



Clovis Community College

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# Faculty Resource for Disabled Student Programs and Services

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## **Introduction**

The faculty/staff handbook was developed with two purposes in mind: (1) to provide personnel of Clovis Community College with a resource about services for students with disabilities and information to assist in serving this population; and (2) to further enhance understanding of DSP&S and the services provided.

Visit the [DSP&S Faculty Overview](#) webpage for additional faculty resources on DSP&S services.

### **Disclaimer:**

Realizing "the vagueness of Section 504 and the ADA reflect the reality that no two students - and no two colleges - are exactly alike, and no universal rule can govern individual needs and college resources", the DSP&S Faculty handbook herein is a living document subject to fluctuation due to ongoing judicial decisions. Policies may be revised to comply with legal opinions that reflect continuing Office of Civil Rights (OCR) opinions and judicial rulings.

# Eligibility

## How Do Students Qualify?

To qualify for services, students must have a documented disability, verified by an appropriate licensed professional, and one or more educational limitations that preclude the student from fully participating in general instruction without an accommodation. Students should apply for admission to the college and then immediately apply for DSP&S eligibility. For more information on the steps to apply, please see the DSP&S web page ([www.cloviscollege.edu/DSP&S](http://www.cloviscollege.edu/DSP&S)).

## Referring a student to DSP&S

A general referral:

- Share information about resources on campus that would benefit the student and include DSP&S, Counseling, Tutorial Center, Student Health Services and the Career Center. Example: "I want to share some information about campus services that you might find helpful."

A student has identified that they have a disability:

- If a student comes to you and discloses that they have a disability, explain that DSP&S would be a useful and helpful way to obtain additional support and resources. The student may not feel their disability is "severe" enough to qualify for services. Help the student understand that DSP&S serves all types of disabilities and that they could benefit from being connected with DSP&S.

It is suspected that a student may have a disability:

- Refer students to DSP&S if you suspect they have a disability. Utilize the Starfish Early Alert Referral System and refer a student directly to the DSP&S program. A DSP&S counselor will reach out to that student directly. Please contact Nancy Chavera at [Nancy.chavera@cloviscollege.edu](mailto:Nancy.chavera@cloviscollege.edu) for Starfish Early Alert/Referral inquiries.

## **Laws and Policies**

**Section 504 of the Rehabilitation Act of 1973** is civil rights legislation which ensures students with disabilities have equal access to education. Section 504 states that: “No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, ...counseling, ...physical education, ...or other postsecondary education program or activity”. The regulations further state that students must be educated in the most integrated setting appropriate to the individual’s needs.

**Section 508** requires universal access to “electronic information technology,” including school and classroom websites. All videos you show must be closed captioned, all written materials need to be accessible. Videos with audio descriptive files should be chosen if available.

**Americans with Disabilities Act (ADA)** became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else.

**Title 5 of the California Code of Regulations (56000 through 56076)** sets regulations for the academic adjustments which community colleges provide to students with disabilities. In addition to protections for students, it adds a provision protecting the instructor’s academic program: “adjustments must [...] not include any change to curriculum or course of study that is so significant that it alters the required objectives or content of the curriculum in the approved course outline, thereby causing a fundamental alteration [...]”

### **What the Law Requires: Equal, Not Preferential Treatment**

- Equal access to instruction, services, activities, and facilities of the college.
- Students must be evaluated on ability, not disability.
- Accommodations must be provided when students have educational limitations that affect the ability to acquire information or to demonstrate knowledge of the course material in a standard way.

### **What the Law Does Not Require:**

- The law does not require providing accommodations to a student who verbally claims a disability but who has not provided documentation to the college, either through DSP&S or through the ADA/504 coordinator.
- The law does not require providing personal devices such as wheelchairs, hearing aids, or glasses.
- The law does not require providing personal services such as assistance with eating, dressing, or mobility.
- The law does not require providing accommodations that would fundamentally alter the nature of a program, class or course or substantially modify academic or program standards.

# **Rights and Responsibilities**

## **Student Confidentiality**

Under the Federal Right to Privacy Act (FERPA) and related laws affecting higher education, students have the right to confidentiality. If a student is revealed to have a disability to their classmates or others without the student's permission, it is a violation of confidentiality laws and the trust that the student has in the instructor and the college.

For example, it is not acceptable to announce, by name, that a student needs a note taker. Do not discuss the student's disability in class or in the presence of other students. When you are emailed a Faculty Notification Letter (FNL) that states a student has a disability and needs accommodations, or if the student shares that information with you verbally or in writing, that information must be kept confidential. Instructors and staff should treat all information regarding the identity of the student with a disability, the nature of the disability, and the disability-related accommodations the student requires in a professional and confidential manner.

