

From: [Compliance Office](#)
To: [Compliance Office](#)
Bcc: [All Employees Dynamic Grp](#); [Moy, Christopher T](#); [Adams, Maria T](#)
Subject: Accommodating Students with Disabilities
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Attachments: [Accommodating_Students_with_Disabilities_Notice_-_Spring_2021.pdf](#)



Memorandum

Office of Compliance, Risk, and Ethics

To: The College Community
From: Christopher Moy, Director of ADA and Title IX Compliance
Subject: **Accommodating Students with Disabilities**
Date: January 26, 2021

Welcome back to the beginning of another spring semester. I hope you had a safe, relaxing winter break. This memo serves to inform the College community of our commitment and responsibility in providing equal educational opportunities for students with disabilities.

Montgomery College is committed to providing equal access to educational opportunities for students with disabilities. Montgomery College recognizes that individuals with disabilities may need reasonable accommodations to have equally effective opportunities to participate in or benefit from college educational programs, services, and activities. Montgomery College shall adhere to Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (1990), ADA Amendments Act 2009, with respect to providing reasonable accommodations as necessary to afford equal access to our programs, goods, and services for qualified persons with disabilities.

Reaffirming our responsibility to comply with section 504 at 34 C.F.R. § 1.4.4(a), Montgomery College recognizes its obligations to provide adjustments to its academic requirements and educational auxiliary aids to qualified students with disabilities to ensure that they are not denied the benefits of or excluded from participation in the College's educational programs. MC further recognizes its obligation under Title II regulation at 28 C.F.R. § 35.130(b)(7) that a public entity shall make reasonable modifications when necessary to avoid discrimination based on disability, unless it can demonstrate that making the modifications would fundamentally alter the program.

Therefore, administrators, faculty members, Workforce Development and Continuing Education (WDCE) program instructors and staff must provide service upon receipt of the accommodation letter or other notice from Disability Support Services (DSS) indicating that a student with a disability is authorized to specific academic adjustments or auxiliary aids, or services. **Providing the accommodation is not optional or up to the discretion of the faculty member. If there are questions or concerns about student accommodations, individuals must consult with the student's DSS counselor. Students with disabilities cannot be put in the middle to negotiate their accommodations. Additionally, students with disabilities, including those who are entitled to classroom or examination accommodations, will not be discriminated against or denied the benefits in scheduling or taking exams. The administration of these exams should follow the procedures dictated on the student's accommodation letter. Failure to provide necessary academic adjustments to a student with a disability may be**

discriminatory based on disability and may violate the ADA and Section 504. In instances where it is determined that a student did not receive his or her approved academic adjustments, faculty/instructional staff and disability services personnel will work together with the student to identify an appropriate remedy.

Furthermore, administrators, faculty members, WDCE program instructors and staff who create or maintain electronic information (e.g. instructional material, websites, online courses, PDF forms, videos, etc.) are responsible for the accessibility of their material. The ADA office has created a website, Accessibility@MC, which provides information and resources on creating accessible material. For more information or assistance, please contact us at accessibility@montgomerycollege.edu.

If there are questions about a student's accommodations, please contact the student's DSS counselor. For general questions about disability accommodations, please contact the Director of ADA Compliance, Christopher Moy, at 240-567-5412 or christopher.moy@montgomerycollege.edu.

Thank you for your time and assistance in serving students with disabilities.