

OTERO COLLEGE PROCESS

OCP 0-3: Medical Dietary Accommodations

OCP REFERENCE NUMBER:

OCP 0-3

REVISED/REVIEWED ON:

06/03/2024

EFFECTIVE:

06/03/2024

REFERENCE(S):

Section 504 of the Rehabilitation Act of 1973; The Americans with Disabilities Act of 1990 (ADA); the ADA Amendments Act of 2008 (ADAAA); the Fair Housing Act Amended (FHAA); Colorado Community College System (CCCS) Procedure (SP) 19-60b (Student Disability Services); CCCS SP 4-31a (Student Complaint Procedure); CCCS SP 19-60a (Civil Rights and Sexual Misconduct Resolution Process).

APPLICATION:

This process applies to students who need medical dietary accommodations through Otero College Dining Services.

BASIS:

Through a campus collaborative approach, students with a documented medical condition that affects their ability to dine within the normal course of business of the campus dining programs, are entitled to accommodations to meet their nutritional needs under the Americans with Disabilities Act (ADA). Otero College and Otero College Dining Services are committed to providing reasonable accommodations to ensure full participation of its students in all dining programs. This may impact, but is not limited to, students with food allergies and Celiac Disease.

DEFINITIONS:**Disability**

The ADA defines a person with a disability as a person who has a physical or mental impairment that substantially limits one or more major life activities, or had a history or record of an impairment (such as cancer that is in remission), or is regarded as having such an impairment by others even if the individual does not actually have a disability (such as a person who has scars from a severe burn that does not limit any major life activity).

Major Life Activities

According to the Colorado Community College System's (CCCS) System Procedure (SP) [19-60b](#) (Student Disability Services), "Major Life Activities" include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working (Colorado Community College System Procedure).

Physical or Mental Impairment

Per [SP 19-60b](#), a physical or mental impairment includes, but is not limited to:

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or
- Any mental and psychological disorder, such as an intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Reasonable Accommodation

A reasonable accommodation includes any modification or adjustment that can be made without lowering or substantially modifying essential requirements of a course or academic program; fundamentally altering the nature of a service, program, or activity; posing an undue financial administrative burden on the College; or posing a direct threat to the health or safety of others ([SP 19-60b](#)).

Substantially Limits

"Substantially Limits" means unable to perform a major life activity that the average person in the general population can perform, or significantly restricted as to the condition, manner, or duration under which an individual can perform a major life activity as compared to condition, manner, of duration under which the average person in the general population can perform that same major life activity ([SP 19-60b](#)).

Dietary Accommodation

Dietary accommodations are an exception to the usual rules, policies, practices, or services that a resident with a disability may need to have an equal opportunity to use and enjoy Otero College Dining Services. The following are examples of accommodations that must be considered when addressing the needs of students with a documented medical condition, such as a food allergy, food sensitivity/intolerance, or Eating or Feeding Disorder. They include but are not limited to:

- Provide education or counseling regarding access and/or guidance to information related to the student's condition, recipes, ingredients, and food preparation.
 - The student will need to meet with the General Manager, Executive Chef, or Registered Dietitian to discuss dining needs and to go on a dining hall tour (if applicable).
- Assistance from Dining Services for menu ingredient education or custom meal planning & preparation.

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.

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.

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).

PROCEDURE:

Requesting Services

Students with disabilities who enroll at Otero College are encouraged to meet with the Accessibility Services Coordinator (ASC) to discuss their needs, the barriers they experience, reasonable accommodations to address the barriers, and next steps. The process to register for services is simple:

Step 1: Complete the Non-Academic Application for Accommodations. The application gathers initial information to establish a student's need for support. If questions, challenges, or concerns arise with the Non-Academic Application for Accommodation, please contact the ASC at (719) 384-6963 or otero-accessibility@otero.edu

Step 2: Meet with Accessibility Services. The ASC will contact students by phone or email within 1 to 3 business days of receiving the application to schedule an intake appointment. Students are encouraged to bring documentation of disability to this meeting. After meeting with the ASC, students will receive a follow-up email notification within 2-3 business days. If accommodation is warranted, the ASC will refer the student to Dining Services in writing, and the student will consult with the Registered Dietitian

for Nutrition therapy support. The Registered Dietitian will then meet with the Dining Services Representative to discuss their dietary needs.

