

Carthage College Dining Accommodation Policy

Learning Accessibility Services The Office of Learning Accessibility Services at **Carthage College** is dedicated to supporting the College's efforts toward accessibility and inclusion for students with disabilities. This is accomplished through collaboration, advocacy, education, and accommodation. The Office of Learning Support Services works with students on an individual, case-by-case basis determining appropriate, reasonable accommodations to promote the student's learning, growth, development, and success.

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Section 1: Introduction and Background

Carthage College welcomes students with food-related disabilities and is committed to complying with laws regarding equal opportunity for students with disabilities to use and enjoy the College dining facilities. In accordance with The Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, as amended, **Carthage College** will review dining accommodation requests and make decisions on a case-by-case basis.

If an individual has been diagnosed by a qualified, licensed, provider with a food related concern such as a food allergy, severe food sensitivity or intolerance, or a feeding or eating disorder, these may constitute a disability under the ADA. This Policy explains the specific requirements and guidelines which govern requests for reasonable accommodations for College dining.

Those with questions about this policy, including prospective students who may need a disability accommodation during the admissions process, should contact the office of Learning Accessibility Services (LAS) at LAS@carthage.edu. The Director of LAS is the College's compliance officer for purposes of the ADA as amended in Section 504 of the Rehabilitation Act of 1973.

Carthage College reserves the right to amend this policy at any time as circumstances require.

Definiton

A. **Food Allergy:** An adverse immunologic response to a dietary protein. When the protein is eaten, the immune system releases histamine and other chemicals that cause an allergic reaction. Some allergic reactions may lead to life-threatening anaphylaxis

B. **Food Intolerance/Sensitivity:** When a person has difficulty digesting a particular food. This may lead to gastrointestinal symptoms such as gas, abdominal pain, or diarrhea.

C. **Eating or Feeding Disorder:** Any of a range of psychological disorders characterized by abnormal or disturbed eating habits (such as anorexia nervosa, bulimia nervosa, binge eating disorder, or other specified feeding or eating disorder).

Section 2: Requesting a Reasonable Accommodation

The Office of Learning Accessibility Services is responsible for reviewing requests for reasonable accommodations. Accommodation requests will be evaluated on a case-by-case

basis. Requests for reasonable accommodations for food related concerns are governed by the following process:

Initial Request Students should complete the Dining Accommodation Request form and return it to LAS at LAS@carthage.edu along with appropriate third party documentation. Upon receipt, an LAS staff member will schedule a meeting with the student to discuss the accommodation request.

Students should not make accommodation requests directly to staff or faculty members; if this occurs, staff and faculty members will refer students to LAS. The College encourages the timely request of accommodations prior to the start of a semester because the determination and implementation processes may take some time. However, accommodations requests can be made, and will be accepted, and considered at any time. It is important to note that granted accommodations are not effective retroactively.

Third Party Documentation A qualified third party is a licensed provider, familiar with the student's disability and the necessity for the requested accommodation. A qualified third-party includes, but is not limited to, a medical doctor, a board certified allergist, or a licensed mental health provider such as a psychiatrist or psychologist. The third-party provider will be asked to verify the student's disability and/or need for the requested dining accommodation.

A. The provider must

- (a) verify the existence of a disability by articulating a diagnosis, and
- (b) describe the nature and severity of any functional limitations that result from the disability. Ideally, documentation should be recent (within the last two years) as conditions can be outgrown, and new conditions can develop. It is essential, as with other conditions, that the documentation supports the need for accommodation/modification as defined by the Americans with Disabilities Act (ADA). The College also recommends that the provider suggest any possible accommodations that he or she may deem appropriate. Although, specific recommendations by a provider do not guarantee that those accommodations will be granted, and the College may provide alternative accommodations instead.

B. It is the student's responsibility to obtain the necessary documentation from the provider and return it to LAS. The College is not required to pay for any required diagnosis or testing. Periodically, students may be required by the College to update or augment documentation to ensure that the College has all of the information necessary to evaluate a request for accommodation. **Carthage College** reserves the right to deny services or accommodations in the event that the documentation

provided is inadequate. Accommodation requests and supporting documentation are reviewed on an individualized, case-by-case basis. As such, approved accommodations may vary from person to person and from environment to environment for students with the same disability diagnosis.

Meeting Upon receipt of the Dining Accommodation Request Form, an LAS staff member may meet or otherwise communicate with the student to discuss the dining accommodation request. Learning Accessibility Services will limit its request for information to only information necessary to clarify that the student making the request has a recognized disability and/or that the accommodation is reasonable and necessary in order for the student to have an equal opportunity to use and enjoy on-campus dining services.

Consultation During the interactive review process, in which it is determined whether an accommodation is reasonable, the request may be brought to a committee for review and decision. The committee will consist of a staff member from LAS, and/or Residential Life, and/or Health & Counseling Services, and/or Campus Food Services, and/or Facilities.