Some disabilities are obvious but there are several disabilities that are invisible. DSP&S is bound by laws which protect a student's right to privacy. DSP&S is allowed to disclose limited information and verify eligibility for specific services under an educational need to know clause in the student's application for services. Other exceptions to confidentiality occur when required by law, such as when a student is determined to be a danger to self or others, or when there is reasonable suspicion of child abuse, elder abuse, or the abuse of a dependent adult.

## **Students Rights**

### **According to Title 5 SECTION 56008. STUDENT RIGHTS:**

- a) Participation by students with disabilities in Disabled Student Programs and Services shall be entirely voluntary.
- b) Receiving academic adjustments, auxiliary aids, services and/or instruction authorized under this subchapter shall not preclude a student from also participating in any other course, program or activity offered by the college.
- c) All records maintained by DSP&S personnel pertaining to students with disabilities shall be protected from disclosure and shall be subject to all other requirements for handling of student records as provided in Subchapter 6 (commencing with Section 54600) of Chapter 5 of this Division.

## **Student Responsibility**

### **Students with disabilities have the responsibility:**

- To provide DSP&S with professional documentation of their disability
- To request accommodations in a timely manner
- To follow procedures for obtaining accommodations
- To work cooperatively with DSP&S and their instructors to determine how to implement accommodations.
- To maintain the academic and conduct standards of the college Section 56010 of Title 5 provides further details on student responsibility.

## Faculty Rights

### Faculty have the right:

- To set academic standards
- To evaluate the student based on the standards of the class and to grade accordingly.
- To appeal a decision regarding the provision of an accommodation, when doing so would pose a fundamental alteration to the course of program curriculum.

## Faculty Responsibility

### Faculty have the responsibility:

- To work with the student to provide accommodations in a timely manner.
- To provide material and course content in accessible formats.
- To select textbooks in a timely manner so that e-text can be ordered from the publisher or converted by the CCC Alternative Media Specialist.
- To respect and maintain a student's rights to confidentiality by not announcing or discussing the student's disability in the presence of other students or staff.
- To contact DSP&S if there is a concern about any accommodation.
- Utilize the Faculty AIM portal to monitor accommodations for students with disabilities in your course offerings.

## The Syllabus

Include a statement in the syllabus inviting a student to discuss academic needs with you. For example, *"If you have a documented disability and wish to discuss academic accommodations, please contact me after class or contact the office of Disabled Student Programs and Services (DSP&S)."*

### Or

*"If you have a verified need for an academic accommodation or materials in alternate media (i.e.: Braille, large print, electronic text, etc.) per the Americans with Disabilities Act or Section 504 of the Rehabilitation Act, please contact your instructor as soon as possible. If you have a disability as addressed by the Americans with Disabilities Act (ADA), please notify me immediately. Reasonable efforts will be made to accommodate your needs. For more information, contact the Clovis Community College Disabled Student Programs and Services department at 559 325-5050 or by emailing them at [dsps@cloviscollege.edu](mailto:dsps@cloviscollege.edu)*

## **Accessible Information Management (AIM)**

### **Faculty AIM Portal**

State Center Community College District utilizes Accessible Information Management (AIM) as its DSP&S computerized data management system. DSP&S utilizes AIM to manage student files and coordinate academic adjustments and auxiliary aids, also known as accommodations. Please note that SCCCD is tailoring the AIM system to their policy and procedures and are simultaneously utilizing AIM while building the AIM infrastructure. This will cause accommodation policies and procedures to change over the next few years. It is recommended that instructors connect with the DSP&S office to discuss any inquiries about implementing accommodations.

Instructors can access AIM by signing on to their Single Sign-on platform. Under the Apps Catalog instructors can find the AIM portal. Universal disability icons are used as a marker for the AIM portal. Instructors can login and access student accommodation requests via the Faculty Notification Letter (FNL). FNLs are sent for each student requesting accommodations. Accommodations will be numbered at the bottom of the letter. A brief description of the accommodations is included. AIM also allows instructors to view accommodations by course to identify how many students within a course are requesting accommodations.

Please reach out to DSP&S with any AIM related inquiries at 559-325-5050 or [dsps@cloviscollege.edu](mailto:dsps@cloviscollege.edu)



## Accommodations You May See in Your Classroom

Accommodations are the means by which a college gives students the tools necessary to gain equal access to curriculum. The following is a list of accommodations that are commonly provided in the classroom setting.

