



603.2.1 -Nondiscrimination on the Basis of Disabilities and Reasonable Accommodation

Purpose:

To operationalize Bismarck State College's policy 603.2.1 Nondiscrimination on the Basis of Disabilities and Reasonable Accommodation.

Procedure:

An individual may be required to provide relevant, written documentation in order to establish that he/she is a person with a disability and entitled to a reasonable accommodation under the law.

Applicants for employment:

Applicants for employment who have a disability may request reasonable accommodation at any time during the application process. Requests for accommodation shall be made to Human Resources. Applicants must confirm the request in writing, however, the arrangements for accommodation may be initiated prior to receipt of the written request.

Employees:

An employee whose disability requires reasonable accommodation in order to perform the essential functions of their job may request reasonable accommodations at any time during their employment. The request for reasonable accommodation shall be processed through the Human Resources Department. Human Resource's response will be in writing. Supervisors receiving requests for accommodation from employees shall direct the employee to contact Human Resources in order to address their need for a reasonable accommodation.

Addressing requests for accommodation:

1. Accommodation requests shall be made in writing using the [Reasonable Accommodation Request Form.pdf](#)
2. The completed form shall be submitted to Human Resources within one week of the date that a verbal or written request of accommodation is made. In addition, the employee may be asked to provide to Human Resources relevant, written documentation of a disability from an appropriately certified or licensed health care or rehabilitation professional in a relevant field of the disability and explain the



need for reasonable accommodation using the [Reasonable Accommodation Interactive Questionnaire \(SFN59517\).pdf](#)

3. form. To ensure a written timely response from Human Resources, it is recommended that the employee submit the documentation within ten working days of the employee's written accommodation request. Both forms are available on the BSC CORE or by request from Human Resources.
4. Documentation of disability and need for accommodation provided by an employee should include the following:
 - a. A statement identifying the disability.
 - b. A description of the current functional impact of the disability.
 - c. Treatments, medications, assistive devices/services currently prescribed or in use that are relevant to the job.
 - d. A description of the expected duration of the disability over time.
 - e. The relevant credentials of the diagnosing professional(s) such as medical specialties or professional licensure.

All written documentation provided by an employee requesting accommodation will be maintained in a confidential file separate from the employee's official master personnel file in Human Resources.

Occasionally, the documentation provided by the employee may not be sufficient to make a determination of the appropriate reasonable accommodation. In such a circumstance, the College may require the employee to go to a health care professional of the College's choice in order to adequately document the need for accommodation and identify appropriate accommodations. Any medical examination required under these circumstances will be limited to determining the existence of a disability and the functional limitations that require reasonable accommodation.

Any costs related to the College's request for the additional medical documentation described above will be the responsibility of the College.

5. The determination of a reasonable accommodation shall be an interactive process involving the employee, Human Resources, and relevant administrative personnel. The College may provide an alternative to the requested accommodation so long as it is effective in removing the workplace barrier(s) that impede(s) the employee with the disability. The employee may refuse an alternative reasonable accommodation, but such refusal may mean the individual may not be able to perform the essential functions of the job.



6. An applicant or an employee with a disability, as defined by law, who is dissatisfied with the response to his/her request for reasonable accommodation and wishes to appeal, may do so in writing to Chief Human Resources Officer within ten working days of the response.

Appeals process: An Appeal Committee will be formed to review the request. Members of the Appeal Committee may include Human Resources Manager or designee and other BSC employees and managers. The committee will provide a recommendation to the Executive Vice President. The Executive Vice President will make the final decision and communicate to the employee in writing within ten working days of receipt of the Appeal Committee's recommendation.

References:

[SBHE Policy 603.2 Equal Employment Opportunity.docx](#)
[Section 504, Rehabilitation Act of 1973 | U.S. Department of Labor](#)
[Americans with Disabilities Act of 1990, As Amended | ADA.gov](#)

History of This Policy Procedure:

First policy: First policy draft approved by the Operations Council on August 18, 2020, and approved by the Executive Council on August 20, 2020.

Reviewed by Campus Council on August 21st, 2023, and reviewed by the Executive Council on August 28th, 2023, and approved by the President on September 21st, 2023.

Reviewed and approved by the Executive Vice President on June 25th, 2025.