The Chancellor makes the final decision. Students who cannot be accommodated are advised to withdraw from school. For students who can be accommodated, the Committee recommends to appropriate employees what the accommodation(s) should be and works with those employees in implementing the adjustments.

D. Current Employees

1. On an annual basis, the Disabilities Review Committee shall send notice to all employees inviting all qualified individuals with a disability who wish to benefit from these affirmative action activities to identify themselves. This notice shall include the following statements: that the information is to be voluntarily provided; that it will be kept in a separate confidential file; that refusal to provide it will not subject the employee to any adverse treatment; and that this information will be used in accordance with the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and other applicable laws.
2. If an employee identifies himself or herself as an individual with a disability the Director of Human Resources shall meet with the employee to determine whether he or she needs reasonable accommodation or has questions about job placement. If adjustments in working conditions or placement are needed, the Director of Human Resources will refer these accommodations to the Disabilities Review Committee for its consideration.

3. On an annual basis, the Disabilities Review Committee shall review all physical and mental job qualifications to ensure that they are job-related and/or required for health and safety considerations. In addition, all personnel processes shall be reviewed to ensure that qualified individuals with disabilities are carefully and consistently considered for job vacancies, promotions, training, and other benefits.
4. For each known individual with a disability, the Director of Human Resources shall keep a separate and confidential file or report identifying: (1) the individual's present position and accommodations offered; (2) other positions for which the individual applied, the reasons for rejection, a summary of the qualifications of other candidates for these positions, and a description of the accommodations considered; and (3) training programs and other benefits for which the individual was considered, the reasons for rejection (if applicable), and the accommodations considered.
5. All medical data offered or requested shall be maintained in a separate, confidential file in the Human Resources Office.
6. Implementation Guidelines.
 - a. Information collected pursuant to this policy shall be kept confidential except on a need-to-know basis.
 - b. A copy of this policy should be posted and communicated with other affirmative action notices on appropriate bulletin boards and in applicable written documents to employees and students.
 - c. No harassment of or retaliation against individuals with disabilities shall be tolerated; persons who violate this prescription shall be disciplined.
 - d. On a periodic basis, these activities will be reviewed to ensure that they are being properly implemented and to identify new activities that could enhance the objectives confidential except on a need-to-know basis.

¹In the absence of a department head, the division director assumes both roles; the Chancellor assumes both roles for the division directors; and the Board of Trustees assumes both roles for the Chancellor.

²In the case of the Chancellor, any disagreements are referred to the Executive Committee of the Board of Trustees.