<b>Test taking accommodations such as extra time, distraction reduced setting, and/or materials in alternate format.</b>	CCC provides testing services to assist you in providing this accommodation. Call the DSP&S department at (559) 325-5050 or Testing Services at (559) 325-5276.
<b>Note taking assistance</b>	Faculty is responsible for finding the notetaker in a confidential manner. Have volunteers follow the note-taker steps listed on our CCC DSP&S website.
<b>Ability to record lectures</b>	Students sign a recording agreement indicating that they will only use lecture recordings for personal academic use; recordings will be discarded after the semester ends.
<b>Modified seating (e.g., close to open door/exit, or back against corner of room, etc.)</b>	Examples: close to open door/exit, or back against corner of room, etc.
<b>Discreet snacks/drinks allowed in class</b>	Science and computer lab instructors please address safety while allowing accommodation.
<b>Priority Registration</b>	Students can register during Tier 1 registration priorities, if they are fully matriculated, in academic good standing, and have not met the maximum timeframe per college policies.
<b>Alternate Media/E-Text</b>	Student shows DSP&S textbook proof of ownership; DSP&S provides text in alternative format.
<b>Self-directed breaks</b>	Student must be discreet when leaving and returning to class. Instructors please do not identify student leaving in front of class.
<b>Course Policy Accommodation Agreement</b>	Student may be authorized excused absences and/or extension on assignments. A contract will be emailed to instructor in advance, by a DSP&S counselor, so that you can set the parameters of this accommodation. This inhibits the course from being fundamentally altered.

*Note: There could be other accommodations or comments on the FNL depending on individual student and disabling condition. Please contact DSP&S with any questions or concerns related to academic adjustments and auxiliary aides, also knowns as accommodations.*

## **Frequently Asked Questions**

### **Where do I go for assistance in providing accommodations?**

The office of Disabled Student Programs & Services (DSP&S) can provide information and assistance in dealing with any questions or concerns you may have about accommodating students. Please call (559) 325-5050.

### **How do I know that the accommodation the student has requested is appropriate and legitimate?**

Approved accommodations requested on the Faculty Notification Letter (FNL), align with the student's disability, and have been deemed appropriate by a DSP&S counselor. Any student requesting academic accommodations that you do not have an FNL for, should be referred to the DSP&S office to go through the appropriate channels to utilize academic accommodations.

### **How can I be sure I am doing what is necessary to provide academic access?**

No two students with disabilities are alike, hence there are no blanket-cover accommodations. When providing accommodations, address it on a case-by-case scenario. This means a transparent dialogue between you and each student requesting accommodations should take place. Many times, students know how their approved accommodations can assist them in being successful in your class- ask them to explain what works well for them. It is a good idea to document what you and the student discussed in a follow-up email to the student. If you have questions call the DSP&S department (559-325-5050).

### **What if I do not agree to provide an accommodation in the exact way the student is requesting it?**

Accommodations have to be provided to students in a manner which complies with the law. Please call DSP&S at (559) 325-5050 to see if you are complying. Students utilizing DSP&S approved accommodations also sign agreements, if required, outlining the policies for that specific accommodation. For example, if the student plans to record course lectures, they sign an audio recording agreement outlining the parameters to audio record (i.e., recordings can only be used for academic purposes, recordings will be destroyed at the end of the semester). If the student extends their right to test at the Testing Center in conjunction with their allotted accommodations, they sign a Testing agreement outlining the parameters of testing. Please contact the DSP&S department if you would like to learn about these policies in further detail.

### **Am I being asked to compromise academic standards or give the student with a disability an advantage?**

No. Students with disabilities are held to the same academic standards as all students set forth by the college catalog. The student with a disability should fulfill all the essential course-related requirements and can do so with the utilization of their accommodations. Students with disabilities face academic barriers, caused by their disability(ies) - Academic accommodations provide an equitable opportunity for these

students by allowing a fair chance to be at par with their peers when utilizing their accommodations.

**By making accommodations to students with disabilities, am I discriminating against the other students who would prefer such things as extended time for tests, etc.?**

No. Again, students with disabilities face academic barriers, caused by their disability(ies) - Academic accommodations provide an equitable opportunity for these students by allowing a fair chance to be at par with their peers when utilizing their accommodations. It may appear that preferential treatment is being given to the student with disabilities; however, the legal requirement is to compensate for a life function which substantially limits one or more major life activities. Please refer any non-DSP&S students who prefer such accommodations to the DSP&S department. We can determine their eligibility status for DSP&S services.

**What if a Personal Care Attendant comes to class with a student?**

Students who need assistance with personal care services (e.g., eating, toileting) on campus may be accompanied by a Personal Care Attendant. Personal Care Attendants have to be approved on the FNL. DSP&S is not legally responsible to provide attendants for DSP&S students. DSP&S students have to obtain their own Personal Care Attendant, and sign a form indicating an attendant is needed to assist them with activities of daily living, as aforementioned. Personal Care Attendants are subject to follow the Student Code of Conduct (including Academic Dishonesty policies).