Continuing Services

To continue services between semesters, students with disabilities must submit the appropriate **Continuing Services** form. Students must then meet with Accessibility Services. The ASC will contact students by phone or email within 1 to 3 business days of receiving the application to schedule an intake appointment. Students also schedule an appointment through Navigate, or by contacting the Accessibility Services Coordinator at (719) 384-6963 or otero-accessibility@otero.edu.

Documentation Guidelines

Students who request accommodations will be required to provide documentation of their disability(s) beginning Summer 2024.

Why Does Otero Ask for Documentation?

The primary purpose of requiring documentation of disability is to help the College work interactively with students to identify appropriate accommodations and services ([SP 19-60b](#)). Documentation is requested to:

- Determine if a disability exists (e.g., Learning, ADHD, Mental Health/Psychological, Medical, Physical, Neurological, etc.).
- Identify reasonable accommodations that will reduce barriers without creating undue hardship.
- Verify that the documentation supports the requested accommodation(s).

The conversation with the ASC during the intake meeting, in addition to the documentation students submit, will help to identify barriers and the accommodations that are needed.

Documentation Requirements

1. Documentation must be from a professional, unrelated to the student, who is trained and qualified (i.e., certified and/or licensed), to evaluate/diagnose/assess a particular disability. These professionals include, but are not limited to, medical doctors, psychologists, audiologists, ophthalmologists, and educational diagnosticians.

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 provider may suggest any possible accommodations that he or she may deem appropriate. Specific recommendations by a provider do not guarantee that those accommodations will be granted, and the college may provide alternative accommodations instead.

2. Documentation must include the letterhead of the professional providing the evaluation/diagnosis/assessment and include the name, address, and qualifications of the professional. In addition, it is helpful when documentation includes the following information:
 - a. The specific diagnosis (e.g., DSM)
 - b. The functional limitations caused by the diagnosis.
 - c. Medication the student is taking which causes side effects (impacts student in the educational environment).
 - d. Recommended accommodations.

Please be aware that documentation requirements may differ from one college to another, and specific accommodation recommendations by a provider do not guarantee those accommodations will be granted; the College may provide alternative accommodations.

Student Rights and Responsibilities

Student Rights

Students with disabilities have the right to:

- Have the information about their disabilities remain confidential, unless a “need to know” situation arises.
- Participate in programs and classes for which they are qualified, with appropriate accommodations/access services.
- Be treated equally with other students regarding grades and class participation.
- Receive accommodations in a timely manner, upon completion of the accommodation request form each semester.

Student Responsibilities

Students with disabilities must:

- Meet with the Accessibility Services Coordinator (ASC) following the completion and submission of the Accommodation Application (Academic/or Non-Academic) and provide documentation as requested.
- Complete the Continuing Services form (Academic and/or Non-Academic) each semester and notify ASC of the need for accommodations. Accommodations are

not retroactive and will not begin until the letter of accommodation has been delivered.

- Follow the Code of Conduct.
- Meet course/program requirements.
- Assume responsibility for using or not using accommodations.
- Notify the ASC immediately if accommodations are not met or problems arise in class.

Dining Services Responsibilities

The responsibilities of Dining Services are as follows:

- The Registered Dietitian will meet with the student to review and assess dining accommodations within the medical parameters.
- The Registered Dietitian will meet with other members of Dining Services team (Executive Chef, Manager, FS/DI intern, etc.) to confirm reasonability of the accommodation assessment as needed. Basic education or dining tour might not require meeting with team, but custom meals would.

Appeals and Grievances

Students dissatisfied with this procedure may file a complaint with Otero by following the steps outlined in [SP 4-31a](#) (Student Complaint Procedure). Students who believe they have been harassed, discriminated against, or retaliated against based upon their disability may file a complaint with Otero under [SP 19-60a](#) (Civil Rights and Sexual Misconduct Resolution Process).

DISCLAIMER:

Nothing in this process is intended to create (nor shall be construed as creating) an express or implied contract or to guarantee for any term or to promise that any specific process, procedures, or practice will be followed, or benefit provided by Otero.

REVISING THIS PROCEDURE:

Otero College reserves the right to change any provision or requirement of this procedure at any time and the change shall become effective immediately.