

**LONE STAR COLLEGE SYSTEM DISTRICT
BOARD POLICY MANUAL
Fifth Edition**

not obtaining a search warrant; (c) areas such as lockers and desks, which the College owns and operates may be searched by the College officials when they have reasonable suspicion to believe that stolen items or items prohibited by law or by this policy are contained in the area to be searched; and (d) stolen items and items which are forbidden by this policy or law may be impounded and used as evidence in internal College disciplinary proceedings against the student.

VI.D.11. Students with Disability Rights

VI.D.11.01. Policy

The College recognizes and supports the principles set forth in federal and state laws designed to eliminate discrimination against qualified individuals with disabilities. The College believes in equal access to educational opportunities for all individuals. The College is committed to making reasonable accommodations, including furnishing auxiliary aids and services, for qualified individuals with disabilities as required by law. For purposes of this policy section, accommodation requests also mean requests for auxiliary aids and services.

The College shall communicate and make available the procedures for the prompt and equitable implementation of reasonable accommodations for qualified individuals.

VI.D.11.02. Student Responsibility to Request Accommodation

Students with disabilities have the right to an equal opportunity to participate in and benefit from College services, programs, facilities or activities. Students are responsible for identifying themselves as individuals requesting accommodation based on a qualifying disability each semester. Students shall direct accommodation requests to one of the College's Disability Services Offices. While the College accepts accommodation requests throughout each semester, students are strongly urged to submit accommodation requests at least four weeks before each semester starts. The College has a two-step process to reasonably accommodate students with qualifying disabilities. Students must actively participate in this process. The two steps are (a) certifying the student's qualifying disability and (b) determining the student's reasonable accommodation.

Students certified as having a qualifying disability are eligible for accommodation and will engage in a collaborative process with the Disability Services Office to determine their reasonable accommodation. An accommodation will not be considered reasonable if it fundamentally alters the nature of a service, program, facility, or activity of the College. The College is not required to lower or substantially modify program standards or codes of conduct. Students using their accommodation shall notify the applicable instructors of the accommodation once determined. Students receiving accommodation shall be evaluated based on their ability, not disability.

VI.D.11.03. Requests for Reconsideration or Revision of Accommodations and Discrimination Complaints

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(a) Reconsideration or Revision of Accommodations. Students may appeal denied accommodations or College-proposed accommodations. Students may also request accommodation revision during the semester. Each Disability Services Office evaluates appeal and revision requests for its college campus. Students should appeal accommodation denials or College-proposed accommodations within two weeks. Students requiring accommodation revision anytime during the semester should submit a request as soon as possible. Students may appeal Disability Services Office decisions to the Executive Director of Disability Services. Students may also file a complaint at any time with the regional Office of Civil Rights at the U.S. Department of Education or through the civil court system.

(b) Discrimination Complaints. Students who believe they are unlawfully discriminated against on the basis of disability are encouraged to report the incident to the Disability Services Office and or in the manner described in Section VI.D.12 (Student Civil Rights Complaints). Students may also file a complaint at any time with the regional Office of Civil Rights at the U.S. Department of Education or through the civil court system.

(c) Prohibition of Retaliation or Coercion. No College community member shall discriminate against any individual because that individual has opposed any act or practice made unlawful by the applicable laws, or because that individual submitted a complaint or charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under any applicable law or this policy.

No College community member shall coerce, intimidate, threaten, or interfere with any individual in the exercise or enjoyment of, or on account of his or her having exercised or enjoyed, or on account of his or her having aided or encouraged any other individual in the exercise or enjoyment of, any right granted or protected by any applicable law.

VI.D.11.04. Responsible Employee Designation

The College designates the Executive Director of Disability Services as the employee responsible for coordinating the College's efforts to comply with and carry out its responsibilities under applicable disability laws, including investigations of complaints communicated to the College alleging its noncompliance and/or any actions prohibited by applicable laws. The College shall further designate at least one employee at each campus to assist the Executive Director of Disability Services in carrying out the College's responsibilities. The College shall make available to all interested individuals the names, office addresses, and telephone numbers of the employees designated.

VI.D.11.05. Confidentiality and Records

Students' disability records are confidential. The confidentiality protects students from discrimination on the basis of disability as well as to ensure the non-release of their medical records except as needed to provide educational services. The College's Disability Services Office on each campus is responsible for collecting and maintaining disability-related documentation, confidential records of each student's visit, and any ongoing changes in the

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student's condition. These records are kept in a separate, secure digital file accessible only by Disability Services Office personnel and housed in the College's headquarters.

Disability-related information is shared only when necessary. Limited information may be disclosed to appropriate parties in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

LSCS Policy Manual Section adopted by the Board of Trustees on February 2, 2017

VI.D.12 Civil Rights Complaints

VI.D.12.01 Policy

The College provides equal treatment and educational opportunities to all persons without regard to race, color, sex, age, sexual orientation, gender identity, gender expression, religion, ethnic or national origin, disability, veteran status, or any other protected status. Any student experiencing discriminatory treatment or civil rights violations, aside from Sexual Violence or Title IX Harassment addressed in Section IX (Sexual Misconduct), may submit a civil rights complaint under this section.

Nothing in this policy section limits a Campus Peace Officer from inquiring into the immigration status of a person under lawful detention or arrest.

LSCS Policy Manual Section adopted by the Board of Trustees on October 5, 2017

VI.D.12.02 Reporting and Processing Civil Rights Complaints

Students experiencing a civil rights violation should complain to the applicable Chief Student Services Officer or President as soon as possible. Depending on the nature of the complaint and the respondent to the complaint, the receiving College official or a designee may (a) investigate the complaint and take any appropriate corrective or disciplinary action at the applicable college campus as approved by the President or (b) forward the complaint to the appropriate College official. The College shall publish procedures for Reporting and Processing Civil Rights Complaints.

VI.D.12.03 Potential Disciplinary Actions

If the investigation reveals an employee committed a civil rights violation, action will be taken under this policy's Section IV.F.11 or IV.F.13. If the investigation reveals a student committed a civil rights violation, action will be taken under this policy's Section VI.F.1.

VI.D.12.04 Prohibition on Retaliation

The College's policy prohibits any College employee from retaliating against a student for submitting a student's civil rights complaint. The College's policy forbids retaliating against any person who submitted a civil rights complaint. The College's policy also forbids retaliating