Housing Accommodation Requests Students needing accommodations in College housing should follow the College Housing Reasonable Accommodation Policy.

Confidentiality and Recordkeeping The office of Learning Accessibility Services will follow applicable federal, state, and local laws to protect the privacy and confidentiality of any information and documentation disclosed in connection with the dining accommodation request. Information provided to LSS is protected under the Family Educational Rights and Privacy Act of 1974 (FERPA). Based on FERPA, information provided to LAS will only be shared with those individuals involved in the decision-making process and implementation of the accommodation.

Non-Retaliation Provision Carthage College will not retaliate against any individual because that individual has requested or received an accommodation in College dining.

Section 3: Approval/Denial of Accommodation Request

Approval of Accommodation If Learning Accessibility Services and/or the review committee determines a requested accommodation is reasonable, communication with the student and/or dining will take place to begin implementation of the accommodation(s). Carthage College will determine the length of accommodation on a case-by-case basis. As a

general matter, however, dining accommodations will generally be in place for the duration of the academic year in which the accommodation was approved, unless the circumstances warrant a different approach. Therefore, unless provided a different timeline, the student will need to reapply for accommodation each academic year.

Denial of Accommodation If Learning Accessibility Services and/or the review committee denies the dining accommodation request, the student will be notified through his/her student email. The email notification will include reason for denial, statement of right to appeal, and procedures for the appeal process.

Grievance Procedure The purpose of the grievance procedure set forth below is to ensure that all complaints of discrimination based on disability filed by students are investigated and resolved. This procedure does not apply to allegations of disability discrimination arising out of adverse admission decisions. Appeals of such nature can be submitted through the admissions appeal process. The following is the grievance procedure for student complaints of disability discrimination:

1. When a student has been denied an accommodation or otherwise believes that he or she has been discriminated against on the basis of disability, the student may file a written grievance with the Director of Disability Compliance (“Director”). If the grievance is against the Director, it should be filed with the Executive Vice President for Administration (**Name & E-mail Address**). The statement should be as specific as possible regarding the actions(s) or inaction(s) that precipitated the grievance and include any documentation that the student feels is relevant. Such grievance shall be filed within seven calendar days after the receipt of the decision that gives rise to the grievance.

2. The grievance will be referred to the Chair of the College’s ADA Committee (“Chair”). The Chair will then promptly convene a grievance committee consisting of three faculty and staff members that sit on the ADA Committee. The convened grievance committee may, but does not have to, include the Chair.

3. The grievance committee will evaluate the grievance based upon the information and materials in the student’s disability services file, the determination by the Director related to accommodations (if applicable), the student’s written grievance, and any other information deemed relevant. The grievance committee may, in its discretion, meet with the student regarding the grievance and hear from any other individuals with knowledge regarding the circumstances underlying the grievance.

4. The grievance committee will typically issue a decision within 15 working days of being convened, though this timeframe may be extended if reasonably necessary. The student will be notified of the decision in writing, and the decision is final and not subject to further review.

Questions about this grievance procedure should be addressed to the Director. Although the College will ensure that all complaints of discrimination based on disability are investigated

and resolved, the President or his/her designee may modify or grant exceptions to the grievance procedure set forth above in his or her discretion.

Section 4: Additional Guidelines

Safety is of the highest priority for kitchen and dining services staff. It is of utmost importance that both front-of-house and back-of-house staff be trained on food safety and the severity of food related conditions to facilitate a welcoming dining environment for students at **Carthage College**. Listed below are the responsibilities of both **Carthage College** and the student.

Responsibilities of Carthage College

The College will:

1. Offer individual counseling with a registered dietitian nutritionist to assist students with navigating their dining experience, and to help them be active in the management of their condition.
2. Facilitate training for food services and students on food allergies in general and on Carthage College's dining policy.
3. Take reasonable precautions to prevent cross-contact and cross-contamination.
4. Post signs and electronic menus alerting students to foods containing major food allergens.
5. Permit students who cannot eat at the dining hall due to food related disabilities to access the dining hall facilities without being charged for a meal.
6. Offer special foods on a daily basis in the dining hall.
7. Permit students to pre-order their meals by giving dining services 24 hours advanced notice.
8. Offer special foods for catered events at the College with at least 24 hours advanced notice.
9. Respond promptly, confidentially and impartially to all complaints regarding this policy.

Responsibilities of Students with Food Allergies

Students will:

1. Carry their own emergency medication such as an epinephrine auto-injector so that they can administer it themselves in an event of an allergic reaction.
2. Familiarize themselves and adhere with this policy and procedures.
3. Ask managers rather than servers of dining facilities about nutrition facts, precautions to prevent cross-contact and any special foods available on a daily basis.
4. Familiarize themselves with the daily menus and signs posted regarding allergens.

For any questions and concerns, please contact Learning Accessibility Services (LSS) at LAS@carthage.edu.